

CITY COUNCIL AGENDA



DATE February 27, 2012 – 7 p.m.

Please turn off or place on non-audible all cell phones, PDAs, Blackberrys and pagers during the meeting.

O Canada – Immigrant Services – Youthopia – Youth for Inclusion

Silent Prayer

Disclosure of Pecuniary Interest

PRESENTATION

- a) Susan Ratcliffe, on behalf of Heritage Guelph:- Presentation of Heritage Designation Plaques to:
- 60 Manitoba Street – Ben Polley
 - 9 Douglas Street – Anne Forestell
 - 81 Farquhar Street – Jeff Bousfield
 - 340 Woolwich Street – Joe Gummerson and Bradly Butts
 - 344 Woolwich Street – Linda Migliaccio
 - 348 Woolwich Street – Michael Crawley
 - 12 Mont Street – Michael Crawley

CONFIRMATION OF MINUTES (Councillor Bell)

"THAT the minutes of the Council Meetings held January 30 and February 6, 2012 and the minutes of the Council meetings held in Committee of the Whole on January 25, 30 and February 6, 2012 be confirmed as recorded and without being read."

CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED

The following resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Reports/Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Consent Reports/Agenda will be approved in one resolution.

Consent Reports/Agenda from:

Community & Social Services Committee			
Item	City Presentation	Delegations	To be Extracted
CSS-1 Proposed Change to Non-Prescribed (Discretionary) Social Services Funeral Rates			

Adoption of balance of Community & Social Services Committee First Consent Report - Councillor Dennis, Chair

Operations & Transit Committee			
Item	City Presentation	Delegations	To be Extracted
OT -1 Commemorative Tree Plaques		<u>Correspondence:</u> - Barry Wrigglesworth	

Adoption of balance of Operations & Transit Committee Second Consent Report - Councillor Findlay, Chair

Planning & Building, Engineering and Environment Committee			
Item	City Presentation	Delegations	To be Extracted
PBEE-1 Sign By-law Variance for 60 Woodlawn Road East (Village of Riverside Glen Retirement Residence)			
PBEE-2 Sign By-law Variance for 130 Macdonell Street (Co-operators)			
PBEE-3 Brooklyn and College Hill Heritage Conservation District Designation Process – Summary of Phase One and Recommendation to Proceed to Phase Two	<u>Consultants:</u> MHBC Planning – David Cuming	<ul style="list-style-type: none"> Michael Lackowicz <u>Correspondence:</u> - David Zanardo	✓

Adoption of balance of Planning & Building, Engineering and Environment Committee Second Consent Report - Councillor Piper, Chair

Council as Committee of the Whole			
Item	City Presentation	Delegations	To be Extracted
COW-1 Citizen Appointments to the Elliott Community Board of Trustees			

COW-2 Citizen Appointments to the Accessibility Advisory Committee			
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Adoption of balance of the Council as Committee of the Whole Second Consent Report –

Council Consent Agenda			
Item	City Presentation	Delegations	To be Extracted
A-1) 22 Mason Court – Upcoming Ontario Municipal Board Hearing (File A-105/11) – Ward 5			
A-2) 29 Curzon Crescent – Upcoming Ontario Municipal Board Hearing (File A-103/11) – Ward 4			
A-3) Award Contract No. 11-199 – Supply and Distribution of Carts and Kitchen Catchers			

Adoption of balance of the Council Consent Agenda – Councillor

ITEMS EXTRACTED FROM COMMITTEES OF COUNCIL REPORTS AND COUNCIL CONSENT AGENDA (Chairs to present the extracted items)

Once extracted items are identified, they will be dealt with in the following order:

- 1) *delegations (may include presentations)*
- 2) *staff presentations only*
- 3) *all others.*

Reports from:

- Community & Social Services – Councillor Dennis
- Operations & Transit – Councilor Findlay
- Planning & Building, Engineering and Environment – Councillor Piper
- Council as Committee of the Whole –
- Council Consent – Mayor Farbridge

SPECIAL RESOLUTIONS

Councillor Bell’s motion for which notice was given January 30, 2012:

THAT the matter of “Mobile Street Vending Contract” to serve the bus users be referred to the Operations & Transit Committee to be resolved before the bus terminal opens.

BY-LAWS

Resolution – Adoption of By-laws (Councillor Burcher)

MAYOR’S ANNOUNCEMENTS

Please provide any announcements, to the Mayor in writing, by 12 noon on the day of the Council meeting.

NOTICE OF MOTION

ADJOURNMENT

HERITAGE DESIGNATION PLAQUES

60 MANITOBA STREET

Recipient: Ben Polley

- BUILT ABOUT 1878
- USED FROM 1882 TO 1893 AS A SMALL-SCALE KNITTING FACTORY BY SAMUEL CARTER, A PIONEER OF THE CO-OPERATIVE MOVEMENT IN GUELPH AND CANADA
- NOT ONLY WAS CARTER A SUCCESSFUL BUSINESSMAN, CARTER WAS ALSO A PROMINENT LOCAL AND PROVINCIAL POLITICIAN AS ALDERMAN AND MAYOR OF GUELPH (1900-1914) AND MPP FOR WELLINGTON SOUTH (1914-1919).
- A GOOD EXAMPLE OF THE URBAN DEVELOPMENT OF ST.PATRICK'S WARD AND GUELPH'S EARLY INDUSTRIAL GROWTH THROUGH COTTAGE INDUSTRIES
- THE LOT IS THE ONLY REMAINING 1/5 ACRE LOT FROM THE ORIGINAL SUBDIVISION, FACING BOTH MANITOBA AND OLIVER STREETS
- THE CITY EXPRESSES ITS GRATITUDE FOR A FINANCIAL CONTRIBUTION MADE BY THE ONTARIO CO-OPERATIVES ASSOCIATION TOWARD THE PRODUCTION COST OF THIS PLAQUE

9 DOUGLAS STREET

Recipient: Anne Forestell

- BUILT IN 1878 OF LOCAL DRESSED LIMESTONE
- ITALIANATE STYLE AND INTACT REAR WALL IS AN OUTSTANDING EXAMPLE OF LATE 19TH CENTURY COMMERCIAL DEVELOPMENT IN DOWNTOWN GUELPH.
- IT WAS INITIALLY BUILT BY THE MITCHELL FAMILY FOR THEIR BUSINESS AS UNDERTAKERS. THE LOT WAS ASSOCIATED WITH THE TOVELL FAMILY, PROMINENT BUSINESS OWNERS IN GUELPH.

81 FARQUHAR STREET

Recipient: Jeff Bousfield

- THIS LOT, PART OF THE 1828 PLAN OF GUELPH, CONTAINS ONE OF THE FIRST HOMES IN GUELPH THAT FACED JOHN GALT'S ORIGINAL MARKET PLACE AREA
- BUILT ON LAND SETTLED IN 1832 BY EARLY ENGLISH IMMIGRANTS DR. ROBERT AILING AND JOHN COMBE WILSON, THE HOUSE PREDATED THE ARRIVAL OF THE RAILWAY IN 1856.

340, 344, 348 WOOLWICH STREET AND 12 MONT STREET

- THESE FOUR COTTAGES ARE ALL ASSOCIATED WITH THE MCTAGUE FAMILY, EARLY IRISH SETTLERS WHO CAME TO GUELPH ABOUT 1827
- TOGETHER, THESE FOUR COTTAGES FORM A STREETScape OF GUELPH STONE CRAFTSMANSHIP FROM THE MID-19TH CENTURY.

340 WOOLWICH STREET Recipients: Joe Gummerson and Bradley Butts

- BUILT IN 1874 OF LOCAL LIMESTONE

344 WOOLWICH STREET Recipient: Linda Migliaccio

- BUILT IN 1867 OF LOCAL DRESSED LIMESTONE
- FEATURES CARVED STONE LINTELS AND QUOINS (CORNERS)

348 WOOLWICH STREET Recipient: Michael Crawley

- BUILT IN 1866 OF LOCAL DRESSED LIMESTONE FOR PETER MCTAGUE
- FEATURES CARVED WINDOW AND DOOR SURROUNDS AND RUSTICATED QUOINS (CORNERS)

12 MONT STREET Recipient: Michael Crawley

- BUILT IN 1874 OF LOCAL LIMESTONE FOR RALPH GORE
- FEATURES CARVED WINDOW AND DOOR LINTELS AND A FRONT PORCH AS A LATER ADDITION

60 Manitoba Street



9 Douglas Street



81 Farquhar Street





340 Woolwich Street

12 Mont Street

342 Woolwich Street

348 Woolwich Street

340 Woolwich Street



344 Woolwich Street



348 Woolwich Street



12 Mont Street



Council Caucus Room
January 25, 2012 at 5:00 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, and Van Hellemond

Absent: Councillors Burcher and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services and Mr. B. Labelle, City Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

At the request of the Mayor, and with the consent of all Members present, an item titled Labor Relations Matter was added to the closed meeting agenda.

- 1. Moved by Councillor
Seconded by Councillor

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

CAO Update

S. 239(2)(b), *Municipal Act*, personal matters about identifiable individuals; and,

Labor Relations Matter

Sec. 239(2)(d), *Municipal Act*, being matters relating to labor relations or employee negotiations.

Carried

The meeting adjourned at 5:02 o'clock p.m.

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Mayor

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Clerk

Council Caucus Room
January 25, 2012 at 5:03 p.m.

A meeting of Guelph City Council closed to the public.

Present: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, and Van Hellemond

Absent: Councillors Burcher and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services and Mr. B. Labelle, City Clerk

Personal Matters about Identifiable Individuals

The CAO provided a verbal update in relation to personal matters about identifiable individuals.

Labor Relations or Employee Negotiations

The Executive Director of Operations & Transit provided a verbal update relating to an ongoing labor relations matter.

The meeting adjourned at 6:17 o'clock p.m.

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Mayor

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Clerk

Council Caucus Room
January 30, 2012 5:00 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; and Mr. B. Labelle, City Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no disclosures of pecuniary interest.

1. Moved by Councillor
Seconded by Councillor

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

CAO Report on 3 Month Objectives

S. 239 (2) (b) of the *Municipal Act* - personal matters about identifiable individuals

Public Health Matter

S. 239 (2) (e) and (f) of the *Municipal Act*- litigation or potential litigation / advice that is subject to solicitor-client privilege

Zoning Amendment By-law – OMB Appeals

S. 239 (2) (e) and (f) of the *Municipal Act*- litigation or potential litigation / advice that is subject to solicitor-client privilege

Lien Claim

S. 239 (2) (e) of the *Municipal Act* - litigation or potential litigation

City Litigation

S. 239 (2) (e) of the *Municipal Act* - litigation or potential litigation

Citizen Appointments to the Elliott Community Board of Trustees

S. 239 (2) (b) of the *Municipal Act* - personal matters about identifiable individuals

Citizen Appointment to the Accessibility Advisory Committee

S. 239 (2) (b) of the *Municipal Act* - personal matters about identifiable individuals

Carried

The meeting adjourned at 5:01 o'clock p.m.

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Mayor

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Clerk

Council Caucus Room
January 30, 2012 5:02 p.m.

A meeting of Guelph City Council closed to the public.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; and Mr. B. Labelle, City Clerk

CAO Report on 3 Month Objectives

This matter was deferred to the February 6, 2012 Closed Session of Council.

Public Health Matter

The City Solicitor provided advice to Council with respect to matters relating to the Wellington-Dufferin-Guelph Board of Health.

1. Moved by Councillor Findlay
Seconded by Councillor Hofland

That Council rise and report the following resolution in open session:

PASSED IN COUNCIL
BY SPECIAL
RESOLUTION

WHEREAS:

1. Council revoked the appointment of its members on the Wellington-Dufferin-Guelph Board of Health on September 26, 2011 because the current functioning and governance of the Board of Health was preventing the City appointed members from Guelph from fulfilling their legislated duties;
2. The City has continued to support and value the importance of public health services to the citizens of Guelph and recognizes its commitments to good governance, accountability and transparency;
3. Council wishes to appoint new members to represent the City on the Wellington-Dufferin-Guelph Board of Health Council and is proposing an approach to assist with the integration of the newly appointed City Board members into the Board of Health Structure to facilitate success for the Board in meeting the Ontario Public Health Organizational Standards (2011) that outline the expectations for effective governance of boards of health and effective management of public health units;
4. Council wishes to work with the Counties of Wellington and Dufferin, the Board of Health and the Ministry of Health and Long-Term Care to develop a long-term partnership arrangement for the health unit;

BE IT RESOLVED:

1. THAT three members of City Council be appointed to serve on the Wellington-Dufferin-Guelph Board of Health (BOH);
2. THAT the BOH members appointed by City Council seek approval of the BOH to retain the services of an independent mediator, chosen with the consent of all of the City, the Counties of Dufferin and Wellington

and the Chair of the BOH. The mediator shall work with the Board to develop the following:

- a) A responsive dispute resolution mechanism;
- b) A non-adversarial environment at BOH meetings;
- c) A fair provision and process for Council representatives to practice their accountability and transparency in the communication of BOH decisions as appropriate for open and closed meeting reporting;
- d) Consideration of the management options outlined in the Ontario Public Health Organization Standards for the most appropriate management structure for the Board of Health to ensure administrative capacity is provided to both the provision of public health programs and services and administrative/management functions (e.g. financial management, information management, communication strategies, human resource planning and management, program management related to community engagement and responsiveness, risk management and project management), such as the creation of the position of Chief Administrative Officer to assume non health related senior management duties from the Medical Officer of Health; and,
- e) A process and timeline agreed to by the Counties of Dufferin and Wellington, the Board of Health and the Ministry of Health and Long-Term Care to participate in a mediated negotiation to develop an agreement containing, among other things, an updated composition of the Board, an updated governance structure as it relates to the municipalities and a new cost sharing formula.

Carried

Zoning Amendment By-law – OMB Appeals

The City Solicitor provided information to the Committee.

- 2. Moved by Councillor Piper
Seconded by Councillor Findlay

THAT Council rise and report the following resolution in open session:

PASSED IN COUNCIL
BY SPECIAL

THAT Zoning By-law Amendment Number (2010)-19076 is repealed, and staff shall take any necessary actions

RESOLUTION

arising from such repeal, including taking steps to terminate the Appeals of the by-law currently before the Ontario Municipal Board;

AND THAT staff be directed to bring forward at a subsequent Council meeting, a by-law repealing Interim Control By-law Number (2010)-19019;

AND THAT staff be directed to proceed forthwith with development of a Shared Rental Housing Licensing program for Council's consideration, including consultation with the Ontario Human Rights Commission.

Carried

Lien Claim

Legal staff provided a status update with respect to a matter which is currently being litigated.

3. Moved by Councillor Findlay
Seconded by Councilor Bell

Ms. D. Jaques

THAT staff be given direction with respect to a matter currently being litigated.

Carried

City Litigation

Legal staff provided a status update with respect to a matter which is currently being litigated.

4. Moved by Councillor Laidlaw
Seconded by Councillor Piper

Ms. D. Jaques
Mr. M. Amorosi

THAT staff be given direction with respect to a litigation matter.

Carried

Citizen Appointments to the Elliott Community Board of Trustees

5. Moved by Councillor Findlay
Seconded by Councillor Hofland

REPORT

THAT staff be given direction with respect to City appointments to the Elliott Community Board of Trustees.

Carried

Citizen Appointment to the Accessibility Advisory Committee

REPORT

6. Moved by Councillor Dennis
Seconded by Councillor Burcher
THAT staff be given direction with respect to a citizen
appointment to the Accessibility Advisory Committee.

Carried

The meeting adjourned at 6:45 o'clock p.m.

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Mayor

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Clerk

Council Chambers
January 30, 2012

Council reconvened in formal session at 7:00 p.m.

Present: Mayor Farbridge, Councillors Bell, Burcher,
Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach,
Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative
Officer; Mr. M. Amorosi, Executive Director of Corporate &
Human Resources; Dr. J. Laird, Executive Director of
Planning & Building, Engineering and Environment; Mr. D.
McCaughan, Executive Director of Operations & Transit;
Ms. C. Bell, Executive Director of Community & Social
Services; Ms. S. Aram, Acting Treasurer; Mr. B. LaBelle,
City Clerk; and Ms. J. Sweeney, Council Committee Co-
ordinator

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF
INTEREST ACT**

Councillor Guthrie declared a pecuniary interest in relation
to Consent Report A-2 "2012 Grant Recommendations" as
he is affiliated with Lakeside Church. He vacated his chair
for consideration and voting with respect to this item.

Mayor Farbridge provided an inaugural update.

1. Moved by Councillor Laidlaw
Seconded by Councillor Burcher

THAT the minutes of the Council meeting held on December 19, 2011 and the minutes of the Council meeting held in Committee of the Whole on December 19, 2011 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

Councillor Hofland presented the Corporate Administration, Finance & Emergency Services Committee First Consent Report.

2. Moved by Councillor Hofland
Seconded by Councillor Laidlaw

THAT the January 30, 2012 Corporate Administration, Finance & Emergency Services Committee First Consent Report as identified below, be adopted:

- a) **Proposed Offer to Purchase Permanent Easement – Emergency Access and Walkway – NS Teal Drive**

Ms. D. Jaques
Mr. M. Amorosi

THAT the Mayor and Clerk be authorized to execute an agreement for a permanent easement in favour of Seaton Ridge Communities Ltd. For the purposes of an emergency access and walkway over the property legally described as Block 46, Plan 61M40, City of Guelph, designated as Part 9 on 61R8456.

- b) **Report on Land Ambulance Enhancements – Next Steps**

Mr. S. Armstrong
Mayor Farbridge
Ms. A. Pappert

THAT the report dated January 9th, 2012 with respect to Guelph Wellington Emergency Medical Service coverage enhancements and next steps be received for information;

AND THAT the Mayor be requested to write to the Minister of Health and Liz Sandals, MPP, expressing the City of Guelph's concern relating to the accuracy of the data collected with respect to the dispatching and response times of land ambulance services and the multiple risks it presents to the City of Guelph and to request the validity and accuracy of the data.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

The following item was extracted from the Operations & Transit Committee First Consent Report to be voted on separately:

- OT-2 Idling By-law Review

Councillor Findlay presented the balance of the Operations & Transit Committee First Consent Report.

3. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond
THAT the balance of the January 30, 2012 Operations & Transit Committee First Consent Report as identified below, be adopted:

a) **Temporary Allowance of Exotic Animals**

Mr. D. McCaughan
Mr. B. Labelle

THAT the Operations & Transit Committee Report Temporary Allowance of Exotic Animals OT011203 dated January 23, 2012 be received.

AND THAT an exemption from By-law (1988)-12960 be granted to allow exotic animals (one camel) within the City limits during the Foundation of Guelph General Hospital's fundraiser gala being held on March 3, 2012 at 221 Stone Road East;

AND THAT Council authorize the Executive Director of Operations & Transit to approve temporary exemptions to the Exotic Animal Control By-laws (1988)-12960 and (1978)-9876, subject to the satisfaction of the Executive Director of Operations & Transit

AND THAT the City's contracted animal control provider examines the animals before and after the event;

AND THAT the examination of the animals be included as a condition for the approval of the delegation of authority for exemptions to the exotic animal by-law.

b) **Eastview Road – Speed Limit Reduction**

Mr. D. McCaughan

THAT the Operations & Transit Committee report #OT011201 Eastview Road Speed Limit Reduction dated December 12th, 2011 be received;

AND THAT the speed limit on Eastview Road between Watson Parkway North and the easterly City limit be reduced from 60km/h to 50km/hr.;

AND THAT staff be directed to conduct a comprehensive review of the streets surrounding Eastview Road in order to provide consistency of the speed limits within the area.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

The following items were extracted from the Planning & Building, Engineering and Environment Committee First Consent Report to be voted on separately:

- PBEE-2 Building By-law
- PBEE-3 Class Environmental Assessment – Notice of Completion for York Trunk Sewer and Paisley and Clythe Reservoir Drinking Water Feeder mains

Councillor Piper presented the balance of the Planning & Building, Engineering and Environment Committee First Consent Report.

4. Moved by Councillor Piper

Seconded by Councillor Burcher

THAT the balance of the January 30, 2012 Planning & Building, Engineering and Environment Committee First Consent Report as identified below, be adopted:

a) **Showcasing Water Innovation Program Grant Funding Award**

Dr. J. Laird
Ms. D. Jaques

THAT the Planning & Building, Engineering and Environment report dated January 23, 2012 entitled Showcasing Water Innovation Program Grant Funding Award be received;

AND THAT Council authorize the Executive Director of Planning & Building, Engineering and Environment to execute project agreements, including future

amendments, with the various Showcasing Water Innovation project partners, subject to the satisfaction of the Executive Director of Planning & Building, Engineering and Environment and the City Solicitor.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Councillor Findlay presented the balance of the Governance Committee First Consent Report.

5. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the January 30, 2012 Governance Committee First Consent Report as identified below, be adopted:

a) **Council Appointments to Guelph Youth Council**

Ms. C. Bell
Counc. Dennis

THAT Guelph City Council is no longer required to appoint two City Councillors to the Guelph Youth Council;

AND THAT the Chair of the Community and Social Services Committee or their designate acts as a liaison with Guelph Youth Council, the City of Guelph's Youth Services Coordinator, and community stakeholders.

b) **Developing the 'Corporate Strategic Plan'**

Ms. A. Pappert
Ms. B. Boisvert

THAT Council receive, for information, the observations and actions outlined in this report to effectively begin the initial phase of creating a Corporate Strategic Plan Framework;

AND THAT Council approve Council and Executive team workshops in February/March, 2012 to validate proposed critical issues and business imperatives, confirm strategic areas of focus, directions and next steps.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Councillor Kovach presented the Council in Closed Session First Consent Report.

6. Moved by Councillor Kovach
Seconded by Councillor Furfaro

THAT the January 30, 2012 Council in Closed Session Consent Report as identified below, be adopted:

- a) **Citizen Appointments to the: Accessibility Advisory Committee / Guelph Museums Advisory Committee / Guelph Sports Hall of Fame Board of Directors**

Mr. B. Labelle

THAT Brad Howcroft be appointed to the Accessibility Advisory Committee for a term ending November 2014;

AND THAT Debra Nash-Chambers and Linda Kearns be reappointed to the Guelph Museums Advisory Committee for a term ending November 2014;

AND THAT Patricio Perez be appointed to the Guelph Museum Advisory Committee for a term ending November 2012.

AND THAT Andrew Maloney be appointed to the Guelph Sports Hall of Fame Board of Directors for a term ending November 2012.

- b) **Citizen Appointments to the: Committee of Adjustment / Environmental Advisory Committee / River Systems Advisory Committee / Heritage Guelph / Property Standards-Fence Viewers Committee / Municipal Property & Building Commemorative Naming Policy Committee / Water Conservation & Efficiency Public Advisory Committee**

Mr. B. Labelle

THAT Jeff Hillen be appointed to the Committee of Adjustment for a term ending November, 2012.

AND THAT Bill Mungall, Great Najcler and Chris Parent reappointed to the Environmental Advisory Committee for a term ending November, 2014;

AND THAT Shelly Lohnes be appointed to the Environmental Advisory Committee for a one year term ending November, 2012.

AND THAT Michelle Bowman, Nicole Lower and Eric Wilson be reappointed to the River Systems Advisory Committee for a term ending November, 2012;

AND THAT Mary Finch and Mariette Pushkar be appointed to the River Systems Advisory Committee for a term ending November, 2012.

AND THAT Tony Berto, Russell Ott and Daphne Wainman-Wood be reappointed to Heritage Guelph for a term ending November, 2014;

AND THAT Mary Tivy be appointed to Heritage Guelph for a term ending November, 2012;

AND THAT staff be directed to continue their efforts to fill the remaining vacancy.

AND THAT Robert DeMille and Marlene De Boer be reappointed to the Property Standards/Fence Viewers Committee for a term ending November, 2014.

AND THAT Ryan Gibson be appointed to the Property Standards/Fence Viewers Committee for a term ending November, 2012.

AND THAT Jason Smith be appointed to the Municipal Property and Building Commemorative Naming Policy Committee for a term ending November, 2012.

AND THAT Hugh Whiteley be reappointed to the Water Conservation and Efficiency Public Advisory Committee for a term ending November, 2014.

AND THAT Mohammad Ali be appointed to the Water Conservation and Efficiency Public Advisory Committee for a term ending November, 2012.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Consent Agenda

The following items were extracted from the January 30, 2012 Consent Agenda to be voted on separately:

- A-2 2012 Grant Recommendations
- A-3 Envision Guelph: Official Plan Update Phase 3 Revised Draft Policies (OPA 48)
- A-6 Guelph Innovation District Secondary Plan – Preferred Design and Supplementary Report – Stakeholder Feedback

7. Moved by Councillor Findlay
Seconded by Councillor Hofland
THAT the balance of the January 30, 2012 Council
Consent Agenda as identified below, be adopted:

a) **Proposed Demolition of 292 Elizabeth Street**

Dr. J. Laird
Mr. B. Poole

THAT Report 12-05 regarding the proposed demolition of a detached dwelling at 292 Elizabeth Street, City of Guelph, from Planning & Building, Engineering and Environment dated January 30, 2012, be received;

AND THAT the proposed demolition of the detached dwelling at 292 Elizabeth Street be approved.

b) **5 Arthur Street Sewer Relocation Agreement**

Dr. J. Laird

THAT Council authorize the Mayor and Clerk to sign the "Sewer Relocation Agreement" between the City of Guelph and Arthur EMPC Four Limited, owner of the property at 5 Arthur Street, pertaining to the relocation of the existing sanitary sewer and storm sewer, and the location of a future sanitary sewer on the subject property as outlined in this report dated January 30, 2012.

c) **27 & 29 Westra Drive – Upcoming Ontario Municipal Board Hearing (A-86/11 & A-87/11), Ward 4**

Dr. J. Laird
Ms. D. Jaques

THAT Report 12-03 dated January 30, 2012 regarding an appeal from the Committee of Adjustment Decision A-86/11 and A-87/11 refusing minor variances to permit a reduced side yard for two detached dwellings at 27 and 29 Westra Drive, City of Guelph, from Planning & Building, Engineering and Environment be received;

AND THAT the City not be a party at any upcoming OMB proceeding regarding an appeal from the Committee of Adjustment's decision A-86/11 and A-87/11 refusing minor variances to permit a reduced side yard of 1.2 metres when the Zoning By-law requires a minimum side yard of 1.5 metres for two detached dwellings at 27 and 29 Westra Drive.

d) **Investment in Affordable Housing in Ontario – Update on Business Case Submissions for Year 1**

Ms. A. Pappert
Dr. J. Laird

THAT Report 12-19 regarding Investment in Affordable Housing in Ontario – Update on Business Case Submissions for Year 1, dated January 30, 2012 be received;

AND THAT the CAO be authorized to submit a letter to the County of Wellington by January 31, 2012, confirming the City's support for a 60 unit affordable housing proposal located at 71 Wyndham Street, subject to the following conditions:

- Receiving confirmation from the Province on their level of funding, to ensure that the business case to be submitted for the project will not require any capital funding from the City;
- Receiving written confirmation from the proponent of their commitment to providing the required level of capital funding, as set out in the business case;
- Receiving and reviewing associated Provincial program requirements, conditions and timelines to ensure they can be met and are satisfactory to the City;
- Receiving written confirmation from the proponent of their commitment to provide the City with any and all materials necessary to meet Provincial "project start" requirements;

AND THAT the CAO be authorized to submit a letter to the County of Wellington by January 31, 2012, confirming the City's intent to enter into an indemnity agreement with the County of Wellington in regards to the proposal which is consistent with the City's obligation to contribute funds to the County as CMSM, subject to confirmation of Provincial approval of funding for the project;

AND THAT staff be directed to report back to Council prior to March 31, 2012 on the status of the Provincial review of the 71 Wyndham Street business case submission, the status of the conditions identified above, and the finalization of an indemnity agreement with the County of Wellington, should Provincial approval for funding the business case be confirmed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

DELEGATIONS

Class Environmental Assessment – Notice of Completion for York Trunk Sewer and Paisley and Clythe Reservoir Drinking Water Feeder mains

David McAuley requested that the City consider increasing the EA to include the addition of a "purple pipe" (recycled water distribution system) to recycle water to be used for toilet flushing and floor drains.

