

CITY COUNCIL AGENDA



Council Chambers, Guelph City Hall, 1 Carden Street

DATE September 8, 2014 – 7:00 p.m.

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

**O Canada
Silent Prayer
Disclosure of Pecuniary Interest and General Nature Thereof**

PRESENTATION

- a) Dean Post, Scouts Canada - The Bronze Duke of Edinburgh's Award presented to Holly Ivany
- b) Brittney Dudar, Alumni Advancement Manager, Telefundraising, University of Guelph and Lindsay Sytsma, Development Director, Lakeside HOPE House - GivingTuesday
- c) Dean Wyman, General Manager, Solid Waste Resources – SWANA Gold Award of Excellence – Communication for the Waste Cart Rollout, 2014, presented by Shelley Lorenz, Waste Management Policy Analyst
- d) Sean Finlay, United Way Campaign – City of Guelph's United Way Campaign Launch

CONFIRMATION OF MINUTES (Councillor Wettstein)

"THAT the minutes of the Council Meetings held August 13, and August 25, 2014, and the minutes of the Closed Meetings of Council held August 13, and 25, 2014 be confirmed as recorded and without being read."

PUBLIC MEETING TO HEAR APPLICATIONS UNDER SECTIONS 17, 34 AND 51 OF THE PLANNING ACT

| Application | Staff Presentation | Applicant or Designate | Delegations (maximum of 10 minutes) | Staff Summary |
|--|--|----------------------------------|--|----------------------|
| 95 Couling Crescent: Proposed Zoning By-law Amendment (File: ZC1409) – Ward 2 | • Michael Witmer, Development & Urban Design Planner | Jamie Laws, Van Harten Surveying | | |

| | | | | |
|--|---|--|--|--|
| 170 to 178 Elizabeth Street – Proposed Zoning By-law Amendment (File: ZC1410) Ward 1 | <ul style="list-style-type: none"> Lindsay Sulatycki, Development Planner II | <ul style="list-style-type: none"> Jeff Buisman, Van Harten Surveying | | |
|--|---|--|--|--|

CONSENT AGENDA

"The attached 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 can be approved in one resolution."

| Council Consent Agenda | | | |
|---|--|--|----------------------------|
| Item | City Presentation | Delegations (maximum of 5 minutes) | To be Extracted |
| CON-2014.49 Open Government Action Plan | <ul style="list-style-type: none"> Mark Amorosi, Executive Director of Corporate & Human Resources Blair Labelle, General Manager, Technology Innovation | | √ |
| CON-2014.50 Restricted Acts by Council During an Election Year ("Lame Duck" Council) and Delegated Authority to CAO | | | |
| CON-2014.51 595 Watson Parkway North (formerly 21 Couling Crescent) - Proposed Zoning By-law Amendment (File ZC1405) – Ward 2 | <ul style="list-style-type: none"> Chris DeVriendt, Senior Development Planner | | √ |
| CON-2014.52 Brooklyn and College Hill Heritage Conservation District – Designation of District and Adoption of Plan and Guidelines | <ul style="list-style-type: none"> Melissa Aldunate, Manager, Policy Planning & Urban Design | <ul style="list-style-type: none"> Allan Dyer | √ |
| CON-2014.53 312-316 Grange Road - Creekside Subdivision (23T-07502): Request for an Extension of Draft Plan Approval - Ward 1 | | | |

| | | | |
|---|--|--|--|
| CON-2014.54 Proposed Demolition of 30 Laurine Avenue – Ward 1 | | | |
| CON-2014.55 2014 Q2 Capital Budget Monitoring | | | |
| CON-2014.56 Q2 2014 Operating Variance | | | |
| CON-2014.57 Golds Court – Proposed Permanent Road Closure | | | |

SPECIAL RESOLUTIONS

- a) Councillor Kovach’s motion for which notice was given August 25, 2014:

That the following motion be referred to the Governance Committee:

That to ensure public accountability and transparency, itemized expenses of all members of Council be reported publically at least annually and that the matter of where it is published and how often be referred to the Governance Committee.

BY-LAWS

Resolution – Adoption of By-laws (Councillor Bell)

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



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Wednesday August 13, 2014 at 5:30 p.m.**

Attendance

Council: Mayor Farbridge
Councillor B. Bell
Councillor L. Burcher
Councillor T. Dennis
Councillor J. Furfaro
Councillor C. Guthrie
Councillor Hofland
Councillor G. Kovach
Councillor M. Laidlaw
Councillor L. Piper
Councillor K. Wettstein

Absent: Councillor I. Findlay
Councillor A. Van Hellemond

Staff: Ms. A. Pappert, Chief Administrative Officer
Mr. A. Horsman, Executive Director of Finance and Enterprise
Ms. D. Jaques, General Manager of Legal & Realty Services/City Solicitor
Mr. S. Worsfold, Deputy City Solicitor
Ms. T. Agnello, Deputy Clerk
Ms. D. Black, Council Committee Co-ordinator

Call to Order (5:30 p.m.)

Mayor Farbridge called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

Moved by Councillor Furfaro
Seconded by Councillor Dennis

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (e) of *the Municipal Act*, with respect to litigation or potential litigation.

CARRIED

Closed Meeting (5:31 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

C.2014.41 Urbacon Update

Rise from Closed Meeting of Council (6:05 p.m.)

Moved by Councillor Dennis
Seconded by Councillor Furfaro

That the meeting be adjourned.

CARRIED

Mayor Farbridge

Deputy Clerk



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday August 25, 2014 at 5:30 p.m.**

Attendance

Council: Mayor Farbridge
Councillor B. Bell
Councillor T. Dennis
Councillor I. Findlay
Councillor J. Furfaro
Councillor C. Guthrie
Councillor Hofland
Councillor G. Kovach
Councillor M. Laidlaw
Councillor L. Piper
Councillor A. Van Hellemond
Councillor K. Wettstein

Absent: Councillor Burcher

Staff: Mr. M. Amorosi, Executive Director, Corporate & Human Resources
Mr. D. Thomson, Executive Director, Community & Social Services
Mr. A. Horsman, Executive Director, Finance & Enterprise
Ms. J. Laird, Executive Director, Planning & Building, Engineering and Environment
Mr. D. McCaughan, Executive Director, Operations, Transit & Emergency Services
Mr. S. O'Brien, City Clerk
Ms. J. Sweeney, Council Committee Coordinator

Call to Order (5:30 p.m.)

Mayor Farbridge called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

1. Moved by Councillor Hofland
Seconded by Councillor Laidlaw

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) and (c) of the *Municipal Act* with respect to personal matters about an identifiable individual and proposed or pending acquisition or disposition of land.

CARRIED

Closed Meeting (5:31 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

C.2014.42 Disposition of Permanent Easements to Hydro One Networks Inc.

**C.2014.43 Report of the Audit Committee – External Auditor Performance Review
Rise from Closed Meeting (5:40 p.m.)**

Council recessed.

Open Meeting (7:00 p.m.)

Mayor Farbridge called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

Councillor Furfaro disclosed a pecuniary interest regarding the 5 Arthur Street South proposed zone change because he owns property across the street from the subject property.

Confirmation of Minutes

1. Moved by Councillor Van Hellemond
Seconded by Councillor Dennis
 1. That the minutes of the Council Meetings held on June 18 and August 5, 2014 and the minutes of the Closed Meetings of Council held July 28 and August 5, 2014 be confirmed as recorded.
 2. That the minutes of the Council Meeting held on July 28, 2014 be amended to reflect Councillors Laidlaw and Burcher moving and seconding motion to adopt the minutes.

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

VOTING AGAINST: (0)

CARRIED

Consent Reports

Audit Committee Fourth Consent Report

Councillor Guthrie presented the Audit Committee Fourth Consent Report.

2. Moved by Councillor Guthrie
Seconded by Councillor Furfaro

That the August 25, 2014 Audit Committee Fourth Consent Report as identified below, be adopted:

AUD-2014.20 Policy for the Implementation of PS 3260 – Liability for Contaminated Sites

1. That FIN-14-40 Policy for the Implementation of PS 3260 – Liability for Contaminated Sites be received.
2. That the Contaminated Sites Policy, attached as Appendix 1, to report FIN-14-40, be approved.

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

VOTING AGAINST: (0)

CARRIED

Corporate Administration, Finance & Enterprise Committee Seventh Consent Report

The following items were extracted:

- CAFE-2014.34 Enterprise Services – Annual Activity Report**
CAFE-2014.36 Municipal Development Corporation Business Case Study Update

Balance of Corporate Administration, Finance & Enterprise Committee Consent Items

Councillor Hofland presented the balance of the Corporate Administration, Finance & Enterprise Committee Seventh Consent Report.

3. Moved by Councillor Hofland
 Seconded by Councillor Furfaro

That the balance of the August 25, 2014 Corporate Administration, Finance & Enterprise Committee Seventh Consent Report as identified below, be adopted:

CAFE-2014.35 200 Beverley Street – IMICO Redevelopment Update

1. That Council receive report # FIN-ED-14-08 titled '200 Beverly Street – IMICO – Redevelopment Update'; and
2. That Council direct staff to proceed with the IMICO Phase 2 Marketing Program as described in report FIN-ED-14-08; and
3. That Council approve the transfer of funds in the amount of Forty-Four Thousand, Six Hundred and Ten Dollars (\$44,610.00) from the DC Exempt Reserve Fund Account #156 for the purpose of implementing the IMICO Phase 2 Marketing Program as described in report FIN-ED-14-08; and
4. That Council direct staff to report back to Council on the status of the IMICO Phase 2 Marketing Program as described in report FIN-ED-14-08 by no later than the end of Q1 2015.

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

VOTING AGAINST: (0)

CARRIED

Planning & Building, Engineering and Environment Committee Sixth Consent Report

The following items were extracted:

- PBEE-2014.25 Enbridge Line 9B Application**
PBEE-2014.27 Downtown Streetscape Manual, Built Form Standards and St. George's Square Concept

Balance of Planning & Building, Engineering and Environment Committee Consent Items

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

4. Moved by Councillor Bell
Seconded by Councillor Guthrie

That the balance of the August 25, 2014 Planning & Building, Engineering and Environment Committee Sixth Consent Report as identified below, be adopted:

PBEE-2014.26 Rental Housing Licensing Recommended Approach

1. That Report 14-29 from Planning, Building, Engineering and Environment regarding the Rental Housing Licensing Recommended Approach dated August 5, 2014 be received.
2. That Council approve, in principle, the recommended alternative approach to a rental housing licensing program described in Report 14-29 from Planning, Building, Engineering and Environment dated August 5, 2014.
3. That the proposed expansion package for one full-time proactive inspector and a comprehensive communications and education plan be referred to the 2015 budget process.
4. That staff report back in Q4 in 2015 to demonstrate the effectiveness of the alternative approach.

PBEE-2014.29 Sign By-law Variances – 679 Southgate Drive

1. That the report from Planning, Building, Engineering and Environment dated August 5, 2014, regarding sign by-law variances for 679 Southgate Drive, be received.
2. That the request for variances from the Sign By-law for 679 Southgate Drive to permit four (4) signs to be located on the second storey of the building (one on each building face), be approved.

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

VOTING AGAINST: (0)

CARRIED

Council Internal Audit Third Consent

The following items were extracted:

- IA-2014.6 Learning and Development Audit Report**
IA-2014.7 Learning and Development Audit Management's Response

Council Consent Agenda

The following items were extracted:

CON-2014.45 5 Arthur Street South – Proposed Zoning By-law Amendment (File: ZC1305) – Ward 1

Balance of Council Consent Items

5. Moved by Councillor Guthrie
 Seconded by Councillor Furfaro

That balance of the August 25, 2014 Consent Agenda as identified below, be adopted:

CON-2014.39 Disposition of Permanent Easements to Hydro One Networks Inc.

1. That the report (CHR-2014-54) entitled "Disposition of Permanent Easements to Hydro One Networks Inc.", be received; and
2. That the City Solicitor be directed to enter into agreements with Hydro One Networks Inc. for the grant of easements for the purposes of constructing and maintaining electrical equipment on the lands described as:
 - i) Part 1 on Reference Plan 61R-20363
 - ii) Part 1, 2, 3 and 4 on Reference Plan 61R-313
 - iii) Part 1 and 2 on Reference Plan 61R-20389
 - iv) Part 3 and 4 on Reference Plan 61R-20389
 - v) Part 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 on Reference Plan 61R-20391subject to the terms and conditions of the easement agreements being satisfactory to the City Solicitor.

CON-2014.40 Culture and Tourism Department – Advisory Committees

1. That the August 25, 2014 report entitled "Culture and Tourism Department – Advisory Committees", be received; and
2. That the Cultural Advisory Committee be dissolved and that the committee members be formally thanked for their service; and
3. That a Public Art Advisory Committee and a Tourism Advisory Committee be established.

CON-2104.41 2015 Council and Committee Meeting Schedule

1. That the 2015 Council and Committee meeting schedule, attached as Attachment 1, be approved.

CON-2014.42 2014 Municipal Election – Amendment to Special Voting Provisions

1. That report CHR-2014-56 dated August 25, 2014 regarding 2014 Municipal Election – Amendment to Special Voting Provisions be received.
2. That the attached by-law, to the report, be brought forward for Council's enactment.

CON-2104.43 By-laws for The Elliott Long-Term Care Residence

1. That the by-law to “establish and maintain The Elliott Long-Term Care Residence” and the by-law to “delegate authority The Elliott to operate to The Elliott Long-Term Care Residence” be approved.

CON-2104.44 Proposed Demolition of 85 University Avenue West – Ward 5

1. That Report 14-44 regarding the proposed demolition of a detached dwelling at 85 University Avenue West, legally described as Plan 583, Lot 6; City of Guelph, from Planning, Building, Engineering and Environment dated August 25, 2014, be received; and
2. That the proposed demolition of the detached dwelling at 85 University Avenue West be approved; and
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling; and
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

CON-2104.46 Elsegood Court: Proposed Street Name Change, Ward 6

1. That Elsegood Court, as shown on Attachment 1 of Planning, Building, Engineering and Environment Report 14-43 be renamed to Phelan Court; and
2. That Council enact a By-law authorizing the name change of Elsegood Court to Phelan Court.

CON-2014.47 Proposed Demolition of 103 Grange Street West – Ward 1

1. That Report 14-48 regarding the proposed demolition of a detached dwelling at 103 Grange Street, legally described as Plan 298, Lot 9, Part Lot 8, 61R4686, Part 2, Part 3, from Planning, Building, Engineering and Environment dated August 25, 2014, be received; and
2. That the proposed demolition of the detached dwelling at 103 Grange Street be approved; and
3. That the applicant prepare and submit a Tree Inventory, Preservation and Compensation Plan in accordance with the Private Tree Protection By-law to the satisfaction of the General Manager of Planning Services prior to issuance of a demolition permit; and
4. That the applicant erect any required protective fencing recommended by the Tree Inventory, Preservation and Compensation Plan at one (1) metre from the dripline of any existing trees on the property or on adjacent properties prior to the

commencement of demolition and maintain fencing during demolition and construction of the new dwelling; and

5. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

CON-2014.48 Issuer of Lottery Licences

1. That the Council Report # OTES081433, Issuer of Lottery Licences, dated August 25, 2014, be received; and
2. That the administration and the issuance of Lottery Licences be delegated to the Manager of By-law, Compliance, Security and Licensing as set out in Council Report # OTES081433 dated August 25, 2014; and
3. That the Delegation By-law amendment (2014)-19792 as set out in Council Report #OTES081433 be approved.

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

VOTING AGAINST: (0)

CARRIED

Extracted Items

CAFE-2014.34 Enterprise Services – Annual Activity Report

Mr. Al Horsman, Executive Director of Finance and Enterprise, introduced Building a City, Guelph Enterprise Services Annual Review.

Mr. Ian Panabaker, Corporate Manager of Downtown Renewal highlighted the achievements over the past four years related to downtown renewal.

Mr. Rob Kerr, Corporate Manager of Community Energy, provided an overview of the activities related to the Community Energy Initiative and the changes made that allows the City to retain money spent on energy locally.

Mr. Peter Cartwright, General Manager of Economic Development, outlined the economic development activities and initiatives.

Mr. Lloyd Longfield spoke on behalf of the Guelph Chamber of Commerce and highlighted the growing connections between the Chamber of Commerce and Enterprise Services relating to building investment, infrastructure, downtown, relationships, capacity and prosperity.

6. Moved by Councillor Hofland
Seconded by Councillor Furfaro

1. That report number FIN-ED-14-07 titled, '*Enterprise Services –Annual Activity Report*' be received for information.

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

VOTING AGAINST: (0)

CARRIED

CAFE-2104.36 Municipal Development Corporation Business Case Study Update

Laura Murr advised she is not opposed to the formation of a municipal development corporation, but expressed concern on the type of assets that could be moved into the corporation. She requested a list of specific assets that could be transferred to the development corporation be created and only those assets be transferred and if additional assets not on the list are to be transferred, Council approve the transfer.

7. Moved by Councillor Hofland
Seconded by Councillor Furfaro
 1. That Council receive report # FIN-ED-14-09 titled 'Municipal Development Corporation Business Case Study Update'; and
 2. That Council approve the business case study attached to Report FIN-ED-14-09; and
 3. That Council directs staff to incorporate a municipal development corporation, as described in report # FIN-ED-14-09, with the first director of the corporation to be Barry Chuddy, CEO of GMHI.

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

VOTING AGAINST: (0)

CARRIED

PBEE-2014.27 Downtown Streetscape Manual, Built Form Standards and St. George's Square Concept

Mr. Todd Salter, General Manager of Planning Services, introduced the report.

Mr. David DeGroot, Urban Designer, provided an overview of the Downtown Streetscape Manual, Built Form Standards and St. George's Square Concept. He highlighted the collaborative engagement process undertaken with the various public stakeholders.

Mr. Steve Baldamus was not present.

Mr. Marty Williams was present on behalf of the Downtown Guelph Business Association, and thanked staff for the opportunities to comment on the document. He advised the Association is supportive of the overall plan but have not reached a conclusion of what St. George's Square should look like. He suggested there is time to work out the details prior to the final proposal being presented to Council.

8. Moved by Councillor Bell
Seconded by Councillor Wettstein
 1. That the Planning, Building, Engineering and Environment Report 14-47, regarding

the Downtown Guelph Downtown Streetscape Manual, Built Form Standards and St. George's Square Concept, dated August 5, 2014, be received.

2. That the Streetscape Manual (contained in Chapter 2 of Attachment 1) be adopted and that staff be directed to use the Streetscape Manual to guide the design of the City's public realm capital projects and private investments that impact the public realm in the Downtown.
3. That the Downtown Built Form Standards (contained in Chapter 3 of Attachment 1) be adopted and that staff be directed to use the document to guide the review of development applications within Downtown.
4. That Council endorse the vision, principles and general design elements illustrated by the Conceptual Design for St. George's Square (contained in Chapter 4 of Attachment 1)
5. That, as individual public realm capital projects begin advancing through the detailed design phase prior to construction, such as St. George's Square and other streetscape reconstruction projects, staff continue to engage the public and businesses in the design and construction planning process phase; and that staff keep council informed regarding refinements and improvements to the design made through the detailed design process.
6. That the cost estimates for the Streetscape Manual and the Conceptual Design for St. George's Square be referred to the 2015 operating and capital budget and 10 year capital budgeting process.

Deferral

9. Moved by Councillor Kovach
Seconded by Councillor Guthrie

That consideration of the Downtown Streetscape Manual, Built Form Standards and St. George's Square Concept be deferred to the 2014-2018 Council for consideration.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie, Kovach and Van Hellemond (5)

VOTING AGAINST: Mayor Farbridge, Councillors, Dennis, Findlay, Hofland, Laidlaw, Piper and Wettstein (7)

DEFEATED

Amendment

10. Moved by Councillor Bell
Seconded by Councillor Furfaro

That Clause 6 be amended by removing "and the Concept Design for St. George's Square" and be replaced with "for Macdonel Street".

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie, Kovach and Van Hellemond (5)

VOTING AGAINST: Mayor Farbridge, Councillors Dennis, Findlay, Hofland, Laidlaw, Piper and Wettstein (7)

DEFEATED

Main Motion

It was requested that the clauses be voted on separately.

11. Moved by Councillor Bell
Seconded by Councillor Wettstein

1. That the Planning, Building, Engineering and Environment Report 14-47, regarding the Downtown Guelph Downtown Streetscape Manual, Built Form Standards and St. George's Square Concept, dated August 5, 2014, be received.

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

VOTING AGAINST: (0)

CARRIED

12. Moved by Councillor Bell
Seconded by Councillor Wettstein

2. That the Streetscape Manual (contained in Chapter 2 of Attachment 1) be adopted and that staff be directed to use the Streetscape Manual to guide the design of the City's public realm capital projects and private investments that impact the public realm in the Downtown.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Hofland, Laidlaw, Piper and Wettstein (9)

VOTING AGAINST: Councillors Guthrie, Kovach and Van Hellemond (3)

CARRIED

13. Moved by Councillor Bell
Seconded by Councillor Wettstein

3. That the Downtown Built Form Standards (contained in Chapter 3 of Attachment 1) be adopted and that staff be directed to use the document to guide the review of development applications within Downtown.

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

VOTING AGAINST: Councillor Kovach (1)

CARRIED

14. Moved by Councillor Bell
Seconded by Councillor Wettstein

4. That Council endorse the vision, principles and general design elements illustrated by the Conceptual Design for St. George's Square (contained in Chapter 4 of Attachment 1)

VOTING IN FAVOUR: Mayor Farbridge, Councillors Dennis, Findlay, Hofland, Laidlaw, Piper and Wettstein (7)

VOTING AGAINST: Councillors Bell, Furfaro, Guthrie, Kovach and Van Hellemond (5)

CARRIED

15. Moved by Councillor Bell
Seconded by Councillor Wettstein

5. That, as individual public realm capital projects begin advancing through the detailed design phase prior to construction, such as St. George's Square and other streetscape reconstruction projects, staff continue to engage the public and businesses in the design and construction planning process phase; and that staff keep council informed regarding refinements and improvements to the design made through the detailed design process.

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

VOTING AGAINST: Councillor Kovach (1)

CARRIED

16. Moved by Councillor Bell
Seconded by Councillor Wettstein

6. That the cost estimates for the Streetscape Manual and the Conceptual Design for St. George's Square be referred to the 2015 operating and capital budget and 10 year capital budgeting process.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Dennis, Findlay, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (9)

VOTING AGAINST: Councillors Bell, Furfaro and Guthrie (3)

CARRIED

CON-2104.45 5 Arthur Street South – Proposed Zoning By-law Amendment (File: ZC2305) – Ward 1

Mr. Todd Salter, General Manager of Planning Services, introduced the report and provided a brief history of the application.

Ms. Katie Nasswetter, Senior Development Planner, highlighted the application for a six (6) phased mixed use, residential and commercial development on the property known as 5 Arthur Street South. She reviewed the proposed holding provisions that must be completed before development can proceed.

Ms. Pamela Kraft was present on behalf of Fusion Homes and advised City documents allow a 12 storey building on the site and the proposed building heights allow flexibility to address urban design and market demand. She advised the applicant is continuing to examine options for the development of the heritage building.

Ms. Lin Grist read the statement from Hugh Whiteley who was unable to attend the meeting, who requested that the policy of acquiring riverside corridors for publicly-owned parks be maintained and applied to the proposed development at 5 Arthur St. S. He expressed concern that the proposed easement for public access does not allow the creation of a park as called for in Official Plan Amendment 43.

Ms. Maria Pezzano, Co-Chair of The Ward Residents' Association, expressed concern their Association was not made aware of the change to the height of the central buildings. She requested that Council limit the three central building's height to ten stories.

Mr. William Sleeth advised he supports the comments made by the previous delegation. He expressed concern that no public consultation was sought relating to the change in height of the central buildings.

Ms. Laura Murr advised she is a member of the Living Rivers and Greenways Group Guelph and strongly supports public ownership of the river corridor and access to the rivers and their valleylands. She requested the policy of acquiring riverside corridors be maintained which would allow for the creation of a park called for in the Official Plan Amendment 43. She suggested the cash-in-lieu of parkland to be received from this development be used to purchase the riverwalk.

17. Moved by Councillor Kovach
Seconded by Councillor Hofland

1. That Report 14-38 regarding Official Plan and Zoning By-law Amendment applications by 5 Arthur Street Developments, 2278560 Ontario Inc., for approval of an Official Plan Amendment and Zoning By-law Amendment to permit the development of a six (6) phase mixed use, residential and commercial development for the property municipally known as 5 Arthur Street South, and legally described as Part of Grist Mill Lands, East side of Speed River, Plan 113 and Part Lot 76, and Lots 77, 78, 79, 80, 81 and 82, Plan 113, (as amended), designated as Parts 11, 12 and 13, Reference Plan 61R11955, together with an easement over Part 17, 61R11955 as in Instrument No. WC212993; Guelph and Part of Grist Mill Lands, Plan 113, East of River Speed, designated as Parts 14, 15 and 16, Reference Plan 61R11955; subject to an Easement as in Instrument No. RO682767; together with an Easement over Part 17, 61R11955 as in Instrument No. WC212993; City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2.
2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 5 Arthur Street South.
3. That the CAO be authorized to approve a development agreement or related agreement(s) including terms described in Staff Report 14-38 pursuant to terms described in the staff report and subject to applicable policies and legislation, in consultation with the City Solicitor, Executive Director for Community and Social Services, the Executive Director Planning Building, Engineering & Environment and the Chief Financial Officer, for the period of September 12, 2014 through to December 1, 2014.

Amendment

18. Moved by Councillor Bell
Seconded by Councillor Laidlaw

That the maximum heights of Buildings 1, 2 and 3 be 10, 11 and 10 storeys respectively.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Findlay, Guthrie, Hofland, Laidlaw, Piper and Van Hellemond (8)

VOTING AGAINST: Councillor Dennis, Kovach and Wettstein (3)

Councillor Furfaro did not vote due to his declared potential pecuniary interest.

CARRIED

Main Motion

19. Moved by Councillor Kovach

Seconded by Councillor Hofland

1. That Report 14-38 regarding Official Plan and Zoning By-law Amendment applications by 5 Arthur Street Developments, 2278560 Ontario Inc., for approval of an Official Plan Amendment and Zoning By-law Amendment to permit the development of a six (6) phase mixed use, residential and commercial development for the property municipally known as 5 Arthur Street South, and legally described as Part of Grist Mill Lands, East side of Speed River, Plan 113 and Part Lot 76, and Lots 77, 78, 79, 80, 81 and 82, Plan 113, (as amended), designated as Parts 11, 12 and 13, Reference Plan 61R11955, together with an easement over Part 17, 61R11955 as in Instrument No. WC212993; Guelph and Part of Grist Mill Lands, Plan 113, East of River Speed, designated as Parts 14, 15 and 16, Reference Plan 61R11955; subject to an Easement as in Instrument No. RO682767; together with an Easement over Part 17, 61R11955 as in Instrument No. WC212993; City of Guelph, be approved in accordance with the zoning regulations and conditions, **as amended**, outlined in Attachment 2.
2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 5 Arthur Street South.
3. That the CAO be authorized to approve a development agreement or related agreement(s) including terms described in Staff Report 14-38 pursuant to terms described in the staff report and subject to applicable policies and legislation, in consultation with the City Solicitor, Executive Director for Community and Social Services, the Executive Director Planning Building, Engineering & Environment and the Chief Financial Officer, for the period of September 12, 2014 through to December 1, 2014

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

VOTING AGAINST: (0)

Councillor Furfaro did not vote due to his declared potential pecuniary interest.

CARRIED

IA-2014.6 Learning and Development Audit Report

IA-2014.7 Learning and Development Audit Management's Response

Ms. Katherine Gray, Business Performance Specialist, presented the Learning and Development Audit and highlighted the seven recommendations.

Mr. David Godwaldt, General Manager of Human Resources, reviewed managements response and outlined the actions to be undertaken to address the recommendations in the Learning and Development Audit.

20. Moved by Councillor Laidlaw
Seconded by Councillor Piper

That the City of Guelph Procedural By-law be suspended to allow Council to continue beyond 11:00 p.m.

CARRIED

21. Moved by Councillor Piper
Seconded by Councillor Dennis

1. That the Council receive the Learning and Development Audit report.
2. That the August 25, 2014 report titled "Learning and Development Management Response" be received for information.

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

VOTING AGAINST: (0)

CARRIED

PBEE-2014.25 Enbridge Line 9B Application

22. Moved by Councillor Bell
Seconded by Councillor Guthrie

That no action be taken regarding the Enbridge Line 9B Application.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, , Kovach, Laidlaw, Van Hellemond and Wettstein (10)

VOTING AGAINST: Councillors Hofland and Piper (2)

CARRIED

By-laws

23. Moved by Councillor Wettstein
Seconded by Councillor Findlay

That By-laws Numbered (2014)-19789 to (2014)-19792 and By-laws Numbered (2014)-19794 to (2014)-19802, inclusive, are hereby passed.

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

VOTING AGAINST: (0)

CARRIED

24. Moved by Councillor Wettstein
Seconded by Councillor Findlay

That By-law Number (2014)-19793, as amended, is hereby passed.

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

VOTING AGAINST: (0)

Councillor Furfaro did not vote due to his declared potential pecuniary interest.

CARRIED

Notice of Motion

Councillor Kovach gave notice that she will be bringing forward a motion to a subsequent meeting with respect to financial reporting.

Councillor Guthrie gave notice that he will be bringing forward a motion to a subsequent meeting with respect to communication procedures to residents relating to developments.

Adjournment (11:20 p.m.)

25. Moved by Councillor Dennis
Seconded by Councillor Hofland

That the meeting be adjourned.

CARRIED

Minutes to be confirmed on September 8, 2014.

Mayor Farbridge

City Clerk

| JANUARY | | | | | |
|--|----------------|--|---------------------|---------------|----------------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | | | 1 New Year's Day | 2 | 3 4 |
| 5 | 6 | 7 | 8 | 9 | 10 11 |
| 12 | 13 | 14 | 15 | 16 | 17 18 |
| 19 | 20 | 21 Council-Budget (6:00 pm) Presentation of Non-Tax Supported Budgets | 22 | 23 | 24 25 |
| 26 Council -Budget (6:00 pm) Presentation of Tax Supported Capital Budget/Public Delegations | 27 | 28 Council-Budget (6:00 pm) Approval of Non-Tax Supported Budgets | 29 | 30 | 31 |

| FEBRUARY | | | | | |
|---------------------------------------|--------------------------------------|---|--|---------------|----------------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | | | | | 1 |
| 2 PBEE (2:00 pm) CAFE (5:30 pm) | 3 GOV (3:00 pm) OTES (5:00 pm) | 4 | 5 AUD (4:00 pm) | 6 | 7 8 |
| 9 Council Planning (7:00 pm) | 10 CSS (5:00 pm) | 11 | 12 | 13 | 14 15 |
| 16 Family Day | 17 | 18 Council Placeholder (6:00 pm) | 19 | 20 | 21 22 |
| 23 Council (7:00 pm) | 24 | 25 Council-Budget (6:00 pm) Presentation of Tax Supported Operating Budget | 26 Council-Budget (6:00 pm) Presentation of Local Boards & Shared Services | 27 | 28 |

| MARCH | | | | | |
|---|--------------------------------------|--|--|---------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | | | | | 1 |
| 2 PBEE (2:00 pm) CAFE (5:30 pm) | 3 GOV (3:00 pm) OTES (5:00 pm) | 4 | 5 Council- Budget (6:00 pm) Delegations | 6 | 7 8 |
| 9 Council Planning (7:00 pm) | 10 CSS (5:00 pm) | 11 Council – Budget Night (6:00 pm) | 12 Council – Budget Night continuation if required (6:00 pm) | 13 | 14 15 |
| 16 | 17 | 18 | 19 | 20 | 21 22 |
| <div style="border: 1px solid black; border-radius: 10px; padding: 2px; display: inline-block;">March Break</div> | | | | | |
| 23 Council (7:00 pm) | 24 | 25 Council Placeholder (6:00 pm) | 26 | 27 | 28 29 |
| 30 Council Placeholder (6:00 pm) | 31 | | | | |

| APRIL | | | | | |
|--|---------------------------------------|---|-----------------|---------------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | | 1 | 2 | 3 Good Friday | 4 5 Easter |
| 6 Easter Monday | 7 PBEE (2:00 pm) CAFE (5:30 pm) | 8 GOV (3:00 pm) OTES (5:00 pm) | 9 | 10 | 11 12 |
| 13 Council Planning (7:00 pm) | 14 CSS (5:00 pm) | 15 AUD (4:00 pm) | 16 | 17 | 18 19 |
| 20 Council Placeholder (6:00 pm) | 21 | 22 Council Placeholder (6:00 pm) | 23 | 24 | 25 26 |
| 27 Council (7:00 pm) | 28 | 29 | 30 | | |

| MAY | | | | | |
|---------------------------------------|--------------------------------------|---|-----------------|---------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | | | | 1 | 2 3 |
| 4 PBEE (2:00 pm) CAFE (5:30 pm) | 5 GOV (3:00 pm) OTES (5:00 pm) | 6 | 7 | 8 | 9 10 |
| 11 Council Planning (7:00 pm) | 12 CSS (5:00 pm) | 13 | 14 | 15 | 16 17 |
| 18 Victoria Day | 19 | 20 Council Placeholder (6:00 pm) | 21 | 22 | 23 24 |
| 25 Council (7:00 pm) | 26 | 27 Council Placeholder (6:00 pm) | 28 | 29 | 30 31 |

| June | | | | | |
|--|--------------------------------------|---------------------|-----------------|------------------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| 1 PBEE (2:00 pm) CAFE (5:30 pm) | 2 GOV (3:00 pm) OTES (5:00 pm) | 3 | 4 | 5 FCM Conference | 6 7 |
| 8 FCM Conference | 9 CSS (5:00 pm) | 10 AUD (4:00 pm) | 11 | 12 | 13 14 |
| Council Planning (7:00 pm) | | | | | |
| 15 Council Placeholder (6:00 pm) | 16 | 17 | 18 | 19 | 20 21 |
| 22 Council (7:00 pm) | 23 | 24 | 25 | 26 | 27 28 |
| 29 Council Placeholder (6:00 pm) | 30 | | | | |

| JULY | | | | | |
|---------------------------------------|---|------------------|--------------------|---------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | | 1 Canada Day | 2 | 3 | 4 5 |
| 6 PBEE (2:00 pm) CAFE (5:30 pm) | 7 GOV (3:00 pm) OTES (5:00 pm) | 8 | 9 CSS (5:00 pm) | 10 | 11 12 |
| 13 Council Planning (7:00 pm) | 14 Council Placeholder (6:00 pm) | 15 | 16 | 17 | 18 19 |
| 20 Council (7:00 pm) | 21 | 22 | 23 | 24 | 25 26 |
| 27 | 28 | 29 | 30 | 31 | |

| AUGUST | | | | | |
|--|----------------|------------------|-----------------|---------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | | | | | 1 2 |
| 3 John Galt Day / Civic Holiday | 4 | 5 | 6 | 7 | 8 9 |
| 10 | 11 | 12 | 13 | 14 | 15 16 AMO Conference |
| 17 18 19 AMO Conference (dates to be confirmed) | | | 20 | 21 | 22 23 |
| 24 | 25 | 26 | 27 | 28 | 29 30 |
| 31 | | | | | |

| SEPTEMBER | | | | | |
|--|---------------------------------------|---|--------------------|---------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | 1 PBEE (2:00 pm) CAFE (5:30 pm) | 2 | 3 AUD (4:00 pm) | 4 | 5 6 |
| 7 Labour Day | 8 GOV (3:00 pm) OTES (5:00 pm) | 9 CSS (5:00 pm) | 10 | 11 | 12 13 |
| 14 Council Planning (7:00 pm) | 15 | 16 | 17 | 18 | 19 20 |
| 21 Council Placeholder (6:00 pm) | 22 | 23 Council Placeholder (6:00 pm) | 24 | 25 | 26 27 |
| 28 Council (7:00 pm) | 29 | 30 | | | |

| OCTOBER | | | | | |
|---|--------------------------------------|---|-----------------|---------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | | | 1 | 2 | 3 4 |
| 5 PBEE (2:00 pm) CAFE (5:30 pm) | 6 GOV (3:00 pm) OTES (5:00 pm) | 7 | 8 | 9 | 10 11 |
| 12 Thanksgiving Day | 13 Council Planning (7:00 pm) | 14 CSS (5:00 pm) | 15 | 16 | 17 18 |
| 19 Council Place Holder (6:00 pm) | 20 | 21 Council Placeholder (6:00 pm) | 22 | 23 | 24 25 |
| 26 Council (7:00 pm) | 27 | 28 | 29 | 30 | 31 |

| NOVEMBER | | | | | |
|---|--------------------------------------|--------------------------|--------------------|---------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | | | | | 1 |
| 2 PBEE (2:00 pm) CAFE (5:30 pm) | 3 GOV (3:00 pm) OTES (5:00 pm) | 4 | 5 AUD (4:00 pm) | 6 | 7 8 |
| 9 Striking Committee (5:00 pm potentially) Council Planning (7:00 pm) | 10 CSS (5:00) | 11 Remembrance Day | 12 | 13 | 14 15 |
| 16 Council Placeholder (6:00 pm) | 17 | 18 | 19 | 20 | 21 22 |
| 23 Council (7:00 pm) | 24 | 25 | 26 | 27 | 28 29 |
| 30 Council Placeholder (6:00 pm) | | | | | |

| DECEMBER | | | | | |
|------------------------------------|---------------------------------------|--------------------|--|------------------------|----------------------------|
| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday Sunday |
| | 1 PBEE (2:00 pm) CAFE (5:30 pm) | 2 | 3 Council Placeholder (6:00 pm) | 4 | 5 6 |
| 7 Council Planning (7:00 pm) | 8 GOV (3:00 pm) OTES (5:00 pm) | 9 CSS (5:00 pm) | 10 | 11 | 12 13 |
| 14 Council (7:00 pm) | 15 | 16 | 17 | 18 | 19 20 |
| 21 | 22 | 23 | 24 | 25 Christmas Day | 26 Boxing Day 27 |
| 28 | 29 | 30 | | | |

The property affected by the Zoning By-law Amendment application is municipally known as 5 Arthur Street South and legally described as Part of Grist Mill Lands, East side of Speed River, Plan 113 and Part Lot 76, and Lots 77, 78, 79, 80, 81 and 82, Plan 113, (as amended), designated as Parts 11, 12 and 13, Reference Plan 61R11955, together with an easement over Part 17, 61R11955 as in Instrument No. WC212993; Guelph and Part of Grist Mill Lands, Plan 113, East of River Speed, designated as Parts 14, 15 and 16, Reference Plan 61R11955; subject to an Easement as in Instrument No. RO682767; together with an Easement over Part 17, 61R11955 as in Instrument No. WC212993, City of Guelph.

Zoning By-law Amendment

The following zoning is proposed:

1. By-law (1995) - 14864, as amended, is hereby further amended:

(x) By adding the following definition to Section 3 (Definitions)

"Micro-brewery or Brew Pub" means a **Place** used for the small scale and independent manufacturing of specialty or craft beer or wine produced for retail sale and consumption off-premises, or on-site consumption when located in combination with a permitted restaurant or tavern.

2. (1) By adding to Section 5.4.3.2 – Restricted Defined R.4B Areas – Specialized R.4B Zones the following new sections and provisions:

5.4.3.2.X R.4B-X(H)
5 Arthur Street South
As shown on Defined Area Map Number 38 of Schedule "A" to this
By-law:

The following definition that shall apply to the R.4B-X Zone

"Community Services Facilities" means a **Place** used for smaller-scaled community, institutional, cultural or recreational uses of either a public or private nature, including but not limited to uses such as a library branch, gallery or museum, educational or training centre, office of a government or a non-profit agency or corporation or a gymnasium or multi-purpose room(s) available for meetings, events and activities.

5.4.3.2.X.1 **Permitted Uses:**
Despite Section 5.4.1.2, the following **Uses** shall be permitted:

- **Apartment Building**
- A **Townhouse** or **Multiple Attached Dwelling** together with an **Apartment Building**
- A **Home Occupation** in accordance with Section 4.19

5.4.3.2.X.2 **Regulations**
In accordance with the provisions of Section 5.4.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions and additions:

- 5.4.3.2.X.2.1 **Maximum Floor Space Index (FSI)**
 Notwithstanding Table 5.4.2, Row 18, the maximum **Floor Space Index** (FSI) shall be 2.0. In addition, the FSI on individual portions of the 5 Arthur Street site may exceed the maximum permitted FSI, provided that the maximum FSI over the entirety of the 5 Arthur Street site is achieved. The calculation of Gross Floor Area and FSI will not include space within the basement of a building, within an underground, at-grade or above-grade parking structure or any floor area which does not have a clear floor to ceiling height of 2.15 metres. Floor space in the existing heritage building shall not be included in the calculation of FSI.
- 5.4.3.2.X.2.2 **Front Yard**
 For the purposes of this zone, the **Front Yard** shall be considered the Arthur Street frontage.
- 5.4.3.2.X.2.3 **Minimum Distance Between Buildings**
 Notwithstanding Section 5.4.2.2 and Table 5.4.2 the minimum distance between the **Building** face of one Apartment **Building** and the face of another Apartment **Building** shall be:
- At or below 6 **Storeys** 18 m
 - Above 6 **Storeys** 25 m
- 5.4.3.2.X.2.3.1 Townhouse blocks shall be a minimum of 4.0 metres apart from one another
- 5.4.3.2.X.2.4 **Angular Planes**
 Despite Section 4.16, Angular Planes shall not apply to any **Building** or **Structure** on the **Lot**
- 5.4.3.2.X.2.5 **Minimum Off-Street Parking:**
 Notwithstanding Section 4.13 and Table 5.4.2 Row 14, the following minimum number of **Parking Spaces** shall be provided within an underground garage or an above-grade parking structure for the following uses:
- | | |
|----------------------|--|
| Residents | 1.0 per Dwelling Unit |
| Visitors | 0.15 per Dwelling Unit |
| Non-Residential Uses | 1.0 per 33 m ² of Gross Floor Area |
- 5.4.3.2.X.2.6 **Bicycle Parking**
- 5.4.3.2.X.2.6.1 Bicycle Parking Shall be provided at the ratio of 0.65 bicycle parking spaces per **Dwelling Unit** on the **Lot** and 0.3 bicycle parking spaces per 100 square metres of non-residential **Gross Floor Area**.
- 5.4.3.2.X.2.6.2 Bicycle Parking may be provided for by a combination of racks at the surface, within a **Basement** or **Garage** of an **Apartment Building**, a secure parking area, room or enclosed container, or within a specially designed and designated spot provided within a storage locker.

5.4.3.2.X.2.7 The provisions of this By-law shall continue to apply collectively to the whole of the lands identified on Schedule "A" as R.4B-X, including any sub-zones (i.e. R.4B-X.1) despite any future severance, conveyance, dedication, taking, widening, partition or division for any purpose.

5.4.3.2.X.2.8 Holding Provision:

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development.

Conditions:

1. That a structural assessment of the existing retaining wall along the Speed River in accordance with the Terms of Reference provided to the developer be completed and approved to the satisfaction of the General Manager/City Engineer.
2. That an Environmental Implementation Report be completed and approved to the satisfaction of the General Manager of Planning Services, as further outlined in condition #11 of the conditions of site plan approval in Attachment 2 of Council Report 14-38, dated August 25, 2014.
3. A Development Agreement will be entered into and registered on title regarding the proposed Riverwalk and publicly accessible portions of the site. The agreement will include, but not be limited to parkland dedication requirements, responsibility for the design and construction of publicly accessible areas of the site, a temporary trail along the river, easements, and further agreements regarding future maintenance and liability, to the satisfaction of the Executive Director of Community and Social Services.
4. That a final Urban Design Master Plan be completed and approved, to the satisfaction of the General Manager of Planning Services.
5. That the developer pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, the developer shall pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for the frontage associated with the first phase of development prior to the removal of this Holding Provision.

- 5.4.3.2.X.3 **R.4B-X.1**
 5 Arthur Street South
 As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**:
- 5.4.3.2.X.3.1 Additional Permitted **Use**, as part of a Commercial/ Residential Building:
 • **Restaurant**
- 5.4.3.2.X.3.2 Regulations
 In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.1 **Zone**:
- 5.4.3.2.X.3.2.1 Additional Permitted Commercial **Use**
 A **Restaurant** shall be permitted on the ground floor of the **Building** and limited to 50 square metres of **Gross Floor Area**.
- 5.4.3.2.X.3.2.2 Minimum **Common Amenity Area**
 Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 600 m²
- 5.4.3.2.X.3.2.3 Minimum **Landscaped Open Space**
 Despite Table 5.4.2, Row 13, the minimum Landscaped Open Space shall be a total of 1800 m²
- 5.4.3.2.X.3.2.3.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**.
- 5.4.3.2.X.3.2.4 Maximum **Building** Floor Plate Area
- | | |
|----------------------------------|---------------------|
| Above the 6 th Storey | 1200 m ² |
| Above the 9 th Storey | 1000 m ² |
- 5.4.3.2.X.3.2.5 Minimum Yards
- 5.4.3.2.X.3.2.5.1 Minimum **Front Yard**
 Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Front Yard** shall be:
 - From Arthur St to **Townhouse** front face 2.5 m
 - From Arthur St to raised walkway/patio 1.0 m
- 5.4.3.2.X.3.2.5.2 Despite Section 4.7, all raised patios, walkways, ramps, retaining walls, planters are permitted to project into the required **Front Yard** between the main wall of the **Townhouses** and the front **Lot** line to a maximum distance of 1.5 metres, except that stairs and ramps may have a minimum setback of 0.0 metres from the front **Lot** line
- 5.4.3.2.X.3.2.6 Setbacks

- 5.4.3.2.X.3.2.6.1 Underground Parking Setback
An underground parking structure is permitted to be setback 0 metres from a **Lot** line.
- 5.4.3.2. X.3.2.6.2 Setbacks of Upper **Storeys** of **Apartment Buildings**
The minimum setback for the tower portion of an **Apartment Building**, above 4 **Storeys** shall be:
From Arthur Street **Lot** Line: 12 metres
From the easterly edge of the FL Zone: 10 metres
- 5.4.3.2.X.3.2.7 **Building** Heights
Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the maximum **Building** Heights are:
For Podium/**Townhouses** 4 storeys
For **Apartment Buildings** 10 storeys
- 5.4.3.2.X.4 **R.4B-X.2**
5 Arthur Street South
As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**:
- 5.4.3.2.X.4.1 Regulations
In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.1 **Zone**:
- 5.4.3.2.X.4.1.1 Minimum **Common Amenity Area**
Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 1000 m²
- 5.4.3.2. X.4.1.2 Minimum **Landscaped Open Space**
Despite Table 5.4.2, Row 13, the minimum **Landscaped Open Space** shall be a total of 1500 m²
- 5.4.3.2.X.4.1.2.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**.
- 5.4.3.2.X.4.1.3 Maximum Building Floor Plate Area
Above the 6th Storey 1200 m²
Above the 10th Storey 800 m²
- 5.4.3.2.X.4.1.4 Maximum Floor Plate Ratio Restriction
Above 10th Storey Only 2.5:1.0
- 5.4.3.2.X.4.1.5 Minimum Yards
- 5.4.3.2. X.4.1.5.1 Minimum **Front Yard**
Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Front Yard** shall be:
- From Arthur St to **Townhouse** front face 2.5 m

- From Arthur St to raised walkway/patio 1.0 m

5.4.3.2. X.4.1.5.2 Despite Section 4.7, all raised patios, walkways, ramps, retaining walls, planters are permitted to project into the required **Front Yard** between the main wall of the **Townhouses** and the front **Lot** line to a maximum distance of 1.5 metres, except that stairs and ramps may have a minimum setback of 0.0 metres from the front **Lot** line

5.4.3.2. X.4.1.6 Setbacks

5.4.3.2. X.4.1.6.1 Underground Parking Setback

An underground parking structure is permitted to be setback 0 metres from a **Lot** line.

5.4.3.2. X.4.1.6.2 Setbacks of Upper **Storeys** of **Apartment Buildings**

The minimum setback for the tower portion of an **Apartment Building**, above 4 **Storeys** shall be:

| | |
|--|-----------|
| From Arthur Street Lot Line: | 12 metres |
| From the easterly edge of the FL Zone: | 10 metres |

5.4.3.2.X.4.1.7 **Building** Heights

Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the maximum **Building** Heights are:

| | |
|--------------------------------|------------|
| For Podium/ Townhouses | 4 storeys |
| For Apartment Buildings | 11 storeys |

5.4.3.2.X.4.1.8 Holding Provision:

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development.

Conditions:

1. That the Owner prepare an Urban Design Brief confirming that this phase of development is consistent with the approved Urban Design Master Plan for the site, to the satisfaction of the General Manager of Planning Services. In addition, an architectural peer review for this phase is required to the satisfaction of the General Manager of Planning Services. The Owner may prepare one brief and complete a peer review that addresses one or more phases at a time, enabling the City to simultaneously lift the Holding Provision on multiple phases. Clearing of this condition may be done in advance of, or in conjunction with, submission of a Site Plan Approval application for each phase.
2. The owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.

3. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

- 5.4.3.2.X.5 **R.4B-X.3**
 5 Arthur Street South
 As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**:
- 5.4.3.2.X.5.1 Regulations
 In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.3 **Zone**:
- 5.4.3.2.X.5.1.1 Minimum **Common Amenity Area**
 Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 700 m²
- 5.4.3.2. X.5.1.2 Minimum **Landscaped Open Space**
 Despite Table 5.4.2, Row 13, the minimum **Landscaped Open Space** shall be a total of 1700 m²
- 5.4.3.2.X.5.1.2.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**.
- 5.4.3.2.X.5.1.3 Maximum Building Floor Plate Area
- | | |
|-----------------------------------|---------------------|
| Above the 6 th Storey | 1200 m ² |
| Above the 10 th Storey | 1000 m ² |
- 5.4.3.2.X.5.1.4 Maximum Floor Plate Ratio Restriction
- | | |
|------------------------------------|---------|
| Above 10 th Storey Only | 1.5:1.0 |
|------------------------------------|---------|
- 5.4.3.2.X.5.1.5 Minimum Yards
- 5.4.3.2. X.5.1.5.1 Minimum **Front Yard**
 Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Front Yard** shall be:
- | | |
|---|-------|
| From Arthur St to Townhouse front face | 2.5 m |
| From Arthur St to raised walkway/patio | 1.0 m |
- 5.4.3.2. X.5.1.5.2 Despite Section 4.7, all raised patios, walkways,

ramps, retaining walls, planters are permitted to project into the required **Front Yard** between the main wall of the **Townhouses** and the front **Lot** line to a maximum distance of 1.5 metres, except that stairs and ramps may have a minimum setback of 0.0 metres from the front **Lot** line

5.4.3.2. X.5.1.6 Setbacks

5.4.3.2. X.5.1.6.1 Underground Parking Setback

An underground parking structure is permitted to be setback 0 metres from a **Lot** line.

5.4.3.2. X.5.1.6.2 Setbacks of Upper **Storeys** of **Apartment Buildings**

The minimum setback for the tower portion of an **Apartment Building**, above 4 **Storeys** shall be:

| | |
|--|-----------|
| From Arthur Street Lot Line: | 12 metres |
| From the easterly edge of the FL Zone: | 10 metres |

5.4.3.2.X.5.1.7 **Building** Heights

Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the maximum **Building** Heights are:

| | |
|--------------------------------|-------------------|
| For Podium/ Townhouses | 4 storeys |
| For Apartment Buildings | 10 storeys |

5.4.3.2.X.5.1.8 Holding Provision:

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development.

Condition:

1. That the Owner prepare an Urban Design Brief confirming that this phase of development is consistent with the approved Urban Design Master Plan for the site, to the satisfaction of the General Manager of Planning Services. In addition, an architectural peer review for this phase is required to the satisfaction of the General Manager of Planning Services. The Owner may prepare one brief and complete a peer review that addresses one or more phases at a time, enabling the City to simultaneously lift the Holding Provision on multiple phases. Clearing of this condition may be done in advance of, or in conjunction with, submission of a Site Plan Approval application for each phase.
2. The developer/owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.
3. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street

South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

5.4.3.2.X.6

R.4B-X.4

5 Arthur Street South

As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**:

5.4.3.2.X.6.1

Additional Permitted Uses, as part of a Commercial/ Residential Building

- **Agricultural Produce Market**
- **Art Gallery**
- **Artisan Studio**
- **Bake Shop**
- **Boutique**
- **Community Services Facilities**
- **Convenience Store**
- **Dry Cleaning Outlet**
- **Financial Establishment**
- **Florist**
- **Home Occupation**
- **Laundry**
- **Medical Clinic**
- **Medical Office**
- **Office**
- **Parking Facility** (within structure only)
- **Personal Service Establishment**
- **Pharmacy**
- **Postal Service**
- **Print Shop**
- **Recreation Centre**
- **Restaurant**
- **Restaurant (take-out)**
- **Retail Establishment**

5.4.3.2.X.6.2

Regulations

In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.4 **Zone**:

5.4.3.2.X.6.2.1

Additional Permitted Commercial Uses

5.4.3.2.X.6.2.1.1

Commercial **Uses** permitted in Section 5.4.3.2.X.8.1 shall be limited to a **Gross Floor Area** of 500 square metres in size.

5.4.3.2.X.6.2.1.2 Notwithstanding the permitted uses in 5.4.3.2.X.1 and 5.4.3.2.X.8.1, the ground floor of this **Building** shall contain a minimum of one commercial units fronting onto each of Arthur Street South, Cross Street, and the river.

5.4.3.2.X.6.2.2 Minimum **Common Amenity Area**

Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 1500 m²

5.4.3.2. X.6.2.3 Minimum **Landscaped Open Space**

Despite Table 5.4.2, Row 13, the minimum **Landscaped Open Space** shall be a total of 2000 m²

5.4.3.2.X.6.2.3.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**.

5.4.3.2.X.6.2.4 Maximum Building Floor Plate Area

| | |
|----------------------------------|---------------------|
| Above the 6 th Storey | 1200 m ² |
| Above the 8 th Storey | 1000 m ² |

5.4.3.2.X.6.2.5 Maximum Floor Plate Ratio Restriction

| | |
|------------------------------------|---------|
| Above 10 th Storey Only | 1.5:1.0 |
|------------------------------------|---------|

5.4.3.2.X.6.2.6 Setbacks

5.4.3.2.X.6.2.6.1 **Front Yard** Setback

Despite Section 4.24 and Table 5.4.2, Row 6, the 5-storey Building podium shall not encroach within an area on the property directly adjacent to the intersection of Arthur Street South and Cross Street, defined by connecting the following three points:

1. The point at the immediate southeast corner of the property and directly adjacent to the intersection of Arthur Street South and Cross Street;
2. A point located approximately 40 metres from the intersection of Arthur Street South and Cross Street, measure northwest along the Arthur Street frontage;
3. A point located approximately 25 metres from the intersection of Arthur Street South and Cross Street, measure northwest along the Cross Street frontage

5.4.3.2.X.6.2.6.2 **Exterior Side Yard** Setback (Cross Street)

Despite Section 4.24 and Table 5.4.2, Row 6, the Building shall be setback a minimum of 2.5 metres from Cross Street.

5.4.3.2.X.6.2.6.3 Underground Parking Setback

An underground parking structure is permitted to be setback 0 metres from a **Lot** line.

5.4.3.2. X.6.1.5.2 Setbacks of Upper **Storeys** of **Apartment Buildings**

The minimum setback for the tower portion of an **Apartment Building**, above 5 **Storeys** shall be:

| | |
|-------------------------------------|------------|
| From Arthur Street Lot Line: | 25 metres |
| From Cross Street Lot Line: | 5.5 metres |
| From Neeve Street Lot Line: | 35 metres |

5.4.3.2.X.6.1.6 **Building Heights**

Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the maximum **Building** height is 14 storeys.

5.4.3.2.X.6.1.6.1 **Minimum Ground Floor Height**

For ground floor non-residential units, the minimum floor-to-ceiling height shall be 4.5 metres.

5.4.3.2.X.6.1.7 **Holding Provision:**

Purpose:

To ensure that development of the subject lands does not proceed until the following condition has been met to the satisfaction of the City related to the subject development.

Condition:

1. That the Owner prepare an Urban Design Brief confirming that this phase of development is consistent with the approved Urban Design Master Plan for the site, to the satisfaction of the General Manager of Planning Services. In addition, an architectural peer review for this phase is required to the satisfaction of the General Manager of Planning Services. The Owner may prepare one brief and complete a peer review that addresses one or more phases at a time, enabling the City to simultaneously lift the Holding Provision on multiple phases. Clearing of this condition may be done in advance of, or in conjunction with, submission of a Site Plan Approval application for each phase.
2. The developer/owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.
3. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

- 5.4.3.2.X.7 **R.4B-X.5**
5 Arthur Street South
As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**:
- 5.4.3.2.X.7.1 Additional Permitted **Uses**
- Office
- 5.4.3.2.X.7.1.1 Additional Permitted Uses, as part of Commercial/ Residential **Building**
- **Agricultural Produce Market**
 - **Art Gallery**
 - **Artisan Studio**
 - **Bake Shop**
 - **Boutique**
 - **Micro-Brewery or Brew Pub**
 - **Commercial School**
 - **Community Services Facilities**
 - **Convenience Store**
 - **Dry Cleaning Outlet**
 - **Financial Establishment**
 - **Florist**
 - **Laundry**
 - **Medical Clinic**
 - **Medical Office**
 - **Office**
 - **Parking Facility** (within structure only)
 - **Personal Service Establishment**
 - **Pharmacy**
 - **Postal Service**
 - **Recreation Centre**
 - **Restaurant**
 - **Restaurant (take-out)**
 - **Retail Establishment**
 - **Tavern**
- 5.4.3.2.X.7.2 Regulations
In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.5 **Zone**:
- 5.4.3.2.X.7.2.1 Ground Floor Commercial **Uses**
Notwithstanding the permitted uses in 5.4.3.2.X.1 and 5.4.3.2.X.3.1, the ground floor of this **Building** shall contain at least one commercial **Use** fronting on to each of Arthur Street South and Elizabeth Street.
- 5.4.3.2.X.7.2.2 Setbacks from Railways
- 5.4.3.2.X.7.2.2.1 The minimum separation of the residential portion of any **Building** from the CN Railway Right-of-Way, shall be 30 metres

- 5.4.3.2.X.7.2.2 The minimum separation of the residential portion of any **Building** from the Guelph Junction Railway Right-of-Way shall be 15 metres
- 5.4.3.2.X.7.2.3 Minimum **Common Amenity Area**
Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 500 m²
- 5.4.3.2.X.7.2.4 Minimum **Landscaped Open Space**
Despite Table 5.4.2, Row 13, the minimum Landscaped Open Space shall be a total of 900 m²
- 5.4.3.2.X.7.2.4.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**
- 5.4.3.2.X.7.2.5 Minimum Yards
- 5.4.3.2.X.7.2.5.1 Minimum **Front Yard** (Arthur St)
Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Front Yard** shall be 3.0 metres
- 5.4.3.2.X.7.2.5.2 Minimum **Exterior Side Yard** (Elizabeth St)
Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Exterior Side Yard** shall be 3.0 metres
- 5.4.3.2.X.7.2.6 Underground Parking Setback
An underground parking structure is permitted to be setback 0 metres from a **Lot** line.
- 5.4.3.2.X.7.2.7 **Building Heights**
Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the minimum Building height is 4 storeys and the maximum Building height is 14 storeys
- 5.4.3.2.X.7.2.7.1 Minimum Ground Floor Height
For ground floor non-residential units, the minimum floor-to-ceiling height shall be 4.5 metres.
- 5.4.3.2.X.7.2.8 Maximum **Building** Floor Plate Area
- | | |
|----------------------------------|---------------------|
| Above the 6 th Storey | 1200 m ² |
| Above the 8 th Storey | 1000 m ² |
- 5.4.3.2.X.7.2.9 Maximum Dimensional Floor Plate Ratio
- | | |
|------------------------------|---------|
| Above 4 th Storey | 2.2:1.0 |
|------------------------------|---------|
- 5.4.3.2.X.7.2.10 Setbacks of Upper **Storeys** of **Apartment Buildings**
The tower portion of an **Apartment Building** above a 4 **Storey** podium facing a **Public Street** or the Speed River shall be setback an additional 3.0 metres from the podium **Building** face.

5.4.3.2.X.7.2.11 Holding Provision:

Purpose:

To ensure that development of the subject lands does not proceed until the following condition has been met to the satisfaction of the City related to the subject development.

Conditions:

1. That the Owner implement CN's principal main line requirements for adjacent development, including addressing the interface with the elevated CN mainline adjacent to this phase of development, to the satisfaction of CN or its assigns.
2. The developer/owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.
3. The developer/owner shall deed at no cost to the City, a land dedication as identified in the City of Guelph's Official Plan for future intersection improvements at Elizabeth Street and Arthur Street South that is free of all encumbrances and satisfactory to the City Solicitor.
4. That the Owner prepare an Urban Design Brief confirming that this phase of development is consistent with the approved Urban Design Master Plan for the site, to the satisfaction of the General Manager of Planning Services. In addition, an architectural peer review for this phase is required to the satisfaction of the General Manager of Planning Services. The Owner may prepare one brief and complete a peer review that addresses one or more phases at a time, enabling the City to simultaneously lift the Holding Provision on multiple phases. Clearing of this condition may be done in advance of, or in conjunction with, submission of a Site Plan Approval application for each phase.
5. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

5.4.3.2.X.8 **R.4B-X.6**
5 Arthur Street South
As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**:

5.4.3.2.X.8.1 **Permitted Uses**

The **Uses** listed in Section 5.4.3.2.X, together with the following **Uses**, shall be permitted within the existing heritage building, including within the portion of the building in FL (Floodway) Zone, subject to approval by the Grand River Conservation Authority:

- **Agricultural Produce Market**
- **Art Gallery**
- **Artisan Studio**
- **Bake Shop**
- **Boutique**
- **Micro-Brewery or Brew Pub**
- **Commercial School**
- **Community Services Facilities**
- **Convenience Store**
- **Dry Cleaning Outlet**
- **Financial Establishment**
- **Florist**
- **Laundry**
- **Medical Office**
- **Office**
- **Personal Service Establishment**
- **Pharmacy**
- **Postal Service**
- **Recreation Centre**
- **Restaurant**
- **Restaurant (take-out)**
- **Retail Establishment**
- **Tavern**

5.4.3.2.X.8.2 **Regulations**

In addition to Sections 5.4.2, 12.2.1 and 12.2.2, and 5.4.3.2.X, the following regulations shall apply to the R.4B-X.6 Zone and the entire existing heritage building:

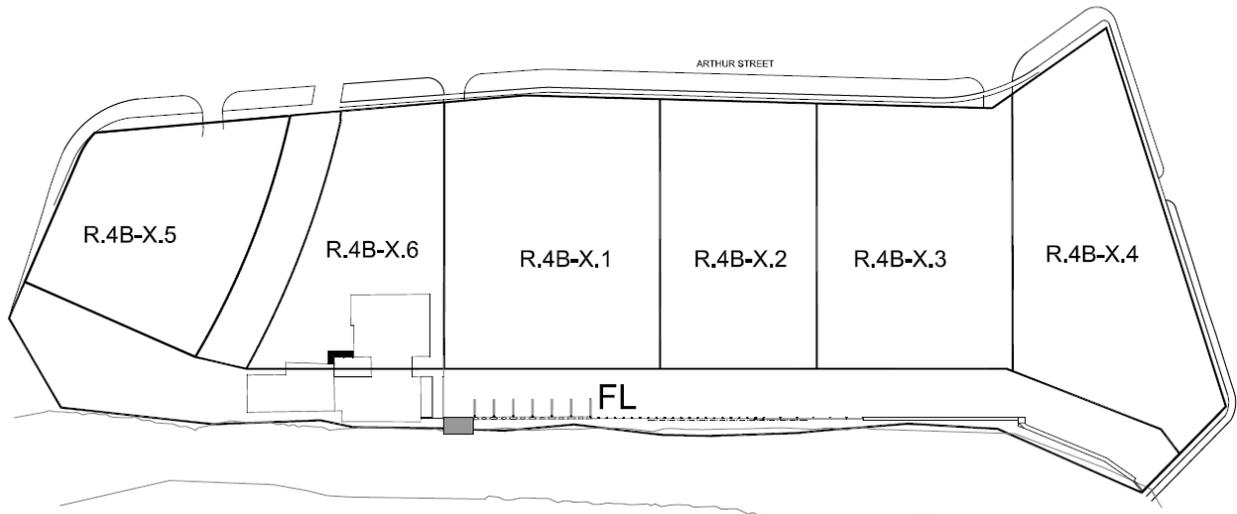
5.4.3.2.X.8.2.1 **Minimum Common Amenity Area**
Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum **Common Amenity Area** shall be a total of 500 m²

5.4.3.2.X.8.2.2 **Minimum Landscaped Open Space**
Despite Table 5.4.2, Row 13, the minimum **Landscaped Open Space** shall be a total of 1200 m²

5.4.3.2.X.8.2.3 **Minimum Yards**
Despite Table 5.4.2 Row 6, Row 8 and Row 9, the minimum yards shall be as exists on the Date of Passing of this **By-law**.

- 5.4.3.2.X.8.2.4 **Building Heights**
Despite Table 5.4.2 Row 10, the maximum **Building** heights shall be as exists on the Date of Passing of this **By-law**.
- 5.4.3.2.X.8.2.5 **Minimum Distance Between Buildings**
Despite Section 5.4.3.2.X.2.3, the minimum distance between the existing heritage **Building** and any other **Building** shall be 16 metres.
- 5.4.3.2.X.8.2.6 **Minimum Off-Street Parking**
- 5.4.3.2.X.8.2.6.1 Despite Section 5.4.3.2.X.2.5, a minimum of 30 **Parking Spaces** shall be provided for the users or residents of the existing heritage building within a surface parking lot between the existing building and Arthur Street South.
- 5.4.3.2.X.8.2.6.2 Despite Section 4.13.2.2, a Parking Area for resident and/or visitor parking spaces adjacent to the existing heritage building may be located within the **Front Yard** provided that the nearest parking spaces are set back a minimum of 3.0 metres from the Arthur Street South **Lot** line.
- 5.4.3.2.X.8.2.7 **Holding Provision:**
Purpose:
To ensure that development of the subject lands does not proceed until the following condition has been met to the satisfaction of the City related to the subject development.
- Conditions:
1. The developer/owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.
 2. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

Recommended Zoning Map – R4B-X (H) Zone



Schedule A (Draft)
Lands Subject to By-law 2014-XXX
Building envelopes and other site information shown only
for illustrative purposes for draft By-law review

Recommended Conditions of Approval

Conditions of Site Plan Approval

The following conditions are provided as information to Council and will be imposed through site plan approval for all phases of development unless noted otherwise. The phases of development referred to are based on the phasing plan shown in Attachment 6 of this report.

1. The Owner shall submit to the City, in accordance with Section 41 of the *Planning Act*, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, tree preservation, grading and drainage and servicing on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
 - a. Further, the Owner commits and agrees that the details of the layout and design for the development of the subject lands shall be generally in conformance with the development concept plan and elevations for Phase 1, attached as Attachment 5 and Attachment 7 to the August 25, 2014 Planning, Building, Engineering and Environment Report Number 14-38.
 - b. That Heritage Guelph be circulated on all Site Plan Approval submissions for 5 Arthur Street South that may impact the property's identified heritage attributes.
 - c. That the develop agrees to consider options for including space to be made available for community uses, in the redevelopment of the heritage building (Phase #6), prior to Site Plan Approval for Phase #6.
2. The Owner shall implement the guidelines of the approved Urban Design Master Plan and approved Urban Design Brief as required for Phases 2 to 5, as updated in consultation with City staff, to the satisfaction of the General Manager of Planning Services to contribute to meeting the applicable principles, objectives and policies of the Downtown Secondary Plan.
3. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that each building on the subject site will be constructed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services and in accordance with the letter attached as Attachment 11 to Report 14-38 from Planning, Building, Engineering and Environment dated August 25, 2014.
4. That the Owner commits and agrees to provide one or more off-street parking spaces for shared use vehicles as part of a community carshare program in each phase of the development and shall consider accommodating additional spaces in each future phase, to the satisfaction of the General Manager/City Engineer.
5. That prior to site plan approval of each phase of development, the Owner must provide evidence of agreement to have the development serviced by the Galt District Energy System or, if the Owner is unable to incorporate district energy services in the development, they must provide evidence on how the development will contribute to the Guelph District Energy Strategic Plan or Community Energy Initiative, to the satisfaction of the Corporate Manager of Community Energy.

