

City Council Meeting Agenda



Consolidated as of May 19, 2017

Tuesday, May 23, 2017 – 6:30 p.m.
Council Chambers, Guelph City Hall, 1 Carden Street

Please turn off or place on non-audible all electronic devices during the meeting.

Please note that an electronic version of this agenda is available on guelph.ca/agendas.

Open Meeting – 6:30 p.m.

O Canada
Silent Reflection
First Nations Acknowledgement
Disclosure of Pecuniary Interest and General Nature Thereof

Confirmation of Minutes: (Councillor MacKinnon)

That the minutes of the open Council Meetings held April 24 and May 8, 2017, and the open Committee of the Whole meeting held May 1, 2017 be confirmed as recorded and without being read.

Committee of the Whole Consent Report:

The following resolutions have been prepared to facilitate Council's consideration of various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Committee of the Whole Consent Report, please identify the item. It will be extracted and dealt with separately as part of the Items for Discussion.

COW-IDE-2017.20 Elementary School Speed Zone - Update

Recommendation:

1. That the 40 km/h School Speed Zones by time of day on arterial classified roads be extended to include roadways with 3000 annual average daily traffic.
2. That additional School Speed Zones be implemented based upon a number of factors such as fencing location, property line separation, location of school entrances, location of sidewalks and other mitigating factors that are present.

3. That Traffic Bylaw (2002) 17017 be amended to reflect the changes in speed limits and the additional new School Speed Zones as identified in Report IDE 17-60.
4. That Council request the Ontario Ministry of Transportation to amend Regulation 615 Section 5 of the Highway Traffic Act to permit text tab signs indicating times and days when the reduced speeds in school zones are in effect.

COW-IDE-2017.21 Municipal Property and Building Commemorative Naming Annual Report

Recommendation:

1. That Report IDE 17-56, from Infrastructure, Development and Enterprise titled "Municipal Property and Building Commemorative Naming Annual Report" be approved.
2. That the names and recommendations proposed by the Naming Committee listed in Attachment 1 to Report IDE 17-56 be approved.
3. That Council provide endorsement to the Naming Committee regarding future proposals to name non-City owned assets (GRCA lands).

COW-IDE-2017.22 2017 Development Priorities Plan Summary

Recommendation:

That a 2017 target for the draft approval of 286 housing units and the registration of 885 housing units within plans of subdivision in accordance with the 2017 Development Priorities Plan be approved.

COW-IDE-2017.23 Federation of Canadian Municipalities – Climate and Asset Management Network Application

Recommendation:

That Council supports the City of Guelph's application to participate in the Federation of Canadian Municipalities – Climate and Asset Management Network.

**COW-IDE-2017.25 2016 Building Permit Revenue and Expenditures,
Building Stabilization Reserve Fund, Annual Setting
of Building Permit Fees and Building By-law
Amendments**

Recommendation:

1. That Council approve the recommended building permit fees, included as Attachment 2, report IDE 17-45 titled "2016 Building Permit Revenue and Expenditures, Building Stabilization Reserve Fund, Annual Setting of Building Permit Fees and Building By-law Amendments" dated May 1, 2017, effective June 1, 2017.
2. That the Amending By-law, included as Attachment 3, report IDE 17-45 titled "2016 Building Permit Revenue and Expenditures, Building Stabilization Reserve Fund, Annual Setting of Building Permit Fees and Building By-law Amendments" dated May 1, 2017, be enacted to amend the Building By-law.

COW-GOV-2017.01 CAO Performance Development Plan (PDP) Process

Recommendation:

1. That the CAO Performance Development Plan process previously under the Governance Committee now be brought to Council through Committee of the Whole.
2. That the revised CAO Performance Development Plan Terms of Reference (Attachment 1) of report titled CAO Performance Development Plan (PDP) Process dated Monday, May 1, 2017, be approved.
3. That the CAO Performance Evaluation Process Summary (Attachment 2) of report titled CAO Performance Development Plan (PDP) Process dated Monday, May 1, 2017, be approved.

COW-2017.02 Review and Discussion Regarding Notices of Motion

Recommendation:

That staff be directed to research and/or review best practices for Notices of Motion and report back on potential options for a policy.