Councillor Piper presented Clause 3 that was extracted from the Planning & Building, Engineering and Environment Committee First Consent Report.

Dr. J. Laird

8. Moved by Councillor Piper
Seconded by Councillor Burcher

THAT the Planning & Building, Engineering and Environment report dated January 23, 2012, regarding the Class Environmental Assessment for the York Trunk Sewer and Paisley and Clythe Reservoir Drinking Water Feeder mains be received;

AND THAT staff be authorized to complete the Municipal Class Environmental Assessment process and to proceed with the implementation of the preferred alternatives, as outlined in this report;

AND THAT staff revise the technical memorandum for the Recycled Water Distribution System to consider the potential to supply recycled water for toilet flushing and other non-potable uses in future intensification sites in the downtown and its contribution to meeting water conservation targets outlined City's water Conservation and Efficiency Plan;

AND THAT staff report back to Council regarding the recommendations for the Recycled Water Distribution System prior to implementation of the preferred alternatives;

AND THAT Engineering Services staff work with Parks Maintenance & Development staff to examine the potential for including a trail underpass at Edinburgh Road and Guelph Junction Railway crossing within the preferred sewer and feeder main alignment during the detailed design phase of the sewer and feeder main project.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Councillor Kovach retired from the meeting at 7:45 p.m.

Guelph Innovation District Secondary Plan – Preferred Design

Rob Witherspoon, Guelph Turfgrass Institute, provided a brief overview of the operation of the Turfgrass Institute. He thanked staff for addressing their concerns relating to the G.M. Frost Research & Information Centre. He encouraged the green linkages between the Frost Centre and the Arboretum. He also requested recognition and support in the secondary plan for the redevelopment of the Turfgrass Institute. He suggested that the Institute has a significant role to play as a green industry focal point for expansion of the Guelph Agri-Innovation cluster.

Donna Sunter of the Glenholm Drive & Area Landowners Association advised that she wished to have Mario Venditto speak on their behalf.

Mario Venditti spoke on behalf of the Glenholm Drive & Area Landowners Association and advised that the Association is concerned with the mixed employment use on the lands at the southeast corner of Victoria and Stone Roads. He requested that the words “more sensitive” on page 5 of the supplementary report be removed and that a 20 metre green buffer be provided on lands north of Stone Road.

Kirk Simpson requested that the land remain designated as residential until such time that there is an immediate need to re-designate. He questioned the proposal on the basis that there was nothing currently planned for the area. Mr. Simpson expressed concern that the residential area will eventually be crowded out.

Mario Venditti was present on behalf of Pidel Homes, the owner of 728 Victoria Road South and Prior & Sons Trucking owners of 555 Stone Road East. He advised that the property owner supports the designation of mixed use. He expressed concern that the City does not have a lot fabric for this and the neighbouring parcel. He requested that the item be deferred to allow him time to obtain the lot fabric and to meet with the two land owners.

Ken Spira expressed appreciation to staff for taking the Glenholm Drive & Area Landowners concerns into consideration with respect to their land designation. He suggested that the designation would assist in achieving an overall goal of making the development self sustaining with a minimal impact on the environment.

Alex Drolc advised that his parents have lived in the Guelph Innovation District area for a number of years in a self sustaining lifestyle. He advised that there has never been any attempt at creating a quality buffer between their residence and the neighbouring industry. He suggested changes with respect to creating a quality transition area between residential uses and industrial and major uses to the north; additional mitigation measures; and mitigation agreements.

Bryan Folkerson did not address Council.

9. Moved by Councillor Piper
Seconded by Councillor Dennis

THAT Committee Report No. 11-104, dated December 12, 2011 from Planning & Building, Engineering and Environment, regarding the Guelph Innovation District Secondary Plan Preferred Design be received;

AND THAT the Supplementary Council Report No. 12-18, dated January 30, 2012 from Planning & Building, Engineering and Environment, regarding stakeholder concerns and responses be received;

AND THAT Council supports the use of the preferred vision, principles, objectives, design and implementation approach set-out in Planning & Building, Engineering and Environment Report No. 11-104, as amended by Council Report No. 12-18, as the basis for the completion of the Secondary Plan.

10. Moved in Amendment by Councillor Guthrie
Seconded by Councillor Furfaro

THAT staff be directed to work with surrounding residents and other stakeholders where potential buffers would be required to minimize impacts to those identified areas and to establish areas to be addressed both for short term and for long term plans.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

11. Moved by Councillor Piper
Seconded by Councillor Dennis

THAT Committee Report No. 11-104, dated December 12, 2011 from Planning & Building, Engineering and

Dr. J. Laird

Environment, regarding the Guelph Innovation District Secondary Plan Preferred Design be received;

AND THAT the Supplementary Council Report No. 12-18, dated January 30, 2012 from Planning & Building, Engineering and Environment, regarding stakeholder concerns and responses be received;

AND THAT Council supports the use of the preferred vision, principles, objectives, design and implementation approach set-out in Planning & Building, Engineering and Environment Report No. 11-104, as amended by Council Report No. 12-18, as the basis for the completion of the Secondary Plan;

AND THAT staff be directed to work with surrounding residents and other stakeholders where potential buffers would be required to minimize impacts to those identified areas and to establish areas to be addressed both for short term and for long term plans.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Envision Guelph: Official Plan Update Phase 3 Revised Draft Policies (OPA 48)

Melissa Aldunate, Senior Policy Planner, delivered a presentation with respect to the Envision Guelph: OPA 48. She advised that the Official Plan review will be completed in three phases. She provided information on the focus areas of Phase 3 outlining the themes of the public submissions received to date and discussed the next steps in relation to future public consultation opportunities.

12. Moved by Councillor Burcher
Seconded by Councillor Hofland

Dr. J. Laird

THAT report 12-11 dated January 30, 2012 from Planning & Building, Engineering and Environment regarding Envision Guelph: Official Plan Update Phase 3 Revised Draft Policies be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Idling By-law Review

Councillor Findlay presented Clause 2 that was extracted from the Operations & Transit Committee First Consent Report.

Mr. D. McCaughan 13. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond
THAT the Operations & Transit Committee Report OT011202 Idling By-law Review dated January 23, 2012 be received;

AND THAT amendments to the Idling By-law as set out in Operations & Transit Committee Report OT011202 Idling By-law Review dated January 23, 2012 be forwarded to Council for approval.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Building By-law

Councillor Piper presented Clause 2 that was extracted from the Planning & Building, Engineering and Environment Committee First Consent Report.

Dr. J. Laird 14. Moved by Councillor Piper
Mr. B. Poole Seconded by Councillor Burcher
THAT By-law Number (2005) – 17771 and its amendments being By-law Numbers (2006)-18027, (2007)-18312, (2009)-18740, (2009)-18788, (2010)-19006, (2011)-19216, (2011)-19308, (2011)-19240 be repealed;

AND THAT Council approve and enact the By-law to be known as the Building By-law.

AND THAT staff report back to the Planning & Building, Engineering and Environment Committee in May with recommendations regarding:

- making the Code of Conduct for Building Officials more accessible to the members of the public; and
- establishing a formal process for complaints falling under the Code of Conduct for Building Officials;

AND THAT staff include a summary of complaints addressed through this process in their annual report.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

2012 Grant Recommendations

Ms. S. Aram 15. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT the recommendations provide by the Sector Review Groups for receipt of a 2012 City of Guelph grant as outlined in Appendices 1, 2 and 3 of Report FIN-12-01 dated January 30, 2012, with the exception of the Lakeside Church grant, be approved.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Ms. S. Aram 16. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT the 2012 City of Guelph grant to Lakeside Church in the amount of \$5,000 be approved.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Councillor Guthrie did not vote on this item due to his declared potential pecuniary interest.

Carried

Wellington-Dufferin-Guelph Public Board of Health

17. Moved by Councillor Findlay
Seconded by Councillor Hofland
WHEREAS:

1. Council revoked the appointment of its members on the Wellington-Dufferin-Guelph Board of Health on September 26, 2011 because the current functioning and governance of the Board of Health was preventing the City appointed members from Guelph from fulfilling their legislated duties;
2. The City has continued to support and value the importance of public health services to the citizens of Guelph and recognizes its commitments to good governance, accountability and transparency;
3. Council wishes to appoint new members to represent the City on the Wellington-Dufferin-Guelph Board of Health Council and is proposing an approach to assist with the integration of the newly appointed City Board members into the Board of Health Structure to facilitate success for the Board in meeting the Ontario Public Health Organizational Standards (2011) that outline the expectations for effective governance of boards of health and effective management of public health units;
4. Council wishes to work with the Counties of Wellington and Dufferin, the Board of Health and the Ministry of Health and Long-Term Care to develop a long-term partnership arrangement for the health unit;

BE IT RESOLVED:

1. That three members of City Council be appointed to serve on the Wellington-Dufferin-Guelph Board of Health (BOH);
2. That the BOH members appointed by City Council seek approval of the BOH to retain the services of an independent mediator, chosen with the consent of all of the City, the Counties of Dufferin and Wellington and the Chair of the BOH. The mediator shall work with the Board to develop the following:
 - a) A responsive dispute resolution mechanism;
 - b) A non-adversarial environment at BOH meetings;
 - c) A fair provision and process for Council representatives to practice their accountability and transparency in the communication of BOH decisions as appropriate for open and closed meeting reporting;

- d) Consideration of the management options outlined in the Ontario Public Health Organization Standards for the most appropriate management structure for the Board of Health to ensure administrative capacity is provided to both the provision of public health programs and services and administrative/management functions (e.g. financial management, information management, communication strategies, human resource planning and management, program management related to community engagement and responsiveness, risk management and project management), such as the creation of the position of Chief Administrative Officer to assume non health related senior management duties from the Medical Officer of Health; and,
- e) A process and timeline agreed to by the Counties of Dufferin and Wellington, the Board of Health and the Ministry of Health and Long-Term Care to participate in a mediated negotiation to develop an agreement containing, among other things, an updated composition of the Board, an updated governance structure as it relates to the municipalities and a new cost sharing formula.

It was requested that the clauses be voted on separately.

18. Moved by Councillor Findlay
Seconded by Councillor Hofland

Ms. A. Pappert

WHEREAS:

1. Council revoked the appointment of its members on the Wellington-Dufferin-Guelph Board of Health on September 26, 2011 because the current functioning and governance of the Board of Health was preventing the City appointed members from Guelph from fulfilling their legislated duties;
2. The City has continued to support and value the importance of public health services to the citizens of Guelph and recognizes its commitments to good governance, accountability and transparency;
3. Council wishes to appoint new members to represent the City on the Wellington-Dufferin-Guelph Board of Health Council and is proposing an approach to assist with the integration of the newly appointed City Board members into the Board of Health Structure to facilitate success for the Board in meeting the Ontario Public Health Organizational Standards (2011) that outline the expectations for

effective governance of boards of health and effective management of public health units;

4. Council wishes to work with the Counties of Wellington and Dufferin, the Board of Health and the Ministry of Health and Long-Term Care to develop a long-term partnership arrangement for the health unit;

BE IT RESOLVED:

1. That three members of City Council be appointed to serve on the Wellington-Dufferin-Guelph Board of Health (BOH);

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Ms. A. Pappert

19. Moved by Councillor Findlay
Seconded by Councillor Hofland
2. That the BOH members appointed by City Council seek approval of the BOH to retain the services of an independent mediator, chosen with the consent of all of the City, the Counties of Dufferin and Wellington and the Chair of the BOH. The mediator shall work with the Board to develop the following:
 - a) A responsive dispute resolution mechanism;

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Van Hellemond (1)

Carried

Ms. A. Pappert

20. Moved by Councillor Findlay
Seconded by Councillor Hofland
The mediator shall work with the Board to develop the following:
 - b) A non-adversarial environment at BOH meetings;

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillors Furfaro and Guthrie (2)

Carried

Ms. A. Pappert

21. Moved by Councilor Findlay
Seconded by Councillor Hofland

The mediator shall work with the Board to develop the following:

- c) A fair provision and process for Council representatives to practice their accountability and transparency in the communication of BOH decisions as appropriate for open and closed meeting reporting;

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Ms. A. Pappert

22. Moved by Councillor Findlay
Seconded by Councillor Hofland

The mediator shall work with the Board to develop the following:

- d) Consideration of the management options outlined in the Ontario Public Health Organization Standards for the most appropriate management structure for the Board of Health to ensure administrative capacity is provided to both the provision of public health programs and services and administrative/management functions (e.g. financial management, information management, communication strategies, human resource planning and management, program management related to community engagement and responsiveness, risk management and project management), such as the creation of the position of Chief Administrative Officer to assume non health related senior management duties from the Medical Officer of Health; and,

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Bell (1)

Carried

Ms. A. Pappert 23. Moved by Councillor Findlay
Seconded by Councillor Hofland
The mediator shall work with the Board to develop the following:

- e) A process and timeline agreed to by the Counties of Dufferin and Wellington, the Board of Health and the Ministry of Health and Long-Term Care to participate in a mediated negotiation to develop an agreement containing, among other things, an updated composition of the Board, an updated governance structure as it relates to the municipalities and a new cost sharing formula.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Bell (1)

Carried

Zoning By-law Amendment Number (2010)-19076 – OMB Appeals

Dr. J. Laird 24. Moved by Councillor Piper
Ms. D. Jaques Seconded by Councillor Burcher
Mr. B. Labelle THAT Zoning By-law Amendment Number (2010)-19076 is repealed, and staff shall take any necessary actions arising from such repeal, including taking steps to terminate the Appeals of the by-law currently before the Ontario Municipal Board;

AND THAT staff be directed to bring forward at a subsequent Council meeting, a by-law repealing Interim Control By-law Number (2010)-19019.

AND THAT staff be directed to proceed forthwith with development of a Shared Rental Housing Licencing program for Council's consideration, including consultation with the Ontario Human Rights Commission.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

BY-LAWS

25. Moved by Councillor Piper
Seconded by Councillor Wettstein
THAT By-laws Numbered (2012)-19327 to (2012)-19335,
inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis,
Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van
Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

MAYOR'S ANNOUNCEMENTS

Councillor Guthrie advised that he and Councillor Kovach
will be holding a Ward 4 town hall meeting on February
1st, 7 p.m. – 8:30 p.m. at the West End Recreation
Centre.

NOTICE OF MOTION

Councillor Bell advised that he will be presenting a notice
of motion at a future Council meeting with respect to
street vending at the transit terminal.

ADJOURNMENT

The meeting adjourned at 9:30 o'clock p.m.

Minutes read and confirmed February 27, 2012.

.....
Mayor

.....
Clerk

Council Caucus Room
February 6, 2012 5:00 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, and Wettstein

Absent: Councillors Burcher and Van Hellemond

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; and Mr. B. Labelle, City Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no disclosures of pecuniary interest.

- 1. Moved by Councillor
Seconded by Councillor

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

CAO Report on 3 Month Objectives

S. 239 (2) (b) of the *Municipal Act* - personal matters about identifiable individuals

CAO Update

S. 239 (2) (b) of the *Municipal Act* - personal matters about identifiable individuals

Carried

The meeting adjourned at 5:01 o'clock p.m.

.....
Mayor

.....
Clerk

Council Caucus Room
February 6, 2012 5:32 p.m.

A meeting of Guelph City Council closed to the public.

Present: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, and Wettstein

Absent: Councillors Burcher and Van Hellemond

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; and Mr. B. Labelle, City Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

CAO Report on 3 Month Objectives

The CAO provided a summary report on her 3 month objectives.

CAO Update

The CAO provided an update with respect to personal matters about identifiable individuals.

The meeting adjourned at 6:18 o'clock p.m.

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Mayor

.....
Clerk

Council Chambers
February 6, 2012

Council reconvened in formal session at 7:00 p.m.

Present: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, and Wettstein

Absent: Councillors Burcher and Van Hellemond

Staff Present: Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. T. Salter, Acting General Manager, Building & Planning Services; Mr. A. Hearne, Acting Manager of Development & Parks Planning; Mr. P. Cartwright, General Manager, Economic Development & Tourism; Mr. B. Labelle, City Clerk; Ms. T. Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

Consent Agenda

A-1) 180 Gordon Street Proposed Official Plan Amendment and Zoning By-law Amendment (Files OP1106 & ZC1107) – Ward 5

- 1. Moved by Councillor Piper
Seconded by Councillor Findlay

Dr. J. Laird
Mr. T. Salter

THAT the 180 Gordon Street Proposed Official Plan Amendment and Zoning By-law Amendment be moved to the Public Meeting portion of the meeting;

AND THAT the decision for the 180 Gordon Street Proposed Official Plan Amendment and Zoning By-law Amendment be deferred to the March 5, 2012 Council Planning meeting.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

A-2) Development Charge Early Payment Agreement – Hanlon Creek Business Park

The Mayor advised that the Development Charge Early Payment Agreement – Hanlon Creek Business Park was withdrawn and would not be addressed.

2. Moved by Councillor Kovach
Seconded by Councillor Dennis
THAT the balance of the February 6, 2012 Council Consent Agenda as identified below, be adopted:

Development Charge Early Payment Agreement – Hitachi Construction Truck Manufacturing Ltd.

Ms. S. Aram
Mr. P. Cartwright
Ms. D. Jaques

- a) THAT the report dated February 6, 2012 from Economic Development & Tourism Services regarding a Development Charge Early Payment Agreement be received;

AND THAT staff be directed to finalize a Development Charge Early Payment Agreement between the City of Guelph and Hitachi Construction Truck Manufacturing Ltd., satisfactory to the General Manager of Economic Development & Tourism, the City Solicitor and the Acting Treasurer, and subject to the terms as outlined in the report of the General Manager of Economic Development & Tourism dated February 6, 2012;

AND THAT the General Manager of Economic Development & Tourism and the Acting Treasurer be authorized to execute the Development Charge Early Payment Agreement on behalf of the City of Guelph.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

The Executive Director of Planning & Building, Engineering and Environment advised of a new process beginning at this meeting. Staff will have the opportunity to address issues and concerns and provide clarification on items identified by delegations or from correspondence received at the end of discussion of the application or request the applicant to clarify.

PLANNING PUBLIC MEETING

Mayor Farbridge announced that in accordance with The Planning Act, Council was now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to planning matters listed on the agenda.

30, 34, 40 Arkell Road: Proposed Zoning By-law Amendment (File ZC1115) – Ward 6

Mr. DeVriendt, Senior Development Planner, advised that the applicant is requesting the property to be rezoned to a Specialized R.3A cluster townhouse zone to permit the development of 9 three-storey buildings with a total of 36 residential units. He addressed each of the specialized zoning regulations being requested as outlined in the accompanying staff report 12-09 entitled "30, 34, 40 Arkell Road Proposed Zoning By-law Amendment".

Ms. Astrid Clos, on behalf of the applicant, advised of the following:

- the west portion of the property has already been rezoned;
- the 3 metre side yard has already been approved;
- the building height of 3 ½ to 4 storeys will be determined by the grade
- parking and amenity area requirements have been met;
- the 60.65 units per hectare conforms to medium density area regulations;
- all 4 units have private access to the exterior and amenity space.
- the commercial owner adjacent to the property is in general support with a few minor issues;
- the grading issues have been addressed;
- the location of the garbage enclosure will be reviewed;
- they will address driveway, fencing and landscaping requirements; and
- the house on the property is not on a heritage list.
- the applicant is willing to work with abutting neighbours to work out issues.

Dr. Hugh Whiteley advised he supports the development as the density is suitable and will help relieve pressure on more sensitive sites. He raised issues regarding the following:

- reduced amenity space;
- minimum setback from the park;
- expansion of the urban reserve area for possibility of a trail connection; and
- improving safety and enhancing the parking space.

Dr. J. Laird
Mr. T. Salter

3. Moved by Councillor Findlay
Seconded by Councillor Hofland
THAT Report 12-09 regarding an application for a Zoning By-law Amendment to permit the development of multiple attached dwellings with a total of 36 units applying to properties municipally known as 30, 34, 40 Arkell Road, legally described as Part Lot 6, Concession 8, Geographic Township of Puslinch, Lot 1 and Part of Lot 2, Registered Plan 514, City of Guelph, from Planning & Building, Engineering and Environment, dated February 6, 2012, be received.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

180 Gordon Street: Proposed Official Plan Amendment and Zoning By-law Amendment (Files OP1106/ZC1107) – Ward 5

Ms. Stacey Laughlin, Senior Development Planner, advised that a portion of the land is designated core Greenland, however, it has determined that there are no "Core Greenlands" on the subject site and the entire site is considered to be subject to the General Residential designation.

She said the applicant is requesting to rezone the property from the Convenience Commercial Zone and Floodway Zone to a Specialized Townhouse Zone to permit 11 townhouse units. She highlighted the specialized zoning regulations as outlined in the accompanying staff report 12-02 entitled "180 Gordon Street Proposed Official Plan Amendment and Zoning By-law Amendment". In addition, she advised that staff recommend that the proposed Specialized R.3A (Townhouse) Zone be subject to a holding provision to ensure that the subject land is free of contamination and suitable for residential purposes.

Ms. Daphne Wainman-Wood representing the Old University Neighbourhood Resident Association, advised that her comments today are in addition to their comments submitted in October, 2011. She raised concerns regarding the following:

- there was no mention of the setback exemption which is a 25% reduction and none of the changes address the minimum 30 metre buffer along the river's edge;

- the Official Plan Amendment should have been raised sooner;
- no changes have been made to address concerns raised at the public Council meeting in October or community meeting in November, 2011.

She stated that if public consultation is requested, it needs to be meaningful.

Mr. Bernard Luttmer, on behalf of the applicant, provided a summary of the process and changes made to their application to date. He acknowledged that there have been no changes since the meetings in October and November of 2011 for various reasons. He explained their plans to enhance the park and stated there will be no access to the park from the private property and no private yards or amenity space will front onto the park. He said they have not moved the building because they want to prevent increase and use of a front yard. He stated they have met all requests of the southern neighbour. He addressed the key variances proposed.

Dr. Hugh Whiteley strongly advised against approving the current application and addressed the following:

- public involvement in the process;
- the Environmental Impact Study was provided but not the actual project;
- the Official Plan Amendment regarding setback does not conform to the Official Plan unless the Official Plan itself is amended;
- there are too many units for the property as revealed by the need for eight important exemptions to the Zoning By-law;
- parking for 5 or 6 units would be feasible with no exemptions;
- the objection is to infill but it needs to be compatible;
- angular plane provision of 82 degrees as opposed to 40 is not compatible and is obstructive to the park.

Ms. Karen Balcom, speaking on behalf of herself and some of her neighbours, advised they support infill but not this one as it is too intense. She spoke about the following items:

- the precedent that density and the 30 metre setback from the river would set
- consider minimum density within the guidelines as opposed to maximum;
- the whole process needing to be more user friendly and neighbours should be engaged sooner;
- fewer units would warrant fewer exemptions;

- exemptions need to be assessed as a collective impact;
- lack of response from staff regarding appropriate density requested at the October Council meeting;
- angular plane adjustment to 82 degrees is excessive; and
- retaining wall causes the development to tower over the park.

Ms. Judy Martin, on behalf of the Sierra Club, stated that the application does not conform generally to the Official Plan. She said the required 30 metre setback can be implemented to protect the river and its corridors on this site and does not concur with the staff report that the application meets the criteria under Section 7.2.7 of the Official Plan. She requested clarification regarding the difference between a reduction and an exemption. She advised the second and third criteria regarding the proposal being adequately served and traffic issues must be considered together. She raised concerns about the impact of the proposal on the Environment Impact Study and urged council to consider the importance of this site application and reject the Official Plan amendment to reduce the setback.

Mr. Rick Jamieson, a neighbourhood resident, provided the following comments:

- the proponent plans to use excellent materials for the build and the size is not an issue,
- the number of units is too many and eight would be sufficient;
- there is not enough parking and may extend into the neighbourhood;
- much emphasis is being placed on the south neighbour wanting the building away from them and not enough to the majority requesting the building be away from the river;
- access and egress onto the property will be problematic from a traffic perspective;
- the site should not be considered part of the heritage district;
- there is a need to give clear direction to the proponent.

Staff received comments from members of Council which included:

- the need to address the river setback;
- need to examine the need to infringe on the corner of the property that is closest to the river;
- need to ensure the rooftop terraces will not become one large individual terrace;
- ensure the Places to Grow density is met;

- address the public process and examine how the public can get involved sooner.

Dr. J. Laird
Mr. J. Riddell

4. Moved by Councillor Furfaro
Seconded by Councillor Findlay
THAT Report 12-02 dated February 6, 2012 regarding a proposed Official Plan Amendment and Zoning By-law Amendment for the property municipally known as 180 Gordon Street from Planning & Building, Engineering and Environment be received.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

BY-LAWS

5. Moved by Councillor Wettstein
Seconded by Councillor Piper
THAT By-law Number (2012) – 19336 is hereby passed.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 8:42 o'clock p.m.

Minutes read and confirmed February 27, 2012.

.....
Mayor

.....
Clerk

**CONSENT REPORT OF THE
COMMUNITY & SOCIAL SERVICES COMMITTEE**

February 27, 2012

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Community & Social Services Committee beg leave to present their
FIRST CONSENT REPORT as recommended at its meeting of February 14,
2012.

*If Council wishes to address a specific report in isolation please
identify the item. The item will be extracted and dealt with
immediately. The balance of the Consent Report of the Community
& Social Services Committee will be approved in one resolution.*

**1) Proposed Change to Non-Prescribed (Discretionary) Social
Services Funeral Rates**

THAT City funding for non-prescribed (discretionary) social services funeral rates
be increased by 20% retroactively to January 1, 2012 to align with the County of
Wellington's Funeral Directors Fees and to more closely reflect actual costs for
funeral services;

AND THAT the process for subsequent rate increases be negotiated as part of an
agreement on social services between the City and County of Wellington as
Consolidated Municipal Service Manager.

All of which is respectfully submitted.

Councillor Todd Dennis, Chair
Community & Social Services Committee

***Please bring the material that was distributed with the Agenda for the
February 14, 2012 meeting.***

COMMITTEE REPORT



TO Community & Social Services Committee

SERVICE AREA Community & Social Services Department
Community Engagement and Social Services Liaison

DATE February 14, 2012

SUBJECT **Proposed Change to Non-Prescribed (Discretionary)
Social Service Funeral Rates**

REPORT NUMBER CSS-CESS-1202

SUMMARY

Purpose of Report:

To update Council on the request for an increase in current funeral service rates for social assistance recipients and low income individuals paid on behalf of the City by the County as the Consolidated Municipal Service Manager for Social Services.

Committee Action:

To approve the recommendation that 2012 funeral service rates paid for social assistance recipients and low income residents be increased by 20% to align with the 2012 County of Wellington Funeral Directors Fee Schedule and to more closely reflect actual costs for funeral services.

RECOMMENDATION

THAT City funding for non-prescribed (discretionary) social service funeral rates be increased by 20% retroactively to January 1, 2012 to align with the County of Wellington's Funeral Directors Fees and to more closely reflect actual costs for funeral services;

AND THAT the process for subsequent rate increases be negotiated as part of an agreement on social services between the City and County of Wellington as Consolidated Municipal Service Manager.

BACKGROUND

Wellington County, as Consolidated Municipal Service Manager (CMSM) for social services (i.e. Ontario Works, social housing and child care), administers a number of non-prescribed (discretionary) social service programs which are not mandated

by provincial legislation. Some non-prescribed programs receive provincial and/or federal subsidies, some are funded jointly by the City and County, and others are funded solely by either the City or the County. The City and Wellington County are currently in negotiations on the delivery of all non-prescribed social services by the County in their capacity as CMSM. These negotiations are outlined in report # CSS-CESS-1139.