6. That for the remaining brick walls of heritage buildings 3 and 4 (as shown in Attachment 8 of Council Report 14-38, dated August 25, 2014), that are proposed to be removed, the proponent will submit to the satisfaction of the General Manager of Planning Services and Heritage Guelph, a representation plan prior to Site Plan Approval for Phase 1 of the development. The approved representation plan, showing how the walls of the former industrial buildings on the site would be acknowledged on the Riverwalk, will be incorporated into all site plan submissions as appropriate, to the satisfaction of the General Manager of Planning Services and Heritage Guelph.
7. That for heritage buildings 1 and 2 (as shown in Attachment 8 of Council Report 14-38, dated August 25, 2014), the proponent will submit to the satisfaction of Planning staff and Heritage Guelph a Cultural Heritage Conservation Plan (CHCP) to be completed in two stages:
 - a. CHCP Stage 1 will determine the heritage attributes of the property and guide stabilization, interim maintenance, and temporary uses of the heritage buildings 1 and 2 including measured elevation, plan and section drawings. CHCP Stage 1 to be completed prior to Site Plan Approval of Phase 1 of the redevelopment
 - b. CHCP Stage 2 will guide the proposed reuse, redevelopment and long-term maintenance of the heritage building complex and is to be completed prior to Site Plan Approval of Phase 4 of the development or the Heritage Phase (Phase 6) of the redevelopment, whichever comes first.
8. Prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Solid Waste Resources or his or her designate that the proposed development is in conformance with By-law (2011)-19199, known as the Waste Management By-law. Further, the Owner agrees and commits to employ a three-stream waste collection system with considerations and opportunities developed in their Waste Management Plan that would facilitate the transition to City collection at some point in the future.
9. Prior to the issuance of site plan approval for the lands, the Owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future households and commercial units within the project, with such payment based on a cost of one handbook per residential household and commercial unit, as determined by the City.
10. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2014)-19692, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
11. That prior to any site alterations, tree removal or Site Plan approval an Environmental Implementation Report be completed and approved to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, addressing the following:
 - a. How all the conditions of development approval have been met;
 - b. How municipal infrastructure servicing and the protection of natural heritage features

- and their associated ecological functions have been addressed (including a street tree plan);
- c. Any other special requirements that are required to protect the overall natural environment of the area;
 - d. How the Environmental Advisory Committee and River System Advisory Committee comments and motions of March 12 and March 19, 2014, respectively, have been addressed;
 - e. A summary of the Structural Analysis for the below grade retaining wall and applicable recommended mitigation measures which may arise as a result of the study;
 - f. A Stormwater Management Plan including details of Low Impact Development (including green roofs);
 - g. Grading, erosion and sediment control and dewatering plans;
 - h. A Salt Management Plan;
 - i. A summary of geotechnical requirements and soil management needs;
 - j. An analysis indicating how buildings will be designed to be bird-friendly;
 - k. Detailed design of the entire Floodway Zone (Riverwalk and Allan's Green);
 - l. Ecological enhancement details and plans;
 - m. Landscape Plans completed by a member of the Ontario Association of Landscape Architects;
 - n. Education and Stewardship materials; and
 - o. A baseline, during and post-construction monitoring plan;
 - p. Any recommendations for inclusion within the Declaration of Condominium as it relates to the environment;
 - q. That opportunities for public access down to the river from the riverwalk be explored.
12. Prior to site plan approval of each phase, the Developer shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the General Manager/City Engineer.
13. That the developer/owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
14. Prior to site plan approval for each phase and prior to any construction or grading on the lands, the Developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
15. Prior to site plan approval of Phase 1, the developer/owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports requested by the General Manager/City Engineer:
- a. a revised traffic impact and operations report covering all aspects of access and egress to the site and the effect of the development on the surrounding roads;
 - b. a servicing and stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual"

which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility required;

- c. a structural assessment of the existing retaining wall along the Speed River in accordance with the Terms of Reference provided to the developer/owner.
16. The developer/owner shall at their cost, address and be responsible for adhering to all the recommended measures that is contained in the plans, studies and reports outlined in the previous condition, subsections 15 a), 15 b) and 15 c) inclusive to the satisfaction of the General Manager/City Engineer. The City may have such report be peer reviewed and all associated costs with the peer review will be the responsibility of the developer/owner.
17. The developer shall be responsible for implementing any recommended improvements, repairs to, or replacements of any portion of the existing retaining wall along the Speed River prior to building permit issuance for Phase #1, and as identified in a site plan control agreement, registered on title, all to the satisfaction of the General Manager/City Engineer.
18. The developer/owner shall design and construct all works associated with the westbound turn lane on Elizabeth Street including any road widening requirements. Also the developer/owner shall design and construct all works associated with the traffic calming measures located within the Traffic Impact Study area. Furthermore the developer/owner shall pay to the City the estimated cost of all works associated with the design and construction of the westbound turn lane on Elizabeth Street and traffic calming measures located within the Traffic Impact Study area prior to site plan approval of Phase 1, as determined by the General Manager/City Engineer.
19. The developer/owner shall deed at no cost to the City, free of all encumbrances, any road widenings necessary to accommodate the westbound turn lane on Elizabeth Street prior to site plan approval of Phase 1.
20. The developer/owner shall pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands, including road works, local sanitary sewer, storm sewer, watermain, curb and gutter, catch basins, sidewalks and street lighting, as per Appendix E – Local Service Guidelines under the Development Charges By-law, and as determined by the General Manager/City Engineer.
21. Prior to site plan approval of Phase 1, the developer/owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
22. The developer/owner shall pay to the City the actual cost of constructing and installing any new service laterals required and furthermore, prior to site plan approval for each phase, the developer/owner shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
23. The Developer shall pay to the City the actual cost of removing any existing service laterals to the site that are not being used for the condominium development, consistent with the Sewer Relocation Agreement dated January 13, 2012, and furthermore, prior to site plan approval for each phase, the Developer shall pay to the City the estimated cost

of removing the existing service laterals, as determined by the General Manager/City Engineer.

24. The developer/owner shall pay to the City the actual cost of the removal and restoration of the boulevard where the existing accesses are located, prior to site plan approval for each phase and prior to any construction or grading on the lands, the developer/owner shall pay to the City the estimated cost as determined by the City Engineer.
25. The Developer shall pay to the City the actual cost of the construction of the new driveway accesses, curb cut including boulevard restoration, i.e. topsoil/sod within right-of-way allowance prior to site plan approval for each phase. Furthermore, prior to site plan approval for each phase, the Developer shall pay to the City the estimated cost of constructing the new driveway accesses, curb cut, including boulevard restoration, i.e. topsoil/sod within the right-of-way allowance as determined by the General Manager/City Engineer.
26. That the developer/owner makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
27. That all electrical services on the Lands are underground and the developer/owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
28. The developer/owner shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
29. Prior to the issuance of a building permit, any monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Developer shall submit a Well Record to the satisfaction of the General Manager/City Engineer.
30. The following warning clause shall be incorporated into a future site plan control agreement, offers to purchase and agreements of purchase and sale or lease of each dwelling unit within 300 metres of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

31. The Owner acknowledges and agrees that any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the CN Railway and be substantiated by a drainage report to the satisfaction of the Railway.
32. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that any fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have the sole responsibility for and shall maintain these measures to the satisfaction of CN.
33. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
34. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
35. That prior to the issuance of site plan approval a detailed noise study be submitted and the recommendations of the study be integrated into the design of the building, particularly with respect to noise mitigation specifications for upgraded windows/cladding, outdoor amenity areas and air-conditioning requirements to the satisfaction of the General Manager of Planning Services.
36. The developer shall implement / incorporate the noise attenuation measures as recommended in the Environmental Noise Feasibility Assessment prepared by NOVAS ENVIROMENTAL dated April 12th 2013 in all buildings constructed. The proponent shall further submit prior to the issuance of site plan approval, a refined noise attenuation study completed by an Acoustical Consultant as recommended in the above mentioned NOVAS study for approval by the Guelph Junction Railway (GJR). The proponent shall be required to implement any additional noise attenuation measures recommended in the refined study.
37. The developer shall implement / incorporate the vibration attenuation measures as recommended in the Railway Vibration Analysis prepared by NOVAS ENVIROMENTAL dated April 12 2013 in all buildings constructed. The proponent shall further submit prior to the issuance of a building permit a refined vibration attenuation study completed by a qualified Professional Engineer for approval of the GJR. The proponent shall be required to implement any additional vibration attenuation measures as recommended in the refined study prior to site plan approval.
38. The proponent shall prior to the issuance of site plan approval undertake to establish a clear railway site line as referenced in the MRC Safety Crossing Assessment dated April 12th 2013. The proponent further agrees to maintain the aforementioned railway safety site line and shall incorporate such restrictions into building and landscape plans. All proposed driveway locations shall be located to conform with Transport Canada CRRGCS Standards, to the satisfaction of the GJR.
39. The GJR will not accept any overland drainage from abutting properties and existing property line elevations are to be maintained.
40. The proponent shall prior of the issuance of a building permit for demolition, construction or excavation on lands immediately adjacent to the railway right of way submit a detailed

plan of slope stabilization / shoring completed by a qualified Professional Engineer for approval of the GJR.

41. The proponent shall include the following Warning Clause in all Agreements of Purchase, sale or lease.

“Purchasers are advised that the Guelph Junction Railway or its assigns or successors in interest has or have a right of way within 300 metres from the land subject thereof. There may be alterations to or expansion of the rail facilities on such right of way in the future, including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling[s]. The Guelph Junction Railway will not be responsible for any complaints or claims arising from use of said facilities and / or operations on, over or under the aforesaid right of way.”
42. The proponent shall prior to the issuance of site plan approval erect and maintain a five foot high chain link fence along the north and south common property line shared with the GJR with the objective of restricting pedestrian access to GJR trackage. The fence shall extend and be tied into a physical feature that prohibits access along the river edge. Should this be on property not owned by the proponent they shall be responsible for acquiring the necessary approvals from the property owner to do so. This fence will remain until such time as the GJR is satisfied with the physical construction of the proposed pedestrian bridge / trail connection and at such time the GJR may at its sole discretion allow modifications to the fencing on the common south property line. The fence along the north common property line shall remain permanently.
43. The Developer shall be responsible for the cost of design and development of the demarcation of all City owned lands in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warranty period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Executive Director of Community and Social Services.
44. The Developer shall be responsible for all costs and obligations arising from the assessment and pre-existing condition of the riverside retaining wall, including but not limited to: on-going maintenance, insurance, and conditions arising from the Certificate of Property Use.
45. The Developer shall be responsible for the cost of preparation of a 'Health and Safety Plan' and a 'Soil Management Plan' including submitting these plans for City approval to the satisfaction of the Executive Director of Community and Social Services prior to any site plan approvals.
46. The Developer shall be responsible for the cost of design and implementation of the Open Space Works and Restoration within the core green lands/ environmental corridor in accordance with the "Environmental Implementation Report" to the satisfaction of the

Executive Director of Community and Social Services. The Developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the Open Space works and restoration for the Public Open Space to the satisfaction of the Executive Director of Community and Social Services.

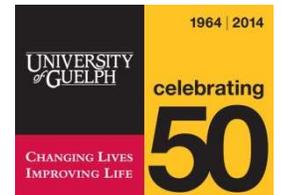
47. The Developer shall be responsible for the cost of the design of the River Walk and associated trail system on the subject property, to the City standards prior to any site plan approvals. This shall include identifying the trail system, detailed design as per the City's approved Urban Design Master Plan for the subject property and City standards including: layout, grading and drainage, planting, interpretative signage design and submitting drawings for City approval. The design is to be completed by a full member of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Executive Director of Community and Social Services, prior to site plan approvals.
48. The Developer shall be responsible for the costs and construction of the River Walk and associated trail system on the subject property to the City standards as per the UDM and the City's approved detailed design; and as outlined in the development agreement. This shall include preparation of construction documentation, obtaining required permits, tendering process, implementation, and contract administration, up to the end of the 2 year warrantee period to be completed by a full member of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the construction of the River Walk and associated trail system to the satisfaction of the Executive Director of Community and Social Services.
49. The Developer shall provide two easement types: a permanent surface easement for the River Walk; and Public Access Easements for (a) the associated public trail system (south and west of the existing Heritage Structures, from the Riverwalk to the Guelph Junction Railway Corridor), and (b) two east-west pedestrian routes to the Riverwalk from Arthur Street, in favour of the City, to the satisfaction of the Executive Director of Community and Social Services, prior to any site plan approvals.
50. Obligations for maintenance, insurance, environmental risk management measures and other obligations regarding the riverwalk will be included in a development agreement between the City and the developer, registered on title outline parks related easements and agreements, to the satisfaction of the Executive Director of Community and Social Services, prior to any site plan approvals.
51. Cash in-lieu of parkland conveyance (10%) is required for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007)-18225 or any successor thereof, Subject to the successful completion of items 49 & 50 above, the Developer may apply to Council to have the By-law provisions set aside.
52. The Developer shall provide Parks and Recreation with a digital file in AutoCAD - DWG format containing the following final approved information: parcel fabric, development layout and trail design, grades/contours and landscaping.

53. The developer agrees to provide the Upper Grand District School Board with a digital file of the site plan in either ARC/INFO export or DXF format containing parcel fabric and street network
54. That prior to site plan approval of each phase of development, the Owner shall enter into a site plan agreement with the City, registered on title, satisfactory to the City Solicitor, the General Manager of Planning Services and the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

Guelph
gives
#guelphgives
for Canada's 2nd

GIVING TUESDAY™

*This December 2nd, let's make Guelph
Canada's most generous city.*



UNSELFIE



GIVINGTUESDAY™

JOIN THE GLOBAL MOVEMENT

#un·sel·fie

noun [uhn-sell-fee]

1. A show of support for Giving Tuesday. Take a pic, tag it **#unselfie** and **#givingtuesday**, and upload to your Instagram, Twitter, or Facebook from now till December 4.

#GIVINGTUESDAY
GIVINGTUESDAY.ORG

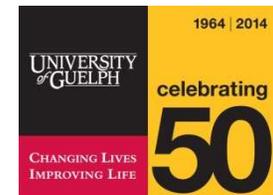
We are in a new era of philanthropy! Join the global giving movement known as Giving Tuesday. Upload an unselfie to your Instagram account and use the hashtags #UNselfie and #GivingTuesday to let us know how YOU'RE giving this year! For more info on Giving Tuesday go to: givingtuesday.org/giving
#philanthropy #socialgood #selfie
UNITED NATIONS FOUNDATION · 8 MONTHS AGO



AGENDA



- GivingTuesday Overview
- The “Giving Day” Model
- Why Guelph?
- Launching #GuelphGives
- How to participate
- What we need from you

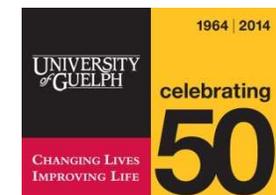




WHAT IS GIVING TUESDAY?

- Black Friday, Cyber Monday.... GivingTuesday
- **This Year: December 2, 2014**
- **History:** 3 years in the making....
- The “Opening day of the giving season”
- Opportunity for philanthropy, community engagement, public awareness and advocacy

We have two days that are good for the economy. Now we have a day that is good for the community too.





GIVINGTUESDAY™

BMORE GIVES MORE



Baltimore IS THE
MOST GENEROUS CITY
IN AMERICA!

HARNESSED NETWORKS &
UNLEASHED THE GIVING

BMORE
GIVES
MORE
#GIVINGTUESDAY™
POWERED BY GIVECORPS

1 CITY
24 HOURS
\$5.7 MILLION RAISED

Who helped

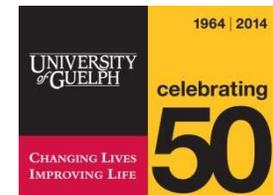
How we did it

www.bmoregivesmore.com



WORKING TOGETHER

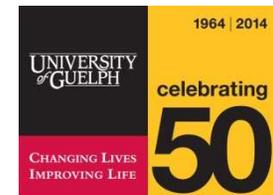
- Capitalize on the **strength of our collective networks**
- Bringing together the **“big guys”** will benefit the **little guys** that we work with
- **Big, important, good news opportunity** for Guelph
- Most importantly, **we can do more good for people in need** when we work together
- Set a community-building precedent for philanthropy





LAST YEAR...

- Canada Wide:
 - 1,300 charities, foundations, groups, businesses and brands
 - Trending Social Media Presence
 - 169% increase in Canada Helps Donations
 - 203% increase in mobile giving



LAST YEAR...

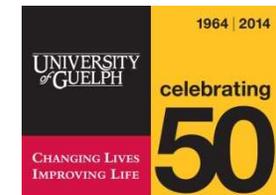
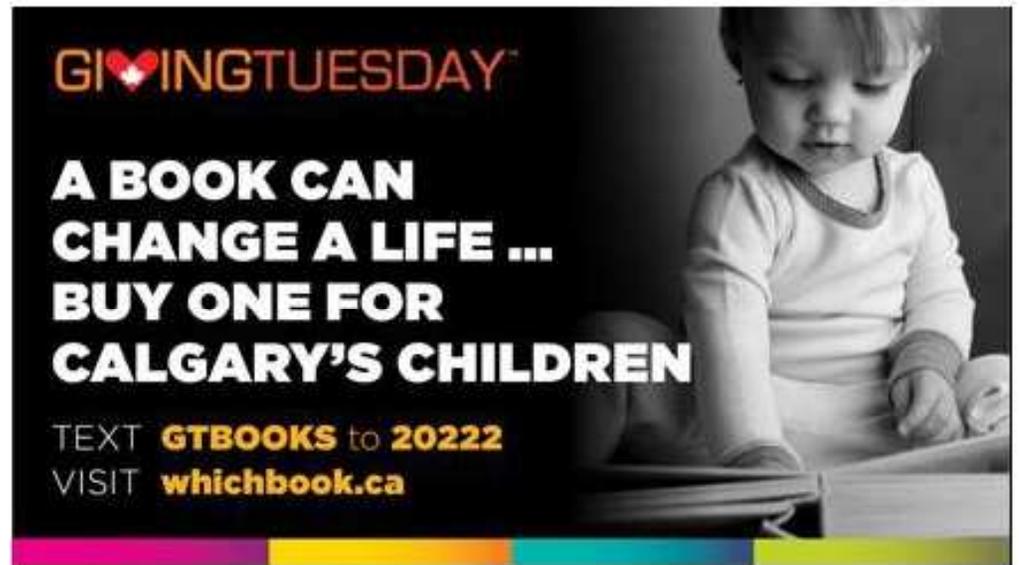


CIBC donating \$1 per RT on #GivingTuesdayCa



Retweet the CIBC #GivingTuesdayCa tweets and CIBC will donate \$1 to #CIBCMiracleDay up to \$10,000.

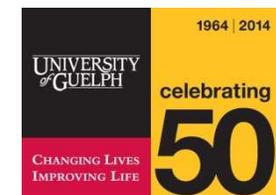
Click the Retweet link in the tweets below.



LAST YEAR...



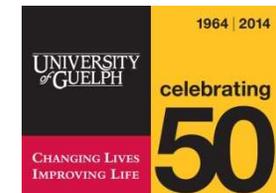
- U of G “Giving Fair”: connected local non-profits & small businesses to celebrate Canada’s inaugural GivingTuesday on campus
- Recent win: CCAE PRIX D’EXCELLENCE Silver Medal for “Best Community Outreach Initiative”



WHY GUELPH?



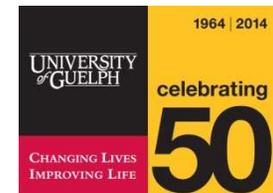
- Guelph Cares
 - 58,410 (48% of the population) volunteers (75% of U of G students volunteer)
 - U of G is often called the “most caring university”
 - Goodworking, Oak Tree Project, Guelph Wellbeing Initiative, Downtown Gives Back, Random Acts of Kindness, Elevator Project etc.
- Opportunity to be Canada’s most generous city
- Innovation, Leader, Philanthropic: Guelph ‘s reputation
- ...Why *NOT*?





THE “GIVING DAY” MODEL

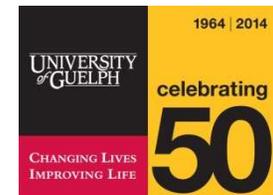
- “Guelph Gives” umbrella campaign
- Heightened awareness on social media
 - #GuelphGives, @GuelphGives, www.guelphgives.com,
- Matching funds, contests, community involvement etc.
- Pre-created “tool kit” and turn-key content for not-for-profits and local small businesses, pre-event webinar/information session, giving fair on December 2nd





WAYS TO PARTICIPATE

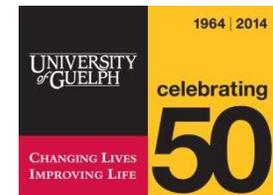
- Corporations & Small Businesses
 - Engage with customers, show corporate responsibility, donate % of sales, offer merchant rewards to givers, launch or support a fundraising project/company volunteer initiative, matching funds or sponsorship
- Nonprofits
 - Leverage GivingTuesday to communicate with donors, promote or launch projects, capitalize on digital buzz, begin holiday campaigns, end campaigns
- Schools
 - encourage philanthropy from alumni, students, parents, promote current projects, provide give-back opportunities, engage with the community





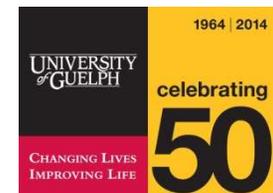
LAUNCHING #GuelphGives

- Creation of GivingTuesday Advisory Panel comprised of local non-profit and business leaders
- Sub-committees
- Regular meetings
- Content creation
- Web Design
- Marketing/promotional materials & ads
- Social Media & Communication Strategy



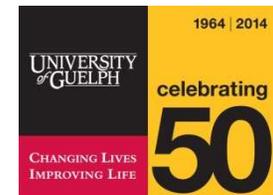
HELP US?

- Your time (advisory panel meetings)
- Your talent (skills, pro bono work, your networks)
- Your treasure (sponsorship)
- But most importantly, *your support.*





Questions & Comments?





GI[♥]INGTUESDAY™

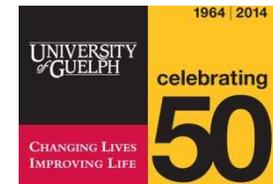


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1 city. 1 day. \$1 million.

Let's make Guelph Canada's most generous city!



QUESTIONS?

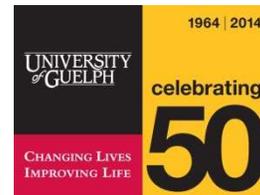


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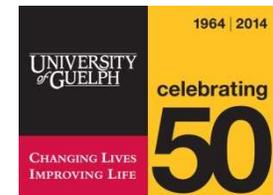


guelphgives@gmail.com

THANK YOU FOR YOUR TIME!



GIVINGTUESDAY™



STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 8, 2014

**SUBJECT 95 Couling Crescent - Proposed Zoning By-law
Amendment (File: ZC1409)
Ward 2**

REPORT NUMBER 14-54

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide planning information on an application requesting approval of a Zoning By-law Amendment to permit the development of a semi-detached dwelling at 95 Couling Crescent. This report has been prepared in conjunction with the statutory public meeting on the application.

KEY FINDINGS

Key findings will be reported in future, following staff review of the application.

FINANCIAL IMPLICATIONS

Financial implications will be reported in the future Planning, Building, Engineering and Environment recommendation report to Council.

ACTION REQUIRED

Council will hear public delegations on the application, ask questions of clarification and identify planning issues. The report is to be received and no decisions are to be made at this time.

RECOMMENDATION

1. That Report 14-54 regarding a proposed Zoning By-law Amendment application (File ZC1409) by Van Harten Surveying Inc. on behalf of Granite Homes Guelph Inc. to permit the development of a semi-detached dwelling at 95 Couling Crescent, legally described as Lot 34, Registered Plan 61M-184, City of Guelph, from Planning, Building, Engineering and Environment dated September 8, 2014, be received.

BACKGROUND

An application for a Zoning By-law Amendment was received for the property municipally known as 95 Couling Crescent from Van Harten Surveying Inc. on behalf of Granite Homes Guelph Inc. on June 6, 2014. The application is requesting

STAFF REPORT



to amend the City's Zoning By-law (1995)-14864 to permit the development of a semi-detached dwelling. The applicant is proposing to develop a semi-detached dwelling on the south side of Couling Crescent (See Attachment 6). The Zoning By-law Amendment application was deemed to be complete pursuant to Section 34(10.4) of the *Planning Act* on June 26, 2014.

Lot 34 of Registered Plan 61M-184 is proposed to be divided for the proposed semi-detached dwelling through exemption of part-lot control.

Location

The subject property has a total site area of 0.055 hectares (0.13 acres), and is 15.2 metres in width and 36.532 metres in depth. The site is bound by Speedvale Avenue East to the north (outside of the City of Guelph limits), the eastern City of Guelph limits to the east, Eastview Road to the south, and Watson Parkway North to the west (See Attachment 1). The subject property is within a residential neighbourhood, and surrounding land uses include:

- To the north, across Couling Crescent: existing and proposed semi-detached dwellings;
- To the east, along Couling Crescent: proposed semi-detached dwellings;
- To the south: existing semi-detached dwellings along Acker Street; and
- To the west, along Couling Crescent: existing semi-detached dwellings.

Existing Official Plan Land Use Designation and Policies

The Official Plan land use designation that applies to the subject property is "General Residential", which permits a range of housing types including single, semi-detached residential dwellings and multiple unit residential buildings. The relevant policies of the "General Residential" land use designation are included in Attachment 2.

Official Plan Amendment 42, the City's new Natural Heritage System policy framework, does not identify any natural features on or immediately adjacent to the site. The Ontario Municipal Board (OMB) approved OPA 42 on June 4, 2014, and the Natural Heritage policies are in full force and effect.

Official Plan Amendment 48 (currently under appeal), is a comprehensive update to the City's Official Plan, and designates the subject site as Low Density Residential. Although the application is being processed under the 2001 Official Plan with the Natural Heritage Policies as enacted by OPA 42, Staff must have regard to the Council adopted policies and designations of OPA 48. The land use designations contained in Official Plan Amendment 48 are included in Attachment 3.

Existing Zoning

The subject property is zoned R.1C (Residential Single Detached) Zone. Details of the existing zoning are included in Attachment 4.

REPORT

Description of Proposed Zoning Bylaw Amendment

The applicant is requesting to rezone the subject property from the R.1C (Residential Single Detached) Zone to the R.2 (Residential Semi-Detached) Zone. The applicant has requested to develop the property in accordance with the permitted uses and regulations of the standard R.2 Zone (See Attachment 5). It is the applicant's intent to construct a semi-detached dwelling on the subject property.

Based on the zoning by-law amendment sketch provided by the applicant (see Attachment 6), following a part-lot control exemption, the applicant is proposing each part lot to be equal in size for the semi-detached dwelling, and have individual frontages of 7.603 metres on Couling Crescent. An application for removal of part-lot control has not been submitted to the City. It is intended that the front yard setbacks will be consistent with the existing dwellings along Couling Crescent.

Staff Review

The review of these applications will address the following issues:

- Evaluation of the proposal against the Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluate how the application conforms to the applicable Official Plan land use designations and policies including any related amendments;
- Review of the proposed zoning and need for specialized regulations;
- Confirm support for the Community Energy Initiative; and
- Address all comments and issues raised during the review of this application.

Once the application is reviewed and all issues are addressed, a report from Planning, Building, Engineering and Environment with a recommendation will be considered at a future meeting of Council.

CORPORATE STRATEGIC PLAN:

Strategic Direction 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

COMMUNICATIONS:

The Notice of Complete Application was mailed on July 10, 2014 to local boards and agencies, City service areas and all property owners with 120 metres of the subject site for comments. Notice was also provided by signage on the site, which was posted July 8, 2014. The Notice of Public Meeting was advertised in the Guelph Tribune on August 21, 2014.

FINANCIAL IMPLICATIONS:

Financial implications will be reported in the future staff recommendation report to Council.

STAFF REPORT



ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Existing Official Plan Land Use Designations and Policies
- Attachment 3 – Official Plan Amendment #48 Land Use Designations & Policies
- Attachment 4 – Existing Zoning
- Attachment 5 – Proposed Zoning
- Attachment 6 – Proposed Development Concept

Report Author

Michael Witmer
Development & Urban Design Planner

Approved By

Sylvia Kirkwood
Manager of Development Planning

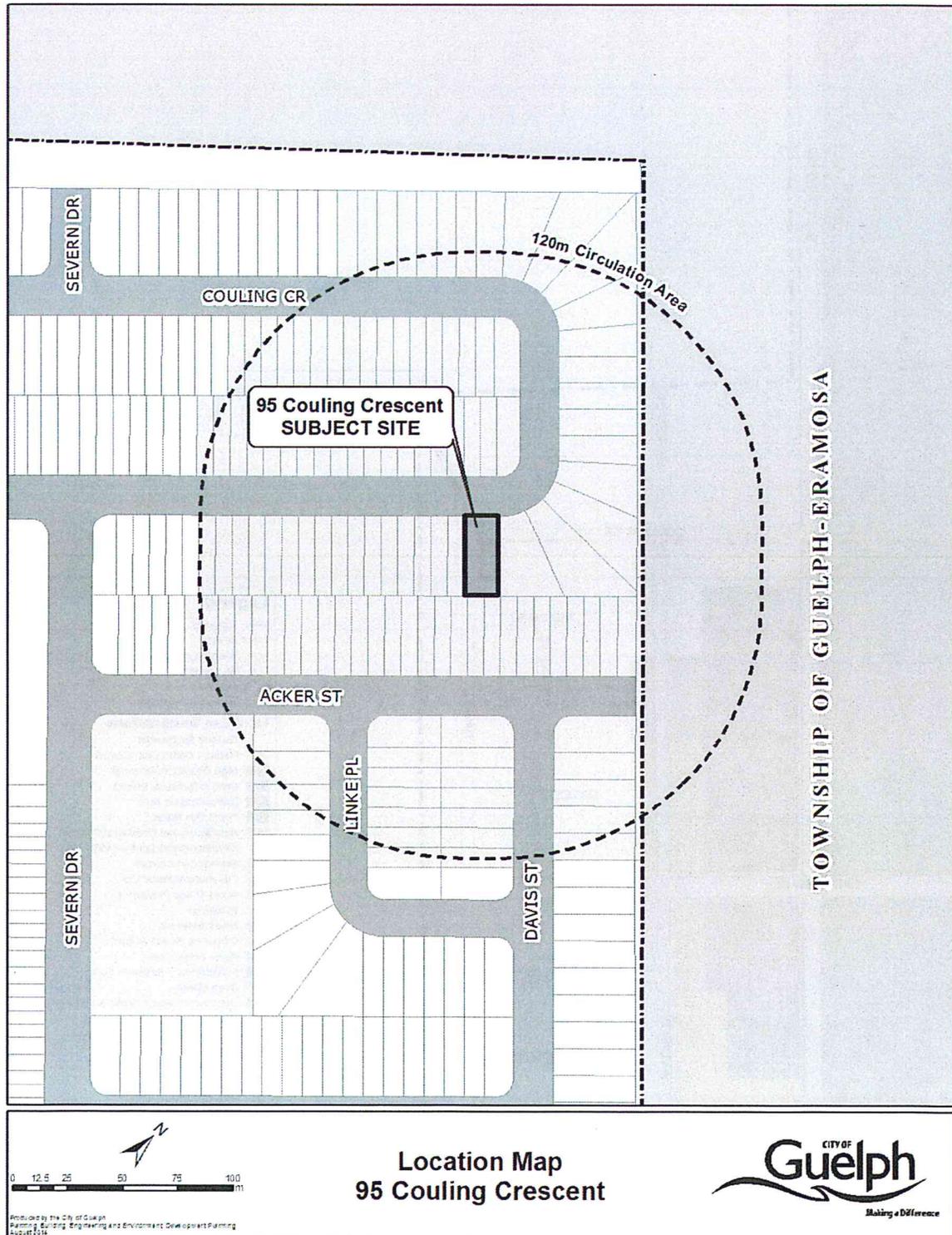
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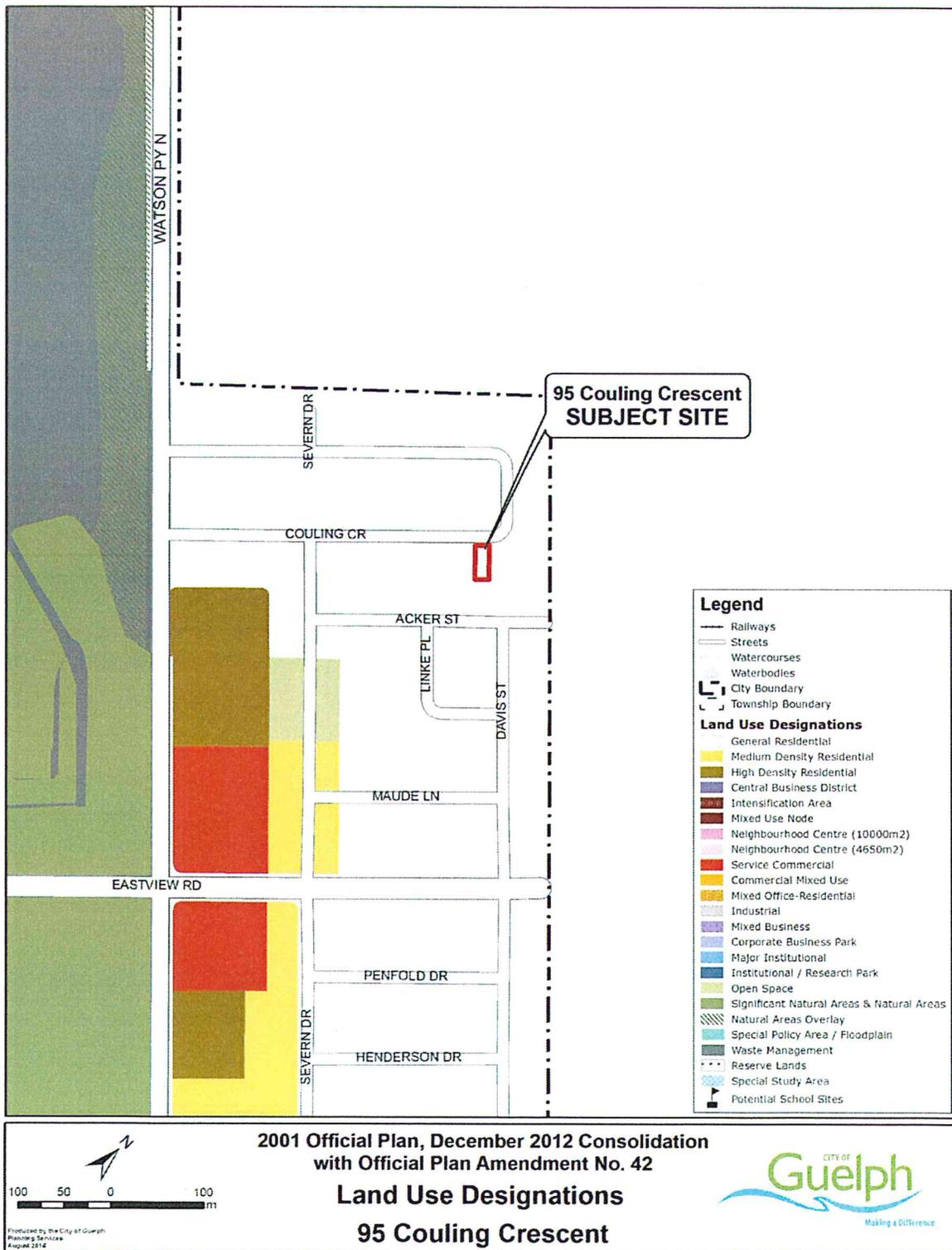
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Attachment 1 Location Map



Attachment 2 Existing Official Plan Land Use Designations and Policies

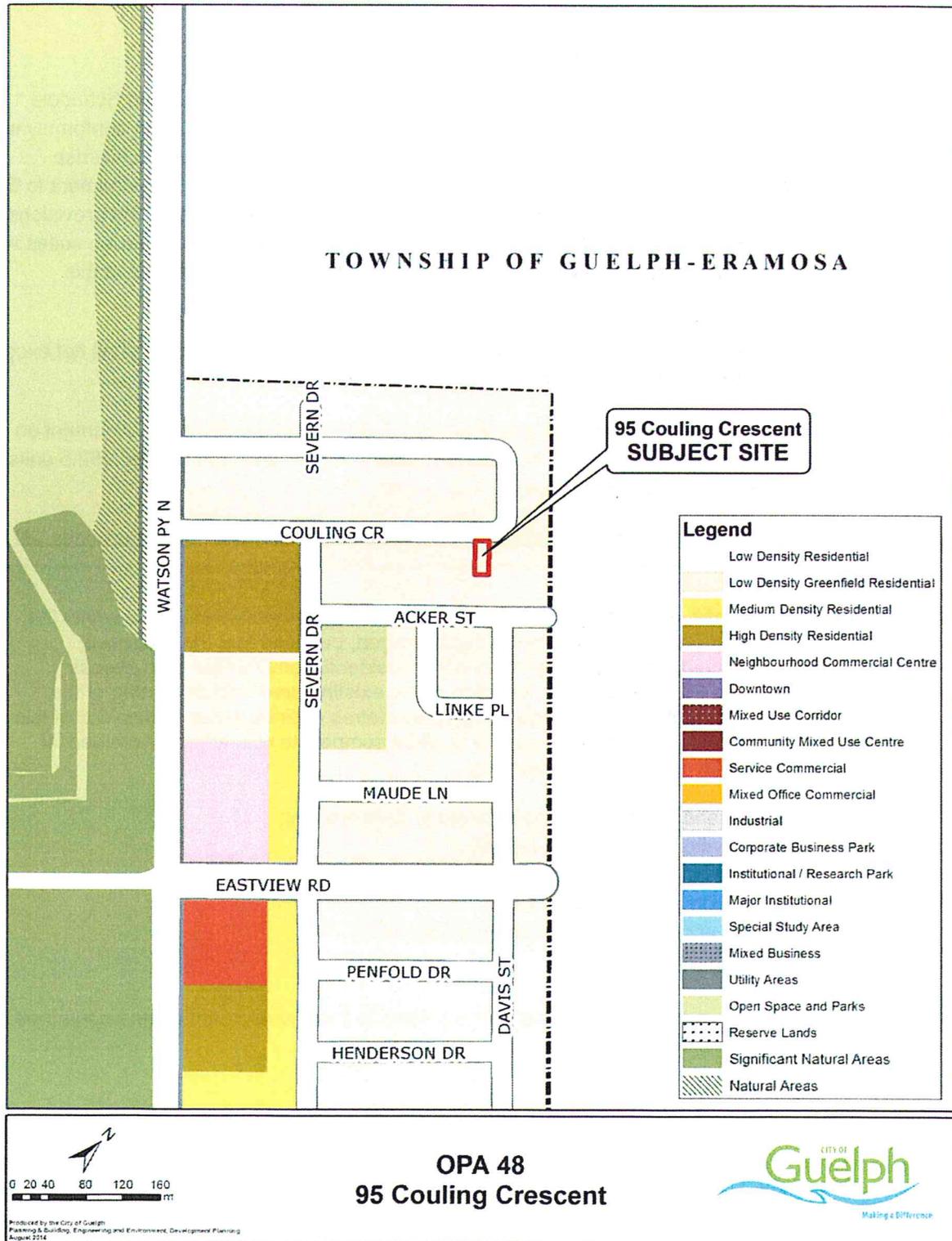


Attachment 2 (continued) Existing Official Plan Land Use Designations and Policies

'General Residential' Land Use Designation

- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density of development* shall not exceed 100 units per hectare (40 units/acre).
1. In spite of the density provisions of policy 7.2.32 the *net density of development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
- a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.
- 7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7

Attachment 3 Official Plan Amendment #48 Land Use Designations & Policies



Attachment 3 (continued)
Official Plan Amendment #48 Land Use Designations & Policies

9.3.3 Low Density Greenfield Residential

This designation applies to residential areas within the *greenfield area* of the City. The *greenfield area* is planned to achieve an overall minimum *density target* of 50 persons and jobs per hectare.

Permitted Uses

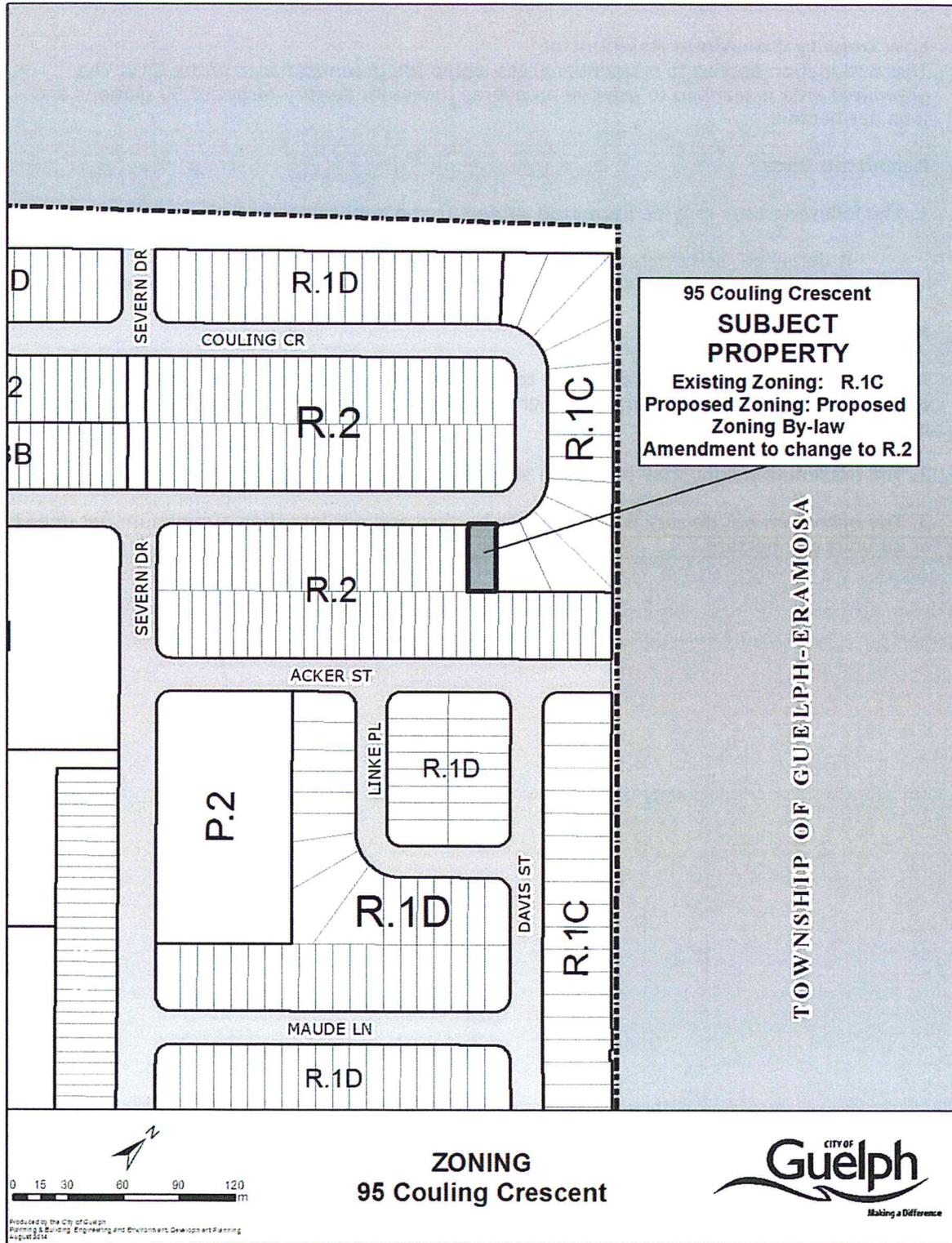
1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - i) detached, semi-detached and duplex dwellings; and
 - ii) multiple unit residential buildings, such as townhouses and apartments.

Height and Density

To allow for flexibility and to contribute toward the achievement of the overall minimum *density target* of 50 persons and jobs per hectare for the *greenfield area*, the following height and density policies apply.

2. The maximum height shall be six (6) storeys.
3. The maximum *net density* is 60 units per hectare and not less than a minimum *net density* of 20 units per hectare.

Attachment 4 Existing Zoning



Attachment 4 (continued) Existing Zoning

5.1 RESIDENTIAL SINGLE DETACHED (R.1) ZONES

5.1.1 PERMITTED USES

The following are permitted *Uses* within the R.1A, R.1B, R.1C, and R.1D *Zones*:

- *Single Detached Dwelling*
- *Accessory Apartment* in accordance with Section 4.15.1
- *Bed and Breakfast* establishment in accordance with Section 4.27
- *Day Care Centre* in accordance with Section 4.26
- *Group Home* in accordance with Section 4.25
- *Home Occupation* in accordance with Section 4.19
- *Lodging House Type 1* in accordance with Section 4.25

18116

5.1.2 REGULATIONS

Within the Residential 1 (R.1) *Zones*, no land shall be *Used* and no *Building* or *Structure* shall be erected or *Used* except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations listed in Table 5.1.2, and the following:

15378 5.1.2.1 Despite Row 7 of Table 5.1.2, where a *Garage, Carport* or *Parking Space* is not provided in accordance with Section 4.13.2.1, one *Side Yard* shall have a minimum dimension of 3 metres.

15006 5.1.2.2 Despite any required *Side Yard* on a residential *Lot, Carports* shall be permitted provided that no part of such *Carport* is located closer than 0.6 metres to any *Side Lot Line*.

5.1.2.3 In the event that there is a transformer easement on a particular *Lot*, portions of the *Single Detached Dwelling* may be required to be *Setback* further than specified in Row 6 of Table 5.1.2 in order that a minimum separation of 4.5 metres may be maintained between the transformer easement and any part of the dwelling.

5.1.2.4 Despite Rows 6 and 8 of Table 5.1.2, *Buildings* or *Structures* located on *Through Lots* shall have a *Setback* the same as the nearest adjacent *Main Building* and in accordance with Section 4.24.

5.1.2.5 Despite Row 4 of Table 5.1.2, the minimum *Lot Frontage* for a *Corner Lot* in a R.1D *Zone* shall be 12 metres.

Attachment 4 (continued)
Existing Zoning

- 15006 5.1.2.6 Despite Row 4 of Table 5.1.2, the **Lots** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Lot Frontage** of the average **Lot Frontage** established by the existing **Lots** within the same **City Block Face**, but in no case less than 9 metres. Nothing in this section shall require the minimum **Lot Frontage** to be greater than the minimum **Lot Frontage** established in Table 5.1.2. Where the average **Lot Frontage** of the existing **Lots** on the **Block Face** cannot be determined, the minimum **Lot Frontage** shall be as indicated in Table 5.1.2.
- 15006 5.1.2.7 Despite Row 6 of Table 5.1.2, the minimum **Front** or **Exterior Side Yard** for dwellings located within Defined Area Map Number 66 of Schedule "A" of this **By-law**, shall be:
- 15006 i) The minimum **Front Yard** or **Exterior Side Yard** shall be 6 metres or
15378 the average of the **Setbacks** of the adjacent properties. Where the off-
17187 street **Parking Space** is located within a **Garage** or **Carport**, the
19691 **Setback** for the **Garage** or **Carport** shall be a minimum of 6 metres
from the **Street Line**.
- ii) In accordance with Section 4.6 and 5.1.2.3; and
- iii) In accordance with the Ontario Building Code, as amended from time to time or any successor thereof, regulations for above ground electrical conductor clearances to **Buildings**.
- Where a road widening is required in accordance with Section 4.24, the calculation of the required **Front** or **Exterior Side Yard** shall be as set out in Section 5.1.2.7, provided that the required **Front** or **Exterior Side Yard** is not less than the new **Street Line** established by the required road widening.
- 15006 5.1.2.8 Despite Row 7 of Table 5.1.2, properties **Zoned** R.1B or R.1C with
Buildings over 2 **Storeys** located within Defined Area Map Number 66
of Schedule "A" of this **By-law** shall have a minimum **Side Yard**
requirement of 1.5 metres.
- 15006 5.1.2.9 Deleted.
- 15692 5.1.2.10 Despite Row 7 of Table 5.1.2 in the R.1A Zone, where a **Building** has
a one **Storey** portion and a 1.5 to 2 **Storey** portion, the required **Side**
Yard shall be 1.5m from the **Side Lot Line** to the foundation wall of the
1 **Storey** portion and 2.4m from the **Side Lot Line** to the wall of the 1.5
to 2 **Storey** portion.
- 17187 5.1.2.11 Where **Lots** have less than 12 metres of **Frontage**, the **Garage** is
18116 limited to a maximum of 55% of the **Lot** width (as measured at the
Front Yard Setback).

STAFF REPORT

Attachment 4 (continued) Existing Zoning

15006, 15378, 17187, 18116, 19063, 19691

TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

| 1 | Residential Type | <i>SINGLE-DETACHED DWELLINGS</i> | | | |
|----|---|--|---|---|--|
| 2 | Zones | R.1A | R.1B | R.1C | R.1D |
| 3 | Minimum <i>Lot Area</i> | 555 m ² | 460 m ² | 370 m ² | 275 m ² |
| 4 | Minimum <i>Lot Frontage</i> | 18 metres and in accordance with Section 5.1.2.6. | 15 metres and in accordance with Section 5.1.2.6. | 12 metres and in accordance with Section 5.1.2.6. | 9 metres and in accordance with Sections 5.1.2.5 and 5.1.2.6. |
| 5 | Maximum <i>Building Height</i> | 3 <i>Storeys</i> and in accordance with Section 4.18. | | | |
| 6 | Minimum <i>Front Yard</i> | 6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7. | | | |
| 6a | Minimum <i>Exterior Side Yard</i> | 4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7. | | | |
| 7 | Minimum <i>Side Yard</i> 1 to 2 <i>Storeys</i> Over 2 <i>Storeys</i> | 1.5 metres 2.4 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2. | 1.5 metres 2.4 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2. | 1.2 metres 1.2 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2. | 0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2. |
| 8 | Minimum <i>Rear Yard</i> | 7.5 metres or 20% of the <i>Lot Depth</i> , whichever is less and in accordance with Section 5.1.2.4. | | | |
| 9 | Accessory <i>Buildings</i> or <i>Structures</i> | In accordance with Section 4.5. | | | |
| 10 | <i>Fences</i> | In accordance with Section 4.20. | | | |
| 11 | Off-Street city.guelph.ca ServiceAreas01\$ PBEE Planning DRAFT REPORTS 2014 SECTION 3.doc - Street Parking | In accordance with Section 4.13. | | | |
| 12 | Minimum <i>Landscaped Open Space</i> | The <i>Front Yard</i> on any <i>Lot</i> , excepting the <i>Driveway (Residential)</i> shall be landscaped and no parking shall be permitted within this <i>Landscaped Open Space</i> . Despite the definition of <i>Landscaped Open Space</i> , a minimum area of 0.5 metres between the <i>Driveway (Residential)</i> and nearest <i>Lot Line</i> must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, | | | |

STAFF REPORT

| | | |
|----|-----------------------------|--|
| | | natural vegetation and indigenous species. |
| 13 | Garbage, Refuse and Storage | In accordance with Section 4.9. |
| 14 | Garages | For those Lots located within the boundaries indicated on Defined Area Map Number 66, attached Garages shall not project beyond the main front wall of the Building . Where a roofed porch is provided, the Garage may be located ahead of the front wall of the dwelling (enclosing Habitable Floor Space on the first floor) equal to the projection of the porch to a maximum of 2 metres. |

Attachment 5 Proposed Zoning

5.2 RESIDENTIAL SEMI-DETACHED/DUPLEX (R.2) ZONE

5.2.1 PERMITTED USES

The following are permitted *Uses* within the R.2 *Zone*:

17187
18116

- **Duplex Dwelling**
- **Semi-Detached Dwelling**
- **Accessory Apartment** in accordance with Section 4.15.1
- **Bed and Breakfast** establishment in accordance with Section 4.27
- **Group Home** in accordance with Section 4.25
- **Home Occupation** in accordance with Section 4.19

REGULATIONS

5.2.2 Within the Residential R.2 *Zone*, no land shall be *Used* and no **Building** or **Structure** shall be erected or *Used* except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations set out in Table 5.2.2, and the following:

5.2.2.1 Minimum Front or Exterior Side Yard

15006

5.2.2.1.1 Despite Row 5 of Table 5.2.2, the minimum **Front** or **Exterior Side Yard** for dwellings located within Defined Area Map Number 66 of Schedule "A" of this **By-law**, shall be:

15006
17187
19691

- i) The minimum **Front Yard** or **Exterior Side Yard** shall be 6 metres or the average of the **Setbacks** of the adjacent properties. Where the off-street **Parking Space** is located within a **Garage** or **Carport**, the **Setback** for the **Garage** or **Carport** shall be a minimum of 6 metres from the **Street Line**.
- ii) In accordance with Sections 4.6 and 5.2.2.1.3; and
- iii) In accordance with the Ontario Building Code, as amended from time to time or any successor thereof, regulations for above ground electrical conductor clearances to **Buildings**.

STAFF REPORT

Where a road widening is required in accordance with Section 4.24, the calculation of the required **Front** or **Exterior Side Yard** shall be as set out Section 5.2.2.1.1, provided that the required **Front** or **Exterior Side Yard** is not less than the new **Street Line** established by the required road widening.

5.2.2.1.2 Despite Row 5 of Table 5.2.2, the **Buildings** or **Structures** located on **Through Lots** shall have a **Setback** the same as the nearest adjacent **Main Building** and in accordance with Section 4.24.

5.2.2.1.3 In the event that there is a transformer easement on a particular **Lot**, portions of the dwelling may be required to be **Setback** further than specified in Row 5 of Table 5.2.2 in order that a minimum separation of 4.5 metres may be maintained between the transformer easement and any part of the dwelling.

15006 5.2.2.2 Deleted.

15692 5.2.2.3 Despite any required **Side Yard** in the R.2 Zone, **Carports** shall be permitted provided that no part of such **Carport** is located closer than 0.6 metres to any **Side Lot Line**.

19063 5.2.2.4 Despite Table 4.7 Rows 1-3, for a **Lot** with a dwelling requiring a 0.0 metre interior **Side Yard**, the **Setback** to that interior **Side Lot Line** from a porch or a deck, inclusive of stairs, shall be 0.0 metres.

STAFF REPORT

Attachment 5 Proposed Zoning (continued)

15006, 15692, 17187 & 18116, 19691 TABLE 5.2.2 - REGULATIONS GOVERNING THE R.2 ZONE

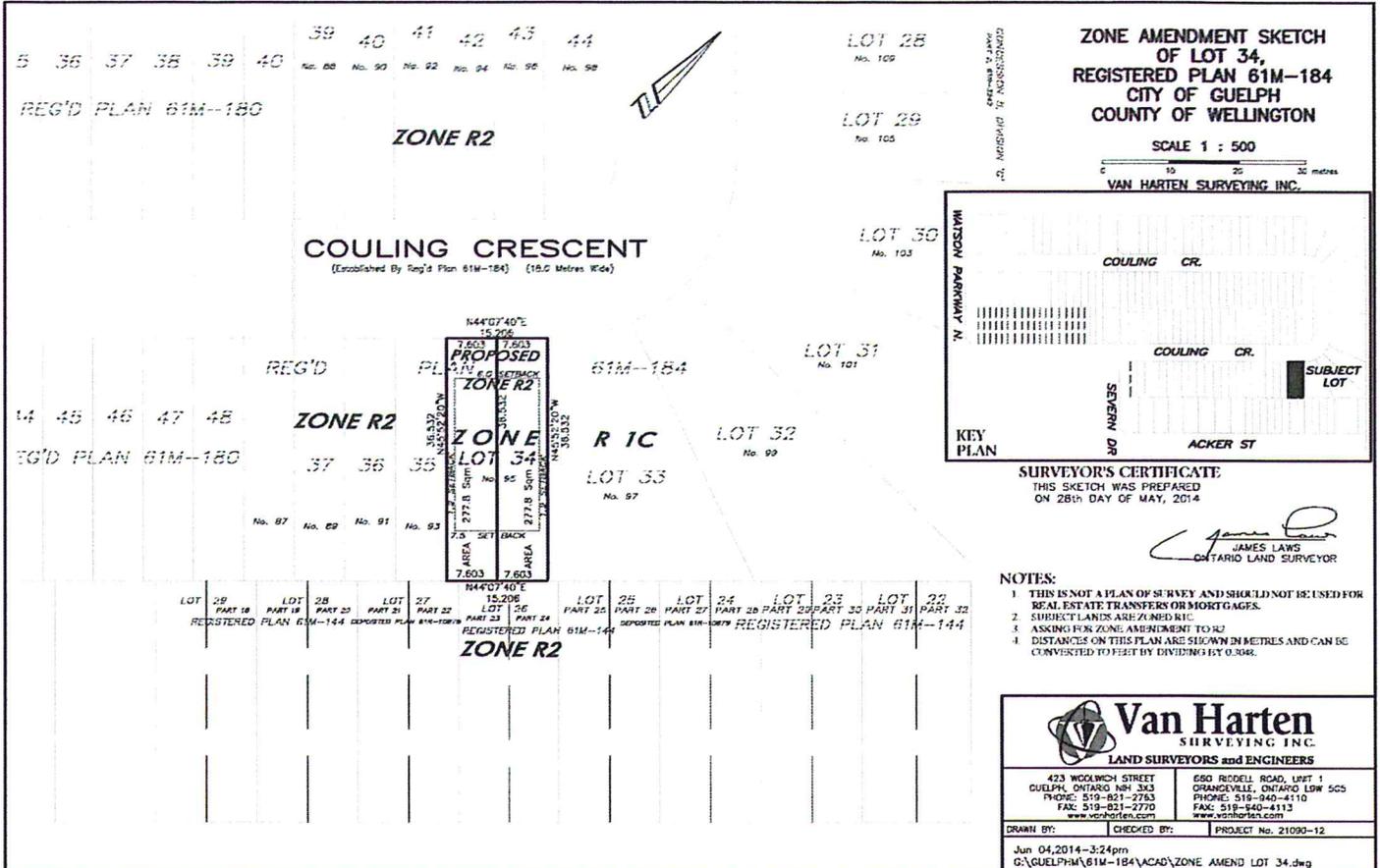
| 1 | Residential Type | DUPLEX DWELLING AND SEMI-DETACHED DWELLING |
|----|---|---|
| 2 | Minimum <i>Lot Area</i> | 460 m ² for every two units 230 m ² for each unit |
| 3 | Minimum <i>Lot Frontage</i> | 15 metres for every two units. 7.5 metres for each unit. Despite the above, the Lots located within the boundaries of Defined Area Map Number 66 of Schedule "A" shall have a minimum Lot Frontage of not less than the average Lot Frontage established by existing Lots within the same City Block Face . |
| 4 | Minimum <i>Ground Floor Area</i> 1 <i>Storey</i> 1.5 <i>Storeys</i> 2 or more <i>Storeys</i> | 80 m ² 55 m ² 40 m ² |
| 5 | Minimum <i>Front Yard</i> | 6 metres and in accordance with Sections 4.6, 4.24 and 5.2.2.1. |
| 5a | Minimum <i>Exterior Side Yard</i> | 4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.2.2.1. |
| 6 | Minimum <i>Side Yard</i> (each side) | 1.2 metres Where a Garage , Carport or off-street Parking Space is not provided for each Dwelling Unit , each Side Yard shall have a minimum width of 3 metres to accommodate off-street parking. Despite the above, no interior Side Yard is required along the common Lot line of Semi-Detached Dwellings . |
| 7 | Minimum <i>Rear Yard</i> | 7.5 metres or 20% of the Lot Depth , whichever is less. |
| 8 | Accessory Buildings or Structures | In accordance with Section 4.5. |
| 9 | Fences | In accordance with Section 4.20. |
| 10 | Maximum Building Height | 3 Storeys and in accordance with Section 4.18. |
| 11 | Maximum Lot Coverage | 40% of the Lot Area . |
| 12 | Off-Street Parking | In accordance with Section 4.13. |
| 13 | Garages | For those Lots located within the boundaries indicated on Defined Area Map Number 66, where a roofed porch is provided, the Garage may be located ahead of the front wall of the dwelling (enclosing Habitable Floor Space on the first floor) equal to the projection of the porch to a maximum of 2 metres. |
| 14 | Garbage, Refuse Storage and Composters | In accordance with Section 4.9. |
| 15 | Minimum Landscaped Open Space | The Front Yard of any Lot , excepting the Driveway (Residential) , shall be landscaped and no parking shall be permitted within this Landscaped Open Space . Despite the definition of the Landscaped Open Space , for Buildings that do not have a shared Driveway (Residential) access, a minimum area of 0.6 metres between the driveway and nearest Lot Line must be maintained as landscaped space in the form of grass, |

STAFF REPORT

| | | |
|--|--|---|
| | | flowers, trees, shrubbery, natural vegetation and indigenous species and may include a surfaced walk in accordance with Section 4.13.7.2.4. |
|--|--|---|

STAFF REPORT

Attachment 6 Proposed Development Concept



Note: Original drawing size reduced; do not scale. For a proper scaled version, please visit Active Development Files webpage on City's website, or contact Planning Services at 519-837-5616.

STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 8, 2014

**SUBJECT 170 to 178 Elizabeth Street – Proposed Zoning By-law
Amendment
(File: ZC1410)
Ward 1**

REPORT NUMBER 14-50

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide planning information on an application requesting approval of a Zoning By-law Amendment to permit the development of five (5) single detached dwellings on the property municipally known as 170 to 178 Elizabeth Street. This report has been prepared in conjunction with the statutory public meeting on the application.

KEY FINDINGS

Key findings will be reported in the future, following staff review of the application.

FINANCIAL IMPLICATIONS

Financial implications will be reported in the future Planning, Building, Engineering and Environment recommendation report to Council.

ACTION REQUIRED

Council will hear public delegations on the application, ask questions of clarification and identify planning issues. The report is to be received and no decisions are to be made at this time.

RECOMMENDATION

1. That Report 14-50 regarding a proposed Zoning By-law Amendment application (File: ZC1410) by Van Harten Surveying Inc. to permit the development of five (5) single detached dwellings at 170 to 178 Elizabeth Street, legally described as Part of Lots 5, 6 and 7 on Registered Plan 263, City of Guelph, from Planning, Building, Engineering and Environment dated September 8, 2014, be received.

STAFF REPORT



BACKGROUND

An application for a Zoning By-law Amendment was received for the property municipally known as 170 to 178 Elizabeth Street from Van Harten Surveying Inc. on June 27, 2014. The application is requesting to amend the City's Zoning By-law (1995)-14864 to permit the development of five (5) single detached dwellings. The Zoning By-law Amendment application was deemed to be complete pursuant to Section 34(10.4) of the *Planning Act* on July 18, 2014.

Provisional Consent has been granted by the Committee of Adjustment to sever the subject property into four (4) new lots and one (1) retained lot under file numbers: **B-30/13, B-31/13, B-32/13** and **B-33/13**. An easement between proposed lots 2 and 3 for the protection and maintenance of an existing storm sewer lateral and an access easement to the rear of the proposed dwellings for maintenance access to the "severed" lands were created through the consent applications. The Committee imposed a condition (amongst others) that the minutes of the Committee of Adjustment Hearing be provided as background information for a future Zoning By-law Amendment application. Therefore, the minutes of the Committee of Adjustment meeting of May 29, 2014 have been included as Attachment 7. Another condition imposed is that prior the endorsation of deeds for the consent applications, this Zoning By-law Amendment application must be approved and in full force and effect.

There are currently two existing single detached dwellings on the subject property that will be demolished and subsequently replaced with five (5) single detached dwellings. An application to demolish these two dwellings was received on May 13, 2014 by Planning, Building, Engineering and Environment. A demolition report was prepared and presented at the July 14, 2014 Council meeting.

At their meeting of July 14, 2014, City Council carried the following resolutions:

1. "That Report 14-40 regarding the proposed demolition of two (2) detached dwellings at 170 to 178 Elizabeth Street inclusive, legally described as Part Lot 5, Plan 263 designated as Parts 3 & 4, Plan 61R11826, Lot 6, Plan 263 and Lot 7, Plan 263; City of Guelph, from Planning, Building, Engineering and Environment dated July 14, 2014, be received; and,
2. That the proposed demolition of two (2) detached dwellings at 170 to 178 Elizabeth Street inclusive be approved; and,
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwellings; and,

4. That Council approve the removal of the dwelling located at 170 Elizabeth Street from the City of Guelph's Municipal Register of Cultural Heritage Properties provided that the owner or proponent work with Heritage Planning staff to determine and retain any architectural elements of the building that may be practically salvaged for reuse, to the satisfaction of the General Manager of Planning Services; and,
5. That Council approve the removal of the dwelling located at 178 Elizabeth Street from the City of Guelph's Municipal Register of Cultural Heritage Properties provided that the owner or proponent work with Heritage Planning staff to determine and retain any architectural elements of the building that may be practically salvaged for reuse, to the satisfaction of the General Manager of Planning Services, and that the owner or proponent create, at their own expense, a commemorative feature on-site to recognize both the houses that were originally on the site and also to show how the Franchetto family conducted a market garden/greenhouse business from the premises for 43 years; and,
6. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials."

Location

The subject property has an area of approximately 2,832.8 square metres (0.70 acres) and a frontage of approximately 48.2 metres (158 feet) along Elizabeth Street. The subject property is located on the north side of Elizabeth Street, west of Stevenson Street and opposite Morris Street. The subject property is within an existing predominantly residential neighbourhood (see Attachment 1).

Surrounding land uses include:

- To the north: CN Rail line, beyond which are single detached residential dwellings;
- To the east: single detached residential dwellings, beyond which is Stevenson Street;
- To the south: Elizabeth Street, beyond which are single detached dwellings;
- To the west: single detached dwellings, beyond which are lands zoned for Commercial-Residential uses.

Official Plan Land Use Designations and Policies

The subject lands are designated "General Residential" in the Official Plan, which permits a range of housing types including: single, semi-detached residential

STAFF REPORT



dwelling and multiple unit residential buildings. The relevant policies of the "General Residential" land use designation are included in Attachment 2.

Official Plan Amendment 48 (under appeal), a comprehensive update to the City's Official Plan, designates the subject site as "Low Density Residential". Staff must have regard to the Council adopted policies and designations of OPA 48 even though it is currently under appeal. The land use designation contained in Official Plan Amendment 48 is included in Attachment 3.

Existing Zoning

The subject property is zoned R.1B-10 (Specialized Single Detached Residential). Details of the existing zoning are included in Attachment 4.

REPORT

Description of Proposed Zoning By-law Amendment

The applicant is requesting to change the zoning on the subject property to the R.1D (Single Detached Residential) Zone. The proposed lots will be developed in accordance with the permitted uses and regulations of the standard R.1D Zone. The proposed lot configuration is similar to the existing lots in the immediate area.

Proposed Development

The applicant is proposing to develop the subject property with five (5) single detached dwellings. The lots proposed are a minimum of 9 metres wide (29.5 feet) by approximately 58 metres (190 feet) in length. The lots will have direct access onto Elizabeth Street.

The following information was submitted in support of the application:

- Planning Report, prepared by Van Harten Surveying Inc., dated June 2014
- Site Plan and Grading Plan, prepared by Van Harten Surveying Inc., dated June 26, 2014
- Cultural Heritage Impact Assessment, prepared by CHC Limited, dated August 8, 2013
- Supplementary to August 8, 2013 Heritage Impact Assessment, prepared by CHC Limited, dated October 15, 2013
- Building Condition Assessment, prepared by Tacoma Engineers, dated September 19, 2013, revised October 15, 2013

Staff Review

The review of this application will address the following issues:

- Evaluation of the proposal against the Provincial Policy Statement and Places to Grow: Growth Plan for the Greater Golden Horseshoe;
- Evaluate how the application conforms to the applicable Official Plan land use designations and policies including any related amendments;
- Review of the proposed zoning and need for specialized regulations;
- Confirm support for the Community Energy Initiative; and

STAFF REPORT



- Address all comments and issues raised during the review of this application.

Once the application is reviewed and all issues are addressed, a report from Planning, Building, Engineering and Environment with a recommendation will be considered at a future meeting of Council.

CORPORATE STRATEGIC PLAN:

Strategic Direction 3.1: Ensure a well-designed, safe, inclusive, appealing and sustainable City.

COMMUNICATIONS:

The Notice of Complete Application and Public Meeting was mailed on August 1, 2014 to local boards and agencies, City service areas and property owners with 120 metres of the subject site for comments. Notice was also provided by signage on the site, which was posted July 31, 2014. The Notice of Public Meeting was advertised in the Guelph Tribune on August 14, 2014.

FINANCIAL IMPLICATIONS:

Financial implications will be reported in the future staff recommendation report to Council.

ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Official Plan Land Use Designations and Policies
- Attachment 3 – Official Plan Amendment #48 Land Use Designations and Policies
- Attachment 4 – Existing Zoning
- Attachment 5 – Proposed Zoning
- Attachment 6 – Proposed Development Concept
- Attachment 7 – Committee of Adjustment Meeting Minutes of May 29, 2014

Report Author

Lindsay Sulatycki
Development Planner II

Approved By

Sylvia Kirkwood
Manager of Development Planning

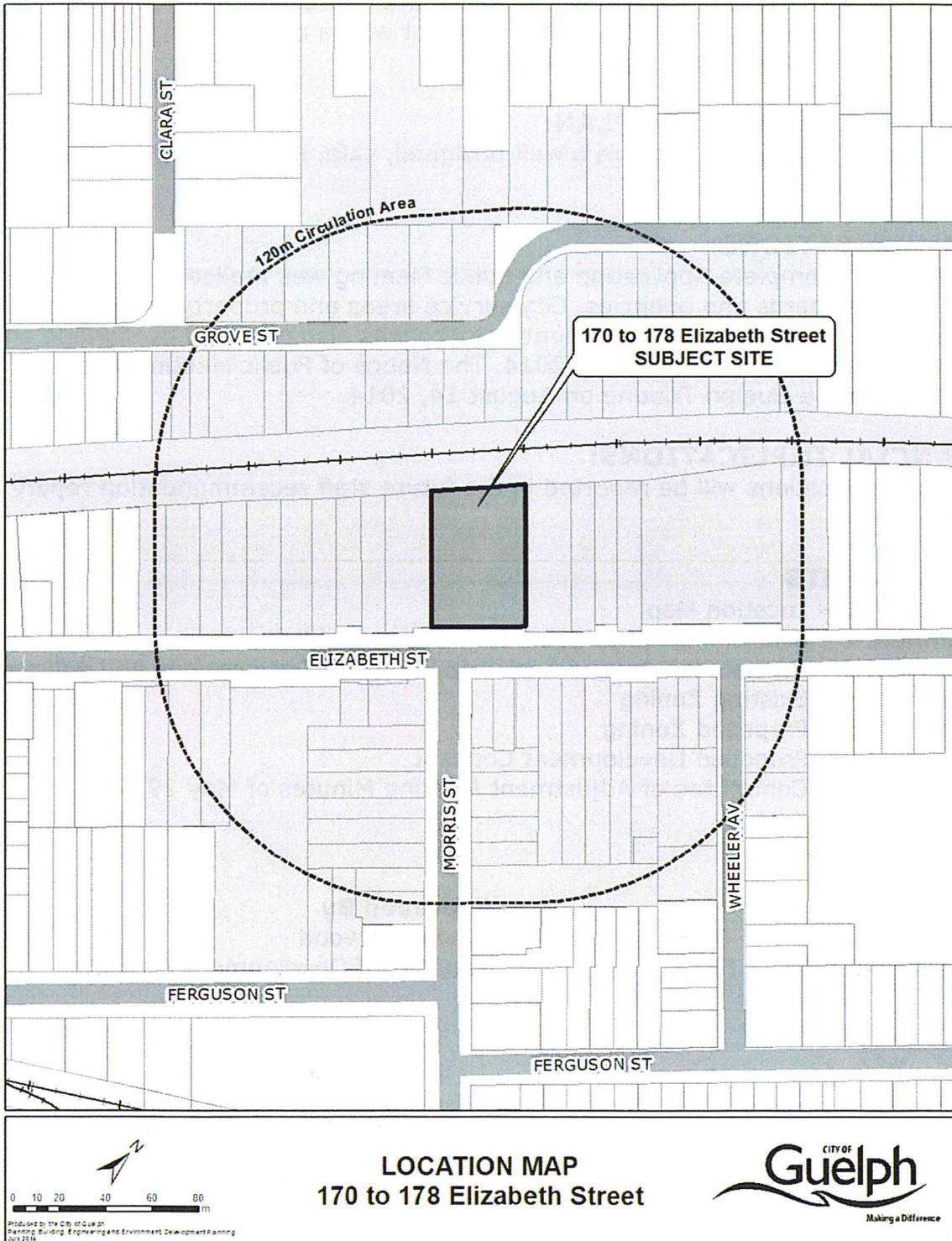
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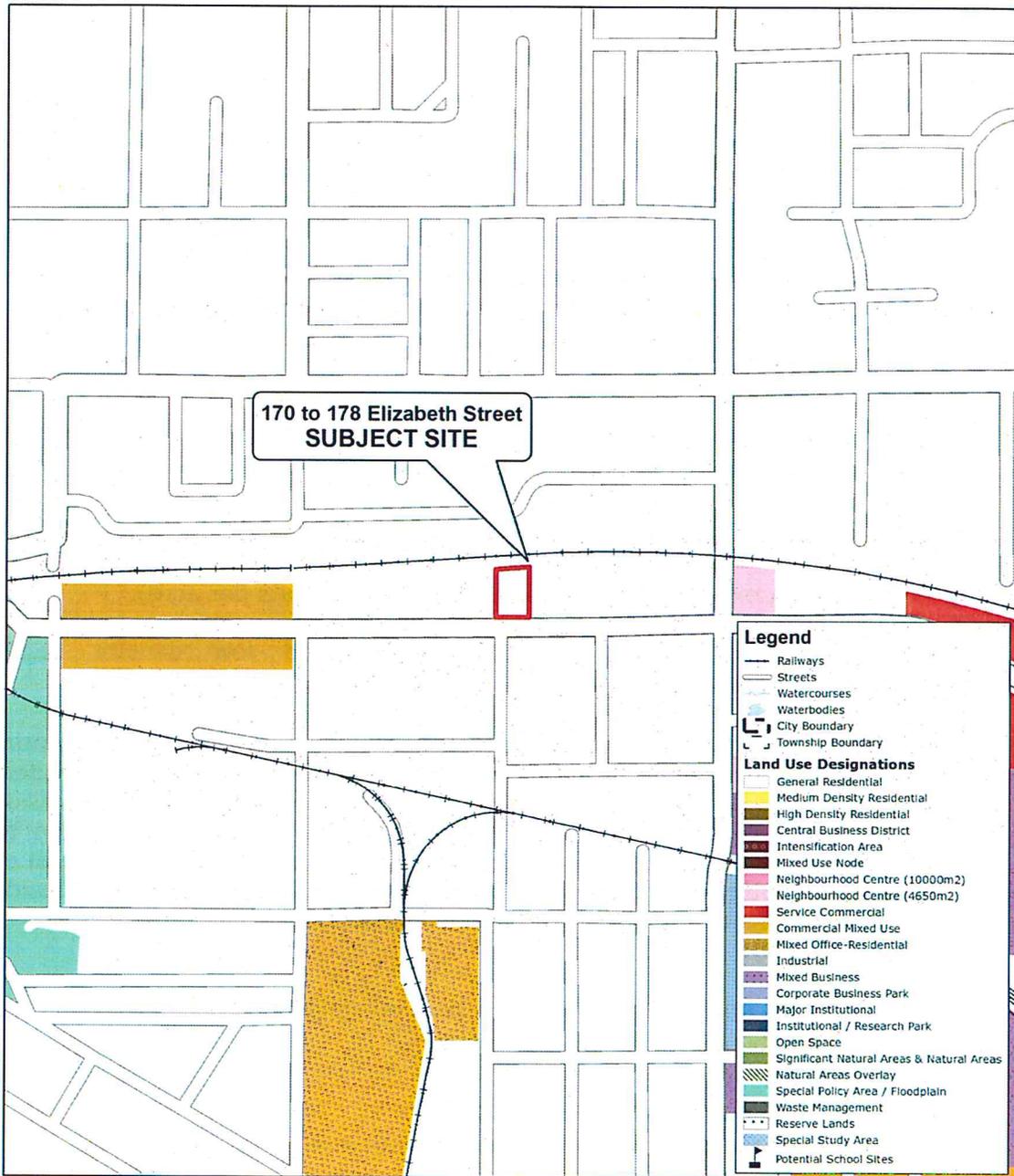
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Attachment 1 Location Map



Attachment 2 Official Plan Land Use Designations and Policies



2001 Official Plan, December 2012 Consolidation
with Official Plan Amendment No. 42

Land Use Designations

170 to 178 Elizabeth Street





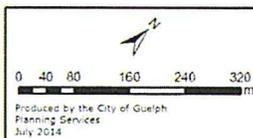
Produced by the City of Guelph
Planning Services
August 2014

Attachment 2 (continued) Official Plan Land Use Designations and Policies

'General Residential' Land Use Designation

- 7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, *coach houses* and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.
- 7.2.32 Within the 'General Residential' designation, the *net density of development* shall not exceed 100 units per hectare (40 units/acre).
1. In spite of the density provisions of policy 7.2.32 the *net density of development* on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).
- 7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.
- 7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed *development* is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:
- a) The form and scale of existing residential development;
 - b) Existing building design and height;
 - c) Setbacks;
 - d) Landscaping and amenity areas;
 - e) Vehicular access, circulation and parking; and
 - f) Heritage considerations.
- 7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7

Attachment 3 Official Plan Amendment #48 Land Use Designations and Policies



Official Plan OPA 48 Land Use Designations 170 to 178 Elizabeth Street

Attachment 3 (continued)
Official Plan Amendment #48 Land Use Designations and Policies

9.3.2 Low Density Residential

This designation applies to residential areas within the *built-up area* of the City which are currently predominantly low-density in character. The predominant land use in this designation shall be residential.

Permitted Uses

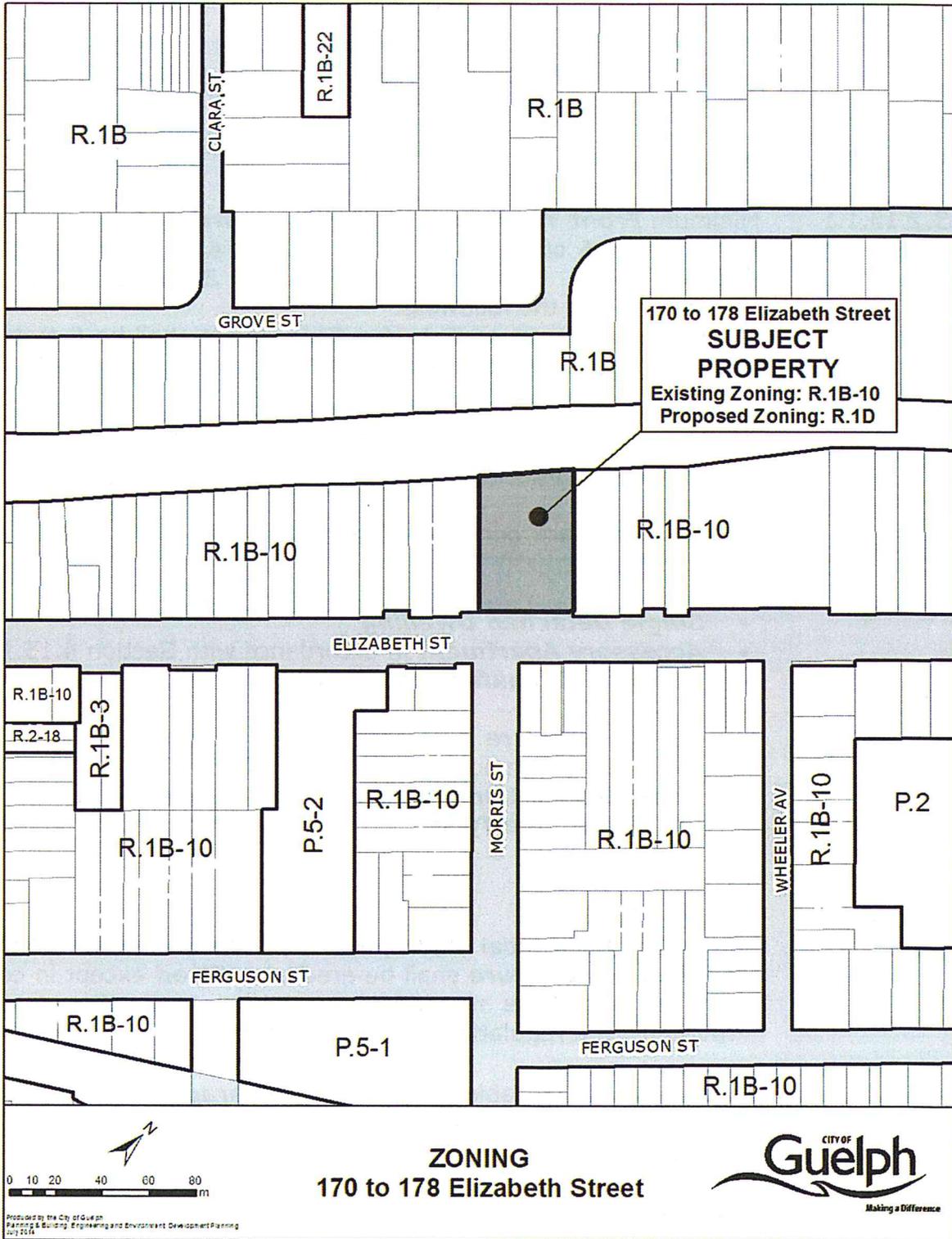
1. The following uses may be permitted subject to the applicable provisions of this Plan:
 - i) detached, semi-detached and duplex dwellings; and
 - ii) multiple unit residential buildings, such as townhouses and apartments.

Height and Density

The *built-up area* is intended to provide for *development* that is *compatible* with existing neighbourhoods while also accommodating appropriate *intensification* to meet the overall *intensification target* for the *built-up area* as set out in Chapter 3. The following height and density policies apply within this designation:

2. The maximum height shall be three (3) storeys.
3. The maximum *net density* is 35 units per hectare and not less than a minimum *net density* of 15 units per hectare.
4. Notwithstanding policies 9.3.2.2 and 9.3.2.3, increased height and density may be permitted for *development* proposals on arterial and collector roads without an amendment to this Plan up to a maximum height of six (6) storeys and a maximum *net density* of 100 units per hectare in accordance with the Height and Density Bonus policies of this Plan.

Attachment 4 Existing Zoning



Attachment 4 (continued) Existing Zoning

- 5.1.3.2.10 **R.1B-10**
Ward One Area (South of CNR lines and West of Victoria Rd.)
As shown on Defined Area Map Numbers 38 and 46 of Schedule
"A" of this **By-law**.
- 5.1.3.2.10.1 Regulations
- 5.1.3.2.10.1.1 Minimum **Front Yard** and **Exterior Side Yard**
Despite Row 6 of Table 5.1.2 and Section 4.24, all **Front** and
Exterior Side Yards in the R.1B-10 **Zone** shall be in
accordance with the following:
The minimum **Front** or **Exterior Side Yards** shall be 6 metres
or the average of the **Setbacks** of the adjacent properties.
- 5.1 RESIDENTIAL SINGLE DETACHED (R.1) ZONES
- 5.1.1 PERMITTED USES
- The following are permitted **Uses** within the R.1A, R.1B, R.1C, and
R.1D **Zones**:
- **Single Detached Dwelling**
 - **Accessory Apartment** in accordance with Section 4.15.1
 - **Bed and Breakfast** establishment in accordance with Section
4.27
 - **Day Care Centre** in accordance with Section 4.26
 - **Group Home** in accordance with Section 4.25
 - **Home Occupation** in accordance with Section 4.19
 - **Lodging House Type 1** in accordance with Section 4.25
- 18116
- 5.1.2 REGULATIONS
Within the Residential 1 (R.1) **Zones**, no land shall be **Used** and no
Building or **Structure** shall be erected or **Used** except in conformity
with the applicable regulations contained in Section 4 - General
Provisions, the regulations listed in Table 5.1.2, and the following:
- 15378 5.1.2.1 Despite Row 7 of Table 5.1.2, where a **Garage, Carport** or **Parking
Space** is not provided in accordance with Section 4.13.2.1, one **Side
Yard** shall have a minimum dimension of 3 metres.
- 15006 5.1.2.2 Despite any required **Side Yard** on a residential **Lot, Carports** shall
be permitted provided that no part of such **Carport** is located closer

than 0.6 metres to any **Side Lot Line**.

- 5.1.2.3 In the event that there is a transformer easement on a particular **Lot**, portions of the **Single Detached Dwelling** may be required to be **Setback** further than specified in Row 6 of Table 5.1.2 in order that a minimum separation of 4.5 metres may be maintained between the transformer easement and any part of the dwelling.
- 5.1.2.4 Despite Rows 6 and 8 of Table 5.1.2, **Buildings** or **Structures** located on **Through Lots** shall have a **Setback** the same as the nearest adjacent **Main Building** and in accordance with Section 4.24.
- 5.1.2.5 Despite Row 4 of Table 5.1.2, the minimum **Lot Frontage** for a **Corner Lot** in a R.1D **Zone** shall be 12 metres.
- 15006 5.1.2.6 Despite Row 4 of Table 5.1.2, the **Lots** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Lot Frontage** of the average **Lot Frontage** established by the existing **Lots** within the same **City Block Face**, but in no case less than 9 metres. Nothing in this section shall require the minimum **Lot Frontage** to be greater than the minimum **Lot Frontage** established in Table 5.1.2. Where the average **Lot Frontage** of the existing **Lots** on the **Block Face** cannot be determined, the minimum **Lot Frontage** shall be as indicated in Table 5.1.2.
- 15006 5.1.2.7 Despite Row 6 of Table 5.1.2, the minimum **Front** or **Exterior Side Yard** for dwellings located within Defined Area Map Number 66 of Schedule "A" of this **By-law**, shall be:
- 15006 i) The minimum **Front Yard** or **Exterior Side Yard** shall be 6 metres
15378 or the average of the **Setbacks** of the adjacent properties. Where
17187 the off-street **Parking Space** is located within a **Garage** or
19691 **Carport**, the **Setback** for the **Garage** or **Carport** shall be a
minimum of 6 metres from the **Street Line**.
- ii) In accordance with Section 4.6 and 5.1.2.3; and
- iii) In accordance with the Ontario Building Code, as amended from time to time or any successor thereof, regulations for above ground electrical conductor clearances to **Buildings**.
- Where a road widening is required in accordance with Section 4.24, the calculation of the required **Front** or **Exterior Side Yard** shall be as set out in Section 5.1.2.7, provided that the required **Front** or **Exterior Side Yard** is not less than the new **Street Line** established by the required road widening.

STAFF REPORT



- 15006 5.1.2.8 Despite Row 7 of Table 5.1.2, properties **Zoned** R.1B or R.1C with **Buildings** over 2 **Storeys** located within Defined Area Map Number 66 of Schedule "A" of this **By-law** shall have a minimum **Side Yard** requirement of 1.5 metres.
- 15006 5.1.2.9 Deleted.
- 15692 5.1.2.10 Despite Row 7 of Table 5.1.2 in the R.1A Zone, where a **Building** has a one **Storey** portion and a 1.5 to 2 **Storey** portion, the required **Side Yard** shall be 1.5m from the **Side Lot Line** to the foundation wall of the 1 **Storey** portion and 2.4m from the **Side Lot Line** to the wall of the 1.5 to 2 **Storey** portion.
- 17187 5.1.2.11 Where **Lots** have less than 12 metres of **Frontage**, the **Garage** is limited to a maximum of 55% of the **Lot** width (as measured at the **Front Yard Setback**).
- 18116

15006, 15378, 17187, 18116, 19063, 19691

EXCERPT FROM TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

| | | |
|----|---|---|
| 1 | Residential Type | Single Detached Dwellings |
| 2 | Zone | R.1B |
| 3 | Minimum Lot Area | 460 m ² |
| 4 | Minimum Lot Frontage | 15 metres and in accordance with Section 5.1.2.6. |
| 5 | Maximum Building Height | 3 Storeys and in accordance with Section 4.18. |
| 6 | Minimum Front Yard | 6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7. |
| 6a | Minimum Exterior Side Yard | 4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7. |
| 7 | Minimum Side Yard 1 to 2 Storeys Over 2 Storeys | 1.5 metres 2.4 metres and in accordance with Sections 5.1.2.8, 5.1.2.1 and 5.1.2.2. |
| 8 | Minimum Rear Yard | 7.5 metres or 20% of the <i>Lot Depth</i> , whichever is less and in accordance with Section 5.1.2.4. |
| 9 | Accessory Buildings or Structures | In accordance with Section 4.5 |
| 10 | Fences | In accordance with Section 4.20. |
| 11 | Off-Street Parking | In accordance with Section 4.13. |
| 12 | Minimum Landscaped Open Space | The <i>Front Yard</i> on any <i>Lot</i> , excepting the <i>Driveway (Residential)</i> shall be landscaped and no parking shall be permitted within this <i>Landscaped Open Space</i> . Despite the definition of <i>Landscaped Open Space</i> , a minimum area of |

STAFF REPORT

| | | |
|----|-----------------------------|--|
| | | 0.5 metres between the <i>Driveway (Residential)</i> and nearest <i>Lot Line</i> must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species. |
| 13 | Garbage, Refuse and Storage | In accordance with Section 4.9. |
| 14 | Garages | For those <i>Lots</i> located within the boundaries indicated on Defined Area Map Number 66, attached <i>Garages</i> shall not project beyond the main front wall of the <i>Building</i> . Where a roofed porch is provided, the <i>Garage</i> may be located ahead of the front wall of the dwelling (enclosing <i>Habitable Floor Space</i> on the first floor) equal to the projection of the porch to a maximum of 2 metres. |

Attachment 5 Proposed Zoning

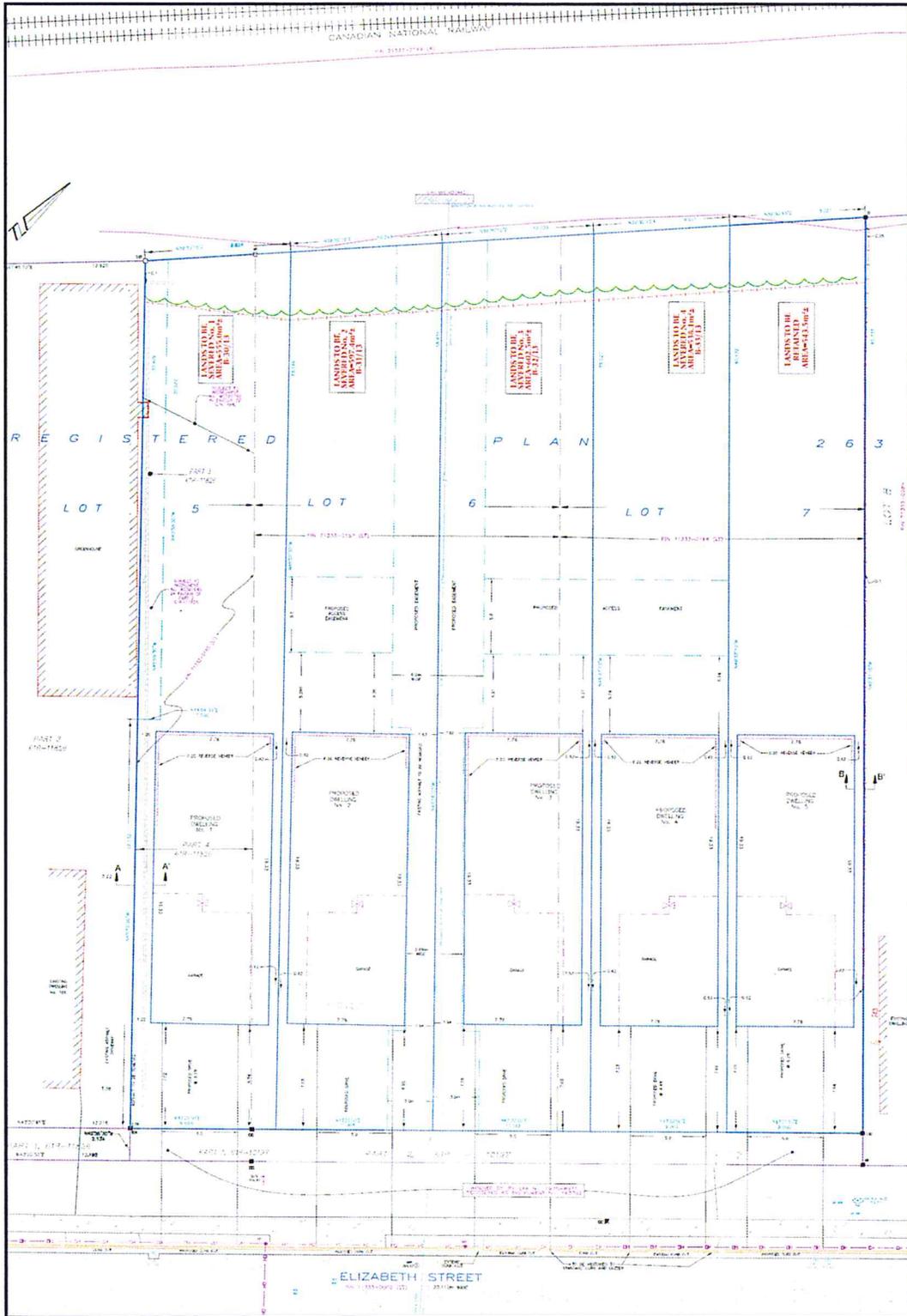
Proposed Zoning – R.1D

15006, 15378, 17187, 18116, 19063, 19691

EXCERPT FROM TABLE 5.1.2 - REGULATIONS GOVERNING R.1 ZONES

| | | |
|----|---|---|
| 1 | Residential Type | Single Detached Dwellings |
| 2 | Zone | R.1D |
| 3 | Minimum Lot Area | 275 m ² |
| 4 | Minimum Lot Frontage | 9 metres and in accordance with Sections 5.1.2.5 and 5.1.2.6. |
| 5 | Maximum Building Height | 3 Storeys and in accordance with Section 4.18. |
| 6 | Minimum Front Yard | 6 metres and in accordance with Sections 4.6, 4.24, 5.1.2.3, 5.1.2.4 and 5.1.2.7. |
| 6a | Minimum Exterior Side Yard | 4.5 metres and in accordance with Sections 4.6, 4.24, 4.28, 5.1.2.3, 5.1.2.4 and 5.1.2.7. |
| 7 | Minimum Side Yard 1 to 2 Storeys Over 2 Storeys | 0.6 metres and in accordance with Sections 5.1.2.1 and 5.1.2.2. |
| 8 | Minimum Rear Yard | 7.5 metres or 20% of the <i>Lot Depth</i> , whichever is less and in accordance with Section 5.1.2.4. |
| 9 | Accessory Buildings or Structures | In accordance with Section 4.5 |
| 10 | Fences | In accordance with Section 4.20. |
| 11 | Off-Street Parking | In accordance with Section 4.13. |
| 12 | Minimum Landscaped Open Space | The <i>Front Yard</i> on any <i>Lot</i> , excepting the <i>Driveway (Residential)</i> shall be landscaped and no parking shall be permitted within this <i>Landscaped Open Space</i> . Despite the definition of <i>Landscaped Open Space</i> , a minimum area of 0.5 metres between the <i>Driveway (Residential)</i> and nearest <i>Lot Line</i> must be maintained as landscaped space in the form of grass, flowers, trees, shrubbery, natural vegetation and indigenous species. |
| 13 | Garbage, Refuse and Storage | In accordance with Section 4.9. |
| 14 | Garages | For those <i>Lots</i> located within the boundaries indicated on Defined Area Map Number 66, attached <i>Garages</i> shall not project beyond the main front wall of the <i>Building</i> . Where a roofed porch is provided, the <i>Garage</i> may be located ahead of the front wall of the dwelling (enclosing <i>Habitable Floor Space</i> on the first floor) equal to the projection of the porch to a maximum of 2 metres. |

Attachment 6 Proposed Development Concept



STAFF REPORT



Attachment 7 Committee of Adjustment Meeting Minutes of May 29, 2014

Application: B-30/13, B-31/13, B-32/13, B-33/13

Owner: Taylor and Clark McDaniel, Jennifer Hunter

Agent: VanHarten Surveying Inc., Jeff Buisman

Location: 170-178 Elizabeth Street

In Attendance: Jeff Buisman and Taylor McDaniel

Chair R. Funnell questioned if the sign had been posted in accordance with Planning Act requirements and if the staff comments were received.

Mr. J. Buisman replied that sign was posted and that he received staff comments. He requested the Manager of Development Planning S. Kirkwood to provide additional comments.

Manager of Development Planning Ms. S. Kirkwood stated that she had further dialogue with the applicant regarding the consent applications and that on behalf of the Planning Department she wished to amend the staff comments that were originally provided. She recommended that conditions numbered 4, 5 and 6 provided by Engineering Services regarding an easement/right-of-way be amended to read:

"THAT prior to endorsation of deeds, as determined necessary by the General Manager/City Engineer, the servient tenement..."

Ms. S. Kirkwood also recommended that an additional condition be added to require that a rezoning be completed prior endorsement of deeds. She recommended that a condition be added to state the following:

"THAT a zoning by-law amendment application to rezone the lands from R.1B-10 to an appropriate zoning category be submitted and approved, and be in full force and effect, prior to endorsation of deeds."

Ms. S. Kirkwood indicated that heritage issues have been resolved, but there are still some outstanding issues. She noted that a report to Council regarding a demolition permit to remove the two dwellings will be presented at the July 14, 2014 Council meeting. She explained the existing dwellings are in poor shape. She clarified that the applicant will also be submitting a rezoning application shortly.

Committee member K. Ash asked if the lot areas and lot widths are deficient and asked staff to explain the purpose of the rezoning.

STAFF REPORT

Ms. S. Kirkwood replied that the rezoning application will likely ask permission to change the zoning to R.1D (Specialized Residential Single Detached Zone) and acknowledge the driveway widths and lot frontages.

Mr. J. Buisman explained that the lot has been vacant for a long time and that Mr. McDaniel wants to develop the property with five new dwellings.

Mr. J. Buisman explained that existing storm sewer location limits the configuration possibilities of the lots. He was aware that a rezoning is needed as some of the lot frontages are only 9 metres wide. He continued by showing the Committee members the widths of neighbouring properties and explained that the proposed frontages are similar to those in the neighbourhood.

Mr. J. Buisman indicated that he is proposing 0.6 metre side yards for majority of the lots and the proposed easement running through the middle will help with access.

Committee member K. Ash commented on the notice which showed different hatching areas and asked for clarification if future owners would be able to construct fences due to the easement locations.

Ms. S. Kirkwood replied that the site plan process can address the fence issue.

Committee member J. Hillen asked the applicant if he feels he can satisfy the recommended conditions requiring a rezoning within one year.

Mr. J. Buisman replied yes.

Ms. E. Pappszabo outlined her concerns about increased traffic and a single driveway for all the lots.

Ms. S. Kirkwood answered that Engineering Services did not require a Traffic Impact Study and therefore it was not a requirement for these applications and that the traffic issue can be raised at a future public meeting for the related rezoning application.

Mr. J. Buisman clarified that there will be five driveways, one for each lot.

Mr. R. Hingston outlined his concerns about parking and noise and questioned if the intent is to rent out the dwellings. He would rather see 4 lots than 5 lots. He also explained that there has been water in the basements along Elizabeth Street in the last 2 to 3 years.

Ms. S. Kirkwood explained that she was unaware of the flooding and can have staff look into this issue further.

STAFF REPORT



Mr. M. Piatek, owner of 166 Elizabeth Street, outlined his concerns about the reduced side yard. He explained that it is difficult to access his driveway, especially in the winter, if the proposed dwelling is close to side lot line. He recommended that there be a 1.5 metre side yard.

Chair R. Funnell asked staff pass to pass this recommendation along to Engineering Services.

Committee member L. McNair expressed concern with the double driveway width.

Mr. J. Buisman explained that this will be dealt with through the rezoning process.

Committee member K. Ash asked for clarification that the intent is not to create 10 dwelling units that are semi-detached.

Mr. T. McDaniel answered that the intent is to create five single detached dwellings with a double car garage for each dwelling.

Committee member C. Downer questioned if the process of receiving a zone change after the approval for consents is the correct order.

Ms. S. Kirkwood replied that there is a level of comfort working with the applicant and that the consents can be granted before the zone change is in place.

Committee member C. Downer asked if a basement accessory apartment is permitted in this zone.

Ms. S. Kirkwood replied that accessory apartments are permitted, but as part of the re-zoning, Council has the ability to prohibit accessory apartments.

Committee member C. Downer indicated that she wants to ensure the concerns presented by the neighbours are addressed as part of the rezoning, and that the minutes of this Committee of Adjustment meeting are added as a condition.

Ms. S. Kirkwood replied that the minutes can be attached to the rezoning application.

CONSENT AGENDA

September 8, 2014

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>CON-2014.49 OPEN GOVERNMENT ACTION PLAN</p> <p>That the Open Government Action Plan (OGAP) dated September 8, 2014 be approved.</p> | Approve |
| <p>CON-2014.50 RESTRICTED ACTS BY COUNCIL DURING AN ELECTION YEAR ("LAME DUCK" COUNCIL) AND DELEGATED AUTHORITY TO CAO</p> <p>Whereas By Law Number (2011) – 19310, as amended by By law (2014) -19702 defines the general duties, roles and responsibilities of the Chief Administrative Officer; and includes the provision 1.M to "perform any additional responsibilities and to exercise the powers incidental thereto which may from time to time be assigned to the CAO by Council".</p> <p>Whereas Council will not be able to provide instructions regarding the City's legal and realty matters between September 12, 2014 and December 1, 2014.</p> <p>BE IT RESOLVED THAT:</p> <ol style="list-style-type: none">1. For the period of September 12, 2014 through to December 1, 2014 at the swearing in of the next term of Council, the CAO may, after consultation with the City Solicitor and Chief Financial Officer approve settlements or offers to settle any litigation or potential litigation for or against the City which is not provided for in | Approve |

Schedule AA of By-Law Number (2013) – 19529 (Delegation of authority to the City Solicitor), provided that:

- (a) The monetary value of the settlement is within the limits previously authorized by Council;
 - (b) The monetary value of the settlement is within the approved budget;
 - (c) The non-monetary terms of a settlement are consistent with previous directions from Council or City policies and are, in the opinion of the CAO, in the best interests of the City; or
 - (d) The matter does not fall within (a) to (c) above, but approval is required before instructions from Council can be obtained.
2. For the period of September 12, 2014 through to December 1, 2014 at the swearing in of the next term of Council, the CAO may, after consultation with the City Solicitor and Chief Financial Officer, approve the acquisition or disposition of any interest in real property by the City, which is in accordance with approved City policies, provided that:
- (a) The monetary value of the consideration for the transaction is within the approved budget; or,
 - (b) If (a) does not apply, approval is required before instructions from Council can be obtained.
3. That the CAO shall report back to Council in December, 2014 regarding any exercise by the CAO of this delegation of authority.

CON-2014.51 595 WATSON PARKWAY NORTH (FORMERLY 21 COULING CRESCENT) - PROPOSED ZONING BY-LAW AMENDMENT (FILE ZC1405) - WARD 2

Approve

That the application by Astrid J. Clos Planning Consultants for approval of a Zoning By-law Amendment from the R.4A (General Apartment Residential) Zone to the I.1 (Institutional – Education, Spiritual and Other Services) Zone to permit the development of a public elementary school at the property municipally known as 595 Watson Parkway North, legally described as Block 14, Registered Plan 61M-170, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 14-52 dated September 8, 2014.

**CON-2014.52 BROOKLYN AND COLLEGE HILL HERITAGE
CONSERVATION DISTRICT - DESIGNATION OF
DISTRICT AND ADOPTION OF PLAN AND
GUIDELINES**

Approve

1. That Report 14-46 from Planning, Building, Engineering and Environment, dated September 8, 2014 regarding the designation of the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines be received.
2. That the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines contained in Report 14-46 as Attachment 1 be approved.
3. That Council enact a by-law to designate the Brooklyn and College Hill Heritage Conservation District and adopt the associated Plan and Guidelines under Section 41 Part V of the Ontario Heritage Act.
4. That Council enact a by-law to amend By-law (2013)-19529 "By-law to Delegate Authority" to delegate approval authority to the General Manager of Planning Services for certain types of alterations to properties designated under the Ontario Heritage Act.

**CON-2014.53 312-316 GRANGE ROAD - CREEKSIDE
SUBDIVISION (23T-07502) REQUEST FOR AN
EXTENSION OF DRAFT PLAN APPROVAL -
WARD 1**

Approve

That the application by Astrid J. Clos Planning Consultants for an extension to the Draft Plan Approval of the subdivision at 312-316 Grange Road (23T-07502) applying to lands legally described as Lot 8, Registered Plan 53, Division "C", City of Guelph, be approved without a lapsing date, subject to the conditions contained in Attachment 5 of the Planning, Building, Engineering and Environment Report 14-51, dated September 8, 2014.

**CON-2014.54 PROPOSED DEMOLITION OF 30 LAURINE
AVENUE – WARD 1**

Approve

1. That Report 14-55 regarding the proposed demolition of one (1) single detached dwelling at 30 Laurine Avenue, legally described as Plan 342, Part Lot 14 and Lot 15, Part 1 RP 61R2349; City of Guelph, from Planning, Building, Engineering and Environment dated September 8, 2014, be received.
2. That the proposed demolition of one (1) detached dwelling at 30 Laurine Avenue be approved.

3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling.
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

CON-2014.55 2014 Q2 CAPITAL BUDGET MONITORING REPORT

Receive

That FIN-14-42 2014 Q2 Capital Budget Monitoring Report be received.

CON-2014.56 Q2 2014 OPERATING VARIANCE REPORT

Receive

That report FIN-14-43 Q2 2014 Operating Variance Report be received.

CON-2014.57 GOLDS COURT – PROPOSED PERMANENT ROAD CLOSURE

Approve

1. That the report CHR-2014-58 entitled "Golds Court – Proposed Permanent Road Closure" be received.
2. That Council enact a by-law to stop-up and close certain lands that are currently dedicated as a public highway described as:

Golds Court Plan 61M169, designated as Parts 1, 2, 3, 4 on Reference Plan 61R-20352.

attach.

STAFF REPORT



TO Council

SERVICE AREA Corporate and Human Resources

DATE September 8, 2014

SUBJECT Open Government Action Plan

REPORT NUMBER CHR-2014-61

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To request that Guelph's Open Government Action Plan (OGAP) be approved by Guelph City Council.

KEY FINDINGS

Creating an open government in Guelph will require dedicated resources and ongoing collaboration with community stakeholders. Research identified a set of common rules of engagement for successful Open Government initiatives:

Integrative Approach - Different functions of Open Government (e.g. Open Engagement, Open Data) are approached in an integrative, holistic way given their interconnectedness

Supportive Cultures - The organizational leadership team, public service employees and the broader community are aligned and supportive of Open Government

Joint Ownership - Making co-production and joint ownership across leadership, public service employees and the broader community a fundamental way of working

Test and Learn Culture - Encourages testing and learning in a managed and disciplined way that is premised on an incremental approach to policy management and development

The OGAP recommends a series of six actions, which form a platform for community and City employees to work together and find joint solutions to shared opportunities and challenges:

STAFF REPORT



Action 1. Move to Open Governance: Establish a governance structure to enable collaboration with stakeholders, drive change and measure progress.

Action 2. Create an "open by default" culture: encourage and reward an open culture – transparent, accountable, participatory and innovative – with city of Guelph employees.

Action 3. Open up city hall: develop a MyGuelph platform that makes it easy for community members to understand and interact with local government.

Action 4. Increase civic engagement and participation: improve awareness of the role and benefits of an active civic community and encourage public participation with local government.

Action 5. Implement e-government services: provide digital government services to facilitate service delivery and information requests.

Action 6. Make data and information public assets: share city data and information with accessible, open standards.

FINANCIAL IMPLICATIONS

Action items in the OGAP with financial implications will be included in the OGAP business case for the 2015 budget period and reviewed based on annual priorities and progress.

ACTION REQUIRED

That the Open Government Action Plan dated September 8, 2014 be approved.

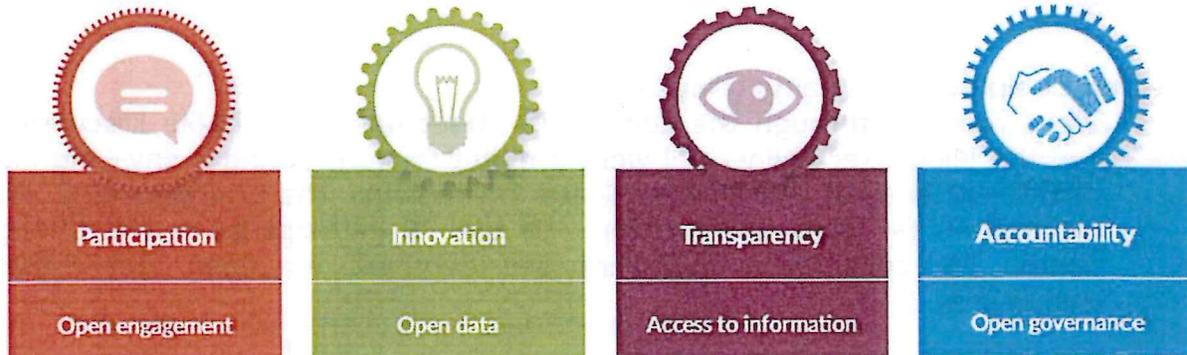
RECOMMENDATION

That the Open Government Action Plan (OGAP) dated September 8, 2014 be approved.

BACKGROUND

Open Government was identified as a key objective in the Corporate Strategic Plan, approved by Council on June 25 2012, and in the Corporate Technology Strategic Plan, approved by Council on September 24, 2012.

The Open Government Framework (Appendix A) was approved by the Governance Committee on November 13, 2012. This Framework identified four principles and directions of open government in Guelph:



An internal Open Government Steering Committee developed Guelph's Open Government Action Plan (Appendix B) in collaboration with community stakeholders, based on the Open Government Framework previously approved by Council. This action plan is both a product of open government and a plan for the future of open government in Guelph. The following outlines the engagement activities undertaken to co-produce the Open Government Action Plan.

COMMUNITY ENGAGEMENT

- Organizational Environmental Scan (Feb ~ Mar 2014)
 - An environmental scan of the Corporation was conducted to gauge internal stakeholder perspectives on open government. A total of 55 City of Guelph employees and councillors were surveyed and relevant documents (Corporate Strategic Plan, Communications Plan, Social Media Policy, Community Engagement Framework, etc.) were reviewed.
- Online Survey (Mar ~ Apr 2014)
 - The open government online survey received more than 1,000 site visits and resulted in 491 completed surveys. The survey asked about the ideal state of open government and current opinions regarding the City of Guelph (trust level, engagement, etc).
- MindMixer Online Tool (Mar ~ May 2014)
 - The City of Guelph's MindMixer online tool was used to solicit additional ideas for open government initiatives in Guelph. Community stakeholders contributed and commented on 59 ideas to create an open government in Guelph.
- Open Guelph Meet-Ups & Round Table Discussions (Mar ~ May 2014)
 - An Open Guelph Meet-Up toolkit was used to encourage community stakeholders to discuss open government and provide ideas for open government in Guelph. In addition, four community-facilitated Round Table discussions were organized to ensure that key stakeholders were given

STAFF REPORT



opportunities to participate in the creation of the Open Government Action Plan.

- Open Guelph Change Camp (May 2014)
 - Ideas received through the community meet ups, Roundtable Discussions and the MindMixer online tool were brought forward during a day-long idea refinement session using Open Space Technology. The Change Camp built momentum for open government. Of the 76 participants at the Change Camp, 15 community members self-identified as open government champions.
- Open Guelph Validation Workshop (Aug 2014)
 - Open government community champions, the internal Open Government Steering Committee and Direct Report Leadership Team members were invited to review a draft Open Government Action Plan on August 13, 2014. Their feedback has informed the final version of the Open Government Action Plan.

KEY FINDINGS

- There is a high level of interest in Open Government from City leadership, employees and the community
- The City of Guelph is in a position to lead the community in adopting Open Government practices and policies
- Community gaps to address:
 - Lack of trust in the City
- Internal organizational gaps to address:
 - Require a more open and collaborative organizational culture
 - Need clear definition of the Open Government initiative at the City of Guelph
 - Need corporate resource management and prioritization framework informed by citizens
 - City data not ready for public use

Based on this extensive community engagement and resulting key findings, the following proposed Open Government Action Plan was developed.

STAFF REPORT



REPORT

PROPOSED OPEN GOVERNMENT ACTION PLAN

The City of Guelph's Open Government vision:

To be a **transparent** and **accountable** local government that empowers citizens, leverages technology and encourages community **participation** in the development of **innovative** and meaningful solutions to shared opportunities and challenges.

In order to realise this vision staff recommend the adoption of six action items in Guelph's Open Government Action Plan:

ACTION 1: Move to Open Governance

By establishing implementation governance, the City of Guelph ensures dedication and accountability to Open Government initiatives while aligning with internal and external stakeholder groups. Implementation governance will ensure a unified and disciplined approach in the management, measurement and reporting of Open Government related initiatives.

The key components of this ACTION include:

- 1.1 Establish Dedicated Human Resource(s) for Open Government⁺
- 1.2 Form an Open Government Leadership Team
- 1.3 Develop and Implement a Transparent Performance Measurement⁺ Framework
- 1.4 Develop and Implement a Prioritization Framework

ACTION 2: Create an "Open by Default" Culture

The City of Guelph will encourage and reward an Open Government culture consistent with the four Open Guelph pillars– transparency, accountability, participation and innovation. Cultural and operational alignment with Open Government values is imperative in the success of Open Government in Guelph and a mandatory component of the Action Plan.

Open Government isn't about making more work for employees. Over time and with the appropriate training and technology, how we work will adapt and grow more

STAFF REPORT



efficient, transparent and accountable. The initial investment in human and financial resources will yield solutions that will provide citizens with the ability to manage many services requests online.

The key components of this ACTION include:

- 2.1 Ensure Existing and New Policies, Codes of Conduct, Leadership Governance and Service Standards are premised on the Open by Default Principle
- 2.2 Engage and Empower Employees through Education and Tools
- 2.3 Align Internal Talent Processes
- 2.4 Cultivate Open Government Champions through a Community of Practice
- 2.5 Identify Open Government Activities in Service Areas and Department Annual Work Plans

ACTION 3: Open up City Hall

This ACTION is about developing a platform that makes it easy for community members to understand and interact with local government through a central and easy to navigate personalized website. MyGuelph will act as the direct communication backbone between the City and its constituents, enabling relevant and effective community engagement.

The key components of this ACTION include:

- 3.1 Personalized My.Guelph.ca online experience
- 3.2 Create and Implement a Platform for Dialogue
- 3.3 Integrate e-Government Services
- 3.4 Council Consultation App

ACTION 4: Increase Community Engagement and Participation

Improve awareness of the role and benefits of a civic community actively participating with local government.

This ACTION includes the following components:

STAFF REPORT



- 4.1 Move Towards a Principle of Collaboration and Co-creation by Default
- 4.2 Civic Education Series
- 4.3 Expand the Accessibility and Use of Innovative Engagement Tools
- 4.4 Bring City Hall to People via Mobile City Hall and Pop-Up Engagement Activities
- 4.5 Explore New Ways to Collaborate with Stakeholders in the Budgeting Process

ACTION 5: Implement e-Government Services

This ACTION is about providing digital government services to facilitate efficient service delivery and information requests.

In principle, the e-Government Services ACTION focuses on areas that require high levels of government accountability (e.g. Emergency, medical services, EMS). For non-critical topics (e.g. culture/heritage map), the recommended approach is for the City of Guelph to enable and encourages community stakeholders to develop creative solutions that address community issues and opportunities.

Specifically, this Action on e-Government Services consists of the following components:

- 5.1 Enable e-Government Services
- 5.2 AskGuelph
- 5.3 Alerts on Garbage Collection Schedule⁺
- 5.4 Grass Cutting Schedule
- 5.5 Community Events and Programs Schedule
- 5.6 Moving to an 'Any City Counter, Any Service' Approach
- 5.7 Co-operate with Provincial and Federal Government Partners to Offer Seamless Service Delivery for Citizens

ACTION 6: Make Data and Information Public Assets

This ACTION is about sharing City data and information with accessible, open standards. This ACTION is imperative in graduating the City of Guelph into the

STAFF REPORT



'Government as a Platform' mode of operation. By opening up City data and providing opportunities for agencies and community stakeholders to share their data and resources, the City is making it easier for community stakeholders to participate in creating innovative solutions for city challenges.

This ACTION includes the following components:

- 6.1 Open Up and Release City Data
- 6.2 Create an Information Management Infrastructure to Catalogue Shareable City of Guelph Data
- 6.3 Establish an Open Data Committee
- 6.4 Develop Infrastructure and Application Programming Interfaces (API's)
- 6.5 Expand Catalogue to Include Community and Agency Owned Data
- 6.6 Proactively Identify and Publish Information Related to Accountability

PERFORMANCE MEASUREMENT

In order to ensure and measure Open Government progress the following performance metrics have been identified. It will be the role of the Open Government Leadership Team to work toward meeting these targets.

| | Phase 1: BUILD THE FOUNDATION <small>(approx. 18 months)</small> | Phase 2: ENABLE CHANGE <small>(approx. 24 months)</small> | Phase 3: LIVE OPEN GUELPH <small>(approx. 24 months)</small> |
|--------------------------------|---|--|---|
| Champions & Culture | <ul style="list-style-type: none"> • >50% of employees that participated in the research convey Open Government in ways consistent with the Open Government values • Increase internal champion level to >50%¹ of survey respondents | <ul style="list-style-type: none"> • Departments and community groups own Open Government initiatives, in coordination with the designated Open Government team | <ul style="list-style-type: none"> • Increase internal champion level to >70% of survey respondents |
| Trust Level | <ul style="list-style-type: none"> • Increase score on 'I believe the City of Guelph cares about what I think' from 35%² to 40% | <ul style="list-style-type: none"> • Increase score on 'I believe the City of Guelph cares about what I think' to >50% | <ul style="list-style-type: none"> • Increase score on 'I believe the City of Guelph cares about what I think' to >60% |
| Engagement Level | <ul style="list-style-type: none"> • Gather benchmark and grow number of engaged stakeholders by 20% • Grow MyGuelph registrants to 5,000 | <ul style="list-style-type: none"> • Grow number of engaged stakeholders by 20% • Grow MyGuelph registrants to 10,000 | <ul style="list-style-type: none"> • Grow number of engaged stakeholders by 20% • Grow MyGuelph registrants to 20,000 |

STAFF REPORT



COMMUNICATION STRATEGY

Open Government is in many ways an exercise in communication between the City of Guelph and our citizens and stakeholders. Establishing and maintaining two-way, meaningful conversation with our community is incorporated into many of the initiatives outlined in the Open Government Action Plan.

In the short term, we will develop and print a designed version of the Action Plan for public distribution. Primary distribution of the Action Plan will be online and accessible at open.guelph.ca. We will work with community experts on how best to translate the plan into an interactive and engaging online presence that will be more than a historical document, but monitor and provide updates on the ongoing progress of Action Plan initiatives.

We will communicate Action Plan milestones (Council endorsement, OGAP Leadership Team) and support the various community engagement initiatives found throughout the Plan. The communication initiatives will be developed in collaboration with the community.

NEXT STEPS

1. Produce an Open Government Action Plan for public distribution on open.guelph.ca as well as a limited print run.
2. Submit a business case for the 2015 budgeting period regarding the action items outlined in the Open Government Action Plan.
3. Form an Open Government Leadership Team (made up of internal and external stakeholders) by Sept. 31, 2014 to:
 - develop a detailed project implementation plan with deliverables and timelines
 - develop a community engagement plan in collaboration with the Community Engagement Team.
 - launch Phase 1 Action Items and priorities.

CORPORATE STRATEGIC PLAN ALIGNMENT

The proposed Open Government Action Plan establishes the way for the adoption of open Government across the work of the Corporation of the City of Guelph. This work directly supports the Corporate Strategic Plan (2012-2016).

STAFF REPORT



Organizational Excellence

- 1.2 Develop collaborative work teams and apply whole systems thinking to deliver creative solutions
- 1.3 Build robust systems, structures and frameworks aligned to strategy

Innovation in Local Government

- 2.2 Deliver Public Service better
- 2.3 Ensure accountability, transparency and engagement

City Building

- 3.2 Be economically viable, resilient, diverse and attractive for business
- 3.3 Strengthen citizen and stakeholder engagement and communications

DEPARTMENTAL CONSULTATION

- DRL Team
- Community Engagement
- CAO's office
- Corporate Communications

ATTACHMENTS

- Appendix A: Open Government Framework
- Appendix B: Open Government Action Plan
- Appendix C: OGAP Presentation Slide Deck

Report Author

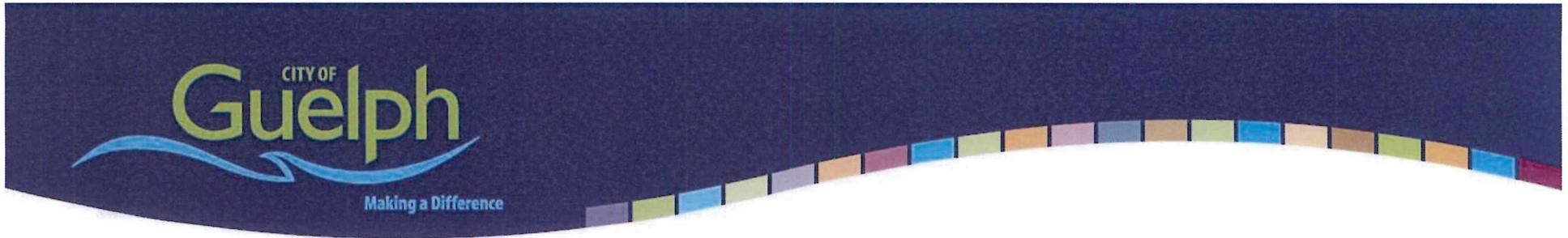
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Barbara Swartzentruber
Senior Policy Advisor,
Intergovernmental Affairs
(519) 822-1260 x3066
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Recommended By

Mark Amorosi
Executive Director, CHR
(519) 822-1260 x2281
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City of Guelph

Open Government Framework



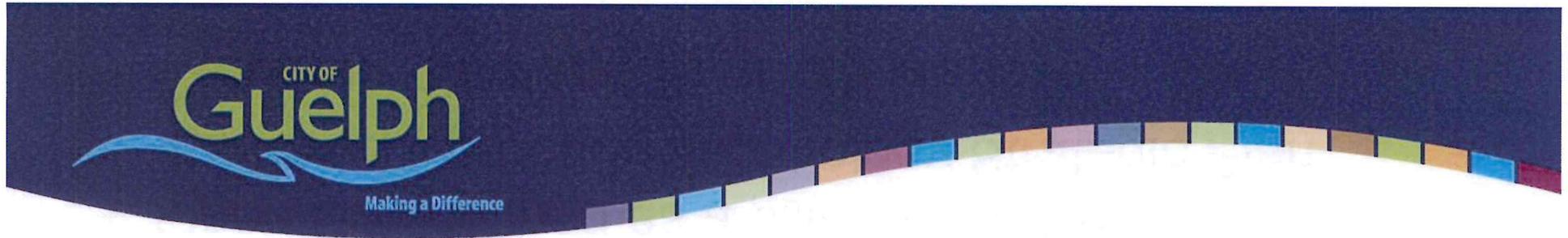
November 13, 2012 Governance Committee

@blair_labelle, City Clerk

#Overview

- History
- Drivers
- Defining Open Gov
- Proposed OGF
- Next Steps

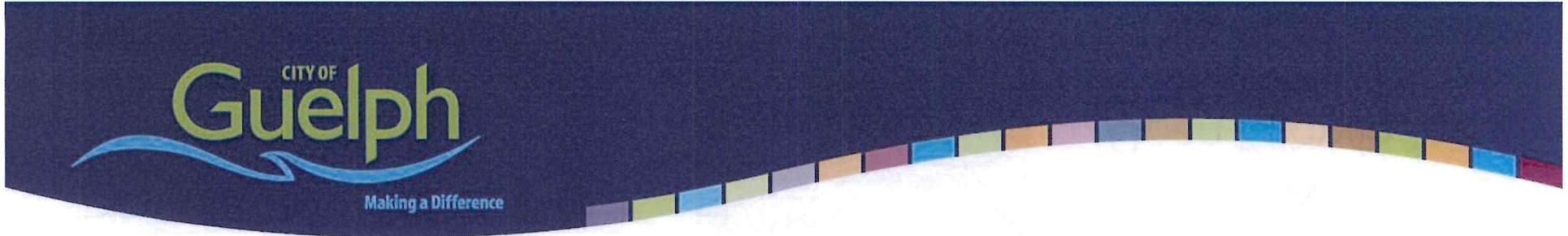




#History

- Open Gov has roots in FOI legislation
- Growth of collaborative technology and mobile infrastructure
- United States Open Gov Directive
- New agencies and partnership models





#Drivers

#External

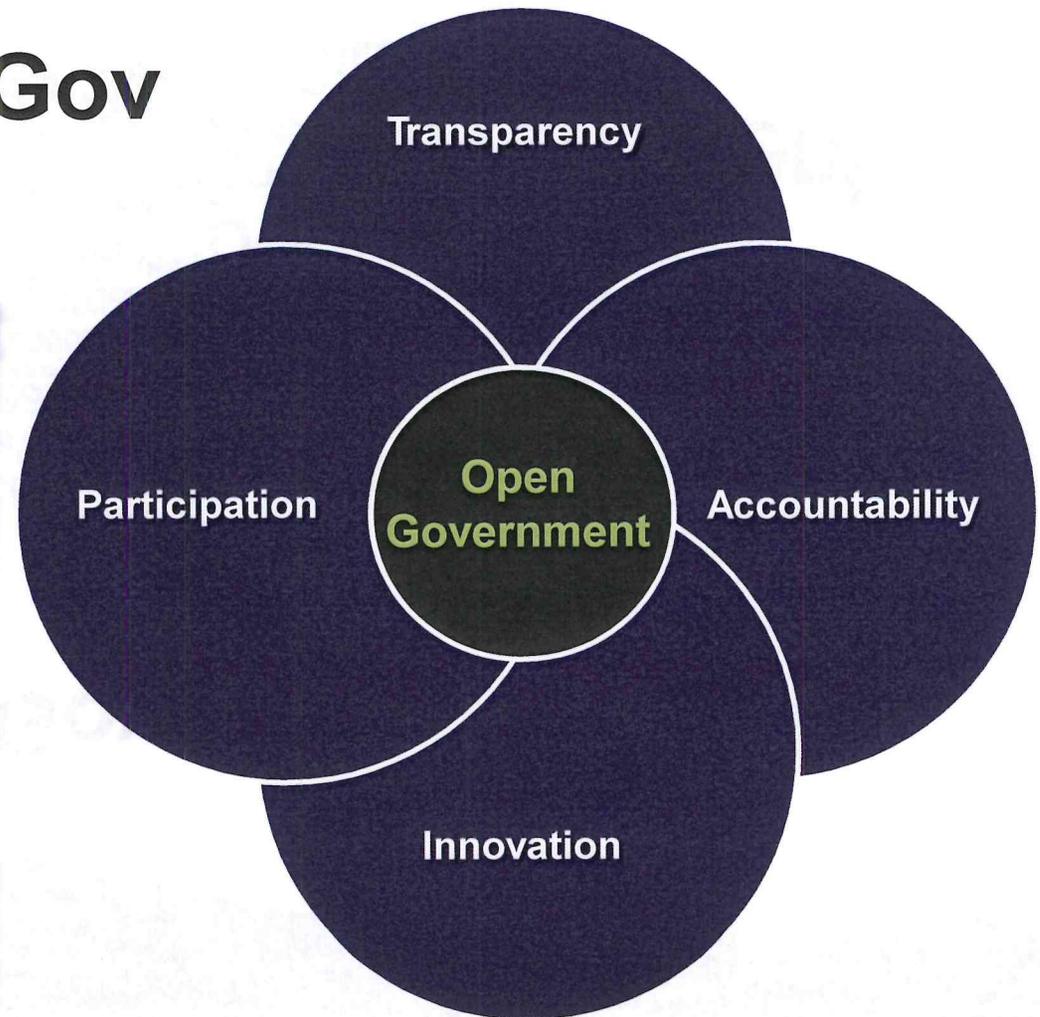
- “FAST” organizations are efficient and effective
- Embrace the changing landscape of government
- Makes government relevant and understandable
- Leads to innovation and added value

#Internal

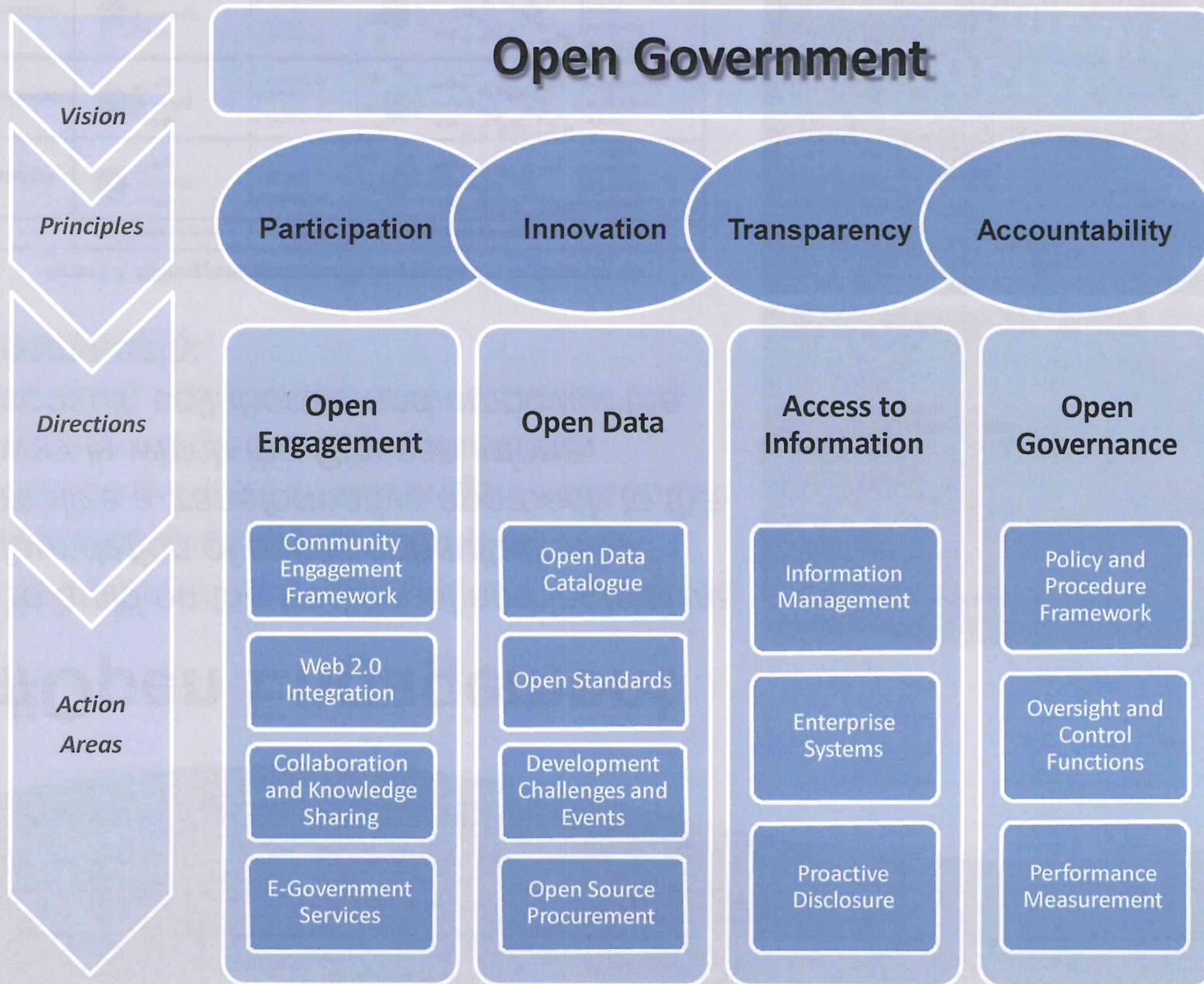
- Open Gov defined as a pillar of the Council approved Corporate Technology Strategic Plan
- Corporate Strategic Plan key initiative

#Defining Open Gov

To create a fully transparent and accountable City which leverages technology and empowers the community to generate added value as well as participate in the development of innovative and meaningful solutions.



#Proposed Open Government Framework for the City of Guelph



#Open Engagement

To build on the traditional and legislative foundation of public consultation to realize a transformative approach to the way in which the City can inform, consult, collaborate and empower the community.



Figure 5.3. Shifting paradigms: from Participation 1.0 to Participation 2.0

| | Participation 1.0 model | Tools | Participation 2.0 model | Tools |
|---------------|-------------------------|---|-------------------------|---|
| Information | | <ul style="list-style-type: none"> E-mail alerts Websites | | <ul style="list-style-type: none"> RSS feeds Tag clouds Podcasts Webcasts |
| Consultation | | <ul style="list-style-type: none"> Online forms Online consultation | | <ul style="list-style-type: none"> Blogs Online polls Online surveys |
| Participation | | <ul style="list-style-type: none"> Discussion forums Shared online workspaces | | <ul style="list-style-type: none"> E-petitions Mash-ups Wikis Tagging Virtual worlds |

Source: State Services Commission of New Zealand (2007), Glossary entry for "Participation 2.0".



#Community Wellbeing Initiative

- A partnership between community stakeholders and the City
- Dynamic conversation to develop a shared vision
- Various engagement methods:
 - Ward conversations
 - ‘Places and spaces’ conversations
 - Household survey (and contest)
 - Comment cards
 - Workshop-in-a-box (toolkit for community conversations)
 - Online discussions (blogs, RSS, social media)
 - Mayor’s telephone Town Hall
- Data will be used to develop a City strategy, but the intent of the CWI is also to inspire individuals to take action within their own communities

Guelph Community
Wellbeing Initiative
A Conversation About What Matters



#Open Data

To encourage the use of public data to be made available in practical formats for the purpose of facilitating the development of innovative and value added solutions.

london.gov.uk

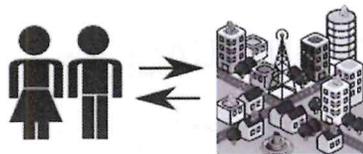
DATA.GOV



Challenge.gov
Government Challenges, Your Solutions



aporta
Partnership for Innovation



OPEN DATA FOR A
READ/WRITE SOCIETY

DISCOVER.
PARTICIPATE.
ENGAGE.

Search the following Data.gov catalogs:



"RAW" DATA
CATALOG

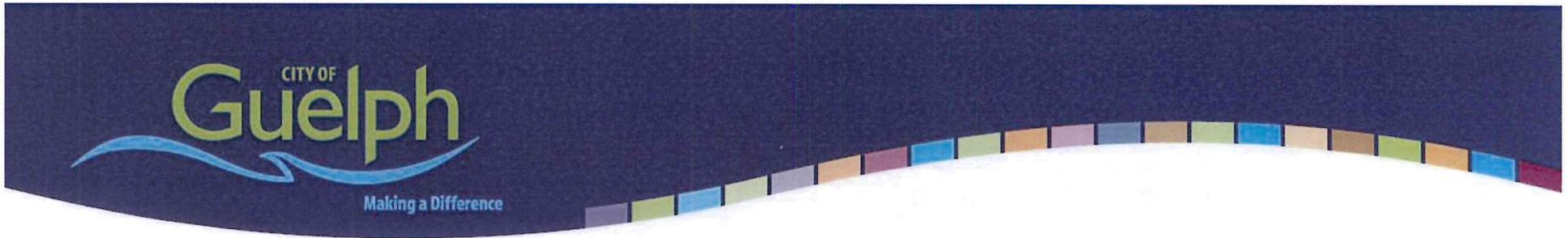


TOOL
CATALOG



GEODATA
CATALOG





#Data Catalogues

An Official Web Site of the United States Government

DATA.GOV
EMPOWERING PEOPLE

Search Data.gov

HOME ABOUT DATA APPS COMMUNITIES METRICS OPEN GOVERNMENT

ENERGY DATAPALOOZA
Celebrating entrepreneurial achievements and open data

Latest Datasets

- NASA Education Weekly Activity Reports...
- Aliens Removed by Criminal Status and...
- Aliens Removed or Returned: Fiscal...
- Resource Conservation and Recovery Act...
- ENERGY STAR Qualified Enterprise...
- ENERGY STAR Qualified Commercial Ice...
- ENERGY STAR Qualified Set-Top Boxes and...
- ENERGY STAR Qualified New Vending...
- ENERGY STAR Qualified Rebuilt Vending...
- ENERGY STAR Qualified Uninterruptible...