COW-CS-2017.05 Six Month Committee of the Whole Recap

Recommendation:

1. That Guelph City Council Committee of the Whole governance structure remain in place.
2. That the remuneration for the Service Area Chairs be discontinued.

3. That staff conduct a calendar year review of the Committee of the Whole governance structure and report back in Q2 2018 and that a community engagement process be completed.

COW-CS-2017.06 2016 Operating Variance Report and Surplus and Deficit Allocation

Recommendation:

1. That the Tax Supported surplus of \$3,079,939 be allocated to reserves; 150-Infrastructure Renewal reserve, and 180-Tax Rate Stabilization reserve as follows:

Infrastructure Renewal reserve (150)	\$2,079,939
Tax Rate Stabilization reserve (180)	\$1,000,000
Total allocation	\$3,079,939
2. That the Water surplus of \$180,467 be allocated to reserve 181-Water Rate Stabilization reserve.
3. That the Wastewater surplus of \$840,098 be allocated to reserve 153-Wastewater Capital reserve.
4. That the Court Services surplus of \$484,958 be allocated to reserve 211-POA Contingency and 120-POA Capital as follows:

POA Contingency (211)	\$242,479
POA Capital (120)	<u>\$242,479</u>
Total allocation	\$484,958

COW-CS-2017.07 2016 Year-End Capital Variance Report

Recommendation:

That the transfer of \$690,918 from the Services Related to a Highway Development Charge Reserve Fund (314) to capital account RD0267 Laird Road & Hanlon Expressway Interchange to fund over budget costs resulting from the agreement with the Ministry of Transportation, be approved.

COW-PS-2017.04 Business License Fees 2017

Recommendation:

That staff be directed to prepare the necessary amendments to Business Licence By-law (2009)-18855, as amended to incorporate the 2017 fees as identified in Report # PS-17-06 dated May 1, 2017.

COW-PS-2017.05 Refugee Support Program Review

Recommendation:

That the Refugee Support Program be made a permanent program of the City of Guelph under the name "Welcome to Guelph Program" as outlined in Report # PS-1707 dated May 1, 2017.

CON-2017.10**City of Guelph and Guelph Public Library
Governance – Mayor Guthrie’s Motion for Which
Notice was Given on March 20, 2017****Recommendation:**

That in collaboration with the Guelph Public Library, the current governance structure between the City of Guelph and the Guelph Public Library be reviewed to create or confirm governance and/or terms of reference best practices regarding the future development of a downtown main library and other branch locations.

Items for Discussion:**CON-2017.22****13 Stuart Street: Notice of Intention to Designate
Pursuant to Part IV of the Ontario Heritage Act****Delegations:**

Eric Davis on behalf of John and Pamela Rennie

Susan Ratcliffe on behalf of Architectural Conservancy of Ontario

Kirk Roberts

Ed Sluga

Correspondence:

Eric Davis on behalf of John and Pamela Rennie

Jessica Mata

Anne Holman

Doug Bell

Bob Moore

Shawn Henderson and Antonella Tonto

Michelle Miller

Jeanette and Gordon Hines

Nancy McLarty

David Rich

Alexandre Krucker

Natalie Tiberghien

Recommendation:

1. That the City Clerk be authorized to publish and serve notice of intention to designate 13 Stuart Street pursuant to Section 29, Part IV the Ontario Heritage Act and as recommended by Heritage Guelph.
2. That the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

CON-2017.23**Rotary's Canada Day Request- Fireworks and Canada's 150th Birthday - Correspondence Pulled from the May 12, 2017 Items for Information****Delegations:**

Marva Wisdom

The Mayor will speak to this item.

Special Resolutions**By-laws**

Resolution to adopt the By-laws (Councillor Piper)

"That By-law Numbers (2017)-20170 to (2017)-20175, inclusive, are hereby passed."