Funeral services are one of the non-prescribed programs. These services are provided for social assistance recipients and low income individuals. The cost for social assistance recipients is cost shared with the province (82.8% covered by the province, 17.2% by the municipality). Costs for low income residents are 100% funded by the City. In both circumstances, the County pursues all possible reimbursements from the deceased person's estate (e.g. bank accounts, CPP Death Benefits, etc.).

The specific costs and historic funding arrangements for funeral services are outlined in the County of Wellington Social Services Committee Report dated October 13, 2010. The County's report responded to a request from Funeral Directors for a 20% increase in funeral rates for 2011 and 2012 respectively. In this report, the Special Services Manager noted that "funeral rates were increased significantly in the early 1990's. Since that time the yearly increases have been minimal and have not accommodated the increases experienced by the funeral homes." Cemetery costs, currently capped at \$1,000, are in addition to the negotiated funeral service rates.

Prior to the request for a rate increase, the County paid \$3,321 per funeral service. According to information submitted by local Funeral Directors, the average public rate for funeral services is \$5,303. The difference between social assistance and public rates is \$1,982.

REPORT

Following the County of Wellington's October 13, 2010 Social Services Committee Report, County Council approved a 20% increase in funeral rates for 2011 and an additional 20% increase for 2012. In a letter dated November 3, 2010, the County formally requested that the City "determine the extent to which the City is prepared to fund the cost of discretionary funeral services on an ongoing basis".

In report # CSS-CESS-1115 (dated May 10, 2011), staff recommended to maintain the rates at status quo. On June 27, 2011, City Council directed staff:

"THAT Report # CSS-CESS-1115 "Discretionary Social Services Funeral Directors Fees Update", dated May 10, 2011 be received;

AND THAT the City funding for 100% municipally-funded discretionary funeral services be increased by 20% to align with the County of Wellington's Funeral Directors Fees funding with the funding be retroactive to the beginning of 2011."

Council's resolution increased funeral rates by \$664 per service to a total of \$3,985 effective January 1, 2011.

In 2011, the total cost of funeral services was \$47,135. Thirty-one funerals were covered at an 81.2/18.8 cost share for the amount of \$23,225 and six were 100% municipally funded for a cost of \$23,910.

It should be noted that the Ontario Works' basic financial assistance costs will be uploaded to the Ministry, effective in 2018. This upload includes the cost of funeral services for social assistance recipients. Originally, the cost of this benefit was shared 80/20 with the province. In 2012, the cost-sharing ratio has been amended to an 82.8/17.2 split. Municipalities will continue to fund 100% of funeral services costs for low income individuals not receiving any form of assistance.

Staff recommends that funeral service rates be increased by 20% effective January 1, 2012 to align with the County contribution. The requested increase is \$797 per service for a total cost of \$4,782. This increase will reduce the difference between social service and 2010 public funeral rates to \$521.

CORPORATE STRATEGIC PLAN

Goal 5: A community-focused, responsive and accountable government

FINANCIAL IMPLICATIONS

The 2012 provincial cost sharing rate of funeral services for social assistance recipients is 82.8/17.2. Municipalities fund 100% of funeral service costs for low income residents.

Table 1: Total Number of Clients assisted with Funeral/Burial Services (2008-2011)¹

MUNICIPALITY	BENEFIT RECIPIENT	COST CATEGORY	2007	2008	2009	2010	2011
County	Social Assistance Recipients	Cost Share with Province	8	4	9	11	9
County	Low Income Residents	100% Municipal Cost	8	11	5	9	9
City of Guelph	Social Assistance Recipients	Cost Share with Province	19	22	15	28	31
City of Guelph	Low Income Residents	100% Municipal Cost	9	14	9	14	6

¹ Statistics based on the date of death

If the rate increase is approved, based on 2011 data, the City's estimated funeral service costs for 2012 are:

Cost shared:	31 funerals x \$4,782 x 17.2%	= \$25,498
100% municipal:	6 funerals x \$4,782	= <u>\$28,692</u>
		\$54,190 (total)

The total financial impact resulting from a 20% increase for 2012 funeral service rates is \$9,032. This amount was included in the approved 2012 City budget. The County's preliminary 2012 social services budget, which was presented to Council on November 17, 2011, included the increased rate.

DEPARTMENTAL CONSULTATION

The Finance Department has reviewed the report.

COMMUNICATIONS

A Funeral Director representative has been advised of this report and the process to attend Committee/Council meetings as a delegation.

The County of Wellington has been advised of this report.

ATTACHMENTS

N/A

Prepared By:

Karen Kawakami
Social Services Policy and Program Liaison



Recommended By:

Barbara Powell
General Manager, Community Engagement &
Social Services Liaison
519-822-1260 ext. 2675
Barbara.powell@guelph.ca



Recommended By:

Colleen Bell
Executive Director
Community & Social Services
519-822-1260 ext. 2665
colleen.bell@guelph.ca

**CONSENT REPORT OF THE
OPERATIONS & TRANSIT COMMITTEE**

February 27, 2012

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Operations & Transit Committee beg leave to present their SECOND CONSENT REPORT as recommended at its meeting of February 27, 2012.

If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Operations & Transit Committee will be approved in one resolution.

1) Commemorative Tree Plaques

THAT the Operations & Transit Committee Report OT021205 Commemorative Tree Plaques be received;

AND THAT commemorative tree plaques be permitted for a maximum display period of ten years;

AND THAT current commemorative tree plaques (including those in application status) be exempt from the maximum display period.

All of which is respectfully submitted.

Councillor Findlay, Chair
Operations & Transit Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE FEBRUARY 21, 2012 MEETING.***

INTERNAL MEMO



DATE February 22, 2012

TO **Mayor Farbridge and Members of Council**

FROM Derek McCaughan

DIVISION Operations, Transit and Emergency Services

SUBJECT Correction to Report OT021205 Commemorative Tree Plaques

This memo is to advise of a correction to report OT021205, page 2 of 3, the second paragraph from the bottom.

The statement currently reads

"For these reasons staff are of the opinion we should continue using the materials and methods for commemorative monuments. "

The statement should read

"For these reasons staff are of the opinion we should continue using the current materials and methods for commemorative monuments. "

Sincerely;

A handwritten signature in black ink, appearing to read "Derek J. McCaughan".

Derek J. McCaughan
Executive Director
Operations, Transit & Emergency Services Service Area

KG/kg

COMMITTEE REPORT



TO **Operations and Transit Committee**

SERVICE AREA Operations & Transit

DATE February 21, 2012

SUBJECT Commemorative Tree Plaques

REPORT NUMBER OT021205

SUMMARY

Purpose of Report:

To recommend changes to the commemorative plaque process for dedication trees.

Council Action:

To approve the implementation of a defined term for commemorative tree plaques displays.

RECOMMENDATION

THAT the Operations & Transit Committee Report OT021205 Commemorative Tree Plaques be received;

AND THAT commemorative tree plaques be permitted for a maximum display period of ten years.

BACKGROUND

At the November 21, 2011 meeting of the Operations and Transit Committee, the following resolution was approved:

“THAT the Commemorative Tree Plaque process be referred back to staff to examine other options for the construction of the monument such as a tie rod or flush mount option.”

The current commemorative monuments consist of a bronze plaque that is mounted to a concrete base near the donated/purchased tree (refer to figure 1 and 2).



Figure 1: Commemorative Tree



Figure 2: Commemorative Monument

REPORT

Staff investigated the following alternative means of posting commemorative tree monuments:

Flush mount of the existing plaque

Flush mounting of the current plaques would introduce increased maintenance costs to re-level plaques that sink over time and to trim grass as it creeps over the markers. This activity to keep the markers unobstructed and visible is hand-work so is very labour intensive.

Plastic plaque on an aluminum post

Plastic plaques on an aluminum post have a lower initial purchase price, however the expected lifespan of this method is approximately 4 years so multiple replacement will be necessary within the 10 year maximum display period being recommended. This alternative may be considered aesthetically less pleasing to some and is more prone to casual vandalism.

Current bronze plaque on a metal tube post

Utilizing metal posts with the current bronze plaques would increase the installation costs, as concrete footings would be required to support the plaque and ensure the posts were secure.

Granite or natural stone marker

Granite or natural markers utilize much the same process for installation as our current process. However the weight of the granite required for this application would be in excess of 100 lbs and the type (tight grain) required would increase the cost three to four times that of the current commemorative plaque.

For these reasons staff are of the opinion we should continue using the materials and methods for commemorative monuments.

In conclusion, staff recommend a display time limit of 10 years be implemented for plaques associated with a commemorative trees as originally recommended in Report OT111157, attached.

CORPORATE STRATEGIC PLAN

Goal 6, Objective 6.6: *This policy will help ensure the City of Guelph is a leader in conservation and resource protection/ enhancement, with the highest tree canopy percentage among comparable municipalities*

Goal 1: *To ensure the City of Guelph is an attractive, well functioning and sustainable city*

FINANCIAL IMPLICATIONS

None, there is full cost recovery through the purchase price of a commemorative plaque.

DEPARTMENTAL CONSULTATION

Operations and Transit: Park Maintenance and Development

COMMUNICATIONS

N/A

ATTACHMENTS

OT111157 Commemorative Tree Plaque Process



Prepared By:

Katherine Gray
Service Performance and Development
Coordinator
Operations & Transit
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katherine.gray@guelph.ca



Reviewed By:

Murray Cameron
General Manager
Operations & Transit
Parks Maintenance & Development
519-822-1260 x2007
murray.cameron@guelph.ca

Original Signed by:

Recommended By:

Derek McCaughan, Executive Director, Operations & Transit

COMMITTEE REPORT



TO **Operations and Transit Committee**

SERVICE AREA Operations & Transit
DATE

SUBJECT Commemorative Tree Plaque Process

REPORT NUMBER OT111157

SUMMARY

Purpose of Report:

To recommend changes to the commemorative plaque process for dedication trees.

Committee Action:

To approve the proposed commemorative plaque process.

RECOMMENDATION

THAT the Operations & Transit Committee Report OT111157 Commemorative Tree Plaque Process be received;

AND THAT the commemorative tree plaque process outlined in Operations & Transit Committee Report OT111157 be approved for implementation.

BACKGROUND

During the May 16, 2011 Council meeting, the Tree Donation Program report was presented and approved. In addition, the following resolution was approved:

“AND THAT staff review the memorial plaques process, including timeline and report back to Committee”

The purchase of commemorative trees is increasing year over year (refer to chart 1: Commemorative Tree Purchases Year over Year), trending with more and more concrete plaques being present in the city parks.

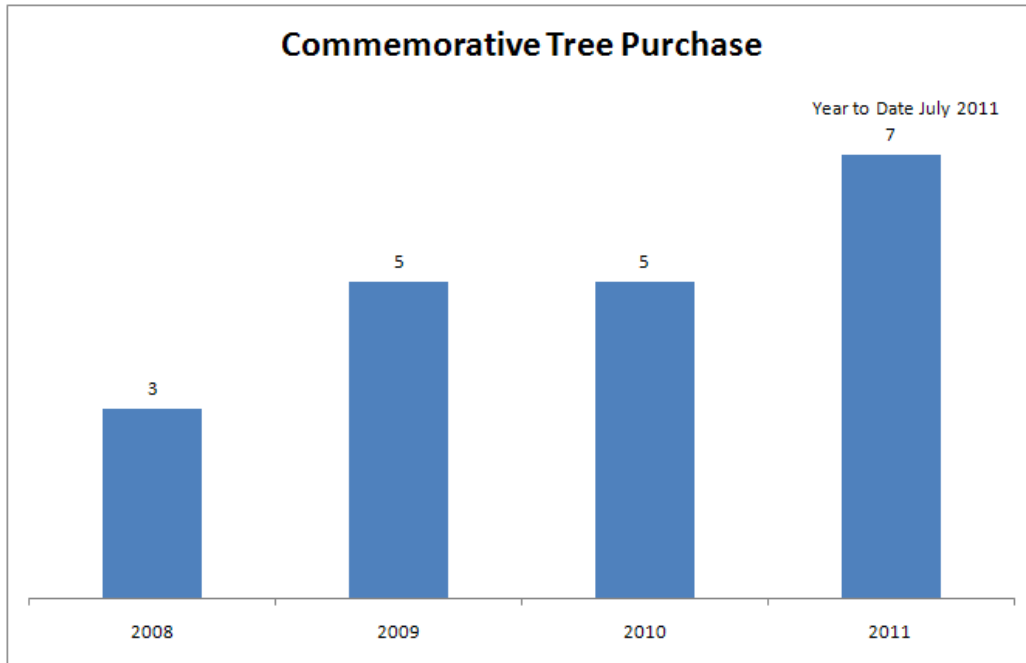


Chart 1: Commemorative Tree Purchase Year over Year

The Council Resolution was in response to a concern that public parks and green spaces may start to look like memorial gardens or cemeteries if the current commemorative program continued as currently structured.

REPORT

The commemorative tree monuments consist of a bronze plaque that is mounted to a concrete base near the donated/purchased tree (refer to figure 1 and 2).



Figure 1: Commemorative Tree



Figure 2: Commemorative Monument

The current commemorative tree process (refer to figure 3) does not limit the duration of display. In effect, the commemorative monuments are considered a permanent fixture of the park.

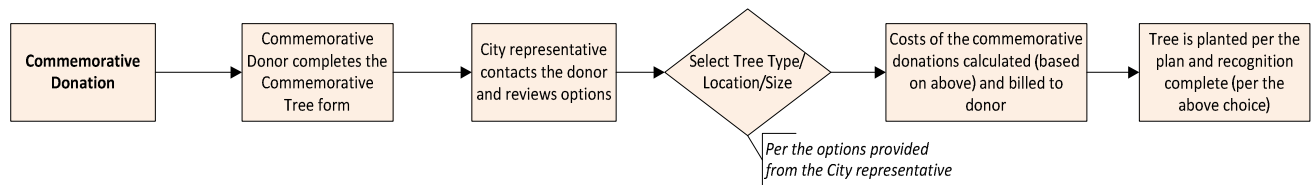


Figure 3: Current Commemorative Tree Program

Through municipal reviews to identify best practices, staff learned that three (3) municipalities do not provide commemorative plaques or any type of tree dedication marking, three (3) provide commemorative plaques for a time frame of 5 to 15 years and only one (1) municipality, other than the City of Guelph, provides permanent plaques.

Based on this information, Staff are recommending that a display time limit of 10 years be implemented for the plaques associated with a commemorative tree. The 10 year timeline is consistent with best practices identified and, in staff's opinion, is a reasonable duration for this purpose. The limit will prevent City parks from being viewed as "memorial parks" while still providing commemorative plantings throughout the parks of Guelph. Once the 10 years display period has been reached, the plaque will be removed from the park and every effort will be made to return it to the donor or next of kin.

Existing commemorative monuments will be reviewed and donors contacted to advise them of the new process and discuss the new timelines. The 10 year display limit can be applied at the time of report approval, providing the existing commemorative monuments to remain in place for an additional 10 year period from that time.

CORPORATE STRATEGIC PLAN

Goal 6, Objective 6.6: *This policy will help ensure the City of Guelph is a leader in conservation and resource protection/ enhancement, with the highest tree canopy percentage among comparable municipalities*

Goal 1: *To ensure the City of Guelph is an attractive, well functioning and sustainable city*

FINANCIAL IMPLICATIONS

Full cost recovery through purchase price.

DEPARTMENTAL CONSULTATION

Operations and Transit: Park Maintenance and Development

COMMUNICATIONS

N/A

ATTACHMENTS

N/A

Prepared by: Katherine Gray, Coordinator Performance & Service Development



Recommended By:

Murray Cameron
General Manager
Operations & Transit
Park Maintenance & Development
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murray.cameron@guelph.ca

Recommended By:

Derek J. McCaughan
Executive Director
Operations & Transit
519-822-1260 x 2018
derek.mccaughan@guelph.ca

From: Barry Wrigglesworth
Sent: November 23, 2011 1:09 PM
To: Mayors Office
Cc: Jim Furfaro
Subject: Memorial Tree Program

Dear Mayor Farbridge,

Until I read of the article in the Guelph Mercury about a month or so ago, in which Katherine Gray mentioned the Memorial Tree Program, I was unaware of its existence. Upon learning of the program I inquired further and obtained an application with the intent to proceed to purchase a tree and plaque for Royal City Park to honour the life of my late wife.

As my enquiry was late in the (planting) season I was advised to wait until spring 2012, and apply at that time.

The suggestion of City staff, reported in yesterday's Guelph Mercury, to remove the plaques after a 10 year period, was very disturbing to me. Implementation of such a suggestion would certainly discourage any new purchases, including mine. The increasing purchases from 2008 thru to 2011 clearly indicate that the program is popular. On a walkabout of Royal City Park, I was able to locate only two trees with attached plaques, so Katherine Gray's comment about other city's parks starting to look like cemeteries, is not, and should not be, a concern here in Guelph.

Councillor Furfaro's musing that "the reason people opt for this is because of how we do it", was bang on, and precisely the reason I plan to proceed with a purchase in 2012, but only if the plaque is permitted to remain permanently. Any new policy to remove plaques after a specified number of years, will result in me not proceeding to purchase a tree and plaque. The city would lose out on obtaining a new tree, and I would lose the opportunity to honour my late wife in a place that she very much enjoyed.

Councillor Bell's suggestion of mounting plaques flush with the ground is a bad idea. They become overgrown as we all know from trying to locate grave site markers in a cemetery.

Thank you for voting against Councillor Bell's motion.

The program as it is at present is fine, with the exception that I think any tree/plaque purchased should be guaranteed for 10 years rather than just three. A tree that survives 3 years is very likely to survive 10 years, so an increased guarantee period is virtually free of additional cost to the city.

I look forward to your continued support of the Memorial Tree Program with permanent plaques.

cordially,

Mr. Barry Wrigglesworth

From: DAVID PARK
Sent: November 22, 2011 6:17 PM
To: Mayors Office
Subject: Commemorative Plaques

If someone would like to donate to buy a tree to commemorate a death/loved one, why could the City not erect one large plaque in a park with the names, update it annually, and plant a tree? The family could know which tree it was if they wanted to. This would avoid all the tombstone looking monuments at the foot of every other tree!

From: BARRY WRIGGLESWORTH

Sent: February 22, 2012 5:04 PM

To: Mayors Office; Bob Bell; Jim Furfaro; andyvanhellemond@guelph.ca; Ian Findlay; Maggie Laidlaw; June Hofland; cam.gutherie@guelph.ca; Gloria Kovach; Lise Burcher; Leanne Piper; Todd Dennis; Karl Wettstein

Subject: Memorial Trees

Dear Mayor Farbridge and Councillors,

After reading in the Guelph Mercury on Wed. Feb. 22, 2012, that the Operations and Transit Committee, is recommending to City Council, the removal of memorial plaques after 10 years, I am not only disappointed but completely disgusted at the recommendation.

After learning about the program last fall, I became interested in purchasing a tree and memorial plaque to honour the life of my late wife, however the fall planting season was over by that time. I had planned to apply in March this year, but am so outraged at the proposed recommendation, that I am unlikely to proceed, if council approves it.

For a city that is endeavouring to increase its tree canopy, making a decision which may well stifle, if not terminate, interest in planting additional memorial trees, is completely unfathomable. The city will lose not only the opportunity for a tree but the financial contribution as well.

The increase in interest from 2008 thru to 2011, demonstrates an increasing interest in the program as currently structured. One cannot predict how the level of interest in the program might change with a 10 year limit on the plaques, but why tinker with a program that is obviously successful? The volume of plaques is so small that I had to walk around Royal City Park to find any, but finally located two. With only 120 citywide, the chances of any one location starting to look like a cemetery, appear to be quite remote.

Grandfathering the existing plaques, as suggested, would only serve to discriminate against those who choose to purchase a tree and plaque in the future. I would think that potential purchasers will find that unacceptable.

When a person chooses to honour a loved one through the purchase of a memorial, in what ever form, it is not done with a time limit in mind. It is a commitment to that person without qualification. Accordingly there should be no arbitrary time limit applied that interferes with that commitment to the deceased. We don't remove cemetery headstones and grave markers after 10 years. They are there in perpetuity. Why should a memorial plaque be treated any different?

Once a plaque is purchased and in place, the city does not incur any ongoing cost, so there is no justification for removing the plaque after 10 years.

If the city wishes to have a policy, I suggest the following.

- o The city agrees to replace any plaque damaged after a 5-year period from the date of installation. If, after being advised of a damaged plaque following the 5-year period, the family member whose name is on file, does not arrange within 6 months, to replace the damaged plaque, it will be removed by the city.

When the recommendation comes to council for a vote, I ask that each of you take the time to consider how you would feel if you had purchased a memorial tree and plaque for a beloved family member 10 years previously, and were about to learn that the plaque honouring that

person was going to be dug up and tossed in the garbage. I trust that you would be horrified, just as I would be. That would not be a dignified way to treat the memory of a person who chose to call Guelph, home.

I plead with each of you, to vote against the committee's recommendation. Leave the perfectly-good program as it is. The city gains trees and money. Kindly do not overlook that.

sincerely,

Barry Wrigglesworth

**CONSENT REPORT OF THE
PLANNING & BUILDING, ENGINEERING AND ENVIRONMENT COMMITTEE**

February 27, 2012

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Planning & Building, Engineering and Environment Committee beg
leave to present their SECOND CONSENT REPORT as recommended at its
meeting of February 21, 2012.

*If Council wishes to address a specific report in isolation please
identify the item. The item will be extracted and dealt with
immediately. The balance of the Consent Report of the Planning &
Building, Engineering and Environment Committee will be approved in
one resolution.*

**1) Sign By-law Variance for 60 Woodlawn Road East (Village of
Riverside Glen Retirement Residence)**

THAT Report 12-13 regarding a sign variance for 60 Woodlawn Road East from
Planning & Building, Engineering and Environment dated February 21, 2012 be
received;

AND THAT the request for a variance from the Sign By-law for 60 Woodlawn Road
East to permit four mobile signs per year be approved.

2) Sign By-law Variance for 130 Macdonell Street (Co-operators)

THAT Report 12-15 regarding a sign variance for 130 Macdonell Street from
Planning & Building, Engineering and Environment, dated February 21, 2012, be
received;

AND THAT the request for a variance from the Sign By-law for 130 Macdonell
Street to permit a temporary banner sign for one year be approved.

**3) Brooklyn and College Hill Heritage Conservation District
Designation Process – Summary of Phase One and
Recommendation to Proceed to Phase Two**

THAT the Brooklyn and College Hill Heritage Conservation District Study – Heritage
Assessment Report (February 2012) be received.

AND THAT staff be directed to proceed with the second phase of the Brooklyn and
College Hill Heritage Conservation District designation process for the purposes of

January 30, 2012

Planning & Building, Engineering and Environment Committee Consent Report

creating a Draft Brooklyn and College Hill Heritage Conservation District Plan and Design Guidelines according to Part V, Section 40(1) of the Ontario Heritage Act.

AND THAT the proposed Heritage Conservation District boundary, as Attachment 1 of the report, recommended by the consultant in the Brooklyn and College Hill Heritage Conservation District Study – Heritage Assessment Report (February 2012 - Attachment 2) be acknowledged and that staff be directed to report back to Council with a final recommended Heritage Conservation District boundary during the second phase of the Brooklyn and College Hill Heritage Conservation District designation process.

All of which is respectfully submitted.

Councillor Piper, Chair
Planning & Building, Engineering and
Environment Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE FEBRUARY 21, 2012 MEETING.***

COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning & Building, Engineering and Environment
DATE February 21, 2012

**SUBJECT Sign By-law Variance for 60 Woodlawn Road East
(Village of Riverside Glen Retirement Residence)**

REPORT NUMBER 12-13

SUMMARY

Purpose of Report: To obtain Council approval for permission to allow four mobile signs per year at 60 Woodlawn Road East.

Council Action: To approve the request for a variance from the Sign By-law for 60 Woodlawn Road East.

RECOMMENDATION

"THAT Report 12-13 regarding a sign variance for 60 Woodlawn Road East from Planning & Building, Engineering and Environment dated February 21, 2012 be received;

AND THAT the request for a variance from the Sign By-law for 60 Woodlawn Road East to permit four mobile signs per year be approved."

BACKGROUND

The Village of Riverside Glen has submitted a sign variance application to allow for four mobile signs per year at 60 Woodlawn Road East (see Schedule A - Location Map). The property is zoned R.4B-3 (High Density Apartment) and FL (Floodway) in the Zoning By-law No. (1995)-14864. The Sign By-law No. (1996)-15245 in Table 4, Row 1 does not permit mobile signs in properties zoned R.4B or FL.

REPORT

The Village of Riverside Glen has requested to permit a mobile sign for four separate thirty day periods to advertise various facilities and events. Mobile signs are only permitted in Commercial, Industrial and Institutional zones. The Village of Riverside Glen has existed since 1997 in Guelph and has limited signage opportunity due to the mobile sign restriction. Freestanding signs in High Density

Residential zones are regulated more stringently than in Commercial zones (no changeable copy, limited height and size). The signs would be located on the Woodlawn Road East entrance in an approved location in accordance with the provisions of the Sign By-law. The Sign By-law allows for a maximum of four separate 30 day permits for mobile signs.

The requested variance is as follows:

Mobile Sign (R.4B or FL zone)	By-law Requirements	Request
	Mobile signs not permitted	Four thirty day mobile sign permits

The requested variance from the Sign By-law for four thirty day mobile signs is recommended for approval because:

- Although this business is located in a R.4B zone, it is commercial in nature and the Sign By-law is restrictive in regards to permanent signage;
- The signage is temporary in nature and would allow for additional advertising opportunities for an established business.

CORPORATE STRATEGIC PLAN:

An attractive, well functioning and sustainable city

FINANCIAL IMPLICATIONS: N/A

DEPARTMENTAL CONSULTATION: N/A

COMMUNICATIONS: N/A

ATTACHMENTS

Schedule A - Location Map

Prepared By:

Pat Sheehy
 Senior By-law Administrator
 519-837-5615, ext. 2388
 patrick.sheehy@guelph.ca

Original Signed by:

Recommended By:

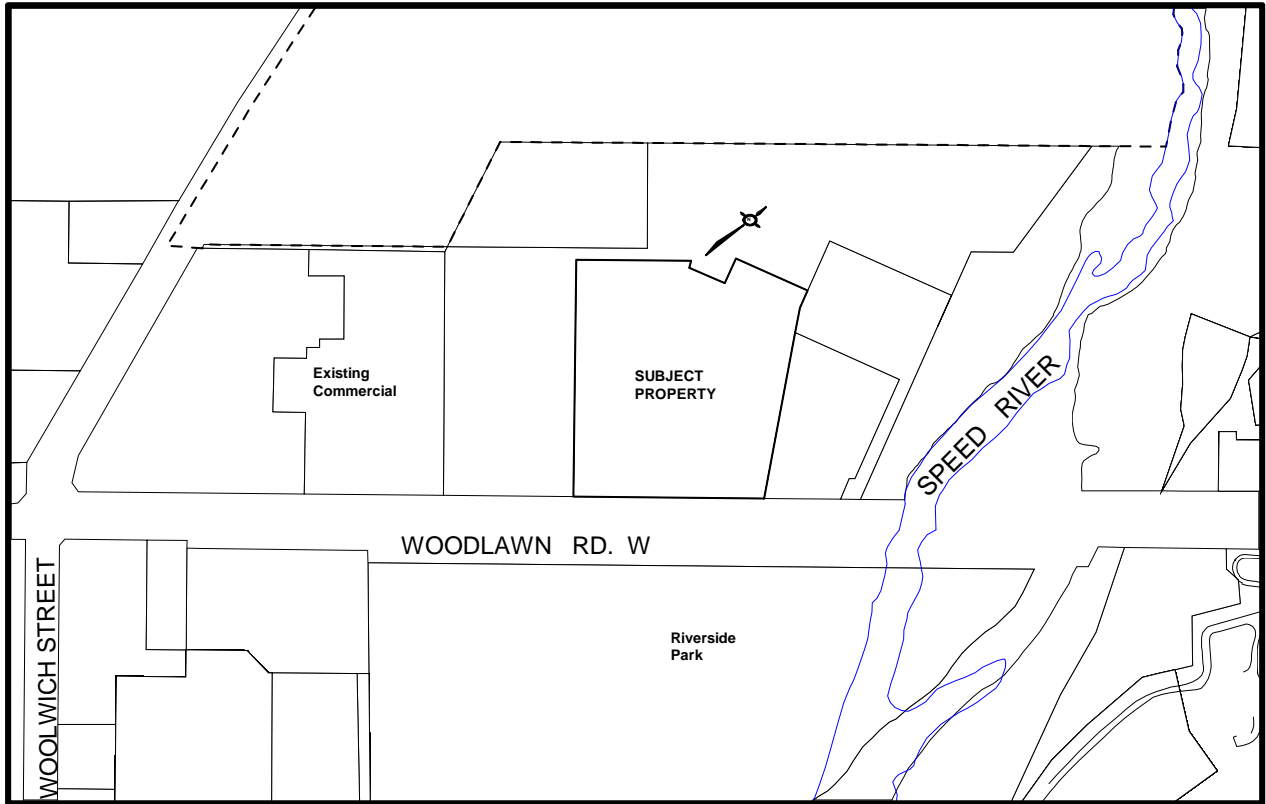
Bruce A. Poole
 Chief Building Official
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 bruce.poole@guelph.ca

Original Signed by:

Recommended By:

Janet L. Laird, Ph.D.
 Executive Director
 Planning & Building
 Engineering and Environment
 519-822-1260, ext 2237
 janet.laird@guelph.ca

SCHEDULE A- LOCATION MAP



COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning & Building, Engineering and Environment
DATE February 21, 2012

**SUBJECT Sign By-Law Variance for 130 Macdonell Street
(Co-operators)**

REPORT NUMBER 12-15

SUMMARY

Purpose of Report: To obtain Council approval for permission to allow a temporary banner sign at 130 Macdonell Street.