DATA AND APPS COMMUNITIES OPEN GOVERNMENT

THE CITY OF
Edmonton
Open Data Catalogue

CITY ADMINISTRATION DEMOGRAPHICS EDUCATION EVENTS FACILITIES & STRUCTURES PUBLIC WORKS TRANSPORT

Home > City Government > OpenGov > Open Data Catalogue

Search

Clear All Options

View Types

- Datasets
- External Datasets
- Files and Documents
- Filtered Views
- Charts
- Maps
- Calendars
- Forms

Results matching category of City Administration

| Name | Popularity | Type |
|---|-------------|------|
| 1. City of Edmonton's Properties for Sale City of Edmonton's properties for sale ranging from single family lots and | 2,391 views | |
| 2. Neighbourhoods (data plus kml file) Boundaries and information of neighbourhoods in Edmonton. Attached to this | 1,338 views | |
| 3. Land Sales - Map View City of Edmonton's properties for sale ranging from single family lots and | 654 views | |
| 4. 2010 Election Mayor Voting Summary - Pie Chart elections mayor, city councilors, ... Final 2010 election results for various municipal and school board positions | 743 views | |

HM Government

DATA.GOV.UK
Opening up Government

Home Data Participate Apps Location Linked Data Library Lab About

SPEND DATA REPORTING TOOL

Better Open Data
Blog by Tim Davies

OPEN DATA CASE STUDIES

SUGGEST A DATASET

THE NEW DATA.GOV.UK

OPEN DATA WHITE PAPER
Unleashing the potential
Read the UK Government's vision for the future of open data

Region of Waterloo

REGION OF WATERLOO HOME CAREERS CONTACT US PUBLIC NOTICES ACCESSIBILITY

eServices Services List A-Z Search

Doing Business Discovering the Region About the Environment Getting Around Services for You Safe & Healthy Community Regional Government

Open Data

- Open Data Catalogue
- Open Data License
- Frequently Asked Questions
- Regional Chair
- Regional Council
- Standing & Advisory Committees

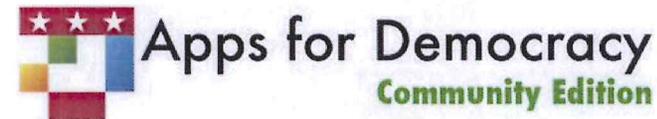
Home / ... / Open Data / Open Data Catalogue

Data Catalogue

| Name of Dataset | CSV | XLS | XML | DWG | SHP | KML |
|--------------------------|-----|-----|-----|-----|-----|-----|
| Airport Flight Schedule | | | | | | |
| Cycling - Regional | | | | | | |
| Doors Open 2012 | | | | | | |
| Food Premise Inspections | | | | | | |

#Apps for Democracy

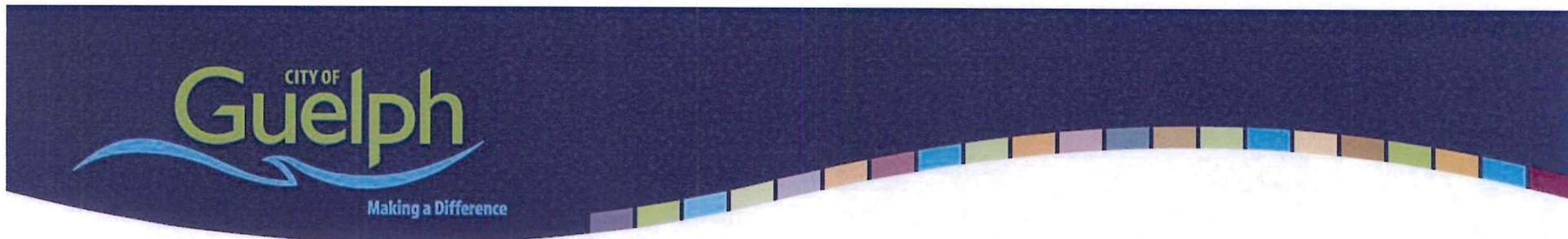
- 2008 app challenge for local developers to exploit open data
- DC invested \$50K which returned \$2.3Million in shared value



#Toronto 311

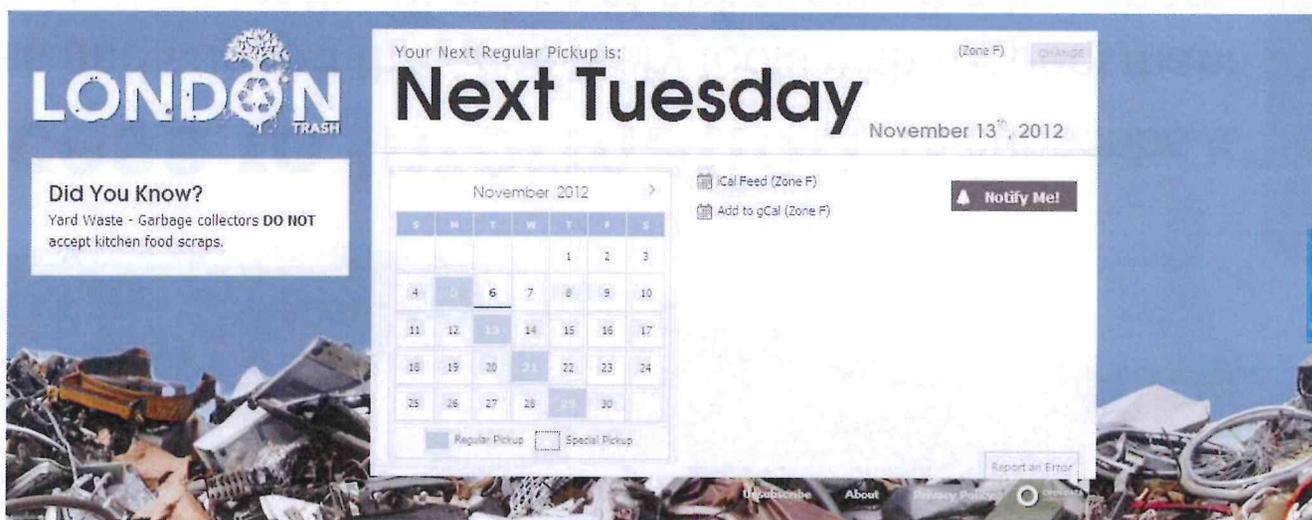
- Toronto adopted the Open311 standard
- Led to development of smart phone apps to report issues like potholes and graffiti in real-time





#2010 London Ontario UnLab Hackathon

- A 2010 hackathon held by UnLab supported by Open Data London
- Developers, students, photographers and professionals gathered in order to design an application which provides residents information regarding their waste collection
- londontrash.ca can automate reminders through email, text message or by way of a meeting request through Outlook/iCal

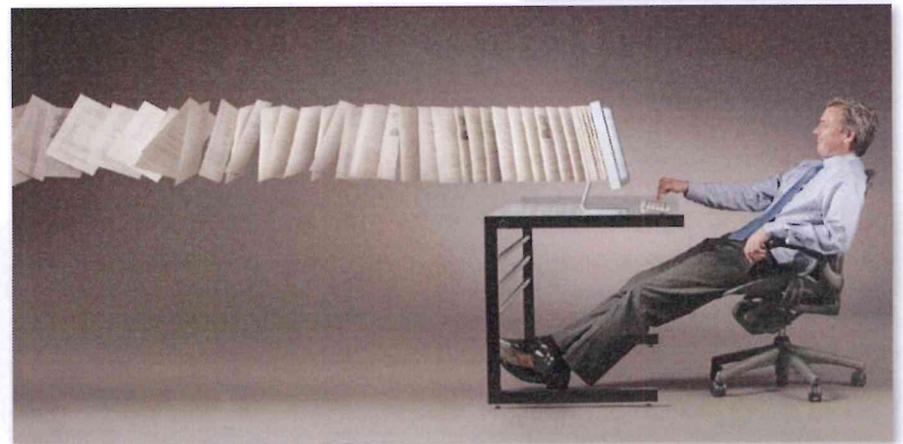


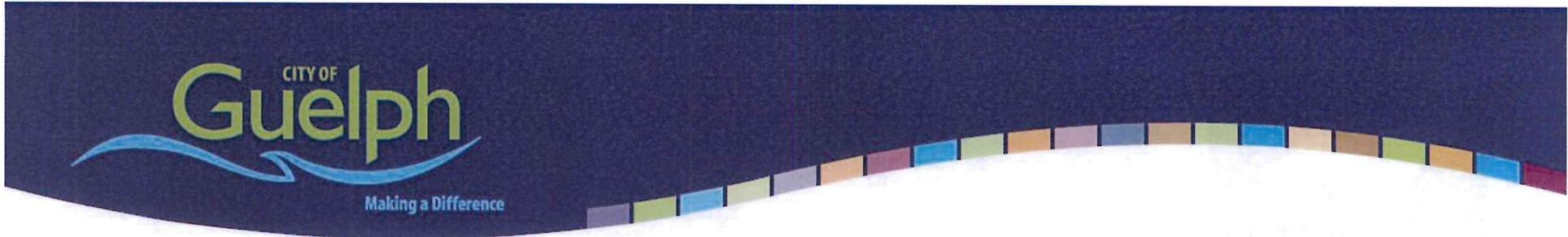
#Access to Information

To subscribe to practices and support the necessary tools with respect managing civic information for the purpose of enhancing the transparency of business and the enrichment of information assets.



the transparency of City business and the enrichment of information assets.





#Records and Information Management (RIM)

- Program designed to standardize, classify and manage info
- Reduces cost, creates efficiencies, improves reporting, mitigates risk and increases transparency
- Supports open data efforts and tools such as an EDRMS

#Toronto's TMMIS

- Allows users to easily search and track the business of the City in real-time as it flows through the legislative process
- Users can bookmark and share items and register for e-updates
- Toronto Clerk 'live tweets' from meetings to provide updates



Tweets

- Toronto City Clerk** @TorontoCouncil
Notice of Revised Special Meeting for November 19 Executive Committee posted: [ow/ly/14c7n](#) #tocouncil
Expand
- Toronto City Clerk** @TorontoCouncil
Decisions of November 1 Subcommittee on Establishment of Local Appeal Body meeting posted: [ow/ly/147sv](#) #tocouncil
Expand
- Toronto City Clerk** @TorontoCouncil
Decisions of November 2 Graffiti Panel meeting posted: [ow/ly/14412](#) #tocouncil

City Council

Council Chamber, City Hall

Minutes Published

Agenda | Decisions | Minutes | Video Archive | Print List | Map | Bills | Bookmark

City Council - Routine Matters - Meeting 26

| | | |
|---------------|--|----------|
| RM26.1 | Call to Order (Ward All) | Received |
| RM26.2 | Confirmation of Minutes (Ward All) | Adopted |
| RM26.3 | Introduction of Committee Reports and New Business from City | Adopted |

#Open Governance

To develop a management and control framework as well as the necessary policy instruments to define expectations and verify the performance of strategic initiatives related to Open Government.

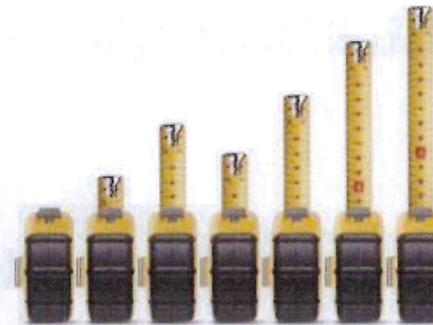
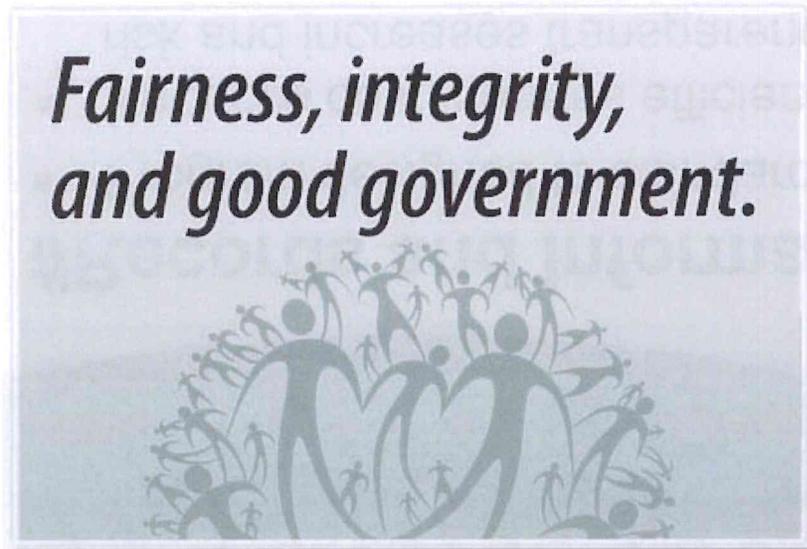
involve

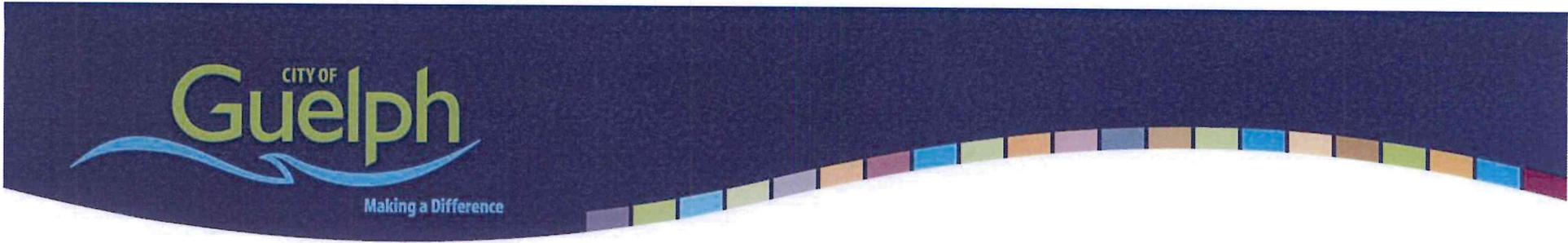
Open Government: beyond static measures

A paper produced by Involve for the OECD

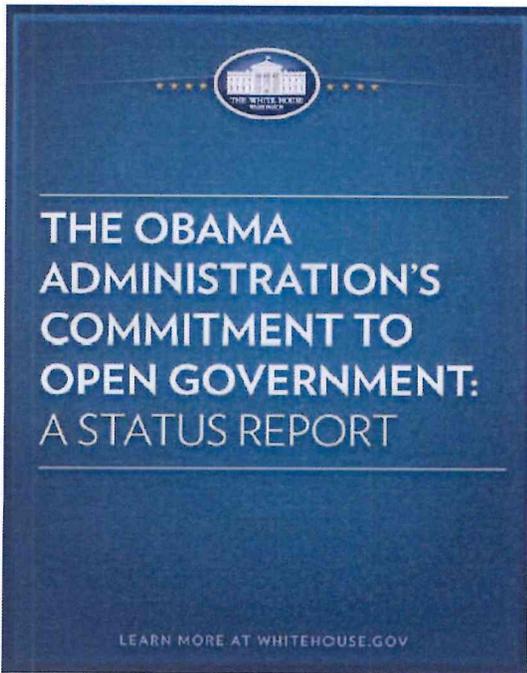
Karin Gavelin, Simon Burall and Richard Wilson

July 2009





#Open Government Dashboard



KEY:

- Meets Expectations
- Progress Toward Expectations
- Fails to Meet Expectations

| Agency | High-Value Data | Data Integrity | Open Webpage | Public Consultation | Overall Plan | Formulating the Plan | Transparency | Participation | Collaboration | Flagship Initiative |
|---|-----------------|----------------|--------------|---------------------|--------------|----------------------|--------------|---------------|---------------|---------------------|
| Agency for International Development | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Agriculture | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Energy | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Education | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Commerce | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Defense | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Health and Human Services | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Homeland Security | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Housing and Urban Development | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of the Interior | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Justice | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of Labor | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Department of State | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |

#Track.dc.gov



track.DC.gov DOH - Department of Health

DOH - Department of Health



line Whether AIDS ... - TheBody.com Jul 27, 2012: International AIDS Conference News: Researchers Examine Whether AIDS ... - Kaiser Health News Jul 26, 2012: D.C. alliance gets cre

Agency Profile



DOH - Department of Health

The Department of Health provides programs and services with the ultimate goal of reducing the burden of disease. We do this through a number of mechanisms that center around prevention, >> more

Dr. Saul M. Levin
Interim Director

Stay Connected

Ask the Director



Agency Website

Performance Plans & Reports

FY12 Performance Plan*

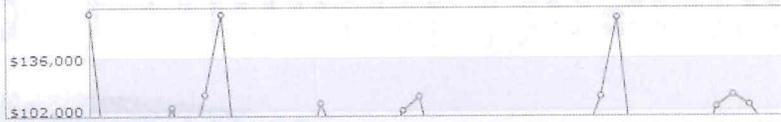
Budget & Operational Information

Personnel Spending

Non-Personnel Spending

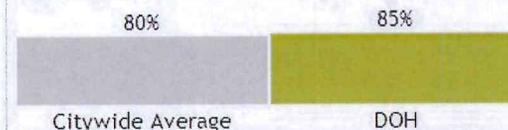
| | Budget | Spent | Encumbered | Burn Rate |
|-------------|---------------|---------------|------------|-----------|
| Fixed Costs | \$18,462,066 | \$16,524,460 | \$0 | 90% |
| Other | \$185,454,673 | \$176,058,266 | \$3,371 | 95% |

Purchase Cards Spending



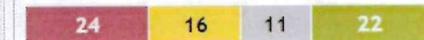
Customer Service

Agency Responsiveness Quality Assurance Results Q1, 2012

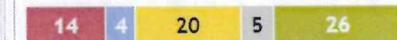


Performance Indicators

FY12



FY11



FY10

Data

FOIA Freedom of Information Act

Jul 15, 2010

[Assisted Living Residential Facilities](#)

CSV

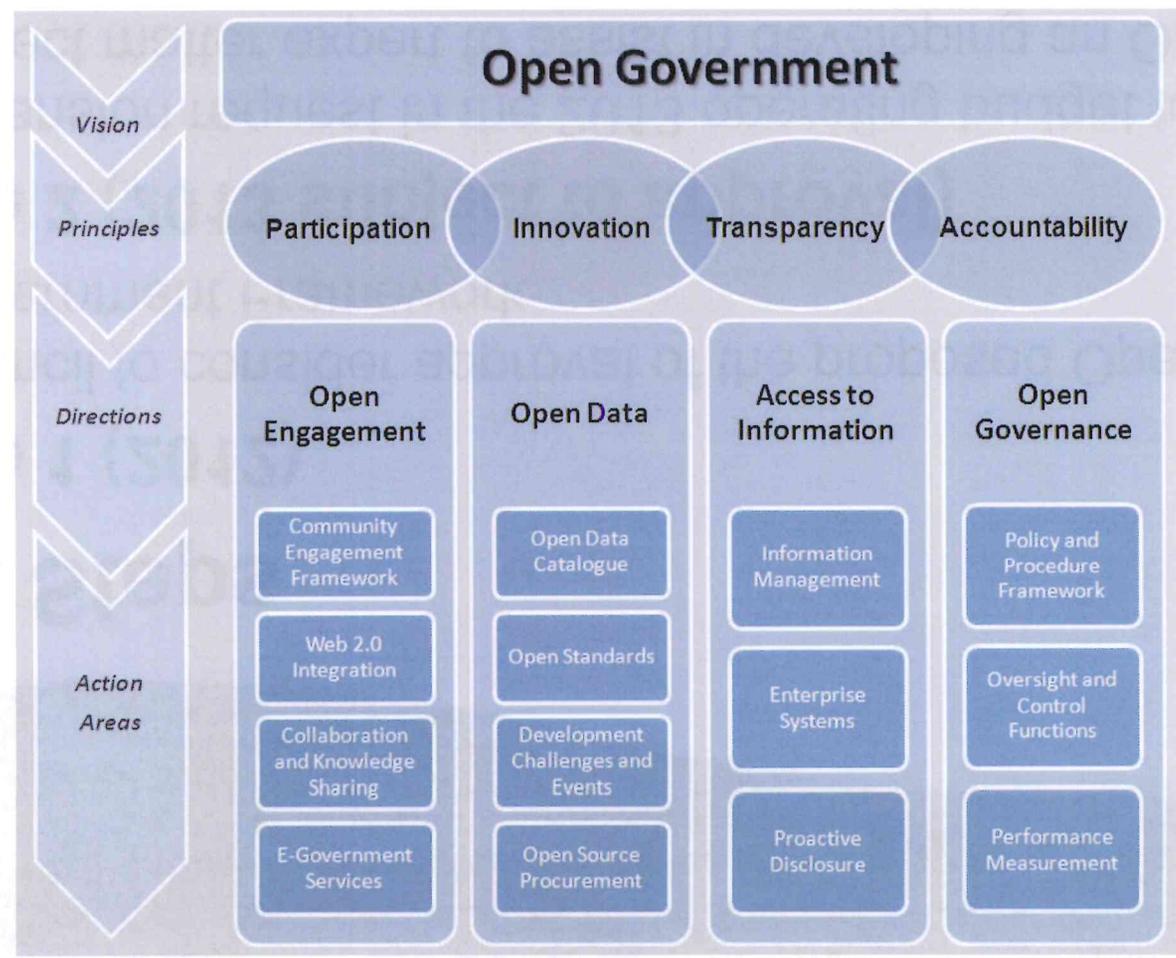
Jul 12, 2010

[Child Placing Agencies](#)

XML

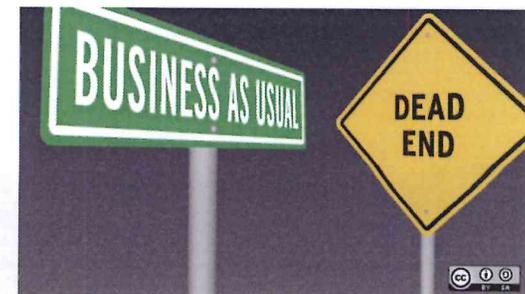
CSV

#Questions?



#Next Steps

- **Phase 1 (2012)**
 - Council to consider approval of the proposed Open Government Framework
- **Phase 2 (2013 subject to approval)**
 - Expansion request in the 2013 operating budget to retain a subject matter expert to assist in developing an Open Government Action Plan for the City
- **Phase 3 (TBD)**
 - Transform to Open Gov
- **Phase 4 (TBD)**
 - Iterate from community metrics



gov2.0 EXPO



OPEN GOV HACKATHON

LONDON CHANGECAMP

HOW DO WE RE-IMAGINE GOVERNMENT & CITIZENSHIP IN THE AGE OF PARTICIPATION?

JOIN THE DISCUSSION
 SAT. JUNE 19TH, 2010
 9:30AM - 4PM
 MUSEUM | LONDON
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Guelph Community Wellbeing Initiative

A Conversation About What Matters

Guelph mayor's blog

Making a Difference

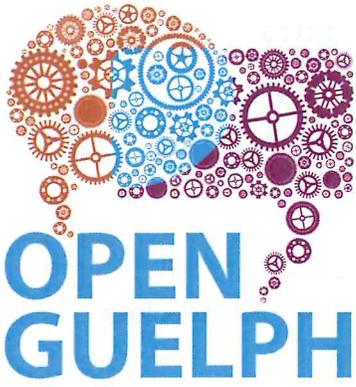
LONDON OPEN DATA BUDGET APP CONTEST

ENGAGING THROUGH DATA

#Government 2.0



2011 Ontario MISA Conference



Open Government **ACTION PLAN**

August 2014



Open by Default – Participate by Nature

A partnership between the public and its servants

Guelph's Open Government vision is founded in a commitment to four principles: participation, innovation, transparency and accountability. It is a partnership between the public and its servants where local government becomes "open by default" and citizens "participate by nature".

If Guelph and its citizens are successful in 'living' Open Government, roles and accountability are better defined and understood, there is shared responsibility for how local government works and trust and confidence in local government improves.

If we can successfully demystify government and open up our processes, information and decision making, we will have made significant strides. When government is met by a willing public ready to learn, participate and contribute, we will have established an open government culture that will continue to evolve in pace with our growing community.

Guelph's citizens are highly motivated, community-minded and environmentally conscious. The City of Guelph has already made strides towards increasing access to its processes and data. Those strides have been consolidated under the Open Guelph banner. Open Guelph invited the community to shape how the City of Guelph would embrace Open Government principles at the beginning of the process. Our focus on open culture, governance and improving the relationship with the citizens we serve and our use of technology as a transformational tool rather than an end unto itself has guided our approach.

Open Government is not business as usual. For progress to be lasting it must be owned by the citizens as well as their government. For change to stick it must be deliberate and incremental. It must also allow for the fact that we might make well-meaning mistakes and need course corrections, but we can get it right if we are consistently collaborative, transparent and accountable.

Open Guelph is a goal and an invitation. It's a starting point and will grow, shift and change continuously. The following is Guelph's Open Government Action Plan outlining proposed actions and a phased approach for implementation that at the end will see public servants who are open by default working hand in hand with citizens who participate by nature.

If you have questions, feedback, suggested changes or want to find out how to get involved, here's our contact:

Email opengov@guelph.ca

Website open.guelph.ca

Twitter [@openguelph](https://twitter.com/openguelph)

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What Does Open Government Look Like?

The City of Guelph's Open Government vision:

To be a **transparent** and **accountable** local government that empowers citizens, leverages technology and encourages community **participation** in the development of **innovative** and meaningful solutions to shared opportunities and challenges.

Open Government Principles

The vision of Open Government is underpinned by four principles, established in order to provide further clarity and to inform the development of this Open Government Action Plan.

Participation: To present the community with an opportunity to contribute to the development of public service, policy and legislation which best serves the common interest. The City of Guelph is committed to the proactive engagement of the community by using a variety of mechanisms to support an open and inclusive dialogue.

Innovation: The creation of value by providing co-created solutions to realize shared rewards. The City of Guelph is committed to collaborating and partnering with the community in a creative way to inspire a new approach to providing better public service and added value.

Transparency: To ensure that the community has access to information with respect to the business and affairs of the City, with limited exceptions, in a timely manner and in open formats without limits on reuse. The City of Guelph is committed to the development and maintenance of information systems designed to manage, safeguard and disseminate civic data in an efficient and meaningful way.

Accountability: An obligation for the City to account for its activities, accept responsibility for them and disclose the results to the community in a transparent manner. The City of Guelph is committed to supporting a legislative and administrative environment where governance mechanisms manage oversight and drive a commitment to continuous improvement.

Open Government Directions

The principles of Open Government are driven through four key directions.

Open engagement: To build on the traditional and legislative foundation of public consultation to realize a transformative approach to the way in which the City can inform, consult, collaborate and empower the community.

Open data: To encourage the use of public data to be made available in practical formats for the purpose of facilitating the development of innovative and value added solutions.

Access to information: To subscribe to best practices and support the necessary tools with respect managing civic information for the purpose of enhancing the transparency of City business and the enrichment of information assets.

Open governance: To develop a management and control framework as well as the necessary policy instruments to define expectations and verify the performance of strategic initiatives related to Open Government.

Rules of Engagement

In addition to the stories our stakeholders shared with us highlighting their desire for more transparency, accountability, collaboration and innovation, we also found through our review of Open Government practices around the world that there is a common set of rules of engagement used by successful Open Government initiatives. These include:

Integrative Approach: Different functions of Open Government (e.g. Open Engagement, Open Data) are approached in an integrative, holistic way given their interconnectedness

Supportive Cultures: The organizational leadership team, public service employees and the broader community are aligned and supportive of Open Government

Joint Ownership: Making co-production and joint ownership across leadership, public service employees and the broader community a fundamental way of working

Test and Learn Culture: Encourages testing and learning in a managed and disciplined way that is premised on an incremental approach to policy management and development

Benefits

Open Government culture and initiatives create a range of planned and unexpected benefits.

- More opportunities for citizens to participate in civic decisions and see their opinions shape positive change in the community.
- Better, more cost-effective municipal services.
- Public policy that better reflects the community's needs, values and interests.
- A more informed and engaged community that works with the City to innovate and solve common challenges.
- A better Guelph.

Story One. Engaging citizens in government decisions

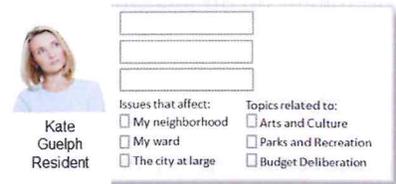
Facilitated two-way conversation between government and residents to inform priorities and decisions.

The Stakeholders

| | | |
|---|---|--|
|  <p>Kate, Guelph Resident</p> <p>Kate is a professional with a busy career and two children. While she'd like peace of mind that her tax money is being spent responsibly, she has little time to invest in researching and monitoring such activities.</p> |  <p>Mary, City of Guelph Employee</p> <p>Mary is an employee at the City. She believes a good civil servant should be accessible by the public and that community members play a key role in the improvement of the community. Mary would like to see technology applied more effectively to improve the efficiency of her department and to empower the community to contribute to the betterment of Guelph.</p> |  <p>Gerry, City of Guelph Councillor</p> <p>Gerry is a City of Guelph Councillor. He is interested in gathering representative feedback from his constituents effectively and efficiently, to ensure he has comprehensive understanding of their needs and can represent them well.</p> |
|---|---|--|

The Story

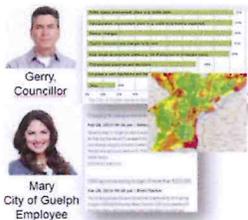
Kate (Guelph Resident) registered her profile at MyGuelph.ca and subscribed to topics of interest.




During the consultation timeframe, **Mary (City of Guelph Employee)** solicited feedback that is automatically sent to community members like Kate who have requested to be engaged on the topic.

(City of Guelph)

Kate (Guelph Resident) receives an invitation to offer her opinion. For her convenience, multiple in-person and online opportunities are offered. She accesses My.Guelph.ca to research and review peer opinions. And she votes on her preferred course of action.



Mary (City of Guelph Employee) and **Gerry (City Councillor)** review the votes and feedback from stakeholders before formulating their recommendations and decisions. With fact-based insights that are representative and timely, Mary and Gerry feel more confident their decisions reflect the needs and priorities of the community.

Key Benefits

- Improved access to information for residents through new online channels
- Coordinated, streamlined ability for staff to consult/engage with citizens on a range of topics
- New tools for Council/staff to view aggregated, geographic input across city (e.g. heat maps) and increase outreach to areas with low participation
- Improved transparency and accountability (e.g. budget priorities) by opening up and simplifying access to key processes

Story Two. E-Service: Working Together to Improve Service Levels

Citizen requests are fast-tracked to City service providers and citizens receive timely updates to track progress and completion.

The Stakeholders

| | |
|---|---|
|  <p>Kate Guelph Resident</p> <p>Kate is a professional with a busy career and two children. While she'd like peace of mind that her tax money is being spent responsibly, she has little time to invest in researching and monitoring such activities.</p> |  <p>Mary City of Guelph Employee</p> <p>Mary is an employee at the City. She believes a good civil servant should be accessible by the public and that community members play a key role in the betterment of the community. Mary would like to see technology be more effectively applied to improve efficiency of her department and to empower the community to contribute to the betterment of Guelph.</p> |
|---|---|

The Story

Kate (Guelph Resident) is out hiking with her kids on a City-maintained trail. She sees a fallen tree that needs to be removed. She reports the fallen tree on Twitter and attaches an image. The location of the fallen tree is automatically geo-tagged and a work request is created.



Mary (City of Guelph Employee) receives the service request and attached image. She is able to assess needs and plan routes efficiently based on service request details, image and accurate location of the fallen tree.

Mary adds the service request to the crew that is already assigned to the area for the afternoon. The assignment of the service request automatically triggers and issues an update to Kate. After removing the tree, the City crew updates the service request through their mobile device. Another update is triggered and issued to notify both Mary and Kate the service request is resolved.



Key Benefits

- Streamlined, automated service delivery processes reduce costs
- Simplified access for Citizens and greater transparency re service delivery processes & progress
- City employees able to communicate with community stakeholders frequently and cost-effectively

Story Three. Smart City: Making our City Accessible Together

In an “open by default” City environment supported by technology, government businesses and community members are free to create and innovate with limitless and unexpected positive benefits for the community.

The Stakeholders

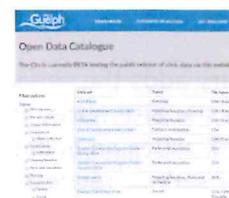
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|  <p>Kate Guelph Resident</p> <p>Kate is a professional with a busy career and two children. While she'd like peace of mind that her tax money is being spent responsibly, she has little time to invest in researching and monitoring such activities.</p> |  <p>Mary City of Guelph Employee</p> <p>Mary is an employee at the City. She believes a good civil servant should be accessible by the public and that community members play a key role in the betterment of the community. Mary would like to see technology be more effectively applied to improve efficiency of her department and to empower the community to contribute to the betterment of Guelph.</p> |
|  <p>Aatif Restaurant Owner</p> <p>Aatif owns a restaurant in Guelph. As a business owner, he is interested in having better and easier access to resources to advance his business and to service the public.</p> |  <p>Matt App Developer</p> <p>Matt is a recent grad and a web developer who lives and works in Guelph. He aspires to make the world a better place by putting his development chops to good use. He developed a handful of useful apps for the community that extract data from the City.</p> |

The Story

Aatif (restaurant owner) recently completed renovations on his restaurant. He went on Guelph.ca and updated the building code related information and floor plan of his newly-renovated space.



Mary (the City of Guelph employee) periodically audits building codes to ensure they are up-to-date. For those who have not reported in the last two years, she sends a request for update. Since Aatif has just updated the information of his building she did not have to send him a request. The new building code data was uploaded to Guelph's open data catalogue for public use.



Matt (app developer) created an app called Accessibility Guelph which shows all the accessible buildings in the City. The app collects data from the City database and displays it in a user-friendly manner. He takes pride that his app is useful for local residents and businesses. Because of the number of unique visitors, Matt is also able to make money by selling advertising space on his app.



When Kate was planning an outing with her mother, who has a disability, she used the Accessibility Guelph app to find accessible restaurants in her neighbourhood. Aatif's restaurant was on the list. She decides to take her mother to visit Aatif's restaurant.

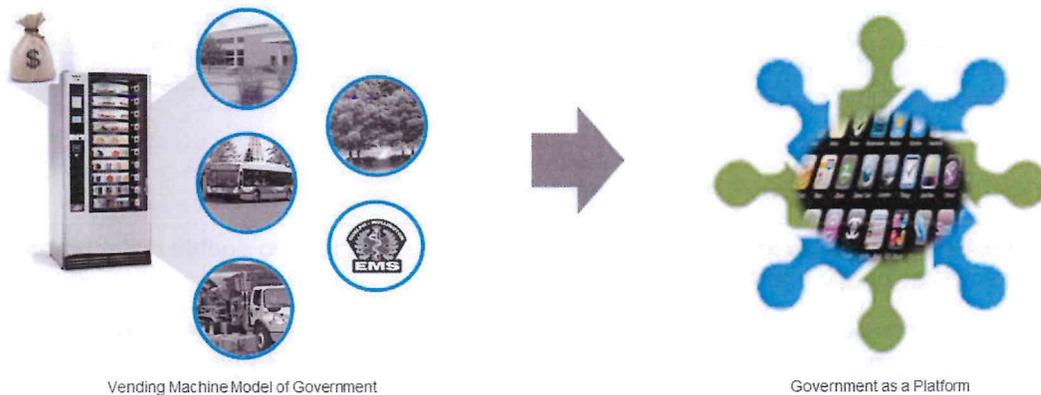
Key Benefits

- Make it easier for all community stakeholders to participate in creating innovative solutions for city challenges
- Collaborate with businesses to improve access to relevant and meaningful information
- Make data collected by local government publicly available to encourage entrepreneurs to develop new applications

Changing Role of Government

Expectations of government are changing. In a world where we can bank from home, share pictures with our family and friends in real-time and get a degree online, we expect government to be just as easy and accessible. We also expect to be able to actively participate and contribute ideas that make our communities better.

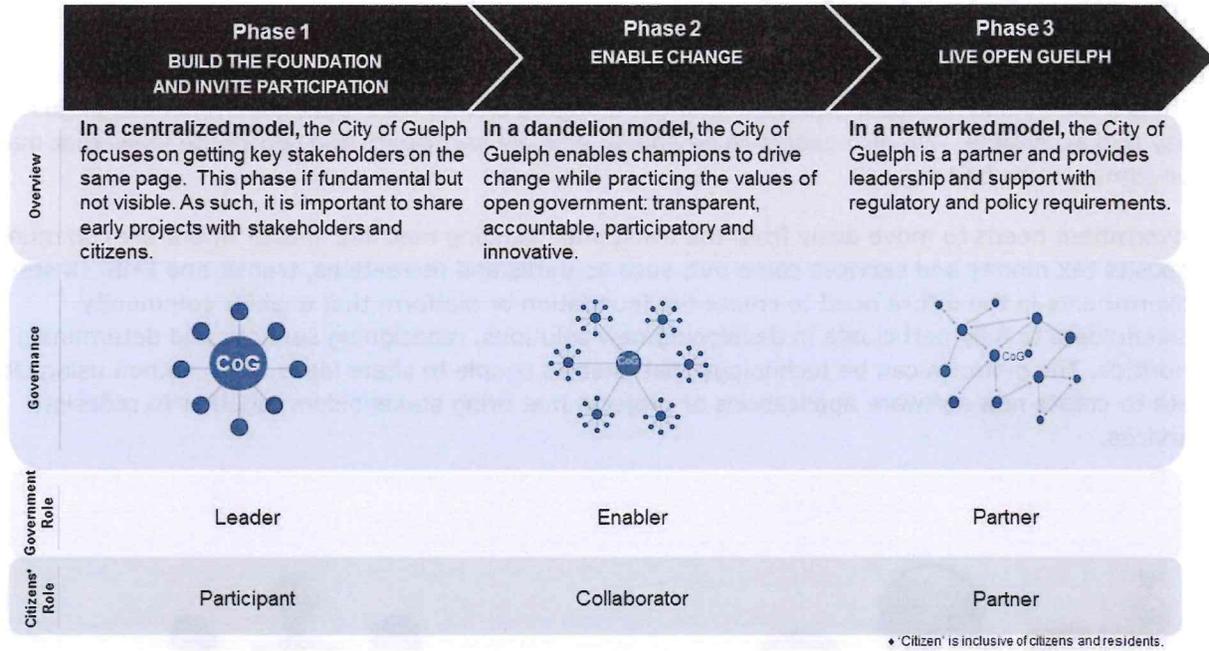
Government needs to move away from the traditional 'vending machine' model where the community deposits tax money and services come out, such as parks and recreations, transit and EMS. Instead, governments in the future need to create the foundation or platform that enables community stakeholders to fully participate in developing new solutions, redesigning services and determining priorities. The platform can be technology that enables people to share ideas, a hackathon using city data to create new software applications or projects that bring stakeholders together to redesign services.



Recommended Action Plan

Phased Implementation Approach:

The City of Guelph is already moving towards new governance approaches that share leadership and decision-making with a variety of community stakeholders. As the Guelph community continues to evolve to Open Government, the governance structure and the respective roles of the City of Guelph and Guelph citizens will also evolve. This evolution is reflected in the anticipated three phases of OGAP implementation plan outlined below:



ACTIONS

To realize the Action Plan, six ACTIONS are recommended:

ACTION 1. Move to Open Governance: Establish a governance structure to enable collaboration with stakeholders, drive change and measure progress.

ACTION 2. Create an "Open by Default" Culture: Encourage and reward an open culture – transparent, accountable, participatory and innovative – with City of Guelph employees.

ACTION 3. Open up City Hall: Develop a MyGuelph platform that makes it easy for community members to understand and interact with local government.

ACTION 4. Increase Community Engagement and Participation: Improve awareness of the role and benefits of a civic community actively participating with local government.

ACTION 5. Implement e-Government Services: Provide digital government services to facilitate service delivery and information requests.

ACTION 6. Make Data and Information Public Assets: Share City data and information with accessible, open standards.

ACTION 1. Move to Open Governance

We will establish a multi-stakeholder group of internal and external champions to oversee the implementation of the Action Plan, set annual priorities and monitor progress. This adaptable governance structure will include a unified and disciplined approach in the management, measurement and public reporting of Open Government related initiatives. Learning from this governance approach will be shared and implemented in other City project areas.

The key components of this ACTION include:

1.1 Establish Dedicated Human Resource(s) for Open Government⁺

Given the degree of planning, coordination, monitoring and reporting activities associated with the Action Plan, the funding and staffing of dedicated resource(s) are strongly recommended to ensure successful implementation.

In Phase 1, the dedicated human resource(s) will support the Leadership Team and steward Open Government initiatives. Projects identified under the Action Plan will primarily be the responsibility of the related City departments, service areas and community stakeholder groups. The dedicated Open Government human resource(s) will facilitate sharing and coordination across project teams and stakeholder groups including community representatives, City departments and service areas, public sector organizations (e.g. other municipalities, Ontario Government) and academic institutions.

1.2 Form an Open Government Leadership Team

In addition to the dedicated human resource(s), a Leadership Team consisting of internal and external stakeholders is also recommended. The role of the Leadership Team is to ensure alignment and shared ownership with key community stakeholder groups, City departments and service areas at each phase of the Open Government Action Plan. The Leadership Team will outline systems and processes to ensure consistency across projects and departments and monitor a project plan that includes schedules, key milestones, budgets and results.

1.3 Develop and Implement a Transparent Performance Measurement⁺ Framework

The role of the performance measurement⁺ framework is to regularly and consistently measure Open Government initiatives in a standardized way to assess the overall impact of the Action Plan and share results and insights across stakeholder groups. The performance measures will be determined through consultation with stakeholders and other open government jurisdictions.

Transparent and near real-time performance reporting through online performance measurement dashboards or balanced scorecards will provide Council and community stakeholders the ability to view progress and challenges. Open and real-time accountability provides local government the ability to acknowledge and learn from failure, share mistakes across the organization and improve as a whole.

1.4 Develop and Implement a Prioritization Framework

The prioritization framework outlines a process to consider projects holistically and identify higher value initiatives that will provide the most value for the community. The number of opportunities will assuredly exceed the resources available for implementation. Therefore, a consistent, disciplined and transparent approach to prioritizing projects developed with stakeholder consultation is important.

⁺ Projects identified by community stakeholders during Open Guelph Action Plan project consultation.

ACTION 2. Create an “Open by Default” Culture⁺

We will encourage and reward an internal culture within the City of Guelph that is consistent with the four Open Guelph principles – transparency, accountability, participation and innovation. Cultural and operational alignment with Open Government values is imperative in the success of Open Government in Guelph and a mandatory component of the Action Plan.

Open Government isn’t about making more work for employees. Over time and with the appropriate education and technology, how we work will adapt and grow more efficient, transparent and accountable. The initial investment in human and financial resources will yield solutions that provide citizens with the ability to manage many services requests online.

The key components of this ACTION include:

2.1 Ensure Existing and New Policies, Codes of Conduct, Leadership Governance and Service Standards are premised on the Open by Default Principle

“Open by default” is a concept that is being increasingly adopted by governments around the world. Simply put, it’s a share-first philosophy that habitually puts government data into the public domain while understanding that some information still needs to be protected for reasons including privacy or security.

To ensure the City can move through the Action Plan successfully, policies, codes of conduct, leadership governance and service standards need to be premised on the principle of Open by Default to enable department and service areas to move towards Open Government.

2.2 Engage and Empower Employees through Education and Tools

Design, source and implement educational programs and tools that will help employees build relationships and trust with community members including:

- Increase the overall understanding of Open Government in Guelph and identify opportunities to make changes to work processes or programs
- Encourage the use of plain language in all internal and external communications
- Make employees aware of effective ways to engage the community
- Develop organizational tolerance for reasonable risk taking and failure reporting
- Increase digital competency for practical day-to-day operation

We recommend providing City of Guelph employees and working groups with reasonable authority to quickly respond to citizen and stakeholder needs and requests. This would improve response time, build a confident and engaged workforce, and grow trust with the community.

2.3 Align Internal Talent Processes⁺

Align recruitment practices, performance development plans and recognition programs with Open Government principles.

2.4 Cultivate Open Government Champions through a Community of Practice

Cultivate Open Government champions by forming a Community of Practice including internal and external stakeholders to capture and share learning, communicate failure and celebrate successes.

2.5 Identify Open Government Activities in Service Areas and Department Annual Work Plans

Require service areas and departments to identify Open Government aligned activities in their work plans, including but not limited to making data sets and information publicly available, digitizing government services to enable self-service functionality, and refining processes, policies and service standards to align with the principles of Open Government.

ACTION 3. Open up City Hall

We will develop a platform that makes it easy for community members to understand and interact with local government through a highly searchable website that can be personalized based on individual interests and preferences⁺. MyGuelph will enable relevant and effective community engagement, provide a broad range of services online, take pressure off City resources and provide fast access to City data and services. To increase understanding of city hall works - departments will work to develop process maps that will outline how government services and decisions are made from beginning to end.

The key components of this ACTION include:

3.1 Personalized My.Guelph.ca online experience

Offer citizens the ability to personalize the My.Guelph.ca landing page to provide proactive updates for stakeholders based on selected interests and geographic preferences (e.g. MyNeighborhood, MyWard, MyCity). Citizens can register and identify preferred topics and methods of communication. Invites productive interaction with residents based on their specific interests (e.g. arts and culture, budgeting consultation, garbage schedule changes).

3.2 Create and Implement a Platform for Dialogue

Create and implement a dialogue platform where community stakeholders can offer opinions, crowdsource ideas⁺, contribute to policy making and vote on pertinent topics easily and in near real-time (e.g. participatory budgeting⁺).

3.3 Integrate e-Government Services

Plan for and integrate e-Government services with the MyGuelph platform as they roll out (see **Action 5. E-Government Services** for more).

3.4 Council Consultation App

Create an App that makes it easy to communicate with Council in near real-time. Provide online access to history of Council votes, motions and attendance.

⁺ Projects identified by community stakeholders during Open Guelph Action Plan project consultation.

ACTION 4. Increase Community Engagement and Participation

We will increase awareness of the role and benefits of an active civic community and encourage public participation with local government. Active citizenship is imperative in the success of Open Government in Guelph and a mandatory component of the Action Plan.

This ACTION includes the following components:

4.1 Move towards a Principle of Collaboration and Co-creation by Default

Regularly empower the community in decision-making processes where appropriate, using the established Community Engagement Framework as a guide.

4.2 Civic Education Series⁺

Educate community about how local government works, what various levels of government are responsible for and how to get involved starting with a civic education series.

4.3 Expand the Accessibility and Use of Innovative Engagement Tools

Expand the further use of online tools (*Have Your Say*, online MindMixer platform) with user recognition and rewards and improve access to these tools by providing funding support to public access points including public libraries. Incorporate gamification principles into Open Government initiatives to make the online experience fun and rewarding.

4.4 Bring City Hall Services to People via Mobile City Hall and Pop-Up Engagement Activities

Make government services more accessible by bringing City Hall to people through the use of a Mobile City Hall and Pop-Up engagement activities that meet community stakeholders where they live, work and play.

4.5 Explore New Ways to Collaborate with Stakeholders in the Budgeting Process

Build on Guelph's legacy as the first municipality in North America to use participatory budgeting by exploring new ways to work with community stakeholders in the municipal budgeting process⁺.

⁺ Projects identified by community stakeholders during Open Guelph Action Plan project consultation.

ACTION 5. Implement e-Government Services

We will develop and provide digital government services to facilitate efficient service delivery and information requests. The City should maintain responsibility for providing online access to critical City services (e.g. emergency, medical services, EMS). For non-critical topics (e.g. culture/heritage map), the recommended approach is for the City of Guelph to enable and encourage community stakeholders & the private sector to develop creative solutions that address community issues and opportunities.

Specifically, this Action on e-Government Services consists of the following components:

5.1 Enable e-Government Services

Automate residential and business inquiries and transactions where suitable (e.g. licensing applications, business-related service requests and city maintenance reporting e-service⁺).

5.2 AskGuelph⁺

Build AskGuelph – a website search function with the necessary content to provide clear answers to questions about local government.

5.3 Alerts on Garbage Collection Schedule⁺

Provide mobile-friendly updates about what is being picked up (garbage, compost, recycling, yard waste) on what day including the estimated time of arrival of your garbage truck.

5.4 Grass Cutting Schedule

Make grass cutting schedule updates available on Guelph.ca

5.5 Community Events and Programs Schedule

Release City of Guelph community events and program schedule to generate awareness and facilitate the development of community-built apps.

5.6 Moving to an 'Any City Counter, Any Service' Approach

Develop technology infrastructure to accommodate a broad range of service requests at all City service locations.

5.7 Co-operate with Provincial and Federal Government Partners to Offer Seamless Service Delivery for Citizens

Identify and advocate the removal of barriers and move towards seamless intergovernmental service delivery. Collaborate with Service Ontario and Service Canada to find ways to better integrate service access.

⁺ Projects identified by community stakeholders during Open Guelph Action Plan project consultation.

ACTION 6. Make Data and Information Public Assets

We will share City data and information with accessible, open standards. This ACTION is imperative in graduating the City of Guelph into the 'Government as a Platform' mode of operation. By opening up City data and providing opportunities for agencies and community stakeholders to share their data and resources, the City is making it easier for community stakeholders to participate in creating innovative solutions for city challenges.

This ACTION includes the following components:

6.1 Open Up and Release City Data

Open up City data unless there are privacy, security or legal reasons for not doing so. This includes the creation of open data policies and standards with the following considerations:

- **Sharing-induced licensing** (e.g. adopting the Pan-Canadian Open Government Licence)
- **Administrative policies** requiring department and service areas to keep data current with reasonable effort
- **Open source procurement policies** to encourage the use of open source software when possible
- **Metadata Standards** to create standardized ways to categorize City information and machine-readable data to ensure effectiveness and efficiency in the management, sharing and using of City data

6.2 Create an Information Management Infrastructure to Catalogue Shareable City of Guelph Data

Establish an information management infrastructure to manage pertinent information in digital formats, including documents, records and digital assets with priority content around financial information (e.g. budgets) and Council decisions (e.g. bylaws and votes).

Create a catalogue of sharable City of Guelph data that includes an easy-to-understand inventory and classification system and takes into consideration:

- **Readiness to Share** – For data sets that can be shared: are they already in a digital format, accurate, current, and in public consumable formats and languages
- **Benefiting Stakeholders** – Which stakeholder group(s) would be interested in this data set and why?
- **Value to Stakeholders** – What is the importance of this data set to the benefiting stakeholders?
- **Ownership** – Which department or service area within the City is responsible for the maintenance and publishing of the data set(s)?

We will create an opportunity for developers, end users and City employees to discuss the app development process and usability of data sets in an online forum.

6.3 Establish an Open Data Committee

Establish an open data committee to develop and implement policies and standards based on the Open by Default principle. The Open Data Committee would also take on the task of creating guidelines and processes to ensure appropriate expectations are set with internal and external stakeholders including rights of usage, responsibilities and standards on data currency, accuracy and format (e.g. digital format, not in niche business jargon or abbreviated codes).

6.4 Develop Infrastructure and Application Programming Interfaces (API's)

Develop infrastructure and mobile or desktop application programming interfaces (API's) to house and enable interaction with data sets (e.g. data feeds). In addition to data sets, the City of Guelph open data platform can also include a catalogue of open source tools various stakeholders can build on to maximize productivity and impact.

6.5 Expand Catalogue to Include Community and Agency Owned Data

Invite municipal agencies and community stakeholders to publish and maintain their data catalogues within the City of Guelph platform in order to centralize sharable data within the Guelph community and to induce sharing and usage of data sets beyond those owned by the City of Guelph.

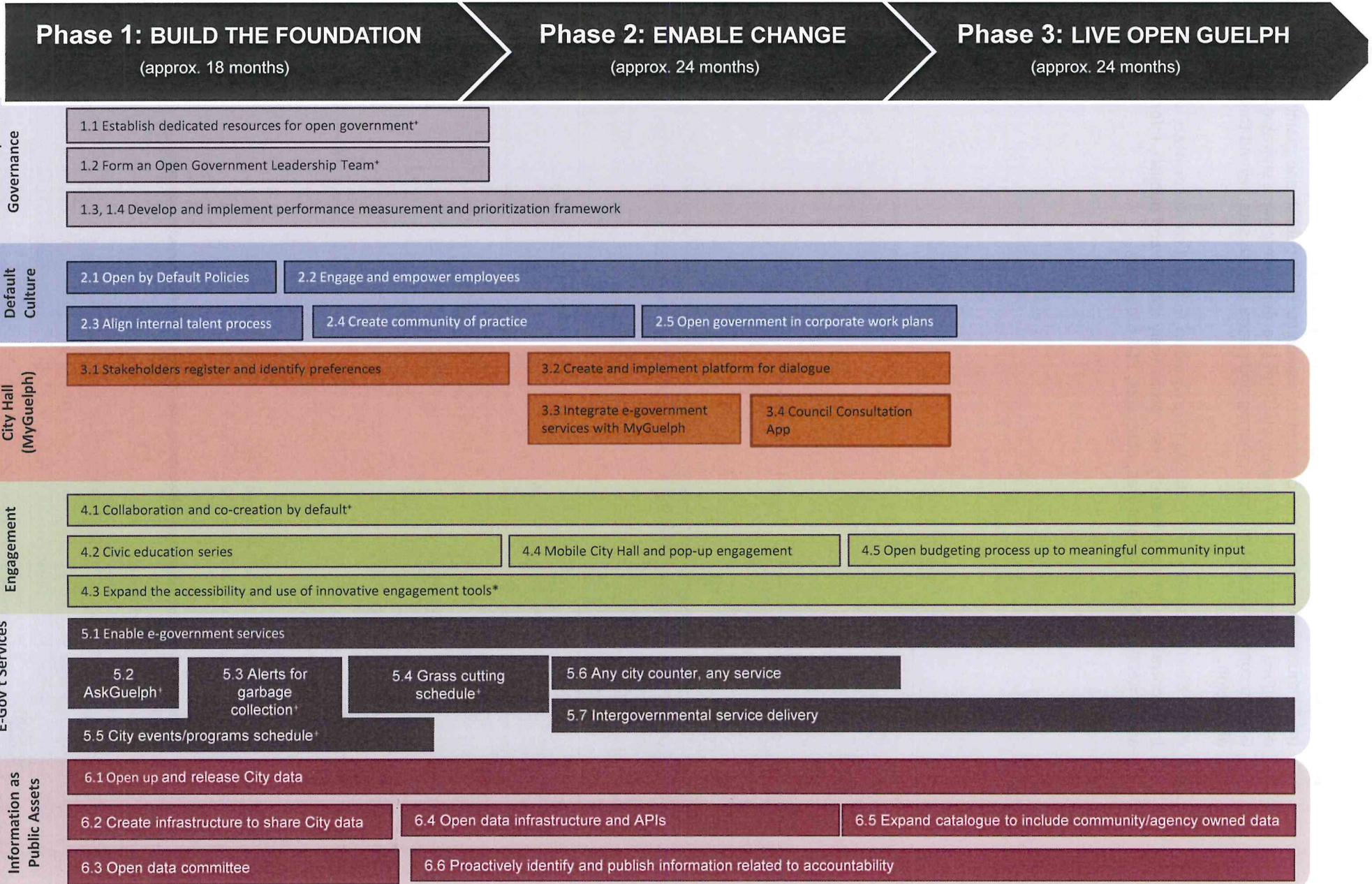
6.6 Proactively Identify and Publish Information Related to Accountability

In a centralized and user-friendly way, proactively identify and publish, information related to accountability (e.g. expenditures, contracts, FOI requests).

+ Projects identified by community stakeholders during Open Guelph Action Plan project consultation.

Roadmap

The six multi-phased ACTIONS can be further divided into 35 projects in digestible sizes. The sequencing of projects takes into careful consideration the foundational activities (e.g. technology infrastructure) that need to take place before certain Open Government benefits (e.g. open data) can be realized. The roadmap also strikes a balance between longer-term, infrastructure work and early demonstration projects (e.g. Council consultation application, garbage collection alerts) to build momentum and buy-in for the necessary investment in and community support for Open Government. Below is an overview of the projects, timing and sequencing, followed by project details:





Open Government Action Plan

September 8, 2014

Agenda

Project Background

Vision: Living Open Guelph

Current State

Way Forward

Recommended Action Plan

Project Background

Project Objective

Define a deliberate and realistic 5-year action plan to move the City of Guelph towards Open Government, in co-production with stakeholders.

Assessment & Consultation

CURRENT STATE - 2014

MARCH

- **Organizational environmental scan:** 55 internal stakeholders interviewed and relevant policies reviewed
- **Open government online survey:** 1000+ views, 491 respondents

APRIL - MAY

- **MindMixer online tool:** 59 ideas, 100 interactions, 800 page views
- **Round tables** and community led meet-ups using the **Open Guelph Meet up Toolkit**

MAY – JUNE

- **ChangeCamp:** 76 participants, 15 community members self-identified as open government champions

JULY - AUGUST

- **Validation workshop:** draft Open Gov. Action Plan presented; 25 attendees, 9 community champions

FUTURE STATE – 2015+

**GUELPH'S
 OPEN
 GOVERNMENT
 ACTION PLAN**

Open by Default

Participate by Nature

Legend

 City Assessment & Consultation

 Community Assessment & Consultation

 Community & City Assessment & Consultation

 Vision State Assessment

2020 Vision

Living Open Guelph

delv/nia

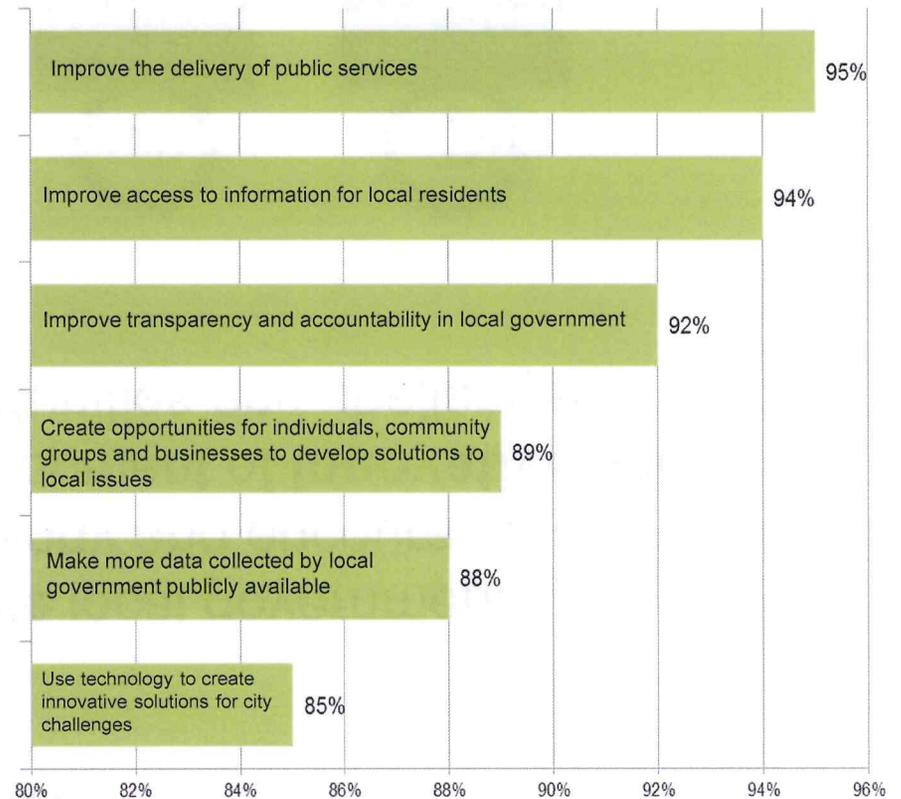
Open Government Vision

To be a **transparent** and **accountable** local government that empowers citizens, leverages technology and encourages community **participation** in the development of **innovative** and meaningful solutions to shared opportunities and challenges.



Community Stakeholders Highly Interested

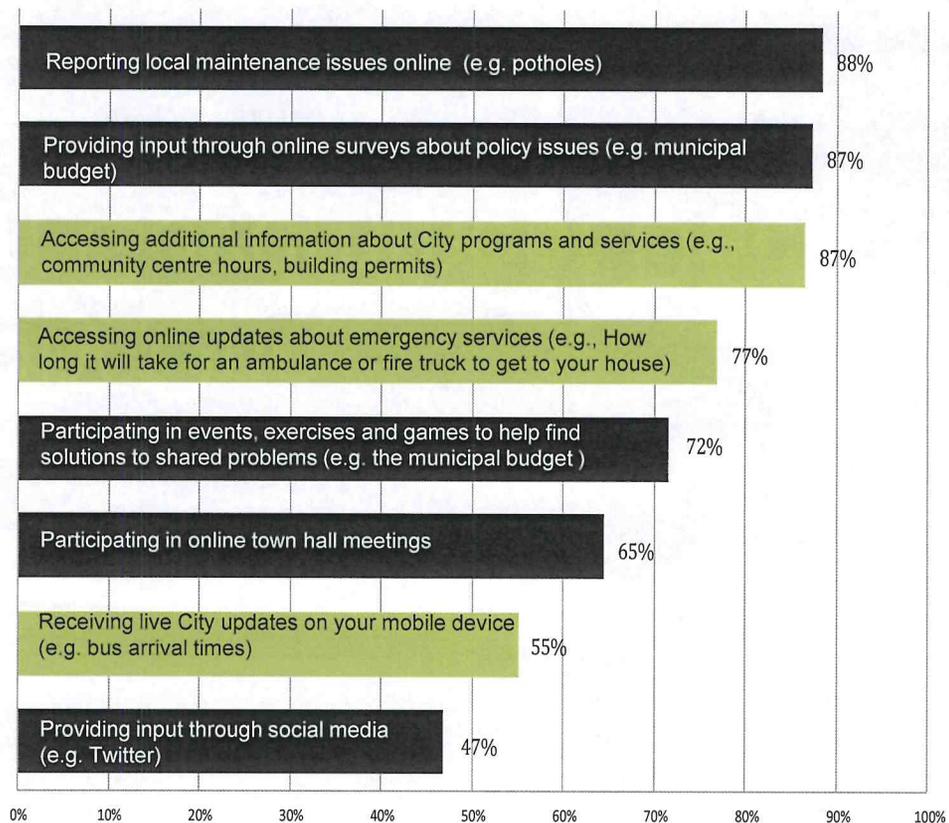
Community members are highly interested in key benefits created by Open Government.



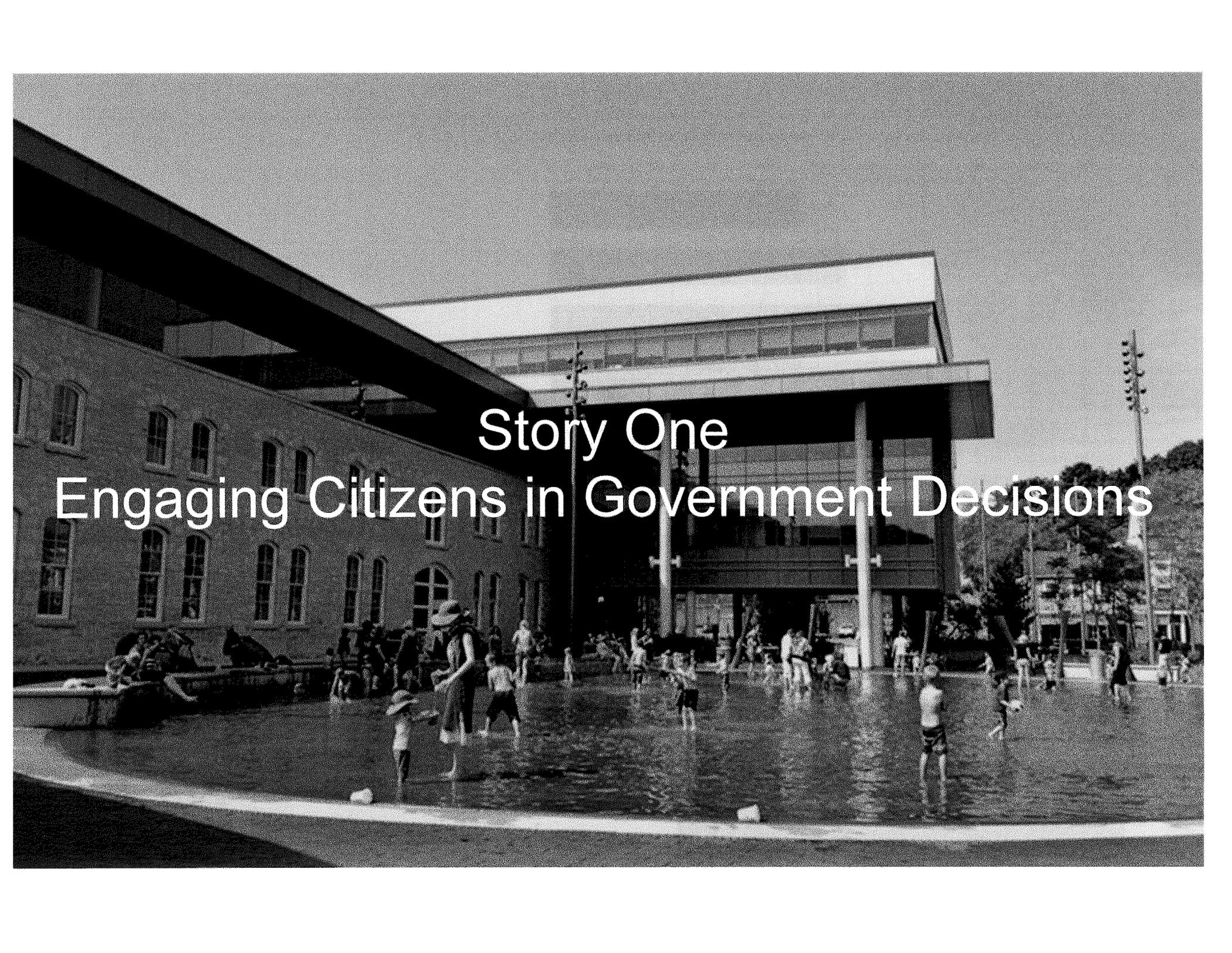
Q: What's your level of interest in the following Open Government goals? (n=468)
Source: Open Guelph Survey, 2014

Being Part of the Solution

The Guelph community is interested in more than consuming services. The Guelph community is interested in being part of the solution.



Q: How interested are you in participating in the following? (n=386)

A black and white photograph of a public square. In the foreground, a large, shallow fountain with water is filled with people, including children and adults, who appear to be playing and socializing. The fountain is bordered by a low concrete wall. In the background, a modern, multi-story building with a prominent horizontal band of windows and a glass-enclosed upper level stands. To the left, a traditional brick building with arched windows is visible. The sky is clear, and a tall stadium light tower is visible in the distance on the right. The overall scene depicts a vibrant public space.

Story One
Engaging Citizens in Government Decisions

Engaging Citizens in Government Decisions



**Kate
(Resident)**

If Kate doesn't have access to the internet then City Hall will go to Kate via Guelph's Mobile City Hall.

Key Benefits

- Make government services more accessible by bringing City Hall to people through the use of a Mobile City Hall that meets community stakeholders where they live, work and play.
- Brings the benefits of Open Government to those without access to the internet or mobile devices

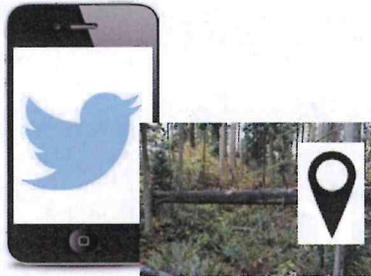
A black and white photograph of a forest path. The path is a narrow, light-colored trail that leads from the foreground into the distance, flanked by tall, thin trees. The ground is covered in fallen leaves and twigs. The trees are mostly bare, suggesting a late autumn or winter setting. The overall mood is quiet and serene.

Story Two
E-Services: Working Together to
Improve Service Levels

E-Services – Working Together to Improve Service Levels



**Kate
(Resident)**



Resident reported fallen tree on park trail via Twitter, using a mobile device. The location of the fallen tree is automatically geotagged and a work request is created.



Resident receives updates on the submitted service request at each step in the process.