By-law Number (2017)-20170	A by-law to specify the clawback percentages and the capping threshold parameters for the year 2017 and to as required establish a fixed date as of which to calculate such clawbacks for all properties in the commercial property class and to end the application of Part IX of the Municipal Act for the industrial property class.
By-law Number (2017)-20171	Being a By-law to amend By-law Number (2002) – 17017 – the Traffic By-law (to amend No Parking in Schedule XV and Designated Bicycle Lanes in Schedule IV).
By-law Number (2017)-20172	A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property known municipally as 43 Arthur Street South (formerly 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, 61R11955, together with an easement over Part 17, 61R11955 as in Instrument No. WC212993; City of Guelph.

By-law Number (2017)-20173	A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property known municipally as 11 Cityview Drive South and legally described as Part Lot 35, Registered Plan 53, Division C, City of Guelph.
By-law Number (2017)-20174	A by-law to amend the Building By-law being By-law Number (2015)-19985 [as amended by by-laws (2016)-20060 and (2016)-20089].
By-law Number (2017)-20175	A by-law to confirm the proceedings of meetings of Guelph City Council held May 8 and May 23, 2017.

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



MILLER THOMSON
AVOCATS | LAWYERS

MILLER THOMSON LLP
ACCELERATOR BUILDING
295 HAGEY BLVD., SUITE 300
WATERLOO, ON N2L 6R5
CANADA

T 519.579.3660
F 519.743.2540

MILLERTHOMSON.COM

May 18, 2017

Delivered Via E-mail:
dolores.black@guelph.ca

Guelph City Council
Guelph City Hall
1 Carden Street
Guelph, ON N1H 3A1

Attention: Dolores Black, Council Committee
Coordinator

Eric Davis
LSUC Certified Specialist (Municipal Law)
Direct Line: 519.593.3282
edavis@millerthomson.com

File: 0069102.0007

To the Mayor and Members of Council:

Re: Council Meeting on May 23, 2017 - Agenda Item No. CON-2017.22
Notice of Intention to Designate 13 Stuart Street, Guelph pursuant to Part IV of
the *Ontario Heritage Act*

We are the lawyers for John and Pamela Rennie, the owners of 13 Stuart Street in Guelph (the "**Property**").

We hereby request that Council defer this matter in order to provide our client with sufficient time to adequately respond to the issues being raised by the City.

This matter went before the City's Municipal Heritage Committee on May 8, 2017 (last week), and will be proceeding to Council on May 23, 2017 (early next week, immediately following the Victoria Day long weekend). This is an exceptionally expedited process, especially given the fact that no application to demolish has ever been filed by our client.

As the City is aware, the Property is listed on the City's Heritage Register and is protected from immediate demolition via section 27(3) of the *Ontario Heritage Act*, though, again, no application to demolish has ever been filed by our client. As such, we see no prejudice to the City in granting the requested deferral.

We look forward to addressing this matter further at the Council Meeting on May 23, 2017.

Sincerely,

MILLER THOMSON LLP

Per:

Eric Davis
ED/akm

c. John Rennie – jhrennie@rogers.com
Thomas Manes, Miller Thomson LLP – tmanes@millerthomson.com

From: Jessica Maticic
Sent: May 15, 2017 1:02 AM
To: Clerks
Subject: Council Meeting- May 23rd- 13 Stuart Street Guelph, ON

Attn: City Clerk's Office

13 Stuart Street, Where do I even begin...

Besides being extremely upset, I am mostly overcome by a feeling of defeat... as I'm sure many Guelph residents feel right now.

When I heard the "rumor" of the interior of this house being gutted with future plans for demolition... my heart sunk.

I was outraged to hear that this house didn't ALREADY have historical designation.

The Cutten's name is a very predominant name in our rich history. Books have been written, and stories have been passed down from our parents and grandparents, about how much this house means to them.

Standing in front of this house reminds us that this family name and history is not forgotten. It allows us to pay tribute to our forefathers who built this city with hard work and sacrifice.

This house is just one of many beautiful extravagant homes on Stuart street that deserves to be saved from imminent danger.

If this house was torn down or fades into disrepair. It would mean that generations of young people will never be able to experience what our heritage means to us.

