

City Council Meeting Agenda

Consolidated as of November 25, 2016



Monday, November 28, 2016 – 5:30 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.

Changes to the original agenda have been highlighted.

Authority to move into closed meeting

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to the Municipal Act, to consider:

Confirmation of Minutes for the closed Council meeting as Shareholder of Guelph Municipal Holdings Inc. held October 24, 2016, the closed Council meetings held October 25 and November 9, 2016.

C-2016.56 Update on Development of Brant Community Hub
(Section 239 (2) (c) related to a proposed acquisition of land by the municipality)

C-2016.57 Dolime Quarry – Mediation Process Update
Section 239 (2) (e) and (f) litigation or potential litigation, including matters before administrative tribunals and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Open Meeting – 6:30 p.m.

O Canada

Silent Reflection

First Nations Acknowledgement

Disclosure of Pecuniary Interest and General Nature Thereof

Closed Meeting Summary

Presentation:

- a) Access Awareness Recognition Awards - Guelph Barrier Free Committee
- b) Mayoral presentation of certificates to Guelph athletes who competed in the 2016 Olympic Games in Rio

Confirmation of Minutes: (Councillor Gordon)

That the minutes of the open Council Meeting as Shareholder of Guelph Municipal Holdings Inc. held October 24; the open Council Meetings held October 11, 17, 24, 25, 26, 2016 and November 3, 9, 2016; the open Council meeting as the Striking Committee held November 14, 2016, and the special Committee of the Whole meeting held on November 7, 2016 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.

Living Wage Campaign**Recommendation:**

That the City of Guelph supports the principles of the Guelph and Wellington Living Wage Employer Recognition Program and is encouraged by the participation of local businesses/organizations who have adopted living wage policies.

20,000 Homes Initiative**Recommendation:**

That staff further examine policies or procedures that can be adopted through our intergovernmental department, planning and/or the building department to help address the matters contained within the final local report of the 20,000 Homes Campaign.

COW-GOV-2016.1**2016-2018 Public Appointments to Advisory Boards and Committees**

(memo from Stephen O'Brien, City Clerk regarding Supplementary Appointment to the Board of Trustees of the Elliott)

Recommendation:**Policy Amendments**

1. That the City's Advisory Committee Meeting Procedures Policy and Citizen Appointment Policy be amended as shown in Attachment 1 to the "Fall 2016 Appointments to Advisory Boards and Committees Report".

Accessibility Advisory Committee

2. That Jason Dodge, Raminder Kanetkar and Marlene Pfaff be reappointed to the Accessibility Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.
3. That Luc Engelen and Joanne O'Halloran be appointed to the Accessibility Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.

Art Gallery of Guelph Board of Directors

4. That Timothy Dewhirst and Tanya Lonsdale be reappointed to the Art Gallery of Guelph Board of Directors for a two year term ending November 30, 2018 or until such time as successors are appointed.

Board of Trustees of the Elliott

5. That Ravi Sathasivam, John Schitka, E.J. Stross, and Jackie Wright be reappointed to the Board of Trustees of the Elliott Community for a three year term ending November 30, 2019 or until such time as successors are appointed.
6. That Bill Koornstra and **David Kennedy** be appointed to the Board of Trustees of the Elliott Community for a three year term ending November 30, 2019 or until such time as successors are appointed.

Downtown Advisory Committee

7. That Dorothe Fair and Sara Mau be reappointed to the Downtown Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.

Economic Development Advisory Committee

8. That Greg Sayer be reappointed to the Economic Development Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.

Environmental Advisory Committee

9. That Ash Baron, Virginia Capmourteres, Lynette Renzetti, Amanjot Singh and Leila Todd be reappointed to the Environmental Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.
10. That Adam Miller and Matt Wilson be appointed to the Environmental Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.

Guelph Cemetery Commission

11. That Doug Gilchrist and David Ralph be reappointed to the Guelph Cemetery Commission for a term ending November 30, 2018 or until such time as successors are appointed.

Guelph Museums Advisory Committee

12. That Paul Baker and Robert Hohenadel be reappointed to the Guelph Museums Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.
13. That no further action be taken to fill the remaining vacancy at this time.

Guelph Public Library Board of Directors

14. That Jennifer Mackie be reappointed to the Guelph Public Library Board of Directors for a term ending November 30, 2018 or until such time as a successor is appointed.
15. That staff be directed to conduct further recruitment to fill the remaining two vacancies for the Guelph Public Library Board of Directors.

Guelph Sports Hall of Fame Board of Directors

16. That Trevor Reid be reappointed to the Guelph Sports Hall of Fame Board of Directors for a term ending November 30, 2018 or until such time as a successor is appointed.

Heritage Guelph

17. That Dave Waverman be reappointed to Heritage Guelph committee for a term ending November 30, 2018 or until such time as a successor is appointed.

River Systems Advisory Committee

18. That Beth Anne Fischer be reappointed to the River Systems Advisory Committee for a term ending November 30, 2018 or until such time as a successor is appointed.
19. That Kendall Flower and Jesse Van Patter be appointed to the River Systems Advisory Committee for a term ending November 30, 2017 or until such time as a successor is appointed.

Tourism Advisory Committee

20. That Frank Cain, Barbara Fisk, Heather Grummett, Andrea McCulligh, Gregory Mungall, Anuradha Saxena and Dana Thatcher be reappointed to the Tourism Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.
21. That Lynn Broughton and Jennifer Whyte be appointed to the Tourism Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.

Transit Advisory Committee

22. That Justine Kraemer and Steve Petric be appointed to the Transit Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.
23. That the Central Students Association, Local Affairs Commissioner at the University of Guelph be appointed to the Transit Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.

Waste Resource Innovation Public Liaison Committee

23. That Bill Mullin be appointed to the Waste Resource Innovation Public Liaison Committee for a term ending November 30, 2017 or until such time as a successor is appointed.

COW-GOV-2016.3 2017 Council and Committee Meeting Schedule

Recommendation:

That the 2017 Council and Committee meeting schedule as shown in Attachment "A" to the "2017 Council and Committee Meeting Schedule" report dated November 7, 2016 be approved.

COW-GOV-2016.4 Chief Administrative Officer Employment Contract

Recommendation:

That Council direct staff to post highlights of the Chief Administrative Officer's (CAO) Employment contract on the Guelph.ca website.

COW-GOV-2016.5 Proposed Framework for an Affordable Housing Financial Incentives Program

Recommendation:

1. That City Council confirms it will establish an Affordable Housing Financial Incentives Program, in addition to the funding provided by the City to the County as the Service Manager for Social Housing.

2. That funding for an Affordable Housing Financial Incentives Program be included as part of the 2017 budget discussions.
3. **That the following clauses of the proposed framework for an affordable housing financial incentives program be referred back to staff to report back to the Committee of the Whole.**

"That the proposed recommendations for a framework for an Affordable Housing Financial Incentives Program be approved, as outlined in report #CAO-I-1607: Proposed Framework for an Affordable Housing Financial Incentives Program.

That staff be directed to develop the program details and implementation plan for an Affordable Housing Financial Incentives Program."

4. **That City Council confirms it will establish an Affordable Housing Financial Incentives Program, in addition to the funding provided by the City to the County as the Service Manager for Social Housing.**

Private Members Bill (46)

Recommendation:

That the City of Guelph endorse Bill 46 – an act respecting pregnancy and parental leaves for municipal council members as it relates to changes to the Ontario Municipal Act.

COW-IDE-2016.10 Commercial Policy Review: Terms of Reference

Recommendation:

That the Commercial Policy Review Terms of Reference, included as Attachment 1 to Report #16-84 be approved.

COW-IDE-2016.11 Downtown Parking Items: Conclusion of Essex Street One Year Pilot and Updated Downtown On-street Temporary Use Policy

Recommendation:

1. That the Essex Street parking restrictions, between Gordon and Dublin Streets, developed and tested through the 2015-16 pilot project, are to be continued as the current standard for that section of the street.
2. That Guelph City Council approves the proposed framework for updating the 'Temporary Permits for On-street Parking Space Use' standard operating procedure and that the updated fees come into force at the time of Council passing this motion.

**COW-IDE-2016.14 115 Dawn Avenue: Letter of Refusal for Tree Removal
as per the City of Guelph Private Tree Bylaw**

Recommendation:

That the removal of the trees identified be approved, based upon the completion of the landscaping design as presented by the homeowner, as amended, subject to replacement of removed trees at a ratio of 3:1 with three trees being native trees.

COW-CS-2016.6 Reserve and Reserve Fund Consolidation and Policy

Recommendation:

1. That the revised Development Charge Exemption Policy, included as Attachment 1, be approved and adopted by By-law, and repeal By-law Number (2013) – 19537 Development Charge Exemption Policy.
2. That Council approve the consolidation, closing and renaming of the following Compensation reserves:

Salary Gapping Contingency Reserve (191)
Joint Job Evaluation Committee Reserve (196)
Human Resources Negotiations Reserve (197)
Early Retiree Benefits Reserve (212)
Into the Employee Benefit Stabilization Reserve, which is to be renamed the 'Compensation Contingency Reserve' (131).

3. That Council approve the consolidation, closing and renaming of the following Capital reserve funds:

Fire Equipment Replacement Reserve Fund (111)
Transit Equipment Replacement Reserve Fund (113)
Waste Management Equipment Replacement Reserve Fund (116)
Computer Equipment Replacement Reserve Fund (118)
Play Equipment Replacement Reserve Fund (121)
Operations & Fleet Equipment Replacement Reserve Fund (124)
Parking Capital Reserve Fund (151)
Roads Capital Reserve Fund (164)
Park Planning Capital Reserve Fund (166)
Economic Development Capital Reserve Fund (168)
Operations Capital Reserve Fund (169)
Culture Capital Reserve Fund (171)
Transit Capital Reserve Fund (172)
Information Services Capital Reserve Fund (176)
Waste Management Capital Reserve Fund (186)
Capital Strategic Planning Reserve Fund (154)
Roads Infrastructure Capital Reserve Fund (160)

Building Lifecycle Capital Reserve Fund (190)
Into the Capital Taxation Reserve Fund, which is to be renamed the
'Infrastructure Renewal Reserve Fund' (150).

Policy Planning Capital Reserve Fund (167)
Into the Development Charge Exemption Reserve Fund, which is to be
renamed the 'Growth Capital Reserve Fund' (156).

Greening Reserve Fund (355)
Into the Accessibility Capital Reserve Fund, which is to be renamed the
'City Building Capital Reserve Fund' (159).

4. That Council approves the creation of the Stormwater Rate Stabilization Reserve and the Stormwater DC Exemption Reserve Fund.

Items for Discussion:

The following items have been extracted from the Committee of the Whole Consent Report and the Council Consent Agenda and will be considered separately. These items have been extracted either at the request of a member of Council or because they include a presentation and/or delegations.

COW-IDE-2016.15 Development Engineering Manual

Delegations:

Laura Murr

Recommendation:

1. That the Development Engineering Manual, included as Attachment 1 to this report, be approved.
2. That future amendments to the Development Engineering Manual be approved through delegated authority to Deputy CAO, Infrastructure, Development and Enterprise.

CON-2016.62 City of Guelph's Submission to the Ministry of the Environment and Climate Change Regarding Ontario's Water-Taking Regulations

Delegations:

Amber Sherwood-Robinson

Ashley Wallis, Environmental Defence

Ron East

Robert Case

Mike Schreiner

Cameron Fioret, Council of Canadians – Guelph Chapter

Terry MacIntosh

Jennifer Kerr, Nestle Waters Canada
Sam Gordon, Nestle Waters Canada
Hugh Whiteley (presentation)

Correspondence:

Susan Van Norman
Maude Barlow
Richard Anstett

Recommendation:

1. That Council direct staff to provide the Ministry of the Environment and Climate Change (MOECC) with the attached itemized package, (identified as attachment 1 to Staff Report CAO-I-1610) to consider in its review of water-taking policies.
2. That Council support the Province's moratorium on the issuance of new or increasing permits for water bottling until January 1, 2019. Thereby prohibiting any new or increased use of groundwater taking in Ontario for bottling, to allow the MOECC to undertake a comprehensive review of the rules that govern water bottling facilities in Ontario. The City of Guelph recommends that elements of the review include, but not be limited to, costs charged to large water users and the composition/disposal of plastic bottles.
3. That Council recommend the province develop a provincially funded, comprehensive water management program. The program and associated regulatory changes should ensure:
 - an evidence (science) and principle-based approach to water-taking in the province
 - a precautionary approach to the future sustainability of water quality and quantity
 - community or public water needs are a recognized priority
 - a balance between economic opportunities and environmental sustainability
 - adequate funding to municipalities to support the implementation and management of the framework
4. That Council direct staff to provide MOECC with the attached correspondence (identified as attachment 2 to Staff Report CAO-I-1610) as the City's formal response to the EBR Registry Number: 012-8783, entitled "A regulation establishing a moratorium on the issuance of new or increasing permits to take water for water bottling."

5. That Council direct staff to continue to promote the overall quality of Guelph's drinking water and the consumption of municipally-treated tap water in the city. This includes the City's continued master planning for long-term sustainability of Guelph's water supply to accommodate growth targets and community needs (i.e. the Water Supply Master Plan), as well as tap water promotion through programs such as the City's Blue W and Water Wagon at community events.
6. That Council direct staff to continue to promote reduction of waste, recycling and reuse within the Guelph.
7. That given the recommendations noted above and contained within Staff Report CAO-I-1610, the motion made by Councillor Gordon and amended by Councillor Gibson at the September 26, 2016 Council meeting, which read "That Council, with administrative assistance from Intergovernmental Relations, Policy and Open Government staff, submit comments through the Ontario Environmental Registry Process expressing Guelph's concern about the future sustainability of water-taking from the watershed shared by the City of Guelph" be withdrawn.

**CON-2016.63 City-initiated Official Plan Amendment (OP1603) -
Proposed revision to the Downtown Zoning By-law
Amendment (ZC1612) as it pertains to 75 Dublin Street
North**

Presentation: (attached)

Stacey Laughlin, Senior Policy Planner

Melissa Aldunate, Manager, Policy Planning and Urban Design

Delegations:

Astrid J. Clos

Tom Lammer

Scott Snider

James Fryett

Owen Scott (presentation)

Claudia Durbin

Patricia Kandel

Alan Heisey, Upper Grand District School Board

Brian Campbell

Ian Flett, Old City Resident's Committee

Susan Ratcliffe (presentation)

Anne Gajerski-Cauley

Elbert van Donkersgoed

Patrick Martin

Chris Findlay

Luke Weiler

Elizabeth Mcrae

Kathryn Folkl (presentation)

Catherine Killen
Lin Grist
Stephen Jones, Wellington Guelph Housing Committee
Jane Londerville, Wellington Guelph Housing Committee
Eric Lyon
Melissa Dean
Jennifer Jupp
Mervyn Horgan
John Parkyn
Stephen Jones
Lise Burcher
Christine Main
Paul Pinarello
Mary Tivy

Correspondence:

Astrid J. Clos
Janet Dalgleish
Christine Main
Kathryn Folkl
Nick Black
Joan Hicks
Claudia Durbin, Elizabeth Ferreira, L.J., Patrol Captains at Central Public School
Rev. Dennis Noon
Lois Etherington Betteridge
Alex Folkl
Cherolyn Knapp
Leanne Johns
Bogna Dembek
Bill Chesney and Jane Macleod
Michael Bennett
Lynn Punnett
Will Mactaggart
Martina Meyer
David Eastill
Ingrid Driussi
Heather Daymond
Bruce Matheson
Eric, Jennifer, Sarah and Adrian Lyon
Glenda Moase
Alina Sercerchi
Jayne Suzuki
George Kelly, Chair, Guelph Wellington Social Justice Coalition
Susan Watson
Linda Hathorn
Vanessa Currie
Melissa Dean
Patrick Martin

Chris Findlay
Karen Phipps
Nancy Bower Martin
Janet Fowler
Alan Milliken Heisey, Upper Grand District School Board
Robert Dragicevic
J.M. Crawley
Jeff Thomason and Melody Wren
Patti Maurice
Susan Ratcliffe
Susan Douglas
Pia Muchaal
Patricia Kandel
Elbert and Nellie van Donkersgoed
Paula and Malcolm Manford
Lynn and Albert Knox
Randalin Ellery
Ian Flett, Old City Resident's Committee
Daniel Cabena
Marlene Santin
Stephen Jones, Wellington Guelph Housing Committee

Recommendation:

1. That the City-initiated Official Plan Amendment for 75 Dublin Street North to permit a maximum building height of five (5) storeys; whereas a maximum of four (4) storeys is currently permitted be refused.
2. That the proposed Zoning By-law Amendment from the I.1 (Institutional) Zone to a modified D.2-9 (Downtown) Zone be approved as part of the Downtown Zoning By-law Amendment as it pertains to the land municipally known as 75 Dublin Street North in accordance with the zoning regulations and conditions outlined in ATT-2 of Infrastructure, Development and Enterprise Services Report 16-85, dated November 28, 2016.
3. 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 revision to the Downtown Zoning By-law Amendment as it pertains to 75 Dublin Street North.

By-laws

Resolution to adopt the By-laws (Councillor Piper).

"THAT By-law Numbers (2016)-20111 to (2016)-20114 inclusive, are hereby passed."

By-law Number (2016)-20111	A by-law to enact a Development Charge Exemption Policy and repeal By-law Number (2013)-19537.
By-law Number (2016)-20112	A by-law to amend By-law Number (2002) – 17017- the Traffic By-law (to amend No Parking in Schedule XV).
By-law Number (2016)-20113	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 75 Dublin Street North and legally described as All of Lot 1051, Part of Lot 1052, Registered Plan 8, City of Guelph (ZC1612).
By-law Number (2016)-20114	A by-law to confirm the proceedings of meetings of Guelph City Council held October 25, 26, November 9, 16, and 28, 2016.

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

Notice of motion provided by Mayor Guthrie.

Adjournment

INTERNAL MEMO



DATE November 28, 2016

TO **Mayor Guthrie and Members of Guelph City Council**

FROM Stephen O'Brien, City Clerk

DIVISION Corporate Services

DEPARTMENT City Clerk's Office

SUBJECT Supplementary Appointment to the Board of Trustees of the Elliott

Mr. Mayor and Members of Guelph City Council

The public appointments to various boards, committees and commissions were addressed at the November 7th Committee of the Whole meeting and the recommendations are part of the agenda for the November 28th Council meeting for your approval.

After the meeting of November 7th, the Board of Trustees of the Elliott received a resignation from a member of their Board. They would like to fill this new vacancy and recommend the appointment of David Kennedy. Mr. Kennedy was a candidate in the recent recruitment process.

Section B-6 of our Public Appointment Policy states: "For vacancies that occur throughout the year, the vacancy will be filled in the last quarter of each year. In the event of urgency (e.g. lack of quorum) the appointment may be made from the list of previous candidates."

As such, and upon request of the Nominating Committee of the Board of Trustees of the Elliott, we have added Mr. Kennedy's name into the recommendation of appointments to the Elliott Board of Trustees for Council's approval this evening.

Stephen O'Brien
City Clerk

Wise Water Policy for a Prosperous Healthy City
A Presentation To Guelph City Council
November 28 2016

By Hugh Whiteley
hwhitele@uoguelph.ca

Water as a Public Trust: The Core Principle of Wise Management



Recommendation to Province on Water- Management Framework

- The draft submission to the Ministry of the Environment and Climate Change (MOECC) has included the most important recommendations needed to provide strong leadership in water management.
- Wording changes to incorporate current best-management approaches familiar to the Province will facilitate impact.