Council Action: To approve the request for a variance from the Sign By-law for 130 Macdonell Street.

RECOMMENDATION

"THAT Report 12-15 regarding a sign variance for 130 Macdonell Street from Planning & Building, Engineering and Environment, dated February 21, 2012, be received;

AND THAT the request for a variance from the Sign By-law for 130 Macdonell Street to permit a temporary banner sign for one year be approved."

BACKGROUND

The Co-operators has submitted a sign variance application to allow for a temporary banner sign for one year at 130 Macdonell Street (see Schedule A- Location Map). The property is zoned CBD.1 (Central Business District) in the Zoning By-law No. (1995)-14864. The Sign By-law No. (1996)-15245 in Table 3, Row 1, does not permit banner signs in the Central Business District except for the Norfolk Street pedestrian overpass.

REPORT

The Co-operators has requested to permit one banner sign for a period of one year to advertise the United Nation's International Year of the Co-operative. Banner signs are not permitted in the Central Business District. The request for a banner sign rather than a fascia sign is preferable to the applicant since it is a temporary installation. Additionally, the size and orientation of the sign is more suitable to the overall elevation on Macdonell Street (see Proposed Sign- Schedule B). Window placement prevents a horizontal orientation.

The requested variance is as follows:

Banner Sign (CBD.1 zone)	By-law Requirements	Request
	Banner signs not permitted in CBD.1 zone	One banner sign for one year period

The requested variance from the Sign By-law for one banner sign for a period of one year is recommended for approval because:

- It is a temporary sign to recognize the International Year of the Co-operative;
- The placement is more oriented for pedestrian and vehicular traffic rather than the top storeys of the building

CORPORATE STRATEGIC PLAN:

An attractive, well functioning and sustainable city

FINANCIAL IMPLICATIONS: N/A

DEPARTMENTAL CONSULTATION: Downtown Renewal

COMMUNICATIONS: N/A

ATTACHMENTS

Schedule A - Location Map
Schedule B- Proposed Sign

Prepared By:

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519-837-5615, ext. 2388
patrick.sheehy@guelph.ca

Original Signed by:

Recommended By:

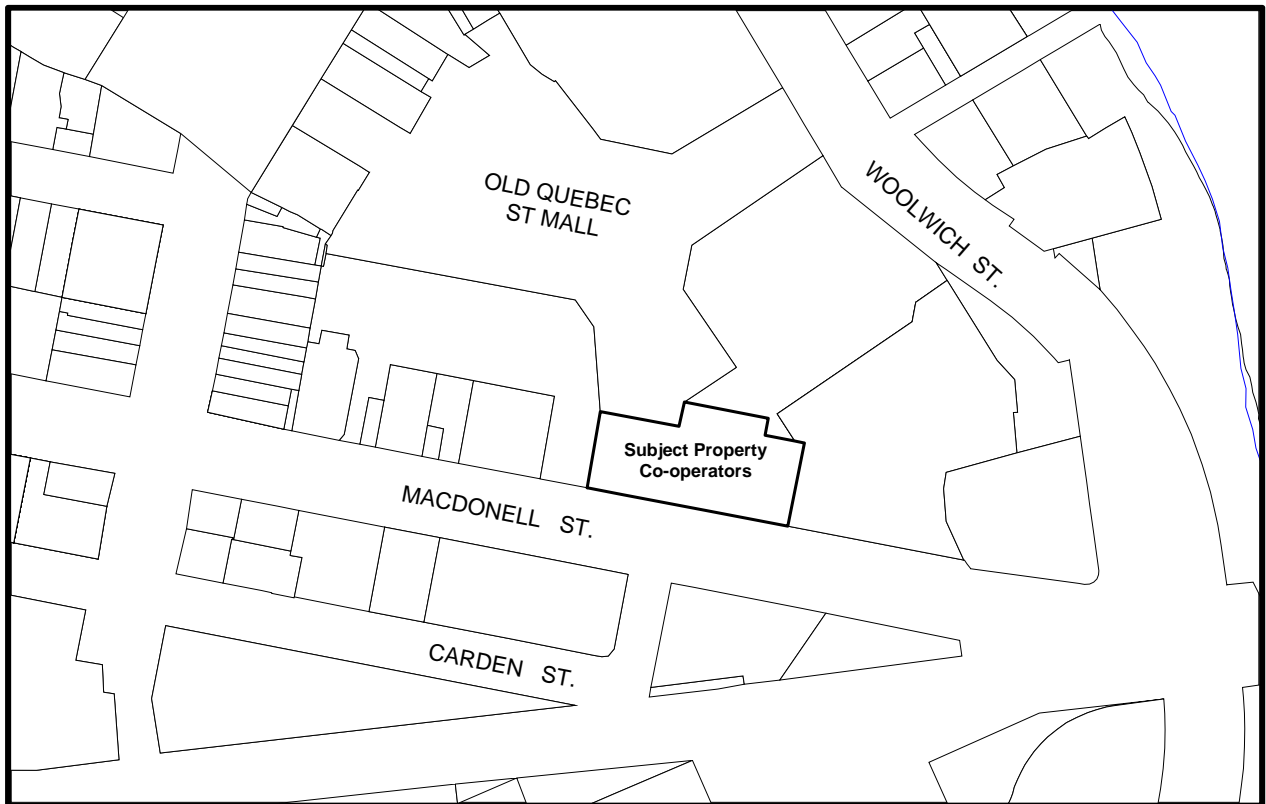
Bruce A. Poole
Chief Building Official
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bruce.poole@guelph.ca

Original Signed by:

Recommended By:

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SCHEDULE A- LOCATION MAP



SCHEDULE B- PROPOSED SIGN



COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning & Building, Engineering and Environment
DATE February 21, 2012

**SUBJECT Brooklyn and College Hill Heritage Conservation District
Designation Process - Summary of Phase One and
Recommendation to Proceed to Phase Two**

REPORT NUMBER 12-17

SUMMARY

Purpose of Report: To summarize the results of Phase One of the 2-phase Brooklyn and College Hill Heritage Conservation District designation process and to recommend the process proceed to Phase Two.

Committee Action: Receive the Brooklyn and College Hill Heritage Conservation District Study – Heritage Assessment Report (February 2012) and direct staff to proceed to Phase Two of the Brooklyn and College Hill Heritage Conservation District designation process.

RECOMMENDATION

“THAT the Brooklyn and College Hill Heritage Conservation District Study – Heritage Assessment Report (February 2012) be received;

AND THAT staff be directed to proceed with the second phase of the Brooklyn and College Hill Heritage Conservation District designation process for the purposes of creating a Draft Brooklyn and College Hill Heritage Conservation District Plan and Design Guidelines according to Part V, Section 40(1) of the Ontario Heritage Act;

AND THAT the proposed Heritage Conservation District boundary (Attachment 1) recommended by the consultant in the Brooklyn and College Hill Heritage Conservation District Study – Heritage Assessment Report (February 2012) (Attachment 2) be acknowledged and that staff be directed to report back to Council with a final recommended Heritage Conservation District boundary during the second phase of the Brooklyn and College Hill Heritage Conservation District designation process.”

BACKGROUND

At their March 28, 2011 meeting, Council received Planning & Building, Engineering and Environment Report 11-24 and directed staff to initiate the Heritage Conservation District Designation Process for the Brooklyn and College Hill area pursuant to Part V, Section 40(1) of the Ontario Heritage Act. Council’s resolution

and the full PBEE Committee Report from March 28, 2011 is available through Attachment 3. Staff was directed to retain the services of a consultant to undertake the Heritage Conservation District Designation process in accordance with defined terms of reference to be prepared by staff. Staff were also directed to report back to Council at key decision making points in the Heritage Conservation District designation process. Attachments 4 and 5 outline the key steps in the HCD designation process.

Following Council's decision to initiate the HCD designation process the consulting team of MHBC Consultants, in association with George Robb Architect and Meagan Hobson Research, was retained to undertake the project.

During July and August the consultant team commenced the first phase of the heritage district designation process – the HCD Study. The consultants began their research and inventory work, City policy review and land use research according to the project scope and key deliverables identified in the project terms of reference and the consultant's proposal.

In early August the consultants met with the members of the HCD Technical Steering Committee, consisting of City planning, building and parks staff members lead by the Senior Heritage Planner, assembled to provide feedback and strategic input to the consultant's work and provide direction as required. Subsequent meetings of the Technical Advisory Committee were held in November and December.

The project terms of reference required the appointment of a Community Working Group to provide strategic input to the consultant and the City at key points throughout the HCD Designation process. The Community Working Group consists of two members of the Heritage Guelph Committee; the two Ward 5 Councillors (ex officio), and five property owners from within the study area as recommended by the Ward 5 Councillors including representation from the Old University Neighbourhood Ratepayers Association. The consultant met with the Community Working Group in early November and again in mid-December.

Public Consultation:

The process for undertaking a Heritage Conservation District Study, Plan and Design Guidelines falls under Sections 40 and 41 of the Ontario Heritage Act, which requires Council to hold one statutory public meeting prior to making a decision to approve a Heritage Conservation District and to provide notice of public meetings and Council decisions. It was determined in the HCD project terms of reference that, in addition to fulfilling the statutory public consultation requirements, a minimum of three public information meetings would be held.

The first public meeting would be in the initial stages of the development. The focus of this meeting would be to introduce the consultant team working on project and to review the vision, goals, objectives, priorities and overall direction of the HCD Designation process. The second meeting would present the findings and recommendations of the draft HCD Study. If Council were to proceed with the second phase of the HCD process, a third public meeting would be held to present and discuss the draft HCD Plan and Design Guidelines.

HCD Phase One: Public Meeting 1, November 15, 2011:

The first Public Meeting for the HCD Study phase was held at Harcourt Memorial United Church on 15 November 2011. The consultant team was introduced who outlined the progress being made on the HCD Study phase. For the purpose of refining the study area boundary to guide field work, the consultants described the study area as being defined by the Speed River and Royal City Park in the north, Mary Street in the west, College Avenue to the south and Gordon Street and James Street East at the east.

The consultants elaborated on the two stage HCD process indicating that work was now proceeding with Phase One: The HCD Background Study. The background study was intended to identify the heritage character and appearance of the area and includes descriptions of the overall topography and historical development of the area as well as the resulting changes in landscape and built form. It was emphasized that any boundary identified to date was only the study area and not necessarily the final boundary that may be recommended for approval by Council. It was made clear by the consultants that it is City Council's decision, after hearing the results of the study and feedback from the community, whether to proceed with phase two, the preparation of a Draft HCD Plan.

HCD Phase One – Newsletter and Questionnaire:

Shortly after the first Public Meeting, a Newsletter for Phase 1 was circulated to property owners in and around the study area (Attachment 6). The Newsletter was prepared to update those who were unable to attend the November Public Meeting and also to introduce a brief questionnaire (Attachment 7) intended to solicit responses from the study area that would assist the consultants in their formation of recommendations for the phase one report on the Brooklyn and College Hill Heritage Conservation District Study. Seventeen responses to the Questionnaire resulted from a mailing sent to the owners of 455 properties in the study area and surrounding properties within 120 metres. Although this was a low return rate responses provided useful insights and comments both positive and negative. Further efforts will be made to engage the community during phase two.

Key comments resulting from the November Public Meeting and the circulation of the HCD Questionnaire included:

- questions whether designation had the potential to adversely affect property values;
- whether any potential HCD policies may facilitate financial incentives from the City to owners of designated property;
- how and what kinds of controls or measures would be implemented to manage change and alterations within a potential heritage district.

HCD Phase One: Release of Draft Assessment Report and HCD Phase One: Public Meeting 2, January 17, 2012:

Following the first round of community consultation a Draft of the Brooklyn and College Hill Heritage Conservation District Study – Heritage Assessment Report was made available for public review in early January in advance of the second Public Meeting. The second HCD Study Public Meeting was held on 17 January 2012 at

Harcourt Memorial United Church as a forum for the consultants to present a summary of their findings and the recommendations contained within the Draft HCD Study – Heritage Assessment Report and also to hear feedback from the community on their views of the current prospect of an HCD for the area. At this meeting several key topics were identified:

- the consultant’s recommendation to include the Wellington Street dam and the open body of water to the west of McCrae Boulevard as part of the proposed HCD met with opinions of support and opposition;
- several property owners expressed opposition to their property being included in the HCD boundary on grounds that they don’t feel that their building has cultural heritage value;
- other property owners are worried that the HCD Plan would not allow the ability to make alterations to or redevelop their property.

Valuable input was received during the public meeting discussion and this is reviewed in more detail in the report section.

Consultation with Heritage Guelph:

The Ontario Heritage Act requires that Council consult with its Municipal Heritage Committee about any area being considered as a heritage conservation district study area. Heritage Guelph has promoted the idea of district designation for the Brooklyn and College Hill area since well before the completion of the OUCN CIP in 2006 and included this HCD project in their long-term objectives. Heritage Guelph committee members attended the November 15, 2011 and January 17, 2012 Public Meetings. The committee will consider the following motion at their meeting of February 13, 2012 (Note: final resolution to be confirmed on February 13):

“THAT Heritage Guelph recommends that Council receive the Brooklyn and College Hill Heritage Conservation District Study – Heritage Assessment Report (February 2012);

AND THAT, having thoroughly reviewed the study report in consultation with a member of the consultant team, Heritage Guelph advises Council of its support for proceeding with Phase Two of the Brooklyn and College Hill Heritage Conservation District designation process for the purposes of creating a Draft Heritage Conservation District Plan and Design Guidelines according to Part V, Section 40(1) of the Ontario Heritage Act.”

REPORT

In preparing the Heritage Conservation District Study - Heritage Assessment Report, the consultants have considered and addressed the requirements of the Ontario Heritage Act and have also provided background material and proposed recommendations as required by the HCD Terms of Reference. The HCD Study - Heritage Assessment Report is provided in Attachment 1 of this report. The consultants have recommended that the proposed Heritage Conservation District boundary (Attachment 1) appropriately contains a majority of properties of cultural heritage value, whether buildings, structures, streetscapes and open spaces that

provide a rationale for the designation of this area as a heritage conservation district under Part V of the Ontario Heritage Act.

The consultants have stated that in their opinion there is merit in proceeding to the second phase of the heritage conservation district study, namely the preparation of a heritage conservation district plan containing guidance on the management of the district's character and attributes.

Summary and Analysis of Public Input:

The public consultation process has brought forward positive and negative comments regarding a proposed heritage conservation district in the Brooklyn and College Hill area.

Benefits identified in the public comments include:

- A stronger sense of place;
- Greater understanding and appreciation of the cultural heritage value of the buildings, streetscapes and riverscapes;
- Preserve the neighbourhood;
- Increase in property values;
- Discourage inappropriate large scale development ;
- Would bring more appropriate control over alterations and infill;
- (with no HCD) new development will not comply with human scale and historic environment.

Some of the key questions and concerns raised through the public consultation process have included:

- What types of changes would be permitted?
- Would restrictions prevent any change? – is there flexibility?
- What would be the impact on the time/cost to process applications?
- What is impact on contemporary properties?
- District designation will affect property values, resale values and increase taxes
- Will there be financial incentives for designated property?
- Concerns about the recommended district boundary (e.g. inclusion of: Wellington Street dam; properties on James Street East; and lands on east side of Gordon around the Macdonald Stewart Art Centre)

Both support and objection has been received from the public consultation process as to the consultant's recommendation to include the Wellington Street dam and the open body of water to the west of McCrae Boulevard as part of the proposed HCD. The disposition of the dam and character of the riverscape is only being assessed for its cultural heritage value through the HCD Study process. This is only one vantage point for this issue and any future decision on the fate the dam or the associated riverscape will require a full assessment that examines and attempts to balance the range of interest and issues involved, i.e. environmental, cultural, heritage etc. This will be considered further during Phase 2 of the HCD process.

Some property owners have expressed opposition to their property being included in the HCD boundary on grounds that they don't feel that their building has cultural

heritage value. Other property owners are worried that the HCD Plan would not allow the ability to redevelop their property. It is still too early on the process for these property owners to assume that the consultants could not assist the City to create a well-written HCD that guides appropriate proposed development and change while conserving the important heritage character defining elements within the heritage district.

The issues raised to date would receive further exploration through continued community consultation if Council were to decide to proceed with the second phase of the HCD Designation process. The consultants have advised that some of the issues raised are already addressed in the HCD Assessment Report while others such as guidelines on alterations would be considered through the HCD Plan and Design Guideline process. The public consultation process planned for the second phase of the HCD Designation process is the ideal forum for discussion and meaningful dialogue on draft HCD Plan policies and design guidelines between the consultants, City staff, property owners and other stakeholders.

Rationale for proceeding to Phase Two of the Heritage Conservation District Designation process:

Staff were directed to report back to Council at key decision making points in the Heritage Conservation District designation process. Attachments 4 and 5 present the HCD designation process in chart form with a (dotted line) box around our current position in that process. Council is now at an important decision point in which it now has background information from the completed HCD Study – Heritage Assessment Report to make an informed decision on whether to proceed with the second phase of the Heritage District designation process as recommended by the consultant and staff.

The decision at hand is not to approve the Brooklyn and College Hill Heritage Conservation District - rather, it is simply a decision to proceed with the creation of a first draft of a HCD Plan and Design Guideline. The second phase of the HCD process provides an excellent forum for further community consultation and continued in depth and detailed discussion of issues being raised by property owners and other stakeholders. It is the draft HCD Plan and Design Guideline that can provide detailed answers and proposed policies that may lead to possible solutions of current issues.

The study consultants and City staff are of the opinion that the Phase One HCD Study provides a sound technical basis for proceeding into Phase Two. In addition, proceeding into Phase Two will allow for continued community engagement and discussion around balanced and fair approaches to addressing issues raised in Phase One.

CORPORATE STRATEGIC PLAN

Goal 4 – A vibrant and valued arts, culture and heritage identity.

Strategic Objective 4.4 – Intact and well managed heritage resources.

Strategic Objective 4.5 – Capitalize on our cultural and heritage assets to build economic prosperity, quality of life and community identity.

FINANCIAL IMPLICATIONS

Funding to carry out the Brooklyn and College Hill Heritage Conservation District Designation Process, including the HCD Study and the HCD Plan and Design Guidelines was approved as part of the 2007-2009 budget processes with the purpose of developing and implementing a Heritage Conservation District Study and Implementation Plan.

DEPARTMENTAL CONSULTATION

Internal Technical Steering Committee (including staff representation from Planning, Building and Parks)
Legal Services
Heritage Guelph

COMMUNICATIONS

The November 15, 2011 and January 17, 2012 Public Meetings were advertised in the Guelph Tribune and an information page was established on the City's Heritage Planning webpage. As well, mailings for both public meeting notices and circulation of the HCD Newsletter and Questionnaire were sent to 190 property owners within the potential study area and also to just over 255 property owners within a 120m buffer area around the HCD study area.

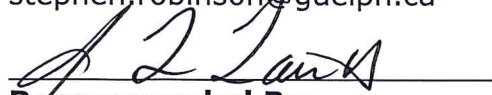
ATTACHMENTS

Attachments 2, 3 and 7 are available on the City's website at www.heritageguelph.ca. Click on the link for the February 21, 2012 Brooklyn and College Hill Heritage Conservation District Designation Process - Summary of Phase One and Recommendation to Proceed to Phase Two Report (with attachments).

- Attachment 1 - Proposed Heritage Conservation District Boundary;
- Attachment 2 - Heritage Conservation District Study - Heritage Assessment Report (February 2012)
- Attachment 3 - Council Resolution and Report from March 28, 2011 Council Meeting;
- Attachment 4 - Heritage Conservation District Designation Process – City of Guelph;
- Attachment 5 - HCD Designation Process Overview – City of Guelph;
- Attachment 6 - HCD Phase One – Newsletter;
- Attachment 7 - HCD Phase One – Questionnaire

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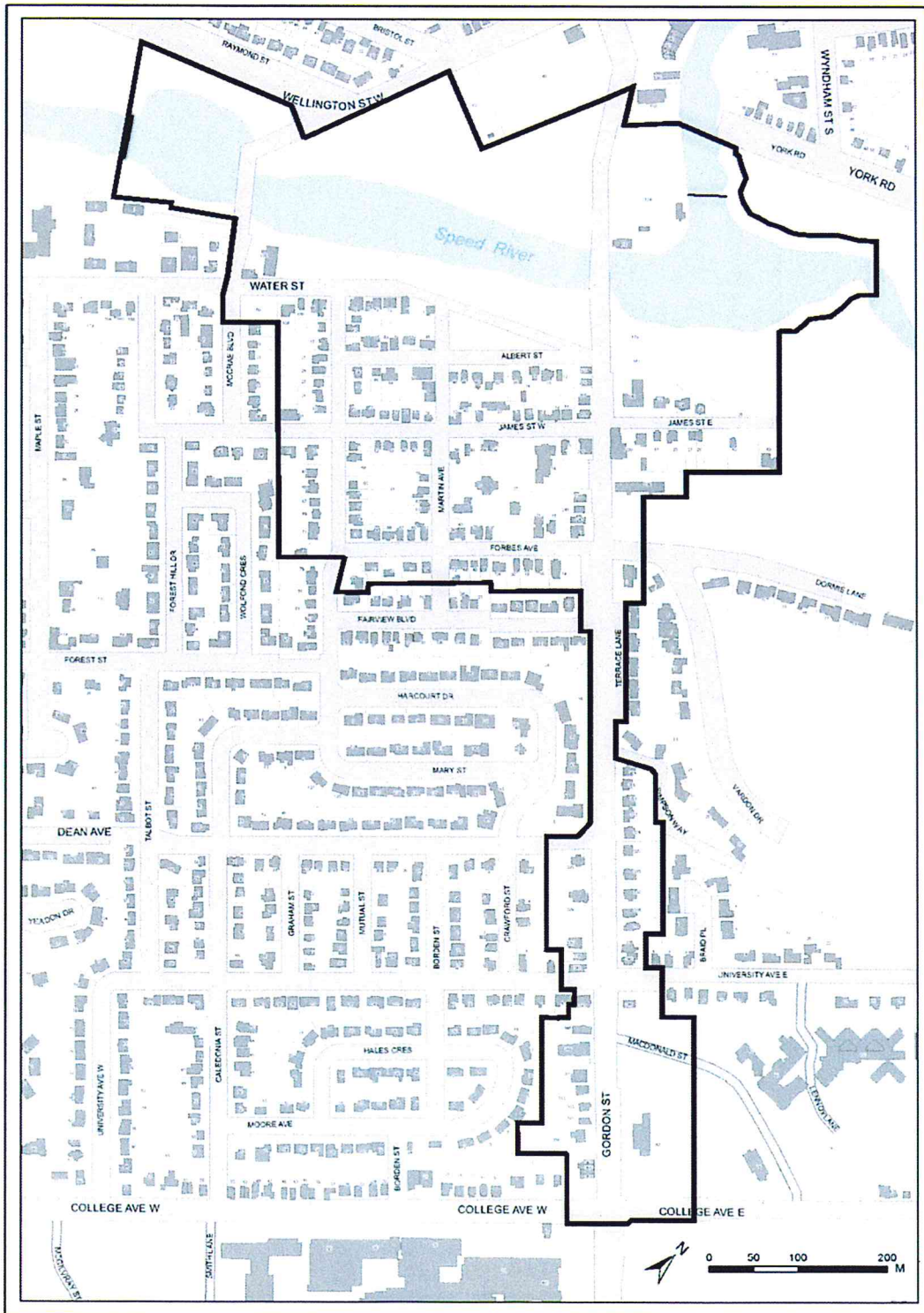
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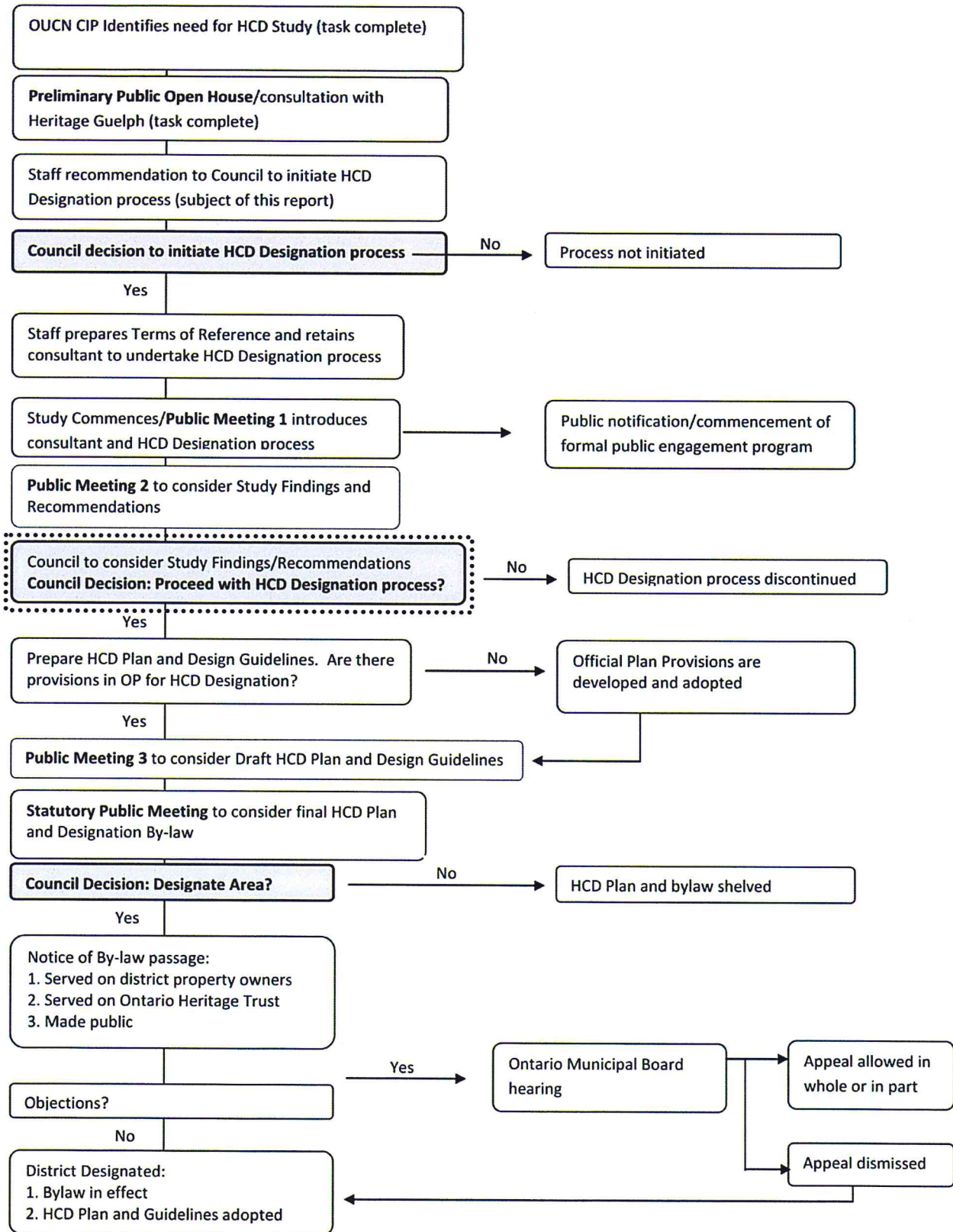
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ATTACHMENT 1
Proposed Heritage Conservation District Boundary
from Heritage Conservation District Study - Heritage Assessment Report
(February 2012)



ATTACHMENT 4

Heritage Conservation District Designation Process – City of Guelph



ATTACHMENT 5

HCD Designation Process Overview – City of Guelph

The following steps are based on information found in the Ministry of Culture's *Ontario Heritage Toolkit*, which outlines the key steps in the heritage district designation process. A summary in flow chart format is presented in Attachment 6.