Key Benefits

- Streamlined, automated service delivery processes reduce costs
- Simplified access for citizens and greater transparency re service delivery processes & progress
- City employees able to communicate with community stakeholders frequently and cost-effectively



**Mary
(Employee)**

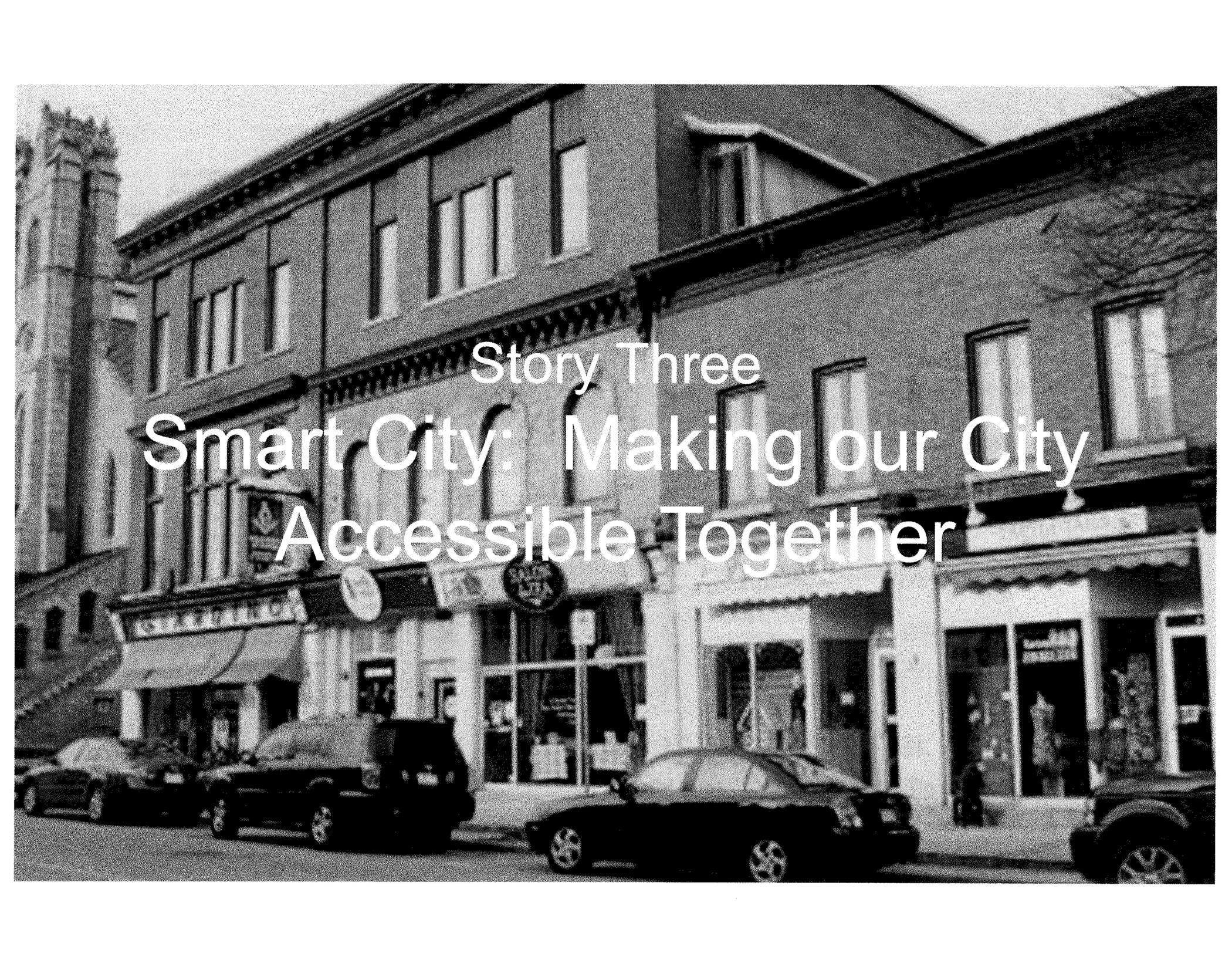


Employee assessed needs and planned route efficiently based on reported service request details, image and accurate location of the fallen tree.



Crew dispatched to cleanup. Upon completion, crew updated the service request.



A black and white photograph of a city street scene. The image shows several multi-story buildings with classic architectural features like arched windows and decorative cornices. In the foreground, several cars are parked along the street. The text "Story Three" is positioned at the top, and "Smart City: Making our City Accessible Together" is written in a larger font across the middle of the image.

Story Three
Smart City: Making our City
Accessible Together

Smart City - Making Our City Accessible Together



**Aatif
(Business
Owner)**

Title:

Description:

Location:

Attachment:

Restaurant owner updated building code related information and floor plan of his newly renovated space on guelph.ca.



**Matt
(App
Developer)**



App developer scraped building code and floor plan information from the City database and displayed them on his Accessible Guelph app.

Key Benefits

- Make it easier for all community stakeholders to fully participate in creating innovative solutions for city challenges
- Collaborate with businesses to improve access to relevant and meaningful information
- Make data collected by local government publicly available to encourage entrepreneurs to develop new applications.



**Mary
(Employee)**

| Attachment | Event Type | Location | Event Name | Event Date | Event Time |
|------------|---------------|-----------|---------------|------------|------------|
| | Building Code | CATHERINE | Building Code | 2014-01-01 | 09:00 |
| | Building Code | CATHERINE | Building Code | 2014-01-01 | 09:00 |
| | Building Code | CATHERINE | Building Code | 2014-01-01 | 09:00 |
| | Building Code | CATHERINE | Building Code | 2014-01-01 | 09:00 |
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| | Building Code | CATHERINE | Building Code | 2014-01-01 | 09:00 |
| | Building Code | CATHERINE | Building Code | 2014-01-01 | 09:00 |

City employee reviewed information and floor plan for compliance.



The new building code data was uploaded to Guelph's open data catalogue for public use.

**Kate
(Resident)**



Resident used Accessible Guelph mobile app to find accessible restaurants in her neighborhood.

What Does Open Government Look Like?

Best Practice Review Finds ...

No one model for Open Government, however there are rules of engagement that make some more successful than others:

- **Integrative approach**

Different functions of Open Government are approached in an integrative, holistic way

- **Supportive Cultures**

Leadership Team | Public Service Employees | Community

- **Shared Ownership**

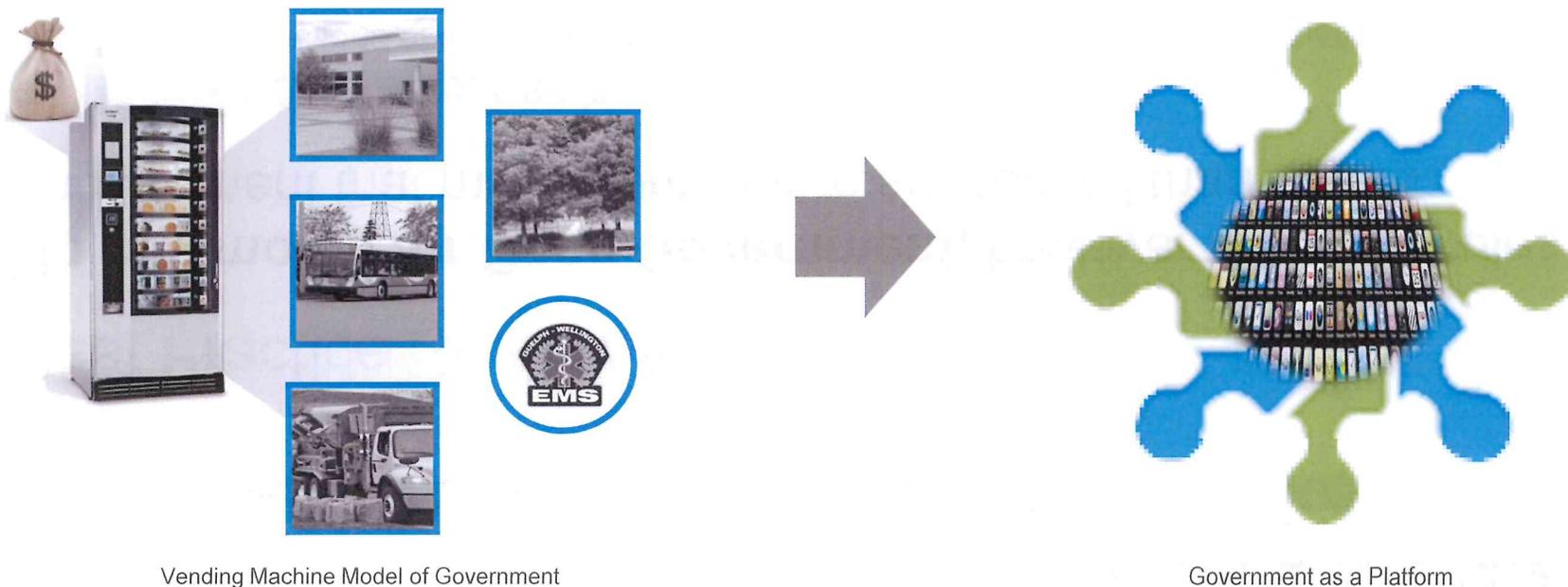
Leadership Team | Public Service Employees | Community

- **Test and Learn Culture**

Encourages testing and learning in a managed and disciplined way; premised on an incremental approach to policy management and development

Changing Role of Government

Government needs to move away from the traditional 'vending machine' model of service delivery to 'government as a platform' that enables community stakeholders to fully participate in developing new solutions, redesigning services and determining priorities.



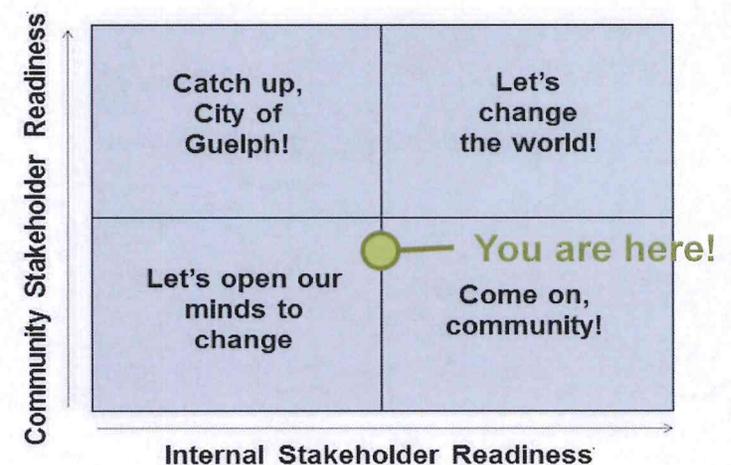
Current State

Where Do We Stand Today?

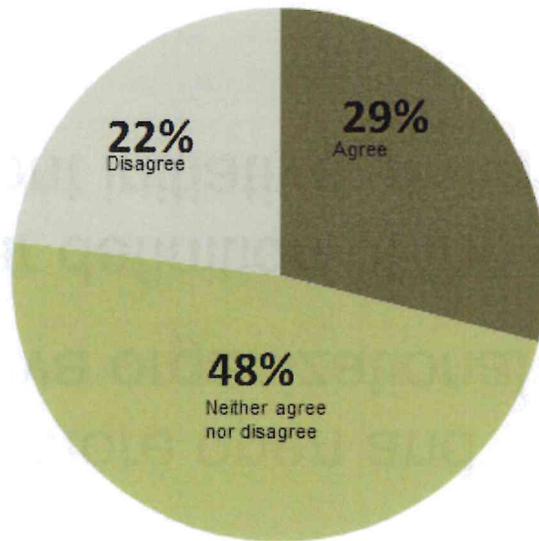
delv/nia

Where Do We Stand Today?

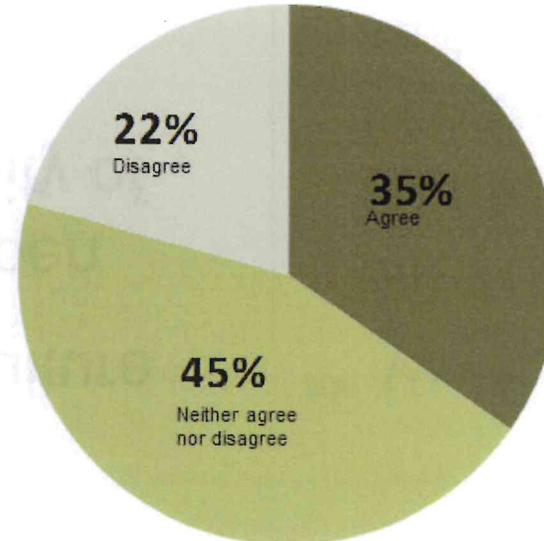
- **High interest across the board:** From City leadership team, employees, and the community, making Guelph primed for Open Government
- **City in the position to lead** the community in adopting Open Government
- **Community Gaps:** Trust in the City
- **Internal Organizational Gaps:** Organizational culture, governance and communication



Community Gaps: Trust



I trust that my municipal government to do what is right.



I believe the City of Guelph cares about what I think.

Please rate your agreement for each of the following statements: (n=478)

Internal Organizational Gaps

- Require a more open and collaborative organizational culture
- Need clear definition of the Open Government initiative at the City of Guelph
- Need corporate resource management and prioritization framework informed by citizens
- City data not ready for public use

“ We have a lot of data that doesn't talk to each other. I go to open a file and am told I don't have permission to access it. ”

- City Staff

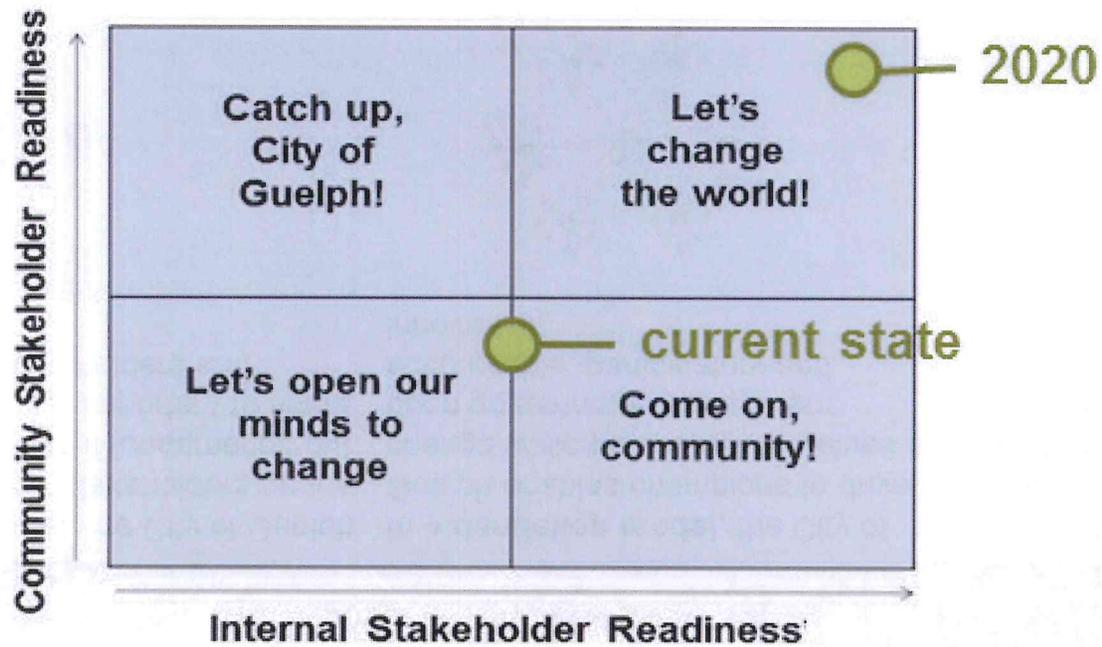
Way Forward

Recommended Action Plan

to make it happen

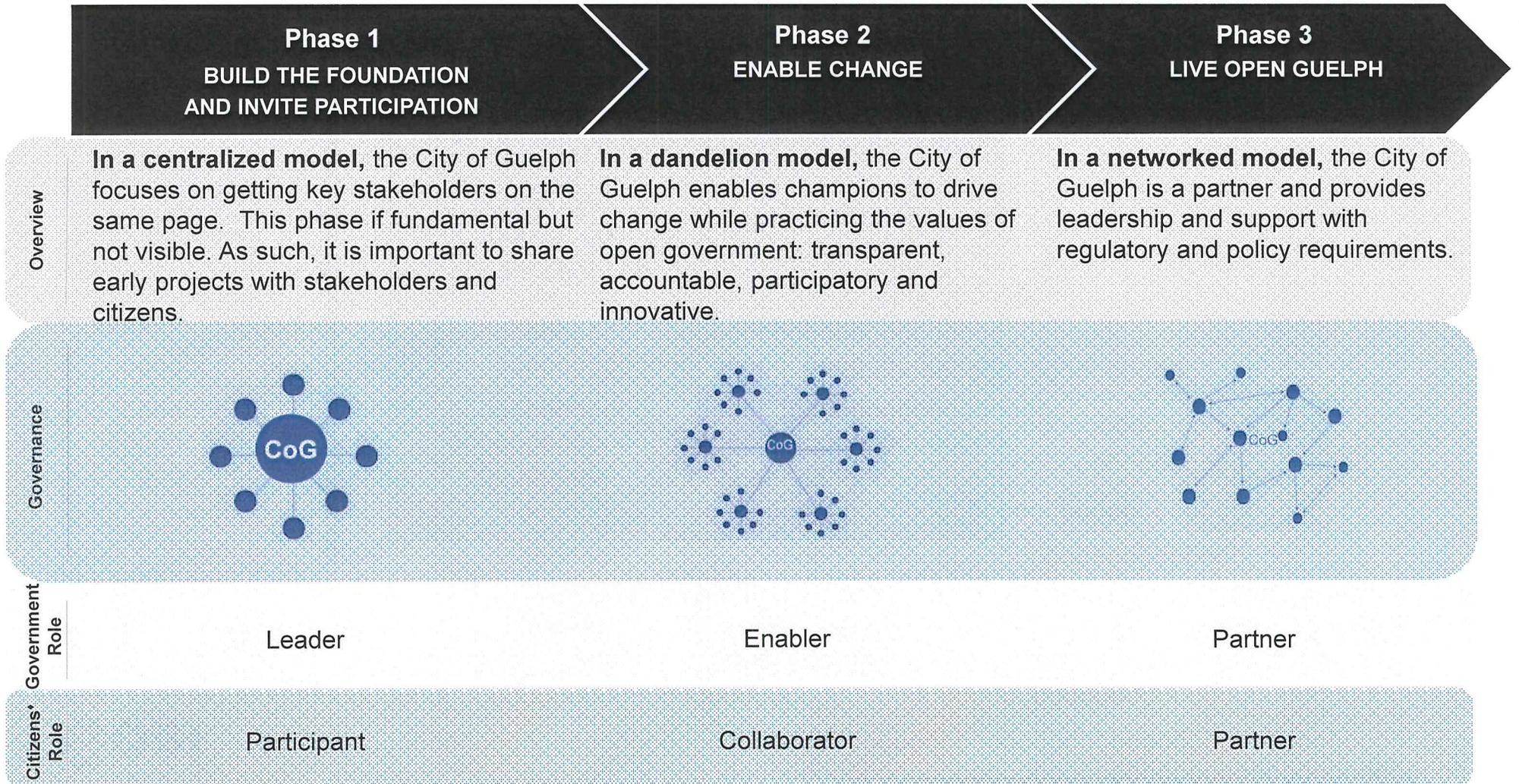
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Goal



Recommended Action Plan

Phases



♦ 'Citizen' is inclusive of citizens and residents.

Actions

1. Move to Open Governance

Establish a governance structure to enable collaboration with stakeholders, drive change and measure progress.

2. Create and ‘Open by Default’ Culture

Encourage and reward an open culture – transparent, accountable, participatory and innovative – with City of Guelph employees.

3. Open up City Hall

Develop a MyGuelph platform that makes it easy for community members to understand and interact with local government.

4. Increase Community Engagement and Participation

Improve awareness of the role and benefits of a civic community actively participating with local government.

5. Implement e-Government Services

Provide digital government services to facilitate service delivery and information requests.

6. Make Data and Information Public Assets

Share City data and information with accessible, open standards.

Recommended Action Plan

Roadmap

Phase 1: BUILD THE FOUNDATION

(approx. 18 months)

Phase 2: ENABLE CHANGE

(approx. 24 months)

Phase 3: LIVE OPEN GUELPH

(approx. 24 months)

Action 1. Move to Open Governance

1.1 Establish dedicated resources for open government+

1.2 Form an Open Government Leadership Team+

1.3, 1.4 Develop and implement performance measurement and prioritization framework

Action 2. Open by Default Culture

2.1 Open by Default Policies

2.2 Engage and empower employees

2.3 Align internal talent process

2.4 Create community of practice

2.5 Open government in corporate work plans

Action 3. Open up City Hall (MyGuelph)

3.1 Personalized My.Guelph.ca online experience

3.2 Create and implement platform for dialogue

3.3 Integrate e-government services with MyGuelph

3.4 Council Consultation App

Recommended Action Plan

Roadmap

Phase 1: BUILD THE FOUNDATION

(approx. 18 months)

Phase 2: ENABLE CHANGE

(approx. 24 months)

Phase 3: LIVE OPEN GUELPH

(approx. 24 months)

Action 4. Community Engagement

4.1 Collaboration and co-creation by default⁺

4.2 Civic education series

4.4 Mobile City Hall and pop-up engagement

4.5 Open budgeting process up to meaningful community input

4.3 Expand the accessibility and use of innovative engagement tools^{*}

Action 5. E-Gov't Services

5.1 Enable e-government services

5.2 AskGuelph⁺

5.3 Alerts for garbage collection⁺

5.4 Grass cutting schedule⁺

5.6 Any city counter, any service

5.5 City events/programs schedule⁺

5.7 Intergovernmental service delivery

Action 6. Data and Information as Public Assets

6.1 Open up and release City data

6.2 Create infrastructure to share City data

6.4 Open data infrastructure and APIs

6.5 Expand catalogue to include community/agency owned data

6.3 Open data committee

6.6 Proactively identify and publish information related to accountability

Performance Metrics

END OF PHASE (MACRO)

- Champions and Culture
- Trust Level
- Engagement Level

PROJECT LEVEL (MICRO)

- Value to Stakeholders (e.g. better quality, operational efficiency, accessibility, stakeholder satisfaction)
- Awareness and Usage
- Learning
- Speed to Project Completion

Performance Metrics

Phase 1: BUILD THE FOUNDATION

(approx. 18 months)

Phase 2: ENABLE CHANGE

(approx. 24 months)

Phase 3: LIVE OPEN GUELPH

(approx. 24 months)

Champions
& Culture

- >50% of employees that participated in the research convey Open Government in ways consistent with the Open Government values
- Increase internal champion level to >50%¹ of survey respondents
- Departments and community groups own Open Government initiatives, in coordination with the designated Open Government team
- Increase internal champion level to >70% of survey respondents

Trust Level

- Increase score on 'I believe the City of Guelph cares about what I think' from 35%² to 40%
- Increase score on 'I believe the City of Guelph cares about what I think' to >50%
- Increase score on 'I believe the City of Guelph cares about what I think' to >60%

Engagement
Level

- Gather benchmark and grow number of engaged stakeholders by 20%
- Grow MyGuelph registrants to 5,000
- Grow number of engaged stakeholders by 20%
- Grow MyGuelph registrants to 10,000
- Grow number of engaged stakeholders by 20%
- Grow MyGuelph registrants to 20,000

¹ Open Guelph survey (2014) reveals 41% of employees are champions of Open Government

² Stats from Open Guelph survey

Next Steps

1. Produce an Open Government Action Plan for public distribution on open.guelph.ca as well as a limited print run.
2. Submit a business case for the 2015 budgeting period regarding the action items outlined in the Open Government Action Plan.
3. Form an Open Government Leadership Team (made up of internal and external stakeholders) by Sept. 31, 2014 to:
 - develop a detailed project implementation plan with deliverables and timelines
 - develop a community engagement plan in collaboration with the Community Engagement Team.
 - launch Phase 1 Action Items and priorities.

Action Required

That the Open Government Action Plan dated September 8, 2014 be approved.

STAFF REPORT



TO City Council

SERVICE AREA Corporate Administration/Office of the CAO
Corporate and Human Services

DATE September 8, 2014

SUBJECT Restricted Acts by Council during an Election Year (“Lame Duck” Council) and Delegated Authority to CAO

REPORT NUMBER CAO-C-1405

EXECUTIVE SUMMARY

SUMMARY OF REPORT

The purpose of this report is to:

- provide information to Council in relation to the legislated restrictions on certain acts by Council during an election year, specifically following Nomination Day (September 12, 2014) and Election Day (October 27, 2014) until the new Council takes office on December 1, 2014.
- recommend additional temporary, delegated responsibilities to the Chief Administrative Officer in matters of litigation and property during the lame duck period.

KEY FINDINGS

Council faces restricted actions at two potential times during an election year – following Nomination Day and/or following Election Day. If less than 75 percent of members of an outgoing Council will be returning, Council is considered to be in a “Lame Duck” position and certain actions are therefore prohibited under the *Municipal Act*.

City Council has delegated authority to senior staff for operational and emergency business matters. Upon review of these authorities, senior staff has identified a gap in decision making during the period of lame duck for matters related to corporate litigation and property.

The CAO By Law includes the provision for the CAO to perform additional responsibilities and to exercise the powers incidental thereto which may from time to time be assigned to the CAO by Council.

In consultation with the City Solicitor, Chief Financial Officer and Internal Auditor, the CAO is recommending the assignment of temporary delegated responsibilities to address situations related to corporate litigation and property matters, with specific conditions recommended for this temporary authority and

STAFF REPORT



clarity on how any decisions made during the lame duck will be reported to Council.

FINANCIAL IMPLICATIONS

There are no financial implications directly associated with this report.

RECOMMENDATIONS

Whereas By Law Number #2011- 19310 as amended by By law #2014-19702 defines the general duties, roles and responsibilities of the Chief Administrative Officer; and includes the provision 1.M to “perform any additional responsibilities and to exercise the powers incidental thereto which may from time to time be assigned to the CAO by Council”; and

Whereas Council will not be able to provide instructions regarding the City’s legal and realty matters between September 12, 2014 and December 1, 2014;

BE IT RESOLVED THAT:

1. For the period of September 12, 2014 through to December 1, 2014 at the swearing in of the next term of Council, the CAO may, after consultation with the City Solicitor and Chief Financial Officer **approve settlements or offers to settle any litigation or potential litigation for or against the City which is not provided for in Schedule AA of By-Law Number (2013) – 19529 (Delegation of authority to the City Solicitor), provided that:**

- (a) The monetary value of the settlement is within the limits previously authorized by Council;
- (b) The monetary value of the settlement is within the approved budget;
- (c) The non-monetary terms of a settlement are consistent with previous directions from Council or City policies and are, in the opinion of the CAO, in the best interests of the City; or
- (d) The matter does not fall within (a) to (c) above, but approval is required before instructions from Council can be obtained.

2. For the period of September 12, 2014 through to December 1, 2014 at the swearing in of the next term of Council, the CAO may, after consultation with the City Solicitor and Chief Financial Officer **approve the acquisition or disposition of any interest in real property by the City, which is in accordance with approved City policies, provided that:**

STAFF REPORT



(a) The monetary value of the consideration for the transaction is within the approved budget; or,

(b) If (a) does not apply, approval is required before instructions from Council can be obtained.

3. That the CAO shall report back to Council in December, 2014 regarding any exercise by the CAO of this delegation of authority.

BACKGROUND

The *Municipal Act* contains several restrictions on the actions that a Council can take in an election year. This report outlines the restricted actions under the legislation.

REPORT

Period of Lame Duck

The term "Lame Duck" refers to the period of time in an election year, when the *Municipal Act* places certain restrictions on the actions of a Council. There are two potential times in an election year where these restrictions can take place – following Nomination Day (September 12, 2014) or following Election Day (October 27, 2014) until the new Council takes office on December 1, 2014.

Cited as "restricted acts after Nomination Day" under section 275 of the *Municipal Act*, the legislation notes that where it is absolutely certain that more than $\frac{1}{4}$ of the members of the outgoing Council will not be returning as members of the incoming Council, the restricted acts provision applies. In short, a Council is deemed to be "Lame Duck" if with certainty less than 75 percent of the members of the old Council will be returning. For the City of Guelph, that would mean less than 10 members returning.

The determination of whether a Council can be categorized as "Lame Duck" can be made either:

1. After Nomination Day but before Election Day, based on the nominations and acclamations during that period. (A Member of Council can be deemed with certainty not to be returning if he/she retires or does not file nomination papers.)
2. After Election Day, based on the results of the election and any acclamations. (The calculation is clear and straight forward after Election Day.)

Restrictions of Council under Lame Duck

The 2014-2018 City of Guelph Council will take office as of December 1, 2014. Accordingly, if less than 10 members are returning, the following acts apply at Nomination Day or Election Day, or both and preclude the Council from:

STAFF REPORT



- (a) the appointment or removal from office of any officer of the municipality;
- (b) the hiring or dismissal of any employee of the municipality;
- (c) the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- (d) making any expenditures or incurring any other liability which exceeds \$50,000.

Subsection 275 (4) of the *Municipal Act* clarifies that (c) and (d) do not apply if the disposition or liability was included in the most recent budget adopted by Council before Nomination Day in the year of an election.

Delegated authority of Council during Lane Duck

The *Municipal Act* also provides for the following:

- Council may take all necessary and appropriate action in the event of an emergency. A person or body exercising authority delegated by Council is not prevented from action. For example, where staff has specific delegated authority to hire or dismiss employees, dispose of property or incur expenditures without going to Council, this authority is not affected.

The CAO By Law Number #2011- 19310 (as amended by By law #2014-19702) sites the provision 1.M to “perform any additional responsibilities and to exercise the powers incidental thereto which may from time to time be assigned to the CAO by Council”.

Delegated authority has already been provided to the CAO as per items # a) and #b) regarding her full authority and responsibility to appoint or remove employees of the Corporation and address administrative organization and management.

However, business which might not be addressed through current delegated authorities include matters of litigation and matters of real property. Specifically, **the operation of the Corporation may require the:**

- 1. approval of settlements or offers to settle for litigation or potential litigation for or against the City; and**
- 2. approval of the acquisition or disposition of any interest in real property by the City, which is in accordance with approved City policies.**

Therefore, staff is recommending these two additional temporary delegated authorities with the following conditions and reporting requirements.

Conditions and Reporting

In crafting the detailed motions for these delegations, the City Solicitor, Chief Financial Officer and the Internal Auditor were consulted and support the terminology used.

STAFF REPORT

With regard to approvals of settlements or offers to settle for any litigation or potential litigation for or against the City which is not provided for in Schedule AA of By-Law Number (2013) – 19529 (Delegation of authority to the City Solicitor), the delegated authority to act will be on the following conditions:

- (a) The monetary value of the settlement is within the limits previously authorized by Council;
- (b) The monetary value of the settlement is within the approved budget;
- (c) The non-monetary terms of a settlement are consistent with previous directions from Council or City policies and are, in the opinion of the CAO, in the best interests of the City; or
- (d) The matter does not fall within (a) to (c) above, but approval is required before instructions from Council can be obtained.

With regard to approvals of the acquisition or disposition of any interest in real property by the City, which is in accordance with approved City policies, the delegated authority to act will be on the following conditions:

- (a) The monetary value of the consideration for the transaction is within the approved budget; or,
- (b) If (a) does not apply, approval is required before instructions from Council can be obtained.

In both matters, the CAO shall report back to Council in December, 2014 regarding any exercise by the CAO of this delegation of authority.

CORPORATE STRATEGIC PLAN

2.3 Ensure accountability, transparency and engagement.

DEPARTMENTAL CONSULTATION

The following officers and departments were consulted in developing this report.

Office of the Chief Administrative Officer

City Solicitor

Chief Financial Officer

Internal Auditor

City Clerk

COMMUNICATIONS

N/A

STAFF REPORT

ATTACHMENTS

None

Report Authors/Contributors:

Stephen O'Brien
City Clerk
Donna Jaques
City Solicitor



Approved by:

Mark Amorosi
Executive Director
Corporate and Human Resources

Al Horsman
Executive Director/CFO
Finance & Enterprise



Recommended by:

Ann Pappert
Chief Administrative Officer

STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 8, 2014

**SUBJECT 595 Watson Parkway North (formerly 21 Couling Crescent) - Proposed Zoning By-law Amendment (File ZC1405)
Ward 2**

REPORT NUMBER 14-52

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides a staff recommendation to approve a Zoning By-law Amendment to permit the development of a public elementary school at 595 Watson Parkway North.

KEY FINDINGS

Planning staff support the proposed rezoning subject to the regulations and conditions in Attachment 2.

FINANCIAL IMPLICATIONS

Section 3.3 of the Development Charges By-law (2009) – 18729 states that the Bylaw does not apply to lands that are owned by and used for the purposes of (b) a board of education.

Section 3 of the Assessment Act exempts public educational institutions from taxation.

ACTION REQUIRED

Council is being asked to approve the Zoning By-law Amendment for the subject lands.

RECOMMENDATION

1. That the application by Astrid J. Clos Planning Consultants for approval of a Zoning By-law Amendment from the R.4A (General Apartment Residential) Zone to the I.1 (Institutional – Education, Spiritual and Other Services) Zone to permit the development of a public elementary school at the property municipally known as 595 Watson Parkway North, legally described as Block 14, Registered Plan 61M-170, City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 14-52 dated September 8, 2014.

STAFF REPORT

BACKGROUND

An application for a Zoning By-law Amendment (ZC1405) has been received for the property municipally known as 595 Watson Parkway North (formerly referred to as 21 Couling Crescent) from Astrid J. Clos Planning Consultants on behalf of the Upper Grand District School Board. The application would permit the development of a public elementary school.

The application was deemed complete on April 25, 2014. The statutory Public Meeting was held on June 9, 2014. Report 14-37 from Planning, Building, Engineering and Environment provided background information related to the proposed Zoning By-law Amendment application.

Location

The subject property consists of 1.65 hectares of vacant land located at the southwest corner of Watson Parkway North and Couling Crescent and is a block within Registered Plan 61M-170 as part of the approved Morning Crest Subdivision (see Attachment 1). The site is bounded by public streets on three sides: Watson Parkway North, Couling Crescent and Severn Drive. Surrounding land uses include:

- On-street townhouses to the north across Couling Crescent;
- Single detached dwellings and a portion of Morning Crest Park to the east across Severn Drive;
- Existing stormwater management facility to the south; and
- A naturalized area within Eastview Community Park to the west across Watson Parkway North.

Existing Official Plan Land Use Designation and Policies

The subject lands are designated "General Residential" and "High Density Residential" in Schedule 1 of the Official Plan (see Attachment 3). The "General Residential" designation permits all forms of residential development, while the "High Density" designation is meant for multiple unit residential buildings or apartment buildings. Non-residential uses such as schools are permitted in residential areas subject to meeting the policies that set out compatibility criteria in Official Plan Sections 7.2.26 and 7.2.27 (included in Attachment 3).

Official Plan Amendment 48 (under appeal), a comprehensive update to the City's Official Plan, designates the subject site as High Density Residential. Official Plan Amendment 42, the City's new Natural Heritage System policy framework, does not identify any natural features on the site. There are natural heritage features on the west side of Watson Parkway North opposite the site. However, environmental study of the subject site is not required, noting this is a registered block for development within the Morning Crest Subdivision that has already been graded and serviced.

Although the application is being processed under the 2001 Official Plan, staff must have regard to the Council adopted policies and designations of OPA 42 and OPA 48. The land use designations contained in Official Plan Amendment 48 are included in Attachment 4.

STAFF REPORT



Existing Zoning

The subject property is zoned R.4A (General Apartment Residential), which permits apartment buildings up to 8 storeys in height and a maximum density of 100 units per hectare. The existing zoning of this site was established in association with the approved Morning Crest Subdivision. Details of the existing zoning are included in Attachment 5.

REPORT

Description of Proposed Zoning By-law Amendment

The applicant is requesting to rezone the subject lands from the R.4A (General Apartment Residential) Zone to the I.1 (Institutional – Education, Spiritual and Other Services) Zone to permit the development of a public elementary school. The proposed zoning details are provided in Attachment 5.

Proposed Development Concept

The applicant's current conceptual development plan is shown in Attachment 7. It is noted that this concept plan has been modified from the plan presented at the June 9, 2014 Public Meeting (see Attachment 6). The revision made was to remove the access to the parking area from Watson Parkway North originally shown with a relocated access location to the parking area from Severn Drive. This revision was implemented by the applicant in response to identified traffic safety issues identified by staff through the development review process.

Other details of the concept plan have remained consistent. The elementary school building is proposed to be located near the intersection of Watson Parkway North and Couling Crescent, with the grassed playing field located along the easterly side of the site. The on-site one way bus lane is proposed with ingress and egress from Couling Crescent. The relocated parking area accessed from Severn Drive would include an on-site "kiss and ride" area to provide a drop off and pick up area for students.

The proposed building elevations, illustrating the two storey school, are also included in Attachment 7.

Staff Review/Planning Analysis

The staff review and planning analysis for this application is provided in Attachment 8. The analysis addresses all relevant planning considerations, including the issues that were raised by Council at the statutory Public Meeting held June 9, 2014 and other issues raised through review of the application. The issues generally include:

- Evaluation of the proposal against Provincial policies, including the Provincial Policy Statement and Places to Grow;
- Evaluate how the application conforms to the applicable Official Plan land use designations and policies including any related amendments;
- Review of the proposed zoning;
- Review of the proposed site design and building elevations;
- Review of servicing, traffic and parking; and
- Confirm support for the Community Energy Initiative.

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Planning Staff Recommendation

Planning staff are satisfied that the Zoning By-law Amendment application is consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan for the Greater Golden Horseshoe*. In addition, the application to amend the zoning from the R.4A Zone to the I.1 Zone conforms to the objectives and policies of the Official Plan. Planning staff are recommending that Council approve the Zoning By-law Amendment subject to the conditions and regulations outlined in Attachment 2.

CORPORATE STRATEGIC PLAN

Strategic Direction 3.1: Ensure a well-designed, safe, inclusive, appealing and sustainable City.

DEPARTMENTAL CONSULTATION

The public agency and comments received from City departments during the review of the application are summarized on Attachment 10.

COMMUNICATIONS

Key dates for the public process regarding this planning application are included in Attachment 11.

ATTACHMENTS

| | |
|---------------|--|
| Attachment 1 | Location Map |
| Attachment 2 | Recommended Zoning Regulations and Conditions |
| Attachment 3 | Official Plan Land Use Designations and Policies |
| Attachment 4 | Official Plan Amendment #48 Land Use Designations |
| Attachment 5 | Existing and Proposed Zoning and Details |
| Attachment 6 | Conceptual Development Plan presented at June 9, 2014 Public Meeting |
| Attachment 7 | Current Conceptual Development Plan and Proposed Building Elevations |
| Attachment 8 | Planning Analysis |
| Attachment 9 | Community Energy Initiative Commitment Letter |
| Attachment 10 | Agency and Public Comments Summary |
| Attachment 11 | Public Notification Summary |

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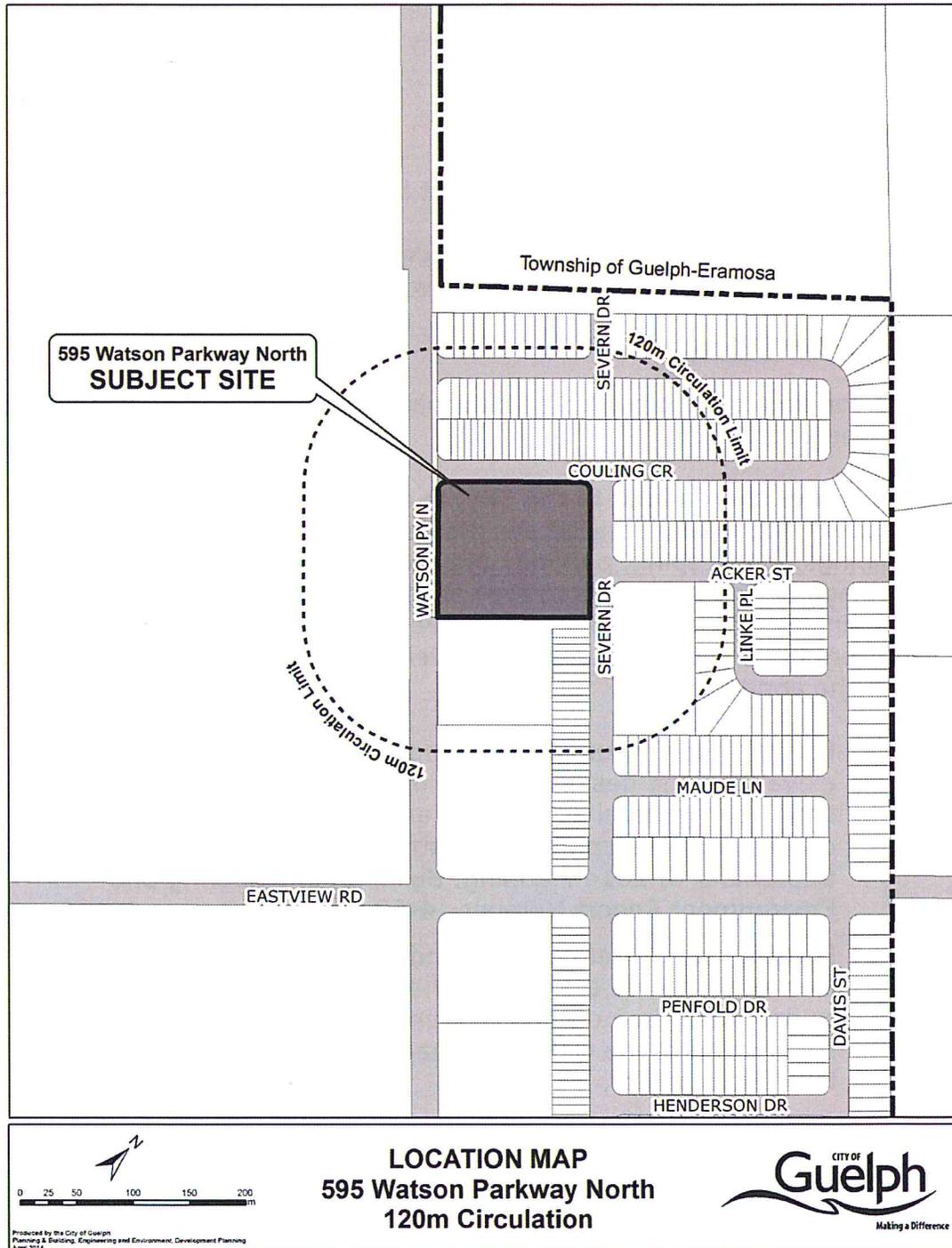
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Recommended By

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ATTACHMENT 1

Location Map



ATTACHMENT 2

Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 595 Watson Parkway North and legally described as Block 14, Registered Plan 61M-170, City of Guelph.

PROPOSED ZONING

The following zoning is proposed for the subject lands:

I.1 (Educational, Spiritual and Other Services) Zone

In accordance with Section 8.1 of Zoning By-law (1995)-14864, as amended.

PROPOSED CONDITIONS

The following conditions are provided as information to Council and will be imposed through site plan approval:

1. The Owner shall submit to the City, in accordance with Section 41 of *The Planning Act*, a fully detailed site plan(s), indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the City Engineer, prior to Site Plan approval, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
 - a) Further, the Owner commits and agrees that the layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the conceptual development plan attached as Attachment 5 to the September 8, 2014 Planning, Building, Engineering and Environment Report Number 14-52.
 - b) Further, the Owner commits and agrees that the detailed site plan shall include the design of an on-site kiss and ride area to provide a drop off and pick area for students to the satisfaction of the General Manager of Planning Services and the City Engineer.
2. Prior to approval of the zone change amendment, the Owner shall submit a Phase 1 Environmental Site Assessment in accordance with the Record of Site Condition regulation (O. Reg. 153/04 as amended), describing the current conditions of the property known municipally as 595 Watson Parkway N to the satisfaction of the City. The City also requires the QP responsible for preparing the Phase I ESA report to submit a Reliance letter to indicate that, despite any limitations or qualifications included in

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the report, the City is authorized to rely on all information and opinion provided in the report.

3. If contamination is found, prior to site plan approval, the owner shall complete the following at their expense:
 - a) Submit all environmental assessment reports, including reliance letter, prepared in accordance with the RSC (O. Reg. 153/04, as amended) describing the current conditions of the land to be developed and the proposed remedial action plan to the satisfaction of the City;
 - b) Complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a QP that the lands to be developed meet the Site Condition Standards of the intended land use; and
 - c) File a RSC on the Provincial Environmental Registry for lands to be developed.

4. Prior to site plan approval and prior to any construction or grading on the lands, the Owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
 - i) a traffic impact and operations report;
 - ii) a functional servicing report;
 - iii) a stormwater management report and plans certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility to be submitted;
 - iv) a geotechnical report certified by a Professional Engineer that analysis the permeability and hydraulic conductivity of the soils and recommends measures to ensure that they are not diminished by the construction and development;
 - v) a grading, drainage and servicing plan prepared by a Professional Engineer for the site;
 - vi) a detailed erosion and sediment control plan, certified by a Professional Engineer that indicates the means whereby erosion will be minimized and sediment maintained on-site throughout grading and construction.

5. The Owner shall, to the satisfaction of the General Manager/City Engineer, address and be responsible for adhering to all the recommended measures contained in the plans, studies and reports outlined in subsections 4 i) to 4 vi) inclusive.

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6. That prior to site plan approval, the Owner shall have engineering drawings and final reports prepared for the approval of the General Manager/ City Engineer.
7. The Owner shall be responsible for the actual cost of any service laterals required for the lands and furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of any service laterals.
8. The Owner pay the actual cost of removing or decommissioning to the satisfaction of the General Manager/City Engineer, any existing sanitary sewers, storm sewers, manholes and/or watermains to the lands that are not going to be used for service laterals. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the Owner's share of the cost of the removals and decommissioning works.
9. The Owner shall pay to the City the actual cost of the construction of the new driveway entrances and required curb cuts. Furthermore, prior to site plan approval and prior to any construction or grading on the lands, the Owner shall pay to the City, the estimated cost as determined by the General Manager/City Engineer of the construction of the new driveway entrances and required curb cuts.
10. The Owner shall prepare and implement a construction traffic access and control plan for all servicing and building construction to the satisfaction of the General Manager/City Engineer. Any costs related to the implementation of such a plan shall be borne by the Owner.
11. The Owner constructs, installs and maintains erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, prior to any grading or construction on the lands in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
12. The Owner shall provide a qualified environmental inspector, satisfactory to the General Manager of Planning Services and the General Manager/City Engineer, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures on a weekly or more frequent basis if required. The environmental inspector shall report on his or her findings to the City on a monthly or more frequent basis.

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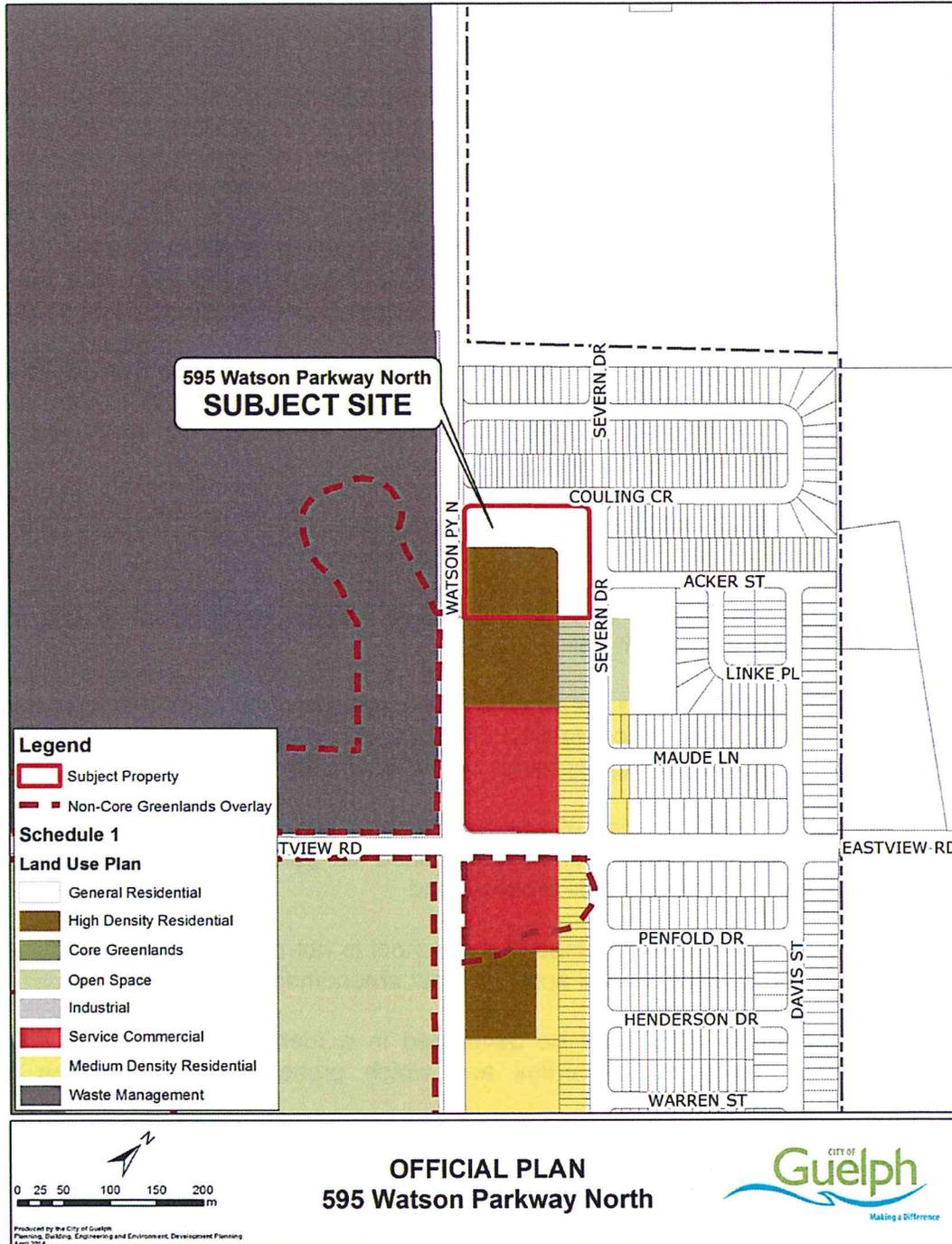
13. The Owner constructs the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
14. The Owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore the Owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the City and that it is functioning properly.
15. The Owner will ensure that all boreholes and monitoring wells installed for hydrogeological or geotechnical investigations are properly decommissioned in accordance with current Ministry of the Environment regulations (O.Reg. 903 as amended) and to the satisfaction of the General Manager/City Engineer, prior to site plan approval and prior to any construction or grading on the lands.
16. The Owner acknowledges that the City does not allow retaining walls higher than 1.0-metre abutting existing residential properties without the permission of the General Manager/City Engineer.
17. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
18. The Owner makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval and prior to any construction or grading on the lands.
19. The Owner shall ensure that all telephone service and cable TV service on the Lands shall be underground. The Owner shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands, prior to site plan approval and prior to any construction or grading on the lands.
20. That prior to site plan approval and prior to any construction or grading on the lands, the Owner shall enter into a Site Plan Control Agreement with the City, registered on title, satisfactory to the City Solicitor and

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the General Manager/City Engineer, covering the conditions noted above.

21. The Owner may be required to submit a Noise Impact Study based on the future site plan application submission to the satisfaction of the General Manager of Planning Services addressing the potential traffic noise impacts from Watson Parkway North.
22. Prior to the issuance of site plan approval, the Owner is required to install fencing along the southern property line of the subject property, as per the City's property demarcation policy, to the satisfaction of the City.
23. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that the subject site will be developed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 9 to Report 14-52 from Planning, Building, Engineering and Environment dated September 8, 2014.
24. The Owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.

ATTACHMENT 3 Official Plan Land Use Designations and Policies



ATTACHMENT 3(continued) Official Plan Land Use Designations and Policies

Non-Residential Uses in Residential Areas

7.2.26 Within designations of this Plan permitting residential uses, a variety of small-scale institutional uses may be permitted that are complementary to, and serve the needs of residential neighbourhoods. Such non-residential uses include: schools, churches, *day care centres*, municipal parklands and recreational facilities. In addition, *convenience commercial* uses that provide goods and services primarily to the residents in the surrounding neighbourhood may also be permitted. These convenience uses will be limited by the Plan to a maximum *gross leasable floor area* of 300 square metres (3,200 square feet) on a property.

1. A number of potential school sites have been identified by the Upper Grand District School Board and the Wellington Catholic District School Board and are outlined by symbols on Schedule 1. These symbols shall be considered in accordance with the following:

- a) The symbols used to identify potential school sites do not represent a specific land use designation or location;
- b) Minor shifts in location may occur without amendment to this Plan in accordance with policy 9.2.3;
- a) The symbols do not represent a commitment by a local School Board to construct a school facility. The actual construction of a school is subject to capital funding approvals by the School Boards.
- b) The determination of whether a school site is required, its exact location and land area shall be determined as part of the City's draft plan of subdivision approval process; and
- c) Where it is determined that a school is not required, the underlying land use designation will apply, without amendment to this Plan.

7.2.27 Non-residential uses shall be developed in a manner that is compatible with adjoining residential properties and which preserves the amenities of the residential neighbourhood.

1. In addition to implementing the objectives and policies of subsection 3.6, Urban Design, non-residential uses shall:
 - a) Be located on an arterial or collector road;
 - b) Be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties;

- c) Have adequate landscaping and screening to promote compatibility with adjacent activities;
- d) Have sufficient off-street parking, circulation and access points; and
- e) Have adequate municipal services.
- f) Non-residential uses will be encouraged to concentrate at neighbourhood "nodes".

'General Residential' Land Use Designation

7.2.31 The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential *development* shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. *Multiple unit residential buildings* will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy 7.2.7. Residential care facilities, *lodging houses*, coach houses and garden suites will be permitted, subject to the development criteria as outlined in the earlier text of this subsection.

7.2.32 Within the 'General Residential' designation, the *net density* of development shall not exceed 100 units per hectare (40 units/acre).

1. In spite of the density provisions of policy 7.2.32 the net density of development on lands known municipally as 40 Northumberland Street, shall not exceed 152.5 units per hectare (62 units per acre).

7.2.33 The physical character of existing established low density residential neighbourhoods will be respected wherever possible.

7.2.34 Residential lot *infill*, comprising the creation of new low density residential lots within the older established areas of the City will be encouraged, provided that the proposed development is compatible with the surrounding residential environment. To assess compatibility, the City will give consideration to the existing predominant zoning of the particular area as well as the general design parameters outlined in subsection 3.6 of this Plan. More specifically, residential lot *infill* shall be compatible with adjacent residential environments with respect to the following:

- a) The form and scale of existing residential development;
- b) Existing building design and height;
- c) Setbacks;
- d) Landscaping and amenity areas;

- e) Vehicular access, circulation and parking; and
- f) Heritage considerations.

7.2.35 Apartment or townhouse *infill* proposals shall be subject to the development criteria contained in policy 7.2.7.

'High Density Residential' Land Use Designation

7.2.36 The predominant use of land within areas designated as 'High Density Residential' on Schedule 1 shall be for multiple unit residential buildings, generally in the form of apartments.

7.2.42 The 'High Density Residential' designation has been outlined on Schedule 1 in instances where there is a clear planning intent to provide for the following:

- a) High density housing forms in new growth areas to assist in providing opportunities for *affordable housing*
- b) Greater housing densities that are supportive of transit usage adjacent to major roads forming the existing and future transit network;
- c) A variety of housing types and forms to be situated throughout all areas of the community; and
- d) Supportive of urban form objectives and policies to establishing or maintaining mixed-use nodes.

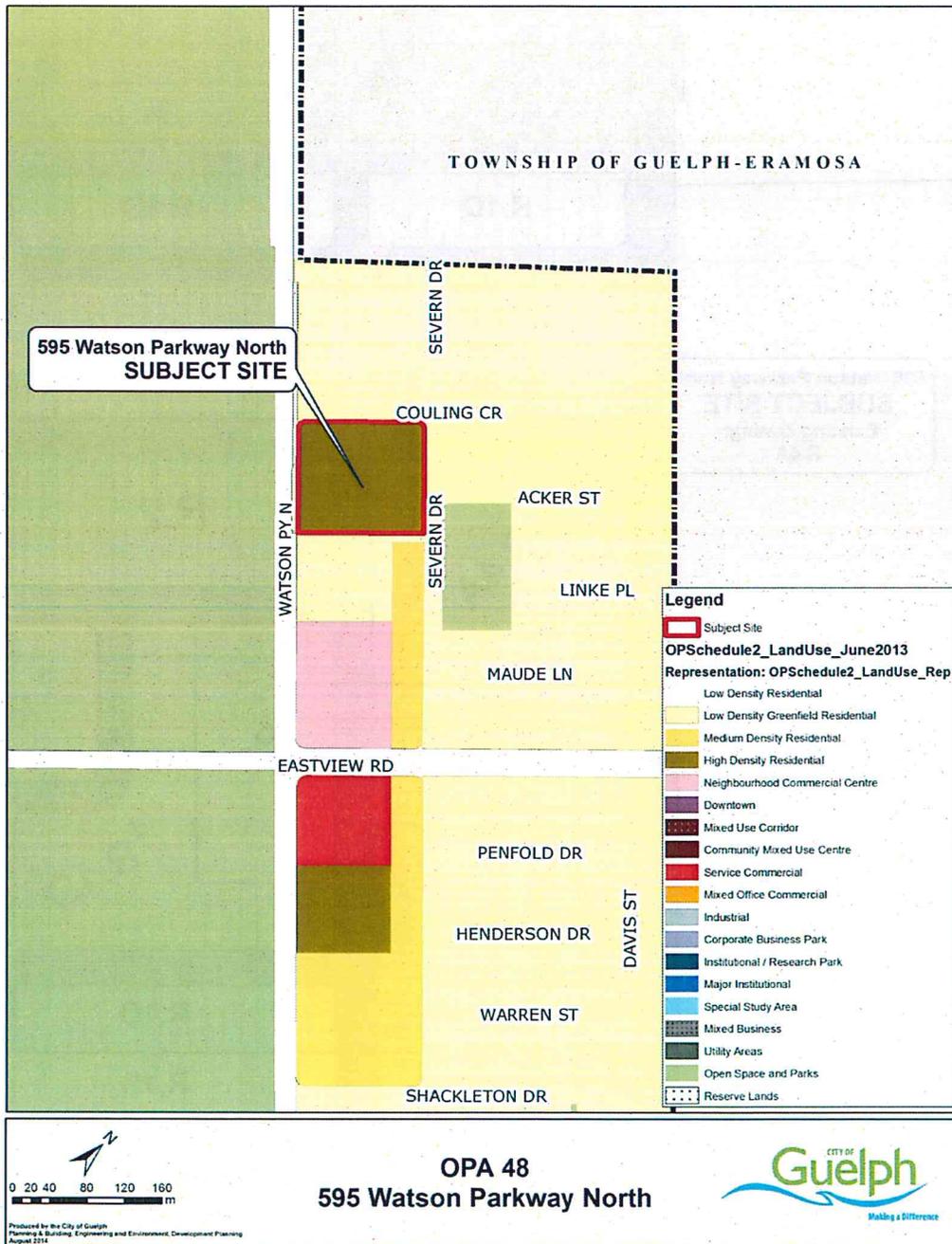
7.2.43 The net density of *development* shall not occur at less than 100 units per hectare (40 units/acre) and shall not exceed 150 units per hectare (61 units/acre), except as provided for in policy 7.2.10.

7.2.44 High density residential *development* proposals shall comply with the development criteria established for multiple unit residential buildings as outlined in policies 7.2.7 and 7.2.45 and shall be regulated by the *Zoning By-law*.

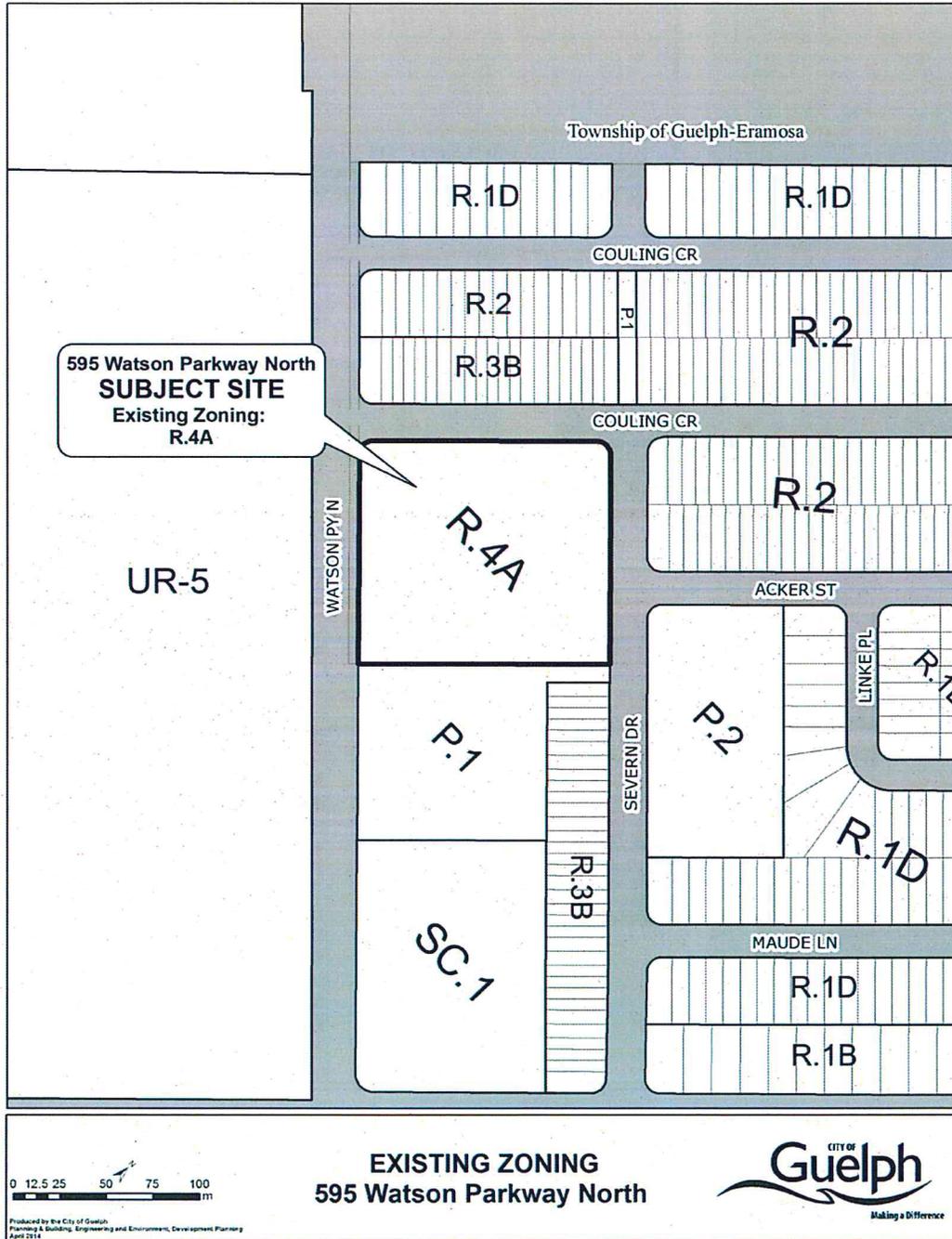
7.2.45 The establishment of a new high density residential use, not within a 'High Density Residential' designation on Schedule 1, will require an amendment to this Plan. When considering such amendments to this Plan, the criteria of policy 7.2.7 will be considered, as well as the following:

- a) That the proposal is located in proximity to major employment, commercial and institutional activities; and
- b) That the proposal is located on an arterial or collector road.

ATTACHMENT 4 Official Plan Amendment #48 Land Use Designations



ATTACHMENT 5 Existing Zoning



ATTACHMENT 5 (continued) Existing Zoning Details

5.4.2 REGULATIONS

Within the **Apartment R.4 Zones**, no land shall be **Used** and no **Building** or **Structure** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations set out in Table 5.4.2, and the following:

5.4.2.1 Minimum Side Yard - R.4A and R.4B Zones

Despite Row 8 of Table 5.4.2, where windows of a **Habitable Room** face on a **Side Yard**, such **Side Yard** shall have a minimum width of not less than 7.5 metres.

5.4.2.2 Minimum Distance Between Buildings- R.4A and R.4B Zones

Where two or more **Buildings** are located on any one **Lot**, the following regulations shall apply:

5.4.2.2.1 The distance between the face of one **Building** and the face of another **Building** either of which contains windows of **Habitable Rooms**, shall be one-half the total height of the two **Buildings**, and in no case less than 15 metres.

5.4.2.2.2 The distance between the faces of any two **Buildings** with no windows to **Habitable Rooms** shall be a minimum of 15 metres.

5.4 RESIDENTIAL APARTMENT (R.4) ZONES

5.4.1 PERMITTED USES

The following are permitted **Uses** within the Residential **Apartment R.4 Zones**:

5.4.1.1 R.4A - General Apartment Zone

- **Apartment Building**
- **Nursing Home**
- **Home for the Aged**
- **Retirement Residential Facility**
- **Maisonette**

- **Accessory Uses** in accordance with Section 4.23
- **Home Occupation** in accordance with Section 4.19.