Recommended Change

3. That Council recommend the province develop a ~~provincially funded, comprehensive water management~~ **watershed-based framework program for management and monitoring of water-taking permits**. The ~~framework program~~ and associated regulatory changes should ensure:
- **adequate, secure and sustained provincial funding for development, implementation, and improvement of the framework;**
 - an evidence (science) ~~and principle~~-based approach to **supervision of water-taking** in the province, **applying clearly-stated principles of water management to provide clean accessible water in perpetuity for our natural and built water systems;**
 - a precautionary approach to the future sustainability of water quality and quantity
 - community or public water needs are a recognized priority
 - **having regard for both** ~~a balance between~~ economic opportunities and environmental sustainability
 - adequate funding to municipalities to support the implementation and management of the framework

Further recommended change

5. That Council direct staff to continue to promote the overall quality of Guelph's drinking water and the consumption of municipally-treated tap water in the city. This includes the City's continued master planning for long-term *sustainability of Guelph's water supply to accommodate **population** growth **projections** ~~targets~~ and community needs (i.e. the Water Supply Master Plan), as well as tap water promotion through programs such as the City's Blue W and Water Wagon at community events.

75 Dublin St. N. Council Decision Meeting



Staff Recommendation

Background

September 12, 2016 Council Motions:

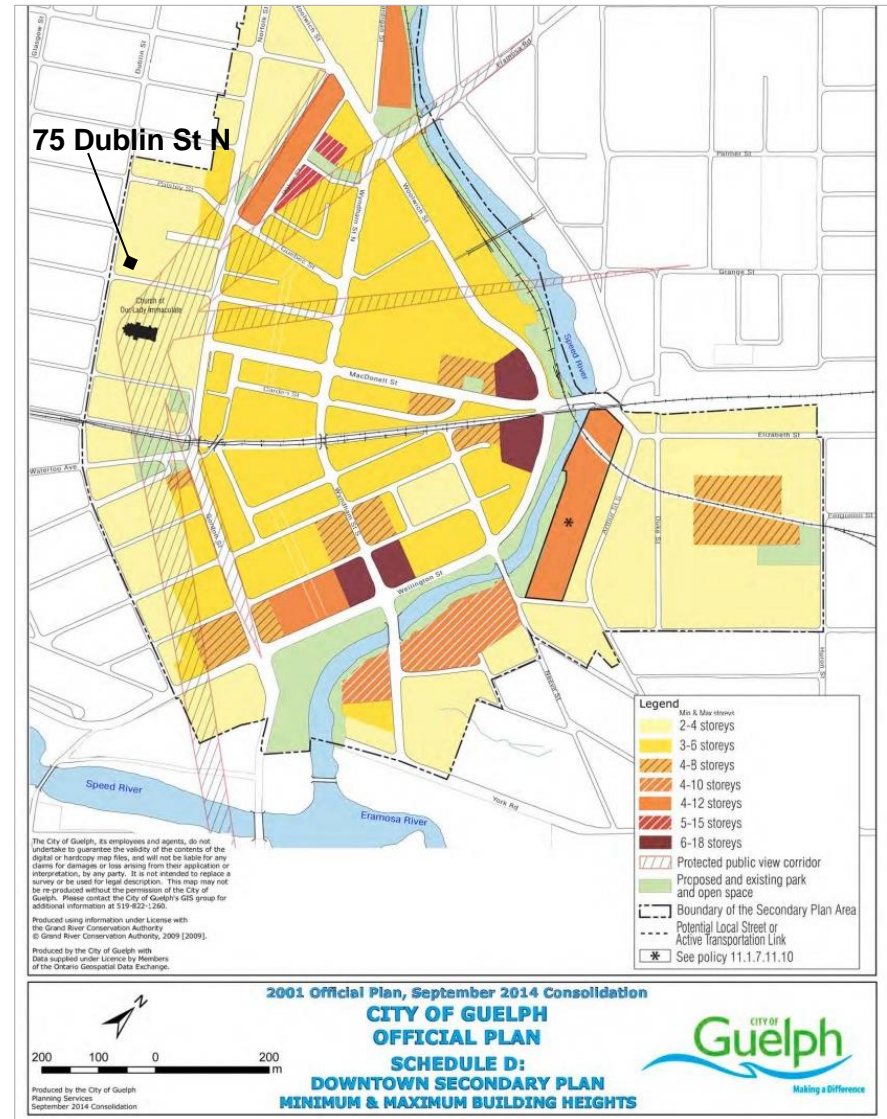
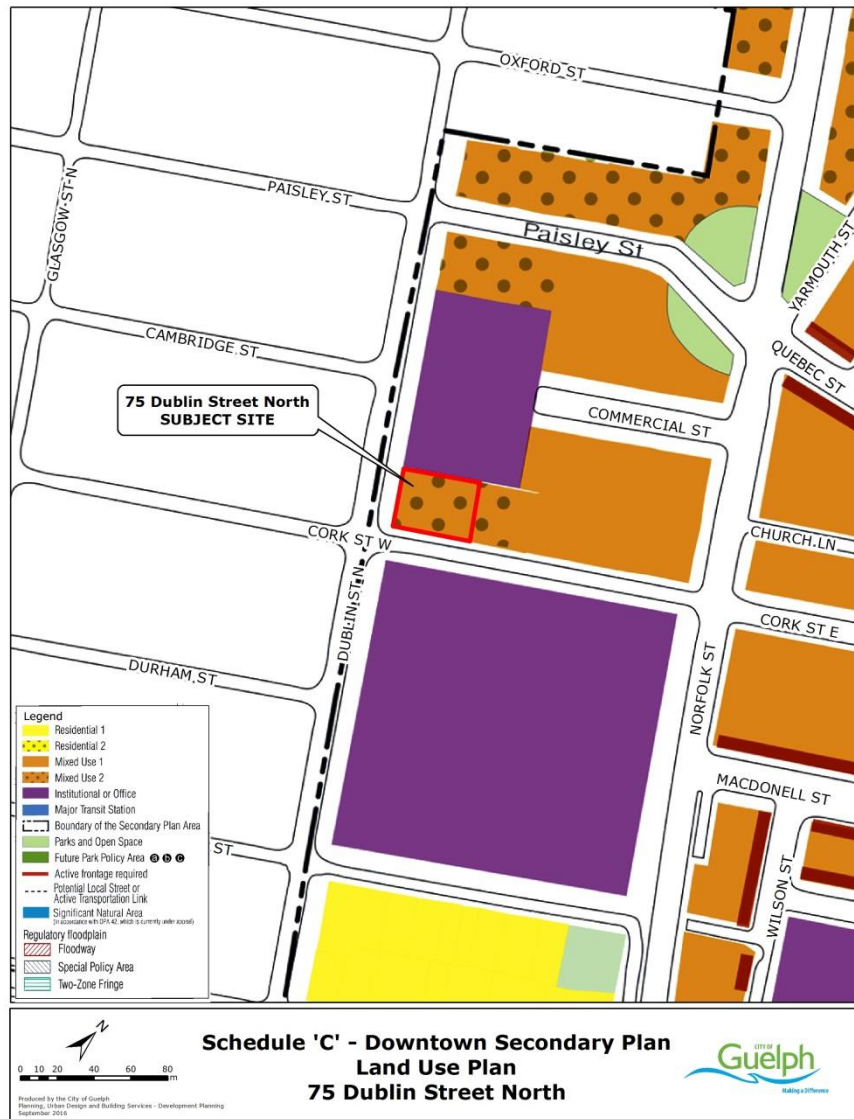
1. That staff be directed to bring forward the portion of the Downtown Zoning Bylaw related to 75 Dublin Street North to a November 2016 council meeting for a decision, in order to facilitate the required April 2017 building permit timing of the investment in affordable housing grant and that a public process be provided.
2. That staff be directed to initiate a site specific Official Plan Amendment for 75 Dublin Street North in order to facilitate the investment in Affordable Housing Grant.

Background

- September 2016 Property Owner's Proposal: 5 storey building, 37 dwelling units, parking reductions requested (submitted September 19)
- October 17, 2016 Statutory Public Meeting
- October 2016 Property Owner's Proposal: 5 storey building, 35 dwelling units, additional building stepbacks facing rear yard, all required parking provided (submitted October 24, 2016)
- October 27, 2016 – Open House hosted by property owner to provide additional details on the revised proposal

Official Plan Designation

Mixed Use 2 – Downtown Secondary Plan



Evaluation of OPA

The proposed OPA is to permit a building height of 5 storeys; whereas 4 storeys is currently permitted

Planning Staff Conclusion – this site is not an appropriate location for increasing building height

Location of the site at the edge of the urban growth centre, where transition to adjacent low density residential is appropriate

Concern regarding compatibility, especially related to the adjacent school and shadow impacts on the school property

Predominant character of the area is of low-rise buildings

Location of the site at a topographical high point

Current Zoning

I.1 (Institutional) Zone

- In place since 1995
- Permits a maximum building height of 4 storeys
- Uses permitted include:
 - Art gallery
 - Day care centre
 - Group home
 - Library
 - Museum
 - Outdoor sportsfield facilities
 - Religious establishment
 - School



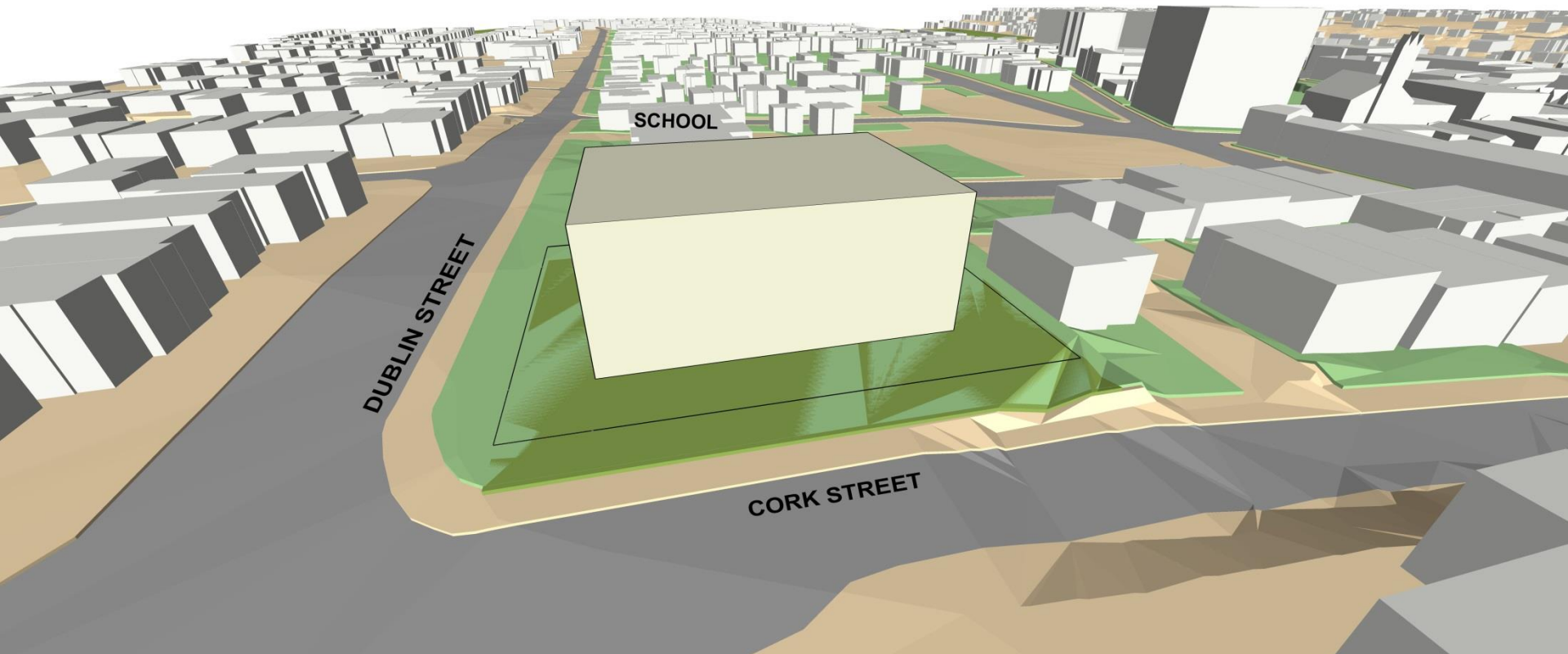
Property Owner's October Proposal

5 storey building with stepbacks facing streets and rear yard



I.1 (Institutional) Zoning

4-storey building with no building stepbacks required, larger front, side and rear yard setback requirements



Staff Recommended Zoning

4-storey building with stepbacks facing streets and rear yard



Staff Recommended Zoning

4-storey building with stepbacks facing streets and rear yard

COMPARISON OF NORTH ELEVATIONS



Staff Recommended Zoning

4-storey building with stepbacks facing streets and rear yard



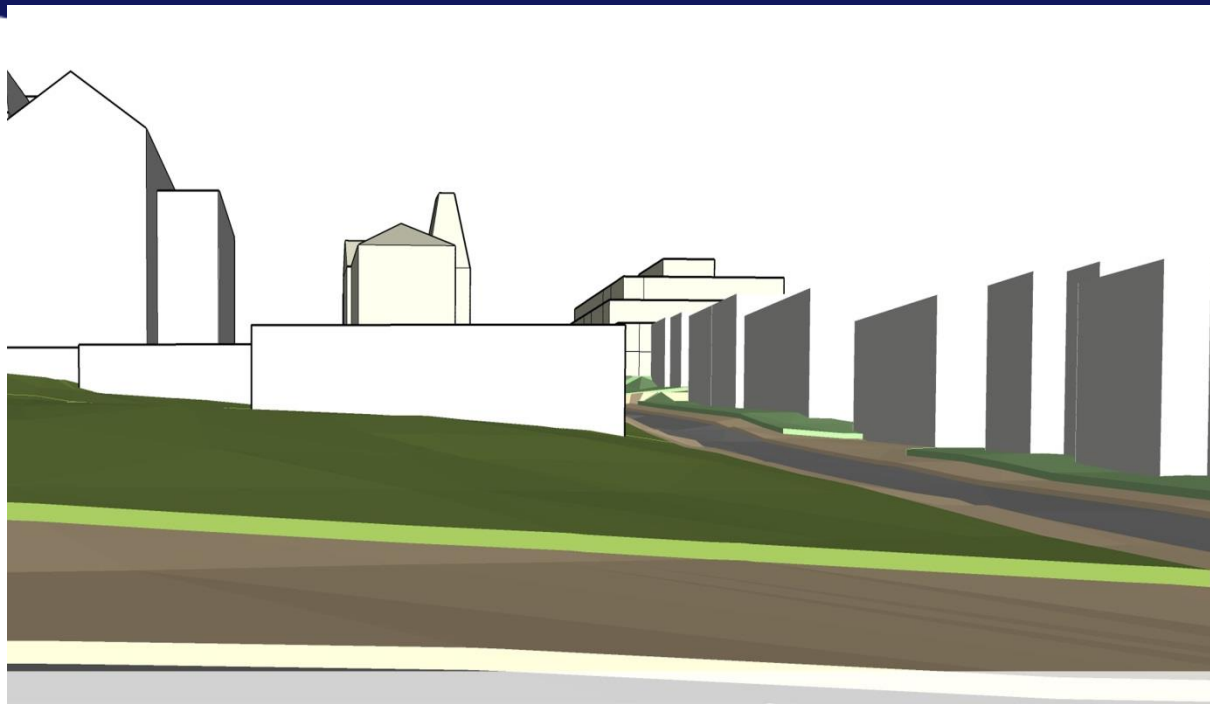
Staff Recommended Zoning

Shadow

- Policy 11.1.8.1.4 - 'minimization and mitigation of adverse shadow impacts'
- 2 common principles being used to evaluate shadow impacts based on guidelines from other municipalities
 - new net shadow above the permitted as-of-right zoning by-law
 - Adverse impact generally occurs the longer the shadow covers more than 50% of the school yard
- Rear play yard is partially shaded in December
- Front play yard is partially shaded in September/March
- Peace Garden is frequently shaded even by as of right zoning
- Solar Panels – some are shaded in December

Staff Recommended Zoning

Cultural Heritage



view from east side of
Norfolk St., between
Macdonell St. &
Cork St.

The purpose of the images is to show conceptual massing envelopes. Adjacent properties are shown conceptually for reference and contextual purposes only 13

Staff Recommended Zoning

Cultural Heritage – June Shadows in the evening



St. Agnes School Shadows
7:30 pm June 21

Staff Recommended Zoning

Cultural Heritage – June Shadows in the evening



Staff Recommended Zoning
Shadows
7:30 pm June 21

Staff Recommended Zoning

Cultural Heritage – June Shadows in the evening



**St. Agnes School Shadows
8:30 pm June 21**

Staff Recommended Zoning

Cultural Heritage – June Shadows in the evening



Staff Recommended Zoning
Shadows
8:30 pm June 21

Staff Recommended Zoning

Other Issues

- Overlook
- Details to be addressed through Site Plan Approval
 - Materials, articulation, landscaping
 - Lighting
 - Building entrance location
 - Waste collection
 - Mitigating construction impacts
- Potential land swap/green space/park
- Traffic/Intersection sightlines/Kiss and Ride on Dublin
- Parking
- Wind Analysis
- Community Energy Initiative

1. That the City-initiated Official Plan Amendment for 75 Dublin Street North to permit a maximum building height of five (5) storeys; whereas a maximum of four (4) storeys is currently permitted be refused
2. That the proposed Zoning By-law Amendment from the I.1 (Institutional) Zone to a modified D.2-9 (Downtown) Zone be approved in accordance with the zoning regulations and conditions outlined in ATT-2 of Report 16-85.
3. 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 revision to the Downtown Zoning By-law Amendment as it pertains to 75 Dublin Street North.