Step 1 – Council considers approval of initiation of HCD Designation process

If approved, HCD Study commences and is carried out in the following manner:

- Historical and documentary research; field studies to examine the character and appearance of the area (buildings, structures and other property features) to determine heritage attributes;
- Public Meeting 1 to introduce consultant and HCD Designation process
- Public participation to add value and meaning to research results;
- Consider and recommend objectives of designation and content of the HCD Plan and Guidelines.

Step 2 – HCD Study provides final definition and recommendation of the HCD boundaries and recommendation of potential changes to the Official Plan and municipal by-laws including zoning by-laws.

- Public Meeting 2 to consider HCD Study findings and recommendations;
- HCD Study findings and recommendations are considered for approval by Council;
- Council decides whether or not to proceed with HCD Designation process.

Step 3 – If Council proceeds with HCD Designation process, the HCD Plan and Guidelines are prepared containing the following:

- Statement of objectives to be achieved in designation of the area as a HCD;
- Statement of district's cultural heritage value or interest;
- Description of district's heritage attributes and all properties within the district;
- Policy statements, guidelines and procedures for achieving stated objectives and managing future changes;
- Description of external alterations or classes of external alterations that are of a minor nature that an owner can carry out without obtaining a permit;
- Public Meeting 3 to consider Draft HCD Plan and Design Guidelines.

Step 4 – Public Notification and Statutory Council Meeting to consider HCD Plan and decision on the Designation By-law:

- Before passing the designation by-law and adopting the HCD plan, Council is required to notify the public about the proposed HCD plan and hold at least one public meeting to discuss the plan. Following Council passage of the by-law and within 30 days of the date of

notification, any person who objects to the by-law can appeal the by-law to the Ontario Municipal Board (OMB).

Step 5 – Implementation of the District Plan:

- Review of alteration, new construction and demolition applications in a HCD with decisions to be guided by the approved HCD Plan and Design Guidelines;
- Municipal consideration of other implementation tools (eg. financial incentives).

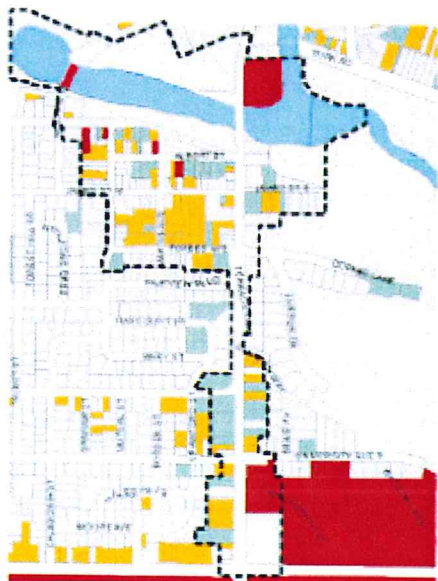
Brooklyn and College Hill Heritage Conservation District Study

Phase 1 Newsletter: November, 2011

Introduction to the Study

The City of Guelph has recognized the cultural heritage significance of two of the City's historic neighbourhoods: Brooklyn and College Hill. These areas were identified for a potential Heritage Conservation District (HCD) through the Old University and Centennial Neighbourhoods Community Improvement Plan process in 2006. In the summer of 2011 Council initiated the HCD designation process that retained MHBC Planning to conduct the first of two phases - the HCD Study.

Brooklyn, one of Guelph's early settlement areas associated with industries along the Speed River, is connected by the historic Brock Road to College Hill, a residential area which was developed with the advent of the Ontario Agricultural College.



General Study Area

Red – designated

Green – listed in Heritage Register

Orange – Couling Inventory

Public Meeting 1 Summary

On November 15th the City of Guelph held a public meeting at Harcourt Memorial United Church (87 Dean Avenue) to introduce the consultants conducting the first phase of the Brooklyn and College Hill HCD Study. City Planning Staff, the consultant team, City Councillor Leanne Piper, and Paul Ross of Heritage Guelph and about 50 members of the community attended to discuss the heritage conservation district study and plan and the progress being made. This newsletter has been prepared to update those members of the community who could not attend the first public meeting and also to introduce the enclosed questionnaire.

Stephen Robinson (City staff) made opening remarks and introduced the consultant team members present – Wendy Shearer, David Cuming and Jessica Tivy (MHBC Planning), Peter Stewart and Chris Walker (George Robb Architect) and Megan Hobson (Megan Hobson Research).

The consultants outlined the general study area context and boundary explaining that the initial study area had been identified as part of the Old University and Centennial Neighbourhoods CIP undertaken in 2006. For the purpose of refining the study area boundary to guide field work, the consultants described the area as being defined by the Speed River and Royal City Park in the north, Mary Street in the west, College Avenue to the south and Gordon Street and James Street East at the east.

ATTACHMENT 6

HCD Phase One – Newsletter



Attention then turned to the overall purpose of district designation, identifying clusters or concentrations of built heritage resources and other special characteristics such as streetscapes or landscapes and protecting those of value. Explanation about the requirements of the Ontario Heritage Act followed with the consultants highlighting key provisions such as the preparation of a heritage conservation district study (to identify what makes an area special) and its potential follow up with a heritage conservation district plan and design guidelines (to manage and protect those features that make the area special).

The consultants elaborated on the two stage process indicating that work was now proceeding with Phase 1: The HCD Background Study. The background study is intended to identify the heritage character and appearance of the area and includes descriptions of the overall topography and historical development of the area, the resulting changes in landscape and built form. The results of a building condition survey concluded that the building stock was overwhelmingly sound. The work to date had revealed a rich history and building legacy of over 160 years from the formative stages of road and bridge building, milling activities, park development and residential construction in a rich variety of architectural styles.

This work and the findings of the consultant team will inform the identification of a district boundary that will provide the basis of designating a potential heritage conservation district under Part V of the Ontario Heritage Act.

The consultants emphasized that the area identified to date is only the study area and not necessarily the final boundary that

may be recommended. It is City Council's decision, after hearing the results of the study and feedback from the community, whether to proceed with Phase 2, the preparation of a HCD Plan.

Members of the community in attendance at the meeting followed the presentation with a number of questions, comments and views on the process. Several questions addressed the matter of whether designation had the potential to adversely affect property values. Discussion also ensued about potential financial incentives from the City to designated property owners. Comments were also made about how and what kinds of controls or measures would be implemented to manage change and alterations within a potential district.

The consultants advised that some of these issues would be addressed in the HCD Study and others such as guidelines on alterations would be contained in the HCD Plan and design guidelines.

Next Steps

- January 2012 – Draft HCD Study presented at Public Meeting 2 of Phase 1
- February 2012 – Phase 1 HCD Study considered by Council in decision whether to proceed to Phase 2
- March to June – preparation of HCD Plan and Design Guidelines if Council proceeds with Phase 2

How to get more Information

For more information, visit the Heritage Planning website at guelph.ca (search Heritage Conservation District Study) or please contact:

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Planning & Building, Engineering and Environment
Tel. 519-837-5616 ext. 2496
Email: stephen.robinson@guelph.ca



Brooklyn and College Hill Heritage Conservation District Study and Plan

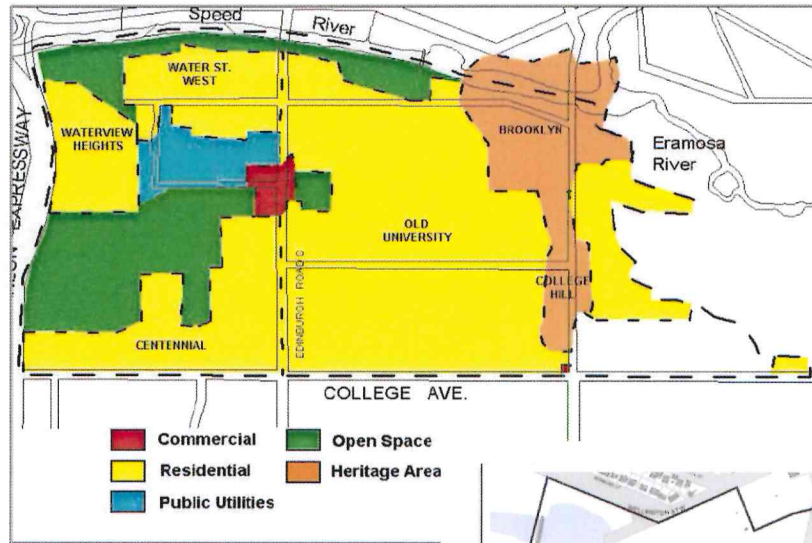
City of Guelph

February 21st, 2012



Study area context

Old University and Centennial Neighbourhoods Community Structure



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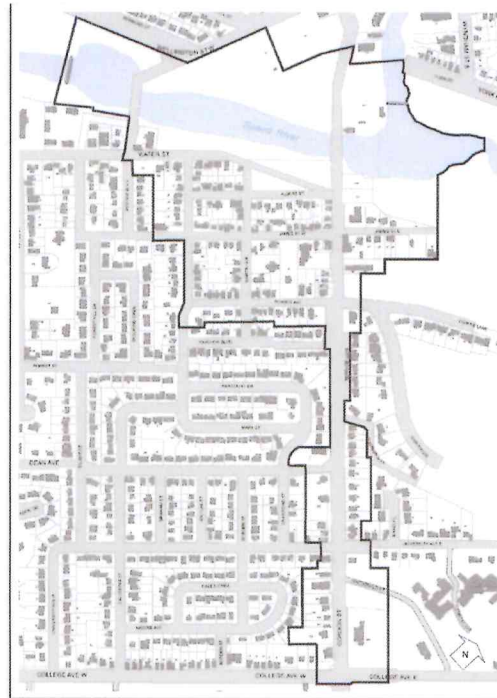
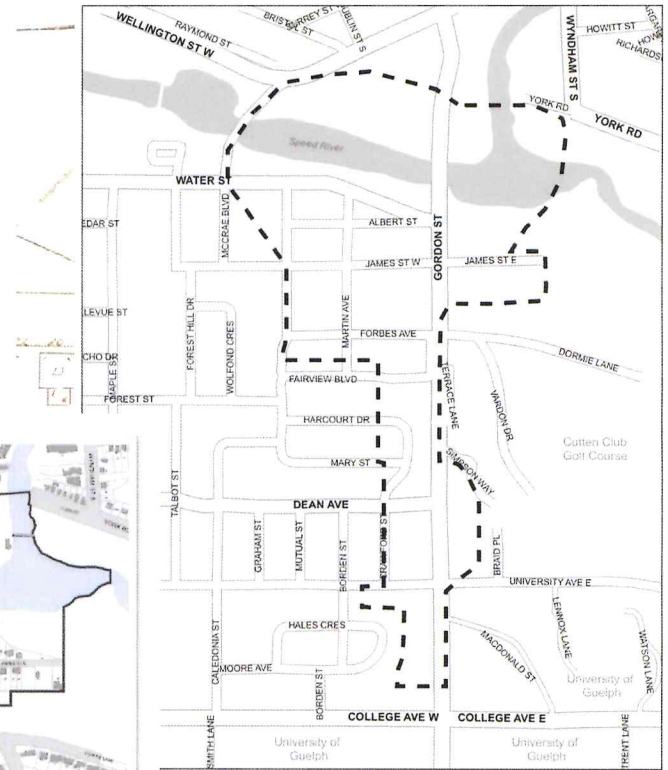


Figure 1.3: Refined area for the purposes of streetscape and building survey.

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246^A

164^A

162

163

Boundary Guidance

Ministry of Tourism, Culture and Sport: guidance

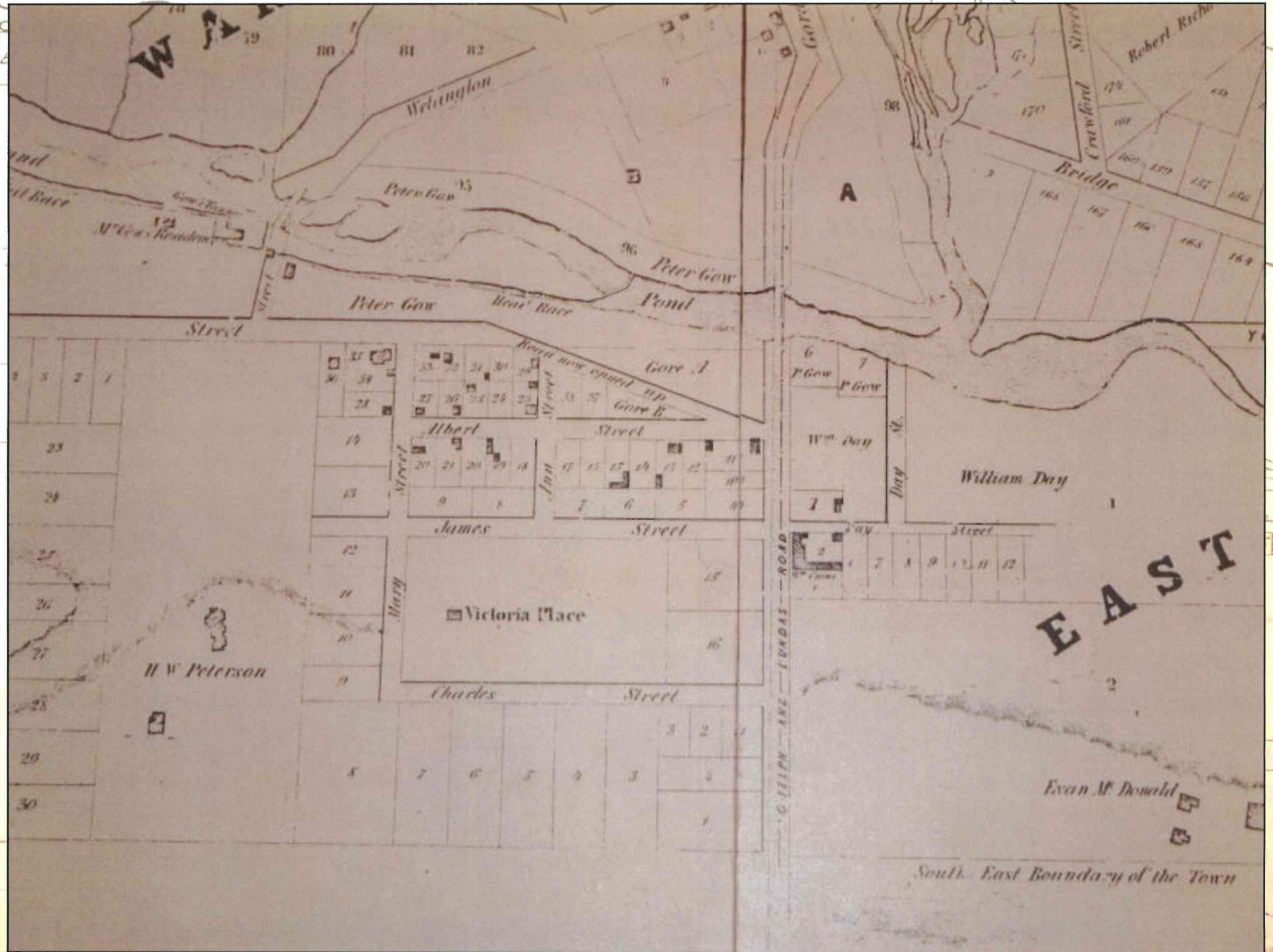
A **concentration** of heritage buildings, sites, structures; designed landscapes, natural landscapes that are linked by aesthetic, historical and socio-cultural contexts or use.

A **framework of structured elements** including major natural features such as topography, land form, landscapes, water courses and built form such as pathways and street patterns, landmarks, nodes or intersections, approaches and edges.

A sense of **visual coherence** through the use of such elements as building scale, mass, height, material, proportion, colour, etc. that convey a distinct sense of time or place.

A **distinctiveness** which enables districts to be recognised and distinguishable from their surroundings or from neighbouring areas.

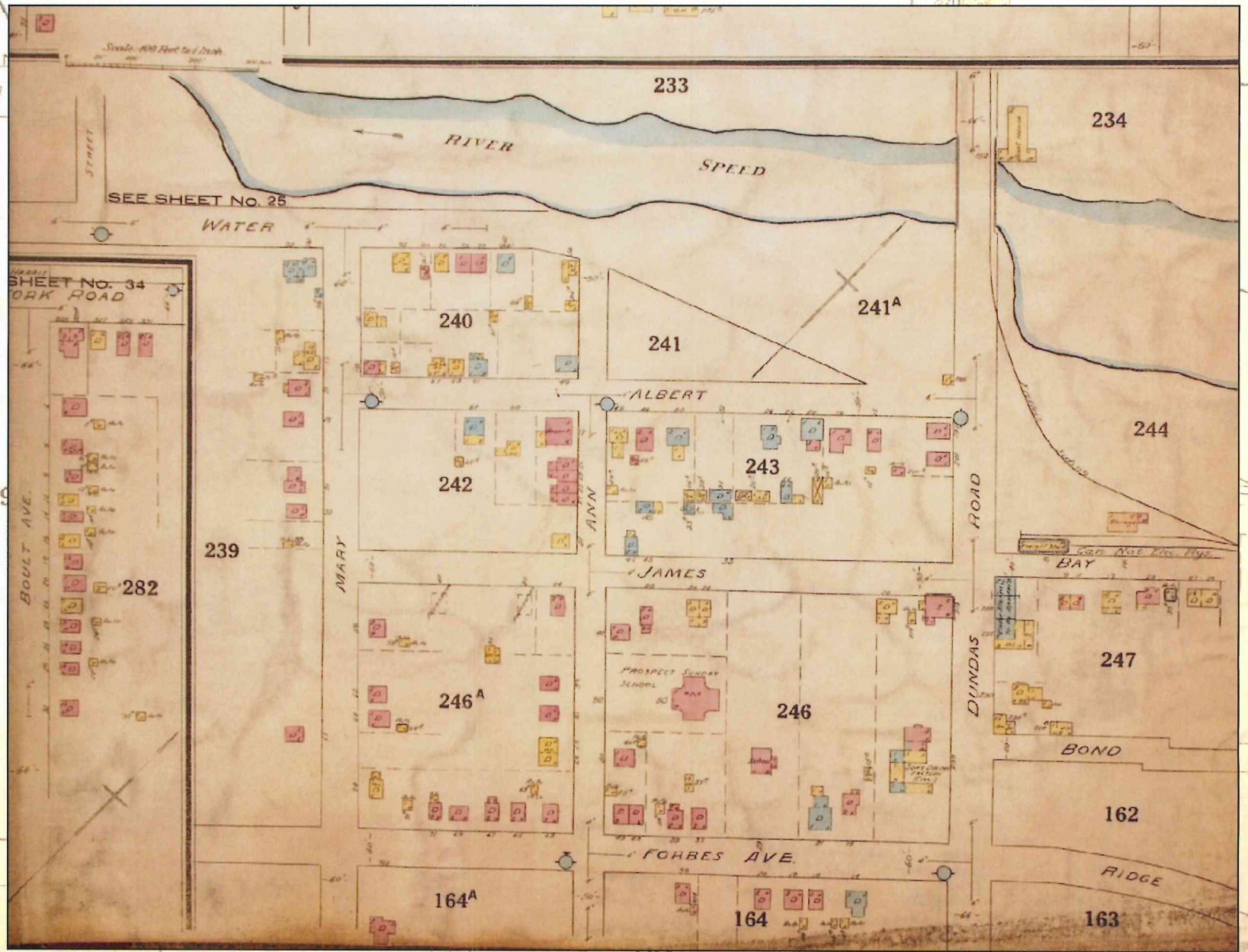
1860s: Structuring elements



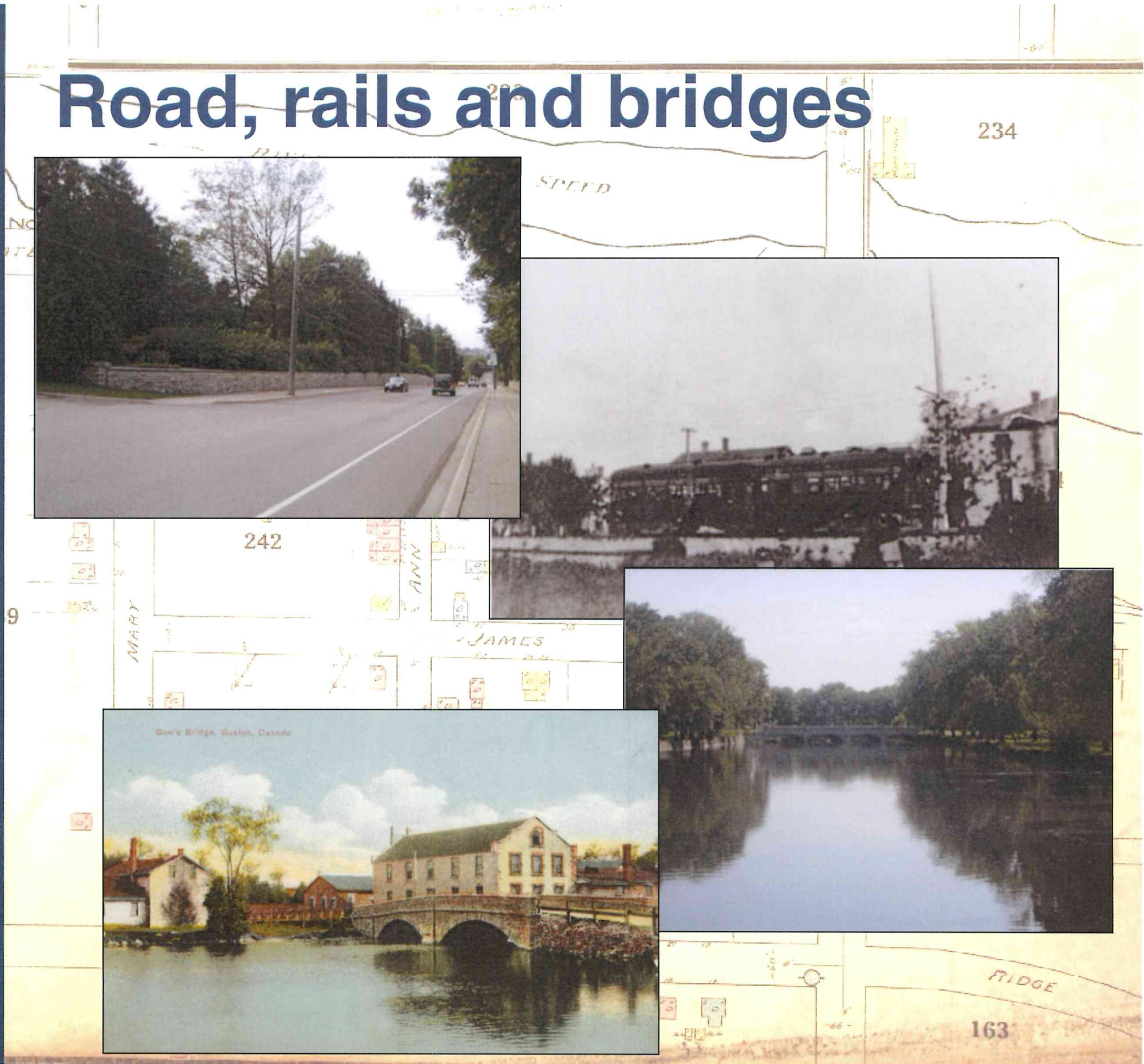
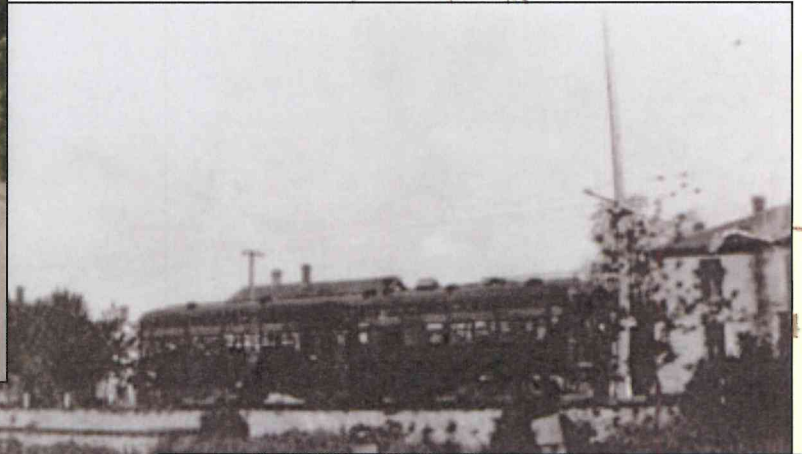
1920s: Structuring elements