I am only 32 years old. I am a part of the generation that has grown up seeing older homes torn down to build cookie cutter condominiums, with no character or craftsmanship. I have seen large corporations waltz into this town and put so many hardworking family owned businesses into bankruptcy, etc.

I am the same person that strongly believes that we need to preserve as much as we can. Instead of giving into the term "money talks"

There are so many compassionate people that continue to live here, generation after generation. Raising children and working hard to make this community beautiful.

You owe it to the residents to take serious action to expedite the designation of this home, so we don't lose another precious piece of our heritage.

Thank You for your time.

Jessica Mata

Life long resident of this beautiful city

From: Anne E Holman
Sent: May 12, 2017 3:37 PM
To: Clerks
Subject: 13 Stuart Street

I support a HERITAGE DESIGNATION FOR THE HOME AT 13 STUART STREET TO PROTECT IT FROM DEMOLITION AND ANY CHANGES TO THE PRESENT BUILDING. I grew up close to this home and have always admired Guelph's initiatives to protect our heritage buildings.
I also belong to the Guelph Historical Society and its respect for our heritage properties.

Anne Holman

From: Doug Bell
Sent: May 17, 2017 7:34 PM
To: Clerks
Subject: Cutten House 13 Stuart ST

To Whom It Should Concern,
Guelph is cool for many reasons, and old buildings, especially stone ones, is high on that list. Don't trade a century or so of sustainable architectural heritage for a one-time development fee and a building that will no doubt end up in a landfill within 50 years.. That's stupid and short-sighted. A bad legacy for sure.

We've lost enough cool old stuff already. Carnegie Library? Churches on St. George's Square? Let's pause and think and talk before we demolish any more significant, interesting, well-built old buildings.

Thank you for your consideration,
Doug Bell

From: Bob Moore
Sent: May 12, 2017 12:11 PM
To: Clerks
Cc: June Hofland; Phil Allt; Cam Guthrie; Stephen Robinson
Subject: protecting the Cutten House at 13 Stuart Street

Dear Clerk of Guelph City Council,

I am writing you to communicate my support for designating 13 Stuart Street, known as the Cutten House, with a heritage designation that will be effective in protecting it from demolition. Cutten was one of the first people to put Guelph on the international map, and such local history must be preserved, not to mention that the house is a beautiful example of that period's architecture.

Thank you.

Bob Moore

From: Shawn Henderson
Sent: May 17, 2017 4:02 PM
To: Clerks
Subject: 13 Stuart Street

City Clerk's Office
City of Guelph
1 Carden Street
Guelph, Ontario

May 17, 2017

Dear City Clerk's office,

I am writing in support of 13 Stuart Street, commonly referred to as Cutten House, for designation as a heritage property under the Ontario Heritage Act.

The property is one of the most significant historical properties in Guelph. It is an example of Edwardian architecture with Italianate styling and features covered verandas on both levels at the front and an impressive "porte cochere" extending across the driveway (one of the two remaining in Guelph).

The house was originally built for lawyer Frank Hall in 1891 and purchased by Arthur Cutten in 1904. Arthur Cutten was born in Guelph on April 13, 1870, the son of Lawyer Walter Hoyt Cutten. When he was 14, he attended Trinity College School in Port Hope. He grew up with boys whose names became famous in various fields: John McCrae and Edward Johnson. He often visited a farm outside Guelph owned by the brother of James Hill, the great railroad builder and one of the founders of the CPR.

Known as a great philanthropist, Arthur Cutten's generosity was legendary. His donations included the stained glass windows, organ, choir loft and a carillon (a memorial to his parents) for St. George's Church in 1925, the iron fence, entrance gates and more land for Woodlawn Cemetery, and most generous of all, the grand proposal that resulted in the present Cutten Fields golf club.

The architectural design and craftsmanship of the home, the original landscaping including mature trees, the cultural legacy of the Cutten family, as well as the property's prominent position on historic Stuart Street make it extremely worthy of protection.

To lose this house and its history would be a loss not only to the neighbourhood and city, but also to future generations. If we do not protect our past, our very foundations, how can we hope to create a strong future.

My wife and I strongly support the designation of this property under the Ontario Heritage Act.