75 Dublin Street North

Heritage Impact Assessment

Visual Impact

75 Dublin Street North

CONTEXT

- No heritage resources on the property
- Adjacent heritage resources are “listed, non-designated” buildings across Cork Street on Basilica of Our Lady Immaculate lands, and residences across Dublin Street
- Basilica of Our Lady Immaculate lands (sometimes referred to as “Catholic Hill”) are a cultural heritage landscape, although not listed or designated as such
- No “protected” (by legislation) adjacent heritage resources – the Basilica of Our Lady Immaculate is designated a National Historic Site which recognizes, rather than protects it

75 Dublin Street North

HERITAGE IMPACT ASSESSMENT

Adverse heritage impacts per the *Ontario Heritage Toolkit*

- *Destruction of any, or part of any, significant heritage attributes*
- *Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance of the heritage resource;*
- *A change in land use that affects the property's heritage value;*
- *Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect a heritage resource;*
- *Isolation of a heritage attribute from its surrounding environment, context or a significant relationship*

Criteria oriented to alteration of an on-site heritage resource which doesn't exist – no impact

75 Dublin Street North

Adverse heritage impacts per the *Ontario Heritage Toolkit*

- *shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden*

the proposed building will cast a shadow on the vacant St. Agnes School from 7:30PM EDT to sunset (9:03PM), and on a portion of St. Agnes School and the Civic Museum from 8:00PM to sunset and on a portion of the Basilica from 8:30PM to sunset on June 21st. From 6:00PM EST to sunset (7:30PM) on March 21st, the proposed building casts a shadow on a portion of St. Agnes School and the Civic Museum. St. Agnes School casts similar shadows on the Civic Museum and the Basilica. No other cultural heritage resources are affected at any time during the year and shadowing is limited to the times and periods noted – not considered a significant impact

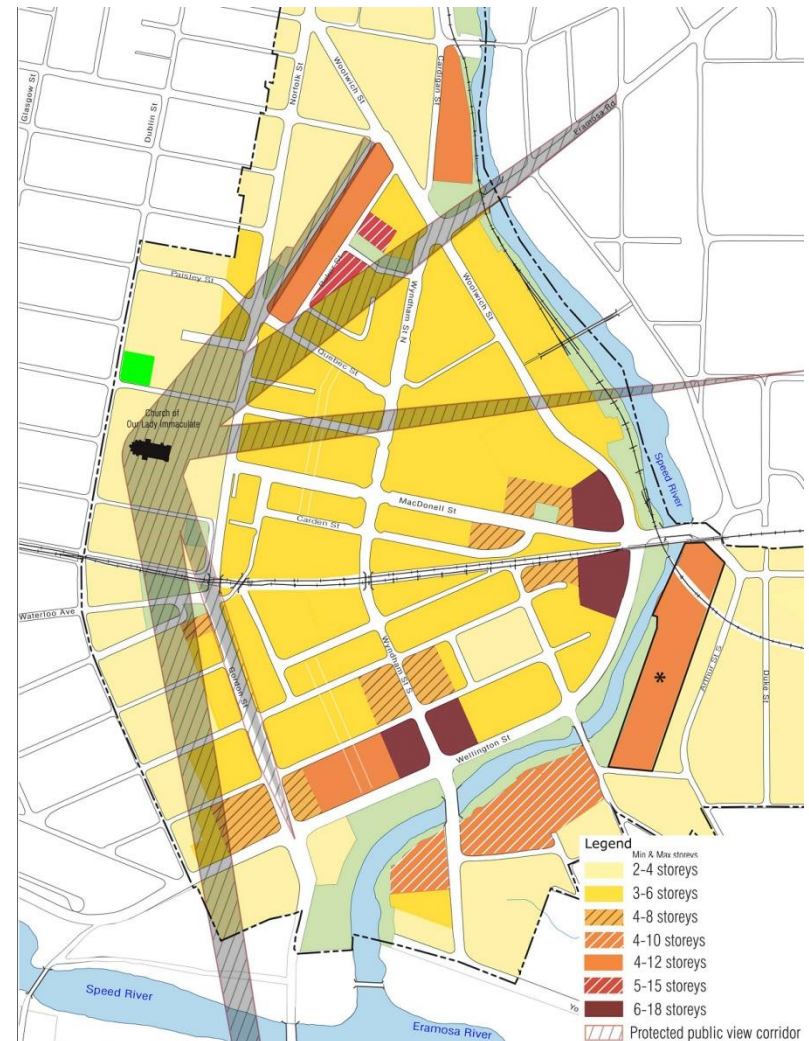
75 Dublin Street North

Adverse heritage impacts per the *Ontario Heritage Toolkit*

- *Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features*

The significant views and vistas to the Basilica of Our Lady Immaculate are protected by the City of Guelph Official Plan, Schedule D of the Downtown Secondary Plan

The subject property is in the 2-4 storey height range and is not in the “protected public view corridor”

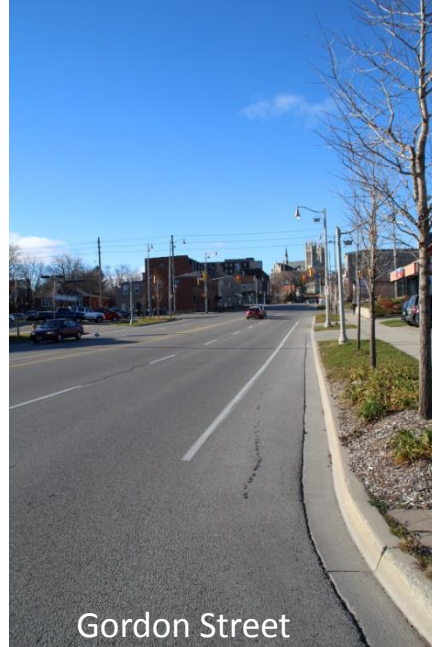


75 Dublin Street North

PROTECTED VIEWS



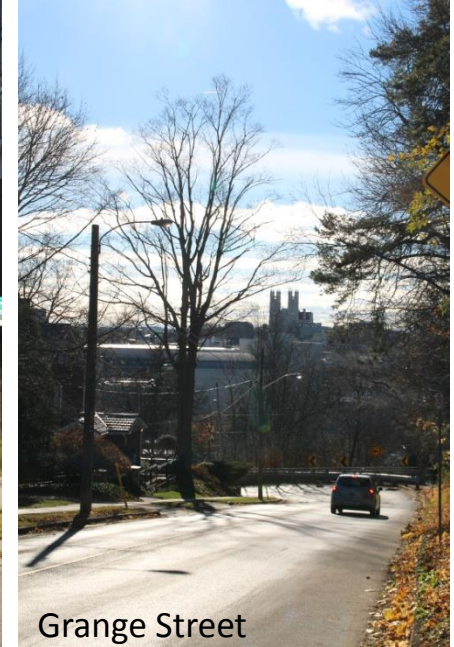
Yarmouth Street



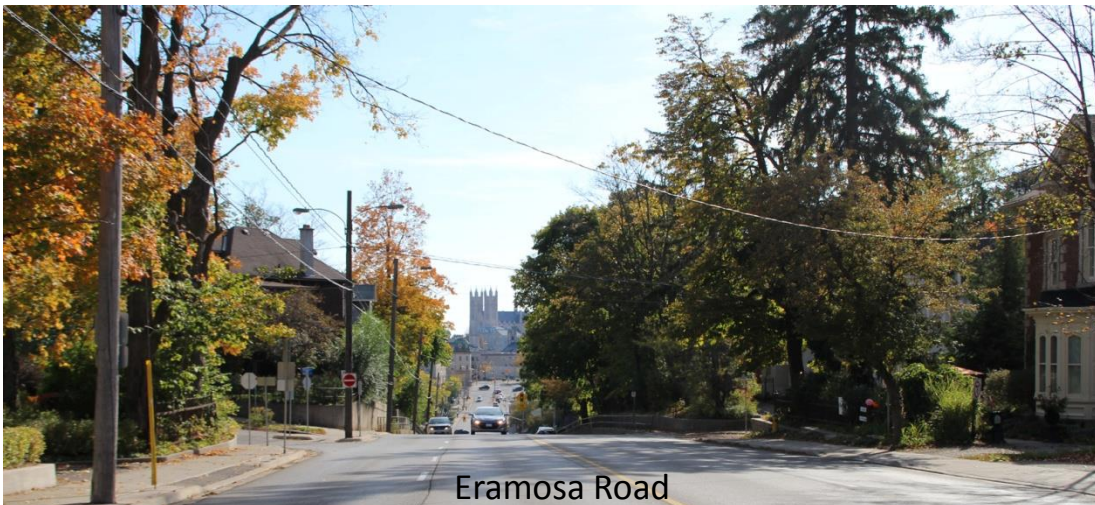
Gordon Street



Gordon Street



Grange Street

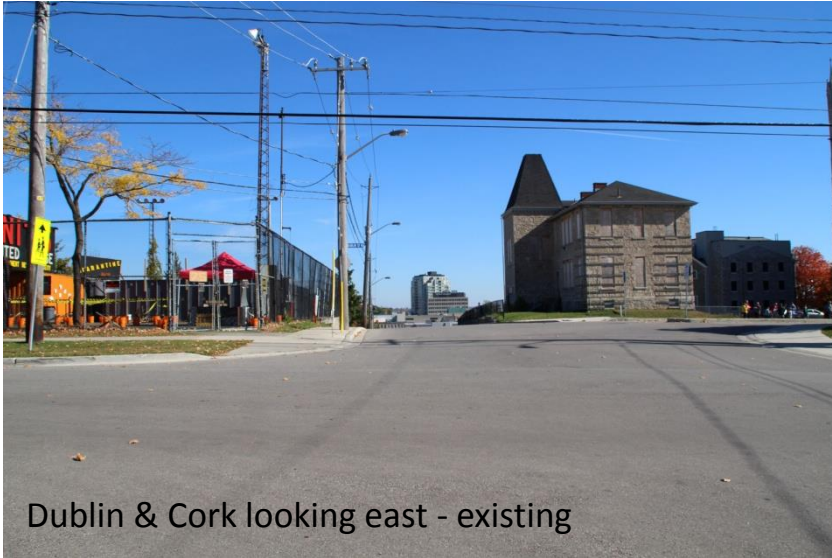


Eramosa Road

The subject property is not within the protected views.

75 Dublin Street North

NEIGHBOURHOOD VIEWS



Dublin & Cork looking east - existing



Dublin & Cork looking east - proposed



Dublin St Central School looking southeast - existing



Dublin St Central School looking southeast - proposed

75 Dublin Street North

VIEWS FROM DOWNTOWN



from Cork and Norfolk - existing



from Cork and Norfolk - proposed



from Paisley/Quebec & Norfolk - existing



from Paisley/Quebec & Norfolk - proposed

75 Dublin Street North

VIEWS FROM DOWNTOWN



75 Dublin Street North

HISTORIC VIEWS

Macdonell & Norfolk 1975 - GPL



Macdonell & Norfolk 2016



Central School



c. 1880s? - GPL

75 Dublin Street North

CONCLUSION

The proposed development will not have a negative impact on the heritage attributes of the Basilica of Our Lady Immaculate and the cultural heritage landscape of “Catholic Hill”. There is no adverse impact on cultural heritage resources.

The property is not within any of the identified protected public view corridors and there is no direct or indirect obstruction of significant views or vistas within, from, or of adjacent built and natural features.

A Sense of Place

Alien
Object

Guelph's chief branding is as a community with real pride in its heritage. Catholic Hill is the central element in that image. (Gil Stelter, November 20, 2016)



Public workshop: Creating Guelph's
Urban Design Manual

Not many churches like this outside of Europe. You would not expect to see this in most cities, especially in a smaller centre like Guelph. Do not miss this if you are in the area. In fact if you are within the S. Ontario region, make the trip....

Makes you feel like you're in Europe!"

It's quite a visible landmark and very accessible if you're shopping or dining downtown. The hillside is nicely landscaped, and the church itself is absolutely gorgeous. Glad to have seen it!

“Eye Popper !!”

The Church of Our Lady Immaculate stands majestically overlooking the city of Guelph, Ontario. The people of this fair city are extremely proud of this stunning Basilica

127 reviews - Trip Advisor

The church of our lady is visible from every major road entering the city, sitting high atop the hill in the centre of town... very pretty and a nice landmark, even for the non-religious!

It is a major city landmark and an important piece of Canadian architecture.

Catholic Hill under attack



Alien
Object

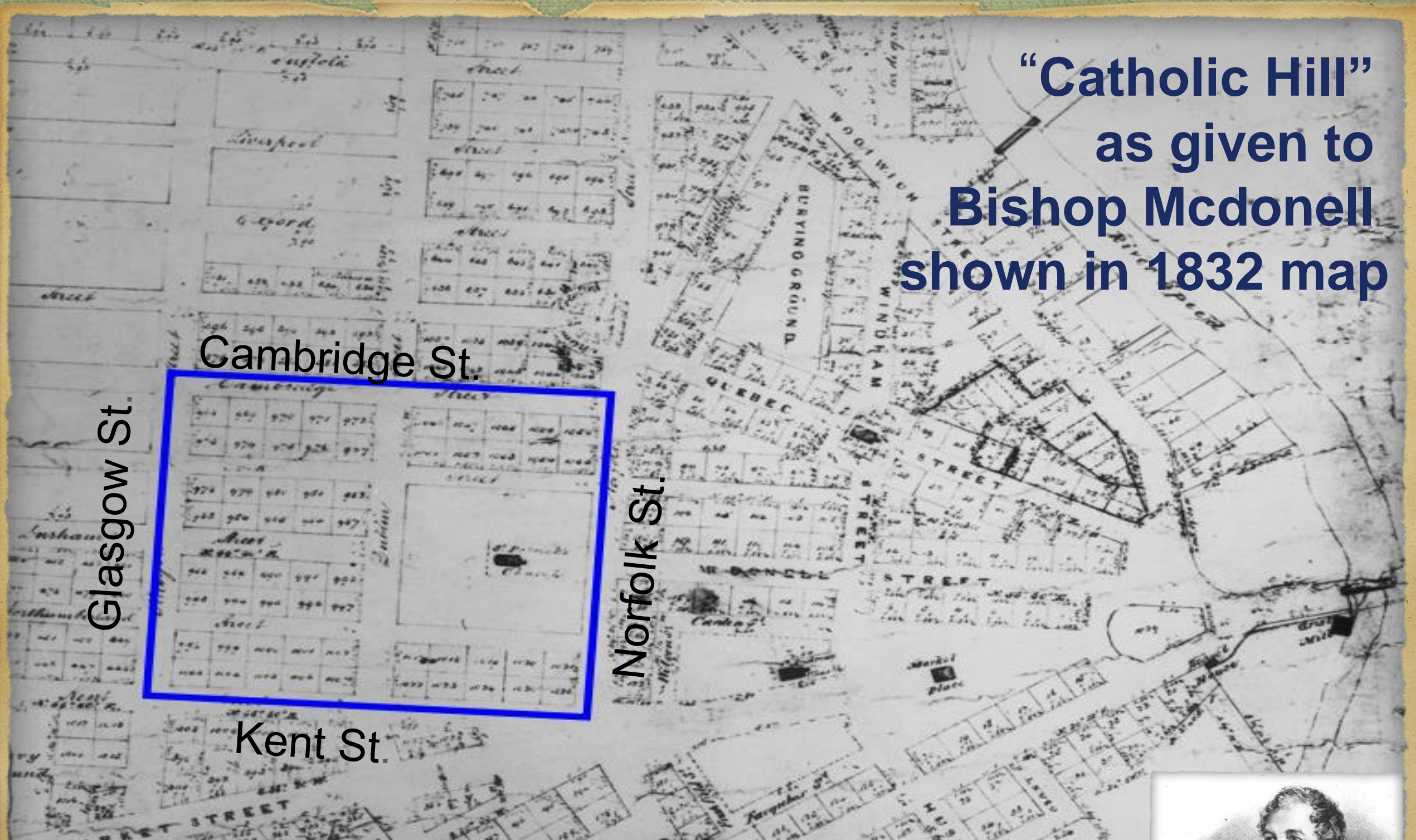
Catholic Hill c1855

What is “Catholic Hill?”

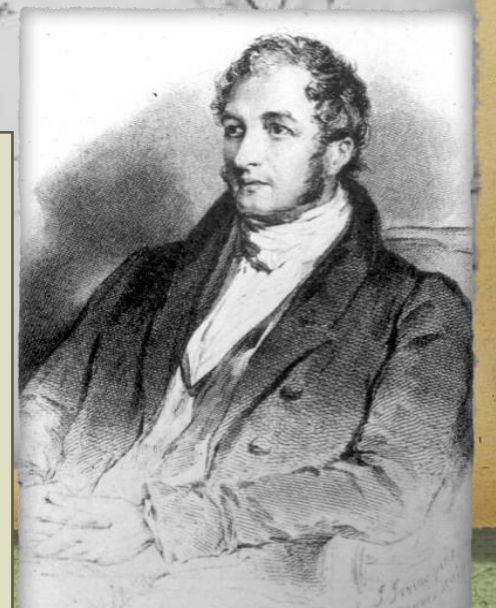


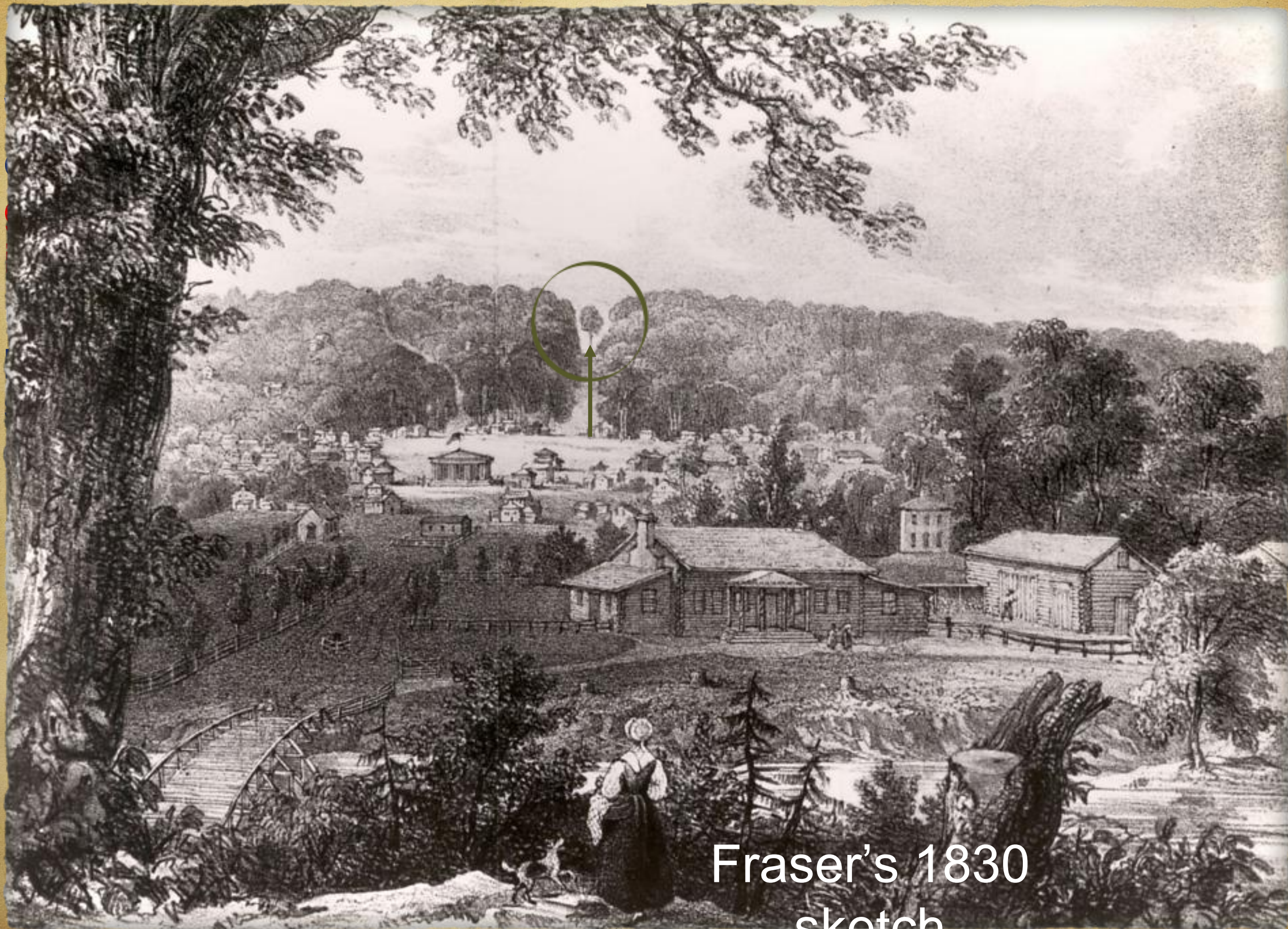
the site 2002

**“Catholic Hill”
as given to
Bishop McDonnell
shown in 1832 map**



In a letter to a friend in 1827, Galt referred to “a popish church... about twice the size of St. Peter’s at Rome is one day to be built here (the site was chosen by the Bishop).”





Fraser's 1830
sketch

Church of our Lady, Canadian National Historic Site, 1990

- ❖ Character –defining elements
- ❖ Its prominent siting at the top of a hill overlooking the city;
- ❖ Viewscales to and from the church and the city
- ❖ City of Guelph, “Rose window” by-law, 1975
- ❖ The character of Guelph should be preserved by encouraging lower profile redevelopment projects.