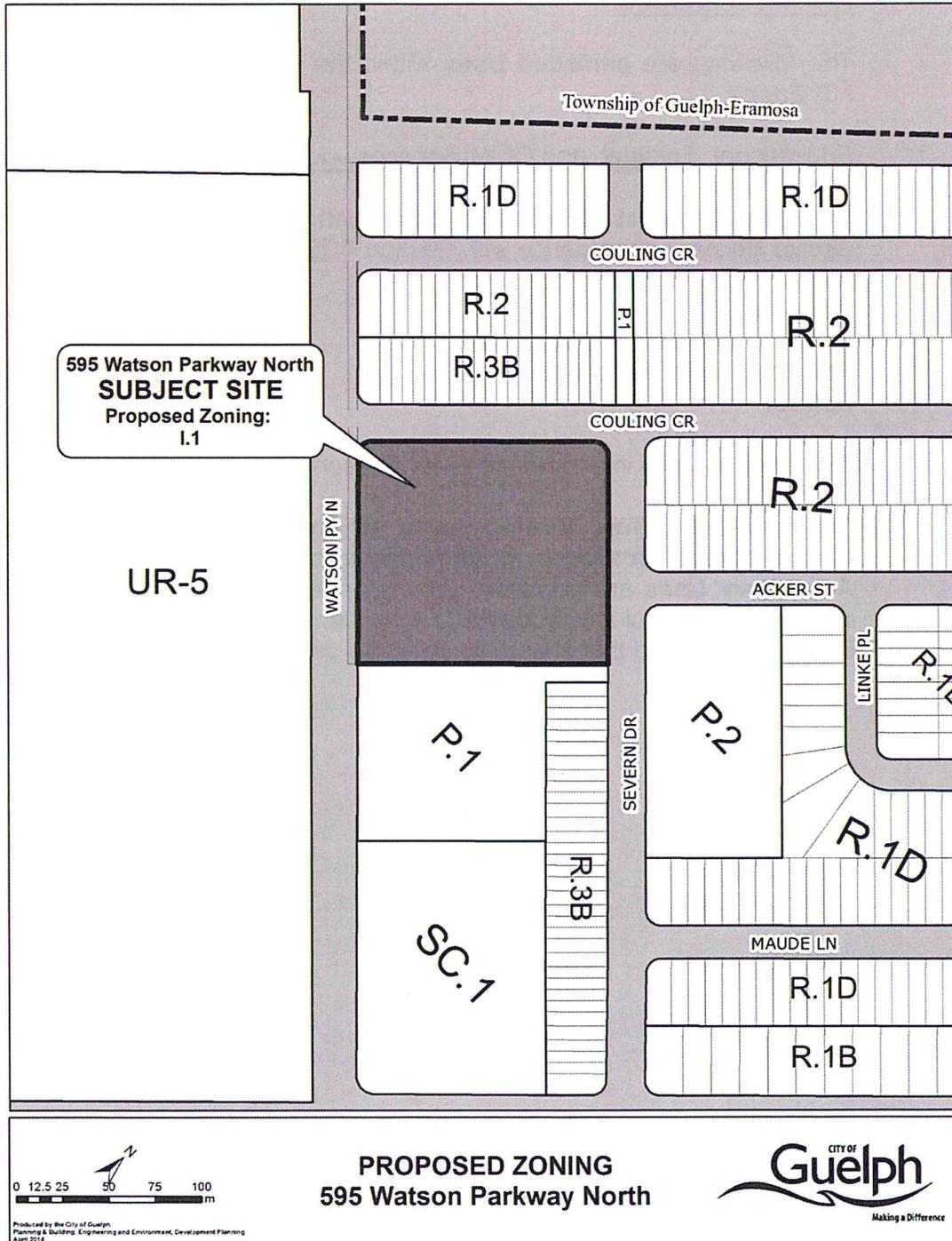
ATTACHMENT 5 (continued) Existing Zoning Details

TABLE 5.4.2 - REGULATIONS GOVERNING R.4 ZONES

| Row 1 | Residential Type | General Apartment | High Density Apartment | Central Business District Apartment | Infill Apartment |
|-------|---|--|--|---|--|
| 2 | Zones | R.4A | R.4B | R.4C | R.4D |
| 3 | Minimum <i>Lot Area</i> | 650 m ² | | | |
| 4 | Minimum <i>Lot Frontage</i> | 15 metres | | | |
| 5 | Maximum Density (units/ha) | 100 | 150 | 200 | 100 |
| 6 | Minimum <i>Front and Exterior Side Yard</i> | 6 metres and as set out in Section 4.24. | | 3 metres and in accordance with Section 4.24. | |
| 7 | Maximum <i>Front and Exterior Side Yard</i> | ----- | | 6 metres | |
| 8 | Minimum <i>Side Yard</i> | Equal to one-half the <i>Building Height</i> but not less than 3 metres and in accordance with Section 5.4.2.1. | | Equal to one-half the <i>Building Height</i> but in no case less than 3 metres, except where adjacent to any other R.4, Commercial, Industrial or Institutional <i>Zone</i> . In these circumstances, a minimum of 3 metres is required. | |
| 9 | Minimum <i>Rear Yard</i> | Equal to 20% of the <i>Lot Depth</i> or one-half the <i>Building Height</i> , whichever is greater, but in no case less than 7.5 metres. | | Equal to 20% of the <i>Lot Depth</i> or one-half the <i>Building Height</i> , whichever is greater, but in no case less than 7.5 metres, except where adjacent to Commercial, Industrial or Institutional <i>Zones</i> . In these circumstances, a minimum of 7.5 metres is required. | |
| 10 | Maximum <i>Building Height</i> | 8 <i>Storeys</i> and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68. | 10 <i>Storeys</i> and in accordance with Sections 4.16, 4.18, 5.4.2.5 and Defined Area Map No. 68. | 6 <i>Storeys</i> and in accordance with Sections 4.16, 4.18, 6.3.2.3 and Defined Area Map No. 68. | 4 <i>Storeys</i> and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68. |
| 11 | Minimum Distance Between <i>Buildings</i> | See Section 5.4.2.2. | | See Section 5.4.2.3. | |
| 12 | Minimum <i>Common Amenity Area</i> | See Section 5.4.2.4. | | None required. | |
| 13 | Minimum <i>Landscaped Open Space</i> | 20% of the <i>Lot Area</i> for <i>Building Heights</i> from 1 - 4 <i>Storeys</i> and 40% of the <i>Lot Area</i> for <i>Buildings</i> from 5 - 10 <i>Storeys</i> . | | The <i>Front Yard</i> of any <i>Lot</i> , excepting the <i>Driveway</i> , shall be landscaped. In addition, no parking shall be permitted within this <i>Landscaped Open Space</i> . | |
| 14 | Off-Street Parking | In accordance with Section 4.13. | | | |
| 15 | <i>Buffer Strips</i> | Where an R.4 <i>Zone</i> abuts any other Residential <i>Zone</i> or any Institutional, Park, Wetland, or Urban Reserve <i>Zone</i> , a <i>Buffer Strip</i> shall be developed. | | | |
| 16 | Accessory <i>Buildings</i> or <i>Structures</i> | In accordance with Section 4.5. | | | |
| 17 | Garbage, Refuse Storage and Composters | In accordance with Section 4.9. | | | |
| 18 | <i>Floor Space Index</i> (F.S.I.) | 1 | 1.5 | 2 | 2 |
| 19 | <i>Fences</i> | In accordance with Section 4.20. | | | |

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ATTACHMENT 5 Proposed Zoning



ATTACHMENT 5 (continued) Proposed Zoning Details

8.1 PERMITTED USES

The following are permitted **Uses** within the Institutional – (I.1, I.2, and I.3) **Zones**:

8.1.1 Educational, Spiritual, and Other Services – I.1 Zone

Art Gallery

Day Care Centre in accordance with Section 4.26

Group Home in accordance with Section 4.25

Library

Museum

Outdoor Sportsfield Facilities

Religious Establishment

School

Occasional Uses in accordance with Section 4.21.

- 8.1.1.1 Administrative **Office**, **Nursing Home**, activity room, **Recreation Centre**, nursing station, **Research Establishment**, chapel, residence and other **Accessory Uses** are permitted provided that such **Use** is subordinate, incidental and exclusively devoted to a permitted use listed in Section 8.1.1 and provided that such **Use** complies with Section 4.23.

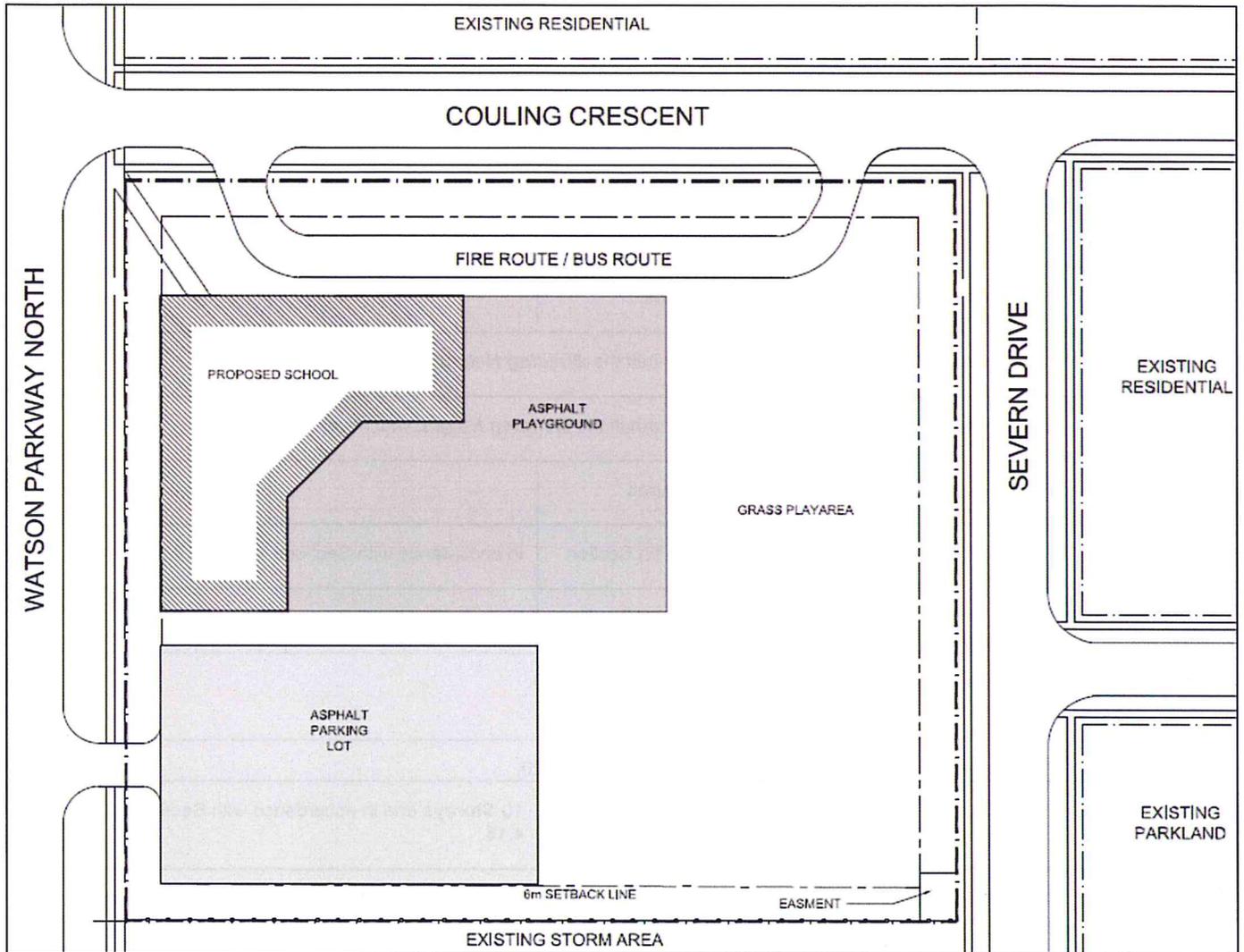
ATTACHMENT 5 (continued) Proposed Zoning Details

TABLE 8.2 - REGULATIONS GOVERNING INSTITUTIONAL (I) ZONES

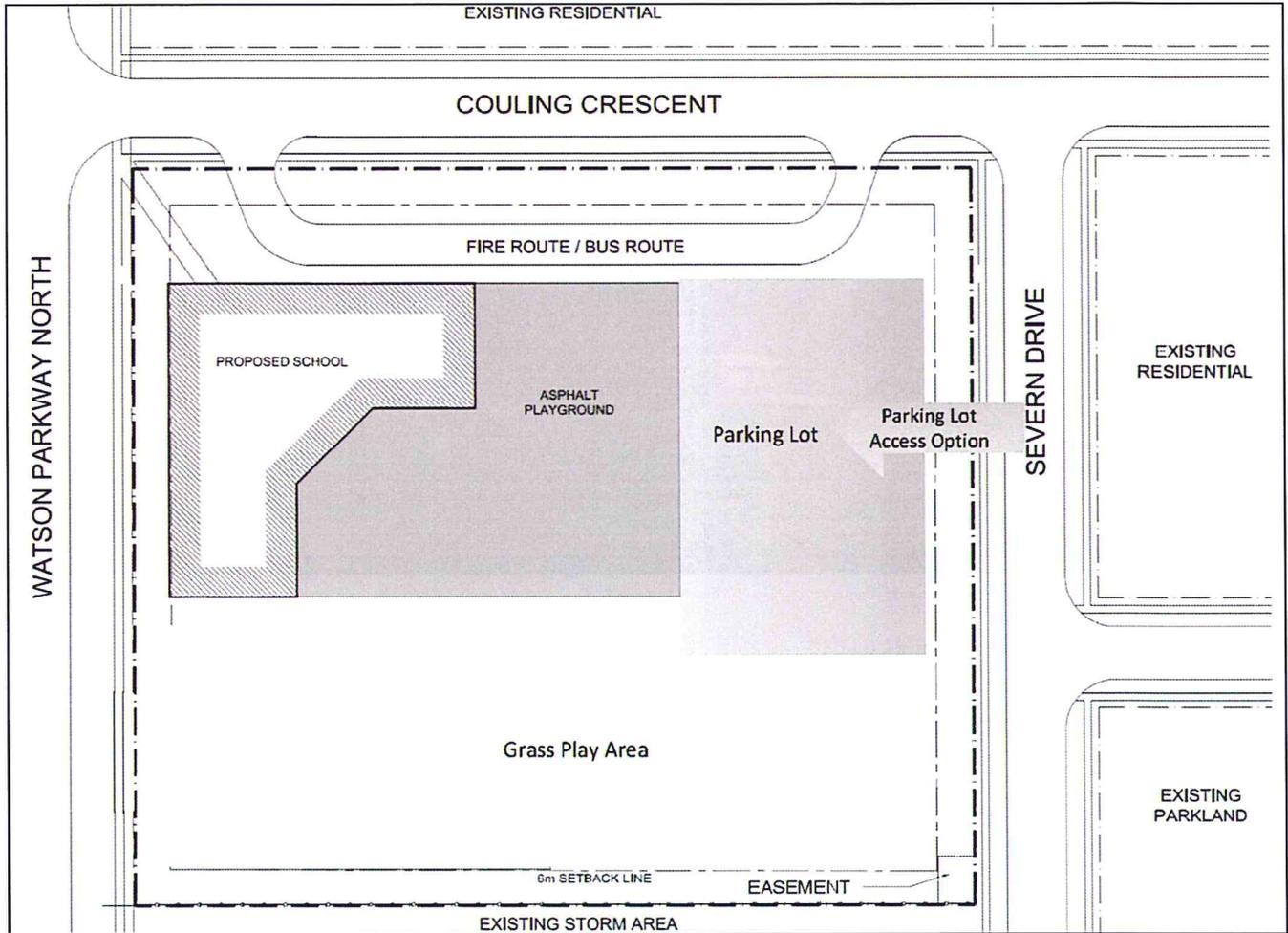
| | | | | |
|-------|---|--|---|--|
| Row 1 | Institutional Zones | Educational, Spiritual and Other Services (I.1) Zone | University of Guelph and Guelph Correctional Centre (I.2) Zone | Health and Social Services (I.3) Zone |
| 2 | Minimum Lot Area | 700 m ² | | |
| 3 | Minimum Front and Exterior Side Yard | 6 metres and in accordance with Sections 4.16 and 4.24. | | |
| 4 | Maximum Front and Exterior Side Yard | 20 metres | --- | --- |
| 5 | Minimum Side Yard | 6 metres or one-half the Building Height , whichever is greater. | | |
| 6 | Minimum Rear Yard | 7.5 metres or one-half the Building Height , whichever is greater. | | |
| 7 | Minimum Lot Frontage | 30 metres | --- | --- |
| 8 | Off- Street Parking | In accordance with Section 4.13. | In accordance with Sections 4.13 and 8.2.1.1. | |
| 9 | Off- Street Loading | In accordance with Section 4.14. | In accordance with Sections 4.14 and 8.2.1.1. | |
| 10 | Accessory Buildings and Structures | In accordance with Section 4.5. | | |
| 11 | Fences | In accordance with Section 4.20. | | |
| 12 | Maximum Building Height | 4 Storeys and in accordance with Sections 4.16 and 4.18. | 10 Storeys and in accordance with Sections 4.16 and 4.18. | |
| 13 | Buffer Strips | Where an Institutional Zone abuts any Residential, Park, Wetland or Urban Reserve Zone , a Buffer Strip shall be developed. | | |
| 14 | Garbage, Refuse Storage and Composters | In accordance with Section 4.9. | | |

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ATTACHMENT 6 Conceptual Development Plan presented at the June 9, 2014 Public Meeting



ATTACHMENT 7 Current Conceptual Development Plan



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ATTACHMENT 7 (continued) Proposed Building Elevations



ATTACHMENT 8 Planning Analysis

Provincial Policy Statement and Places to Grow

The Provincial Policy Statement (PPS) (2014) provides policy on matters of provincial interest related to land use planning and development. The proposed Zoning By-law Amendment is consistent with the direction of the Provincial Policy Statement (PPS). The proposed elementary school contributes to accommodating an appropriate range and mix of land uses to meet long-term needs and makes efficient use of existing and planned infrastructure. The application supports the overall goal of the PPS to manage and direct land use to achieve efficient development and land use patterns.

The proposed development also satisfies Places to Grow legislation that promotes the provision of a diverse and compatible mix of land uses. This includes institutional uses that support vibrant neighbourhoods and meet long term needs. Further, the application conforms to the Places to Grow Plan by contributing to the provision of an appropriate mix of employment uses and providing an appropriate range of community infrastructure to meet the needs resulting from population changes. It also encourages the development of “complete communities” with a diverse mix of land uses within a compact development pattern.

Official Plan

The subject site is designated “General Residential” and “High Density Residential” in the Official Plan, which is intended for a range of residential uses and complementary uses. Section 7.2.26 of the Official Plan permits a variety of small scale institutional uses that are complementary to, and serve the needs of residential neighbourhoods. This includes schools, churches, day care centres, municipal parklands and recreational facilities. The proposed elementary school is considered small-scale according to the Official Plan, noting that the Official Plan has a designation for “Major Institutional” use which is meant for uses of a much larger scale, like hospitals, colleges and the university campus.

Section 7.2.27 of the Official Plan provides criteria for the development of such non-residential uses in a manner that is compatible with adjoining residential properties and which preserves the amenities of the residential neighbourhood. These criteria are:

- a. *Be located on an arterial or collector road;*
 - i. The subject site provides frontage on Watson Parkway North, which is identified as an arterial road in the Official Plan.

- b. *Be located on the property in a manner which minimizes the impact of traffic, noise, signs and lighting on adjoining residential properties;*
 - i. The traffic impact study submitted in support of the application has been reviewed and supported by staff. The study concluded

that the traffic generated by the proposal can be accommodated without any other roadway or traffic control improvements.

In addition, development can be accommodated on the subject property with sufficient buffering to minimize the impact of noise, signs and lighting on surrounding residential properties. The school building is proposed at the corner of Watson Parkway North and Couling Crescent to minimize the impacts of noise, lighting and signs on surrounding residential properties. Site illumination will be managed during the subsequent site plan approval stage, as an outdoor lighting plan will be required as part of the subsequent site plan submission to ensure lighting is designed in a way to minimize any impacts on adjacent properties. The proposed site design would incorporate an onsite drop off and pick up area for students to help address traffic impacts on the adjacent residential areas.

- c. *Have adequate landscaping and screening to promote compatibility with adjacent activities;*
 - i. The proposed development concept can incorporate adequate landscaping and screening to promote compatibility with adjacent residential land uses.

- d. *Have sufficient off-street parking, circulation and access points;*
 - i. The amount of off-street parking proposed in association with the development application is in accordance with the City's Zoning By-law requirements and considered appropriate to meet the anticipated parking demands of the school.

Engineering staff have reviewed the development concept shown in Attachment 7 and are satisfied that appropriate traffic circulation and site access can be accommodated. All details regarding site access and traffic circulation will be further reviewed through the final site plan approval process. This includes addressing details with respect to internal traffic circulation, location and functioning of pick-up/drop off areas and the implementation of appropriate pedestrian connections.

- e. *Have adequate municipal services.*
 - i. Engineering staff have reviewed and supported the Functional Servicing and Stormwater Management Brief submitted in support of the application. The subject site was serviced through the approval of the Morning Crest Subdivision (Registered Plan 61M-170) and can be provided with adequate municipal water, sanitary and stormwater services.

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Official Plan Amendment 48

On June 5, 2012, the City adopted OPA 48, a comprehensive update to its Official Plan. OPA 48 is under appeal and is not yet in effect. However, consideration is given to the policies of OPA 48 since these policies provide current guidance for development within the City.

OPA 48 designates the property "High Density Residential", which would permit the proposed elementary school as a small scale non-residential use that is complementary to and serves the needs of residential neighbourhoods. The proposed development is in conformity with OPA 48.

Proposed Zoning

The zoning by-law amendment application is a request to rezone the subject property in accordance with the permitted uses and development regulations of the standard I.1 (Institutional) Zone. No specialized zoning regulations are required, as the standard I.1 Zone will implement the appropriate development regulations for the new school building and associated parking and play areas. This includes establishing appropriate building setbacks, building heights, location and amount of off-street parking, fencing and buffer strips. Attachment 5 includes details the zoning regulations within the I.1 Zone that are being proposed in association with the proposed development.

Site Design and Urban Design Review

The conceptual development plan provided in Attachment 7 illustrates the proposed development of the two storey elementary school building and associated parking and play areas. This proposed concept is in keeping with the urban design policies and objectives of the Official Plan.

The proposed school is a two storey corner building oriented to both Watson Parkway North and Couling Crescent (see Building Elevations in Attachment 7). This will provide building presence along both streets to allow an interesting streetscape to be implemented with well-articulated facades and high quality materials. In addition, the grassed play area for the school is located in an appropriate location at the southerly portion of the subject property, providing a good interface with the existing Morning Crest Park across Severn Drive.

The design of the proposed school site can accommodate appropriate pedestrian connections to provide direct user entrances from adjacent streets and walkways. Sidewalks will be installed on the surrounding street frontages of Watson Parkway North, Couling Crescent and Severn Drive, as these were part of the detailed engineering design for the approved Morning Crest Subdivision. The detailed site plan review process will ensure internal walkways are appropriately designed to provide safe and accessible connections from the public sidewalks and parking areas to the main building entrances. Further, the proposed site design will allow well-articulated, complete and integrated pedestrian network with the surrounding area to be implemented.

STAFF REPORT

Condition 1 in Attachment 2 would require any future development of the site through site plan review to be in general accordance with the conceptual development plan attached as Attachment 7 to this report. This will still allow the concept to be subject to changes and refinements through the subsequent site plan approval process. This flexibility is recognized to ensure all details related to the ultimate development of the school site can be addressed comprehensively, including traffic movements, bus queuing and loading activities, pedestrian access, public safety and urban design.

Traffic, Site Circulation and Parking

A Traffic Impact Study was submitted in support of this zoning by-law amendment application. The traffic impact study considered generalized background traffic growth and likely future traffic volumes from future development in the vicinity of the subject lands in addition to the proposed development of the school site. An addendum to the traffic impact study was submitted in association with the applicant's current concept plan shown in Attachment 7 that illustrates the relocation of the parking area access from Watson Parkway North to Severn Drive.

It is recognized that the relocation of this parking area access to Severn Drive will result in an increase of traffic on Couling Crescent and Severn Drive during the school's morning drop off and afternoon pick-up times. However, through the review of the application it was determined that the Severn Drive access location would be more appropriate to accommodate parent drop off and pick up activities based on identified traffic safety concerns associated with the previously proposed access location on Watson Parkway North, a higher volume arterial road.

Staff have confirmed through the review of the applicant's Traffic Impact Study, as amended to include the revised Severn Drive access, that the local road system can accommodate the traffic related to the school's operation appropriately. Further, staff have supported the finding of the traffic impact study that indicated that no other roadway or traffic control improvements are required to accommodate the proposed development.

The site plan approval process will examine all details of site development to address traffic and operational details regarding the school site's operations. This includes efforts to minimize traffic impacts on surrounding residential streets. It is noted that an on-site "kiss and ride" area for dropping-off and picking-up students at the beginning and end of each school day is planned to be incorporated into the design of the parking area from Severn Drive (see Condition 1b in Attachment 2). Details of the final site design will also facilitate the safe movement of pedestrians to and from the new school by providing pedestrian linkages internal to the subject site that link access to the proposed school building.

The number of parking spaces proposed in association with the proposed development meets the standard requirements of the I.1 (Institutional) Zone in order to meet the anticipated parking demands of the school.

STAFF REPORT

Public Comments

Public comments were received at the June 9, 2014 Public Meeting expressing some concern with respect to the impact of the school's operation on adjacent residential areas during the student drop off and pick up times. As previously discussed, the proposed conceptual development plan incorporates a design that is sensitive to the surrounding residential area with the school building oriented at the intersection of Watson Parkway and Couling Crescent.

While increased traffic infiltration on the local residential streets has been acknowledged in association with providing vehicle access to the school's parking area from Severn Drive, this has been proposed as a safer alternative to providing access from Watson Parkway, a higher traffic volume and higher speed arterial road. These traffic and parking impacts would be limited to very brief morning and afternoon periods related to student drop off and pick up times, which is a typical situation for elementary school sites where parents will drive their children to and from school.

As previously discussed, the detailed design of the school site will incorporate an onsite kiss and ride area with the intent to contain and accommodate traffic associated with the school's operation and to help minimize traffic impacts on surrounding residential streets. Site plan approval will be required to secure all details of site development. Again, this includes addressing traffic in and around the school site to mitigate impacts on the local area residents as much as possible.

Community Energy Initiative Considerations

The applicant has submitted information outlining some additional energy efficiency initiatives that are proposed in association with the development of the proposed school site (see Attachment 9). Condition 23 has been included in Attachment 2 to ensure that the owner does submit written confirmation that the proposed building is constructed to a standard that implements energy efficiency in support of the Community Energy Initiative.

ATTACHMENT 9 Community Energy Initiative Commitment



UPPER GRAND DISTRICT SCHOOL BOARD 500 Victoria Road North, Guelph, Ontario N1E 6K2

Martha Rogers
Director of Education

April 1, 2014

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

Attention: Mr. Chris DeVriendt, Senior Planner

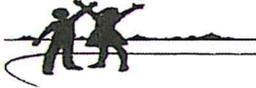
Re: Community Energy Initiative – Proposed Couling Crescent School

Traditionally, the following energy upgrades have been included as part of new school design at the Upper Grand District School Board. Moving forward, the new Couling Crescent School will include the majority of the same.

- 1) Building Exterior
 - Roof is structurally upgraded in one location for possible future 10kw solar array.
 - Standard white mod bit roofing membrane is installed to reduce cooling load.
- 2) Site
 - Exterior light fixtures include cut-off shields to control light pollution and are controlled by light sensors or automation control to limit usage.
 - Bicycle racks are provided.
- 3) Water Efficiency
 - Low volume flush toilets are used where possible.
 - An automated urinal flush system is included.
 - Water bottle filling stations are provided.
 - Drought resistant soft landscape materials are specified as much as possible to avoid need for irrigation.
- 4) Energy Efficiency
 - Energy recovery ventilators are included as part of HVAC design.
 - Low E window film is added to reduce heat gain and loss.
 - High efficiency condensing domestic hot water heaters are used.
 - High efficiency condensing boilers are included as part of the hydronic heating system design.

Y:\Documents\Energy\Sustainability and Energy Conservation Plan\Couling Cr Community Energy Letter.docx

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UPPER GRAND DISTRICT SCHOOL BOARD 500 Victoria Road North, Guelph, Ontario N1E 6K2

Martha Rogers
Director of Education

- Lighting is generally T8 with electronic ballast within classrooms and hallways, T5 in the gymnasium, and LED in the stairwells and exterior.
- Occupancy sensors are provided in heavily occupied spaces.
- The building provides natural light to all classroom spaces which limits lighting use.
- Full building automation systems are included to control heating and ventilation rates.

5) Materials & Resources

- The vast majority of materials utilized are available locally (800km radius) limiting environmental impact on source supply transportation.
- Collection of recyclables complies with City By-laws.

Yours truly,

Blair Capling

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ATTACHMENT 10 Agency and Public Comments Summary

| Respondent | No Objection or Comment | Conditional Support | Issues /Concerns |
|--------------------------------|-------------------------|---------------------|-------------------------------------|
| Planning | | √ | Subject to conditions in Schedule 2 |
| Engineering* | | √ | Subject to conditions in Schedule 2 |
| Park Planning | | √ | Subject to conditions in Schedule 2 |
| | | | |
| Emergency Services/Guelph Fire | √ | | |
| Union Gas | √ | | |
| Guelph Hydro | | √ | |
| Guelph Police | √ | | |

* letters attached

ATTACHMENT 11 Public Notification Summary

| | |
|-------------------|---|
| March 26, 2014 | Application received by the City of Guelph |
| April 25, 2014 | Application deemed complete |
| May 9, 2014 | Notice of Complete Application and Public Meeting mailed to prescribed agencies and surrounding property owners within 120 metres |
| May 14, 2014 | Notice of Public Meeting advertised in the Guelph Tribune |
| June 9, 2014 | Statutory Public Meeting of City Council |
| September 8, 2014 | City Council Meeting to consider staff recommendation |

STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 8, 2014

**SUBJECT Brooklyn and College Hill Heritage Conservation District -
Designation of District and Adoption of Plan and
Guidelines**

REPORT NUMBER 14-46

EXECUTIVE SUMMARY

PURPOSE OF REPORT

The purpose of this report is to provide staff's recommendation on the proposed designation of the Brooklyn and College Hill Heritage Conservation District. The report provides a summary of and response to comments and concerns raised on or following the statutory public meeting held on June 9, 2014. The report also describes any revisions made to the plan and addresses the recommended implementation items presented by the consultant in Part B of the Plan and Guidelines document.

KEY FINDINGS

- The conservation and celebration of cultural heritage resources is a key element of Guelph's sustainable community vision and can contribute to the social and economic vitality of the City;
- The designation of the Brooklyn and College Hill Heritage Conservation District and adoption of the plan and guidelines has multiple benefits including:
 - Enhancing City Council's ability to manage and guide future change in the district;
 - Recognizing and commemorating the values that can sustain a sense of place for Brooklyn and College Hill into the future;
 - Establishing clear objectives and guidelines regarding the conservation of cultural heritage resources within the HCD providing certainty and guidance regarding future change in the area to property owners, businesses and residents.
- The HCD Plan and Guidelines applies only to those properties within the district boundary and clarity has been provided in the document on the directions for adjacent properties in accordance with the Provincial Policy Statement.
- The heritage permit process will be implemented with clear timelines and expectations for property owners. The Heritage Act sets out a maximum

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90-day timeframe for decision; the majority of permit applications are anticipated to be minor in nature and with delegated approval authority will normally be processed by staff within 10-15 business days of receiving a complete application; applications that require consultation with Heritage Guelph and/or approval by Council will normally be processed within 60 to 90 days of receiving a complete application. Delegation of approval authority to staff for most types of applications is recommended to allow for a streamlined and timely process for decision.

FINANCIAL IMPLICATIONS

- The project is funded through Planning Services approved Capital Budget.
- There are no costs to the City associated with the designation of the district other than the nominal fee (less than \$100.00) of registering the designation by-law on the title of properties within the District.
- The proposed designation of the Heritage Conservation District does not require additional staff resources in order to administer the heritage permit process.
- Financial incentives for designated properties will be reviewed and assessed by staff and Heritage Guelph and recommendations provided to Council at a future date separate from the HCD process.

ACTION REQUIRED

To consider approval of the designation of the Brooklyn and College Hill Heritage Conservation District. Should Council support staff's recommendation, a by-law would be required to be passed to designate the Brooklyn and College Hill Heritage Conservation District and its associated Plan and Guidelines under Section 41 Part V of the Ontario Heritage Act.

RECOMMENDATION

1. That Report 14-46 from Planning, Building, Engineering and Environment, dated September 8, 2014 regarding the designation of the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines be received.
2. That the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines contained in Report 14-46 as Attachment 1 be approved.
3. That Council enact a by-law to designate the Brooklyn and College Hill Heritage Conservation District and adopt the associated Plan and Guidelines under Section 41 Part V of the Ontario Heritage Act.
4. That Council enact a by-law to amend By-law #(2013)-19529 "By-law to Delegate Authority" to delegate approval authority to the General Manager of Planning Services for certain types of alterations to properties designated under the Ontario Heritage Act.

BACKGROUND

The establishment of heritage conservation districts is a strategy for heritage conservation that has been widely and successfully used in Ontario municipalities with more than 113 approved HCD Plans currently in place. District designation enables Council to manage and guide future change in the district through adoption of a district plan with policies and guidelines for conservation, protection and enhancement of the area's special character.

In designating the Brooklyn and College Hill Heritage Conservation District, a key objective is to maintain and conserve the heritage character of the Brooklyn area, the Gordon Street Corridor and the Speed and Eramosa riverscapes within Royal City Park. The Brooklyn and College Hill area contains a number of distinctive features and cultural heritage attributes including the nationally recognized McCrae House, distinctive bridges, numerous vernacular heritage residences, Royal City Park, the Speed and Eramosa waterway and the historical Dundas Road (Gordon Street). These features have unique historical associations with transportation routes, community growth, city beautification and institutional development. Within the HCD area the valley lands have been extensively designed and used as public open space and parkland. Portions of these lands and outwash slope are also distinguished by a structured grid of generally low profile residential forms from the 1850s to the 1950s along Gordon Street and within the Brooklyn area. All provide a distinct sense of time and place.

Objectives of the Heritage Conservation District

- To maintain the primarily residential character of the District.
- To conserve the heritage attributes of individual properties and their contribution to the collective heritage character of the District.
- To avoid the loss or attrition of the Brooklyn and College Hill Heritage Conservation District character by permitting only those changes that are complimentary and undertaken in the least destructive manner and in a way that, if such alterations were removed in the future, the form and integrity of the heritage property would generally remain unimpaired.
- To permit only those alterations, new construction or demolitions that conform to the goals, objectives, policies and guidelines of the Brooklyn and College Hill Heritage Conservation District Plan.

It is appropriate at this time to designate Brooklyn and College Hill as a heritage conservation district because it is an area of special character, the property owners in the area and the residents' association are largely in support of the designation, and the area is experiencing pressure for change.

There has been a high degree of consultation with staff, advisory groups and the community regarding the Brooklyn and College Hill HCD study and designation process. Since the initiation of the HCD process in January 2011 there has been

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one open house, two public meetings and one community focus workshop as well as four Council meetings. These events led to the statutory public meeting held June 9, 2014 and have provided property owners and the public with opportunities to learn about and comment on this initiative. Attachment 3 provides a summary of the community consultation process.

REPORT

The purpose of this report is to provide Council with an overview of the comments and concerns received since the draft HCD Plan and Guidelines were released in May 2014 and at the Statutory Public Meeting (June 9) and the Community Meeting (June 24). This report also provides a summary of any revisions made to the proposed HCD Plan and Guidelines in response to the comments received. With this report, staff recommends that Council approve a by-law that designates the Brooklyn and College Hill Heritage Conservation District area and adopts the associated Plan and Guidelines under Section 41, Part V of the Ontario Heritage Act.

The input received from community consultation and more recently from the June 9 Public Meeting and June 24 Community Meeting, indicate that the HCD Plan and Guidelines have generally been well-received by property owners within what is now the proposed HCD area and property owners are largely supportive of staff's recommendation that Council designate the Brooklyn and College Hill HCD with only minor modifications to its associated Plan and Guidelines. Concerns expressed have generally been resolved through further discussion with interested parties and through appropriate revisions to the Plan and Guidelines (as described in this report).

Public/Stakeholder Comments and Staff Response

The following summarizes the main comments from stakeholders on the proposed HCD Plan and Guidelines. Attachment 4 contains the comment letters received since the June 9, 2014 Statutory Public Meeting of Council.

1. Adjacent Properties

Summary of Concern: Owners of properties that have been identified as adjacent to the proposed HCD have expressed concerns that their properties would also be required to conform to the HCD policies and guidelines and that alterations to their properties would require a heritage permit. Concern was also expressed about the wording of the adjacency section in Part B of the Plan, specifically with respect to the statement that adjacent properties may be of interest for future heritage designation. Concerns about the requirement for scoped cultural heritage resource impact assessments (HIA) were raised particularly with regard to the description of heritage attributes that are to be protected. Further, the owners of large properties (e.g. University of Guelph and Cutten Fields) expressed concern that the entirety of their properties would be considered adjacent and as such, any plans to alter their properties would be required to conform to the HCD Plan and Guidelines. The University of Guelph also questioned how the Campus Master Plan would be considered through the HIA review process.

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In order to better understand and resolve the issues with adjacent properties, Staff and MHBC Planning (the City's consultant for this project) met with a group of adjacent property owners on July 31. As a result of this meeting, the section on adjacency in the Plan has been revised.

Staff Response: Adjacent properties are not included within the HCD boundary and are not subject to the HCD Plan and Guidelines. Rather, adjacent properties must comply with the Provincial Policy Statement (2014) and the City's Official Plan with respect to the conservation of cultural heritage resources.

The PPS states that:

"Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."

To satisfy this requirement, a property owner adjacent to the HCD boundary may be required to prepare a scoped Cultural Heritage Resource Impact Assessment (HIA) to evaluate and demonstrate that the heritage attributes of a designated heritage property or heritage district will be conserved.

In terms of the requirements and detail for heritage impact assessments, staff and MHBC provided explanation to the group that the plan and guidelines provide the detail necessary to establish the heritage attributes of the district and that the process for scoping an HIA for adjacent properties to the district is no different than the process that already exists for individually designated properties. It would not be possible to provide detail in the plan for every potential proposal for adjacent properties, in practice this is done through preconsultation with applicants where a professional opinion can be provided on the basis of an actual proposal.

The boundary of the HCD is set through the designation of the district and any future changes to the boundary would be required to be considered through a public process and an amendment to the designation by-law.

The wording related to future interest in heritage designation for adjacent properties has been removed from the plan. The intent of this wording was to acknowledge that there are properties adjacent to the district that have cultural heritage value and could meet the criteria for individual designation.

In response to concerns raised by the University of Guelph and Cutten Fields with respect to the entirety of these large properties being defined as adjacent, the following has been added to the definition of adjacent property in the Plan:

"for properties larger than 2.5 hectares, the portion of the property that is within 30 metres of the boundary of the Brooklyn and College Hill Heritage Conservation District."

Staff feel that this is an appropriate measure of adjacency given that a proposed development or site alteration distant from the HCD boundary would have little or no potential impact on the HCD (the protected heritage property).

The University's Campus Master Plan provides direction to the University on future campus needs, however it does not exempt the University from municipal approvals or compliance with provincial policy. As such, it is acknowledged that the University of Guelph has plans for future development on lands adjacent to the district boundary however, the future approvals of development on these lands will be required to satisfy all applicable municipal and provincial policy. Wording has been added to the adjacency section of the HCD Plan to acknowledge the Campus Master Plan.

Part B Section 3.0 entitled "Adjacent Lands to a Heritage Conservation District" has been revised and is now included within Part A, Section 7 of the Plan. This Section has been revised to provide greater clarity to adjacent property owners that the Plan and Guidelines do not apply to their properties and that the Provincial Policy Statement and Official Plan policies for conservation of heritage properties do apply. Staff and MHBC discussed these modifications with the concerned parties and feel that the issues have been addressed by the deletion of the introductory paragraph (draft plan Section 3.1) and the inclusion of a new definition of "adjacent".

2. Public Views and Vistas

Summary of Concern: Adjacent property owners also raised concerns about the protection of public views and vistas and a concern that these were not identified in the Plan and may impact development on adjacent private lands.

Staff response: The public views and vistas mentioned in the Plan are views from public spaces within the district boundary including views along Gordon Street including the Gordon Street bridge, Royal City Park and Church of our Lady. They also include views from residential streets terminating in the parkland. Private development on lands adjacent to the district would not impact the view from a public space to any of these defined features because the views are from public spaces within the district and terminate within the district. The views to Church of our Lady are already protected by the City's Zoning By-law. Further, Section 4.7.7 of the Plan defines the views and provides guidance to their protection. There are no changes proposed with respect to these comments.

3. Delegation of Authority and the Heritage Permit Process

Summary of Concern: Concerns related to the heritage permit process were expressed regarding clarity, timing and efficiency of process.

Staff Response: The heritage permit application process is the mechanism established under the Heritage Act which enables the city to control development and other types of property alterations to ensure that they conform to the applicable Heritage Conservation District Plan and Guidelines. Once a complete

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permit application is received, the City has a maximum of 90 days to grant or refuse the permit.

Delegation of Authority

The Heritage Act enables municipal Councils to delegate approval authority to staff for most types of heritage permit applications, other than applications for demolitions and new buildings or structures, which must be considered by City Council. Many municipalities have implemented delegation of approval authority in order to maximize the efficiency of the review process, particularly with respect to relatively straightforward and non-controversial applications. Another common practice is to only delegate authority to approve applications but not refuse them. This ensures that if the delegated approval authority is unable to support approval of an application, it is referred to Council for consideration and a decision.

Staff is recommending that Council amend the City's Delegation of Authority by-law to delegate authority to the General Manager of Planning Services to approve all forms of heritage permit applications, except for applications for demolition or construction of new buildings and structures. It is further recommended that the GM of Planning Services not be delegated authority to refuse heritage permit applications. Should Council approve the HCD Plan and endorse delegation of approval authority as described above, an amending by-law will be brought forward to Council later in 2014 setting out the details for operationalizing such delegation.

Heritage Permit Process:

The following provides an overview of the key steps in the process, assuming delegated approval authority as described above, including anticipated timing. Attachment 5 provides further information and detail.

Pre-consultation and Submission of Application

Property owners who plan to modify or alter properties within the HCD, are encouraged to first consult the HCD Plan and Guidelines and then make contact with Heritage Planning staff. Pre-consultation is an important preliminary step in the heritage permit process that often creates efficiencies and helps to improve the ultimate outcome of a proposal. It provides an opportunity for Heritage Planning staff to discuss the proposed alterations with the proponent and provide advice and guidance with respect to the applicable sections of the HCD Plan and Guidelines. It also provides the opportunity for staff to assist the applicant in understanding the heritage permit application requirements and how to submit a complete application, including confirmation of necessary supporting information, such as drawings, descriptions of proposed work, etc., which are the responsibility of the applicant to provide with the application.

During pre-consultation, the applicant will also be advised which approval stream their application will be processed under, as outlined below, and as further detailed in Attachment 5.

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It is anticipated that requests for an initial pre-consultation meeting can normally be accommodated within 5–10 business days. Depending on the complexity of the application, additional follow-up discussions may be recommended.

Once a complete application is submitted, a notice of receipt is sent by staff to the applicant. A decision must be made within 90 days after the receipt notice is sent to the applicant unless Council and the applicant have agreed on a longer consideration period for the permit process.

Permits where approval is delegated to staff:

Applications that are subject to delegated approval authority will be processed under one of two streams.

Stream 1: Minor Application

Many types of applications, such as cosmetic, surficial alterations, cladding, and other alterations not requiring a building permit, will be deemed to be minor, and will solely be reviewed by the City's Heritage Planning staff. Heritage Planning staff will review the application and provide recommendations to the General Manager of Planning Services. If recommended for approval, the GM of Planning Services will then approve the permit, with or without conditions. Applications processed under this stream will normally be completed within 10-15 business days.

Stream 2: Major Application

Certain types of heritage permit applications, such as larger scale exterior alterations, and other works requiring a building permit or approval under the Planning Act, will be deemed to be major. Major applications will be reviewed by Heritage Planning staff and also referred to Heritage Guelph. Heritage Planning staff and Heritage Guelph will review the application and provide advice and recommendations to the General Manager of Planning Services. If recommended for approval, the GM of Planning Services will then approve the permit, with or without conditions. Applications processed under this stream will normally be completed within 45 – 90 calendar days, depending on the timing of submission of the application in relation to the established Heritage Guelph meeting schedule.

For greater clarity, the definition of Minor vs Major applications shall be detailed in the amendment to the delegation by-law.

As noted earlier, under both streams, if, after receiving the advice and recommendations of Heritage Planning staff and Heritage Guelph as applicable, the GM of Planning Services is unable to recommend approval, the permit application will be referred to Council for consideration and a decision.

Permits where Council approval is required

As noted earlier, according to Section 42 of Part V of the Ontario Heritage Act, Council is required to consider heritage permit applications which propose to "erect, demolish or remove any building or structure on the property". Such applications

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will be reviewed by Heritage Planning staff and Heritage Guelph who will prepare advice and recommendations for Council's consideration and a decision. This process is anticipated to take approximately 60 – 90 days to complete depending on the timing of the application submission in relation to the Heritage Guelph and Council meeting schedules. If Council does not make a decision on a heritage permit application within 90 days of its submission, Council shall be deemed to have consented to the application, unless the applicant and Council can mutually agree on a longer decision period and an extension is granted.

4. Permit Evaluation

Summary of Concern: Concerns have been raised about the potential for "subjectivity" in the interpretation of the HCD Plan and evaluation of permit applications.

Staff Response: The HCD Plan establishes clear policies and guidelines that support a transparent and consistent decision making process based on objective criteria. The HCD policies and guidelines are interpreted and applied by qualified professional Heritage Planning staff, and by the Council appointed municipal heritage committee (as applicable). The intent of the HCD Plan and staff's advice and guidance is to achieve a successful outcome and arrive at an approvable solution.

5. Appeals Process

Summary of Concern: Questions were raised about the appeal process for heritage permits, and whether or not there is an alternative to appeals to the Ontario Municipal Board.

Staff Response: Under the Heritage Act, applicants may appeal to the Ontario Municipal Board a refusal of a permit application and also a condition or conditions imposed. The Heritage Act does not permit municipalities to establish an alternative appeal process for heritage permits. However, staff and Heritage Guelph are committed to working with property owners to achieve a desirable outcome on permit applications. The heritage permit process is intended to provide opportunities to negotiate resolutions within the guidelines and staff will endeavor to attain mutually agreeable solutions rather than simply recommending refusal of a permit and allowing for appeals.

The recommendation discussed earlier that the authority to refuse permits not be delegated to staff means that applications that cannot be resolved between the applicant and staff will be forwarded to Council for consideration and a decision. Although this is not an alternate appeal process, it does allow Council to consider the applicant's proposal in light of staff and Heritage Guelph's advice and balance the different factors in coming to a decision.

6. Staffing Requirements

Summary of Concern: A question has been raised whether the current staff of one Senior Heritage Planner would be able to carry out the work necessary to deal with the heritage permit work load expected with the designation of the HCD.

Staff Response: The City of Guelph's Heritage Register currently has 96 individually designated properties and 2,000 non-designated properties with cultural heritage value. There are also 2,300 non-listed properties that are recognized by the Official Plan as built heritage resources. The proposed HCD area has a total of 160 properties, 89 of which are currently considered built heritage resources (7 are designated individually, 28 are listed (non-designated) and 54 are non-listed built heritage resources). The designation of the HCD would result in the addition of 71 properties to the City's current inventory of almost 4,400 identified built heritage resources.

Based on a review of building permit records, it is estimated that over the last 5 years the Senior Heritage Planner screened approximately 60 building permits or planning applications (on average approximately 12 per year) involving properties within the Brooklyn and College Hill HCD area. The approval of the heritage district would add 71 more properties that would have the potential for requiring heritage review (representing an increase from 89 currently to 160). Based on the last 5 year's activity levels it is anticipated that this could result in an additional 10-15 heritage reviews per year within the District, although the number may be slightly higher as a result of minor applications for activities that aren't currently regulated.

The projected increase in work load can be managed by existing Heritage Planning staff.

7. Heritage Buildings vs. Non-heritage Buildings

Summary of Concern: A concern was raised through public consultation about the definition of non-heritage buildings and why the HCD Plan and Guidelines applies to non-heritage buildings.

Staff Response: The HCD Plan and Guidelines contains definitions, a map and a table to illustrate how each of the properties within the District are classified (either heritage or non-heritage). The heritage status (heritage or non-heritage) of properties within the HCD is presented in a map and table in Appendix A of the HCD Plan. As illustrated in Appendix A, almost all of the properties within the HCD contain buildings and structures or other attributes that contribute in some manner to the cultural heritage value of the HCD. Buildings on these properties are considered "heritage buildings".

The small number of properties identified as "non-heritage" in Appendix A contain buildings that were constructed in the later 20th century or that have had extensive modifications that removed the integrity of the building's heritage fabric. These are

considered “non-heritage buildings”. Proposed construction or alterations involving non-heritage properties/buildings provide the opportunity to support and improve, or negatively impact the heritage character of the HCD. The HCD Plan and Guidelines allow for contemporary design and provide guidance to non-heritage property owners as to how modifications to their properties can be made in a manner which is in keeping with the character of the area.

There were no changes to the plan in response to this concern.

8. River Water Levels, Stone Walls and Wellington Street dam

Summary of Concern: Concerns have been raised as to how heritage district designation and the HCD plan policies might influence or make decisions on the following:

- Naturalization of the river;
- The water level of the river; and
- The future of the Wellington Street Dam.

Staff Response: The HCD Plan states that the water levels and flow of the Speed River have changed over time, particularly with the construction of dams upstream and downstream from the proposed heritage conservation district. Generally in the summer months there is a basin with water that adds to the scenic value of the river, and is sufficient for recreational use. The HCD Plan recommends that a river water level be retained to sustain long-established recreational activities and maintain scenic value.

The stone walls along the river are considered to be a built heritage resource and these shall be conserved by the heritage district policies. While additional naturalization of the river corridor may be appropriate in other locations, the Plan policies state that naturalization is not appropriate, from a heritage conservation perspective, where stone walls have been constructed.

The Heritage Conservation District Plan and Guidelines and the designation of the district would be considered as one input into a future Environmental Assessment (EA) of the Wellington Street dam. The HCD does not predetermine the potential outcome of the future EA study but it does provide background and guidance to the EA process in terms of the cultural heritage value or interest of the buildings, structures and landscapes that exist in the subject area. Cultural heritage values would be weighed and balanced against other policy objectives such as environmental restoration as a decision is made under the Environmental Assessment Act.

Minor wording changes to Section 4.7.8 for clarification purposes have been made in response to these concerns.

9. Infill

Summary of Concern: Concerns expressed were related to how flexible the HCD policies and guidelines would be in dealing with new construction in the form of infill.

Staff Response: The objectives of the HCD Plan and Guidelines are to facilitate the design and construction of new buildings and additions that are appropriate and compatible with the heritage character of neighbouring properties, the historical streetscape and of the HCD in general. Proposals are expected to be compatible with the general character of the surrounding neighbourhood with regard to heights, massing, setback, and exterior materials. Contemporary design is encouraged and new design may be a contemporary interpretation of historic forms and styles. Attempts at replicating historic buildings are discouraged. Changes in massing or expansions of floor space should be made laterally to the rear and avoid increasing height greater than the original retained rooflines. The arrangement of elements in new construction need to maintain a prominent front façade and entry with garage or secondary structures located well back from the front plane of the building and ideally to the rear of the property.

Minor revisions to wording in this section of the plan were made to clarify that contemporary design is appropriate.

10. Solar Panels

Summary of Concern: There was concern raised about the application of the heritage permit process to the installation of solar panels and whether it might prevent the installation of panels on some houses within the HCD due to their orientation.

Staff Response: The installation of solar panels located in the same plane as the roof (e.g. at the rear slope of a roof or on a flat or low pitched roof) does not require a permit. However, freestanding panels on poles or those requiring removal of historic materials or construction of a structural frame of support, require a permit if located within view of the public realm. Such a permit would be reviewed in the context of the impact it may have on the heritage attributes of the building/property. It is possible this review may result in certain conditions or restrictions being recommended on panel placement, although given the City's commitment to supporting green energy, staff would work with applicants to determine if a feasible solution can be implemented.

Sections 5.2 d and 5.3 d were revised to clarify when a permit is required for solar panels.

11. Insurance Rates

Summary of Concern: Concerns were expressed that property owners within a Heritage Conservation District would experience increases in property insurance premiums due to a property being designated under the Ontario Heritage Act or would not be able to obtain property insurance.

Staff Response: Attachment 6 provides information on this issue provided by the provincial government. The Province advises that property insurance premiums should not increase merely as a result of heritage designation. Other factors such as building age, materials and outdated systems can contribute to these calculations. Heritage designation does not oblige the property owner to replicate a designated heritage building (restore it to its original appearance) if it has been partially or completely destroyed by fire or some other accident. If a property owner wishes to have its original features covered by insurance, they need to ensure they are properly covered. As property insurance is not regulated like auto insurance, property owners are advised to research various insurance providers in order to be sure that their policy suits their needs.

There are no modifications to the plan in response to this concern.

Other Modifications to the Plan and Guidelines

Tree Preservation in the HCD

Minor modifications to the HCD Plan and Guidelines have been made to provide clarity and consistency regarding how trees are protected by the district designation. Policies in 4.6.5 a) and 4.7.6 d) state that the damage or destruction of any tree greater than 20 centimetres in diameter at 1.4 metres above ground requires a heritage permit where it is located within the front yard or exterior side yard and contributes to the heritage value or visual character of the Heritage Conservation District (i.e., trees that contribute to the canopy that overarches the public realm). The heritage permit may include conditions for replacement planting of such trees. Definitions of hazardous and arborist (which are consistent with the City's tree by-law) have been added to the plan to support the policies for tree removal.

Parking Areas

The section related to the establishment of parking areas within the public realm (Section 4.7.4) has been deleted from the Plan. Upon further review, staff felt that this section was not needed since the proposed policies did not offer any further guidance beyond the City's current urban design guidelines and policies; there are no plans for new public parking areas within the HCD; and any parking areas associated with parkland in the HCD would be dealt with through a future parks master plan which would include a public process.

Recommendations in Part B

Part B does not form part of the plan and guidelines; rather it recommends additional actions that supplement implementation of the HCD, for the City's consideration. These recommendations have either been addressed in the Plan and Guidelines, are addressed in this report or will be incorporated into the Planning Services work plan for future consideration.

Municipal Implementation of Zoning By-law and Building Height: The consultant identified a potential conflict between the maximum building height permitted by the Zoning By-law and the existing building heights in the district. The district is characterized by low profile built form with many buildings less than 3 storeys in height. The consultant recommended that zoning regulations for building height be addressed to restrict the height within the district to a maximum of 3 storeys. Staff have reviewed this recommendation and feel that this issue is best to be addressed through the comprehensive Zoning By-law update.

Planning and Development Applications and Site Plan Control: The consultant recommended that Heritage Guelph be consulted on applications for variances, consents, plan of subdivision, zoning by-law amendments, Official Plan amendments, road closures, road widenings, and public works. Staff agree with this recommendation and note that this is currently standard practice for properties identified as cultural heritage resources. The consultant further recommends that wherever possible site plan applications where a heritage permit is also required should be reviewed together. Staff concur with this recommendation.

Property Standards: The consultant recommended that the City monitor property standards issues related to properties designated under the Ontario Heritage Act and consider an enhanced property standards by-law if required. Staff currently monitor property standards issues through the Building Services Annual Report. Staff will continue this practice and report to Council if changes to the property standards by-law are warranted with respect to designated properties.

Tree Preservation: The consultant recommended that the planting, removal and cutting of trees larger than 20cm in diameter (at 1.4 m above the ground) be regulated through the heritage permit process. The HCD Plan and Guidelines includes the requirement to obtain a heritage permit for the removal/destruction of trees larger than 20cm in diameter (at 1.4 m above the ground) for those trees that are located within the front or exterior side yards and that contribute to the heritage character of the district. Tree planting is not proposed to be regulated unless replacement planting is required as a condition of a permit for a tree removal. Staff also do not propose to require a permit for the cutting/pruning of trees unless it leads to the removal of the tree.

Bed and Breakfast Establishments: The consultant recommended that the City monitor the creation of bed and breakfast establishments in the HCD to assess potential impacts on the character of individual buildings and streetscapes. Staff will consider this as part of the future review/monitoring of the HCD Plan and Guidelines.

Heritage Tourism / Community Awareness: The proposed HCD Plan recommends that the City pursue heritage initiatives through the city-wide and Wellington County tourism strategies and consider linking the HCD area with other tourist sites through wayfinding including street signage and interpretive signage in the park area. This recommendation is appropriate to be considered through future corporate work planning/prioritization processes. These initiatives are dependent on collaboration with Community and Social Services and more specifically Visitor Services, Guelph Museums and Culture.

Streetscape Management Plan: The consultant recommended that the City consider implementing a streetscape management plan for the Gordon Street corridor. Staff will consider this recommendation as part of the future review/monitoring of the HCD Plan.

Financial Incentives: The consultant's recommendations address financial incentives for designated properties. The review of financial mechanisms to support the maintenance and restoration of heritage properties was directed by Council through a resolution dated September 24, 2012. While this review was included in the HCD Plan and Guidelines, the recommendation is intended to be considered on a city-wide basis for individually designated properties and the HCD. Planning staff and Heritage Guelph will review and assess best practices from other municipalities and provide a report for Council's consideration separate from the HCD process.

Next Steps in the Heritage District Designation Process

If the HCD designation by-law is approved by Council, and no appeals are received during the 30-day appeal period, the Brooklyn and College Hill Heritage Conservation District would be in full force and effect.

As noted earlier, staff is recommending that Council amend the City's Delegation of Authority by-law to delegate authority to the General Manager of Planning Services to approve all forms of heritage permit applications, except for applications for demolition or construction of new buildings and structures. It is further recommended that the GM of Planning Services not be delegated authority to refuse heritage permit applications. Should Council approve the HCD Plan and endorse delegation of approval authority as described above, an amending by-law will be brought forward to Council later in 2014 setting out the details for operationalizing such delegation.

STAFF REPORT

Once the HCD is in full force and effect, staff will communicate to property owners within the district information explaining the heritage permit application process and how it applies to them.

CORPORATE STRATEGIC PLAN:

Strategic Direction 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

FINANCIAL IMPLICATIONS:

- The project is funded through Planning Services approved Capital Budget.
- The implementation of the new heritage permit process system has been reviewed. The anticipated workload associated with the designation of the district can be handled by existing staff resources.
- There are no costs to the City associated with the designation of the district other than the nominal fee (less than \$100.00) of registering the designation by-law on the title of properties within the District.
- Financial incentives for designated properties within the City will be reviewed and assessed by staff and Heritage Guelph and recommendations provided to Council at a future date separate from the HCD process.

DEPARTMENTAL CONSULTATION:

According to the Ontario Heritage Act, Council is required to consult its heritage advisory committee when considering the designation of a heritage conservation district. At its meeting of June 9, 2014 Heritage Guelph passed the following motion:

"THAT Heritage Guelph endorses the designation of the Brooklyn and College Hill Heritage Conservation District under Part V of the Ontario Heritage Act as described in Brooklyn and College Hill Heritage Conservation District Plan and Guidelines (dated April 2014) and that Heritage Guelph supports the adoption of the Brooklyn and College Hill Heritage Conservation District Plan and Guidelines (dated April 2014) as presented at the June 9 2014 meeting of Heritage Guelph;

AND THAT any minor revisions required for the final approval of the HCD Plan and Guidelines may be handled by Heritage Planning staff with further consultation with Heritage Guelph."

The following Service Areas/Departments were involved in the internal review of the Draft HCD Plan and Guidelines:

- Building Services
- Engineering Services
- Community and Social Services (Community Engagement, Parks and Recreation) Corporate and Human Resources (Legal Services)

STAFF REPORT

COMMUNICATIONS:

The heritage conservation district designation process (both the study and plan stages) has involved an extensive amount of public engagement and communications as described in Attachment 3 of this report.

Notices of meetings have been published in the City News section of the Guelph Tribune and related information has been made available to the public through the HCD project webpage on the city website.

The Senior Heritage Planner has been available throughout to discuss with staff and the public, to answer questions and provide guidance regarding the proposed heritage conservation district, its recommended policies and guidelines.

Discussion of key issues regarding the proposed district has occurred with the HCD Community Working Group, comprised of members from the public from within the HCD and representatives from Heritage Guelph and the River Systems Advisory Committee.

ATTACHMENTS

- | | |
|--------------|---|
| Attachment 1 | Link to HCD Plan and Guidelines document on City website http://guelph.ca/city-hall/planning-building-zoning/community-design/heritage-planning/heritage-studies/ |
| Attachment 2 | HCD Boundary and adjacent properties and lands |
| Attachment 3 | Key Dates/events in the HCD community consultation process |
| Attachment 4 | Comment Letters |
| Attachment 5 | Heritage Permit Application Process (with delegated approval authority) |
| Attachment 6 | Insurance and Heritage Properties |

Report Author

Stephen Robinson
Senior Heritage Planner

Co-authored and Approved By

Melissa Aldunate
Manager, Policy Planning & Urban Design

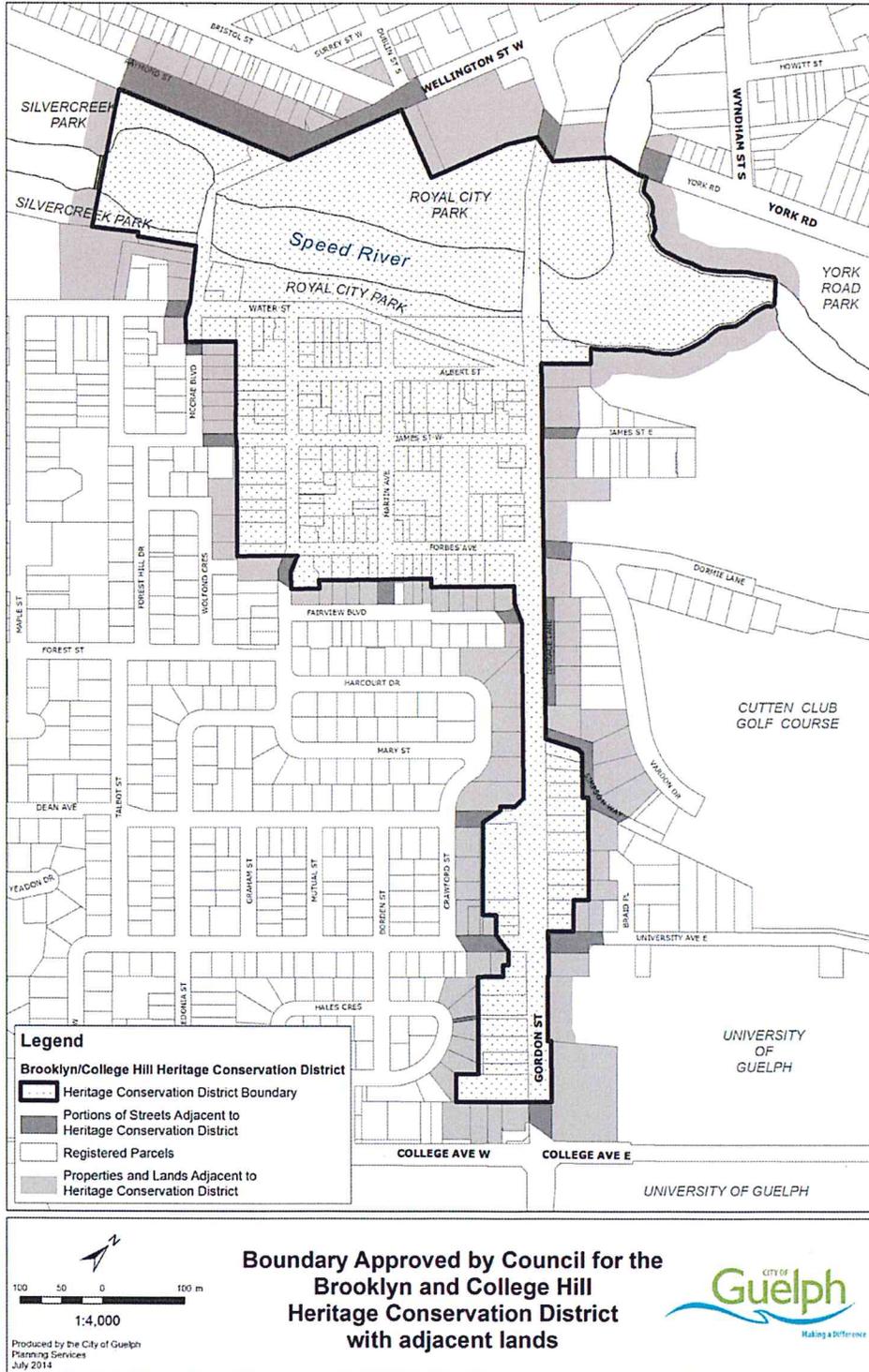


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Attachment 2- HCD Boundary with adjacent properties and lands



**Attachment 3 –
Key dates/events in the HCD community consultation process**

| | | | |
|------------------------------|---|----------|------|
| Open House | Introduce HCD concept | Jan | 2011 |
| Council Meeting | Initiate HCD designation process | Mar | 2011 |
| OUNRA Annual General Mtg | Presentation by staff | May | 2011 |
| Community Working Group | Introduce the HCD concept | Nov | 2011 |
| Technical Steering Committee | Introduce the HCD concept | Nov | 2011 |
| Public Meeting | Phase 1 - introduce HCD Study | Nov | 2011 |
| HCD Newsletter1 (Phase 1) | (included questionnaire) | Nov | 2011 |
| Public Meeting | Phase 1 - discuss HCD Study | Jan | 2012 |
| Council Meeting | Considered HCD Study report | Feb | 2012 |
| Council Meeting | Direction re: HCD boundary/engagement | Apr | 2012 |
| Community Working Group | Introduce Phase 2 | Aug | 2012 |
| Council Meeting | Considered alternative boundary options | Dec | 2012 |
| Technical Steering Committee | Phase 2 - Potential content of Plan | June | 2012 |
| Community Focus Workshop | Public feedback - potential content for Plan | Oct | 2013 |
| HCD Newsletter2 (Phase 2) | | Oct | 2013 |
| Heritage Guelph | Preliminary comments on draft HCD Plan | May 26, | 2014 |
| Community Working Group | Comments on draft HCD Plan | June 5, | 2014 |
| Heritage Guelph | Final recommendation re: draft HCD Plan | June 9, | 2014 |
| Public Meeting | Statutory Meeting for draft HCD Plan | June 9, | 2014 |
| River Systems Advisory Comm | Introduction to draft HCD Plan | June 18, | 2014 |
| HCD Newsletter3 (Phase 2) | | June | 2014 |
| Community Meeting | Information on draft HCD Plan | June 24, | 2014 |
| Technical Steering Committee | Final comments on draft HCD Plan | July | 2014 |
| Council Planning Meeting | Considers final staff recommendation and HCD Designation by-law | Sept 8, | 2014 |

Attachment 4 - Comment Letters



July 4, 2014

Mr. Stephen Robinson
Senior Heritage Planner, Policy Planning and Urban Design
Planning, Engineering and Environmental Services
City of Guelph
1 Carden Street, Guelph, ON N1H 3A1

Dear Stephen,

**Re: Brooklyn and College Hill Heritage Conservation District Study
Draft Plan and Guidelines, April 2014
our file: 1416**

We have been requested by Cutten Fields, Rick Jamieson, Nosam Properties Limited, the University of Guelph, and the Upper Grand District School Board to provide you with concerns related to the *Draft Heritage Conservation District Study Draft Plan and Guidelines, April 2014*.

The aforementioned land owners' concerns are related to issues associated with adjacency to the proposed District and the proposed policies thereto. The Draft Plan and Guidelines speaks to adjacency on page B-4 noting that

Adjacent lands may be of interest for future heritage designation, and unsympathetic development of lands adjacent to a district could affect the character of the district itself. Height, building type, use, and the protection of public views and vistas are all important potential considerations. It is important for development adjacent to heritage conservation districts to be sympathetic to the district itself, and one way to ensure this is to prepare an impact assessment statement (the City of Guelph refers to such studies as "Cultural Heritage Resource Impact Assessments") that describes the development, area potentially impacted, description of effects, and any necessary mitigation.

The boundary of the proposed District was established through study and public consultation and endorsed by City Council. Suggesting that it might be expanded to encompass adjacent lands begs the question as to the efficacy of the study and plan process. This statement should not find its way into the final document.

For clarity, it would be helpful if criteria and/or examples could be provided to establish how adjacent development is to be "sympathetic to the district". The Draft Plan and Guidelines suggests that .. *height, building type, use, and the protection of public views and vistas are all important potential considerations*. Height, and use are determined by the Official Plan and the Zoning By-law. It should be made clear in the Plan and Guidelines that changes to land use and/or zoning are not contemplated for adjacent lands as a result of district designation. If changes to zoning within the District might in some way impact adjacent lands, this should be noted. There is a proposal, for example, in the Draft Plan and Guidelines to remove the right to construct up to 8 storeys and limit height to a maximum of 3 storeys. Would a 4 - 8 storey building proposal on adjacent lands be considered "unsympathetic" as a result?

To what does the term "building type" refer? Again, for clarity, this needs to be more specific.

Public views and vistas, if they are to be protected, should be spelled out in the Plan and subject to public consultation prior to the Plan being approved. The Plan and Guidelines is non-specific regarding views, with phrases such as: *Maintain traditional views of property by avoiding the masking or hiding of prominent building features.* The views that are mentioned *Existing views to Royal City Park from Water Street and north-south streets with views terminating at the park should be retained and not obstructed and ... Views of the river shall remain unobstructed by buildings and structures. ...existing unobstructed views from the bridges into the park shall remain unobstructed. ...Views on both sides of the river and parkland from Gordon Street should be maintained.* As all these views are internal to the proposed district, they could not be affected by development of adjacent lands.

The Draft Plan and Guidelines suggest ... *one way to ensure this* (for development adjacent to heritage conservation districts to be sympathetic to the district itself) *is to prepare an impact assessment statement (the City of Guelph refers to such studies as "Cultural Heritage Resource Impact Assessments") that describes the development, area potentially impacted, description of effects, and any necessary mitigation.* Will all proposed adjacent development be subjected to the preparation of a Cultural Heritage Resource Impact Assessment (CHRIA)? If not, how will the requirement be determined and by whom? This information should be provided in the Plan or alternatively, in the *Cultural Heritage Resource Impact Assessment Guidelines*¹ of the City.

The PPS² states ...

Development and site alteration may be permitted on adjacent lands to protected heritage property (i.e. the HCD) where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

The PPS also states ...

For a protected heritage property (i.e. the HCD), the designation by-law or heritage conservation easement agreement should identify the cultural heritage value or interest and describe the heritage attributes of the cultural heritage or archaeological resource. The municipality should ensure that heritage attributes of a protected heritage property are effectively identified and described in the designation by-law or heritage conservation easement agreement. The level of detail should be sufficient to guide the approval, modification, or denial of a proposed development or site alteration that affects a protected heritage property. (emphasis added)

The Plan and Guidelines states that the cultural heritage attributes of the proposed district are:

A concentration of heritage resources

The proposed Heritage Conservation District contained within this boundary meets a number of those characteristic identified by the Ministry of Tourism, Culture and Sport (MTCS). The area contains a concentration of heritage buildings, sites, structures, designed and natural landscapes. These include the nationally recognised McCrae House, distinctive bridges, numerous vernacular heritage residences, Royal City Park, the Speed and Eramosa waterways and the historical Guelph and Dundas Road (Gordon Street). These features also have unique historical associations with transportation routes, community growth, City beautification and institutional development.