Sincerely,
Shawn Henderson and Antonella Tonto

City Clerk's Office
City of Guelph
1 Carden Street
clerks@guelph.ca

May 17, 2017

Dear City Clerk's Office:

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The architectural design and craftsmanship of the home, the original landscaping including mature trees, the cultural legacy of the Cutten family, as well as the property's prominent position on historic Stuart Street make it worthy of protection.

I strongly support the designation of this property under the Ontario Heritage Act.

Sincerely,
Michelle Miller

To: the Guelph City Council

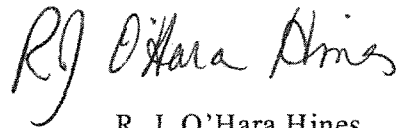
Re: the preservation of Cutten House

Date: May 18, 2017

Much of Guelph's strength as a city comes from its many diversities - nationalities, cultures, facilities, communities - in short, its impressive sense of being more than just an instant suburb of Toronto. Central to that is its preservation of the past, including Cutten House at 13 Stuart St. Losing that building would damage our local community, and the city as a whole.

As well as its architectural distinctness, it has historical significance. Its demolition, and the city's loss, will not be stopped by any token rap on the knuckles such as poor publicity or some minor fine. Our city - the one you have assumed responsibility for protecting - will suffer from its loss, as it has from too many other similar losses.

Consequently, we request that City Council take the necessary steps to preserve and protect the integrity of a region of Guelph that enriches us collectively, by declaring Cutten House to be of historic importance, and by taking adequate steps to preserve it.



R. J. O'Hara Hines



W.G. S. Hines

From: Nancy McLarty
Sent: May 18, 2017 3:38 PM
To: Clerks
Subject: Metcalfe Home - 13 Stewart

To Whom It May Concern,

It has come to my attention recently that the home at 13 Stewart, recently sold, had the interior demolished and now there is concern as to the ultimate use of this home.

I have lived in the St. Georges Park area for 25 years and this home has always been one of my favourites.

I was dumbfounded to hear that it could potentially be torn down.

This has me very concerned. Why would a perfectly sound, and architecturally pleasing older home be torn down???

I received information to contact you to register my concern.

I do hope that you will pass on my concerns to those that are making the decisions regarding this lovely home.

Your truly,

Nancy McLarty

May 18, 2017

Via email clerks@guelph.ca

City Clerk's Office
City of Guelph
1 Carden Street
Guelph, ON N1H 3A1

To whom it may concern:

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The property is the one of the most significant historical properties in Guelph. It is an example of Edwardian architecture with Italianate styling and features covered verandas on both levels at the front and an impressive "porte cochere" extending across the driveway (one of only two remaining in Guelph).

The house was originally built for lawyer Frank Hall in 1891 and purchased by Arthur Cutten in 1904. Arthur Cutten was born in Guelph on April 13, 1870, the son of lawyer Walter Hoyt Cutten. When he was 14, he attended Trinity College School in Port Hope. He grew up with boys whose names became famous in various fields: John McCrae and Edward Johnson. He often visited a farm outside Guelph owned by the brother of James Hill, the great railroad builder and one of the founders of the CPR.

Known as a great philanthropist, Arthur Cutten's generosity was legendary. His donations included the stained glass windows, organ, choir loft and a carillon (a memorial to his parents) for St. George's Church in 1925, the iron fence, entrance gates and more land for Woodlawn Cemetery, and most generous of all, the grand proposal that resulted in the present Cutten Fields golf club.

The architectural design and craftsmanship of the home, the original landscaping including mature trees, the cultural legacy of the Cutten family, as well as the property's prominent position on historic Stuart Street make it worthy of protection.

I strongly support the designation of this property under the Ontario Heritage Act.

Sincerely,

A handwritten signature in black ink, appearing to be 'David Rich', with a horizontal line extending from the end of the signature.

David Rich

City Clerk's Office
City of Guelph
1 Carden Street
clerks@guelph.ca

May 18, 2017

Dear City Clerk's Office:

I am writing in support of 13 Stuart Street, commonly referred to as Cutten House, for designation as a heritage property under the Ontario Heritage Act.