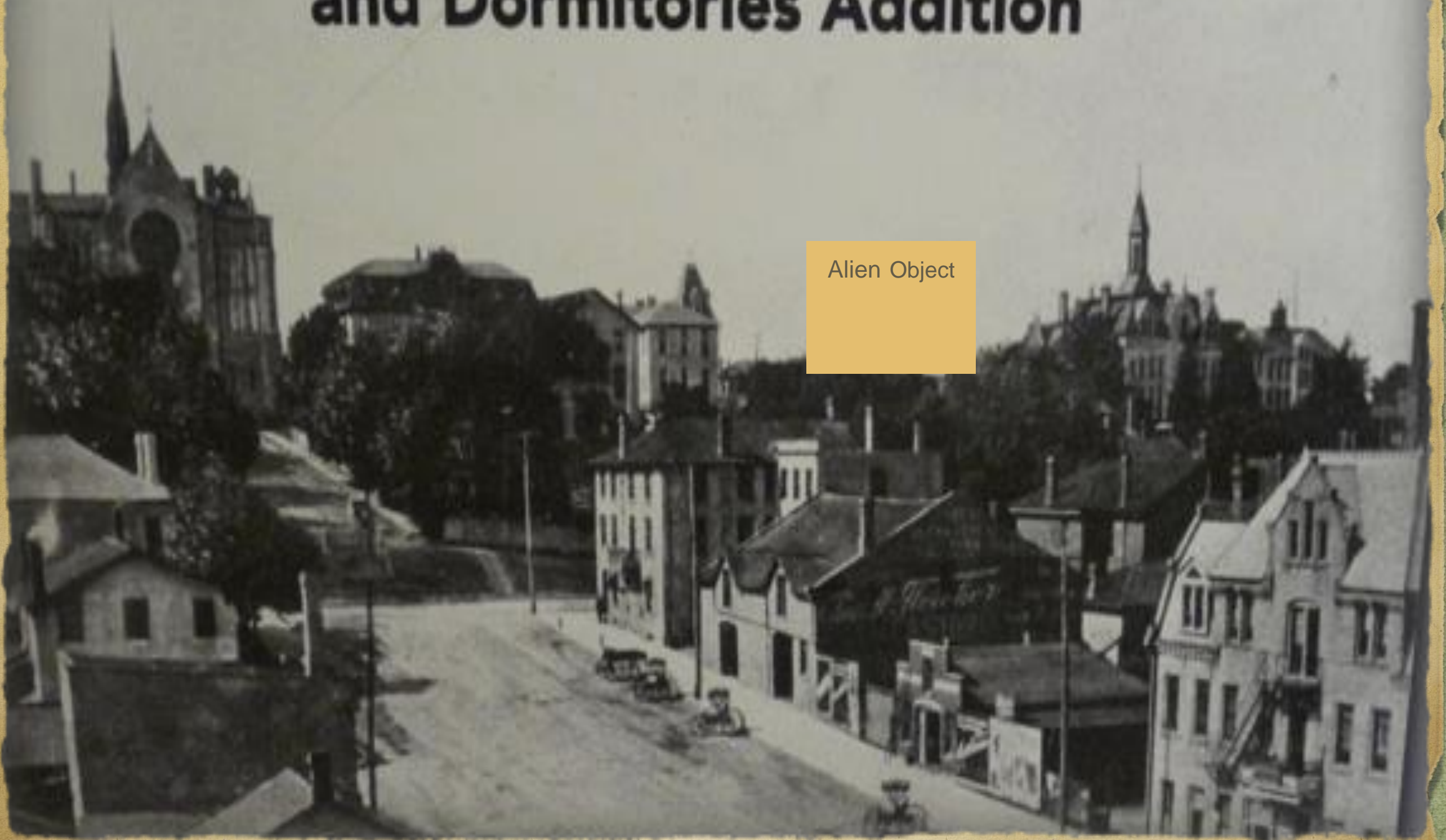
(Mercury article)



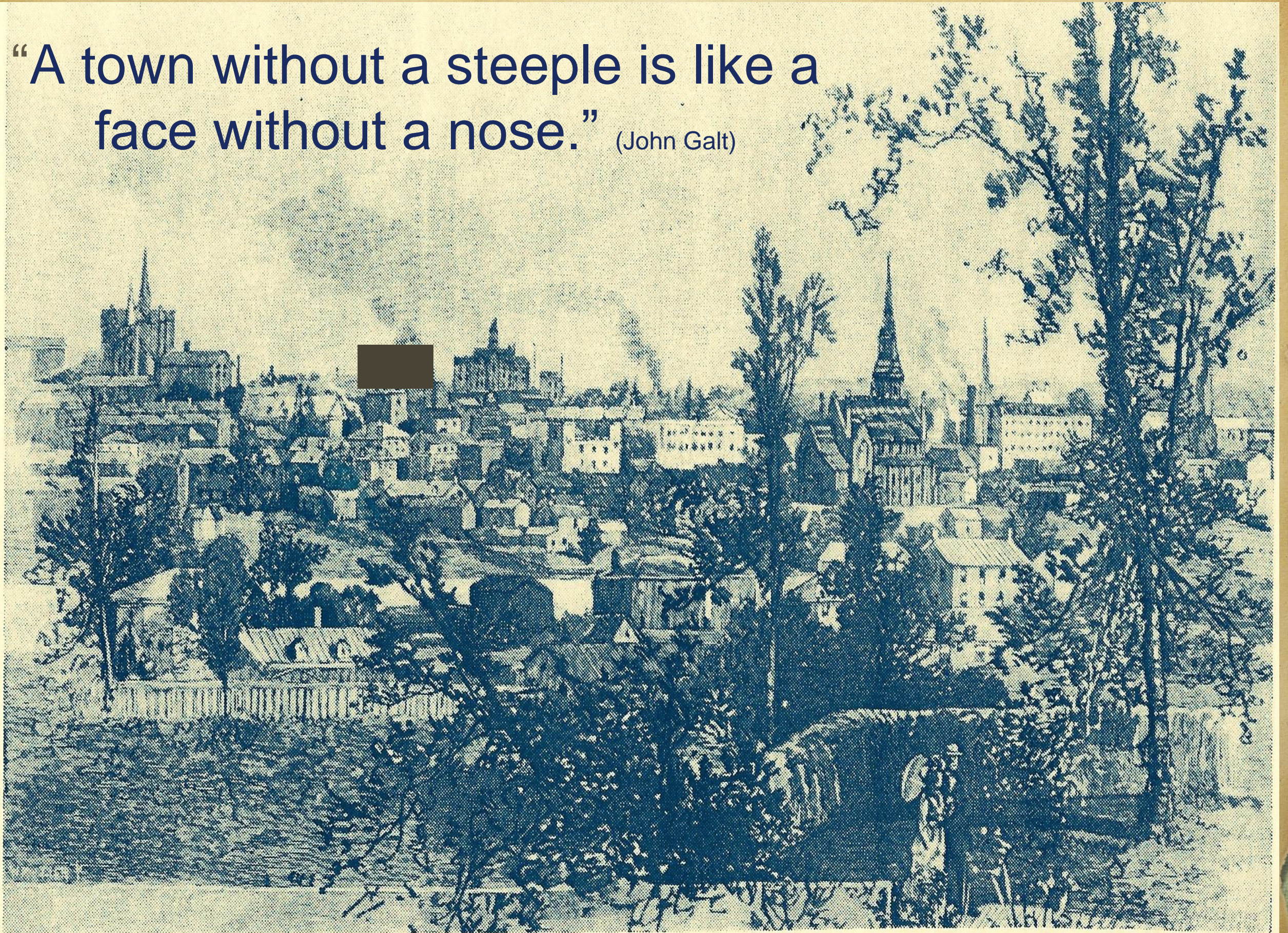
View from Summerhill, c1890

1872 Chapel, Assembly Hall and Dormitories Addition

Alien Object



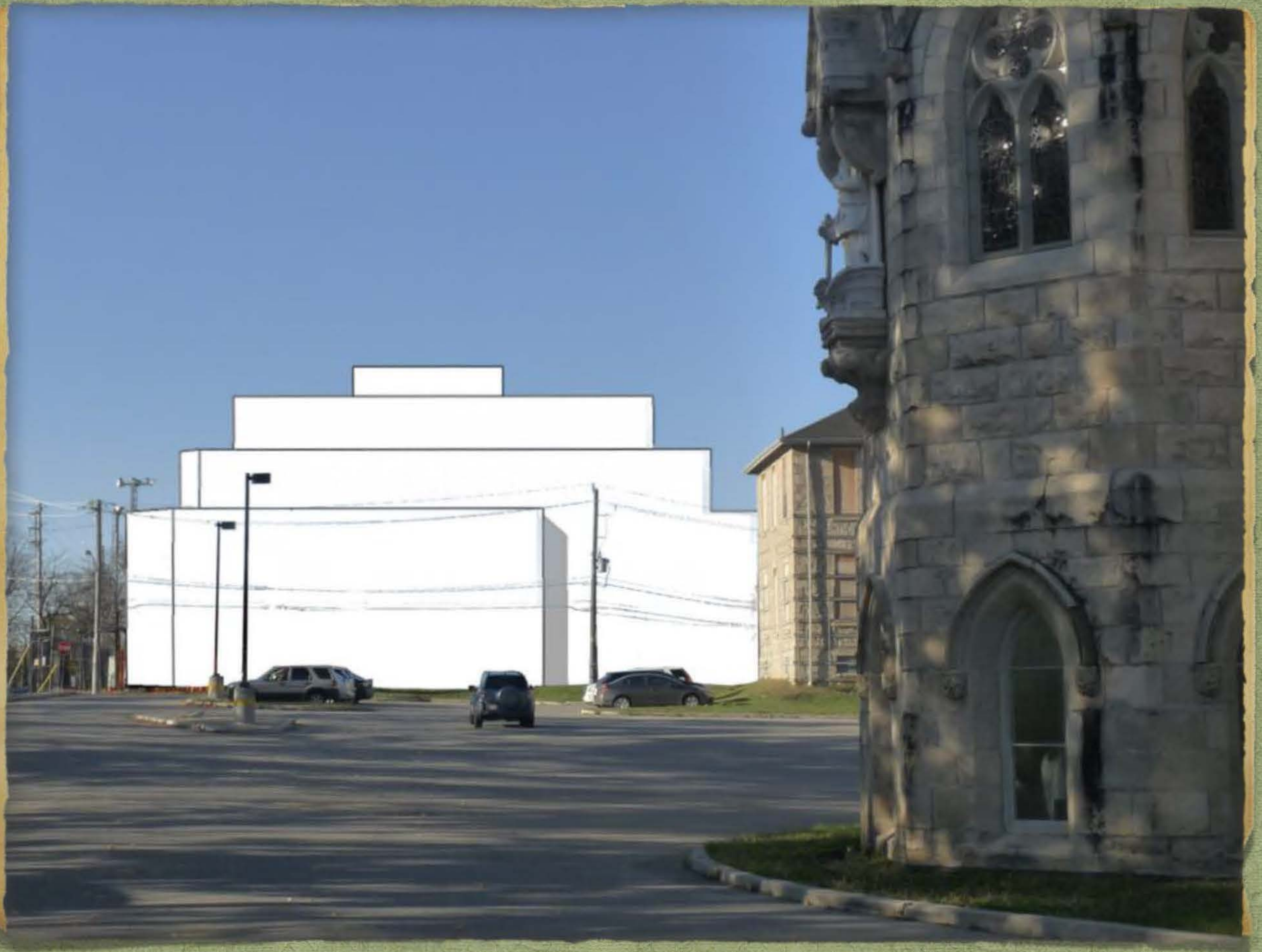
“A town without a steeple is like a
face without a nose.” (John Galt)



What do visitors see now?
and
What will they see
if the condo is built?

**Bus tours, visitors, Church
members and guests
– for masses, tours, concerts,
Diocesan celebrations,
weddings and funerals
10,000 – 20,000 per year**





From
the Museum,
door and glass box





Guelph Civic Museum



PLAY IN GUELPH



GUELPH'S NEWEST PUBLIC SPACE

Project: Civic Museum
Location: Guelph
Opening: 2016

The space will be a mix of open areas for play, art, and community events. It will be a place where people can come together and enjoy the outdoors. The space will be designed to be inclusive and accessible to everyone.

EVENTS

- Tiny Tots**
FIRST THURSDAY OF THE MONTH 10:00 A.M.
- Fourth Fridays**
FREE ADMISSION AFTER 5 P.M.
FREE CONCERT AT 7 P.M.
- John Galt Day**
SATURDAY, JULY 26
- Culture Days**
SEPTEMBER 30 - OCTOBER 1
- Harvest Tea**
SUNDAY, OCTOBER 22

EXHIBITIONS

- Local Fashion**
TUESDAY, SEPTEMBER 12
- Kate Dantley**
Five Decades
OPENING NOVEMBER 10

Guelph 2016

The real view corridor?



The site's location at a **topographical high point** within the City. . .

The site sits high from a geodetic elevation perspective.

Skyline impacts are not typically an issue for a 4-storey building, however **75 Dublin Street North sits at a high elevation and will be visible from a distance.** Furthermore, this property is adjacent to low density residential areas which are low rise in character. Limiting the height on this site will help ensure compatibility to buildings in the area.

. . . the Board (OMB) finds the proposed building to fail in its consideration of the unique heritage conditions around it: **the building functions in isolation of its surroundings without appropriate regard for its immediate context, especially for the immediate heritage context**; and it overwhelms and subordinates the physical attributes of these much smaller buildings with little or no regard for the cultural heritage therein. (OMB case #141140, Dec. 23, 2015)

Listed properties: 40,70, 74, 77, 78/80, 84 Dublin Street, 63, 66 Cork Street; 1/3,5/7, 9, 11, 13, 14, 18 Cambridge

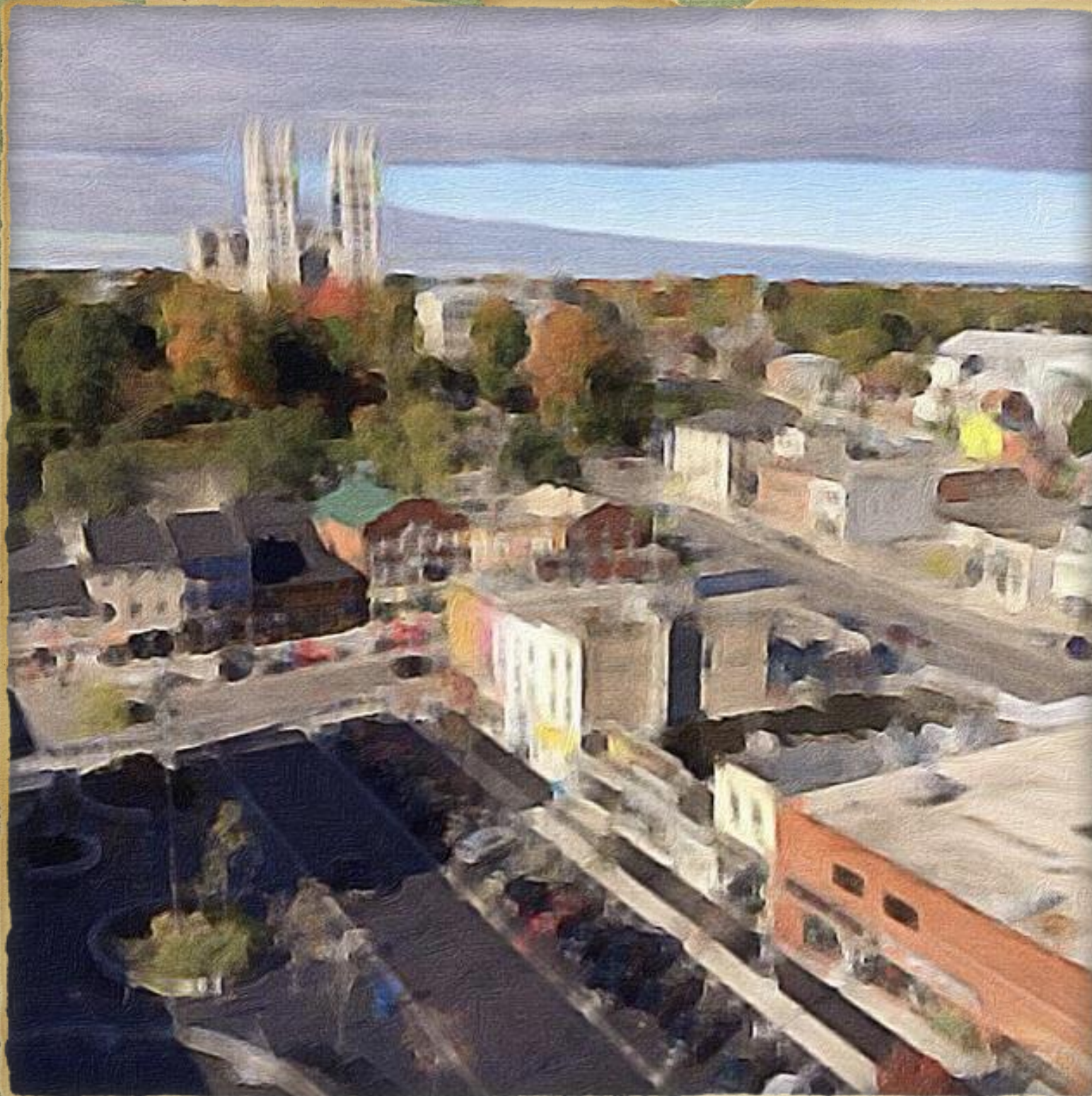




Designated properties:

57/59 Cork St,
24 Cambridge,
66 Paisley, 74 Paisley, 83 Paisley





The physical location of a heritage place of worship, and how it relates to its immediate environment produces, over time, a sense of place, sometimes referred to as the “spirit of a place” based on personal, social, cultural and ancestral relationships.

*(Heritage Places of Worship,
Ontario Heritage Toolkit, p.7)*

Our view, our brand,
our unique Sense of Place



Stop development at 75 Dublin

Presentation to Guelph City Council
Nov. 28th, 2016




Central School play yard









Those most impacted by this decision [the kids] don't have a voice at Council; they wanted to express their real fears and concerns:

- Large building overshadow their school experience.
- Construction, dust, heavy machines will be distracting.
- So cold all winter with the building blocking the sun.
- All the plants will die.
- Safety concerns with traffic/construction.

CENTRAL SCHOOL CHILDREN SPEAK OUT

https://www.youtube.com/watch?v=AglezdRvgTM&feature=player_embedded

Stop development at 75 Dublin

- 90% of the body's Vitamin D is produced when sunlight hits the skin; Low Vitamin D is associated with decreased cognitive function.
- Sunlight also regulates our children's mood.
- Is it not our children's right to be healthy and happy?





Please vote today, to:

1. Oppose the 5-storey proposed condo tower AND the 4-storey staff-recommended tower; and
2. Support the idea of a land swap to provide the children of Central Public School with more green space.



November 22, 2016

Project No. 1227

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

Via email only.