¹ The existing *Cultural Heritage Resource Impact Assessment Guidelines* require an update to reflect the proposed district designation

² The Draft Plan and Guidelines notes the PPS as 2005. The current PPS is 2014

A framework of structuring elements

The proposed District is also distinguished by a framework of structuring elements. In the north are the underfit former glacial stream channels of the Speed and Eramosa Rivers, now occupying broad and expansive valley lands. Gordon Street, a historic transportation corridor Brooklyn and College Hill Heritage Conservation District Plan and Guidelines with its origins in the 1820s, comprises the main spine of the District and carves out a route from the valley lands to the north, up the former glacial outwash slope to the table lands of the Wentworth Till plain in the south, at the intersection with College Avenue.

Visual coherence

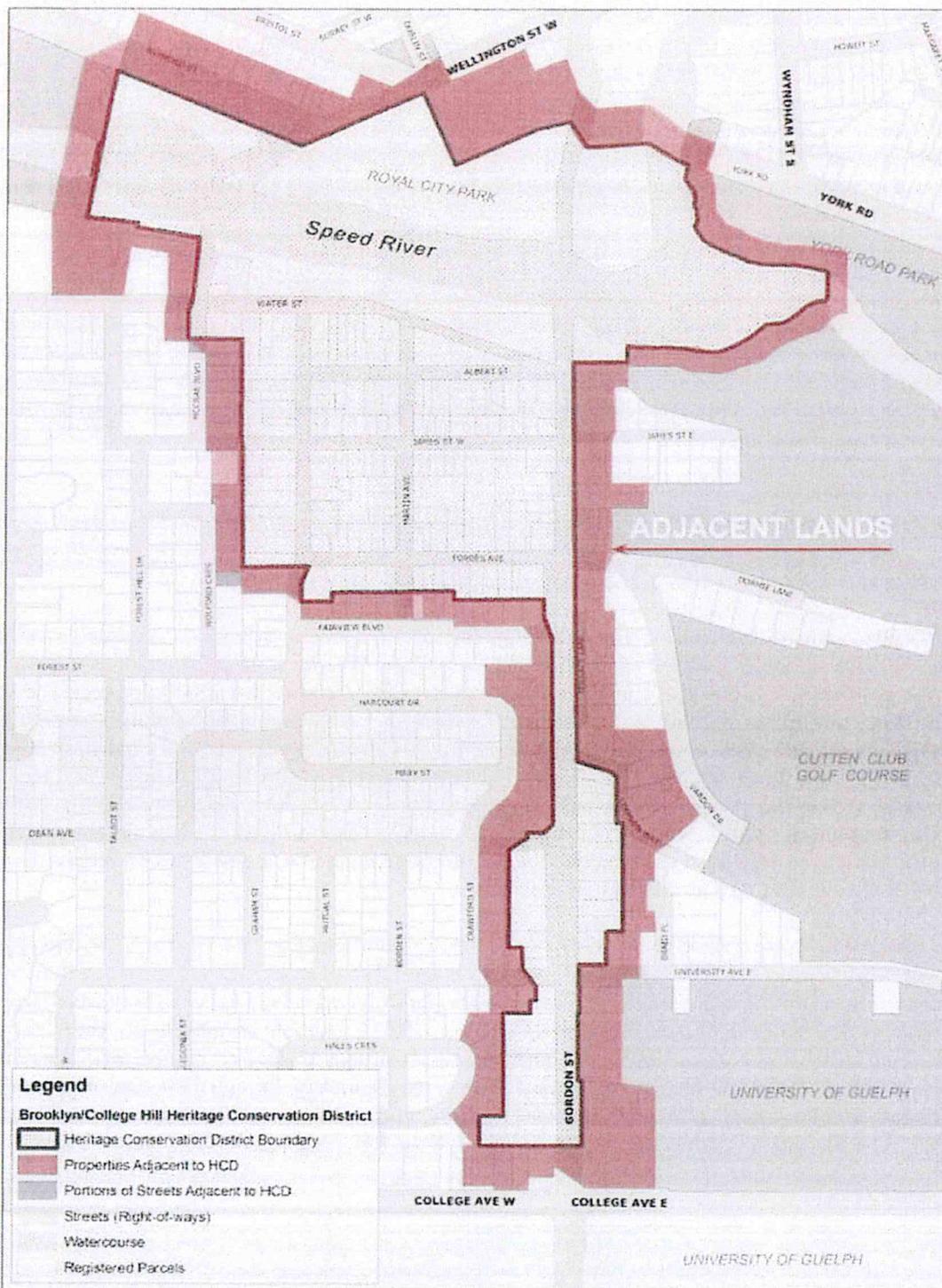
The framework of structuring elements also provides a considerable degree of visual coherence through the layering of human activities and designs on the landscape. The valley lands have been extensively designed and used as public open space and parkland. Portions of these lands and outwash slope are also distinguished by a structured grid of generally low profile residential forms from the 1850s to the 1950s along Gordon Street and within the Brooklyn area. All provide a distinct sense of time and place.

A distinctive character

All the above attributes result in an area and landscape of distinctive character that separates it from the University campus to the south, the commercial and downtown core to the north, the golf course to the east and the mid-twentieth century residential suburb to the west.

It is difficult to see how development of adjacent properties could negatively affect the somewhat generalized cultural heritage attributes outlined in the Plan and Guidelines. The level of detail required to guide the approval, modification, or denial of a proposed development or site alteration that affects a protected heritage property does not appear to exist in the Plan and Guidelines. What would be helpful in garnering an understanding of what might constitute a negative impact by adjacent development is a listing of specific cultural heritage attributes that could be affected, such as: obstructing specific significant public views or vistas; creating shadows that alter the appearance or viability of an attribute; isolating a heritage attribute from its surrounding environment or context; rezoning adjacent land to alter the historic context of the proposed district; *etc.* The Plan and Guidelines lacks this needed detail that would inform proponents and adjacent land owners as well as district property owners.

While adjacent lands are defined in both the PPS and the City's Official Plan, the inclusion of Cutten Fields and most of the University of Guelph campus as "adjacent lands" has no merit. Development on most of the university campus or at the club house of Cutten Fields, for example, would not even be visible from the proposed District, but by definition, could be subject to a CHRIA. A more reasonable approach, and one which would satisfy the need to review development proposals on adjacent lands in the context of the cultural heritage attributes of the proposed district, would be to draw a boundary through those adjacent lands that is consistent with the smaller land holdings adjacent. Thirty metres is suggested as a potentially appropriate distance. The properties adjacent map would appear as in the following figure if that were the case.



Produced by the City of Guelph
Development Planning
September 2013

**Boundary Approved by Council for the
Brooklyn and College Hill
Heritage Conservation District
with adjacent lands**

Suggested revision to properties adjacent to HCD

ATTACHMENT 4 - COMMENT LETTERS

In summary, it is our opinion that the Draft Plan and Guidelines lacks sufficient material to inform adjacent land owners. The cultural heritage attributes of the proposed district are vague and ill-defined. There are uncertainties with regard to some of the wording regarding boundaries and the future of adjacent lands. The extent/boundaries of adjacent lands requires resolution. The process for dealing with planning applications on adjacent lands is not clearly defined.

Continued public consultation is required to provide as much certainty as is reasonable to both adjacent and district landowners.

Respectfully submitted on behalf of:

Cutten Fields, Rick Jamieson, Nosam Properties Limited, the University of Guelph, and the Upper Grand District School Board

CHC Limited



Owen R. Scott, OALA, FCSLA, CAHP

cc Rick Jamieson, James Street East
Daniel C. MacLachlan, Director of Design, Engineering, Construction, University of Guelph
Robert Mason, Nosam Properties Limited
Craig Moore, Chief Operating Officer, Cutten Fields
Jennifer Passy, Manager of Planning, Upper Grand District School Board
Jill Vigers, Manager, Architectural Services, University of Guelph
Philip Wong, Director of Real Estate, University of Guelph
Janice Wright, Upper Grand District School Board

Stephen Robinson

From: Evan Ferrari
Sent: June 30, 2014 10:49 AM
To: Stephen Robinson
Subject: Brooklyn & College Hill Heritage Cons. District Plan

Categories: HCD - July 8

Please consider this as input into the: Brooklyn & College Hill Heritage Cons. District Plan

I am encouraged that the city is moving forward with a plan to conserve the heritage values of this area.

However, I am also very concerned that this process appears to have been developed within a 'silo' of planning that may lack broader perspective, even though some other plans appear to have been considered as part of this exercise.

While I see the value in conserving historical architecture, attempting to 'protect' the heritage 'water level' of the river within the study area is ill conceived. Maintaining a dam structure that worsens the water quality of the river downstream and upstream shows that we haven't learned from our mistakes as a society. It further sends a message that we don't care about the right of our neighbours downstream to have good drinking water - including First Nations at the Six Nations. As you know, there are many communities downstream that take their drinking water downstream from us. Access to good drinking water is not only a fundamental right, but clearly a heritage issue that has existed for a long time. There are many ways of improving and attempting to maintain water levels for recreation purposes without keeping the dam.

Furthermore, by leaving reference to maintaining the water level as is, the city commits to taking financial responsibility for the dam in perpetuity. I don't believe that there is any appetite to absorb the long term cost of this structure given that (as I understand) the GRCA sees no conservation value in the dam or has an interest in financially supporting its existence.

In the same manner, suggesting that all of the stone walls need to be maintained would commit the city to paying for the upkeep of these walls in perpetuity. Like the dam, these walls have a negative impact on the river water quality in the manner that they currently exist.

It is imperative that any reference to maintaining the water level be removed from the plan to enable a broader public discussion and avoid locking the city into being financially liable in perpetuity. The report should be further modified to say that a 'representative amount' of the stone walls should be preserved for heritage conservation purposes.

As a final note, I believe that there should be no restrictions on solar panels for several reasons. First, this is provincially regulated and the plan would be flying in the face of the Green Energy and Economy Act. Second, solar panels of some sort have existed in Canada dating back to the late 1800s. Many of the architectural features of our homes have evolved in the intervening years - so have solar panels. To suggest they take away from the heritage values sounds way to subjective. Finally, using cultural heritage as a reason for not improving our environment with solar panels is similar to the reasons given in the late 1800s why women shouldn't get the vote. 'Culturally women had never had the vote, so why give it to them now'. Of course it's

ATTACHMENT 4 - COMMENT LETTERS

a ludicrous argument, but so is saying that - most homes have survived without solar panels so why do it now?

Thanks you for the opportunity to comment on this issue.

Evan

Evan Ferrari

This e-mail message (including attachments, if any) is intended for the use of the individual to whom it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender and erase this e-mail message immediately.

Stephen Robinson

From: Ian Findlay
Sent: June 11, 2014 7:42 AM
To: 'Oxanna Adams'
Cc: Stephen Robinson
Subject: RE: Heritage District designation

Thanks Oxanna. Will ask staff for a response.

From: Oxanna Adams
Sent: Tuesday, June 10, 2014 10:15 PM
To: Ian Findlay
Subject: Re: Heritage District designation

Hi Ian,

I have slightly edited what I wrote in my previous e-mail. After attending last night's council meeting I have some added concerns that I would be happy for you to read and to pass on to staff.

Thanks,
Oxanna

While I am supportive of initiatives that are aimed at maintaining the heritage integrity of an area such as Brooklyn College Hill I am concerned that a bylaw such as this would hinder creative initiatives undertaken by home owners to enhance their properties. I refer specifically to Tom King's house and also the renovation to the house next to him on Mary St. I am not certain that Tom's house would have met the criteria and the renovation of the house next door likely would not have. I consider this house to be an elegant mix of restoring and enhancing the original house and expanding and creating useful space with a tasteful modernist structure, not unlike what was done with our city hall and the museum. The owners opted for this sort of renovation instead of demolition and construction of a house straight out of a south end subdivision as occurred in two different locations further along Mary St. If the bylaw curtails turning the area into another bland suburban enclave then I am all for it; if it blocks and hinders creative use of space then I have reservations. I hope that the final bylaw can be crafted in such a way as to preserve the heritage of the area and at the same time not curtail initiatives that are bold, creative and will enhance the neighbourhood.

I am also concerned as to whether this bylaw would unduly restrict what a home owner could do in terms of energy retrofits that involve exterior modifications. Same for the installation of solar panels which was adiscussed at last night's meeting.

Also of concern are the following two paragraphs that deal with Royal City Park and the Speed River.

"The stone walls lining the river corridor shall be conserved. These walls have historic associations with social history in the early 20th century of Guelph (related to civic beautification). While additional naturalization of the river corridor may be appropriate in other locations, it is not appropriate in the park setting within the District. The river, within the District, has been modified by human activity over the last 200 years, beginning with

ATTACHMENT 4 - COMMENT LETTERS

industrial activity in the 19th century and continuing with recreational and civic use in the 20th century.

h) The water levels and flow of the Speed River have changed over time, particularly with the construction of dams upstream and downstream from the heritage conservation district. Generally in the summer there is a basin with water that adds to the scenic value of the river, and is sufficient for recreational use. The historical water levels of the river should remain so that the long-established recreational activities can be continued, and the scenic value is maintained."

If the bylaw is passed with the inclusion of these two clauses will this preclude discussions on the removal of the Wellington St. dam? The consensus appears to be that while contributing to the aesthetics of the park and Gow's bridge during the milder periods of the year, the continued raising and lowering of river levels is detrimental to the health of the river and the organisms it supports. A reasonable balance between heritage preservation and addressing environmental concerns must be found.

Thanks Oxanna.

Is this something that I can share with Planning Staff for a response?

ATTACHMENT 4 - COMMENT LETTERS

Comments on the Brooklyn, College Hill HCD draft document:

I support the designation of Brooklyn, College Hill as a heritage conservation district and I look forward to more areas of Guelph being designated in the future. Since this is Guelph's first HCD it is necessary to get as much of it right as possible.

I originally was concerned that the guidelines would be too restrictive and dissuade creative and innovative use of design. I am happy to see that contemporary design alterations will be permitted and that the construction of new free standing buildings is encouraged to be of a contemporary nature. Our city hall and museum are excellent examples of how contemporary design can greatly enhance the characteristics of heritage structures.

I would also like to address solar panel installations and the recommendation that they be permitted as long as they are "located out of sight from street views". It is unrealistic to assume that every house has the good fortune of meeting the HCD criteria while at the same time possessing optimal orientation for solar production. I fear that the HCD guidelines as they are currently written will dissuade home owners who want to contribute to local production of solar energy from doing so. It is the intention of both the city and Guelph Hydro to move us in the direction of more locally generated energy production; the HCD draft sends the wrong message by putting up roadblocks that discourage rather than encourage home owners from pursuing green energy production. I would like to see this segment of the draft guidelines removed.

Page 4-26 recommends that boulevards be grassed. Over ten years ago there was a citizen driven initiative (The Guelph Boulevard Club) that encouraged homeowners to replace the grass on their boulevards with drought tolerant low maintenance plantings. Many homeowners took up the challenge and now we see beautiful, creative and in most cases well maintained boulevards throughout the city. In some cases gardeners have even converted their boulevards to small vegetable gardens. In 2001 the City of Guelph presented the Guelph Boulevard Club with a Communities in Bloom Award recognizing their efforts in promoting environmental alternatives to lawn maintenance. The HCD guidelines should not discourage these types of environmentally sustainable initiatives and the guideline as currently written needs to be modified accordingly.

Currently the summer water level of the Speed River through Royal City Park is controlled by the raising and lowering of the Wellington St. dam. The section of the draft document recommending the retention of the stone walls lining the river corridor in Royal City Park and the current summer water level of the Speed River may provide an unintended road block when it is time to decide the future of Wellington St. dam.

The general consensus is that raising and lowering water levels on a yearly basis is detrimental to the health of the river; therefore the water level in Royal City Park is not just a heritage issue but also an environmental one. It is also a budget issue since we have yet to determine the cost of maintaining the dam and of the repairs needed to ensure the integrity of the river bank walls in Royal City Park. Royal City Park and the

ATTACHMENT 4 - COMMENT LETTERS

Speed River are of heritage significance and should remain as part of the Brooklyn/College Hill HCD but references relating to river levels and retention of the stone walls should be removed until after a decision is made about the future of the Wellington St. dam.

Discussions that deal with the environmental impacts of heritage designation decisions needn't be an either/or matter. Both involve conservation and by taking a balanced approach we can ensure a secure legacy for future generations.

ATTACHMENT 4 - COMMENT LETTERS



400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6
Phone: 519-621-2763 Toll free: 866-900-4722 www.grandriver.ca

June 5th, 2014

Clerk's Office
City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Stephen Robinson
Policy Planning and Urban Design
City of Guelph
1 Carden Street
Guelph, Ontario
N1H 3A1

Dear Mr. Robinson;

RE: Brooklyn and College Hill Heritage Conservation District Study

We have now had an opportunity to review the Draft Plan and Guidelines for the Brooklyn and College Hill Heritage Conservation District Study. We offer the following comments.

Development, Redevelopment and Additions

We would request the inclusion and reference to the City of Guelph's Official Plan and associated Zoning Bylaw as it relates Section 5.1 and 5.2 of the Official Plan and Section 12 of the Zoning Bylaw. Inclusion of these reference sections is in an effort to avoid conflicting policies relating to the development and re-development of work within the floodplain areas.

Sections of the Heritage District Guidelines and Plan which reference elevations and grades associated with new construction, redevelopment and additions located within the floodplain should incorporate a reference to the requirement for flood proofing and reference to the Floodplain policies of the zoning bylaw. A copy of the Grand River Conservation Authorities floodplain mapping with inclusion of the Heritage District outline has been included for your reference.

Comment: It is our request that reference to the floodplain be included in both the Municipal Implementation Section and Plan and Guide and that a comment should provide direction on situations where a conflict is encountered between the floodplain policies and those of the Brooklyn and College Hill Heritage Conservation District, the appropriate zoning bylaws as they pertain to the Speed River floodplain shall be followed, with encouragement to incorporate the Heritage Guidelines into the design as feasible.

ATTACHMENT 4 - COMMENT LETTERS

Parks and River Systems

Review of the policies section 4.7.9 provides direction and comments on the shoreline adjacent to the Speed River (stone and concrete retaining wall) and the operation of the associated dams with respect to water levels.

Comment: We would recommend you discuss with the operator and owner of the Dam as requirements and direction provided may conflict with the operators' management plan and could have a long term implications. We recommend that the entire last sentence of Policy 4.7.9 h) referencing "historic water levels" and any reference to management of water levels in the document be removed to avoid a possible conflict and impact management of the Dam. In addition, the City of Guelph River System Management Plan provides direction on the restoration and enhancing of the Speed River. It is recommend that a sentence be added in section 4.7.9 g) such that "Opportunities to enhance Fish Habitat will continue to be encouraged and explored as part of any repairs or replacement to the existing wall."

We trust these comments are of assistance. Should you have any questions, please contact me at 519-621-2763 extension 2238.

Yours truly,



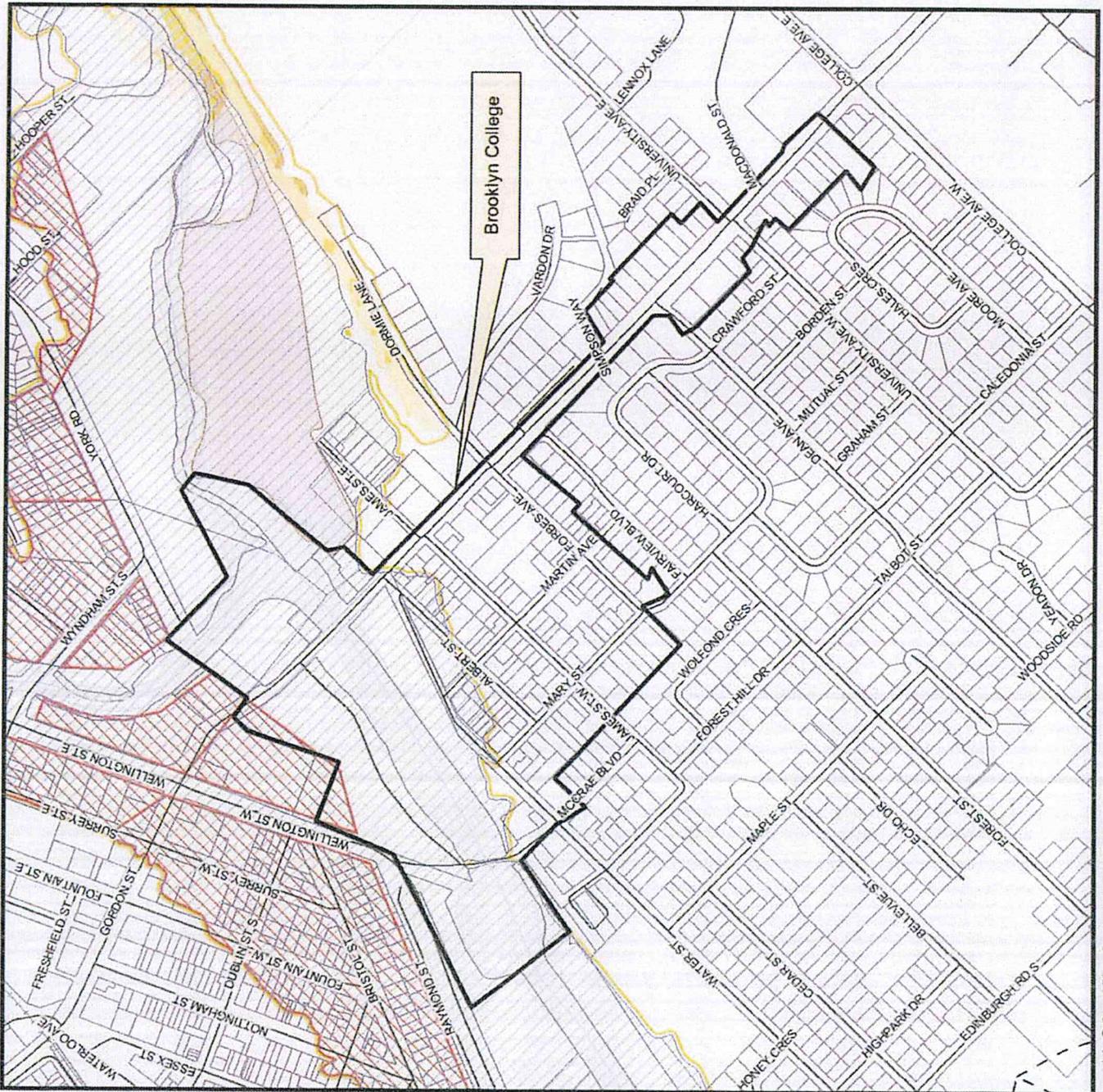
Nathan Garland
Resource Planner
Grand River Conservation Authority
Encl. (1)

Heritage District

- LEGEND**
- DYKE (GRCA)
 - WATERSHED BOUNDARY (GRCA)
 - UTILITY LINE (NRVIS)
 - ROADS-ADDRESSED (NRHR)
 - RAILWAY (NRVIS)
 - LAKE SHORELINE REACHES (GRCA)
 - LAKE FLOOD (GRCA)
 - DRAINAGE-NETWORK (GRCA)
 - PARCELS-ASSESSMENT (MPAC)
 - FLOODPLAIN-SPECIAL POLICY AREA (GRCA)
 - ENGINEERED
 - APPROXIMATE
 - ESTIMATED
 - LAKE EROSION (GRCA)
 - LAKE DYNAMIC BEACH (GRCA)
 - WETLAND (GRCA)
 - SLOPE VALLEY (GRCA)
 - STEEP
 - OVERSTEEP
 - SLOPE EROSION (GRCA)
 - STEEP
 - OVERSTEEP
 - TOE
 - WETLAND (NRVIS)
 - PROVINCIALY SIGNIFICANT
 - LOCALLY SIGNIFICANT
 - UNEVALUATED
 - PARKS (GRCA)
 - REGULATION LIMIT (GRCA)
 - DRAINAGE-POLY (NRVIS)

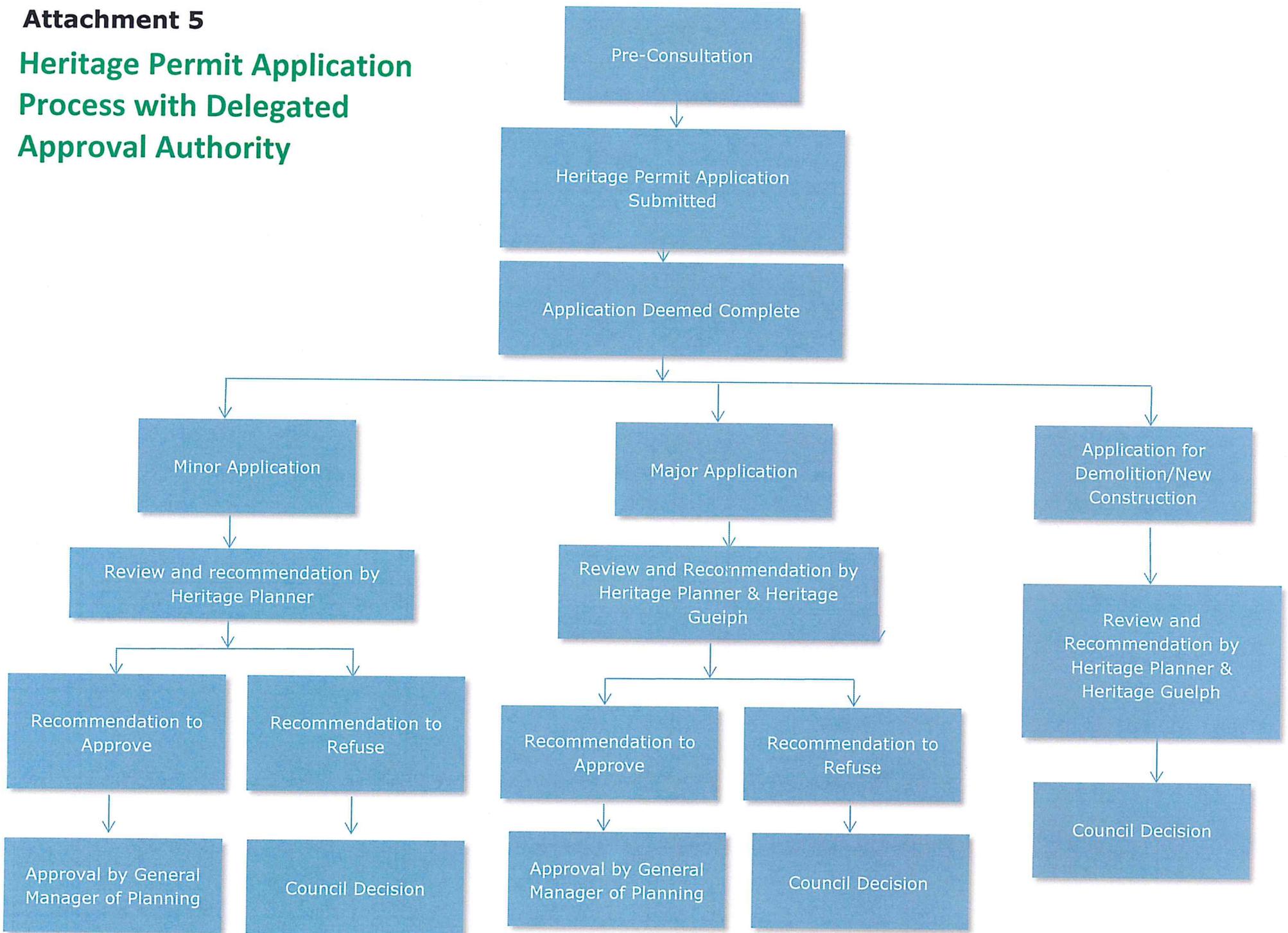
GRCA Disclaimer
This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:
<http://grca.grandriver.ca/files/SourceCitations.htm>

Scale 1:8,000
NAD 1983, UTM Zone 17



Attachment 5

Heritage Permit Application Process with Delegated Approval Authority



Attachment 6 – Insurance and Heritage Properties



August 2012

Insurance and Heritage Properties

Will heritage designation make my property insurance premiums go up?

Your premiums should not go up as a result of a heritage designation. A variety of other reasons cause insurance companies to increase premiums for older buildings if there is a higher level of risk, such as services (out-dated wiring, old heating systems, etc.). In fact, some companies do not insure buildings over a certain age. Designation itself, however, does not place additional requirements on the insurer and therefore should not affect your premiums.

What happens if a building is destroyed by fire, or some other accident? Would it have to be rebuilt as it was?

The intent of designation is to preserve the historic, physical, contextual or other community heritage value of a property. If a building on a heritage property is completely or partially destroyed, the designation by-law does not oblige the owner to replicate any lost heritage attributes. A replacement building, for example, can be of a different design.

What if I want the original features of my property to be replicated in case of damage?

If this is what you want, make sure you're properly covered. Insurance coverage for this depends on the degree of risk you and your insurance company are prepared to share. The age, quality and condition of your building will affect what coverage is available and the premium charged.

"Replacement cost" coverage requires prior insurance appraisal of the building. It generally provides for the property to be repaired or replaced with like kind and quality up to the amount stated in the policy. If available, guaranteed replacement cost coverage can provide for replication of original historical detailing and other important features that have been lost or damaged – whether or not a property is designated. Some insurance companies even offer a special type of "by-law endorsement" coverage. If you have a designated property, it is advisable to share your designation by-law with your insurer in order to be certain that heritage attributes are properly covered by your policy.

You can also obtain coverage for "actual cash value" (ACV). The ACV is the calculated cost of replacing the property with something of like kind after taking depreciation into account. When you arrange the insurance, be sure to speak with your insurance representative about the basis of your claims settlement. It is important to understand what you can expect if the building were to be completely or partially destroyed by an insured peril.

As with any insurance plan, it's best to research the various insurance providers in order to find the most competitive rate and best service from your insurer.

If you have further questions, you can contact the Insurance Bureau of Canada Consumer Information Centre at 416-362-9528 or 1-800-387-2880 (Direct Lines) Consumer Officer(s) available Mon. to Fri. 8:00 am to 6:00 pm. Voice mail is available 24hr.

What is heritage designation?

Designation is a way for owners to express pride in the heritage value of their property, and for the community to protect and promote awareness of its local history. The Ontario Heritage Act enables municipalities to designate properties of cultural heritage value or interest through a by-law.

Designation can apply to individual properties or to a whole neighbourhood or district. If a property or district is designated, it gains public recognition as well as protection from demolition or unsympathetic alteration so that the heritage attributes of the property can be conserved.

If my property is designated, do I have to restore the property to its original design or appearance?

Heritage designation does not require you to restore your building to its original appearance. The designation by-law identifies the heritage attributes that are considered important, and council approval is required for changes that will affect those attributes.

If you want to restore any lost or missing features, you should discuss your project first with the Municipal Heritage Committee or appointed municipal staff person. They can best advise on the proposed work and its likely impact on your property – especially if this involves the removal of any important feature from a later period.

Do I need permission for general maintenance?

General maintenance work, such as repainting of exterior trim, replacement or repairs to an existing asphalt roof, or alterations and repairs to property features that are not covered by the designation by-law do not usually require *heritage* approvals. However, you may still need a *building* permit. Check with your local building department.

Who decides whether the work is acceptable or not?

Council is responsible for deciding on applications for a heritage permit, unless this power has been delegated to municipal staff. Normally the Municipal Heritage Committee will review applications for changes to the property and provides advice to staff and council. Staff and committee members can advise you on how to ensure that the changes you want to make won't detract from the property's heritage attributes.

TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 8, 2014

**SUBJECT 312-316 Grange Road - Creekside Subdivision
(23T-07502): Request for an Extension of Draft Plan
Approval
Ward 1**

REPORT NUMBER 14-51

SUMMARY

PURPOSE OF REPORT

This report provides the staff recommendation on a request for an extension of the Draft Plan Approval for the subdivision at 312-316 Grange Road (23T-07502).

KEY FINDINGS

Planning staff support the request for a draft plan of subdivision extension subject to the draft plan conditions in Attachment 5.

FINANCIAL IMPLICATIONS

None arising from this report

COUNCIL ACTION

Council is being asked to approve the Draft Plan Approval extension with no lapsing date.

RECOMMENDATION

1. That the application by Astrid J. Clos Planning Consultants for an extension to the Draft Plan Approval of the subdivision at 312-316 Grange Road (23T-07502) applying to lands legally described as Lot 8, Registered Plan 53, Division "C", City of Guelph, be approved without a lapsing date, subject to the conditions contained in Attachment 5 of the Planning, Building, Engineering and Environment Report 14-51, dated September 8, 2014.

BACKGROUND

The subject site is located on the north side of Grange Road between Hadati Creek and the existing residential development on Raspberry Lane (see Attachment 1).

The site is bounded by existing residential development to the north, east and south and vacant agricultural lands to the west at 300 Grange Road.

Draft plan of subdivision 23T-07502 received draft plan approval on January 12, 2009 for a three (3) year period with a lapsing date of January 12, 2012. On November 7, 2011, City Council approved an extension of the draft plan to a new lapsing date of January 12, 2015.

The draft plan shown in Attachment 2 was approved and zoned to permit the development of 57 residential units, consisting of 14 detached dwellings, 26 semi-detached dwellings and 17 on-street townhouse dwellings. A 0.1 hectare parkette with frontage on Grange Road (Block 31) is also included within the draft plan. The lot sizes and breakdown for the proposed subdivision are also detailed in Attachment 2.

A separate draft plan of subdivision (23T-07505) was approved for the adjacent vacant lands to the west at 300 Grange Road on January 12, 2009. This draft plan was approved at the same time and in coordination with the approved draft plan of subdivision affecting the subject lands. Attachment 4 illustrates the overall development pattern approved through these two subdivisions. This adjacent plan would provide the necessary municipal road connections to the west with an additional access to Grange Road. The proposed park block will also form part of a larger 0.22 hectare neighbourhood park, when combined with the abutting parkland included within this adjacent subdivision.

The requested draft plan extension is required to allow the owners to proceed with the registration of the second phase of this subdivision in accordance with the associated conditions of approval included in Schedule 5. Phase 1 of this subdivision (see Attachment 3) was registered on December 28, 2011, consisting of 11 single detached units, 18 semi-detached units and 9 townhouse units for a total of 38 residential units. The second and final phase of registration, consisting of 3 single detached units, 8 semi-detached units and 8 townhouse units, is dependent upon the abutting property at 300 Grange Road proceeding with the development of their subdivision (23T-07505). This is required to complete the construction of the two westerly street extensions shown within the plan.

It is noted that a separate request for a five year extension of draft plan approval has recently been made for the adjacent subdivision at 300 Grange Road. This draft plan approval extension request is tentatively scheduled to be brought forward to the December 8, 2014 Council meeting for Council's consideration, prior to the January 12, 2015 lapsing date.

Given that the timing of registration for this adjacent subdivision is uncertain and that the owner of the subject lands will not be able to fulfill all of the conditions of draft plan approval prior to the lapsing date of January 12, 2015, this draft plan extension is being requested for draft plan 23T-07502. Section 51 (33) of the *Planning Act* allows the municipality to grant an extension of draft plan approval. In the event this draft plan extension is not approved by Council, this subdivision would lapse on January 12, 2015 and the owners would have no planning approvals

in place. This would necessitate the submission of new draft plan of subdivision applications for the subject lands. The subject lands have been zoned in accordance with the draft plan of subdivision (see Attachment 6).

REPORT

Staff is recommending approval of the draft plan extension, subject to the conditions outlined in Attachment 5. The requested draft plan extension is supported on the basis that the plan remains an appropriate infill subdivision that will contribute towards meeting the intensification targets within the built boundary as per "Places to Grow" policy. The draft plan continues to conform to the land use policies of the Official Plan and represents a low-rise residential development that is considered compatible with the surrounding neighbourhood in terms of its scale, intensity and design. The draft plan was developed in coordination with the separate draft plan approved to the west (23T-07505) to ensure that a comprehensive development scheme will be implemented for the overall area. This includes the ultimate provision of a 0.22 hectare neighbourhood park once the current park block within draft plan 23T-07502 is consolidated with the park block included in adjacent draft plan 23T-07505.

Extending the draft plan of subdivision approval will provide additional time to allow the owner to register the final phase of this plan in conjunction with the adjacent draft plan at 300 Grange Road. However, given that the registration of the final small phase of Draft Plan 23T-07502 is reliant upon this abutting landowner at 300 Grange Road proceeding with the servicing and registration of their separate plan, the applicant has requested that the draft plan be extended without a lapsing date. Planning staff support the request to extend Draft Plan 23T-07502 without a lapsing date on the basis of this unique circumstance, recognizing that this is a small phase of development that continues to be the means by which to provide the necessary municipal street extensions to the west. Section 51 (33) of the *Planning Act* would permit the extension of a draft plan of subdivision without the imposition of a lapsing date.

The conditions of draft plan approval included in Attachment 5 that apply to the unregistered phases remain relevant and include all the conditions previously endorsed by City Council, with some revisions made to update standard wording and new service area names and staff titles. These revisions are considered minor and, therefore, no further notice under the *Planning Act* is required.

CORPORATE STRATEGIC PLAN

Strategic Direction 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

COMMUNICATIONS:

N/A

FINANCIAL IMPLICATIONS:

None arising from this report

DEPARTMENTAL CONSULTATION

The request for the proposed extension of draft plan approval was circulated to City departments and commenting agencies. No objections to granting the extension were received.

ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Approved Draft Plan of Subdivision and Details
- Attachment 3 – Phase 1 and Phase 2 of Approved Draft Plan
- Attachment 4 – Integration of Draft Plan 23T-07502 with Draft Plan 23T-07505
- Attachment 5 – Conditions of Draft Plan Approval
- Attachment 6 – Current Zoning

Report Author

Chris DeVriendt
Senior Development Planner

Approved By

Sylvia Kirkwood
Manager of Development Planning



Approved By

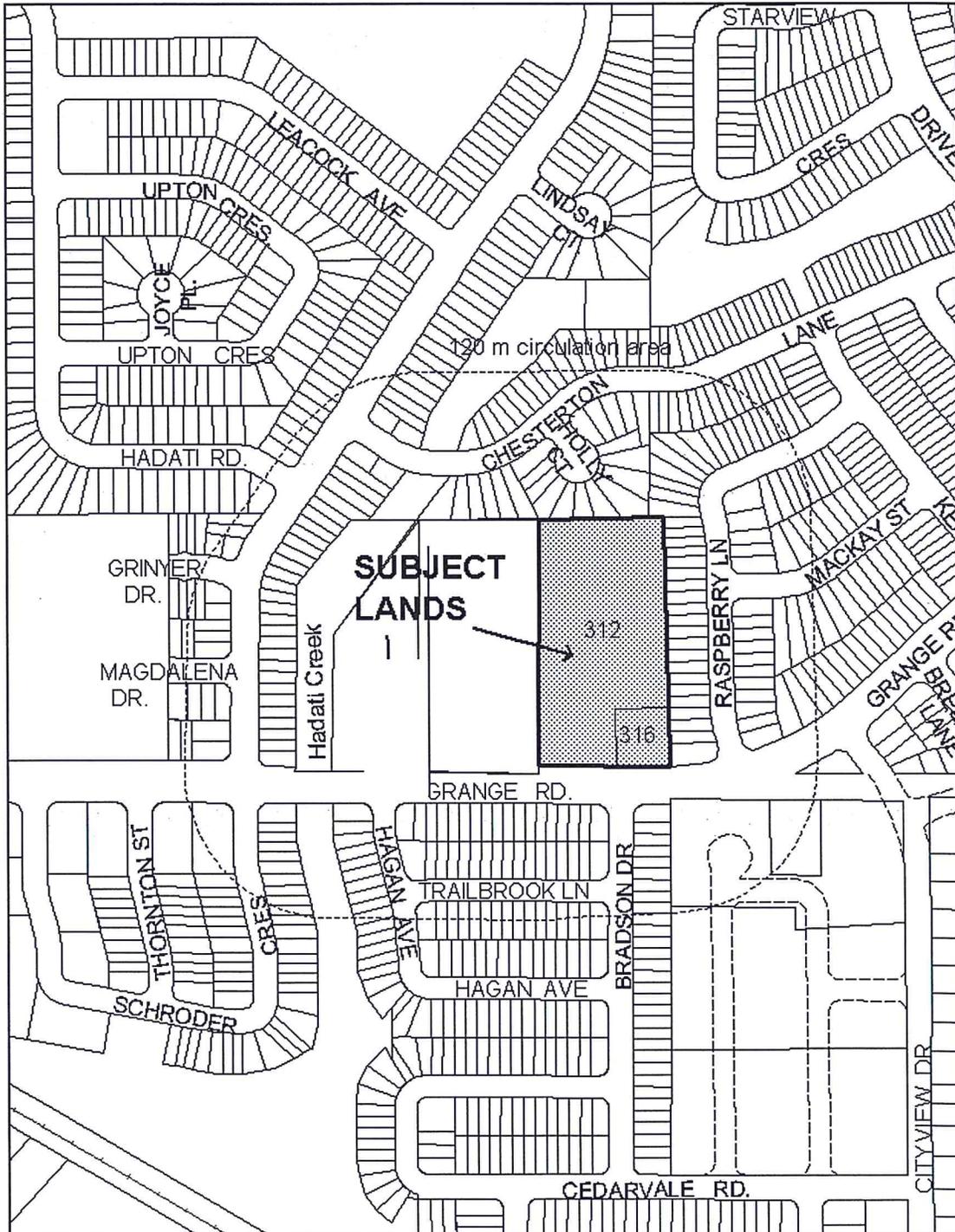
Todd Salter
General Manager
Planning Services
519.822.1260, ext. 2395
todd.salter@guelph.ca



Recommended By

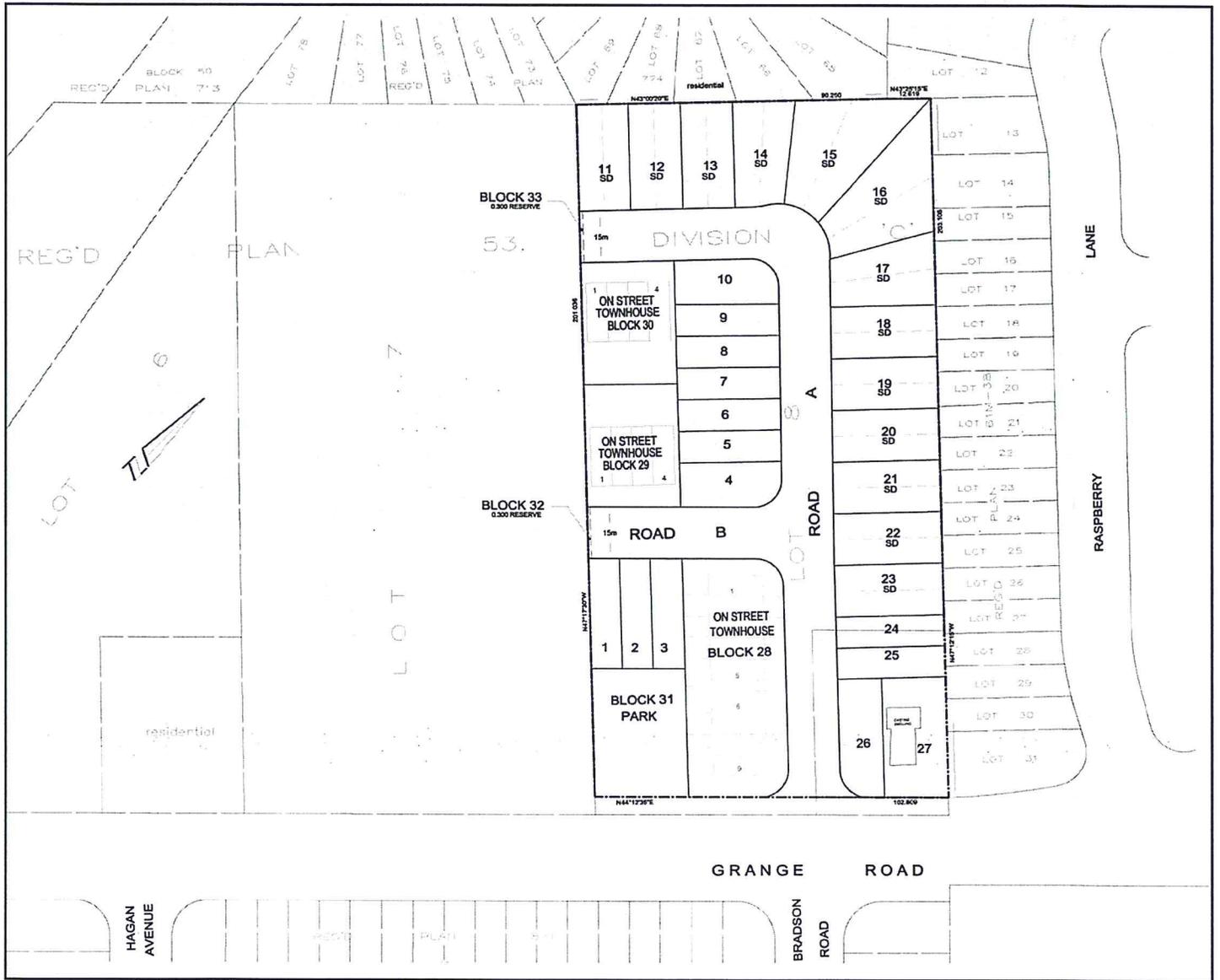
Janet Laird, Ph.D.
Executive Director
Planning, Building, Engineering
and Environment
519.822.1260, ext. 2237
janet.laird@guelph.ca

ATTACHMENT 1
Location Map



ATTACHMENT 2

Approved Draft Plan of Subdivision



ATTACHMENT 2 (continued)
Approved Draft Plan of Subdivision Details

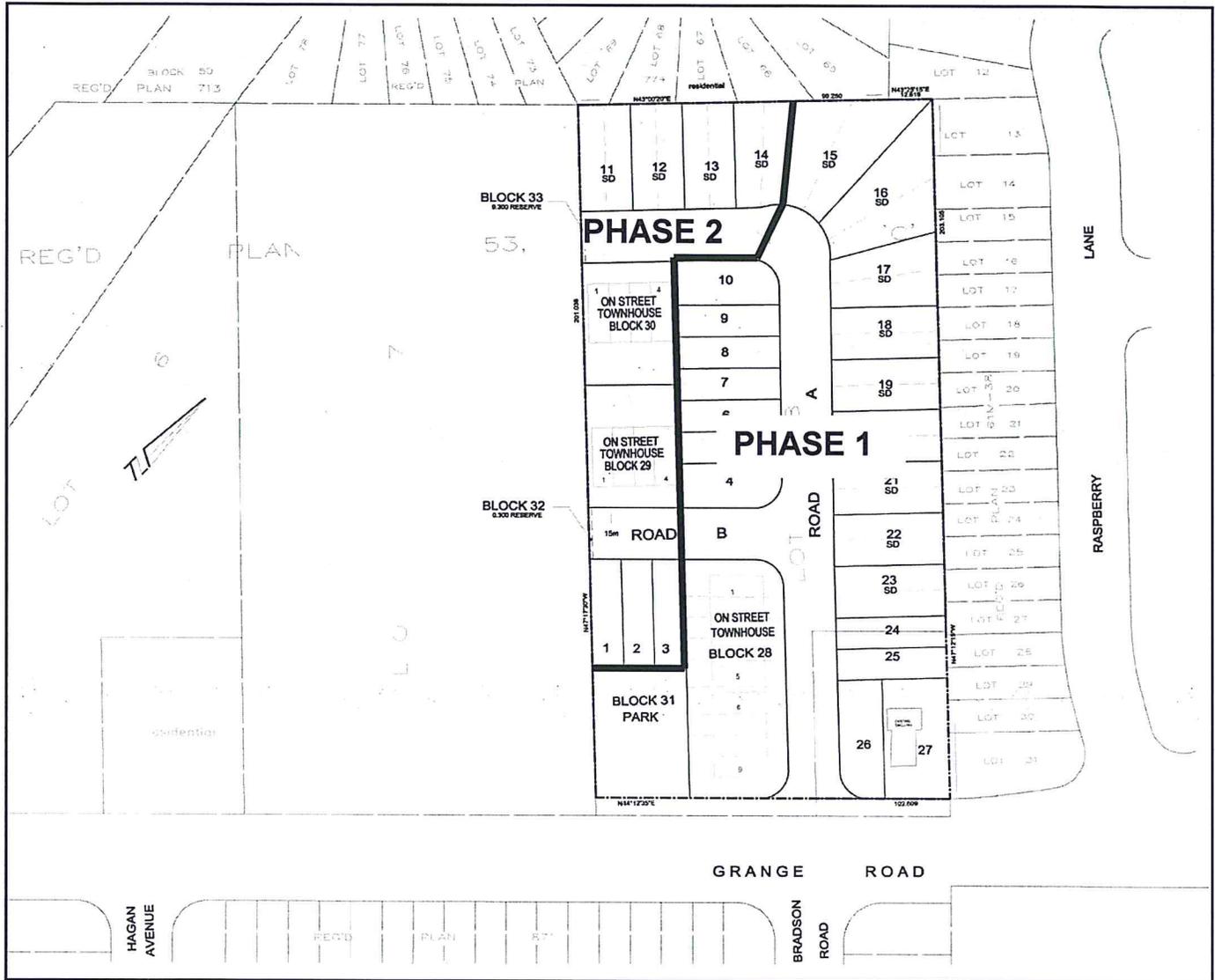
LAND USE SCHEDULE

| LOTS/BLOCKS | LAND USE | AREA |
|--------------------|--------------------------------------|----------------------|
| Lots 1-10, 24-26 | Single-Detached Residential | 0.39 hectares |
| Lot 27 | Existing Single-Detached Residential | 0.06 hectares |
| Lots 11-23 | Semi-Detached Residential | 0.69 hectares |
| Blocks 28-30 | On-Street Townhouses | 0.39 hectares |
| Block 31 | Neighbourhood Park | 0.1005 hectares |
| Blocks 32, 33 | Reserve Blocks | |
| Roads | | 0.45 hectares |
| TOTAL AREA | | 2.08 hectares |

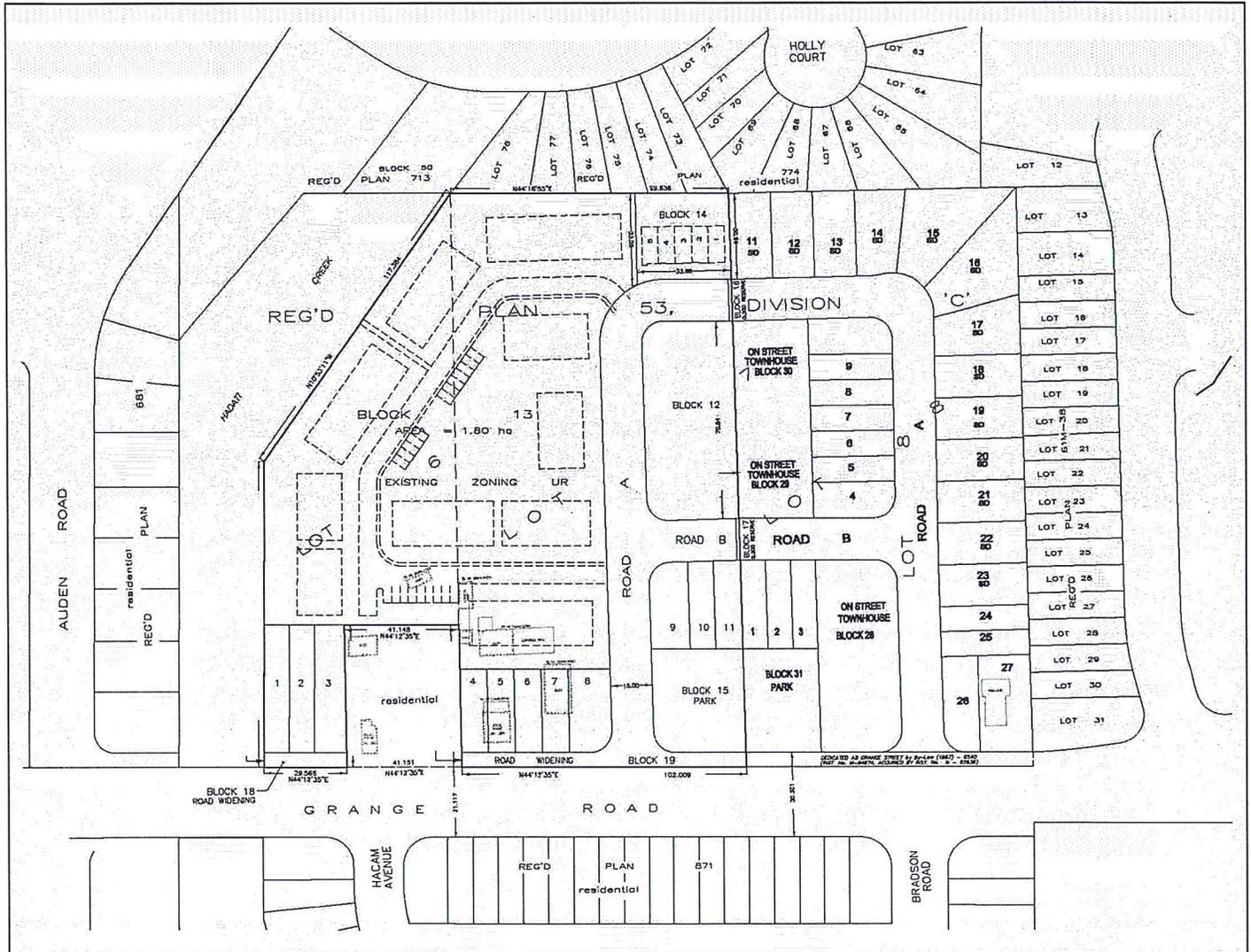
DWELLING UNIT BREAKDOWN

| LOTS/BLOCKS | UNIT TYPE | UNITS |
|--------------------|--------------------------------------|--------------|
| Lots 1-10, 24-26 | Single-Detached Residential | 13 |
| Lot 27 | Existing Single-Detached Residential | 1 |
| Lots 11-23 | Semi-Detached Residential | 26 |
| Blocks 28-30 | On-Street Townhouses | 17 |
| | | |
| TOTAL UNITS | | 57 |

ATTACHMENT 3
Approved Draft Plan of Subdivision (Phase 1 and Phase 2)



ATTACHMENT 4
Integration of Draft Plan with Separate Draft Plan of Subdivision Application at
300 Grange Road (23T07505/ZC0711)



ATTACHMENT 5

Conditions of Draft Plan Approval

"THAT the application by Astrid J. Clos Planning Consultants on behalf of Lunor Group Inc. and Fabbian Homes Inc. for a Proposed Draft Plan of Residential Subdivision and associated Zoning By-law Amendment (23T07502/ZC0705) applying to property municipally known as 294, 312, and 316 Grange Road, and legally described as Lot 8, Registered Plan 53, Division "C", City of Guelph, to permit a minimum of 57 dwelling units, **be approved**, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the revised draft plan of subdivision prepared by Astrid J. Clos Planning Consultants, Project # 0619, dated August 19, 2008, to include the development of 57 residential units, as shown on **Schedule 4**, including road widenings and reserves.

Conditions to be met prior to grading and site alteration

2. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer in accordance with City of Guelph Bylaw (1986)-12229 prior to any grading, tree removal or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer.
4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
8. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
9. The Developer shall provide a qualified **environmental inspector**, satisfactory to the General Manager of Planning Services, to inspect the site during all phases of development

and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The environmental inspector shall report on their findings to the City. For this subdivision, the City recognizes that the environmental inspection can be completed by a qualified engineering inspector to the satisfaction of the City.

10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
11. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
12. The Developer shall ensure that the **height of any proposed retaining wall** does not exceed 1.2 metres to the satisfaction of the City Engineer
13. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
14. The Developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

Conditions to be met prior to execution of subdivision agreement

15. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
16. That with the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This also includes the Developer paying a share of the cost of the existing downstream stormwater management system as determined by the City and a share of the cost of the reconstruction of Grange Road. In addition, the Developer will be required to pay the cost of the design, construction and

removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.

17. Should 23T-07505 proceed before 23T-07502 or vice-versa, the Developer shall construct **temporary turning circles** at the ends of Roads A and B and an **emergency access road** all to the satisfaction of the City.
18. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
19. The Developer shall submit a **Traffic Impact Study** to the satisfaction of the City Engineer and the Developer shall implement to the satisfaction of the City Engineer the recommendations of the **Traffic Impact Study** undertaken for this subdivision and approved by the City Engineer.
20. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
21. The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to **street tree planting** within the proposed subdivision.
22. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
23. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer. This Plan shall include on-street parking on Grange Road.
24. The site plans for all **corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
25. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
26. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform to the current Development Priorities Plan.
27. The Developer shall provide Planning Services with a **digital file** in either AutoCAD - DWG format or DXF format containing the following final approved information: parcel fabric, street network, grades/contours and existing vegetation to be retained in the park.
28. The Developer shall **demarcate the boundary of the Park Block** in accordance with the City of Guelph Property Demarcation Policy, to the satisfaction of the Executive Director of Community and Social Services.

Conditions to be met prior to registration of the plan

29. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.

-
30. The registration of the plan, or any part thereof, shall require approval of the City with respect to **adequate sanitary sewer capacity** being available in the downstream trunk sanitary sewer.
 31. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, a Qualified Person shall certify that all properties to be conveyed to the City are free of contamination.
 32. Prior to the City accepting any real property interests, if contamination is found, the Developer shall:
 - a. submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Reality Services;
 - b. complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
 - c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City.
 33. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
 34. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993".
 35. That all **easements, blocks and rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
 36. The Developer shall pay any **outstanding debts** owed to the City.
 37. The Developer shall pay **development charges** to the City in accordance with By-law Number (2009) - 18729, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.

-
38. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the Zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall". Further, the signs shall be resistant to weathering and vandalism.
39. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
- a. "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
 - b. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
 - c. "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Grange Road at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages."
 - d. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic".
 - e. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the park block will be demarcated in accordance with the City of Guelph Property Demarcation Policy."
40. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
41. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
42. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.

-
43. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
 44. The Developer agrees to eliminate the use of any covenants that would restrict the use of **clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the General Manager of Planning Services that there are no restrictive covenants which restrict the use of clotheslines.

Conditions to be met prior to the issuance of a building permit

45. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
46. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.
47. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
48. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
49. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to a standard that promotes **energy efficiency** standards in order to comply with the Community Energy Initiative, to the satisfaction of the City.

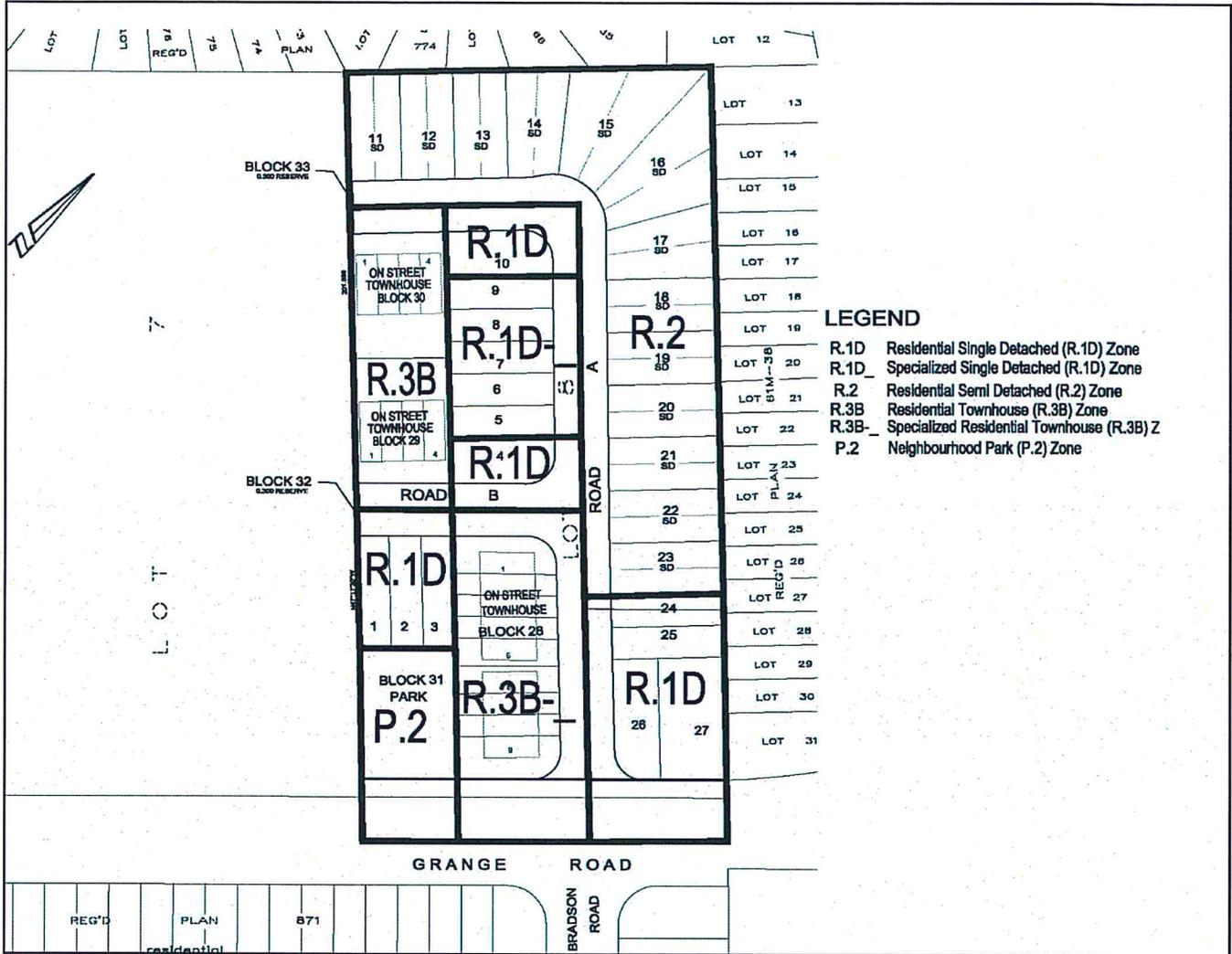
AGENCY CONDITIONS:

50. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
51. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
52. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export of DXF format containing the following information: parcel fabric and street network.

-
53. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
- “Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.
54. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
55. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The Developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.
56. That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 51 has been satisfied.
57. That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 52, 53 and 54 have been satisfied.
58. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 41 and 48 have been satisfied.
59. That prior to the registration of all or any portion of the plan, Canada Post shall advise the City in writing how condition 55 has been satisfied.

ATTACHMENT 6

Current Zoning



STAFF REPORT

TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 8, 2014

**SUBJECT Proposed Demolition of 30 Laurine Avenue
Ward 1**

REPORT NUMBER 14-55

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To provide background and a staff recommendation related to a request for demolition approval of one (1) single detached dwelling.

KEY FINDINGS

One (1) existing single detached dwelling is proposed to be replaced with one (1) new single detached dwelling, resulting in no net loss of residential dwelling units.

FINANCIAL IMPLICATIONS

None.

ACTION REQUIRED

Council is being asked to approve the demolition request.

RECOMMENDATION

1. That Report 14-55 regarding the proposed demolition of one (1) single detached dwelling at 30 Laurine Avenue, legally described as Plan 342, Part Lot 14 and Lot 15, Part 1 RP 61R2349; City of Guelph, from Planning, Building, Engineering and Environment dated September 8, 2014, be received;
2. That the proposed demolition of one (1) detached dwelling at 30 Laurine Avenue be approved;
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling;
4. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

STAFF REPORT



BACKGROUND

An application to demolish one (1) single detached dwelling at 30 Laurine Avenue was received on August 12, 2014 by Planning, Building, Engineering and Environment.

The subject property is located to the west of Stevenson Street North and north of Palmer Street. The subject property is zoned R.1B (Residential Single Detached), which permits single detached dwellings, accessory apartments, bed and breakfast establishments, day care centres, group homes, home occupations and lodging houses Type 1. The applicant is requesting to demolish the existing dwelling on the subject property and subsequently construct one (1) new single detached dwelling (see location map and site photos on Attachments 1 and 2).

REPORT

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.

Cultural Heritage Resources

The subject property is not designated under the *Ontario Heritage Act* and is not listed in the City of Guelph's *Municipal Register of Cultural Heritage Properties* under Section 27 of the *Ontario Heritage Act*. The subject property has not been identified as a built heritage resource in the City's Couling Building Inventory. Therefore, Heritage Planning staff has no objection to the proposed demolition.

Tree Protection

The subject property is less than 0.2 hectares in size and, therefore is not regulated by the Private Tree Protection By-law. It is staff's preference to maintain and protect the urban forest and canopy where possible. As such, staff recommends that the large mature tree at the back of the lot as well as the cedars and other trees along the side of the lot be protected during demolition. A tree protection zone (TPZ) will need to be established where protective tree hoarding would be installed to protect the trees. Staff are recommending that the owner erect protective hoarding around any trees on the property prior to demolition activities and maintain the hoarding throughout the construction of the new dwelling. There should be no equipment within or materials stored within the tree's root zone.

The approval of the demolition application is recommended as the existing dwelling is not a significant cultural heritage resource, and is proposed to be replaced with a new detached dwelling. Therefore, there will be no overall loss of residential capacity proposed as a result of this application.

STAFF REPORT



CORPORATE STRATEGIC PLAN

City Building – Strategic Directions 3.1: Ensure a well-designed, safe, inclusive, appealing and sustainable City.

FINANCIAL IMPLICATIONS

None

DEPARTMENTAL CONSULTATION

The City's Senior Heritage Planner and Environmental Development Planner were consulted regarding the proposed demolition permit.

COMMUNICATIONS

A sign has been posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information.