I am a current resident of the city and a student of the Willowbank School of Restoration Arts in Queenston, Ontario. I wish to express my concern over the current state of affairs regarding 13 Stuart St.

Guelph is fortunate in its abundance of Edwardian brick buildings. My family home is of the same style and like the Cutten House is included on the Municipal Register of Cultural Heritage Properties. Guelph does not lack in built heritage but it still requires us as a community to safeguard all buildings that have value to us. The Cutten House has value to me and, as I hope will be apparent with other citizens who weigh in on the subject, it has value to Guelphites at large. Heritage buildings are a cornerstone to the identity of a community, whether by its architectural brilliance, contextual significance, associative value, or a mix of the three. Because this property has a value to Guelphites we all claim a form of ownership and the responsibility to maintain and safeguard.

If it were the case that the proposed demolition of this property was to bring about something that added value to the community then that opens up opportunities to evaluate the needs of Guelphites in the neighbourhood. As it stands the proposed plan to enlarge the neighbouring garden satisfies only the needs and wants of the owners at the serious loss to the rest of Guelph. The fact that major interior demolition was completed in such a hidden matter seems to demonstrate that the owners are themselves aware that what they are doing disregards the authority and judgement of City Council who represent all of Guelph's interests.

Let's not forget that beyond the concerns of heritage that the possible demolition of this building will not only contribute a great quantity of waste to the landfill but also remove another household from a city that is constantly growing and in need of housing.

I strongly urge council members to exercise the full extent of their authority in protecting this significant structure and the designation of this property under the Ontario Heritage Act.

Sincerely,

Alexandre Krucker,

A handwritten signature in black ink, appearing to be 'Alexandre Krucker', with a stylized, flowing script.

City Clerk's Office
City of Guelph
1 Carden Street
clerks@guelph.ca

May 18, 2017

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I strongly support the designation of this property under the Ontario Heritage Act.
Sincerely,

Natalie T. Beghen

RECEIVED
MAY 11 2017

CITY CLERK'S OFFICE

Dear Mayor Guthrie and Members of Council:

RE: ROTARY'S CANADA DAY REQUEST – FIREWORKS AND CANADA'S 150TH BIRTHDAY

I am pleased to share with you that the Rotary Club of Guelph is once again organizing and staging Canada Day celebrations at Riverside Park. This has become an annual tradition for our community, attracting more than 30,000 individuals and families on this very special day for fun and fellowship; and to celebrate what it means to be and to become a Canadian citizen living in Guelph and area.

We are grateful for the support that you have been providing over the last 8 years to ensure that this important event continues. And as we look to mark Canada's 150th birthday we want to ensure that this year is even more special.

Our Rotary team, friends and family, contribute thousands of hours annually in the planning and execution of this important celebration, on behalf of our residents. As much as we categorize this as a fundraiser, escalating expenses and fees over the past few years have significantly reduced any fundraising margin we may have realized.

It is for this reason that we respectfully request your financial support for this Canada Day 150.

As part of our agreement, the City has funded the fireworks component of the event. The cost annually has been \$18,000.00. Last fall, our fireworks supplier told us we needed to put in our fireworks order early due to the additional demands for 150th celebrations. We decided then that we needed to boost the budget to \$25,000.00 so that we have the type of display warranted for this 150th birthday.

We have ordered the fireworks accordingly, anticipating that the additional funds would be awarded through our application to the federal government's 150th grant funding. Unfortunately, on review of the criteria, we realized that we would not be eligible. We had a plan B, and that was to find sponsors to make-up for the \$7,000.00 shortfall. We have found this to be very difficult and we do not have a sponsor to date.

With July 1st just around the corner, and the fireworks on order, we are turning to you to respectfully request a one-time increase in your support of the fireworks display for Canada Day from \$18,000.00 to \$25,000.00. Without this support, there will be a significant hardship in attempting to execute a 150th Canada celebration worthy of our wonderful City.

We thank you for reviewing our request and can answer any questions or clarification that you require.

Sincerely,



Paul Taylor

Rotary Canada Day Committee – Fireworks supervisor and city Liaison