Attention: Mayor Cam Guthrie and Members of Council

**Re: Council Meeting November 28, 2016 (CON-2016.63)
Investment in Affordable Housing Grant
City-initiated Official Plan Amendment No. 65 (OP1603)
Downtown Zoning Amendment D.2-9 (ZC1612)
Rykur Holdings Inc. - 75 Dublin Street North, Guelph**

On August 18, 2016 Rykur Holdings Inc. applied for an Investment in Affordable Housing (IAH) grant and was awarded this funding on September 1, 2016. Rykur Holdings Inc. has reviewed the recommendations and Staff Report Number 16-85 and is appreciative of the professional review and opinions expressed within this report. However, in order to maintain the proposal for 20 affordable senior rental units including 4 barrier free units selected to receive the Investment in Affordable Housing (IAH) funding, Council is being requested to support the "October 2016" Property Owner's proposal with 35 units in total and 5 storeys. Council is respectfully requested to approve the following motion;

1. That the City initiated Official Plan Amendment No. 65 (OP1603) for 75 Dublin Street North to permit a maximum building height of five (5) storeys; whereas a maximum of four (4) storeys is currently permitted be **approved**.
2. That the proposed Zoning By-law Amendment from the I.1 (Institutional) Zone to the D.2-9 (Downtown) Zone be **approved** as part of the Downtown Zoning By-law Amendment as it pertains to the land municipally known as 75 Dublin Street North in accordance with the zoning regulations appended to the applicant's letter dated November 21, 2016.
3. 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 revision to the Downtown Zoning By-law Amendment as it pertains to 75 Dublin Street North.

The D.2-9 zoning proposed herein differs from City staff's recommendation found on page 6 of the staff report as indicated by red text below;

- a. A minimum front yard and exterior side yard setback of 3 m;
- b. A minimum side yard setback of 3m;
- c. A minimum rear yard setback of 3m for the first three storeys of any building where required stepbacks are provided and where all required parking spaces are provided in an underground parking area;
- d. A minimum stepback facing a street (Dublin St. N. and Cork St. W.) shall be 3m for the 4th storey, as measured from the building face of the 3rd storey and 6m for the 5th storey, as measured from the building face of the 3rd storey;
- e. A minimum stepback facing a rear yard (adjacent to 33 Cork St. W.) shall be 3m for the 4th storey, as measured from the building face of the 3rd storey and 6m for the 5th storey, as measured from the building face of the 3rd storey;
- f. A minimum stepback of 5m for any rooftop mechanical equipment, elevator or stairway penthouse on all sides;
- g. No overlook from any outdoor amenity space (including rooftop areas, terraces and balconies) to the north (ie. Central Public School property) shall be permitted;
- h. Parking may be provided by way of an 'Automated Parking System';
- i. A maximum average building storey height of 3.2m; and,
- j. A maximum geodetic elevation of 365m caps the maximum building height including the mechanical penthouse.

It is my professional planning opinion that the City-initiated Official Plan Amendment No. 65 (OP1603) and the amendment D.2-9 (Downtown) Zoning By-law (ZC1612) pertaining to 75 Dublin Street North (both as appended to this letter) permitting 5 storeys, a total of 35 units (20 affordable senior rental units including 4 barrier free units) is consistent with the Provincial Policy Statement 2014, in conformity with the Provincial Growth Plan, meets the goals and objectives of the Guelph Official Plan inclusive of the Downtown Secondary Plan, ensures that future development of the site will be sympathetic to the surrounding neighbourhood, is compatible with the built form of existing land uses, is in the public interest, represents good planning and should be approved.

Yours truly,



Astrid Clos, RPP, MCIP

cc: Stacey Laughlin, City of Guelph
Melissa Aldunate, City of Guelph
Todd Salter, City of Guelph
Tom Lammer, Rykur Holdings Inc.

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2016) – _____

A by-law to amend the Official Plan for the City of Guelph as it affects property known municipally as 75 Dublin Street North and legally described as Lot 1051 and Part of Lot 1052, Registered Plan 8, City of Guelph (OP1603).

WHEREAS the Official Plan of the City of Guelph was adopted November 1, 1994 and approved December 20, 1995 pursuant to s. 17 of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

AND WHEREAS Section 21 of the *Planning Act*, R.S.O. 1990, c. P13, as amended, provides that a municipality may, by by-law, amend an Official Plan;

AND WHEREAS after giving of the required notice, a Public Meeting was held on December 8, 2014 pursuant to s. 17(15)(d) of the *Planning Act*, R.S.O. 1990, c. P13, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. Amendment Number 65 to the Official Plan for the City of Guelph, as amended, consisting of the attached mapping (Schedule A) is hereby adopted.
2. Where notice of this by-law is given in accordance with the Planning Act, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the regulations, no part of this by-law shall come into effect until all of such appeals have been finally disposed of by the Ontario Municipal Board.

PASSED this 28 day of NOVEMBER, 2016.

CAM GUTHRIE - MAYOR

STEPHEN O'BRIEN - CITY CLERK

**EXPLANATION OF PURPOSE AND EFFECT AND
KEY MAP FOR BY-LAW NUMBER (2016)–20010**

1. By-law Number (2016)- _____ has the following purpose and effect:

The purpose of By-law (2016)- _____ is to authorize an amendment to the Official Plan to modify Schedule 1, “Land Use Plan”.

The proposed Official Plan Amendment, to be known as Official Plan Amendment No. 65 (OPA 65) would add a special policy applicable to the property municipally known as 75 Dublin Street North and legally described as Lot 1051 and Part of Lot 1052, Registered Plan 8, City of Guelph within the “Mixed Use 2 Areas” land use designation.

Schedule D: Downtown Secondary Plan Minimum & Maximum Building Heights permits a maximum building height of 4 storeys. The proposed building height of five (5) storeys exceeds the maximum building height currently permitted by the Official Plan. Therefore at its meeting September 12, 2016 Council directed staff to initiate a site specific Official Plan Amendment for 75 Dublin Street North in order to facilitate the Investment in Affordable Housing Grant to permit a 5 storey building.

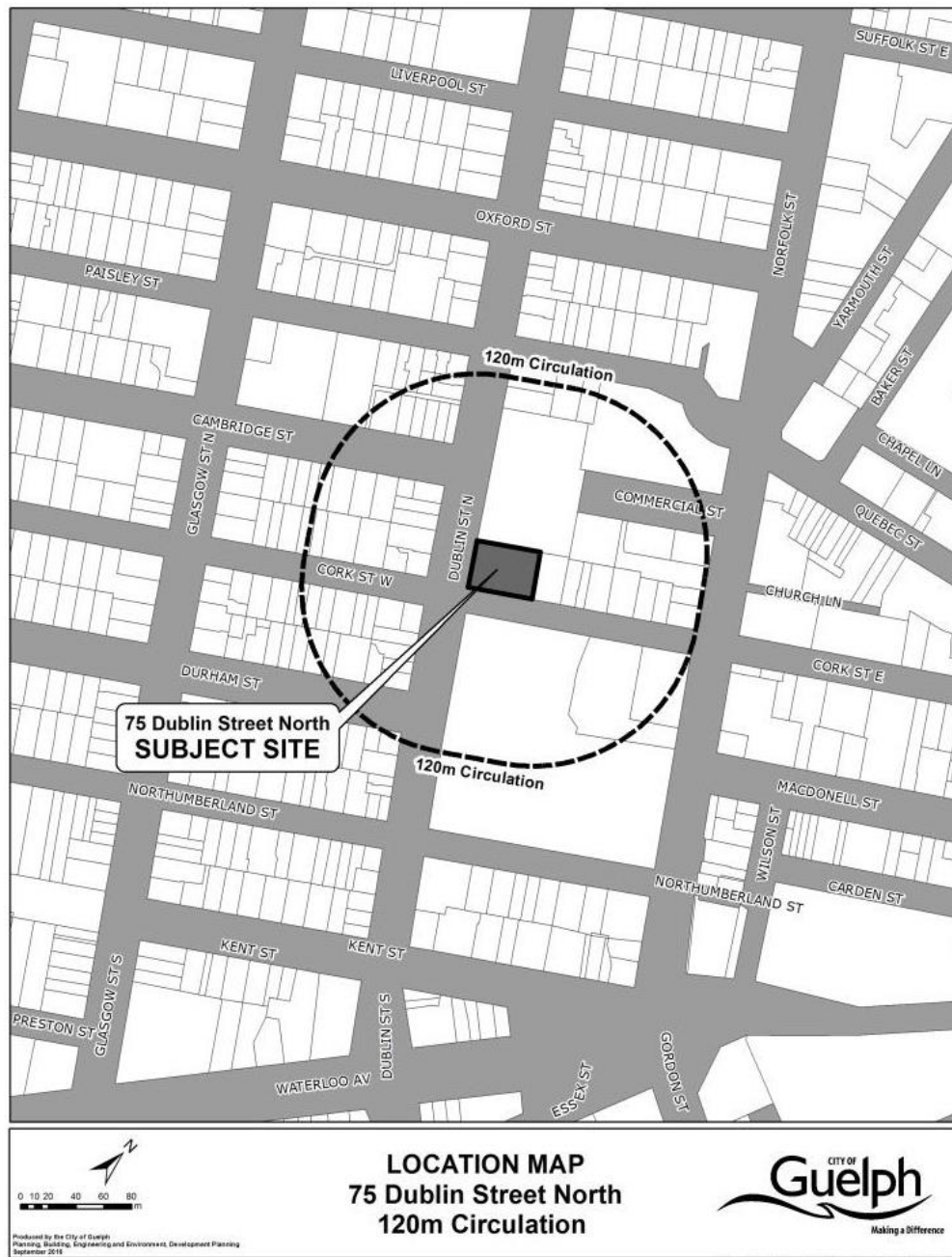
OPA No. 65, as proposed, was considered by Guelph City Council at a Public Meeting held on October 17, 2016 and was approved by Guelph City Council on November 28, 2016.

Further information may be obtained by contacting or visiting Planning, Urban Design and Building Services, 519-837-5616, extension 2790, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this Official Plan Amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing". Any comments or objections which you may have previously submitted are considered to have been unofficial and for the City's guidance only.

2. Key map showing the location of the lands to which By-law (2016)- _____ applies:

KEY MAP



AMENDMENT NO. 65

TO THE

OFFICIAL PLAN

FOR THE CITY OF GUELPH

AMENDMENT NO. 65 TO THE OFFICIAL PLAN FOR THE CITY OF GUELPH

PART A - THE PREAMBLE The Preamble contains the rationale and certain background information in support of the amendment. The Preamble does not form part of this amendment.

PART B - THE AMENDMENT consists of the specific text changes introduced to the Official Plan for the City of Guelph through the Amendment.

PART C - THE APPENDICES, contains background data and public involvement associated with this amendment, do not constitute part of Amendment No. 65 to the Official Plan for the City of Guelph.

PART A - THE PREAMBLE

PURPOSE

The purpose of Official Plan No. 65 is to amend the Official Plan text by adding a site-specific height policy to a 0.15 hectare site known as All of Lot 1051, Part of Lot 1052, Registered Plan 8, City of Guelph at the property municipally known as 75 Dublin Street North. Specifically, the amendment is to Section 11.1 of the Official Plan (Downtown Secondary Plan) and will add the following policy:

“11.1.7.4.5 Notwithstanding Schedule D, within the Mixed Use 2 designation at 75 Dublin Street North, the maximum height permitted shall be 5 storeys. The fifth storey shall be setback a minimum of 9 m from the street lines of Dublin Street North and Cork Street West.”

LOCATION

The subject lands affected by this proposed amendment are on lands known municipally as 75 Dublin Street North located east of Dublin Street North and north of Cork Street West, south of Paisley Road, west of Gordon Street. Specifically, the proposed amendment applies to a 0.15 hectare site known as All of Lot 1051, Part of Lot 1052, Registered Plan 8, City of Guelph (see detailed Location Map below).



BASIS

The Official Plan land use designation applicable to the subject site is “Mixed Use 2”. The “Mixed Use 2” land use designation permits different forms of residential development, including multiple unit apartment buildings along with other uses including commercial and office uses.

Currently Schedule D of the Downtown Secondary Plan indicates that the maximum building height for the property is four storeys. The proposed building height of five (5) storeys exceeds the maximum building height currently permitted by the Official Plan. Therefore at its meeting September 12, 2016 Council directed staff to initiate a site specific Official Plan Amendment for 75 Dublin Street North in order to facilitate the Investment in Affordable Housing Grant to permit a 5 storey building.

The City-initiated Official Plan Amendment No. 65 (OP1603) pertaining to 75 Dublin Street North permitting a total of 35 units (20 affordable senior rental units including 4 barrier free units) is consistent with the Provincial Policy Statement 2014, in conformity with the Provincial Growth Plan, meets the goals and objectives of the Guelph Official Plan inclusive of the Downtown Secondary Plan, ensures that future development of the site will be sympathetic to the surrounding neighbourhood, is compatible with the built form of existing land uses, is in the public interest and represents good planning.

PART B - THE AMENDMENT

All of this section entitled “Part B – The Amendment,” constitutes Amendment No. 65 to the Official Plan for the City of Guelph.

Details of the Amendment

The Official Plan for the City of Guelph is amended as follows:

The following site-specific policy is to be added as Section 11.1.7.4.5 of the Official Plan:

“Notwithstanding Schedule D, within the Mixed Use 2 designation at 75 Dublin Street North, the maximum height permitted shall be 5 storeys. The fifth storey shall be setback a minimum of 9 m from the street lines of Dublin Street North and Cork Street West.”

PART C - THE APPENDICES

The following appendices do not form part of Amendment No. 65, but are included as information supporting the amendment.

Appendix 1: Public Participation

APPENDIX 1

TO OFFICIAL PLAN AMENDMENT NO. 65

PUBLIC PARTICIPATION

September 12, 2016	City Council passes the following motion: “That staff be directed to initiate a site specific Official Plan Amendment for 75 Dublin Street North in order to facilitate the investment in Affordable Housing Grant.”
September 22, 2016	Notice of Public Meeting advertised in Guelph Tribune
September 26, 2016	Notice of City-initiated Official Plan Amendment mailed to prescribed agencies and surrounding property owners within 120 metres and interested parties requesting to remain informed.
October 17, 2016	Statutory Public Meeting of City Council for the city-initiated Official Plan Amendment for 75 Dublin Street North and the second Public Meeting for the Downtown Zoning By-law Amendment as it pertains to 75 Dublin St. N.
October 27, 2016	Informal Public Open House hosted by applicant.
November 8, 2016	Notice of Decision Meeting advertised in Guelph Tribune.
November 10, 2016	Notice of Decision Meeting advertised in Guelph Tribune.
November 28, 2016	City Council Meeting for a decision

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2016) - _____

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 75 Dublin Street North and legally described as Lot 1051 and Part of Lot 1052, Registered Plan 8, City of Guelph, County of Wellington (Downtown Zoning By-law).

WHEREAS Section 34(1) of the *Planning Act*, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. By-law Number (1995)-14864, as amended, is hereby further amended by transferring property legally described as Lot 1051 and Part of Lot 1052, Registered Plan 8, City of Guelph, County of Wellington and municipally known as 75 Dublin Street North from the Institutional I.1 Zone to the Specialized Downtown 2 D.2-9 Zone.

2. **6.3.3.3 Specialized Downtown 2 (D.2) Zones**

- 6.3.3.3.1 **D.2-9**

75 Dublin St. N.

As shown on Defined Area Map 24 of Schedule “A” of this *By-law*.

- 6.3.3.3.1.1 Permitted *Uses*
Residential *Uses*

- *Accessory Apartment* in accordance with Section 4.15
- *Apartment Building*
- *Duplex Dwelling*
- *Group Home* in accordance with Section 4.25
- *Home for the Aged*
- *Nursing Home*
- *Home Occupation* in accordance with Section 4.19
- *Live-Work Units*
- *Lodging House Type 1* in accordance with Section 4.25
- *Mixed-Use Building*
- *Multiple Attached Dwelling*
- *Semi-Detached Dwelling*
- *Single Detached Dwelling*
- *Townhouse*

Retail Uses

- *Agricultural Produce Market*
- *Retail Establishment*, maximum *G.F.A.* 500 m²

Service Uses

- *Artisan Studio*
- *Commercial School*
- *Day Care Centre*
- *Restaurant*, maximum *G.F.A.* 500 m²
- *Service Establishment*, maximum *G.F.A.* 500 m²

Office Uses

- *Medical Clinic*
- *Medical Office*
- *Office*

Community Uses

- *Art Gallery*
- *Government Office*
- *Library*
- *Museum*
- *Religious Establishment*
- *School*
- *School, Post Secondary*

Hospitality Uses

- *Bed and Breakfast* in accordance with Section 4.27 except 4.27.3
- *Tourist Home*

Other

- *Accessory Uses*
- *Occasional Uses* in accordance with Section 4.21
- *Public parking Facility*

6.3.3.3.1.1.2 The following definitions shall apply to the D.2-9 **Zone**:

“Automated Parking System” means a mechanical system, wholly contained within an enclosed **Building** or **Structure**, which moves motor **Vehicles** to a **Parking Space** in a parking garage without the **Vehicles** being occupied or operated by a human being.

“Bicycle Parking Space” means a *Bicycle Parking Space, long-term* and/or a *Bicycle Parking Space, short term*.

“Bicycle Parking Space, long-term” means an area that is equipped with a bicycle rack or locker that is accessible, secure, weather-protected and for use by occupants or tenants of a *Building* and is not provided within a *Dwelling Unit*, suite, or on a *Balcony*.

“Bicycle Parking Space, short-term” means an area for the purpose of parking and securing bicycles with a bicycle rack that is accessible for visitors to a *Building* and is located outdoors or indoors but not within a commercial suite, secured room, enclosure or bicycle locker.

“Government Office” means a *Building* or portion thereof *Used* by the public (Federal, Provincial, County or Municipal) sector Government(s) to conduct public administration.

“Live-Work Unit” shall mean a unit within a *Building*, in which a portion of the unit at grade level may be *Used* as a business establishment and the remainder of the unit shall be a *Dwelling Unit* and whereby each “live” and “work” component within a portion of the unit has an independent entrance from the outside and an interior access between the “live” and “work” components.

“Mixed-Use Building” means a *Building* in a Downtown *Zone* containing residential *Uses* and at least one other nonresidential *Use* permitted by this *By-law*.

“Public Parking Facility” means a *Place* other than a *Street*, *Used* for the parking of *Vehicles* that is owned or operated by the public (Federal, Provincial, County, or Municipal) sector Government(s).

“Service Establishment” means a *Place* providing services related to the grooming of persons (such as a barber or salon), a *Place* providing the cleaning, maintenance or repair of personal articles and accessories (such as dry cleaning and laundering), small appliances or electronics, or a *Place* providing services related to the maintenance of a residence or business (such as private mail box, photocopying, courier or custodial services), but does not include a: *Parlour, Adult Entertainment; Small Motor Equipment Sales; Storage Facility; Tradesperson’s Shop; Warehouse; and Wholesale*.

“Stepback” means a portion of a *Building* that is further set back from the *Building* face in accordance with the requirements of this *By-law*.

6.3.3.3.1.2 Built Form Regulations

6.3.3.3.1.2.1 The minimum *Stepback* shall be 3 metres for the 4th *Storey* and 6 metres for the 5th *Storey* facing a *Street*, as measured from the *Building* face of the 3rd *Storey*.

6.3.3.3.1.2.2 The minimum *Stepback* shall be 3 metres for the 4th *Storey* and 6 metres for the 5th *Storey* facing the *Rear Yard*, as measured from the *Building* face of the 2nd *Storey*.

- 6.3.3.3.1.2.3 Terraces and balconies shall not be permitted on the north side of the **Building** facing the abutting school property.

Terraces and balconies are permitted on all other sides of the **Building** provided that a translucent or opaque privacy screen is provided to screen views to the north toward 97 Dublin Street North.