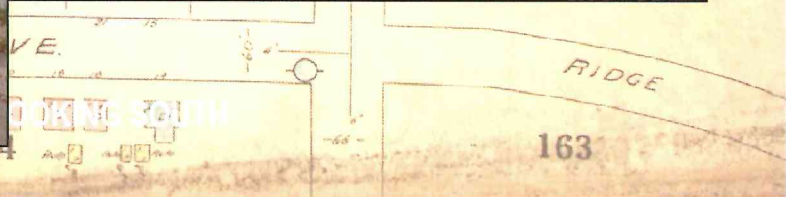
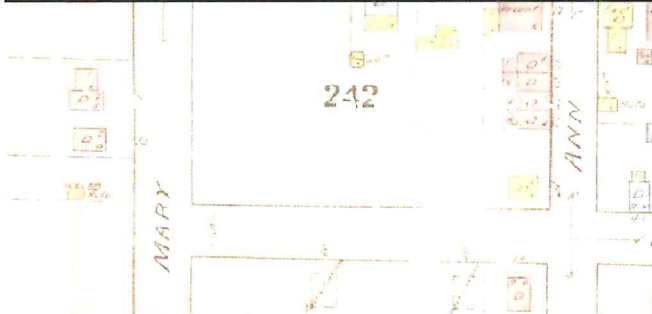
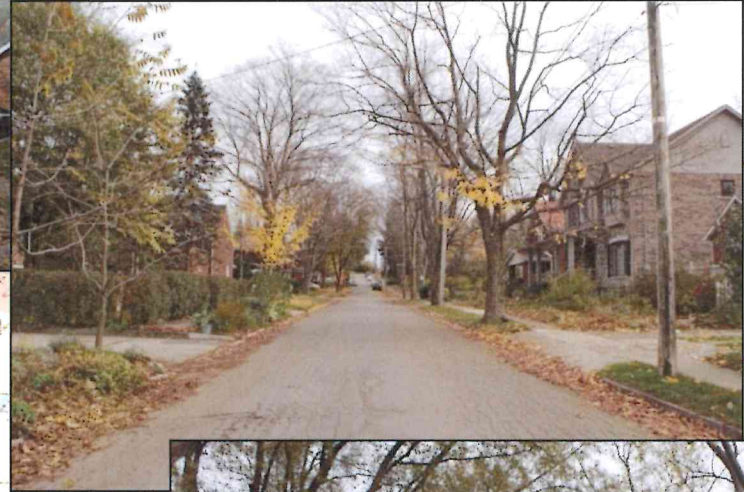
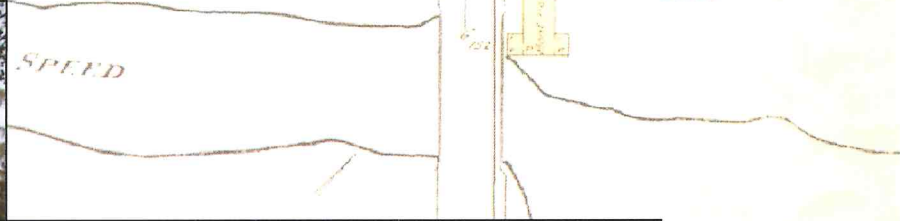
MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE



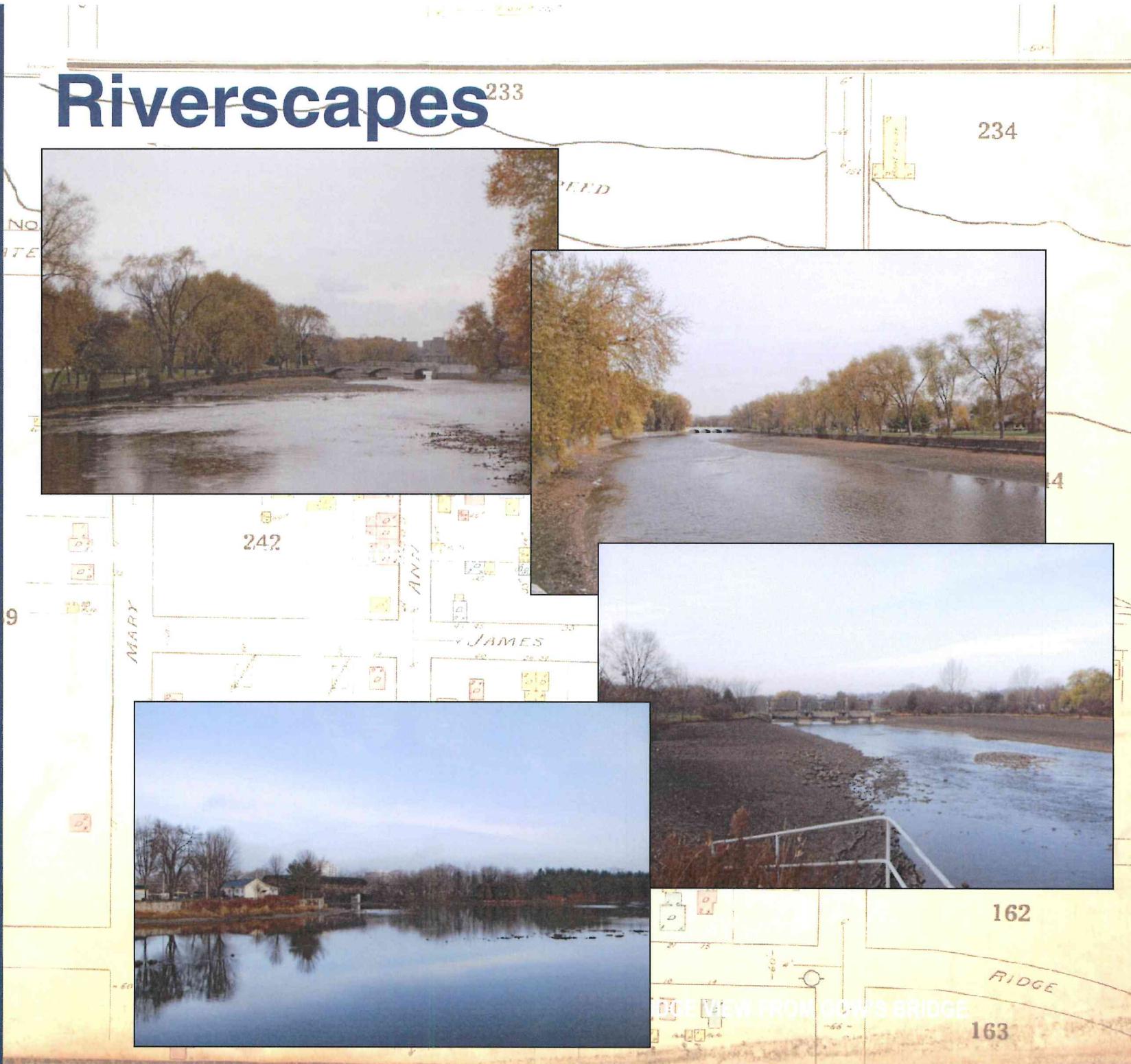
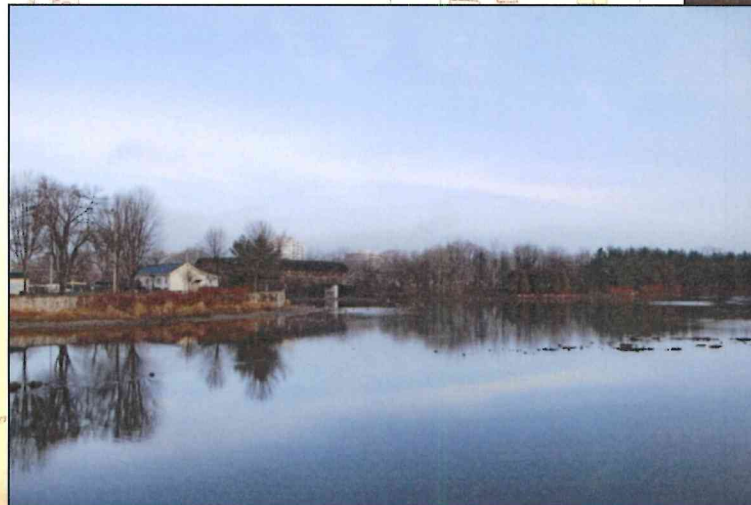
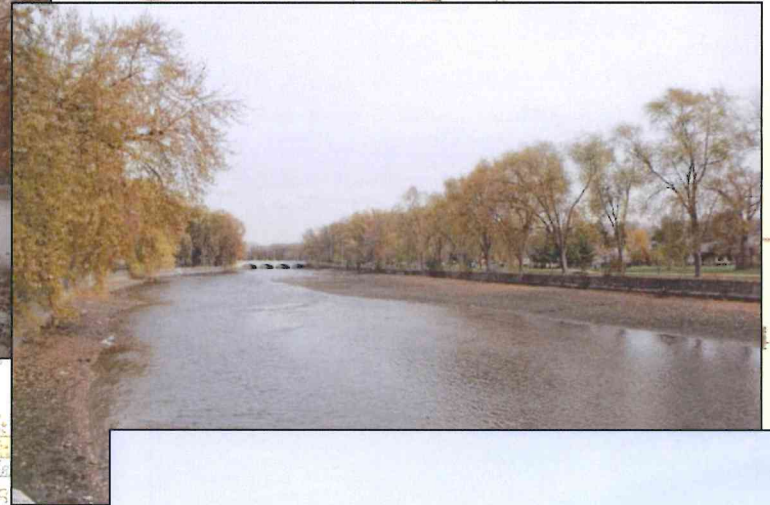
Road, rails and bridges



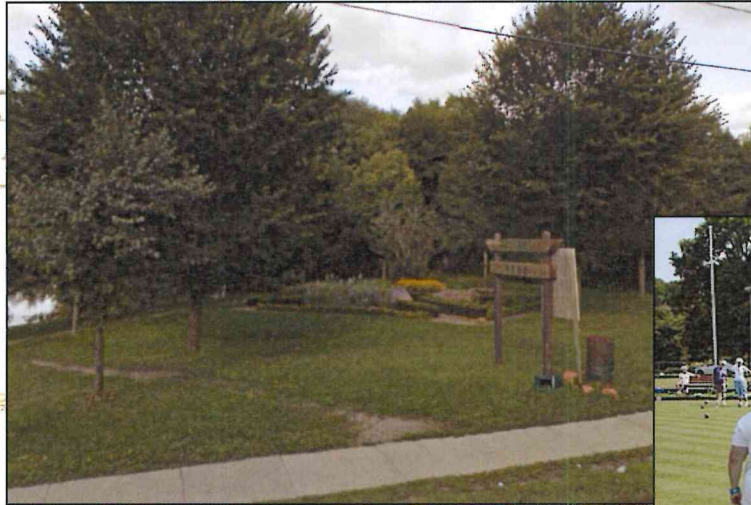
Streetscapes



Riverscapes



Open space and parks



Architecture and built form



163

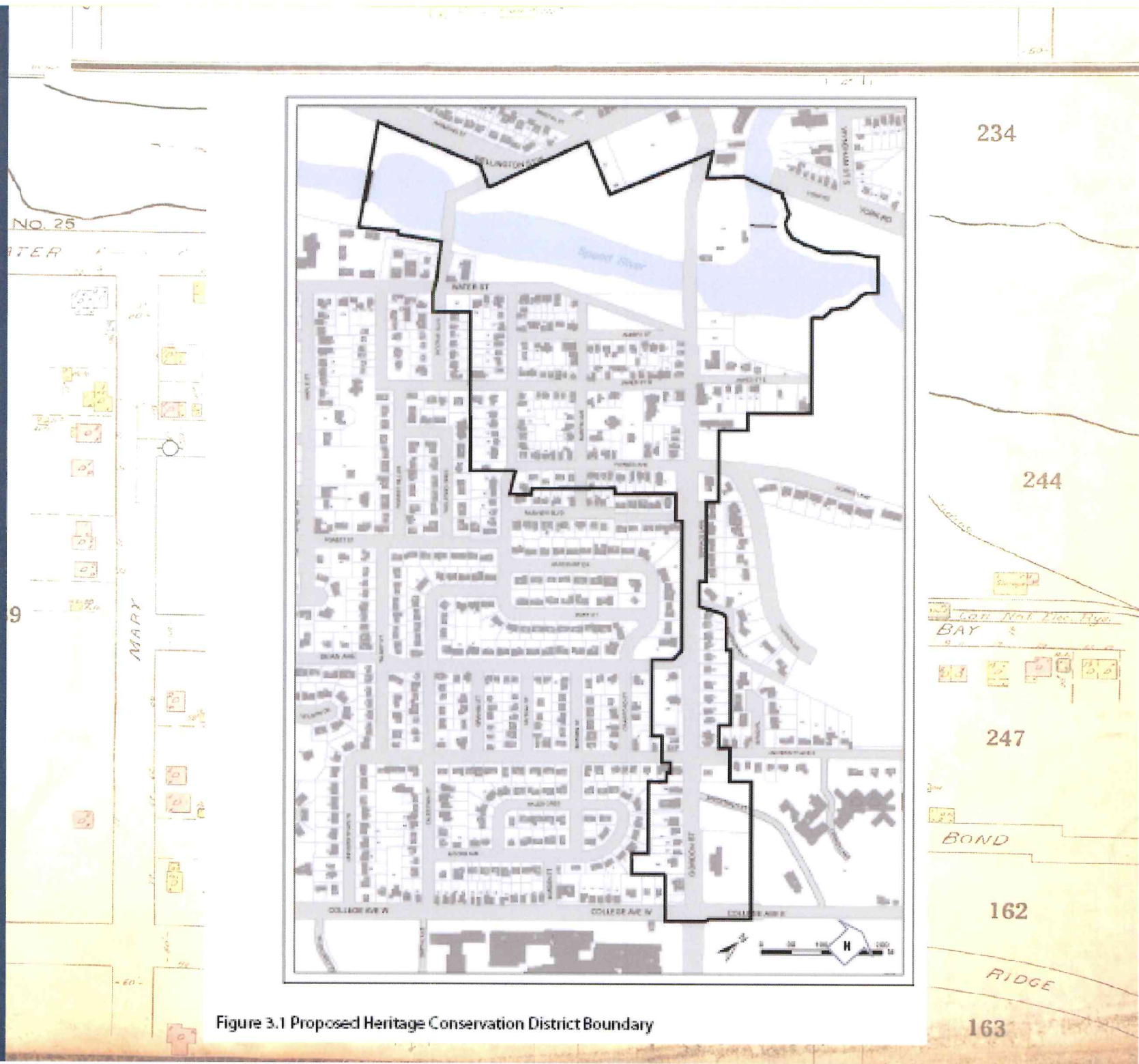
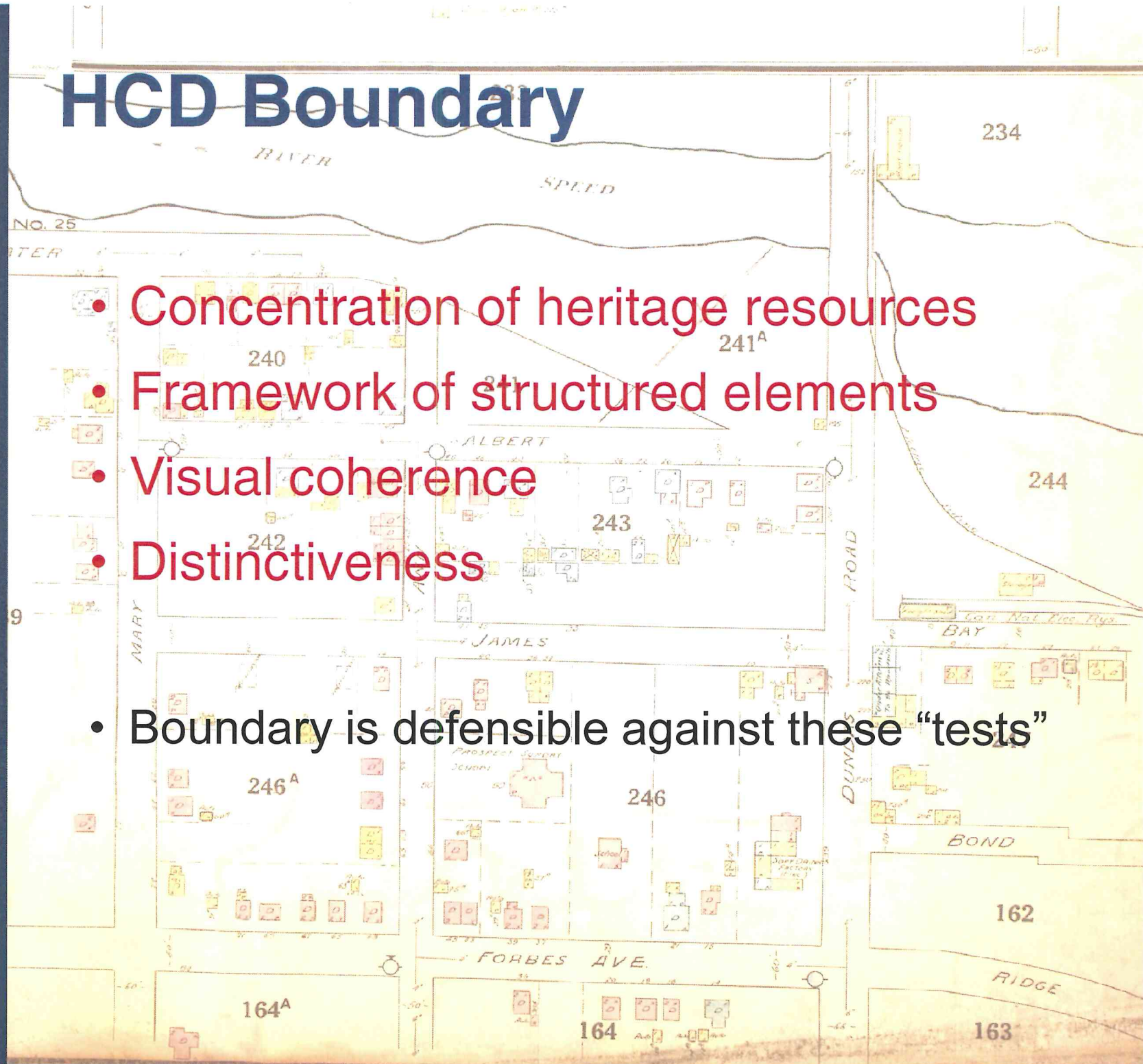


Figure 3.1 Proposed Heritage Conservation District Boundary

HCD Boundary

- Concentration of heritage resources
- Framework of structured elements
- Visual coherence
- Distinctiveness
- Boundary is defensible against these “tests”





In preparing the HCD Study - Heritage Assessment Report, the consultants have considered and addressed the requirements of the Ontario Heritage Act and now recommend that in their opinion

- there is merit in proceeding to the second phase of the Heritage Conservation District designation process, namely the preparation of a draft Heritage Conservation District plan containing guidance on the management of the district's heritage character and attributes



The community consultation process has identified the following key issues to date:

- support and objection has been received from the public as to the consultant's recommendation to include the Wellington Street dam and the open body of water to the west of McCrae Boulevard as part of the proposed HCD
- the dam and character of the riverscape is only being assessed for its cultural heritage value through the HCD Study process
- any future decision of Council on the dam or the associated riverscape will require Environmental Assessment that examines the full range of issues involved



- Some property owners have expressed opposition to their property being included in the HCD boundary on grounds that they don't feel that their building has cultural heritage value
- Other property owners are worried that the HCD Plan would not allow the ability to redevelop their property
- It is still too early on the process for us to assume that the consultants could not assist the City to create a well-written HCD that guides appropriate proposed development and change while conserving the important heritage character defining elements within the heritage district



- Staff were directed to report back to Council at key decision making points in the Heritage Conservation District designation process
- Attachments 3 and 4 in the staff report present our current position in the HCD designation process
- Council is now at an important decision point - whether to proceed with the Phase Two of the Heritage Conservation District designation process as recommended by the consultant and staff



Rationale for proceeding to Phase Two of the Heritage Conservation District Designation process

- The decision at hand is not to approve the Brooklyn and College Hill Heritage Conservation District - rather, it is simply a decision to proceed with the creation of a draft HCD Plan and Design Guideline
- Phase Two of the HCD process provides an excellent forum for further community consultation and continued discussion of issues being raised by property owners and other stakeholders



Rationale for proceeding to Phase Two of the Heritage Conservation District Designation process

- It is the draft HCD Plan and Design Guideline that can provide detailed answers and proposed policies that may lead to possible solutions of current issues.
- Staff's recommendation is to proceed with Phase Two of the Brooklyn and College Hill Heritage Conservation District Designation process

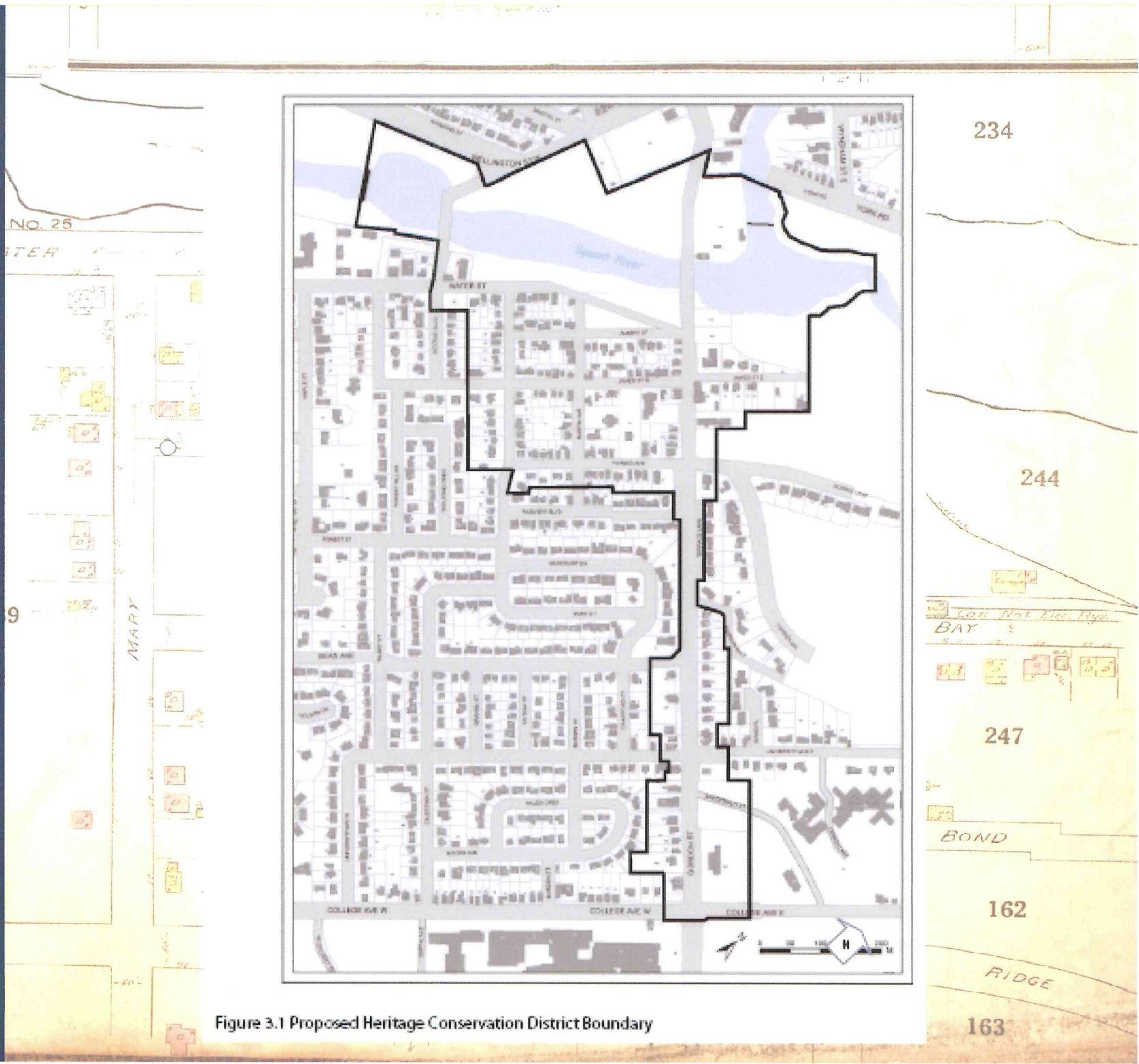


Figure 3.1 Proposed Heritage Conservation District Boundary

February 20, 2012

Planning & Building,
Engineering and Environment Committee
Guelph City Council
1 Carden St.
Guelph, Ont. N1H3A1

Members of Committee for Feb. 21, 2012 meeting

Proposed Heritage District,

My name is Brian Johnston and I along with my parents own the building at 22 James St. E. We are opposed to the proposed designation of this property and all of the properties on James St. E. As having any heritage value. I refer to the Couling Building Study which states that this property was built circa 1915- 1918 and has no historical value.

This building has undergone many renovations over the years and was used as a single family residence before being converted to a legal apartment building. It currently has 5 apartments in it and I use one for myself when I am working in the City. I take pride in keeping the apartments in good condition and have plans to continue doing repairs to this building. If this proposed designation is approved maintaining the residence will become difficult when I have to get approval to do minor improvements such as replacing windows, doors and other repairs that keep the building in good condition.

I applaud individual home owners that apply to have there homes designated as a heritage building but to force whole neighbourhoods to be designated seems to be unfair and will place an unnecessary financial burden on building owners.

I urge council to cancel the proposed designation of James St. E. as part of a Heritage District.

Respectfully submitted,

Brian Johnston
Glenn Johnston
Yvonne Johnston

From: [Robert Mason](#)
To: stephen.robinson@guelph.ca
Cc: todd.salter@guelph.ca
Sent: Tuesday, February 21, 2012 12:07 PM
Subject: Proposed Heritage Conservation District

Dear Stephen:

We are the owners of the north-west commercial corner at College & Gordon Streets in addition to the adjacent property at 1 College Avenue.

We are opposed to the Heritage District on several fronts.

Firstly, none of our properties are on the municipal register of cultural heritage properties.

Secondly, the Heritage District would be in conflict with the existing Community Improvement Plan (CIP) completed by the City in 2006. The CIP discussed a possible heritage district and was mapped with boundaries that specifically excluded the north-west commercial corner, since our properties were the only commercial buildings in the mapping area and the heritage district would relate to residential properties. Those same boundaries have now been extended to include and capture our commercial corner.

The CIP also laid out possible future redevelopment plans for our commercial corner, resulting in demolition and rebuilding, which would be discouraged under any Heritage District. Furthermore, the policies for the heritage district do not take into account the economic viability of a commercial development and would so further complicate appropriate redevelopment of the site that it may be uneconomical to do so. Likewise, we vehemently object to the language included in section 4.3 of the report that would "promote an appropriate gateway feature, such as landscaped open space, public art or other devices" on our private property. We would respectfully submit that there are three other corners at College and Gordon that are publically owned and the northeast corner already is a outdoor art gallery.

Lastly, the City should not be proceeding with this Heritage District when only 4% of those solicited for comments responded. It is not a prudent use of our resources to proceed with a project with such little support from these ratepayers.

Sincerely,

Robert Mason

From: David Zanardo
Sent: February 22, 2012 4:41 PM
To: Stephen Robinson
Cc: clerk@guelph.ca
Subject: Proposed Brooklyn and College Hill Heritage District

February 22, 2012

City of Guelph
City Hall
1 Carden Street
Guelph, Ontario
N1H- 3A1

Attention: Stephen Robinson, Senior Heritage Planner

I am the son of Ferdinando Zanardo the owner of 23 James Street East in Guelph. I am writing to you say that we do not want our property at 23 James Street East to be included in the Proposed Brooklyn and College Hill Heritage District that is being proposed by the City of Guelph.

According to information that was obtained from the Heritage study the house at 23 James Street is a normal single family home with no notable historical significance or unique or distinguishing features. According to the Couling Building Inventory from 1975 this property #163 was found to have no significance.

This home and others located on James Street East are normal buildings and should not be included in this new Heritage District.

Please confirm the receipt of this letter.

Sincerely

David Zanardo - Son of Ferdinando Zanardo

Catherine Aldersley

January 26, 2012

Planning & Building,
Engineering and Environment Committee
Guelph City Council
1 Carden St.
Guelph, ON N1H 3A1

Members of Committee for February 21, 2012 meeting
Members of Guelph City Council for February 27, 2012 meeting

Reference: Proposed Heritage District

I, as a member of the community of the proposed heritage district, am opposed to the designation of this district. I support heritage designation on buildings, landmarks and landscapes that have heritage or cultural value.

There are a number of homes within the designated area that are heritage. Please, designate them. There are also a number of homes that do not have any heritage value, built war time era or later and should not carry the burden of a heritage designation, just because they fall within the district.

My home falls into the later category, started in 1948 with completion in 1951. The neighbouring home at 26 James St. E was built in 1953. The building at 22 James St. E, used to be the Station House of the old Electric Rail Line. The decision to just draw the boundary line of the heritage district at the end of 26 James St. E, is unrealistic for the heritage district. If it is the heritage of the Electric Rail Line Building, then draw the line between 22&24 James St. E. If it is the historical and cultural value of the old rail line, then designate the district to include the old rail line property that is within the City of Guelph.