ATTACHMENTS

Attachment 1 - Location Map

Attachment 2 - Site Photos

Attachment 3 - Proposed Concept for Replacement Dwelling

Prepared By:

Randy Harris
Administrator of
Planning Technical Services

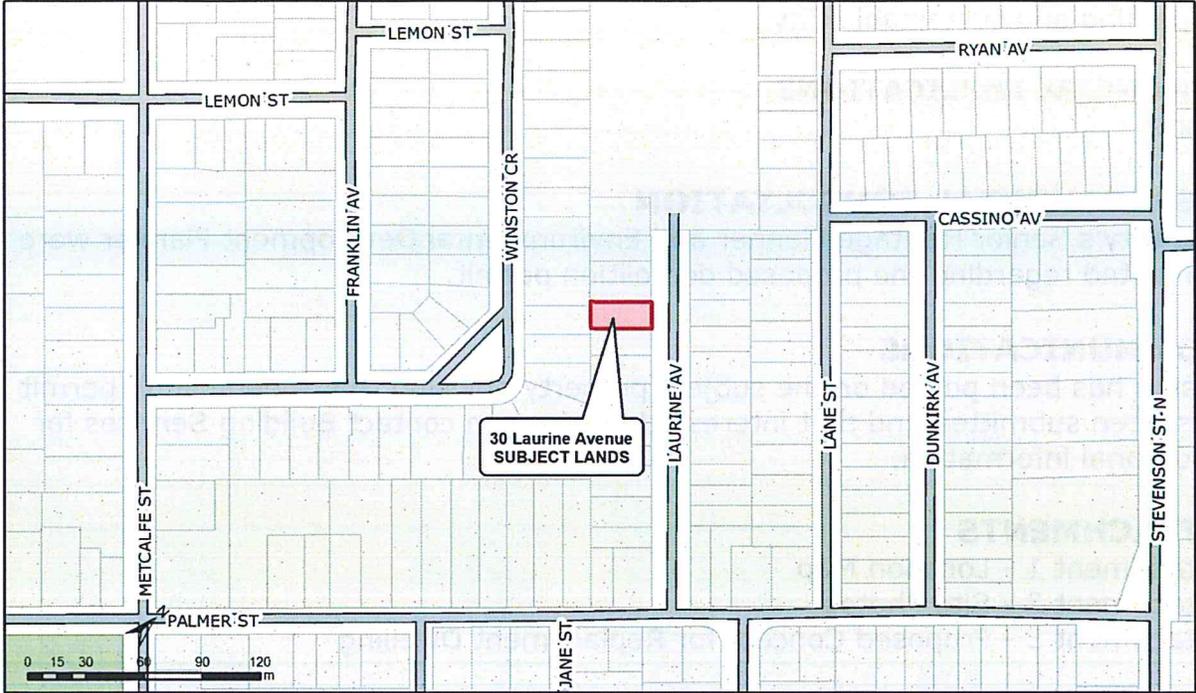
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ATTACHMENT 1 – Location Map



ATTACHMENT 2 – Site Photos

Aerial Photograph

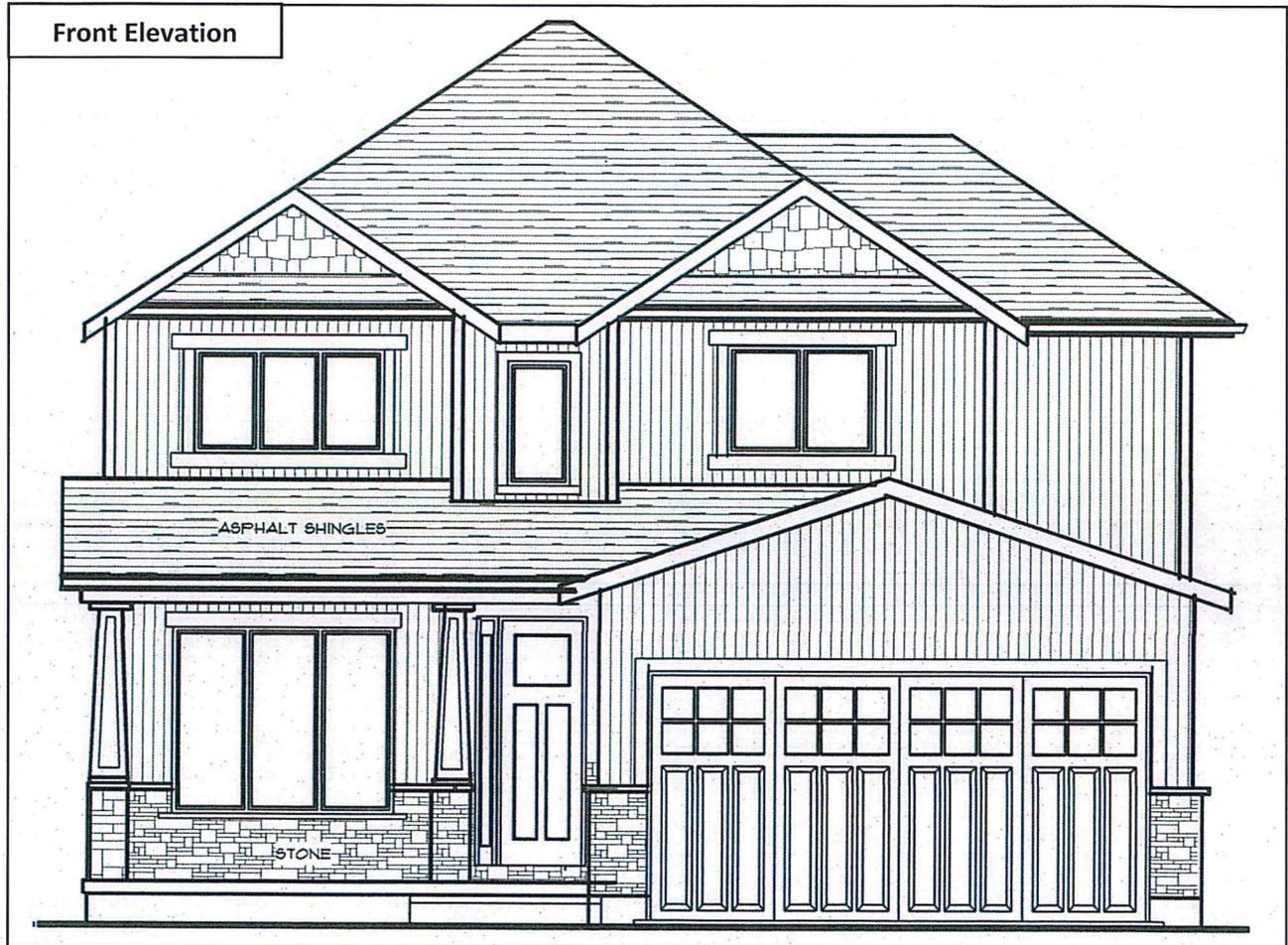


Photos of 30 Laurine Avenue



(30 Laurine Avenue - Photos taken by R. Harris, August 2014)

ATTACHMENT 3 – Proposed Concept for Replacement Dwelling



(Concept elevation submitted with demolition permit application)

STAFF REPORT



TO Council

SERVICE AREA Finance and Enterprise

DATE September 8, 2014

SUBJECT 2014 Q2 Capital Budget Monitoring Report

REPORT NUMBER FIN-14-42

EXECUTIVE SUMMARY

PURPOSE OF REPORT

- To provide an update on capital project spending compared to budget
- To provide a summary of projects approved prior to 2013 but not yet started
- To provide a summary and update on projects over budget

KEY FINDINGS

- 2014 approved tax supported and non-tax supported capital budgets total \$108.8 million (compared to 2013 approved capital budget of \$76.3 million). Cumulative unspent capital budget totals \$190.5 million
- Q2 2014 capital expenses totalled \$17.1 million, compared to \$16.5 million in Q2 2013, based on past experience it is expected that total expenditure will be in the range of \$50-55 million

FINANCIAL IMPLICATIONS

Proactive monitoring of capital projects to identify both issues and opportunities is critical to ensuring the City is able to use the available funds appropriately.

ACTION REQUIRED

THAT FIN-14-42 2014 Q2 Capital Budget Monitoring Report be received.

RECOMMENDATION

THAT FIN-14-42 2014 Q2 Capital Budget Monitoring Report be received.

BACKGROUND

Throughout 2014, Finance will work with City departments to closely monitor the status and spending of all active capital projects as well as the anticipated completion date. This active and ongoing review allows for more accurate financial reporting and asset management. It also contributes to better cash flow modeling that can lead to improved investment opportunities.

This report is a summary of a detailed reporting process that is completed on a monthly basis. Each month capital reports are circulated to all Project Managers (PMs); responses are received and compiled by Finance. Quarterly a summary of this process is provided to Council. At year end, direct discussions are held with

STAFF REPORT



the majority of the PMs to enable a thorough analysis and in depth understanding of each project.

Through the monthly and year end process, PMs and Finance work together to:

- Provide a status update and expected completion date for each capital project,
- Identify risks, such as delays, potential overspending, etc.
- If a project will be overspent, identify an alternative source of funds,
- Close any completed capital projects in a timely manner.

There are two main types of capital projects; lifecycle and growth. Lifecycle projects are focused on repairing or replacing existing assets to ensure they are able to function as intended to meet the needs of the City. Growth projects are focused on adding to the City's assets either due to population growth or service enhancement.

The timing of projects can be annual, single year or multi-year phased. Annual projects focus on continuous replacement or expansion of assets; ensuring that lifecycle and growth needs are met on an ongoing basis. Single year projects are expected to replace or add an asset within a short period of time; these are typically smaller in both scope and budget. Multi-year projects allow for significant renewal or expansion of assets, generally related to the City's built infrastructure.

REPORT

Current Year Spending

Schedule "A" provides a high level summary as of June 30, 2014 of all open capital projects organized by department.

The unspent budget as of Q2 2014 is of concern due to the impact it has on the City's ability to deal with competing capital needs. Through the 2015 capital budget process a thorough review of competing, ongoing projects will be conducted to ensure that the current approved budgets are appropriate based on the needs of the project. In addition a number of departments have substantial projects that are delayed for various reasons. Discussions regarding capacity and ability to complete these projects in addition to new projects being contemplated will also take place, to ensure that capital forecasts are realistic and achievable.

In order to provide additional analysis of the current year activity there are two tables included in this report:

Table A.1 provides further detail on the tax supported projects; Table A.2 provides further detail on the non-tax supported projects.

STAFF REPORT

| <u>Tax Supported</u> | | | | | |
|----------------------------|--------------------|-------------------------------|-------------|-------------------|-----------------------|
| Project Type | Project Timing | Budget Carried over from 2013 | 2014 Budget | 2014 Expenditures | Ending Unspent Budget |
| Growth | | | | | |
| | Annual | 331,805 | 1,359,600 | 329,896 | 1,361,509 |
| | Multi-Year | 2,475,261 | 51,889,308 | 2,534,853 | 51,829,716 |
| | Single-year | 4,203,565 | 735,000 | 488,068 | 4,450,497 |
| Growth Total | | 7,010,631 | 53,983,908 | 3,352,817 | 57,641,722 |
| Lifecycle | | | | | |
| | Annual | 12,458,398 | 20,370,300 | 7,960,064 | 24,868,634 |
| | Multi-Year | 11,910,786 | 5,450,600 | 1,068,592 | 16,292,794 |
| | Single-year | 1,249,907 | 180,000 | 191,235 | 1,238,672 |
| Lifecycle Total | | 25,619,091 | 26,000,900 | 9,219,891 | 42,400,100 |
| Tax Supported Total | | 32,629,722 | 79,984,808 | 12,572,708 | 100,041,822 |

Table A.1

The tax-supported growth projects are mainly focused on multi-year projects such as linear infrastructure expansion or new park/facility development. Significant projects within this group are:

- Guelph Police Head Quarters – process delayed until the detailed business case is completed and reported back to Council (\$33.9 million unspent)
- Baker Street purchases – ongoing negotiations with existing owners as work continues to redevelop this key downtown area (\$7.5 million unspent)
- Guelph-Wellington-Dufferin Public Health – final payment has been made (\$2.7 million unspent, project to be closed in Q3)
- Hanlon Creek Business Park – continued development of Phase 1 (\$3.4 million unspent)
- Road network expansion – new projects to expand existing roads (\$4.6 million unspent)

Tax-supported lifecycle projects are focused on annual replacement and renewal of existing assets. Specifically the city has spent funding for the following year to date:

- Fleet replacement - \$700k (\$2.1 million to spend)
- Transit replacement - \$145k (\$2 million to spend)
- Emergency Services equipment & vehicle replacement - \$2.7 million (\$790k to spend)
- IT replacement - \$1 million (\$1.3 million to spend)
- Police Vehicle & Equipment replacement - \$760k (\$1.3 million to spend)
- Road & Storm Reconstruction - \$1.3 million (\$12.4 million to spend)

STAFF REPORT

Non-Tax Supported

| Project Type | Project Timing | Budget Carried over from 2013 | 2014 Budget | 2014 Expenditures | Ending Unspent Budget |
|--------------------------------|--------------------|-------------------------------|-------------|-------------------|-----------------------|
| Growth | | | | | |
| | Annual | 502,570 | 1,311,000 | 40,808 | 1,772,762 |
| | Multi-Year | 33,291,497 | 12,586,000 | 2,807,596 | 43,069,901 |
| | Single-year | 8,155,993 | 5,705,000 | 424,874 | 13,436,119 |
| Growth Total | | 41,950,060 | 19,602,000 | 3,273,278 | 58,278,782 |
| Lifecycle | | | | | |
| | Annual | 12,715,221 | 4,372,225 | 833,170 | 16,254,276 |
| | Multi-Year | 9,687,809 | 4,015,000 | 354,939 | 13,347,870 |
| | Single-year | 1,735,341 | 875,000 | 29,857 | 2,580,484 |
| Lifecycle Total | | 24,138,371 | 9,262,225 | 1,217,966 | 32,182,630 |
| Non-Tax Supported Total | | 66,088,431 | 28,864,225 | 4,491,244 | 90,461,412 |

Table A.2

Due to the critical and highly regulated nature of the systems involved in both Water Services and Wastewater the value of projects related to these systems is significant. A number of projects have been delayed due to approval requirements as well as prudence in ensuring that the work is absolutely necessary due to the high costs involved.

The most significant carry over in the growth projects relates to expansions of both treatment systems as well as a number of projects that are awaiting final approval from regulatory bodies:

- Wastewater treatment bio-solids expansion - \$12.9 million (MOE approval recently received; RFP and contracting to commence in 2014)
- Wastewater Phase 2 expansion - \$6.7 million (construction to commence in Q3 2014)
- Water services new supply - \$2.4 million (on hold pending Master Plan update)
- Water services Burke treatment - \$5+ million (Environmental Assessment and preliminary design complete – developing multiyear budget)
- Water & Wastewater underground network expansion - \$18.3 million

With regards to lifecycle there are two key components; the critical nature of repair/upgrade work and the sensitivity of this work. In many cases the need for lifecycle work is immediate, therefore not allowing time to obtain Council approval on large expenditures. A number of projects are approved as a risk mitigation strategy to ensure that the respective operations are able to respond as necessary to critical issues as they arise. An example of this is the water services VOC treatment - \$1 million to mitigate if levels exceed acceptable threshold

STAFF REPORT

Significant unspent budget is approved for work in the following areas related to lifecycle:

- Water efficiency and conservation - \$4.2 million
- Water & Sewer replacement - \$11.1 million
- Facilities & Equipment renewal - \$7.8 million

Delayed Projects

Schedule "B" provides a summary of the projects that were approved in 2013 or prior and have had no activity as of June 30, 2014.

There are 17 projects in this group with an approved budget of \$6.7 million. This represents 3.5% of the total unspent capital budget. The approved budgets for the Baker Street Land Assembly (\$3.7 million) and Water Treatment Project (VOC) (\$1 million) projects represent \$4.7 million or 70% of the amount approved but not yet spent. Both the Baker Street Land Assembly and Water Treatment (VOC) projects are not started due to on-going negotiations with property owners or regulatory agencies.

Table B below provides a complete list of these projects, including the most recent comments from the Project Manager.

| Department | Project Name | PM Comments | Total Approved Funding |
|--------------------|---|---|------------------------|
| Corporate Building | EVERGREEN ACCESSIBILITY | Tender awarded - completion Dec 2014 | 50,000 |
| Downtown Renewal | BAKER ST REDEVELOPMENT PH3 | Ongoing negotiations with land owners | 3,700,000 |
| Forestry | MUNICIPAL TREE INVENTORY | Inventory process underway | 65,000 |
| Parking | PARKSMART AGREEMENT-REPL | On hold - dependent on Parking Strategy | 175,000 |
| Parking | UPGRADE PERMIT SYSTEM | On hold - dependent on Parking Strategy | 175,000 |
| Transit | ADVANCED TRAVELLER SYSTEM-IVR | Work to begin in Q3 2014 and be completed in 2015 | 150,000 |
| Transit | CONVENTIONAL SCHEDULING SOFTWARE | Work to begin in Q3 2014 and be completed in 2015 | 162,000 |
| Transit | COMMUNITY BUS | Further review of need underway | 205,000 |
| Transit | MOBILITY SCHEDULE UPDATE | Work to begin in Q3 2014 and be completed in 2015 | 108,000 |
| Traffic | TRAFFIC MGMT INITIATIVES | Traffic calming initiatives - dependent on time | 75,000 |
| Roads | RAIL SAFETY IMPROVEMENTS | Transport Canada order is possible | 100,000 |
| Roads | ROADS UPGRADES DUE TO INCREASED TRANSIT | Consultant not yet hired | 150,000 |
| Storm Water | SERVICING STUDIES | Dependent on outcome of Funding Study | 125,000 |
| Wastewater | SCUM TROUGH | Contract awarded, to be completed 2014 | 190,000 |
| Wastewater | WASTEWATER MASTERPLAN | To be tendered in 2014 | 224,660 |
| Water Services | VOC TREATMENT | Developing management plan to go to Council Q1 2015 | 1,000,000 |
| Total | | | 6,654,660 |

Table B

Over Budget Projects

Over spending on capital projects can have an impact on both the capital reserves and operating budgets depending on the amount of the overage. It is anticipated that a small number of projects will end over budget due to issues that arise after budget approval. Identifying projects that are expected to go over budget early is imperative in managing risk and allows for analysis of alternatives such as reduction in the scope of the project, reallocation of funding from another project or use of surpluses from recently completed projects.

Schedule "C" provides a high level summary of overspent capital budgets by department. Finance actively works with the Project Managers and their departments to identify funding solutions for these projects. It is expected that all projects will be funded from surplus funds from other approved projects. Overall, the number of over-budget projects represents approximately 0.75% of all projects. The two projects currently over budget are;

- GO Transit Rail Expansion Capital Contribution – (\$3.15 million) this amount represents the contractually obligated amount Council has approved to contribute as the City's share of the expansion of GO rail service to Kitchener. Funds have not yet been expended but the City is required to recognize the contribution as it is contractually obligated. This is not currently included in the 2015 capital forecast.
- Clair/Laird & Hanlon interchange (\$9.0 million) – Council has agreed to contribute approximately \$14.8 million to the MTO for construction of the interchange as part of the development of the Hanlon Creek Business Park. Budget for this contribution was partially approved in the 2014 Capital budget and \$6.5 million of the \$9.0 million is forecasted for approval in 2015, the remaining \$2.5 million is not included in the capital forecast presently. As this is also a contractual obligation, the City is required to recognize this expenditure even though payment has not yet occurred.

Closed Capital Projects

During the first half of 2014 7 projects were closed. As the construction season resumes and other projects are begun it is expected that a number of projects will be completed and closed over the balance of the year.

CORPORATE STRATEGIC PLAN

2.3 – Ensure accountability, transparency and engagement

DEPARTMENTAL CONSULTATION

The role of monitoring the capital budget work-in-progress is shared by the departments responsible for the management of the project and the Finance department. Departments must manage the project to completion according to municipal standards, on time and within the approved budget.

STAFF REPORT



COMMUNICATIONS

Finance staff has worked closely with all City departments in obtaining the status of projects, expected completion times and impact on budget.

ATTACHMENTS

Schedule "A" Summary of all open Capital Projects as at June 30, 2014
Schedule "B" Summary of projects not Started as at June 30, 2014
Schedule "C" Summary of Overspent Capital Projects as at June 30, 2014
Schedule "D" Summary of Projects Closed in 2014

Report Author

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Schedule A: FIN 14-42
Summary of All Open Capital Projects as at June 30, 2014

| | # of Open Projects | Budget Carried over from 2013 | 2014 Budget | 2014 Expenditures | Unspent |
|---|-----------------------|-------------------------------------|--------------------|----------------------|--------------------|
| | Note 1 | Note 2 | | | Note 3 |
| PBEE | | | | | |
| Engineering | 44 - | 4,843,879 | 23,975,000 | 2,595,892 | 16,535,229 |
| Planning | 17 | 1,168,618 | 581,100 | 112,161 | 1,637,557 |
| Solid Waste | 7 | 7,411,413 | 1,687,800 | 390,603 | 8,708,610 |
| PBEE Total | 68 | 3,736,152 | 26,243,900 | 3,098,656 | 26,881,396 |
| OT&ES | | | | | |
| By-Law, Compliance, Security & Emergency Services | 1 | 196,280 | - | 125,782 | 70,498 |
| Public Works | 5 | 1,766,696 | 1,281,200 | 2,669,540 | 378,356 |
| Transit | 18 | 3,246,425 | 3,007,600 | 870,918 | 5,383,107 |
| | 11 | 3,893,746 | 2,447,500 | 147,734 | 6,193,512 |
| OT&ES Total | 35 | 9,103,147 | 6,736,300 | 3,813,974 | 12,025,473 |
| CSS | | | | | |
| Business Services | 1 | 11,579 | - | - | 11,579 |
| Corporate Building | 17 - | 176,979 | 2,829,000 | 831,823 | 1,820,198 |
| Culture & Tourism | 8 | 147,646 | 465,000 | 183,849 | 428,797 |
| Parks | 20 | 1,012,871 | 3,422,600 | 295,572 | 4,139,899 |
| Recreation | 6 | 675,838 | 2,500,000 | 231,398 | 2,944,440 |
| CSS Total | 52 | 1,670,955 | 9,216,600 | 1,542,642 | 9,344,913 |
| CORPORATE & HR | | | | | |
| Information Technology | 14 | 2,099,100 | 1,292,300 | 1,430,668 | 1,960,732 |
| CORPORATE & HR Total | 14 | 2,099,100 | 1,292,300 | 1,430,668 | 1,960,732 |
| FINANCE & ENTERPRISE | | | | | |
| Enterprise | 8 | 12,433,776 | 2,385,600 | 472,535 | 14,346,841 |
| Finance | 3 - | 10,753,388 | 11,888,500 | 1,223,893 | 88,781 |
| FINANCE & ENTERPRISE Total | 11 | 1,680,388 | 14,274,100 | 1,696,428 | 14,258,059 |
| BOARDS | | | | | |
| Library | 4 | 108,965 | 225,000 | 30,648 | 303,317 |
| Police | 14 | 14,414,407 | 21,996,608 | 959,691 | 35,451,324 |
| BOARDS Total | 18 | 14,523,372 | 22,221,608 | 990,339 | 35,754,641 |
| TOTAL TAX SUPPORTED | 198 | 32,813,114 | 79,984,808 | 12,572,707 | 100,225,215 |
| NON-TAX SUPPORTED | | | | | |
| Building | 1 | 3,466 | - | 7,355 | 3,889 |
| POA | 3 | 22,868 | 60,400 | 18,802 | 64,466 |
| Wastewater | 34 | 43,102,425 | 10,267,800 | 3,315,837 | 50,054,388 |
| Water Services | 37 | 22,959,671 | 18,536,025 | 1,149,250 | 40,346,446 |
| NON-TAX SUPPORTED Total | 75 | 66,088,430 | 28,864,225 | 4,491,244 | 90,461,411 |
| CITY Total | 273 | 98,901,544 | 108,849,033 | 17,063,951 | 190,686,626 |

Note:

1 Projects open as of June 30, 2014

2 Represents net budget position at December 31, 2013

Engineering - includes \$14,562,254 obligation to Ministry of Transportation for Clair/Laird & Hanlon interchange, partially budgeted in 2014 with balance in 2015.

Corporate Building - includes spending on projects where budget was approved in 2014

Finance - includes advances to WDG Public Health and obligation from Metrolinx - budget for WDG Public Health in 2014 and Metrolinx in 2015

3 Finance - due to Metrolinx obligation of \$3,150,000 to be budgeted in 2015

Building - IT Strategic plan allocation, budget to be adjusted in 2015

Schedule B: FIN 14-42

Summary of Projects not Started as at June 30, 2014

| | Total # of Open Projects | # of Projects not Started (Note 1) | Prior Approved Funding | 2013 Budget | Total Approved Funding | % of Total Department Capital Budget |
|---------------------------------------|--------------------------------|---|------------------------------|------------------|---------------------------|--|
| PBEE | | | | | | |
| Engineering | 44 | 3 | 100,000 | 275,000 | 375,000 | 0.4% |
| PBEE Total | 44 | 3 | 100,000 | 275,000 | 375,000 | 0.4% |
| OT&ES | | | | | | |
| Transit | 13 | 4 | 270,000 | 355,000 | 625,000 | 5.0% |
| Public Works | 18 | 4 | 240,000 | 250,000 | 490,000 | 3.7% |
| OT&ES Total | 31 | 8 | 510,000 | 605,000 | 1,115,000 | 3.4% |
| CSS | | | | | | |
| Corporate Building | 18 | 1 | - | 50,000 | 50,000 | 1.0% |
| CSS Total | 18 | 1 | - | 50,000 | 50,000 | 1.0% |
| FINANCE & ENTERPRISE | | | | | | |
| Enterprise | 8 | 1 | - | 3,700,000 | 3,700,000 | 10.4% |
| FINANCE & ENTERPRISE Total | 8 | 1 | - | 3,700,000 | 3,700,000 | 7.7% |
| TOTAL TAX SUPPORTED | 101 | 13 | 610,000 | 4,630,000 | 5,240,000 | 2.0% |
| NON-TAX SUPPORTED | | | | | | |
| Wastewater | 34 | 2 | 122,660 | 292,000 | 414,660 | 0.6% |
| Water Services | 40 | 1 | 1,000,000 | - | 1,000,000 | 1.6% |
| NON-TAX SUPPORTED Total | 74 | 3 | 1,122,660 | 292,000 | 1,414,660 | 1.1% |
| CITY TOTAL | 175 | 16 | 1,732,660 | 4,922,000 | 6,654,660 | 1.7% |

Note:

1 No additional funding was approved for the above projects in 2014.

Schedule C: FIN 14-42
Summary of Overspent Capital Projects as at June 30, 2014

| | # of Overspent Projects | Total Approved Funding | Total Expenditure to Date | Over Budget Amounts (Note 1) | Unspent Budget in Other Projects (Note 2) |
|---------------------------------------|-------------------------------|------------------------------|---------------------------------|--|--|
| PBEE | | | | | |
| Engineering | 1 | 7,000,000 | 16,016,990 | (9,016,990) | 18,981,200 |
| PBEE Total | 1 | 7,000,000 | 16,016,990 | (9,016,990) | 18,981,200 |
| FINANCE & ENTERPRISE | | | | | |
| Finance | 1 | - | 3,150,000 | (3,150,000) | (78,272) |
| FINANCE & ENTERPRISE Total | 1 | - | 3,150,000 | (3,150,000) | (78,272) |
| TOTAL TAX SUPPORTED | 2 | 7,000,000 | 19,166,990 | (12,166,990) | 18,902,927 |
| CITY TOTAL | 2 | 7,000,000 | 19,166,990 | (12,166,990) | 18,902,927 |

Note:

1 Included in Finance spending - obligation to fund Metrolinx Capital Contribution - \$3,150,000 - to be budgeted in 2015

Included in Engineering spending - obligation to fund Clair/Laird & Hanlon interchange via MTO - \$14,562,254 - balance of budget in 2015

2 The unspent budget in other projects may not have the same funding sources as the overspent projects.

Schedule D: FIN 14-42
Summary of Capital Projects Closed in 2014

| Row Labels | # of Closed Projects | Total Approved Funding | Unused Funding (at Time of Closure) |
|---------------------------------------|-------------------------|---------------------------|--|
| PBEE | | | |
| Engineering | 3 | 9,140,620 | - |
| PBEE Total | 3 | 9,140,620 | - |
| CSS | | | |
| Business Services | 1 | 36,000 | - |
| Culture & Tourism | 2 | 25,000 | - |
| CSS Total | 3 | 61,000 | - |
| FINANCE & ENTERPRISE | | | |
| Finance | 1 | 250,000 | - |
| FINANCE & ENTERPRISE Total | 1 | 250,000 | - |
| TOTAL TAX SUPPORTED | 7 | 9,451,620 | - |
| CITY TOTAL | 7 | 9,451,620 | - |

STAFF REPORT



TO Council

SERVICE AREA Finance and Enterprise Services

DATE September 8, 2014

SUBJECT Q2 2014 Operating Variance Report

REPORT NUMBER FIN-14-43

EXECUTIVE SUMMARY

SUMMARY OF REPORT

The purpose of this report is to provide an in year projection of the 2014 year-end position for the Tax Supported and Non Tax Supported programs based on financial information provided as of June 30, 2014.

KEY FINDINGS

- Overall, a \$1,167,200 net unfavourable variance is being projected for the City's tax supported budget. Drivers of this projection include:
 - A \$1,927,600 unfavourable variance in Transit due to lower than planned increase in ridership, budgeted shortfall for overtime related to statutory holidays, split shifts and Late Night Recoverable programs and higher than expected maintenance costs;
 - Due to a prolonged winter and the cleanup from the December 2013 ice storm, Public Works is projecting a \$561,800 unfavourable variance related to Winter Control and Forestry activities;
 - A \$270,000 net unfavourable variance is projected for General and Capital Financing due to higher than budgeted tax accounts written off and lower interest charges from tax receivables. This is offset by savings related to an internal debt issue;
 - Local Boards and Outside Agencies are projecting a year end favourable variance of \$1,064,200 due to savings from the City's internal debt issuance that resulted in lower amount owing on City's share of capital facilities for Public Health, savings from Police vacancies, Housing and Ontario Works;

- The City's non-tax supported programs are projecting a \$166,000 net unfavourable variance due to:
 - Increase in emergency requests during the winter months for Water and higher than anticipated locate demand service since the Ontario One Call kicked-off;
 - Water has rescheduled some work and delayed hiring consultants to deal with the anticipated variance.

STAFF REPORT

- Wastewater is projecting a favourable operating variance due to less chemical usage during the winter period;
- Lower than budgeted revenues in Court Services of \$255,000 due to lower charge volume;
- The shortfall in Court Services will be monitored closely and a contingency plan developed to deal with the anticipated variance.
- Taken in isolation, Tax Supported service areas are projecting a favourable year end revenue variance while Non Tax Supported areas are projecting an unfavourable year end revenue variance. Revenues are discussed in more detail later in this report.

FINANCIAL IMPLICATIONS

Any realized surplus or deficit will be transferred to or from the City's reserves at year end. Reserve balances are considered in determining the City's credit rating. A significant change in reserve balances may have an effect on this rating.

ACTION REQUIRED

Council to receive report FIN-14-43 Q2 2014 Operating Variance Report for information

RECOMMENDATION

That Report FIN-14-43 Q2 2014 Operating Variance Report be received for information.

BACKGROUND

Once the Annual Budget is produced, actual expenditures and revenues are monitored and compared against budget. While some differences are expected, net variances should not be considerably above or below budget. Staff have examined revenues and expenditures as of June 30, 2014 and compared them to the Council approved operating budget for the period. Departments reviewed the financial information, identified trends and, with consultation from Finance, were asked to project to the end of the year and comment on significant deviations from budget that were expected to have an impact on the year-end financial position.

It should be noted that this report is based on information as of June 30, 2014 and is subject to change as further information is available during the year. As well, where unfavourable variances are reported actions have already been taken to determine and implement mitigation strategies to achieve budget by year end. These activities will be reported on throughout the year.

STAFF REPORT

REPORT

2014 YEAR END PROJECTED OPERATING VARIANCE

Departments were provided financial information as of June 30, 2014 and, with input from their Corporate Analyst, analyzed current and projected expenditures and revenues and provided related commentary. The chart that follows gives a high level indication of the estimated 2014 year-end position.

Summary of Projected Operating Variance at of Dec 31, 2014

| | Total Annual Budget for Year 2014 (\$) | Projected Variance for Dec 31,2014 (\$) | Variance for Dec 31, 2014 (%) |
|--|--|---|----------------------------------|
| Tax Supported | | | |
| City Departments | \$ 101,811,000 | \$ 1,961,400 | 1.9% |
| General Revenues and Expenses | \$ (174,253,000) | \$ 270,000 | 0.2% |
| Sub-Total City Departments and Financing | \$ (72,442,000) | \$ 2,231,400 | 1.3% |
| Local Boards | \$ 43,493,000 | \$ (300,000) | (0.7%) |
| Grants, Outside Boards and Agencies | \$ 28,949,000 | \$ (764,200) | (2.8%) |
| Total Local and Outside Boards | \$ 72,442,000 | \$ (1,064,200) | (1.5%) |
| Total Tax Supported | \$ - | \$ 1,167,200 | 0.7% |
| Non Tax Supported Budgets | | | |
| Water | \$ - | \$ 411,000 | 1.7% |
| Wastewater | \$ - | \$ (500,000) | (1.8%) |
| OBC | \$ - | \$ - | 0.0% |
| Court Services | \$ - | \$ 255,000 | 12.0% |
| Total Non Tax Supported Budgets | \$ - | \$ 166,000 | 0.3% |

***(Brackets indicate a favourable variance)

Note: Non Tax Supported programs (Water, Wastewater, OBC, Courts) show a net zero budget due to revenue fully offsetting anticipated expenditures. The %age shown is based on total expenditures.

Overall, the Tax Supported Service Area managers are projecting an unfavourable variance of \$1,167k which is within 1% of the overall net tax levy. The Non Tax Supported Service Area managers are expecting a net unfavourable variance of \$166K due to lower Water consumption volume and increase in emergency repairs during the winter period; lower charge volume for Courts partially offset by lower operating expenditures for Wastewater.

STAFF REPORT



IDENTIFIED CORPORATE VARIANCE DRIVERS

The following key areas have been identified corporately as potentially impacting the 2014 operating results.

Favourable

Emergency Services

Emergency Services costs are projected to be favourable by approximately \$500,000 due to a new collective agreement with the Guelph Public Firefighters Association.

Local Boards and Agencies

Ontario Works, Housing, Police and Public Health are projected to be favourable by approximately \$1,064,200 due to the City's internal debt issuance and reduced amount owing on the City's share of capital facilities for Public Health \$234,200, savings for Ontario Works and Housing \$530,000 and Police vacancies \$300,000.

Unfavourable

Winter Control Costs

A prolonged winter and on-going cleanup related to the December 2013 ice storm has had a negative impact on winter control costs. As of June 30, 2014, Public Works is projecting an unfavourable year end variance of \$561,800. The Public Works department is pursuing other potential offsets to mitigate this variance. In addition, an expression of interest for ice storm assistance funding was submitted to the Province in second quarter. The application has been reviewed and staff will make the final submission by October 31, 2014. The current projection does not include an amount for potential provincial assistance should the application be successful.

Transit

Transit is projecting an overall unfavourable variance of \$1,927,600 due to;

- A budget shortfall related to overtime for statutory holidays;
- Extra board staff required to meet service needs;
- Budget shortfall related to Late Night revenue recovery;
- Lower than anticipated revenue due to ridership not increasing at the level that was planned; and
- Higher repairs and maintenance costs due to higher parts and fuel costs.

STAFF REPORT



DETAILED VARIANCE ANALYSIS

Tax Supported Variance Overview by Service Area (Appendix 1)

CAO Office, Mayor and Council

- The CAO Office Service Area and Mayor and Council are not projecting a year end variance for 2014.

Operations, Transit & Emergency Services

- Operations, Transit and Emergency Services is projecting an unfavourable variance of \$2,064,400
 - Transit is projecting a year end unfavourable variance of \$1,928k due to a budgeted shortfall for overtime related to statutory holidays, extra board staff, split shift and overnight recovery \$475k and lower than anticipated increase in ridership \$315k. Transit is also projecting an unfavourable operating and maintenance variance due to higher than anticipated fuel and parts cost \$305k.
 - Public Works is projecting a year end unfavorable variance of \$562k due to higher than budgeted winter control costs and forestry cleanup costs.
 - Emergency Services is projecting a favourable variance of \$500k for the end of year due to the new collective agreement with the Guelph Professional Firefighters Association.

Planning & Building, Engineering & Environmental Services

- Planning, Building, Engineering & Environmental Services is projecting \$198,000 favourable variance.
 - Planning is projecting a favourable variance of \$80k due to the delayed start of Integrated Operational Review projects.
 - Solid Waste is projecting a \$148k favourable variance due to the early ramp up of the new recyclable contract with existing labour.
 - Engineering is projecting a year end unfavourable variance of \$30k due to write-offs associated with old accounts for asphalt work performed by Engineering Services that have been deemed unrecoverable.

Community & Social Services

- Community and Social Services is reporting a \$28,000 unfavourable variance.
 - Community Engagement & Social Services Liaison are projecting a \$7k unfavourable variance due to lower room rental revenues than forecasted.

STAFF REPORT



- Culture & Tourism is projecting a \$90k favourable variance due to the success of the Guelph Storm Hockey Club.
- Business Services is projecting an unfavourable variance of \$35k due to a 35% unplanned increase in the postage rate and higher than anticipated bank charges.
- Parks is projecting an unfavourable variance of \$40k due to a benefit shortfall related to temporary staffing.

Corporate and Human Resources

- Corporate and Human Resources is not projecting a year end variance at this point.

Finance and Enterprise

- Finance and Enterprise Services are currently projecting a year-end unfavourable variance of \$67k due to unplanned contract administrative support and shortfall in interest earned; this is partially offset by Financial Planning reorganization savings.

General Revenues, Expenditures & Capital Financing

- A net unfavourable variance of \$270k is projected for general and capital financing due to taxes written off \$475k, unfavourable interest earnings due to lower tax receivables \$200k. This is partially offset by lower interest charges as a result of changes in capital project timelines, delayed issuance of debt and internally financing projects instead of issuing external debt \$405k.

Local Boards

- Library is not projecting a year- end variance.
- Police is projecting a year end surplus of \$300k due to vacant positions and lower than anticipated overtime for investigative and frontline operations. Police has advised that the level or severity of crimes may impact overtime and the new alarm by-law may have an impact on future revenue.

Grants, Outside Boards & Agencies

- Outside boards and agencies are reporting a projected year-end favourable variance of \$764k due to the City's internal debt issuance that resulted in lower amount owing on the City's share of capital facilities; and savings from Housing and Ontario Works.

STAFF REPORT



Non Tax Supported

Overall, the Non Tax Supported budgets are reporting a favourable projected variance of \$166,000.

Water Services

- Water is projecting an unfavourable year-end variance of \$411k due to lower consumption revenue than forecasted; increase in emergency requests during the winter months and an increase in locate demand service as a result of Ontario One Call kick off.

Wastewater Services

- Wastewater is projecting a favourable 2014 year-end variance of \$500k due to less chemical usage because of the extended winter.

Ontario Building Code (OBC)

- OBC is not projecting a year end variance for 2014.

Court Services

- Court Services is projecting an end of year negative revenue variance of \$255k due to lower charge volume. The contingency reserve maintained for Courts Services will not have a sufficient balance to fund this shortfall should it materialize at year-end. As such, staff are recommending that this be monitored closely and a contingency plan be developed.

OTHER CONSIDERATIONS

The impact of the Transit lockout is not considered in this report. Preliminary estimates forecast savings of \$109k but the full impact will be determined after the final accounting has been completed.

STAFF REPORT

REVENUE ANALYSIS AS OF JUNE 30, 2014

Council has requested increased disclosure regarding external revenue collection for the City with comments on significant deviations from budget. This is provided to Council twice a year with the June and December Operating Variance Reports. The chart that follows outlines the current revenue position as of June 30, 2014:

City of Guelph: Revenue Variance Projection For Dec 31, 2014

| | Total Budgeted Revenue for Year 2014 (\$) | Projected Variance for Dec 31, 2014 (\$) | Projected Variance for Dec 31, 2014 (%) |
|---|---|--|---|
| TAX SUPPORTED | | | |
| CAO - ADMINISTRATION | \$ (165,400) | \$ - | 0.0% |
| OPERATIONS, TRANSIT & EMERGENCY SERVICES | \$ (26,419,025) | \$ 779,000 | 2.9% |
| PLANNING, BUILDING, ENGINEERING & ENVIRONMENTAL SERVICES | \$ (13,738,385) | \$ (2,160,000) | (15.7%) |
| COMMUNITY & SOCIAL SERVICES | \$ (9,386,420) | \$ (83,000) | (0.9%) |
| CORPORATE AND HUMAN RESOURCES | \$ (414,920) | \$ - | 0.0% |
| FINANCE AND ENTERPRISE | \$ (785,600) | \$ - | 0.0% |
| TOTAL TAX SUPPORTED | \$ (50,909,750) | \$ (1,464,000) | (2.9%) |
| NON-TAX SUPPORTED | | | |
| WATER REVENUE | \$ (23,105,000) | \$ 100,000 | 0.4% |
| WASTEWATER REVENUE | \$ (26,861,000) | \$ - | 0.0% |
| ONTARIO BUILDING CODE REVENUE | \$ (2,837,000) | \$ - | 0.0% |
| COURT SERVICES REVENUE | \$ (2,095,000) | \$ 255,000 | 12.2% |
| TOTAL NON-TAX SUPPORTED | \$ (54,898,000) | \$ 355,000 | 0.6% |

(Brackets indicate a favourable variance)

Non Tax Supported

CAO

- Not currently projecting a significant variance.

Operations, Transit & Emergency Services

- Transit is projecting a \$704k revenue shortfall due to lower Late Night revenue recovery and lower ridership than forecasted.

STAFF REPORT



- By-Law, Compliance and Security is projecting an unfavourable variance of \$75k. This is a result of lower dog tag revenue and decreased parking fine activity compounded by the removal of the 2AM – 6AM restriction.

Planning & Building, Engineering & Environmental Services

- Solid Waste Resources is reporting a favourable variance of \$2,160k due to the new recyclable contract that kicked off in May. The unplanned revenue is offset by unplanned additional costs of procuring and processing the material.

Community & Social Services

- Culture and Tourism are projecting a favourable variance of \$90k primarily for the Sleeman Centre \$210k due to the success of Guelph Storm Hockey Club this is partially offset by lower recoveries and revenue shortfall at River Run \$120k.

Corporate and Human Resources

- Corporate and Human Resources is not expecting any significant variance.

Finance and Enterprise

- Finance and Enterprise is not anticipating any significant year end variance resulting from external revenues.

Outside Boards & Agencies

- Not Applicable for this report.

General Revenues and Expenditures

- Tax Collection and investment return performance information is communicated to Council under separate Council Reports.

Non Tax Supported

Water Services

- Water revenue is forecasting \$100k year end unfavourable variance due to lower consumption volume than forecasted.

Wastewater Services

- Wastewater is currently not anticipating significant variance.

Ontario Building Code

- OBC is currently not anticipating significant variance.

STAFF REPORT



Court Services

- Court revenues are tracking \$255k below budget due to lower than expected charges filed.

CORPORATE STRATEGIC PLAN

Ongoing monitoring of the City budget and reporting of variances to budget are part of *CSP direction 2.3 Ensure accountability transparency and engagement.*

DEPARTMENTAL CONSULTATION

Departments are responsible for managing their programs according to municipal standards and within the approved budget. The responsibility of monitoring the operating budget is shared by Finance and the Departments managing their programs. Department managers were provided financial information based on revenue and expenditures to June 30, 2014 and provided a year end projected position and commentary in consultation with the Finance department.

COMMUNICATIONS

Operating variance reports are produced on schedule for Council to compare actual results against budget. Finance and Executive Team have committed to producing quarterly variance reports for the year. This is the second operating variance report for 2014.

ATTACHMENTS

Appendix 1 – Operating Budget Variance June 30, 2014 – Department Summary

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Appendix 1
Operating Budget Variance based on June 30, 2014
City of Guelph: Departmental Summary

| | Total Annual Budget for Year 2014 (\$) | Projected Variance for Dec 31,2014 (\$) | Variance for Dec 31, 2014 (%) | Comments |
|--|--|---|-------------------------------------|---|
| TAX SUPPORTED | | | | |
| City Departments | | | | |
| CAO - ADMINISTRATION AND COUNCIL | \$ 2,167,000 | \$ - | 0.0% | No variance anticipated |
| OPERATIONS, TRANSIT & EMERGENCY SERVICES | \$ 53,739,000 | \$ 2,064,400 | 3.8% | -Transit -\$1,928k unfavourable due to lower revenue because of budget shortfall; less than budgeted ridership increase; \$321k OT shortfall for statutory holiday and late night recoverable; \$583k extraboard shortfall; and higher repairs and maintenance cost due to increase in parts and fuel cost. - By-Law, Compliance and Security -\$75k unfavourable due to decrease in Dog tag and fine revenue -Public Works - \$562k unfavourable due to Road Winter control \$615k because of increased response due the winter period; Forestry ice storm clean up cost \$67k partially offset by Traffic & Parking \$103k positive variance due to higher permit revenue and salary savings. -Emergency Services - \$500k favourable due to new collective agreement with Guelph Public Firefighters Association. |
| PLANNING, BUILDING, ENGINEERING & ENVIRONMENTAL SERVICES | \$ 14,750,000 | \$ (198,000) | (1.3%) | - Engineering - \$30k unfavourable variance due to previous years asphalt and subdivision accounts not recoverable because of elapsed time. - Planning - \$80k favourable due to delayed start of Integrated Operational Review projects. The Request For Proposal is going through the development phase. - Solid Waste - \$148k favourable due to the new recyclable contract scheduled to start in June but ramped up in May with existing labour |
| COMMUNITY & SOCIAL SERVICES | \$ 16,970,000 | \$ 28,000 | 0.2% | - CSS Administration - \$24K favourable due to lower than planned salaries. - Community Engagement - \$7k unfavourable due to room rental revenue shortfall. - Culture and Tourism - \$90k favourable due to success of Storm Hockey Club. - Corporate Building Maintenance - \$60k unfavourable due to on-going maintenance for Delhi Operation. - Business Services - \$35k unfavourable due to postage rate increase and bank charges. - Parks - \$40k unfavourable due to temporary staff benefit budget shortfall |
| CORPORATE & HUMAN RESOURCES | \$ 10,009,000 | \$ - | 0.0% | No variance anticipated |
| FINANCE AND ENTERPRISE | \$ 4,176,000 | \$ 67,000 | 1.6% | -Finance - \$90k unfavourable due to unbudgeted contract admin support and lower interest earned on accounts receivable; partially offset by savings due to the reorganization in the financial planning division. -Enterprise -\$23k favourable due to salary and benefit savings from Community Energy. |
| TOTAL CITY DEPARTMENTS (excl Financing) | \$ 101,811,000 | \$ 1,961,400 | 1.9% | |
| GENERAL EXPENSES AND CAPITAL FINANCING | \$ (174,253,000) | \$ 270,000 | 0.2% | Capital Financing unfavourable due to higher tax accounts written off; lower interest earnings on tax receivables due to lower tax receivables partially offset by savings realized from internal debt issuance and change in project timelines. |
| TOTAL CITY DEPARTMENTS (incl Financing) | \$ (72,442,000) | \$ 2,231,400 | 1.3% | |

| Local and Outside Boards | | | | |
|--|----------------------|-----------------------|---------------|--|
| LOCAL BOARDS | \$ 43,493,000 | \$ (300,000) | (0.7%) | Favourable due to savings from vacancies (5 police and 1.9 civilian positions); less OT for Investigative and frontline operations. There is a risk of increase in OT from the level or severity of crime and the new alarm bylaw may impact alarm revenue. |
| GRANTS, OUTSIDE BOARDS & AGENCIES | \$ 28,949,000 | \$ (764,200) | (2.8%) | Favourable due to the City's internal debt issuance and reduced amount owing on the City's share of the capital facilities for Public Health \$243k; and savings from Housing and Ontario Works \$530k. |
| Subtotal Grants, Local and Outside Boards & Agencies | \$ 72,442,000 | \$ (1,064,200) | (1.5%) | |
| TOTAL TAX SUPPORTED (incl Outside Boards, Grants and Financing) | \$ - | \$ 1,167,200 | 0.7% | |
| Non Tax Supported - USER PAY | | | | |
| WATER REVENUE | \$ (24,595,000) | \$ 100,000 | (0.4%) | Unfavourable due to lower consumption revenue than forecasted. |
| WATER OPERATIONS | \$ 24,595,000 | \$ 311,000 | 1.3% | Unfavourable due to increase in emergency requests during the winter months that led to higher operating and maintenance costs; kick-off of Ontario One Call led to a doubling of locate demand. |
| SUB-TOTAL WATER WORKS | \$ - | \$ 411,000 | 1.7% | |
| WASTEWATER REVENUE | \$ (28,269,000) | \$ - | 0.0% | No variance anticipated |
| WASTEWATER OPERATIONS | \$ 28,269,000 | \$ (500,000) | (1.8%) | Favourable due to lower chemical and polymer usage because of extended winter which reduced lystek production. |
| SUB-TOTAL WASTEWATER | \$ - | \$ (500,000) | (1.8%) | |
| ONTARIO BUILDING CODE REVENUE | \$ (2,900,000) | \$ - | 0.0% | No variance anticipated |
| ONTARIO BUILDING CODE COSTS | \$ 2,900,000 | \$ - | 0.0% | No variance anticipated |
| SUB-TOTAL OBC | \$ - | \$ - | 0.0% | |
| COURT SERVICES REVENUE | \$ (2,132,000) | \$ 255,000 | (12.0%) | Projecting an unfavourable variance at year-end based on current lower charge volume. If negative variance holds, current risk involves a reduced contribution to the contingency fund. |
| COURT SERVICES EXPENSES | \$ 2,132,000 | \$ - | 0.0% | No variance anticipated. |
| SUB-TOTAL COURTS | \$ - | \$ 255,000 | 12.0% | |
| TOTAL Non Tax Supported / USER PAY (Brackets indicate a favourable variance) | \$ - | \$ 166,000 | 0.3% | |

STAFF REPORT



TO City Council

SERVICE AREA Legal and Realty Services

DATE September 8, 2014

SUBJECT Golds Court – Proposed Permanent Road Closure

REPORT NUMBER CHR-2014-58

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report recommends that Golds Court be stopped up and closed as a public highway for the purposes of selling a larger consolidated parcel to a local developer.

KEY FINDINGS

Golds Court is a street located in the Hanlon Creek Business Park located off of Hanlon Creek Boulevard at the southern end of Bett Court (the "**Street**").

The Street, being a short cul-de-sac in an undeveloped portion of the Hanlon Creek Business Park was intended to provide access to multiple developments on small acreage parcels fronting onto the Street. Development has yet to occur on these smaller parcels and an interested purchaser has come forward with the intent to acquire the lands surrounding Golds Court (the "**Subject Parcel**") attached hereto as Attachment 1. The 14.5 acre consolidated development site would front onto Hanlon Creek Boulevard and, as such, the Street would become redundant.

City Staff have determined that the Street has yet to be constructed and there are no existing services located in the right-of-way beneath the Street.

Public notice of the City's intention to stop-up and close the public highway will be published in the local paper during the week of August 18th and 25th, 2014.

ACTION REQUIRED

Bring forward for Council's consideration, a by-law to stop-up and close Parts 1, 2, 3, 4 on Reference Plan 61R-20352.

STAFF REPORT



RECOMMENDATION

1. That the report (CHR-2014-58) entitled "Golds Court – Proposed Permanent Road Closure" be received.
2. That Council enact a by-law to stop-up and close certain lands that are currently dedicated as a public highway described as:

Golds Court, Plan 61M-169, designated as Parts 1, 2, 3, 4 on Reference Plan 61R-20352.

REPORT

Golds Court is a street located in the Hanlon Creek Business Park located off of Hanlon Creek Boulevard at the southern end of Bett Court (the "Street").

The Street, being a short cul-de-sac in an undeveloped portion of the Hanlon Creek Business Park was intended to provide access to multiple developments on small acreage parcels fronting onto the Street. Development has yet to occur on these smaller parcels and an interested purchaser has come forward with the intent to acquire the lands surrounding Golds Court (the "Subject Parcel"), as shown on the drawing attached (Attachment 1).

In July of 2014, the City's Economic and Development Services Department entered into an Agreement of Purchase and Sale for the disposition of the Subject Parcel.

As a condition of the agreement, the City has agreed to pursue the stopping up and closure of the Street and if approved, the said lands will be included in the acquisition of the Subject Parcel by the developer. The consolidated development site would then front onto Hanlon Creek Boulevard and, as such, the Street would become redundant.

Economic Development Staff have consulted with Planning and Engineering and determined that the Street has yet to be constructed and there are no existing services located in the right-of-way beneath the Street.

Public notice of the City's intention to stop-up and close the public highway will be published in the local paper during the week of August 18th and 25th, 2014.

To effect the stopping up and closing of the road, Council must enact a by-law. A draft by-law is attached as Attachment 2.

CORPORATE STRATEGIC PLAN

- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City.
- 3.2 Be economically viable, resilient, diverse and attractive for business.

STAFF REPORT



DEPARTMENTAL CONSULTATION

Economic Development

FINANCIAL IMPLICATIONS

There are no financial implications.

COMMUNICATIONS

Notice of the proposed stopping up closure of Golds Court has been published in the local paper during the week of August 18th and 25th in order to comply with City of Guelph's Public Notice Provisions and in accordance with the Municipal Act.

ATTACHMENTS

ATT-1 **"Subject Parcel"**

ATT-2 **Draft By-law**

Report Author

Greg Bernardi
Realty and Planning Specialist – Legal and Realty Services

Recommended By

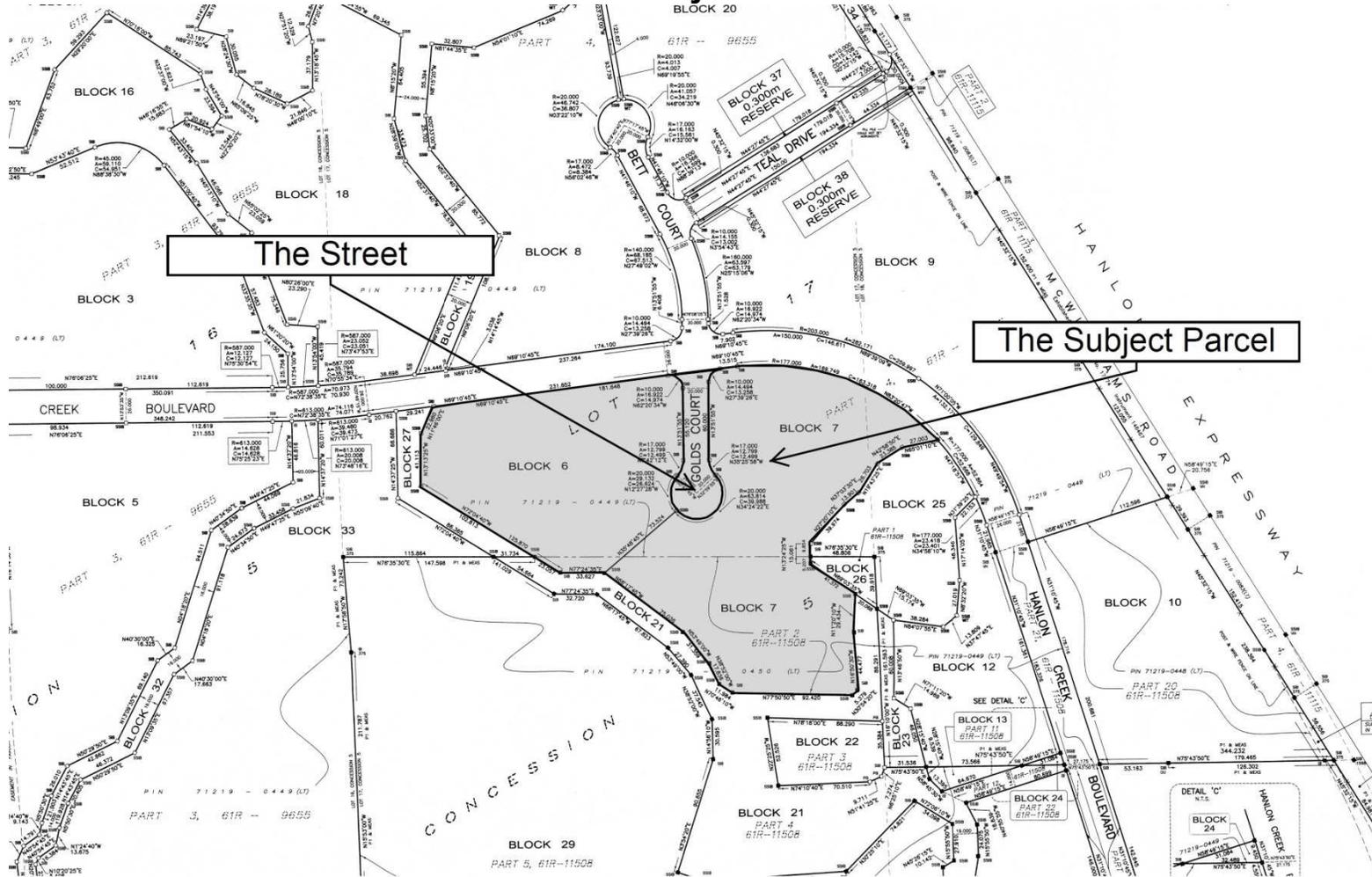
Donna Jaques
City Solicitor/General Manager
519-822-1260 Ext. 2288
Donna.jaques@guelph.ca

Approved By

Mark Amorosi
Executive Director, Corporate and Human
Resources
519-822-1260 Ext. 2281
Mark.amorosi@guelph.ca

STAFF REPORT

Attachment - 1 Subject Parcel



THIS PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT, R.S.O. 1990, CHAPTER P.13 DATED AT GUELPH THIS 18th DAY OF APRIL, 2011

[Signature]
MAYOR

[Signature]
CLERK

CERTIFICATE OF REGISTRATION PLAN 61M-161

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF WELLINGTON (61) AT 11:15 O'CLOCK ON THE 21st DAY OF APRIL, 2011 AND ENTERED IN PARCEL REGISTRY AS PIN 71219-0447(LT), PIN 71219-0448(LT), PIN 71219-0449(LT), PIN 71219-0450(LT), PIN 71219-0451(LT), PIN 71219-0452(LT) AND PIN 71219-0453(LT). REQUIRED CONSENTS ARE REGISTERED AS PLAN DOCUMENT NO. **LC 309 047**

KENNEDY-FISCHER
LAND REGISTRAR

THIS PLAN COMPRISES ALL OF PINS 71219-0447(LT), 71219-0448(LT), 71219-0450(LT), 71219-0451(LT), 71219-0452(LT) AND PART OF PIN 71219-0448(LT).

• PART OF BLOCKS 19 AND 20 COMPRISE ALL OF PIN 71219-0447 (LT).
 • ALL OF BLOCK 10 COMPRISES ALL OF PIN 71219-0448 (LT).
 • PART OF BLOCKS 6, 7, 19, 8, 20 AND ALL OF BLOCKS 1, 2, 3, 4, 5, 8, 9, 12, 16, 17, 18, 23, 24, 25, 27, 30, 31, 32, 33, 34, AND ALL OF THE RESERVE BLOCKS 35, 36, 39, 40 AND THE STREETS, NAMEDLY, GOLDS COURT, BETT COURT, TEAL DRIVE, TANNER COURT AND PART OF HANLON CREEK BOULEVARD COMPRISE PART PIN 71219-0449 (LT).
 • PART OF BLOCKS 6 AND 7 AND ALL OF BLOCKS 13, 15, 21, 22, 28, 29, 38 AND THE STREETS, NAMEDLY, BELMONT COURT AND PART OF HANLON CREEK BOULEVARD COMPRISE ALL OF PIN 71219-0450 (LT).
 • ALL OF BLOCK 35 COMPRISES ALL OF PIN 71219-0451 (LT).
 • ALL OF BLOCK 14 COMPRISES ALL OF PIN 71219-0452 (LT).
 • ALL OF BLOCK 11 COMPRISES ALL OF PIN 71219-0453 (LT).
 • PART OF BLOCKS 5, 16, 17, 18, 20, 31, 32, 33 AND PART OF HANLON CREEK BOULEVARD ARE SUBJECT TO EASEMENT INSTRUMENT 618655; NOTICE OF CLAIM INSTRUMENT 80776734, OVER PART 2, 61R-9655.
 • PART OF BLOCKS 10 AND 11 ARE SUBJECT TO EASEMENT INSTRUMENT 618655; NOTICE OF CLAIM INSTRUMENT 80776734, OVER PART 2, 61R-9655.
 • PART OF BLOCKS 16, 17 AND 19, 61R-11508.

PLAN OF SUBDIVISION OF PART OF LOTS 16, 17, 18 & 19 CONCESSION 5
 GEOGRAPHIC TOWNSHIP OF PUSLINC
 CITY OF GUELPH
 COUNTY OF WELLINGTON

SCALE 1 : 1500

VAN HARTEN SURVEYING INC.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT:

- BLOCKS 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 AND THE RESERVE BLOCKS 37, 38, 39, 40 AND THE STREETS, NAMEDLY, BELMONT COURT, HANLON CREEK BOULEVARD, GOLDS COURT, BETT COURT, TEAL DRIVE AND TANNER COURT HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.
- THE STREETS, NAMEDLY, HANLON CREEK BOULEVARD, GOLDS COURT, BETT COURT, BELMONT COURT, TEAL DRIVE AND TANNER COURT ARE HEREBY DEDICATED TO THE CORPORATION OF THE CITY OF GUELPH AS PUBLIC HIGHWAYS.

THE CORPORATION OF THE CITY OF GUELPH

DATE: APRIL 18, 2011
[Signature]
 I HAVE THE AUTHORITY TO BIND THE CORPORATION

DATE: APRIL 18, 2011
[Signature]
 I HAVE THE AUTHORITY TO BIND THE CORPORATION

THIS IS TO CERTIFY THAT:

- BLOCKS 10, 11 AND 14 HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.

BELMONT EQUITY (HCBP) HOLDINGS LTD.

DATE: APRIL 18, 2011
[Signature]
 I HAVE THE AUTHORITY TO BIND THE CORPORATION

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYOR'S ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 11th DAY OF MARCH, 2011.

DATE: APRIL 15, 2011
[Signature]
 KERRY E. SUSMAN, O.L.S.
 Van Harten Surveying Inc.

BEARING AND COORDINATE NOTE:

- BEARINGS ARE GROUND BEARINGS AND ARE DERIVED FROM GPS OBSERVATIONS AND ARE REFERRED TO THE UTM PROJECTION, ZONE 17, MAG. 83 (GRS-2000) ADJUSTMENT.
- DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY AN ADJUSTED COMBINED SCALE FACTOR OF 0.9999124.
- COORDINATES ON THIS PLAN ARE UTM, ZONE 17, MAG. 83 (GRS-2002) ADJUSTMENT AND ARE BASED ON GPS OBSERVATIONS FROM A NETWORK OF PERMANENT GPS REFERENCE STATIONS.

| POINT ID | UTM COORDINATES (METRES) | EASTING |
|----------|--------------------------|------------|
| A | 4,816,211.39 | 561,982.83 |
| B | 4,815,321.37 | 562,863.81 |
| C | 4,815,513.09 | 563,442.50 |

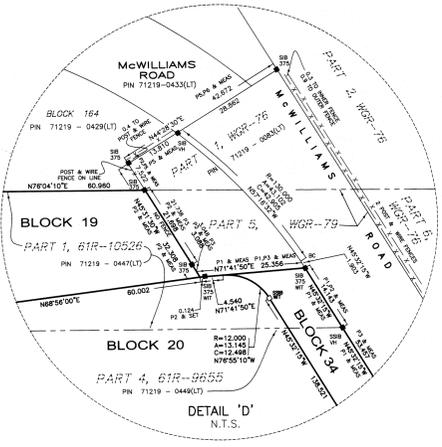
THESE COORDINATE VALUES COMPLY WITH SECTION 14(2) OREG. 216/10. THESE COORDINATES CANNOT IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

NOTES:

- ALL SURVEY MONUMENTS ARE UNLESS OTHERWISE NOTED.
- DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

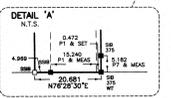
LEGEND:

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- SB— DENOTES 025 x 025 x 1.20 STANDARD IRON BAR
- IB— DENOTES 015 x 015 x 0.60 IRON BAR
- SDB— DENOTES 025 x 025 x 0.60 SHORT STANDARD IRON BAR
- PB— DENOTES 025 x 025 x 0.30 PLASTIC BAR
- RB— DENOTES ROCK FOUND
- WT— DENOTES WITNESS
- BC— DENOTES BEGINNING OF CURVE
- EC— DENOTES END OF CURVE
- 11585 DENOTES VAN HARTEN SURVEYING INC., O.L.S.'s
- 378 DENOTES BLACK, SHENKMAN et. al., O.L.S.'s
- 1965 DENOTES BLACK, SHENKMAN et. al., O.L.S.'s
- P1 DENOTES DEPOSITED PLAN 61R-9655 BY (VH)
- P2 DENOTES DEPOSITED PLAN 61R-10526 BY (VH)
- P3 DENOTES DEPOSITED PLAN 61M-55 BY (375)
- P4 DENOTES DEPOSITED PLAN WQR-77 BY (375)
- P5 DENOTES REGISTERED PLAN 61M-55 BY (375)
- P6 DENOTES DEPOSITED PLAN 61M-40 BY (375)
- P7 DENOTES DEPOSITED PLAN 61R-1144 BY (VH)
- P8 DENOTES DEPOSITED PLAN 61R-1144 BY (VH)
- P9 DENOTES DEPOSITED PLAN 61R-1144 BY (VH)
- P10 DENOTES DEPOSITED PLAN 61R-1144 BY (VH)
- P11 DENOTES DEPOSITED PLAN 61R-11508 BY (VH)



The Subject Parcel

The Street



Van Harten SURVEYING INC.
 LAND SURVEYORS AND ENGINEERS

423 WOODBINE STREET GUELPH, ONTARIO N1H 3K3
 PHONE: 519-821-2783
 FAX: 519-821-2770
 www.vanharten.com

650 REDELL ROAD, UNIT 1 ORANGEVILLE, ONTARIO L9W 5G5
 PHONE: 519-246-4110
 FAX: 519-246-1113
 www.vanharten.com

Apr 15, 2011 3:17pm
 G:\PUSLINC\CONA\Hartem\ACAD\PLAN E SUBD PHASE1 HANLON.dwg

DRAWN BY: W.A.M. CHECKED BY: J.E.B. PROJECT NO. 17414-07-E

THE CORPORATION OF THE CITY OF GUELPH

By-Law Number (2014) xxxxx

A By-law to stop up and close Golds Court described as Plan 61M169, designated as Part 1, 2, 3 and 4, Reference Plan 61R20352, City of Guelph.

WHEREAS by virtue of Section 34 (1) of the Municipal Act, 2001 the Council may pass by-laws for stopping up and closing any highway or part thereof;

AND WHEREAS notice of the proposed stopping up and closure of Golds Court described as Plan 61M169, designated as Part 1, 2, 3, and 4, Reference Plan 61R20352, City of Guelph was published in a newspaper in accordance with the City of Guelph policy with respect to public notice provisions and Council has heard any person who applied to be heard;

NOW THEREFORE THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. That the land described as Golds Court described as Plan 61M169, designated as Part 1, 2, 3, and 4, Reference Plan 61R20354, City of Guelph, is hereby stopped up and closed.
2. And that this by-law shall take effect upon registration of a copy of this by-law, certified under the hand of the Clerk and the seal of the Corporation, in the Registry Office for the Land Titles Division of Wellington No. 61.
3. The Mayor and Clerk are authorized to execute under seal all documents required to give effect to Section 1 herein and on behalf of the Corporation of the City of Guelph, the office of the City Solicitor is authorized to execute by electronic means all documents requiring registration to give effect to Section I herein.

PASSED this EIGHTH day of SEPTEMBER, 2014.

KAREN FARBRIDGE - MAYOR

TINA AGNELLO – DEPUTY CLERK

Please recycle!

- **BYLAWS** -

- **September 8, 2014** -

| | |
|--|---|
| <p>By-law Number (2014) – 19803 A by-law to remove Lot 7, Plan 61M182, designated as Parts 15 and 16, Reference Plan 61R20095 in the City of Guelph from Part Lot Control.</p> | <p>To remove lands from part lot control.</p> |
| <p>By-law Number (2014) – 19804 A By-law to amend By-law Number (2002) – 17017 (to amend The Traffic By-law, No Parking in Schedule XV, No Stopping in Schedule XVI, School Bus Loading Zones in Schedule XIX, Kiss n’ Ride Zones in Schedule XXVI and Permissive Overnight Parking in Schedule XXII) and adopt Municipal Code Amendment #519, amending Chapter 301 of the Corporation of the City of Guelph’s Municipal Code.</p> | <p>To amend the City’s Traffic By-law. (Schedules XV, XVI, XIX, XXII, and XXVI)</p> |
| <p>By-law Number (2014) – 19805 A by-law to stop up and close Golds Court described as Plan 61M169, designated as Part 1, 2, 3, and 4, Reference Plan 61R20352, City of Guelph.</p> | <p>To stop up and close Golds Court.</p> |
| <p>By-law Number (2014) – 19806 A by-law to authorize conveyance of an Easement in favour of Hydro One Networks Inc. over the lands described as Part of Lot 3, Concession 1, Division “E”, (formerly Guelph Township), designated as Parts 3 and 4, Reference Plan 61R20389, City of Guelph.</p> | <p>To authorize the conveyance of an Easement of land.</p> |
| <p>By-law Number (2014) – 19807 A by-law to authorize conveyance of an Easement in favour of Hydro One Networks Inc. over the lands described as Part of Campbell Road, as closed by by-law 7309 (Instrument No. MS93909), Registered Plan 599, designated as Part 1, Reference Plan 61R20363, City of Guelph.</p> | <p>To authorize the conveyance of an Easement of land.</p> |

| | |
|---|--|
| <p>By-law Number (2014) – 19808 A by-law to authorize conveyance of an Easement in favour of Hydro One Networks Inc. over the lands described as Part of Lot 3, Concession 1, Division "E" (formerly Guelph Township), designated as Parts 1, 2, 3 and 4, Reference Plan 61R331, City of Guelph.</p> | <p>To authorize the conveyance of an Easement of land.</p> |
| <p>By-law Number (2014) – 19809 A by-law to authorize conveyance of an Easement in favour of Hydro One Networks Inc. over the lands described as Part of Napoleon Street, Registered Plan 52, Part of Lot 3, Concession 1, Division "E", (formerly Guelph Township), designated as Parts 1 and 2, Reference Plan 61R20389, City of Guelph.</p> | <p>To authorize the conveyance of an Easement of land.</p> |
| <p>By-law Number (2014) – 19810 A by-law to authorize conveyance of an Easement in favour of Hydro One Networks Inc. over the lands described as Part of Lot 1, Concession 1, Division "E", (formerly Guelph Township), designated as Parts 1 to 12 inclusive, Reference Plan 61R20391, City of Guelph.</p> | <p>To authorize the conveyance of an Easement of land.</p> |