6.3.3.3.1.3 Required **Parking Spaces**

Notwithstanding Section 4.13.4, off-street Parking Spaces shall be provided in accordance with the following:

Table 6.3.3.3.1.3		
Row	Use	Minimum Number of Parking Spaces
1	Apartment Building, Duplex, Multiple Attached, Single –Detached, Semi-Detached, Townhouse	1 per residential Dwelling Unit (1)
2	Live-Work Unit, Mixed-Use Building	In addition to the non-residential Parking requirement, 1 Parking Space per residential Dwelling Unit is required
3	Home Occupation, Lodging House Type 1, Accessory Apartment, Group Home, Nursing Home	In accordance with 4.13.4
4	Retail Uses	1 per 100 m ² G.F.A.
5	Service Uses	1 per 100 m ² G.F.A.
6	Office Uses	1 per 67 m ² G.F.A.
7	Community Uses	1 per 67 m ² G.F.A.
8	Hospitality Uses	0.75 per guest room (2)

Additional Regulations for Table 6.3.3.3.1.3:

- (1) **Apartment Buildings, Cluster Townhouses** or **Mixed-Use Buildings** in a D.2 **Zone**, with more than 10 **Dwelling Units**, require a minimum of 0.05 **Parking Spaces** per **Dwelling Unit** in addition to the requirements of Table 6.3.3.3.1.3, Rows 1 and 2, for the **Use** of visitors to the **Building** and such **Parking Spaces** shall be clearly identified as being reserved for the exclusive **Use** of residential visitors.
- (2)
 - a) For a **Hotel**, an additional 1 **Parking Space** is required per 10 m² **G.F.A.** that is open to the public, excluding corridors, lobbies or foyers.
 - b) For a **Tourist Home** or **Bed and Breakfast** establishment in a D.1 or D.2 **Zone**, 1 additional **Parking Space** shall be provided. Required **Parking Spaces** may be in a stacked arrangement.

- 6.3.3.3.1.3.1 If the calculation of the required **Parking Spaces** in accordance with Table 6.3.3.3.1.3 results in a fraction, the required **Parking Spaces** shall be the next higher whole number.
- 6.3.3.3.1.4 Parking Regulations
- 6.3.3.3.1.4.1 In addition to the parking provisions in Table 6.3.3.3.1.3 and sections 4.13.1, 4.13.3 and 4.13.5 the following parking regulations shall apply.
- 6.3.3.3.1.4.2 **Parking Areas** shall not be permitted in the **Front Yard** or **Exterior Side Yard**. Notwithstanding any **Yard** regulations, **Parking Areas** shall be permitted in the **Rear Yard** and **Side Yard**. No part of a **Parking Space** is located closer than 3 metres to a **Street Line**.
- 6.3.3.3.1.4.3 An underground **Parking Area** shall be permitted in any **Yard** and may be located within 3 metres of a **Lot Line**.
- 6.3.3.3.1.4.4 Where an unenclosed **Parking Area** is located within 1 metre of any **Lot Line** adjacent to a **Single Detached Dwelling**, **Semi-Detached Dwelling**, **Duplex Dwelling** or **On-Street Townhouse** it is to be screened along those **Lot Lines** with a minimum 1.5 metre high solid **Fence**.
- 6.3.3.3.1.4.5 A **Parking Area** is prohibited in the first **Storey** of a **Building** for the first 4.5 metres of the depth measured in from the **Street Line**.
- 6.3.3.3.1.4.6 Section 4.13.3.2 is not applicable for those **Parking Spaces** provided within an **Automated Parking System**.
- 6.3.3.3.1.4.7 The following provisions shall apply to a **Single Detached Dwelling**, **Semi-Detached Dwelling**, **Duplex Dwelling** and **On-Street Townhouses** for residential **Uses**:
- 6.3.3.3.1.4.7.1 One **Driveway (Residential)** access only shall be permitted per **Lot**.
- 6.3.3.3.1.4.7.2 All off-street parking in the **Front Yard** and **Exterior Side Yard** shall be confined to the **Driveway (Residential)** area and any legal off-street **Parking Area**. The **Front Yard** of any **Lot** except the **Driveway (Residential)** shall be landscaped.
- 6.3.3.3.1.4.7.3 A **Driveway (Residential)** shall have a minimum driveway width of 3.0 metres and a maximum width of 3.5 metres. The minimum driveway width may be reduced to 2.5 metres at the point of entry of a **Garage** entrance or a **Fence** opening.

6.3.3.3.1.4.7.4 Notwithstanding Section 6.3.3.1.4.7.3 a surfaced walk within 1.5 metres of the nearest foundation wall is permitted provided that it is not *Used* for *Vehicle* parking.

6.3.3.3.1.4.7.5 Every required *Parking Space* shall be located a minimum distance of 6 metres from the *Street Line* and to the rear of the front wall of the main *Building*.

6.3.3.3.1.4.7.6 Attached *Garages* shall not project beyond the main front wall of the *Building*.

6.3.3.3.1.4.7.7 For *Single Detached Dwellings* section 4.13.7.4 shall be applicable.

6.3.3.3.1.5 ***Bicycle Parking Spaces***

Table 6.3.3.3.1.5			
Row	<i>Use</i>	Minimum Number of <i>Bicycle Parking Spaces, Long Term</i>	Minimum Number of <i>Bicycle Parking Spaces, Short Term</i>
1	<i>Apartment Building, Multiple Attached, Stacked Townhouse</i>	0.68 per <i>Dwelling Unit</i>	0.07 per <i>Dwelling Unit</i>
2	<i>Live-Work, Mixed-Use Building</i>	In addition to the non-residential parking requirement, 0.68 per <i>Dwelling Unit</i> is required	In addition to the non-residential parking requirement, 0.07 per <i>Dwelling Unit</i> is required
3	Retail <i>Uses</i>	0.085 per 100 m ² <i>G.F.A.</i>	0.25 per 100 m ² <i>G.F.A.</i>
4	Office <i>Uses</i>	0.17 per 100 m ² <i>G.F.A.</i>	0.03 per 100 m ² <i>G.F.A.</i>
5	All other non-residential <i>Uses</i>	4% of the required parking under Table 6.3.3.3.1.4	4% of the required parking under Table 6.3.3.3.1.4

6.3.3.3.1.5.1 If the calculation of the required *Bicycle Parking Spaces* in accordance with Table 6.3.3.3.1.5 results in a fraction, the required *Bicycle Parking Spaces* shall be the next higher whole number.

6.3.3.3.1.5.2 Regulations governing ***Bicycle Parking Spaces, long term***:

6.3.3.3.1.5.2.1 Where a ***Bicycle Parking Space, long term*** is in a horizontal position it shall have a dimension of at least 0.6 metres in width by 1.8 metres in length and 1.2 metres in height.

6.3.3.3.1.5.2.2 Where a ***Bicycle Parking Space, long term*** is in a vertical position it shall have a dimension of at least 0.6 metres in width by 1.2 metres in length and 1.8 metres in height.

6.3.3.3.1.5.3 Regulations governing ***Bicycle Parking Space, short term***:

6.3.3.3.1.5.3.1 The ***Bicycle Parking Space, short term*** shall have a horizontal dimension of at least 0.6 metres in width by 1.8 metres in length and 1.2 metres in height.

6.3.3.3.1.6 Location of Mechanical Servicing

6.3.3.3.1.6.1 Notwithstanding Section 4.2 of this ***By-law***, transformer and telecommunications vaults shall not be located above-ground in the ***Front Yard*** or ***Exterior Side Yard***.

6.3.3.3.1.6.2 Air vents associated with a parking ***Structure*** are not permitted in a ***Front Yard*** or ***Exterior Side Yard*** unless it is at or within 0.2 metres above or entirely below ***Finished Grade*** or above the first ***Storey***.

6.3.3.3.1.6.3 An elevator or stairway penthouse shall have a minimum ***Stepback*** of 5 metres on all sides as measured from the building face of the ***Storey*** below.

Table 6.3.3.3.1.7 Regulations Governing D.2-9 **Zone**

Row		
1	Minimum Front Yard or Exterior Side Yard	3 m In accordance with Section 4.6 In accordance with Section 4.24
2	Minimum Side Yard	3 m
3	Minimum Rear Yard	10 m The following exception applies: a) 3 m to the first three Storeys where Stepbacks are provided in accordance with Section 6.3.3.3.1.2.2 and where all required Parking Spaces are provided in an underground Parking Area .
4	Minimum and Maximum Building Height	The minimum Building Height is 2 Storeys . The maximum Building Height is 5 Storeys . Maximum average Storey height shall not exceed 3.2 metres. Notwithstanding Section 4.18.1, no Building or Structure , or part thereof, shall exceed an elevation of 365 metres above sea level. Section 4.16 is not applicable.
5	Minimum Lot Area	370 m ²
6	Minimum Lot Frontage	12 m
7	Access to Parking Area	Vehicle access to a Parking Area in a Rear Yard is by 1 Driveway (non-residential) only, such Driveway (non-residential) shall have a width of not less than 3 metres and an overhead clearance of not less than 4.5 metres.
8	Buffer Strips	3 m required where the D.2 Zone abuts a Residential, Institutional, Park or Wetland Zone .
9	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.
10	Outdoor Storage	In accordance with Section 4.12.
11	Enclosed Operations	In accordance with Section 4.22.
12	Fences	In accordance with Section 4.20.
13	Accessory Buildings or Structures	In accordance with Section 4.5.
14	Minimum Floor Space Index (F.S.I.)	0.6

3. Schedule 'A' of By-law Number (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 24 and substituting therefore a new Defined Area Map 24 attached hereto as Schedule "A".

4. Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the Act, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the Act, no part of this by-law shall come into effect until all of such appeals have been finally disposed of by the Ontario Municipal Board.

PASSED this 28th day of November, 2016.

CAM GUTHRIE - MAYOR

STEPHEN O'BRIEN - CITY CLERK

Schedule "A"



**EXPLANATION OF PURPOSE AND EFFECT AND
KEY MAP FOR BY-LAW NUMBER (2014)-19835**

1. By-law Number (2016)-_____ has the following purpose and effect:

This By-law authorizes a zoning by-law amendment affecting lands municipally known as 75 Dublin Street North and legally described as Lot 1051 and Part of Lot 1052, Registered Plan 8. The purpose of the proposed zoning by-law amendment is to rezone the property from the Institutional I.1 Zone to the Specialized Downtown 2, D.2-9 Zone.

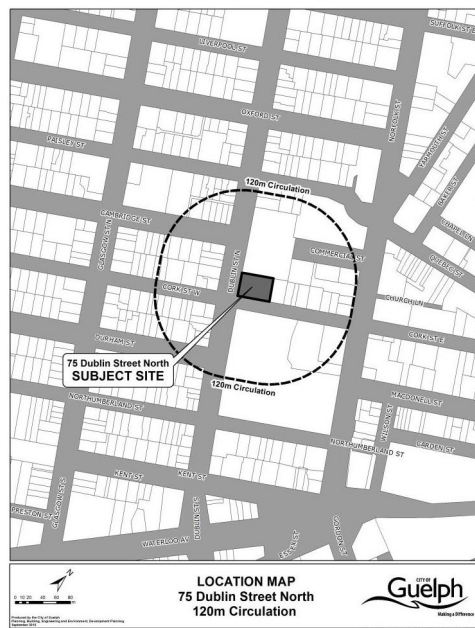
The proposed Downtown zoning by-law amendment was considered by Guelph City Council at a Public Meeting held on October 17, 2016, and was approved by Guelph City Council on, November 28, 2016.

Further information may be obtained by contacting or visiting Planning Services at (519) 837-5616 or City Hall, 1 Carden Street, Guelph, Ontario.

Persons desiring to officially support or object to this zoning amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing". Any comments or objections which you may have previously submitted are considered to have been unofficial and for the City's guidance only.

2. Key map showing the location of the lands to which By-law (2016)-_____ applies:

KEY MAP



Dear Clerks

I am in favour of the development at 75 Dublin in its current 5 storey format. We have an opportunity to access affordable housing funding for seniors. We need to act.

Yours sincerely,
Will Mactaggart

I wish to go on record as being adamantly opposed to the construction of a 5 storey structure next to the Church of Our Lady.

The church is a historic site and now has basilica status. It has been the focal architecture on the hill for over a century. It is extremely short sighted to permit such a structure to occupy such a sensitive site.

Sincerely,
Martina Meyer, PhD

Dear sirs and madams,

I am in support of the zoning request for 75 Dublin Street.

The larger community benefits associated with this project far outweigh any marginal urban design concerns. Density in the downtown core has proven to be a vital part of the revival downtown.

Affordable rental housing is in short supply. Bringing more of this to the city helps our community as a whole.

As such, I strongly support the zoning request.

Thank you for your time in this matter,

-David Estill

Good Morning!

I am in support of the affordable building 5 storey design. As a lifetime career Realtor I see the supply of affordable housing as a critical constraint. This development would provide some much needed relief to the market.

Intensification needs to be pursued and we need to find a way to get more high level buildings like this to aid our tax base.

Reality is that the majority of the people who would be living here in the affordable housing will not be aware of this project and it's holdbacks. They will not be responding ---let me be their voice.

Say yes to affordable housing—especially when it is as well conformed and as prestigious as this.

With thanks,
Ingrid Driussi

To Mayor Guthrie, Councillors, and Members of the Upper Grand School board,

The proposal of putting a condo at 75 Dublin St. is wrong for many previously stated reasons. It is the manner in which this proposal was brought forward to the councillors that was shockingly wrong. This plan was put forward at the last minute and rushed through and Lloyd Longfield and the Developer “just happened to be at the meeting”. The proper process and protocol were ignored and many serious considerations were waived aside. The entire handling of the proposal reeks of backroom dealings.

This is GUELPH and we cannot let this way of dealing with issues, set a precedent. This project should be STOPPED NOW, grant or no grant.

Heather Daymond

I am writing to express my dismay regarding the proposed development at 75 Dublin St. N. Mark me down as strongly disapproving. I am supportive of affordable housing (that is if it truly is an affordable complex and not just window dressing). However, this is not the location for a structure of this type. I feel very strongly that this entire district should be preserved as a heritage district with strict guidelines regarding the structures allowed. It has in fact been long protected from buildings of this height by our forefathers.

The DNA of this battle is reminiscent of the old post office a few years back - some of the same issues, proponents and ideologies are in play with the potential for the same repercussions at the ballot box. Let's move past this!

I implore you not to abdicate your role as stewards of our community.

Sincerely,
Bruce Matheson

This letter is to advise that as citizens of Guelph, I along with all of my family members disagree with the development proposed by Rykur Holdings at 75 Dublin Street North.

This building is totally incompatible with the neighbourhood and the historical location of Catholic Hill. This development would be an eyesore, even at 4 storeys. The matter should be reviewed as part of the Downtown Secondary Plan Zoning Amendment process in the spring of 2017, to find an alternate location.

Eric, Jennifer, Sarah and Adrian Lyon

To Whom It May Concern

As a resident of my beloved City of Guelph, I am writing in the hope that you will send this to all present Councillors for the City of Guelph, as well as our Mayor, letting them know that I FULLY SUPPORT THE AFFORDABLE HOUSING PROJECT AT 75 Dublin Street North, Guelph.

I am very much in favour of the affordable housing project that is being put forward by Tom Lammer regarding the use of the property at Dublin and Cork. We have all seen some of the excellent work done by the Lammer Family. I am grateful to them for continuing to try to help our Community. The Lammer Family has helped those who cannot always help themselves.

Why, as a City, do we keep making these projects so difficult for some developers and bend over backwards to accommodate the likes of HIP who built two of the ugliest buildings (practically on the sidewalks of Gordon Street South!) for students?? I do not understand the logic...!!!

Our City has stood behind the HIP Developer who brought in 2 big housing projects for students and, unfortunately, one more on the way at Kortright and Edinburgh Roads. Do you think the students will ever really appreciate the prime accommodation? Not highly likely but you can be sure that a Senior person would be mighty grateful for accommodation like that. They would appreciate good accommodation and also take care of the property. Somehow, I think we have our "priorities" in the wrong place.....

I have heard that some oppose the new structure and where it is. Can anything be worse than for years looking at a "boarded up" building sitting right beside the beautiful Basilica of our Lady?? And the run-down looking building on the other side of the Basilica as well? This new building would not only enhance the neighbourhood, but more importantly, it will do something for our Seniors. This project on Dublin Street is a "start" only. However, we need many more affordable housing projects to be built for people who deserve them.

Have people forgotten who built this country? It was our present Seniors and the generations before them. But now they are a "forgotten group" and many of them are left to live in poverty. They gave their best years and hard work in this country in order to build in all the Support Programs that we have today. Believe me, it is obvious that they are the last to ever reap any benefit from their hard work. Unfortunately, many of these benefits go to those who have not worked a day in this country. There are many poor seniors who are very neglected in this country and I certainly see it in my own city as well. This housing project might just give a few of them back some of their self worth.

Who can advocate for the Senior now?? Many are unwell and cannot advocate for themselves. Who cares about them? They have become a "forgotten group" with our Federal and Provincial Governments. Here is an opportunity for our City to lead the way in showing our Seniors that we really do care about them and we do care that they have decent accommodation.

I love and appreciate my City and I hope you, as the chosen advocates for the City of Guelph tax payers, will allow THIS PROJECT to move forward asap.

Please, no more "talking"--- let's get things done.!!

Sincerely,

Glenda Moase

Hello!

I am writing to express my support for the proposed 5-level apartment building at 75 Dublin St. It seems to me that Mr. Lammer listened to the many concerns expressed by the downtown dwellers raising the objections to his original plans, and accommodated the requests in question (emphasis on parking). I myself am a downtown resident and as such I understand the strained parking situation very well. I am also the parent of a child in the Central Public school boundary, and thus I listened to the concerns raised by the parents in regards to the project's proximity to the school. I am a Supportive Housing Worker for a local agency, and I have a background in Gerontology. I sit on the Guelph-Wellington Housing Committee that fights against poverty and homelessness. As such, I weighed the benefits vs. the concerns raised very carefully, and concluded that offering quality of life to 20 seniors far outweighs the other (rather slight) negative impacts. The vacancy rate for rentals in our city is extremely low. The wait lists for affordable housing atrocious (7-8 years average). One third of those waiting to be housed are seniors. We are facing a housing crisis. If the proposed development only passes as a 4-storey building, it will become a straight market rental building. I am hard pressed to see why council would vote against the creation of affordable housing that is ready to proceed upon approval. We are fighting over 1 storey and losing sight of what a well thought-out and carefully planned project this is, by a local developer with a proven excellent track record. Buildings such as 371 Waterloo Avenue are very aesthetically pleasing and help fight against the stigma of segregation of individuals by virtue of low income. I can not help but feel there is a bit of "no low-income housing in my back yard" happening here.

I urge council to hear the voices of residents supporting such initiatives as well (not just the voices of dissent), and allow the proposed development to proceed as a 5-storey building, as soon as possible.

Sincerely,

Alina Sercerchi

From: Jayne Suzuki

Sent: November 22, 2016 3:30 PM

To: Mayors Office; Dan Gibson; Bob Bell; Andy VanHellemond; James Gordon; June Hofland; Phil Allt; Mike Salisbury; Christine Billings; Leanne Piper; Cathy Downer; Karl Wettstein; Mark MacKinnon

Cc: Clerks

Subject: 75 Dublin N

Dear Councillors

Again I write all of you regarding this property on the old tennis courts because for many reasons I feel the proposed development is completely inappropriate. I am sure by now you are very familiar with the objections and I shall not now restate them except to say that I hope you have also studied the financial assessment available from the Guelph Wellington Social Justice committee. And please do not return the property taxes the developer has requested.

I am writing this time to urge you to accept at least your staff's report and particularly the reduction in height (4 storeys tops) and other setbacks included. But more importantly I urge you to work with the community and the developer to develop an alternative plan to meet everyone's needs. The land swap meets this criteria in my view. I have heard that you do have land available for a swap which I feel would satisfy most people if it is carefully developed. Heritage Guelph does not support the proposed apartment complex either.