The Heritage report brings up a few other items. It refers to increased tourism by promoting McCrae House, Royal City Park, Boathouse Tea Room and a small kayak/canoe rental business operating from the grounds of the boathouse. Controversy arises regarding including the Wellington Street dam in the Heritage designation vs. removing it. Heritage members have indicated a designation, will not prevent the dam removal and could put an existing small business, a major tourism attraction out of business. The report has not designated any of the old Rockwell lands that used to be Royal City Park. Increasing of our parklands vs. "big box" type buildings would bring tourism. This area has been included in City of Guelph walks for many years, promotion of this is not new tourism. Increasing property values that will come with a Heritage District designation, will only reward those wishing to sell their homes. Those wishing to

remain in their homes, will only find additional financial hardship by way of increased property taxes. If the designation is to relieve some of the issues of student housing as alluded to in the report, the City's new bylaw is addressing these issues. Additionally, the issue of student housing seems to have moved south by a few blocks.

Also, just because Kitchener has a Heritage District, doesn't mean to say the City of Guelph needs to have one.

In these challenging economic times, all members of committee and council need to ask themselves "Is this the best use of our limited resources?" . Please reconsider carefully, the use of taxpayer dollars.

Respectfully submitted,

Cathy Aldersley

From: Breanne Anderson
Sent: January 30, 2012 11:32 AM
To: Stephen Robinson
Subject: Homeowner in potential heritage district

Hi Stephen,

I am a homeowner on _____ Street in the boundaries of the area for potential heritage designation.

I am unable to attend the next meeting on Feb. 21st as I am out of town that week, but would like to have my opinion taken into consideration regarding the designation of the district.

I am firmly opposed to such a designation. I do not want restrictions placed on what I am able to change or modify on/with my own house. I know it sounds selfish, given I can appreciate what the heritage council is trying to accomplish with this movement, however my investment in the house and property would be severely and negatively impacted by such a designation, so of course I oppose it.

I would be open to restrictions placed on the area for situations that involve a total tear-down and re-build. I.e. guidelines that must be followed about building a structure that blends with and is conducive to the existing heritage aspects of the area - this would have been helpful to have in place when the building application went through for 29 Mary Street.. Or the 3 story structure currently being built on Mary just off Albert.

However the prospect of facing time-consuming, resource-wasting, endless amounts of red tape in order to fix or improve a front porch or install energy-efficient windows, for example, is a nightmare. And to have applications for modifications rejected would be infuriating. Do you own a house with old, heavy, deteriorating double-pane windows? Do you have any idea how much of a hassle they are to deal with, change, maintain, etc.? It doesn't feel good to know that my ability to invest in my own house could be compromised because of a heritage designation. Further, while I'm sure in some cases property value might increase slightly because of the designation, this certainly does not apply in my situation. Potential buyers will not want to purchase my house with the knowledge that they will not be able to make necessary renovations or improvements.

In summary, I am adamantly opposed to the heritage designation proposal.
Please let me know to whom else I should direct my valid concerns and thank you for your time.

Regards,

Breanne Anderson
Homeowner

**BY EMAIL TO MR ROBINSON Stephen.Robinson@guelph.ca
AND COPY TO clerks@guelph.ca**

February 19, 2012

City of Guelph
City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Stephen Robinson, Senior Heritage Planner

RE: PROPOSED Brooklyn and College Hill HERITAGE DISTRICT

Property #170 – 53 James Street East

I live at 53 James Street East, Guelph and I own this house with my brothers.

This property is NOT noted in the Gordon Couling Building Inventory which we were able to locate at the Guelph Public Library.

SIGNIFICANCE to Couling: not inventoried

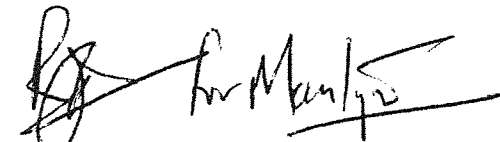
Having done our heritage research we can only come to one conclusion; that there is no heritage value in this home. Therefore, including it in the Brooklyn and College Hill Heritage Conservation District Study is entirely inappropriate.

If you wish to preserve a specific building for heritage purposes on James Street East and the owner agrees, designate it and not the whole street or district.

Please confirm receipt of this letter and its inclusion in any information given to PBEE and City Council, etc.

I look forward to seeing James Street East removed from the study area.

Yours very truly,



Marilyn Callaghan

**BY EMAIL TO MR ROBINSON Stephen.Robinson@guelph.ca
AND COPY TO clerks@guelph.ca**

February 19, 2012

City of Guelph
City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Stephen Robinson, Senior Heritage Planner

RE: PROPOSED Brooklyn and College Hill HERITAGE DISTRICT

Property #161 – 17 James Street East

My sister, my brothers and I are the owners of the house at 17 James Street East, Guelph.

I have reviewed the Heritage Assessment Report prepared by MHBC dated February 2012. **We are not satisfied with page 332 of the report that states:**

DATE OF CONSTRUCTION: date uncertain. May have been moved from another location. Appears to be 1870 or earlier.

MATERIALS: Insul-brikon frame, probably over log.

This is not correct. We have renovated the whole house over the past 35 years and there are no logs in the house. A significant part of the original house fell into disrepair and was removed and replaced in 1994. In renovating we found newspapers from the 1950's behind plaster walls of the original house. This house has been so significantly altered that it bears no resemblance to what our father bought in the 1970's.

This property is noted in the Gordon Couling Building Inventory which we were able to locate at the Guelph Public Library.

SIGNIFICANCE to Couling: Priority 5 - which is the lowest priority that Couling gives to a property.

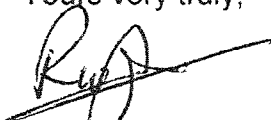
Having done our heritage research I can only come to one conclusion; that there is no heritage value in this home. Therefore, including it in the Brooklyn and College Hill Heritage Conservation District Study is entirely inappropriate.

If you wish to preserve a specific building for heritage purposes on James Street East and the owner agrees, designate it and not the whole street or district.

Please confirm receipt of this letter and its inclusion in any information given to PBEE and City Council, etc.

I look forward to seeing James Street East removed from the study area.

Yours very truly,



Rick Jamieson

ARCHITECTURAL INVENTORY

Block No.
Item.

Page

LOCATION 17 Bay Street
Somes East

ARCHITECT

CONTRACTOR

ORIGINAL OWNER

ORIGINAL USE single family dwelling

DATE OF CONSTRUCTION uncertain (may have been moved from another location) Appears to be 1870 or earlier.

SIGNIFICANCE Priority #5.

BUILDING MATERIAL - insul-brick on frame, possibly over log

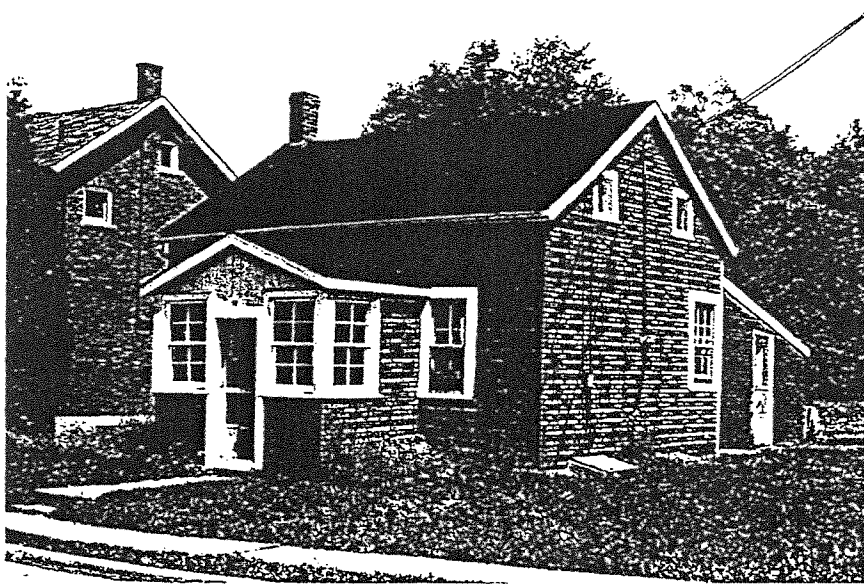


PHOTO DATE 27-6-74

3/3

**BY EMAIL TO MR ROBINSON Stephen.robinson@queiph.ca
AND COPY TO clerks@queiph.ca**

February 19, 2012

City of Guelph
City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Stephen Robinson, Senior Heritage Planner

RE: PROPOSED Brooklyn and College Hill HERITAGE DISTRICT

Property #169 – 43 James Street East

My wife and I are the owners of the house and adjoining lot to the east of the house at 43 James Street East, Guelph.

I have reviewed the Heritage Assessment Report prepared by MHBC dated February 2012 and Reviewed the Ontario Heritage Tool Kit for Heritage Property Evaluation. This property is NOT noted in the Gordon Couling Building Inventory which we were able to locate at the Guelph Public Library.

SIGNIFICANCE to Couling: not inventoried

Having done so I can only come to one conclusion: that there is no heritage value in this home. Therefore, including it in the Brooklyn and College Hill Heritage Conservation District Study is entirely inappropriate.

If you wish to preserve a specific building for heritage purposes on James Street East and the owner agrees, designate it and not the whole street or district.

Please confirm receipt of this letter and its inclusion in any information given to PBEE and City Council, etc.

I look forward to seeing James Street East removed from the study area.

Yours very truly,


Rick Jamieson

1/1

**BY EMAIL TO MR ROBINSON Stephen.Robinson@guelph.ca
AND COPY TO clerks@guelph.ca**

February 19, 2012

City of Guelph
City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Stephen Robinson, Senior Heritage Planner

RE: PROPOSED Brooklyn and College Hill HERITAGE DISTRICT

Property #166 – 27 James Street East

My sister, my brothers and I are the owners of the house at 27 James Street East, Guelph.

I have reviewed the Heritage Assessment Report prepared by MHBC dated February 2012. This property is noted in the Gordon Couling Building Inventory which we were able to locate at the Guelph Public Library.

SIGNIFICANCE to Couling: NONE

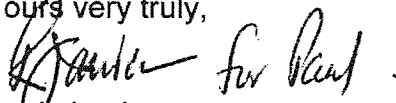
Having done our heritage research we can only come to one conclusion; that there is no heritage value in this home. Therefore, including it in the Brooklyn and College Hill Heritage Conservation District Study is entirely inappropriate.

If you wish to preserve a specific building for heritage purposes on James Street East and the owner agrees, designate it and not the whole street or district.

Please confirm receipt of this letter and its inclusion in any information given to PBEE and City Council, etc.

I look forward to seeing James Street East removed from the study area.

Yours very truly,


Paul Jamieson

ARCHITECTURAL INVENTORY

Block No.

Page

Item.

LOCATION JAMES E
27 -29 Bay Street, south side. Double

ARCHITECT

CONTRACTOR

ORIGINAL OWNER

ORIGINAL USE two unit dwelling

DATE OF CONSTRUCTION c.1880

SIGNIFICANCE none

BUILDING MATERIAL siding , frame clapboard.

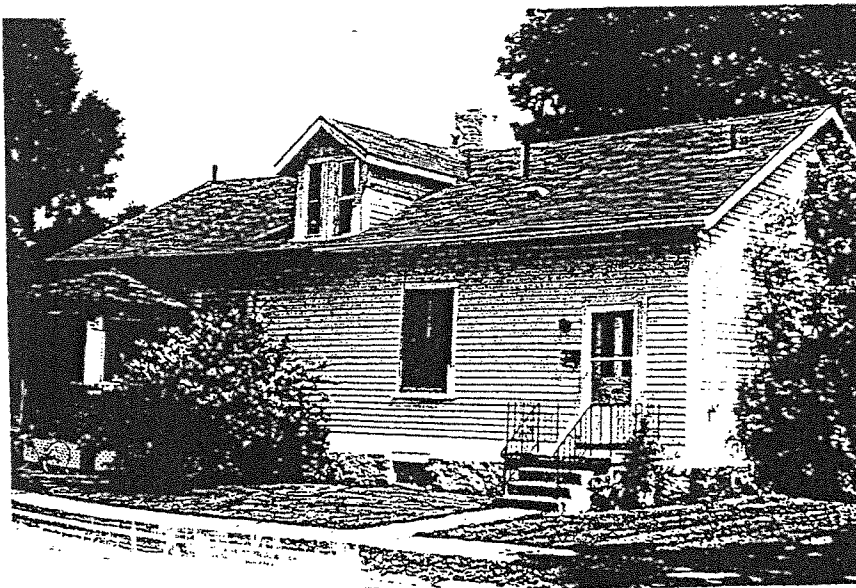


PHOTO DATE 27-6-74

2/2

**BY EMAIL TO MR ROBINSON Stephen.Robinson@guelph.ca
AND COPY TO clerks@guelph.ca**

February 19, 2012

City of Guelph
City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Stephen Robinson, Senior Heritage Planner

RE: PROPOSED Brooklyn and College Hill HERITAGE DISTRICT

Property #168 – 29 James Street East

I live at and represent the Estate of Bernice Jamieson, the owner of, 29 James Street East.

This property is noted in the Gordon Couling Building Inventory which I was able to locate at the Guelph Public Library.

SIGNIFICANCE to Couling: NONE

Having reviewed the Couling Inventory and the "Inventory of Heritage Structures" prepared by Peter John Stokes, Restoration Architect, and Frank H. Burcher, Architect I can only come to one conclusion; that there is no heritage value in my home. Therefore, including it in the Brooklyn and College Hill Heritage Conservation District Study is entirely inappropriate.

If you wish to preserve a specific building for heritage purposes on James Street East and the owner agrees, designate it and not the whole street or district.

Please confirm receipt of this letter and its inclusion in any information given to PBEE and City Council, etc.

I look forward to seeing James Street East removed from the study area.

Yours very truly,



Dennis Jamieson

BY EMAIL TO MR ROBINSON AND COPY TO clerks@guelph.ca

February 19, 2012

City of Guelph
City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Attention: Stephen Robinson, Senior Heritage Planner

RE: PROPOSED Brooklyn and College Hill HERITAGE DISTRICT

I am the owner of 29 James Street East, Guelph and I don't want my home, my brother's property at 43 James St. East or the other properties I own as a partner with my brothers and sister included in the above noted heritage district.

The Guelph Mercury featured the column "Flash from the Past" on the Old Guelph Fire Station now part of City Hall. It described it as a "designated heritage landmark". Everyone agrees. But there are no designated heritage landmarks on James St. East, just a bunch of old tired houses.

How these old tired houses on James St. East could somehow suddenly become heritage or cultural is a miracle. John McCrae never lived here, Edward Johnson never lived here, Frank Lloyd Wright, a famous architect, did not design clapboard or insull brick houses that have been spruced up by vinyl siding.

A heritage building must have some unique or distinguishing feature. 98 Fountain Street was high on Gordon Couling's list of historically important buildings on an inventory he compiled in 1975. The old building's stone structure and ornate trim are its most interesting features. In my opinion there are almost no interesting features on the properties on James St. East unless they have been added recently.

Having read Professor Couling's Building Inventory it is noted that he used the following rating system:

1 is the highest rating and 5 is the lowest.

With respect to the Couling Building Inventory in 1975 he found:

Property #160 - 9 & 11 James St East

– significance - rated possibly a 5 on the basis of age and some character.

Property #161 - 17 James St. East

– significance - priority 5 on basis of age. This property has been significantly altered by way of a building addition and renovation since the Couling study. It is essentially completely different since the Couling inventory. Part of the original house was torn down and replaced by an addition in 1994.

Property # 162 - 22 James St. East (Railway Power House)

– significance – NONE

Property # 163 - 23 James St. East

– significance – NONE

Property # 164 - 24 James St East

– not included in the Couling building inventory

Property # 165 - 26 James St East

– not included in the Couling building inventory

Property # 166 - 27 James St. East

– significance – NONE

Property # 167 - 28 James St. East

– vacant land

Property # 168 - 29 James St. East

– significance – NONE

Property # 169 - 43 James St. East

– not included in the Couling building inventory.

– there were two houses on the original property. The vacant lot had a separate house on it that was unoccupied and fell down in the early 1970's.

Property # 170 - 53 James St. East
– not included in the Couling building inventory

Dr. Couling's was the first study or building inventory available at the public library.

The city's "Inventory of Heritage Structures" prepared by Peter John Stokes, Restoration Architect, and Frank H. Burcher, Architect does not even include James St. East and from my research I note they used the same rating criteria as Dr. Couling.

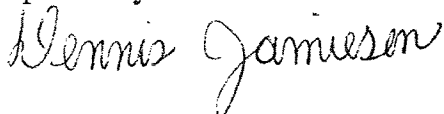
To include the properties on James St East in the proposed heritage district is unjust and odious. A reasonable person would question that after decades of being unhistorical and uncultural this would now suddenly change.

It should be noted that the property on the north side of James St. East was a City dump. Does this mean we will need to return it to a dump to maintain its historical flavour? Of course not, but so should we have the ability to change our properties as we see fit going forward. Obviously this is subject to the building code but not a heritage planner's idea of how I should maintain my property.

A huge amount of common sense must be applied to stop this flawed process.

Please confirm receipt of this letter and its inclusion in any information given to the PBEE Committee and City Council, etc. I do not have the internet so please respond to my brother who is sending this on my behalf.

Respectfully submitted

A handwritten signature in cursive script that reads "Dennis Jamieson".

Dennis Jamieson

Tweet 0

Inventory of Heritage Structures

The City uses two architectural inventories to monitor change to the historic fabric of Guelph. Both of these inventories are available for viewing at the main branch of the Guelph Public Library.

- "The Couling Building Inventory" is a record made by Gordon Couling over the late 1960s and early 1970s of all structures in the City that were built prior to 1927 (the 100th year of the founding of Guelph), regardless of condition or stature. This record is limited to the pre-1966 annexation boundaries of the City.
- "The City of Guelph Inventory of Heritage Structures" was commissioned by Heritage Guelph during the 1990s and includes over 1,900 entries from all areas of the City.

Proposed changes or alterations to properties on either inventory are circulated to Heritage Guelph for review and comment. Heritage Guelph encourages owners to discuss their plans with the Heritage Planning staff.

4

COULING INVENTORY

VOL.13

INKERMAN STREET
TO
KERR STREET

COULING BUILDING INVENTORY

GUELPH, ONTARIO

1827 - 1927

During the mid 1970's, the late Gordon R. Couling, artist and architectural expert, compiled this inventory of buildings constructed in Guelph before 1927. It is arranged alphabetically by street name, and in ascending numerical order. Where some streets are split up north precedes south and east precedes west.

Wherever possible, Professor Couling recorded the following for each building:

- Location
- Architect
- Contractor
- Original Owner
- Original Use
- Date of Construction
- Building Material
- Significance

It is important to note, however, that these data are not available for each property listed. As well, there are instances where Professor Couling could only estimate or speculate. Researchers are strongly advised to consult additional information sources when examining the history of any of the buildings listed in the inventory.

Each page is illustrated with a 3" x 5" black & white photograph which is dated.

Professor Couling rated each building's architectural or historical significance. His opinion was based on his considerable knowledge and expertise in the area of Ontario architectural history, but does not necessarily reflect any official status accorded by any municipal body.

The Guelph Public Library gratefully acknowledges the generosity of the Guelph LACAC and the Guelph Department of Planning & Development for photocopying the Couling Building Inventory so that it could be made accessible to the citizens of Guelph for their research use.

Linda J. Kearns,
Archivist
February, 1989

ARCHITECTURAL INVENTORY

Block No.
Item.

Page

LOCATION 9 - 11 ^{James} ~~Bay~~ Street south side

ARCHITECT

CONTRACTOR

ORIGINAL OWNER

ORIGINAL USE two unit dwelling

DATE OF CONSTRUCTION c.1870

SIGNIFICANCE Possibly priority #5, on basis of age, and some degree of character.

BUILDING MATERIAL pebble-dash stucco, red brick east wall



PHOTO DATE 27-6-74

(7)

ARCHITECTURAL INVENTORY

Block No.
Item.

Page

LOCATION 17 Bay Street
Somes East

ARCHITECT

CONTRACTOR

ORIGINAL OWNER

ORIGINAL USE single family dwelling

DATE OF CONSTRUCTION uncertain (may have been moved from another location) Appears to be 1870 or earlier.

SIGNIFICANCE Priority #5.

BUILDING MATERIAL - insul-brick on frame, possibly over log

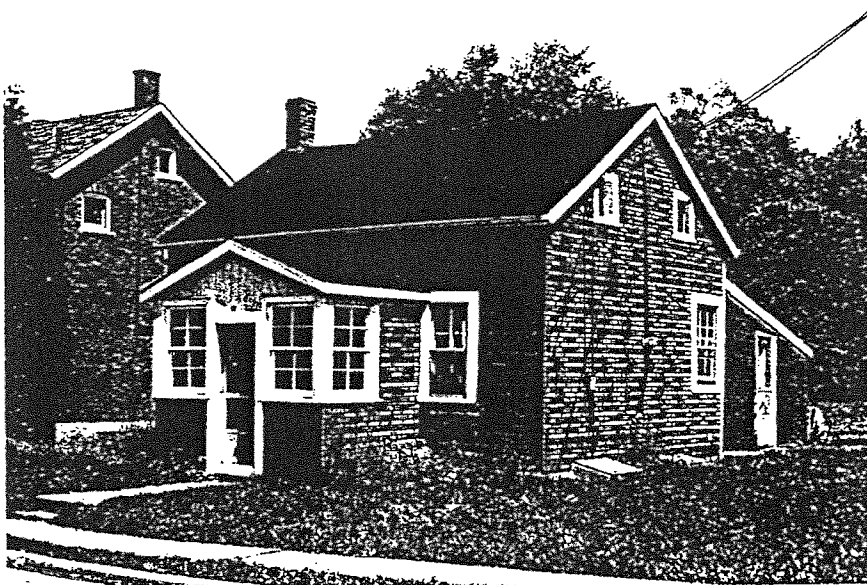


PHOTO DATE 27-6-74

8

ARCHITECTURAL INVENTORY

Block No.
Item.

Page

LOCATION 23 Bay Street, south side
James EAST

ARCHITECT

CONTRACTOR

ORIGINAL OWNER James Gaughan

ORIGINAL USE single family dwelling

DATE OF CONSTRUCTION c.1890-95

SIGNIFICANCE none

Building Material - Pressed red brick



PHOTO DATE 27-6-74

9

ARCHITECTURAL INVENTORY

Block No.

Page

Item.

LOCATION 22 Bay Street, north side
JAMES EAST

ARCHITECT

CONTRACTOR

ORIGINAL OWNER Toronto Suburban Railway

ORIGINAL USE Power station for Toronto-Guelph Suburban R.R.

DATE OF CONSTRUCTION c.1915-18

SIGNIFICANCE none

BUILDING MATERIAL Painted yellow brick

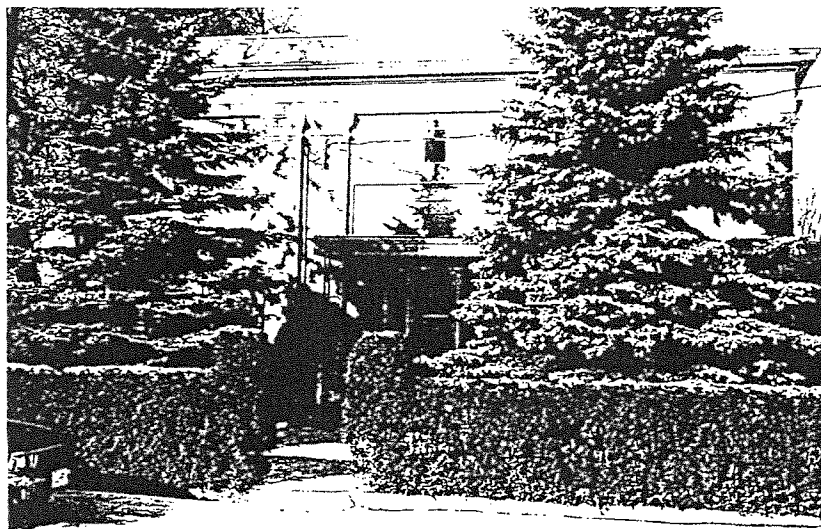


PHOTO DATE 4-12-74

ARCHITECTURAL INVENTORY

Block No.

Page

Item.

LOCATION JAMES E
27 -29 Bay Street, south side. ~~Double~~

ARCHITECT

CONTRACTOR

ORIGINAL OWNER

ORIGINAL USE two unit dwelling

DATE OF CONSTRUCTION c.1880

SIGNIFICANCE none

BUILDING MATERIAL siding , frame chapboard.

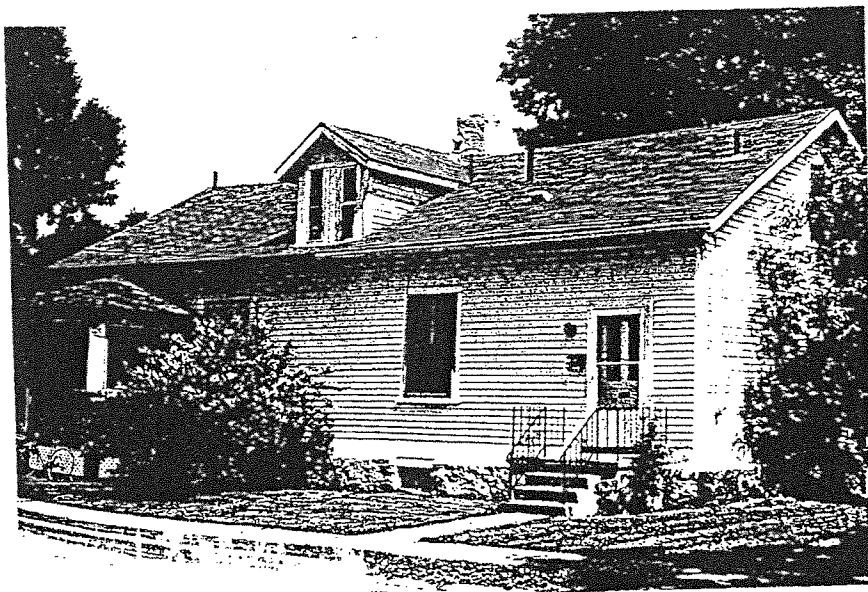


PHOTO DATE 27-6-74

11

GENERAL CRITERIA FOR INTERPRETING PROF. GORDON COULING'S
ARCHITECTURAL INVENTORY FOR THE CITY OF GUELPH (1974-75)

PRIORITY #1

- (a) Buildings which are key monumental features of the city.
- (b) Fine stone buildings, usually with carved details and dressed stone facade.
- (c) Exceptionally fine craftsmanship.
- (d) Distinctive design.
- (e) Buildings erected prior to 1860.
- (f) Brick buildings of early date built with what appears to be local brick.
- (g) Brick buildings with brick laid in Flemish Bond, usually pre-1847.
- (h) Surviving log houses.

PRIORITY #2

- (a) Buildings of impressive or distinctive design but of lesser importance than those of Priority #1.
- (b) Good stone buildings, with limited decorative detailing. Usually dated 1865 and later.
- (c) Brick houses built before 1875 (if they are of distinctive character).
- (d) Brick houses utilizing two colours of brick (Yellow-white and red).
- (e) Distinctive frame houses or exceptional stucco houses if they are of early date (pre 1867-70) and distinctive design, with much of original detailing intact.

PRIORITY #3

- (a) Minor stone buildings, modest in size with few distinctive features and little distinctive workmanship. Built up to 1900.
- (b) Brick houses, usually of yellow brick, dating to 1890.
- (c) Brick houses of more than average character or with some unusual features.
- (d) Frame or stucco houses of more than average character, with some major features of design, usually pre-1875.

PRIORITY #4

- (a) Brick houses of some distinction from 1875-1914 period.
- (b) Frame and stucco buildings of some distinction, usually pre-1875, and with some significant features.