Please do not be seduced by the siren song of the phrase affordable housing. I am sure some seniors could live there comfortably but I have spoken with many who feel the location and plan are completely inappropriate. I am also afraid that with the timeline of April for Federal money, council may jump into this development before thoroughly thinking it through because of the time pressure. I have read the staff report and if it is typical of reports you receive regularly, I do not know how you cope with all the information you have to consider; that is why I do not want you to rush into this. (I also thought the report was poorly presented and poorly organized which made it difficult to read.)

You must often make difficult choices and sometimes that means perhaps going against popular opinion; however, in this case I feel you have access to excellent information and research which should be leading you to accept the staff report on November 28, and ultimately, to develop and research the idea of a land swap. And, if Rykur holdings is not able to go ahead with the affordable housing project they may just decide to build regular market value condos. Please say no to that as well and look into the green space idea.

Thank you for consideration of this email. I know Guelph can do better with this lot on Catholic Hill. We shall have to live with your decision for a very long time (think library??!!)

Sincerely

Jayne Suzuki

November 16 2016

Mayor and City Councillors
Guelph, ON
BY EMAIL

Dear Mayor Guthrie & City Councillors:

Re: Proposed Development 75 Dublin Street North: Affordable Housing Component

The Guelph Wellington Social Justice Coalition, (GSSJC) an organization representing 14 member organizations and several thousand members is concerned about the process that has led council to consider an application for the development of an apartment building at 75 Dublin Street North. The GWSJC applauds council for its concern for the housing needs of community members with very limited means and its efforts to ensure that the City of Guelph as it grows, is making provision for a wide spectrum of income levels to ensure that we remain a vibrant and diverse community.

Our concern about this particular proposal is predominately with the financial subsidies that the developer has either been promised (\$3M of federal funding if he meets specific criteria) and a request to the city for an additional \$23,000 per unit in forgiven fees or taxes.

While we are not privy to the financial data of the developer, since this is commercially sensitive information, from the financial data that we have been able to collect that is on the public record our own analysis shows the following:

1. 20 affordable units (not rent geared to income) with a rent of \$708 per month will yield a cost saving for the tenants in the first year of some \$42,480. This is approximately 1.4% off the gross amount in capital federal subsidy to the developer. Monthly utility costs, if charged to individual tenants will make each affordable unit, less affordable.
2. The contract with the developer is complete after a 20 year period and the 20 affordable units which are owned by the developer will no longer be subject to the contractual arrangement. Any in-situ tenants may not be evicted and their rents may only be increased by the inflationary rate under the Residential Tenancy Act.
3. When an affordable unit becomes vacant the developer, who retains ownership of the 20 "affordable" units, will then be freed up to rent out the unit at current market rent rates.

Our request to council is that, as part of the due diligence that council will undertake for this project, that a value for money, analysis be completed to ensure that this \$3.46M subsidy (made up of \$3M federal grant and \$460,000 municipal funding) meets the criteria:

- A. Is the project good value for money and wise use of the public purse?
- B. Does it contribute to the city's stated goal of developing 34 permanent affordable housing units per year?
- C. Does the limited time contract of 20 years contribute to the city goal of using public monies to provide permanent affordable rental housing alternatives?
- D. That the analysis be part of the public record.

George Kelly
Chair
Guelph Wellington Social Justice Coalition
on behalf of Coalition members

PRESS RELEASE
Guelph Wellington Social Justice Coalition

Who benefits from “affordable housing” grants?

November 16, 2016

The Guelph-Wellington Coalition for Social Justice is calling on the City of Guelph and Wellington County to generate numbers to show exactly who will benefit from a recently awarded \$3 M “affordable housing grant” and by what amounts.

An application by Rykur holdings to develop the former Church of Our Lady tennis courts has generated community scrutiny not only of the planning issues, but the affordable housing grant itself. Based on the proposed 20 units of “affordable housing”, the developer is seeking a number of zoning exemptions, as well as an additional \$23,000 per unit - a total of \$460,000 - from the City of Guelph’s Affordable Housing Reserve.

“The Coalition is concerned that the bulk of this public money may be benefitting the developer, rather than low-income seniors”, says Lin Grist, Council of Canadians Guelph Chapter representative. “Guelph City Council needs solid projections generated by City Hall to guide their decision-making.”

The “affordable housing” units proposed by the developer are not “rent-geared-to-income” social housing which would benefit the poorest seniors in Guelph. The terms of the contract with the developer require him to offer 20 units at 20% below “market rent” for a 20-year period. The 20 units are owned by the developer. Average Market Rent (AMR) is established annually by the Canada Mortgage and Housing Corporation (CMHC). For 2016, the AMR for Wellington County is \$885 per month for a 1-bedroom apartment
<http://www.mah.gov.on.ca/AssetFactory.aspx?did=13593>

Rent at 20% below \$885 AMR for a 1-bedroom unit is \$708 for 2016, a monthly savings of \$177, or \$2,124 for the year, per tenant. Applied to 20 units, the savings transferred to the senior renters in the first year would be \$42,480. This amount only represents about 1.4% of the original \$3 M grant.

There is currently no information on whether utilities will be included in monthly rental charges. If utilities are on top of rental charges the units become less “affordable”.

The 20 “affordable units” at 75 Dublin St. N will not be subject to rent control under the Residential Tenancies Act, but will be capped at 80% of the annual AMR. Historically, Annual Market Rents have risen at a higher rate than rent control increases set by the Ministry of Municipal Affairs and Housing.

During a 5-year “phase-out” period at the end of 20 years, units which become vacant can then be rented at whatever price the market will bear or sold by the developer

Accurate forecasting of what amount of the \$3 M grant and the additional \$460,000 which may be provided by the City of Guelph from its Affordable Housing Reserve and will flow to the senior tenants as rent reductions must be completed. In addition, a forecast of how much of the capital will remain in the hands of the developer is needed. This will require the City to apply compounded annual increases to the 20-year contract period, based on average increases in AMR. At that point the city council will then be able to make an informed decision on whether or not this particular project meets these criteria:

- A. Is this project value for money and a wise use of the public purse?
- B. Does it provide the city with a portion of the permanent affordable housing units towards the city's Official Plan stated goal of 34 new affordable permanent rental housing units per year?

“This situation raises red flags about what is happening with public money not just in Guelph, but across the Province,” says Coalition Chair, George Kelly. “Citizens need to know that tax money destined for affordable housing is going to provide long-term solutions for those who need it most, not ending up as lucrative investments in private real estate portfolios.”

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For more information:

George Kelly, Chair
Guelph Wellington Social Justice Coalition
gkelly@golden.net
519.824.1885

Lin Grist. Member
Guelph Wellington Social Justice Coalition
lingristctc09@gmail.com
[519.766.0139](tel:519.766.0139)

The Guelph-Wellington Coalition for Social Justice, is a community coalition of individuals and organizations dedicated to progressive social change and the well-being of our community. By networking, sharing information and resources, co-operating in research, education, and advocacy work, we hope to create and maintain a unified voice for social justice. We promote and engage in a variety of local, provincial and national campaigns.

From: Susan Watson
Sent: November 23, 2016 9:27 AM
To: Clerks
Subject: 75 Dublin Correspondence for Nov. 28th agenda

With all due respect, I believe that there has been a serious oversight as to the impact of either a 4 or 5-storey building at 75 Dublin St. N. on Church of Our Lady, a protected heritage site.

Detailed shadow studies prepared by the proponent's architect show that even a 4-storey building will cast an additional evening shadow on the north wall of Church of Our Lady around the time of the summer solstice.

Please refer to p. 26, which illustrates 4 and 5-storey scenarios with a 10 m setback and p. 37, which illustrates 4 and 5-storey scenarios with a 3 m setback:

<http://guelph.ca/wp-content/uploads/2016-10-17DetailedShadowStudy.pdf>

Look at the shadow cast on the Basilica at 7:30 pm on June 21st for each scenario. While St. Agnes school will contribute some shadowing, the shadow will be enlarged and extended along the north wall of the church by additional construction at 75 Dublin St. N.

This is significant because the timing of this shadowing corresponds with the current religious use of this historic site: there is a regularly scheduled Thursday evening mass which runs from 7 pm to 8 pm.

<http://www.churchofourlady.com/about/time-locations>

Even a four-storey building on 75 Dublin St. N would cast a shadow onto the north wall of the church from approximately 7:10 pm, blocking the light which currently enters the church at that time of year through the stained glass windows.

These windows are detailed as one of the significant features of the church on the Parks Canada website:

http://www.pc.gc.ca/APPS/CP-NR/release_e.asp?bgid=1411&andor1=bg

High along the walls of the church are stained-glass windows which flood the interior space with richly-coloured light.

I would suggest that shadowing of these windows is a significant impact on this protected site, especially given the regular evening use of the building by the worshipping community. It will significantly change the experience of the interior of the church during Thursday mass in the spring and summer months around the solstice.

This impact needs to be taken into account in considering any development on this site.

Sincerely,

Susan Watson

From: lhathorn lhathorn
Sent: November 23, 2016 10:38 AM
To: Mayors Office; Clerks
Subject: Proposed development at 75 Dublin St North

Please accept the following for the Agenda for your Council Meeting on Monday, November 28

Infrastructure money is a wonderful thing. If spent wisely, on the right project, it can enhance our city and improve lives.

At a time when it is reported that 6 out of 10 seniors live below the poverty line, affordable housing is a worthy cause.

But when I look at the affordable housing units at the Residences of St Joseph's adjacent to St Joseph's Healthcare Centre , I see:

spacious, beautifully landscaped and easily accessible parking for tenants and visitors; a front door easily accessible to cars/taxis/ambulances; access by all tenants, including those with mobility issues to the Healthcare Centre a few hundred yards away on level sidewalks for on-site health care or group activities; a covered portico in front of the Healthcare Centre where the tenants can wait comfortably for city buses; No Frills, Basics or Walmart 5 minutes away for affordable shopping; pleasant level sidewalks in all directions for strolling about the neighbourhood.

When I see all this, I can only conclude that the proposed development at 75 Dublin fails seniors by comparison.

The proposal that the 20 affordable units at 75 Dublin " expire" in 20 years would seem to be of a unique benefit to the developer who would first of all receive infrastructure funds and 20 years later be able to rent or sell the units at market value. Surely affordable units rented out in perpetuity would be a better investment for Guelph and for seniors in need of this housing.

As for the building itself, we all deserve a structure which will nestle quietly and gracefully and with dignity into this historic, unique and beautiful corner of our city. The building as proposed would desecrate Catholic Hill, negatively impact Central School and the beautiful surrounding neighbourhood. Our city deserves so much more, so much better.

Will we hang our heads in shame when future generations ask us why we allowed this project just because there was infrastructure money in the offing or will we look future generations in the eye and say that we were tempted but that we valued our city, its heritage, its culture and sought a solution which was of benefit to all citizens including seniors in need of affordable housing, and yet preserved the unique character of the neighbourhood ?

A land swap has been floated as a possible way out of the predicament facing us. Let us all work together on this !

Linda M Hathorn

Guelph,

From: Vanessa Currie

Sent: November 23, 2016 11:03 AM

To: Clerks; Mayors Office; Phil Allt; June Hofland; Dan Gibson; Bob Bell; James Gordon; Andy VanHellemond; Mike Salisbury; Christine Billings; Leanne Piper; Cathy Downer; Mark MacKinnon; Karl Wettstein

Subject: Development at 75 Dublin Street

Our community held another meeting last night to discuss the proposed development plan at 75 Dublin Street North. Again, the hall was filled with residents who are opposed to this development. We listened to an economist, an historian, and several community organizers. Every speaker was thoughtful and cogent. Our group is energized, organized, and serious. This is not merely an emotional, uninformed hysteria. It is a reasonable response to an offense upon our beautiful, historic community.

I understand that adjustments to the original proposal have been offered by the developer. It is encouraging to see some cooperation. However, I continue to be opposed to this development plan for the following additional reasons:

1. This project is not good value for the citizens of Guelph. The projected finances of this deal would provide approximately \$1.5 million dollars to the community over 20 years, and \$1.5 M to the developer. While it is understood and appreciated that businesses undertake such projects for the purposes of profit, the relatively small amount of \$1.5 M that seeps back to an entire city over 20 years does not match up well against the negative impact of this project in the community.
2. Much of the panic associated with this project surrounds the April deadline for access to federal funds. Frankly, this deadline is the developer's problem, not ours. **Haste makes waste.** It is not worth being rushed into making a poor decision for a potential benefit of \$1.5M over 20 years. There are better deals to be had by Guelph and I encourage the city and developers to be more creative with their solutions. The potential \$1.5 M loss to the developer is certainly not the community's responsibility and should not be considered here.
3. The skyline at Catholic Hill is one of the significant tourist attractions of Guelph. I walk up the church steps frequently and there are often visitors taking pictures of the view. I know they are tourists because they will ask me for directions to other points around the city. No doubt they share these photos internationally, which illustrate Guelph's Catholic Hill as a key destination for historians and pilgrims. A four story condo development would be a serious insult to this vista. It would also erode our otherwise proud connection with the past. I disagree with the assessment that the proposed development would not have a negative impact on Catholic Hill.

In my previous letter to council from October 13, I listed the following reasons for my objection to the development. Even with the proposed amendment from 5 story to 4 stories, I stand behind my original position. This location is unsuitable for a condominium development of any size. I suggest the city staff work with the developer to find another location.

1. There was no due process in the decision making. Council decided to fast track the proposal without fair consultation with the community. The developer's submission wasn't even on the agenda for that meeting. This seems highly improper. We did not receive the information packages and learned about it through neighbours. Council passed a motion without proper public consultation. This is unacceptable in a democracy.

2. The proposed plan is completely objectionable for many reasons. There is insufficient parking in an area where parking is already a significant problem. There is not even space allocated for bicycles. This is outrageous. This developer doesn't want to provide proper facilities for his vulnerable tenants. He simply wants to throw up a building and let the community be inconvenienced for the rest. This is offensive and unsatisfactory.

Has the city done a parking study to determine the impact of this proposal?

3. The adjustment 5 stories, where 4 is the maximum is also unacceptable to the community. It will block the view of the Church of Our Lady, shadow all sunlight from the already inadequate schoolyard at Central Public School, and generally be an eyesore on our city. It's obnoxious and ugly and not fitting with the architecture of the neighbourhood.

4. The proposed setback adjustment from 10m to 3m is completely absurd. Three meters is not a yard, it is not even a pathway.

5. There will be increased traffic from tenant and visitor street parking, EMS services, taxis and deliveries. This corner is already extremely busy with school drop off and pick up, existing resident parking and church activities. The sight lines are poor at that corner. Increasing traffic will certainly result in accidents involving the most vulnerable members of our society, children and seniors.

6. This property location is not suitable for seniors or people using scooters. To get to this site, you have to walk up steep hills in all directions. As a pedestrian, I can attest that the sidewalks in our neighbourhood are often icy and treacherous and that the corner is dangerous.

Finally, I am not unsympathetic to the needs of low income residents and I understand the city's mandate to create more affordable housing spaces. However, this proposed plan requires too many adjustments that will have a negative impact on the community and ultimately won't serve the needs of seniors and/or low income residents.

Yours Truly,

Vanessa Currie

From: Melissa

Sent: November 23, 2016 1:06 PM

To: Gina Van den Burg

Cc: Lloyd.Longfield@parl.gc.ca

Subject: Revised Letter to be included in the Agenda for 75 Dublina St.

Mr. Longfield

I do not know how closely you have been following the controversy around the proposed development at 75 Dublin St. N. However, since you have played an integral role in this process, I can only assume you know where we are at. The staff report does not support a 5 storey structure and advises on additional setbacks. Heritage Guelph has advised that even a 4 storey structure will interfere with the heritage integrity of Catholic Hill. The Grand River School Board has voiced many concerns as have the staff and students of Central School. The citizens of Guelph have spoken loudly and clearly against a condo development on this site and have also become aware how misleading the term "affordable housing" really is. Other groups have joined our coalition to vigorously oppose this incongruous development in our neighbourhood.

Because of your presence at the Planning Meeting meeting and your insistence that council act quickly or lose the Infrastructure grant, Mr. Lammer's motion passed despite the fact there were few details provided, and no substantive discussion. Councillors appeared to have acted out of blind faith to the point of ignoring the advice of their own professional planners. The promise of affordable housing for seniors was universally supported by councilors, but it is my opinion that several did not realize that this was not public or social housing which is geared to income, but rather a reduction of 20% of market rents. As one councilor put it he was "gob smacked", another was "wooded by the promise of affordable housing" for financially vulnerable seniors.

And who could blame them faced with the unprecedented political pressure brought to bear by your presence and your wholehearted support of Mr. Lammer and his endeavour. You may have forgotten, but you suggested to council that it might be unreasonable for Mr. Lammer to hold public consultation meetings given all he had to do and the time frame he was forced to work within. Now why, I ask you, of all the preparation Mr. Lammer had to do would you suggest council exempt Mr. Lammer from this extremely important piece in the planning and development process?

There can be no doubt that you helped Mr. Lammer. Now it is time for you to do the job you were elected to do and extend that same assistance to your constituents.

There appears to be a solution on the table which may be viable and one to which all parties might agree. That solution is land swapping. The City has a property on which Mr. Lammer could build his 5 storey condo, but there is a snag and that is where you come in. Apparently we will need an extension on the deadline date for the Infrastructure grant to enable a zoning change. I believe it is time you take responsibility for the part that you played and urge you begin lobbying at a

Federal and Provincial and Municipal level if necessary to get a more flexible date so that we can implement a solution that satisfies the wishes of the developer and the will of the citizenry. Hasty decision making leads often leads to poor decision making which in this case is exactly what happened. We need a thoughtful, inclusive process to ensure decisions are well researched, various solutions are considered, and all points view heard with an open mind.

But we need time. This site is too important to Guelph's history and heritage to get it wrong. It is also of profound importance to the health and welfare of the children of Central School. And to those of us who are awed by the beauty and majesty of our beloved basilica, the thought of allowing a development which essentially will compete with and diminish this historical sight is unthinkable.

Please work with us to get it right. This community is counting on you to make that happen. I hope you can rise to the occasion.

Melissa Dean

Mayor Guthrie, Counsellors, City Clerk

I would like to comment on, and express my concerns about, the proposed exemptions from the proposed downtown zoning by-law requirements, for the apartment building being considered at 75 Dublin Street North. I understand that the proposed official plan and zoning by-law amendments that concern 75 Dublin Street are being discussed at a City Council decision making meeting on Monday, November 28. I am strongly against all proposed exemptions to the draft downtown zoning by-law, and consider the inclusion of the property in the draft downtown by-law to be ill-considered as well. As I understand, from the meeting I attended on October 17 at City Hall, the city is considering several exemptions to the draft downtown zoning by-law, in part due to the inclusion of affordable units targeted at seniors within the proposed building. My main objections to the exemptions are as follows.

1)The property being considered is adjacent to “Catholic Hill” and its associated buildings, including one of only six Catholic Basilicas in Ontario, and one of twenty-three in Canada. The Basilica is a National Historic Site and part of perhaps the most iconic vista in the City of Guelph. Currently the buildings on Catholic Hill do not compete for prominence on Catholic Hill, but if the proposed building of five floors is built on a site of comparable elevation, or even the four floors that would be permitted under the proposed downtown zoning by-law, that viewscape will be lost for generations to come. In addition, from the drawings that I have seen, the proposed building does not reflect the architectural style of the current building on Catholic Hill – so that the proposed building would “stick out” in the changed viewscape. The lost benefits from an un-augmented viewscape of Catholic Hill are hard to quantify – but that doesn’t mean that they don’t exist.