PRIORITY #5

Most buildings in this classification have significance in the context of street groupings. As a neighbourhood group, they have quality and character but as individual structures they are of limited significance.

COULING INVENTORY

VOL.27

PRIORITY FILES

JAMES STREET

EAST (formerly Bay Street)

Priority #5

#9-11 2 story, stucco house

On basis of age.

#17 1½ story, compved with compo sitting. On basis of age.

JAMES STREET WEST

Priority #2

#10, 1½ story, stucco

On basis of age and some
degree of character.

Dolores Black

From: mike hadaway
Sent: February 20, 2012 12:07 PM
To: Leanne Piper; Lise Burcher; Stephen Robinson; rjamiesor.
Subject: James Street East is not a Heritage District

Hello, My name is Michael D Hadaway and I am the owner of 26 James Street East.
I do not believe my house has any resemblance to a heritage home and therefore should not be designated as such.
There are a lot of nice Heritage homes in Guelph, But none of them are on James Street East.
In closing I ask that you remove James Street East from the Heritage District Plan.
Thank you.
Michael D Hadaway

**CONSENT REPORT OF THE
COUNCIL IN COMMITTEE OF THE WHOLE**

February 27, 2012

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Council as Committee of the Whole beg leave to present their Second CONSENT REPORT as recommended at its meeting of January 30, 2012.

If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Council as Committee of the Whole will be approved in one resolution.

1) CITIZEN APPOINTMENTS TO THE ELLIOTT COMMUNITY BOARD OF TRUSTEES

THAT Council confirm the re-appointment of Stephanie Kibbee and Randall Wilson to the Elliott Community Board of Trustees for a three year term expiring November 2014;

AND THAT Dr. Clare Rennie and Dr. Hugh Rose be re-appointed to the Elliott Community Board of Trustees for a term of six (6) months.

2) CITIZEN APPOINTMENT TO THE ACCESSIBILITY ADVISORY COMMITTEE

THAT Melissa Tolton be appointed to the Accessibility Advisory Committee for a term ending November 2012.

All of which is respectfully submitted.

CONSENT AGENDA

February 27, 2012

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

The following resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda will be approved in one resolution.

A Reports from Administrative Staff

REPORT	DIRECTION
<p>A-1) 22 MASON COURT – UPCOMING MUNICIPAL BOARD HEARING (FILE a-105/11) – WARD 5</p> <p>THAT Report 12-20 dated February 27, 2012 regarding an appeal from the Committee of Adjustment Decision A-105/11 refusing a minor variance to Interim Control By-law Number (2010)-19019 to recognize an existing 64.6 m² accessory apartment in a semi-detached dwelling at 22 Mason Court, City of Guelph, from Planning & Building, Engineering and Environment be received;</p> <p>AND THAT the City not be a party at any upcoming OMB proceedings regarding an appeal from the Committee of Adjustment's decision A-105/11 refusing a minor variance to Interim Control By-law Number (2010)-19019 to recognize an existing 64.6 m² accessory apartment in a semi-detached dwelling at 22 Mason Court.</p>	Approve
<p>A-2) 29 CURZON CRESCENT – UPCOMING ONTARIO MUNICIPAL BOARD HEARING (FILE a-103/11) – WARD 4</p> <p>THAT Report 12-23 dated February 27, 2012 regarding an appeal from the Committee of Adjustment Decision A-103/11 refusing a minor variance to permit a 6.58 metre wide driveway, which constitutes 87.73% of the front yard of a semi-detached dwelling at 29 Curzon Crescent, City of Guelph, from Planning & Building, Engineering and Environment be received;</p> <p>AND THAT the City be a party at any upcoming OMB proceedings</p>	Approve

regarding an appeal from the Committee of Adjustment's decision A-103/11 refusing a minor variance to permit a 6.58 metre wide driveway, which constitutes 87.73% of the front yard of a semi-detached dwelling at 29 Curzon Crescent, City of Guelph, and that appropriate staff attend any future Ontario Municipal Board proceedings to support Council's direction.

A-3) **AWARD CONTRACT NO. 11-199 – SUPPLY AND DISTRIBUTION OF CARTS AND KITCHEN CATCHERS**

Approve

THAT Council award contracts to:

- IPL Inc. for the supply of waste collection carts in the amount of \$4,918,290;
- Toter Incorporated for the supply of kitchen catchers in the amount of \$179,100;
- Delta Global Logistics Inc. for product distribution and exchange in the amount of \$330,600, all exclusive of taxes;

Approve

AND THAT the 2012 Capital Budget be amended to reflect moving \$1.2 million forward to 2012 from the 2013 Capital Budget.

B ITEMS FOR DIRECTION OF COUNCIL

C ITEMS FOR INFORMATION OF COUNCIL

Attach.

TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment
DATE February 27, 2012

SUBJECT **22 Mason Court
Upcoming Ontario Municipal Board Hearing
(File A-105/11)
Ward 5**

REPORT NUMBER 12-20

SUMMARY

Purpose of Report

This report provides a staff recommendation for the City to not be a party at an upcoming Ontario Municipal Board (OMB) hearing regarding the appeal of a Committee of Adjustment decision refusing a minor variance to Interim Control By-law No. (2010)-19019 to recognize an existing 64.6 m² accessory apartment in a semi-detached dwelling at 22 Masson Court.

Council Action

Council is to decide whether or not to direct staff to attend the OMB hearing in support of the Committee of Adjustment's decision.

RECOMMENDATION

"THAT Report 12-20 dated February 27, 2012 regarding an appeal from the Committee of Adjustment Decision A-105/11 refusing a minor variance to Interim Control By-law Number (2010)-19019 to recognize an existing 64.6 m² accessory apartment in a semi-detached dwelling at 22 Mason Court, City of Guelph, from Planning & Building, Engineering and Environment be received;

AND THAT the City not be a party at any upcoming OMB proceedings regarding an appeal from the Committee of Adjustment's decision A-105/11 refusing a minor variance to Interim Control By-law Number (2010)-19019 to recognize an existing 64.6 m² accessory apartment in a semi-detached dwelling at 22 Mason Court."

BACKGROUND

Application Details: Committee of Adjustment considered application A-105/11 on November 8, 2011, requesting a minor variance to Interim Control By-law (2010)-19019 to recognize an existing bachelor apartment having a gross floor area of 64.6 m², with a total of

four (4) bedrooms within the entire semi-detached dwelling whereas the By-law does not permit an accessory apartment in this instance. Planning staff recommended refusal of the application.

Location: East side of Mason Court, south of the College Avenue West and Janefield Avenue intersection (Schedule 1).

Official Plan: "General Residential" designation, permitting a variety of housing types, including semi-detached dwellings.

Zoning: R.2 (Residential Semi-Detached/Duplex) Zone, which permits uses including one (1) semi-detached/duplex dwelling per lot.

Staff Comments: Planning staff commented that the application should be refused because the general intent and purpose of the Interim Control By-law is to prohibit the establishment of new accessory apartments until a study is complete and new zoning regulations are in place.

OMB Appeal: Applicant appealed the Committee's decision to the OMB on November 22, 2011, on the basis that:

- The proposed variance is in-line with the spirit and intention of the by-law.
- The accessory apartment will provide affordable housing for a young family.
- The interim control by-law is not fair as it restricts the ability to create an accessory apartment only in certain areas of Guelph.

A one (1) day hearing has been scheduled for March 8, 2012.

REPORT

Recommendation: The City should not be a party at future OMB proceedings for this appeal as there is no significant municipal interest in the application:

- Application complies with the existing regulations in Zoning By-law (1995)-14864 and would comply with the proposed regulations for accessory apartments in By-law (2010)-19076, which is under appeal.
- OMB decision with respect to By-law (2010)-19076 (under appeal) is not anticipated to have more stringent requirements than the By-law.
- Where the Interim Control By-law is not in place in the City, the Zoning By-law permits the establishment of an accessory apartment in a semi-detached dwelling subject to regulations.

CORPORATE STRATEGIC PLAN

N/A

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

Schedule 1 – Location Map

Prepared By:

Rita Kostyan
Development Planner
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Recommended By:

Allan Hearne
Acting Manager of Development
Planning
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“original signed by Todd Salter”

“original signed by Janet Laird”

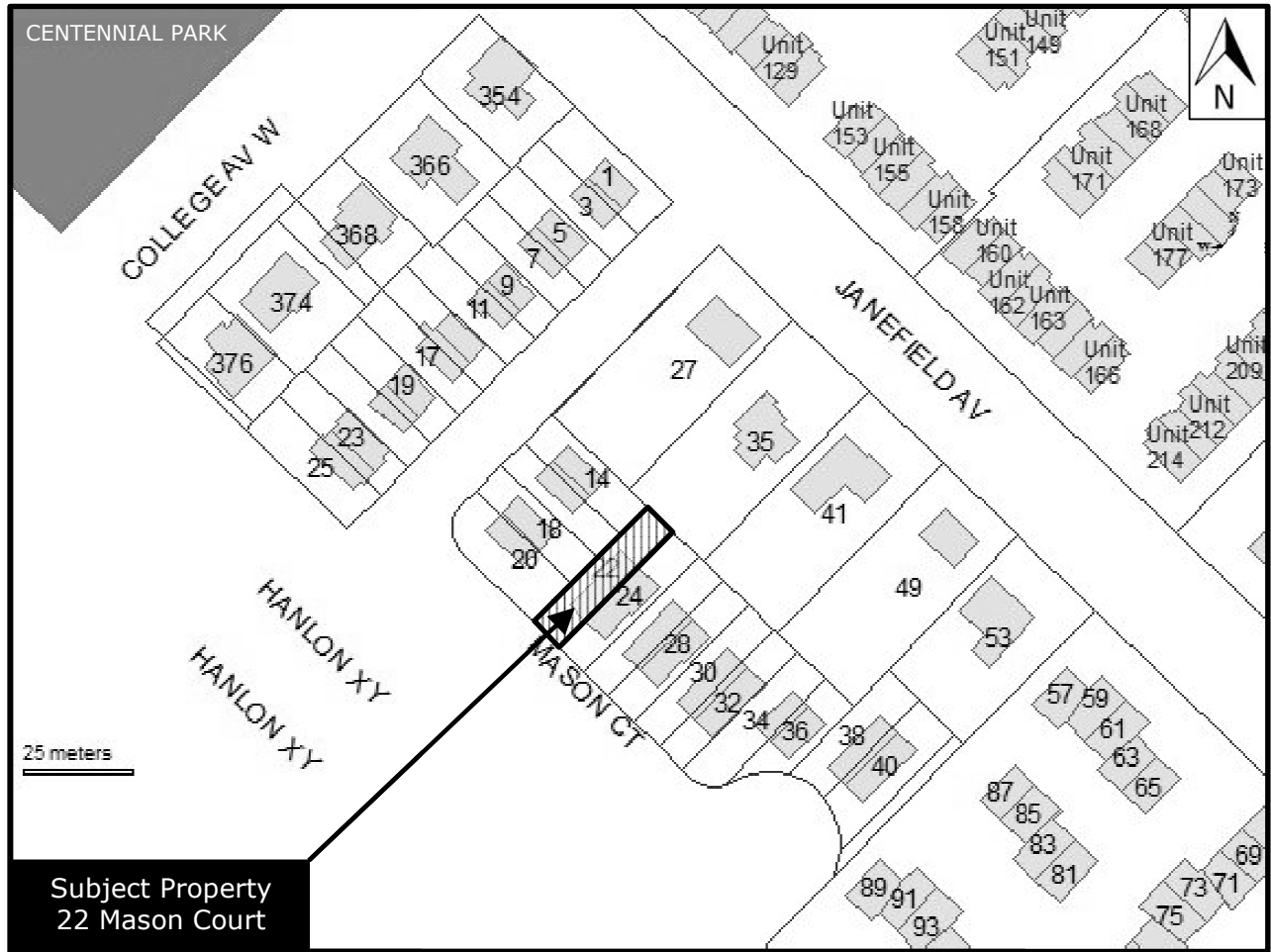
Recommended By:

Todd Salter
Acting General Manager
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Recommended By:

Janet L. Laird
Executive Director
Planning & Building,
Engineering and Environment
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janet.laird@guelph.ca

SCHEDULE 1 – Location Map



TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment
DATE February 27, 2012

SUBJECT **29 Curzon Crescent**
Upcoming Ontario Municipal Board Hearing
(File A-103/11)
Ward 4

REPORT NUMBER 12-23

SUMMARY

Purpose of Report

This report provides a staff recommendation for the City to become a party and for Council to direct staff to attend an upcoming Ontario Municipal Board (OMB) hearing regarding the appeal of a Committee of Adjustment decision refusing a minor variance to permit a 6.58 metre wide driveway, which constitutes 87.73% of the front yard of a semi-detached dwelling at 29 Curzon Crescent.

Council Action

Council is to decide whether or not to direct staff to attend the OMB hearing in support of the Committee of Adjustment's decision.

RECOMMENDATION

"THAT Report 12-23 dated February 27, 2012 regarding an appeal from the Committee of Adjustment Decision A-103/11 refusing a minor variance to permit a 6.58 metre wide driveway, which constitutes 87.73% of the front yard of a semi-detached dwelling at 29 Curzon Crescent, City of Guelph, from Planning & Building, Engineering and Environment be received;

AND THAT the City be a party at any upcoming OMB proceedings regarding an appeal from the Committee of Adjustment's decision A-103/11 refusing a minor variance to permit a 6.58 metre wide driveway, which constitutes 87.73% of the front yard of a semi-detached dwelling at 29 Curzon Crescent, City of Guelph, and that appropriate staff attend any future Ontario Municipal Board proceedings to support Council's direction."

BACKGROUND

Application Details: Committee of Adjustment considered application A-103/11 on November 8, 2011, requesting a minor variance from Zoning By-law (1995)-14864 to permit a 6.58 metre wide driveway constituting 87.73% of the front yard whereas the By-law does not permit a driveway that constitutes more than 40% of the front yard or a maximum driveway width of 3 metres. Planning staff recommended refusal of the application.

Location: North side of Curzon Crescent, south of Tovell Drive (Schedule 1).

Official Plan: "General Residential" designation, permitting a variety of housing types, including semi-detached dwellings.

Zoning: R.2 (Residential Semi-Detached/Duplex) Zone, which permits uses including one (1) semi-detached/duplex dwelling per lot.

Staff Comments: Planning staff commented that the application should be refused because the requested variance did not meet the general intent and purpose of the Zoning By-law, which specifies a maximum driveway coverage to ensure that there is an appropriate amount of soft landscaped areas in front yards and that the streetscape is not dominated by driveways and cars.

OMB Appeal: Applicant appealed the Committee's decision to the OMB on November 28, 2011, on the basis that:

- Inadequate and short-sighted planning of Curzon Crescent, affecting all residents on the street.
- The Committee of Adjustment focused on unrelated cases and not on the reason why this application was filed.
- The City of Guelph did not follow the guidance provided by the Building and Planning Department in previous policy papers.
- Procedures followed by City of Guelph staff or Committee of Adjustment, when dealing with our application, were inequitable.
- Not helping us and all residents on our street, including those who complained, but punishing a select few for the City's and their planners' failure to appropriately plan ahead.
- A legal basement apartment without a spot for the tenant's car puts the apartment, located on the outskirts of Guelph, into economic disadvantage with other landlords.

A one (1) day hearing has been scheduled for March 21, 2012.

REPORT

Recommendation: The City should be a party at future OMB proceedings for this appeal as there is significant municipal interest in the application:

- The proposed variance does not meet the general intent and purpose of the Zoning By-law and its impact is not minor in nature.
- The requested variance is not desirable for the appropriate development of the land as it would result in a streetscape that is dominated by driveways and cars.

CORPORATE STRATEGIC PLAN

N/A

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

Schedule 1 – Location Map

Prepared By:

Rita Kostyan
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Recommended By:

Allan Hearne
Acting Manager of Development
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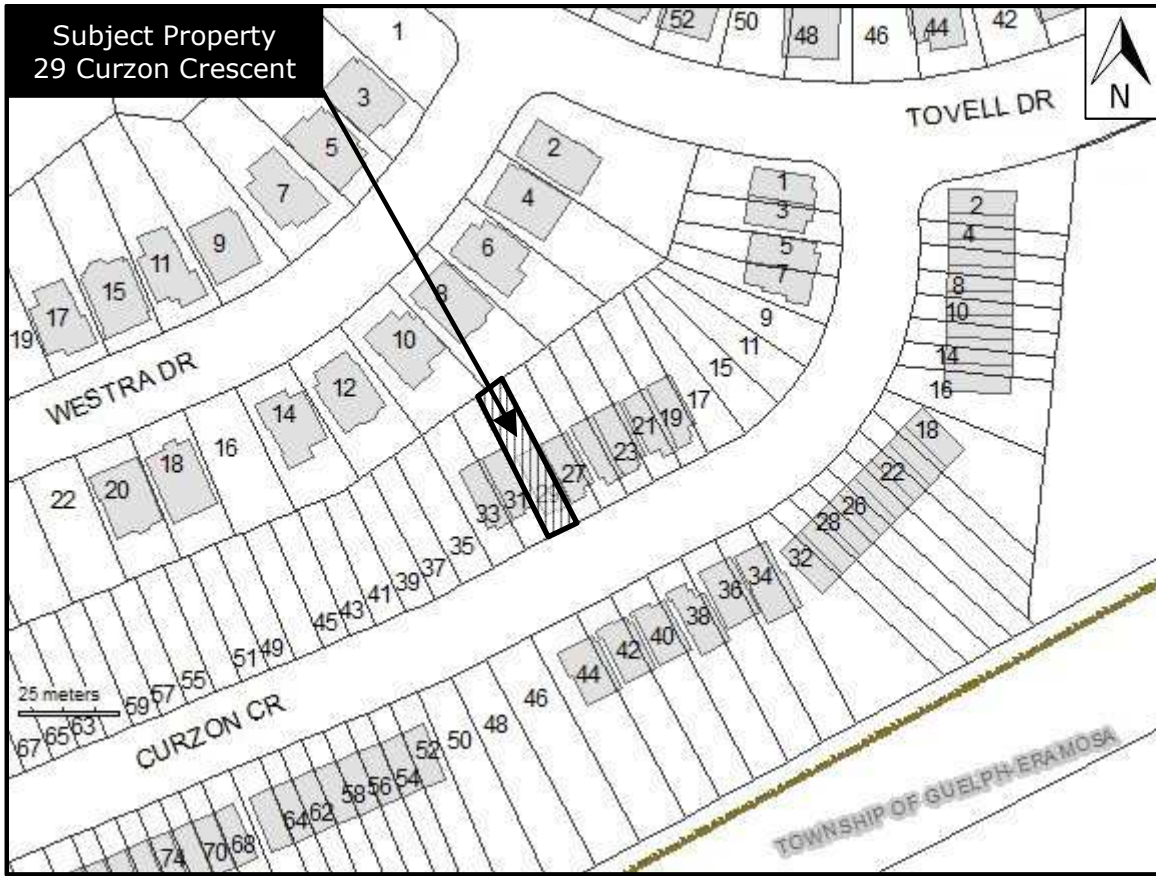
Recommended By:

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SCHEDULE 1 – Location Map



TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment
DATE February 27, 2012

**SUBJECT AWARD CONTRACT NO. 11-199 - SUPPLY AND
DISTRIBUTION OF CARTS AND KITCHEN CATCHERS**

REPORT NUMBER

SUMMARY

Purpose of Report:

To award contracts for the purchase and distribution of garbage, recycling, and organic waste collection carts and kitchen catchers.

Council Action:

To approve the award of contracts for the supply and distribution of waste collection carts and kitchen catchers.

RECOMMENDATION

“THAT Council award contracts to:

- IPL Inc. for the supply of waste collection carts in the amount of \$4,918,290;
- Toter Inc. for the supply of kitchen catchers in the amount of \$179,100; and
- Delta Global Logistics Inc. for product distribution and exchange in the amount of \$330,600, all exclusive of taxes;

AND THAT the 2012 Capital Budget be amended to reflect moving \$1.2 million forward to 2012 from the 2013 Capital Budget.”

BACKGROUND

On August 30, 2010 Council approved the report entitled *Conversion of Curbside Waste Collection Program to Fully Automated Carts* to convert the entire curbside waste collection program from a manual plastic bag collection program to a fully automated cart collection program over a three year period, commencing in 2012.

On December 5, 2011 Council reaffirmed the August 30, 2010 decision to convert to a fully-automated cart collection program.

REPORT

Request for Proposal (RFP) No. 11-199 was issued for the purchase and distribution of carts and kitchen catchers for the three year rollout between 2012 and 2014. There were seven (7) bids received that conformed to the specifications contained in the RFP.

Conforming bids were received from:

- IPL Inc.
- Toter Incorporated
- Cascade Engineering Inc.
- OTTO Environmental Systems (NC), LLC
- Rehrig Pacific Company
- Delta Global Logistics Inc.
- Orbis Canada Ltd.
- Delta Global Logistics Inc.

All conforming bids were evaluated against the following criteria: product and service quality standards; demonstrated past experience; qualifications and performance on similar projects; references; warranty and support programme; and cost.

Based on the evaluation carried out by Solid Waste Resources and Finance staff, the following vendors have been recommended for the scope of work totalling of \$5,427,990 (excluding taxes).

1. Carts: IPL Inc. was the highest ranked proponent and was also the lowest cost bidder for the supply of carts. Their bid for the work being awarded totalled \$4,918,290 (excluding taxes).
2. Distribution and Exchange Program: Delta Global Logistics Inc. was the highest ranked proponent and was also the lowest cost bidder for the cart and kitchen catcher distribution and exchange program. Their bid for the work being awarded is \$330,600 (excluding taxes).
3. Kitchen Catchers: Toter Incorporated was the highest ranked proponent for the supply of kitchen catchers. Their bid for the work being awarded is \$179,100 (excluding taxes).

CORPORATE STRATEGIC PLAN

- 1.2 Municipal sustainability practices that have become the benchmark against which other cities are measured
- 5.1 The highest municipal customer service satisfaction rating of any comparable- sized Canadian community
- 6.4 Less waste per capita than any other comparable Canadian city

FINANCIAL IMPLICATIONS

Funding for the acquisition and distribution of carts and kitchen catchers is contained in the approved capital budget for the Solid Waste Resource Department under project WC0001 (see attached funding summary).

DEPARTMENTAL CONSULTATION

Finance

COMMUNICATIONS

N/A

ATTACHMENTS

Funding Summary

Prepared By:

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“original signed by Dean Wyman”

Recommended By:

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Recommended By:

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Budget and Financing Schedule

JDE Project number: WC0001
 Project name: **Automated Collections - Carts**
 Contract # 11-199
 Prepared by: Andrew Pike
 Date: February 8, 2012

	Total Cost	External Financing			Internal Financing		
		Grants & Subsidies	Dev't Charges	Gas Tax	Current Revenues	City Reserves	Debt
<u>A. Budget Approval & Additional Funding</u> WC0001 Automated Collections - Carts (2011 & 2012 & 2012 Amended per Council Approval)	6,160,000	960,000	0	0	0	0	5,200,000
Budget Approval	6,160,000	960,000	0	0	0	0	5,200,000
<u>B. Budget Requirement</u> <u>Carts</u> Tender Price: IPL Inc. (excluding HST) Add: HST Payable (calculated at 1.76%) City Share Distribution and Exchange Program Tender Price: Delta Global Logistics Inc. (excluding HST) Add: HST Payable (calculated at 1.76%) City Share Kitchen Catchers Tender Price: Toter Incorporated (excluding HST) Add: HST Payable (calculated at 1.76%) City Share Total City Share plus: Expenditures to Date - All Projects plus: Committed Work on Existing POs & Contracts - All Projects plus: Contingency	4,918,290 <u>86,562</u> 5,004,852 330,600 <u>5,819</u> 336,419 179,100 <u>3,152</u> 182,252 5,523,523 0 0 100,000	960,000 960,000 0 0 0	0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0	0 0 0 0 0 0 0 0	4,044,852 336,419 182,252 4,563,523 0 0 100,000
TOTAL BUDGET REQUIREMENT	5,623,523	960,000	0	0	0	0	4,663,523
<u>C. Surplus / (Deficit)</u>	536,477	0	0	0	0	0	536,477
<u>D. Revised project budget</u>	6,160,000	960,000	0	0	0	0	5,200,000

- **BYLAWS** -- **February 27, 2012** -

<p>By-law Number (2012)-19337 A by-law to authorize the acquisition of property described as Part Lots 2 and 3, Range 3, Division F (formerly Guelph Township), designated as Parts 1, 2 and 3, Reference Plan 61R11793, City of Guelph.</p>	<p>To authorize the acquisition of land as approved by Council December 10, 2011.</p>
<p>By-law Number (2012)-19338 A by-law to dedicate certain lands known as Block 117, Plan 61M144 as part of Severn Drive, City of Guelph.</p>	<p>To dedicate land as part of Severn Drive.</p>
<p>By-law Number (2012)-19339 A by-law to dedicate certain lands known as Block 70, Plan 61M114 as part of Summerfield Drive, City of Guelph.</p>	<p>To dedicate land as part of Summerfield Drive.</p>
<p>By-law Number (2012)-19340 A by-law to remove: Lot 5, Plan 61M170, designated as Parts 63 and 64, Reference Plan 61R11686; Lot 7, Plan 61M170, designated as Parts 67 and 68, Reference Plan 61R11686 in the City of Guelph from Part Lot Control. (64 and 66 Couling Cres.; 67 and 69 Couling Cres.)</p>	<p>To remove land from Part Lot Control to create 4 separate parcels from semi-detached dwellings to be known as 64 and 66 Couling Cres. and 67 and 69 Couling Cres.</p>
<p>By-law Number (2012)-19341 A by-law to remove: Lot 4, Plan 61M167, designated as Parts 25 and 26, Reference Plan 61R11603; Lot 9, Plan 61M167, designated as Parts 15 and 16, Reference Plan 61R11603 in the City of Guelph from Part Lot Control. (49 and 47 Curzon Cres. and 69 and 67 Curzon Cres.)</p>	<p>To remove land from Part Lot Control to create 4 separate parcels for semi-detached dwellings to be known as 49 and 47 Curzon and 69 and 67 Curzon Cres.</p>
<p>By-law Number (2012)-19342 A by-law to amend By-law Number (2002)-17017 (adding Wood St. between Ontario St. and Manitoba St. to Through Highways Schedule V; removing Wood St. at Manitoba St. from Yield Signs Schedule VIII;</p>	<p>To amend the Traffic By-law.</p>

<p>removing Priory St. between Woolwich St. and Macdonell St., Carden St. between Wilson St. and Wyndham St., Victoria Rd. N. between Eramosa Rd. and Hadati Rd., Arthur St. N. between King St. and a point 12.0m north thereof from One-way Streets Schedule XI; amending Eastview Rd. between Watson Parkway N. and east City limits from 60 km/h to 50 km/h in the Speed Limits Schedule XII; temporarily removing Watson Parkway N. and Speedvale Ave. E. and adding Victoria R. N. for March and April in the Permissive Truck Route Schedule XIII; removing McWilliams Rd. between Laird Rd. and Teal Dr. and Phelan Dr. between South City Limit and Hanlon Expressway in the Half Loads Schedule XIV; installing No Parking Zone on both sides of Hosking Pl. 20m west of Scottsdale Dr., removing Priory St. in the No Parking Schedule XV; removing Priory St. between Macdonell St. and Woolwich St. in the Restricted Parking Schedule XVII; installing the south side of Cork St. commencing 10m west of the west curb of Wyndham St. N. in the 15 Minute/ Public Loading Zones Schedule XVIII; removing Priory St. in the Permitted Angle Parking Schedule XX; changing the rate to \$1.75 in the Parking Meter Zones Schedule XXIII; removing Priory St. in the Skateboards and Non-motorized Scooters Schedule XXV), and to adopt Municipal Code Amendment #462, amending Chapter 301 of the Corporation of the City of Guelph's Municipal Code.</p>	