Economists (I have a PhD in Economics and am a faculty member in the Department of Economics and Finance at the University of Guelph) trying to assess non-market amenities (such as a viewscape) will often conduct surveys to find out how much individuals (and by extension the entire affected population) would be willing to pay to maintain the amenity as it is currently. Alternatively, one could ask how much one would be willing to accept in compensation if the viewscape was augmented by a five-story building. I think most would agree that there are few locations in the city where the willingness to pay or accept response would illicit a higher value. The cost to the residents and visitors that currently enjoy the current view of Catholic Hill is one that should be included in any decision. I will argue below that even a modest valuation per person per year on the part of Guelph residents would cancel out the affordable housing benefits of the 20 units under consideration. I would urge you to think yourself as to the reduction in amenity value from the altered viewscape would be, for you personally. Would it be zero, 10 cents a year, 25 cents a year, \$1 a year, or something greater.

I must comment on the mass of the proposed building. Under the proposed zoning by-law, the building on the site could be no greater than four stories and would have 10 meter setbacks at the back. Such a building would have floors with outside dimensions of 21 1/3 meters by 36 2/3 meters (calculated by reducing the depth of the building by 7 meters on from that in the Concept Plan of October 24 and assuming the lot depth is 34 1/3 meters rather than the 37 1/3 meters implied by the building dimensions in the concept drawing (<http://guelph.ca/wp-content/uploads/022016-10-24-Revised-Concept-Plan.pdf>)). The building would have an approximately 782 square meter footprint – or

3128 square meters on 4 floors. The proposed five story building with smaller setbacks 1.42 times that area, or approximately 4443 square meters – and a footprint of 28 1/3 by 36 2/3 meters for the first three floors and reductions for the fourth and fifth floor. The ratio of the proposed building to one with additional setbacks to the third and fourth floors would be even greater. The proposed exemptions result in a much larger building that will stand for 75 -100 years – presumably to gain 20 affordable units for 20 to 25 years, and forever changing the viewscape of Catholic Hill.

2) I agree with those that argue there is a lack of affordable housing in Guelph. I have looked at the October 2016 document entitled “The City of Guelph Affordable Housing Strategy” (http://guelph.ca/wpcontent/uploads/council_agenda_101116.pdf#page=77) and agree with many of its conclusions – particularly of trying to increase the *permanent* stock of affordable housing. As an economist I think it was worthwhile trying to quantify the benefits of the proposed 20 units and then comparing those benefits to the costs.

I feel that the benefits to the residents of the 20 proposed units are best measured by considering the maximum amount that those qualifying for affordable housing would be willing to pay for equivalent housing services in the downtown core of the city. The Guelph Affordable Housing Strategy mentioned above helps us to do this, by providing a Market-Based Benchmark for an amalgam of bachelor, one-bedroom, and two-bedroom rental units. The benchmark is given as \$1003 (there is also an Income-Based Benchmark of \$1194 per month given in the same document but I believe the market based amount is preferable and better captures the housing benefit as it measures willingness to pay rather than the ability to pay). If the developer uses federal funding administered by Investment in Affordable Housing for Ontario Program, he is required to cap rent at 80% of the Average Market Rent for Wellington County. In 2016 the AMR for a one-bedroom apartment of 60.4 m² was \$885 and so the maximum rent charged would be \$708 (<http://www.mah.gov.on.ca/AssetFactory.aspx?did=13588>.) From this we can calculate the net benefit to the affordable unit to be \$1003 - \$708, or \$295. Rents rise over time so that the net benefits also rise over time. Assuming rents rise at 2% per year (the current permitted increase in rents is given at <https://news.ontario.ca/mho/en/2016/06/ontarios-2017-rent-increase-guideline.html>), and that future benefits are discounted by 3% (the interest rate Mr. Lammer stated he could borrow funds at during the October 17 meeting at City Hall), the present value of 25 years of net benefits to the occupants of the affordable units can be calculated to be \$78,478. (Note that I have attached a MS Excel spreadsheet with all non-trivial calculations, used in this comment so as to permit the reader to make their own calculations under different assumptions if they wish). Over the 25 years that the 20 units are likely to be rented at 80% of the AMR, this comes to a total benefit of \$1,569,567 (\$78,478 x 20 units).

On the cost side we have the \$150,000 per unit that the developer will receive as a “forgivable” loan from the monies administered by the IAH Program, as well as the \$23,000 requested from the City of Guelph per unit – a total of \$173,000 per unit, or \$3,460,000. One should certainly ask whether the cost of the grants to the citizens of Guelph and the taxpayers of Canada, are worth the affordable housing benefits.

Note that as yet there has not been a quantification of the additional costs – the loss of amenity value flowing from the Catholic Hill viewscape, the cost to the staff and students at Central School, the costs

of increased congestion and parking difficulties in the neighbourhood, the reduction in property value of the residences in the affected area, or the reduction in the net benefits calculated above due to the difficulty of accessing a building located at the top of a steep hill. These costs would need to be added to the \$3,460,000 in grants received by the developer.

I should mention that if the developer had to borrow \$173,000, his monthly payments assuming the 3% interest rate he mentioned, and assuming the 25 years the units will be rented to those qualifying for affordable units, would be \$819 per unit. This \$819 per unit is a savings to the developer. It may well be an argument could be made, by the developer perhaps, that the size of the grant mentioned is necessary to compensate him for the lost rental income (or its equivalent if sold rather than rented), given the market value of those units at that location. However, lost revenue from the 20 affordable units is not the metric that should be the focus, it should be the benefits to the residents of the units themselves. Remember as well that the proposed building is 1.42 times as large as one that follows the restrictions in the proposed downtown zoning by-law – so that for the large majority of the life of the building revenue will be much higher than it would have been with a smaller building respecting the proposed zoning by-law restrictions.

3) I mentioned in point (1) above that we should try to calculate the lost amenity value that would accompany a five story building across the street from the collection of buildings on Catholic Hill. This, as I mentioned, is not an easy task. However, it is relatively simple to find what amount per resident of Guelph we would have to value that amenity value at to offset the \$1,565,567 in affordable housing benefits calculated above. I don't know how long the life of the proposed building would be, but perhaps 100 years is not a bad estimate given that there are many buildings of that age in existence. Discounting future benefits at the same 3% used in the other calculations, assuming amenity values rise at 2% a year (the same rate we used above for rent increases), and finally assuming a population in Guelph of 125,000 for the next 100 years, we can calculate the yearly benefit per person that would offset the affordable housing benefits. That calculation yields the result that 20 cents per person per year for the residents of Guelph, assuming no population growth or attributing any value of the viewscape to visitors to Guelph, is enough to offset the affordable housing benefits. If the building life were 75 years instead and population growth were .5% per year rather than zero, the loss in amenity value would be identical. Twenty cents a year may well be an overestimate of the average citizen's value they place on the un-augmented viewscape, but I know with certainty that many in community, including myself, value that iconic viewscape at a much higher level.

Dr. Patrick Martin
November 23, 2016
Guelph

Calculations supporting the submission by Dr. Patrick Martin for 75 Dublin Street - June 23, 2016 Guelph

The following calculations are of affordable unit residents new benefits (mousing over a cell gives the formula used)

Net Benefits per Month are difference between the rental amount shown and \$708 in year 1 - the amount grows at 2% per year

Annual Net Benefits is the current value (using a 3% discount factor daily) of that year's net benefits

Value Today of Net Benefits is the present value of the annual net benefits

Year	<u>Wellington Average Market Rent 1Bed \$885</u>			<u>Guelph Market Based Benchmark \$1,003</u>			<u>Guelph Income Based Benchmark \$1,194</u>		
	<u>Net Benefits</u> <u>per Month</u>	<u>Annual Net</u> <u>Benefits</u>	<u>Value Today of</u> <u>Net Benefits</u>	<u>Net Benefits</u> <u>per Month</u>	<u>Annual Net</u> <u>Benefits</u>	<u>Value Today of</u> <u>Net Benefits</u>	<u>Net Benefits</u> <u>per Month</u>	<u>Annual Net</u> <u>Benefits</u>	<u>Value Today of</u> <u>Net Benefits</u>
1	177.00	\$2,122.87	\$2,122.87	295.00	\$3,538.11	\$3,538.11	486.00	\$5,828.89	\$5,828.89
2	180.54	\$2,165.32	\$2,101.33	300.90	\$3,608.87	\$3,502.22	495.72	\$5,945.46	\$5,769.76
3	184.15	\$2,208.63	\$2,080.01	306.92	\$3,681.05	\$3,466.69	505.63	\$6,064.37	\$5,711.22
4	187.83	\$2,252.80	\$2,058.91	313.06	\$3,754.67	\$3,431.52	515.75	\$6,185.66	\$5,653.29
5	191.59	\$2,297.86	\$2,038.03	319.32	\$3,829.76	\$3,396.71	526.06	\$6,309.37	\$5,595.94
6	195.42	\$2,343.82	\$2,017.35	325.70	\$3,906.36	\$3,362.25	536.58	\$6,435.56	\$5,539.17
7	199.33	\$2,390.69	\$1,996.89	332.22	\$3,984.49	\$3,328.15	547.31	\$6,564.27	\$5,482.98
8	203.32	\$2,438.51	\$1,976.63	338.86	\$4,064.18	\$3,294.39	558.26	\$6,695.56	\$5,427.36
9	207.38	\$2,487.28	\$1,956.58	345.64	\$4,145.46	\$3,260.97	569.43	\$6,829.47	\$5,372.30
10	211.53	\$2,537.02	\$1,936.73	352.55	\$4,228.37	\$3,227.89	580.81	\$6,966.06	\$5,317.80
11	215.76	\$2,587.76	\$1,917.08	359.60	\$4,312.94	\$3,195.14	592.43	\$7,105.38	\$5,263.86
12	220.08	\$2,639.52	\$1,897.64	366.80	\$4,399.19	\$3,162.73	604.28	\$7,247.49	\$5,210.46
13	224.48	\$2,692.31	\$1,878.39	374.13	\$4,487.18	\$3,130.64	616.37	\$7,392.44	\$5,157.60
14	228.97	\$2,746.15	\$1,859.33	381.61	\$4,576.92	\$3,098.89	628.69	\$7,540.28	\$5,105.28
15	233.55	\$2,801.08	\$1,840.47	389.25	\$4,668.46	\$3,067.45	641.27	\$7,691.09	\$5,053.49
16	238.22	\$2,857.10	\$1,821.80	397.03	\$4,761.83	\$3,036.33	654.09	\$7,844.91	\$5,002.23
17	242.98	\$2,914.24	\$1,803.32	404.97	\$4,857.07	\$3,005.53	667.17	\$8,001.81	\$4,951.49
18	247.84	\$2,972.52	\$1,785.03	413.07	\$4,954.21	\$2,975.04	680.52	\$8,161.85	\$4,901.26
19	252.80	\$3,031.97	\$1,766.92	421.33	\$5,053.29	\$2,944.86	694.13	\$8,325.08	\$4,851.54
20	257.86	\$3,092.61	\$1,748.99	429.76	\$5,154.36	\$2,914.99	708.01	\$8,491.59	\$4,802.32
21	263.01	\$3,154.47	\$1,731.25	438.35	\$5,257.44	\$2,885.42	722.17	\$8,661.42	\$4,753.60
22	268.27	\$3,217.56	\$1,713.69	447.12	\$5,362.59	\$2,856.15	736.61	\$8,834.65	\$4,705.38
23	273.64	\$3,281.91	\$1,696.30	456.06	\$5,469.85	\$2,827.17	751.35	\$9,011.34	\$4,657.65
24	279.11	\$3,347.55	\$1,679.10	465.19	\$5,579.24	\$2,798.49	766.37	\$9,191.57	\$4,610.40
25	284.69	\$3,414.50	\$1,662.06	474.49	\$5,690.83	\$2,770.10	781.70	\$9,375.40	\$4,563.63
Housing Net Benefits per unit for 25 yrs*			\$47,086.70	\$78,477.83			\$129,288.91		
Total Savings on 20 units			\$941,734.01	\$1,569,556.68			\$2,585,778.13		

Calculation of monthly savings to developer (mouse over cell with number to get formula used)
The formula used below for the \$819.65 result is = (365.25/12)*173000*(1-(1/(1+(0.03/365.25))))/(1-(1/((1+(0.03/365.25))))^(365.25*25))

Total monthly saving from not having to borrow \$173000 at 3% interest for 25 years (compounded *daily*)*

819.65

Monthly saving from not having to borrow \$150,000 at 3% interest for 25 years (compounded *daily*)*

710.68

Monthly saving from not having to borrow \$23,000 at 3% interest for 25 years (compounded *daily*)*

108.97

Calculation of per person per year lost amenity benefits from viewscape that would equal affordable housing benefits - assuming market rent of \$1003
(Mouse over cell with number to get formula)
The formula used before for the \$0.20 result is = (12*1569557/125000)*((0.03/12)-(0.02/12))/(1-((1+(0.02/12))/(1+(0.03/12))))^1200)

Assumptions: 100 year building life; 125,000 residents of Guelph with no population growth; 3% discount rate compounded *monthly* ; amenity grows at 2% per year

Equivalent cost/yr/person*	\$	0.12	\$	0.20	\$	0.33
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(12*A37/125000)*((0.03/12)-(0.02/12))/(1-((1+(0.02/12))/(1+(0.03/12))))^1200)
 Assuming 75 year building life and 0.5% population growth per year so that in year 75 population is 181,704

Equivalent cost/yr/person*	\$	0.12	\$	0.20	\$	0.33
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* **Rounded to nearest cent**

From: Chris Findlay
Sent: November 24, 2016 9:41 AM
To: Mayors Office
Cc: Clerks
Subject: 75 Dublin Street North

Dear Mayor Guthrie,

I had the opportunity to speak at the Council Meeting on October 17th to express my concern over the impact of this proposed development.

My wife and I have lived at 138 Dublin Street North for the last 20 years and love our neighbourhood.

We have also become very aware of the traffic patterns and behaviours on Dublin Street North.

The intersection of Dublin and Cork is at the highest point in Guelph, indeed the peak of Catholic Hill.

Visibility at this intersection is limited, as noted in the City's own Intersection Site Lines report, which I quote;

"Intersection Sightlines

The TIS identifies that Dublin Street North generally crests at Cork Street West and effectively limits the available sightlines along Dublin Street North. Similarly, the TIS identifies that Cork Street West generally crests at Dublin Street North and effectively limits the available sightlines along Cork Street West. The TIS recommends that the City of Guelph consider implementing an all-way stop control condition at the intersection of Cork Street West and Dublin Street North, however, also indicates that the traffic volumes at this location would likely not satisfy an allway stop warrant. Engineering Services staff have reviewed this recommendation in the TIS and have indicated that if it is not warranted, an all-way stop control cannot be considered as a measure to mitigate insufficient sightlines. While staff recognize that the sightlines at the intersection of Cork Street West and Dublin Street North are existing and are not proposed to be changed with the development of 75 Dublin Street North, through the Site Plan Approval process this issue can be further examined and the consultant will be requested to provide warrant analysis for all-way stop control at the intersection of Cork Street West and Dublin Street North.

Page 50 of 96 within the Agenda document about Page 209"

While there are many reasons for opposition to this proposed development, safety is my main concern. By adding a new population of seniors, along with the school children already in the area, these most vulnerable populations will be put at risk.

Drivers are currently challenged with visibility at the crest of both Cork and Dublin. It will require very little distraction or inclement weather to result in a serious pedestrian accident. As a senior and grandparent of four kids under 7, I see this development as a disaster in the making.

As a Business Owner, I rely on Guelph's reputation as a great place to live to attract skilled professionals to work here.

This proposed building at the top of Catholic Hill threatens the Guelph Brand.

This proposed development should not be built in this location at all.

Do not permit this project to go ahead in any form.

Please save the integrity of Guelph.

Respectfully,

Chris Findlay, PhD CFS

Chairman



cfindlay@compusense.com

Phone +1 519.836.9993 | 800.367.6666 (North America Only)

From: Karen Phipps [mailto:khipps@compusense.com]
Sent: November 24, 2016 11:00 AM
To: Mayors Office
Cc: Clerks
Subject: A condo at 75 Dublin Street North damages the Guelph Brand

Dear Mayor Guthrie

As a business owner I must express my strong opposition to the current proposed development at 75 Dublin St. N

Having been in business in Guelph for over 30 years and proud of being an international company located in this marvelous city, I am deeply concerned over the proposed development.

This 4 or 5 storey development will devalue all that the Guelph community has strived for and built since 1830.

As a business owner and resident of Guelph, I believe we all need to protect our unique and historic city. As I travel the world on business I want to continue to promote this city for businesses and for skilled workers to consider as a choice for a place to call home and to put down roots.

We risk losing what we have achieved because a single developer has decided that this is the best piece of real estate in Guelph for a condo development. Please refer to the interview with the developer over 1 year ago ,whereby he acknowledges his intentions for this site.

<http://www.guelphmercury.com/news-story/5964270-residential-development-a-possibility-at-former-tennis-courts-property-on-guelph-s-catholic-hill/>

We must consider the total impact now and into the future. We need to protect this iconic site, and allow Guelph residents to continue to be proud of this amazing city. If this development is permitted, the damage to the iconic Guelph brand will be irreparable. Guelph is renowned for its community, its heritage and its value as a preferred place to live, to work and to raise families.

Please reject this development and put in motion appropriate planning and consultation for the best use of this land for Guelph.

Respectfully submitted

Karen Phipps, MEd
President



khipps@compusense.com

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Phone +1 519.836.9993 | 800.367.6666 (North America Only)

From: Nancy L Bower
Sent: November 24, 2016 1:46 PM
To: Mayors Office
Cc: Clerks
Subject: 75 Dublin Street North

Dear Mayor Guthrie,

I am writing to express my great concern about the proposed development at 75 Dublin Street North.

This piece of land is at the highest point in Guelph and a four- or five-storey building on this site will stick out like a sore thumb. The building would seriously detract from the iconic Guelph views of the Basilica of Our Lady Immaculate, especially since the architect's drawings do not seem to indicate any attempt to complement the character of the church. The proposed building would tower above the other surrounding buildings, most particularly Central School.

I feel that council should give special consideration to the zoning of this particular piece of land. It is located at a prominent location in Guelph next to the basilica, and as such should have more restrictive, rather than less restrictive zoning.

The best solution would be for this property to be parkland – much needed near the centre of Guelph and appropriate for the site next to Central School.

If that is not an option, then there should be restrictions on the height of any building that does go in that site. No more than two storeys would be ideal for many reasons:

- (1) The surrounding buildings (other than those associated with the church) are all two storeys or less, so it would fit in with the surrounding neighbourhood.
- (2) A lower building would have less impact on the view of the Basilica of Our Lady Immaculate (a National Historic Site).
- (3) A large building would cast shadows on the adjacent school building for much of the day and for most of the school year.

I sincerely hope you will reject the proposed by-law changes for 75 Dublin Street, and will carefully consider what would be a more appropriate use for this special piece of land.

Nancy Bower Martin

Guelph

November 21, 2016

RE: The Rykur Holdings Inc. proposed housing development project, 75 Dublin Street Guelph

Dear City Council,

Age Friendly Guelph Leadership Team (AFGLT) knows that City Council is well aware of this need for new affordable housing, and that your decision involves not the need, but location approval.

AFGLT favours the 75 Dublin Street North concept, plan and site for many reasons.

- 1) The mix of seniors and community members at large, as well as the mix of affordable and market pricing, aligns with the domains of "Respect and Social Inclusion" and "Social Participation. We are in favour of inclusive builds that put neither seniors nor lower income people into ghettos, separate from the rest of the community.
- 2) This building will include some common areas, and roof top gardens, where residents can socialize and possibly find ways to assist each other e.g. baby-sitting, grocery shopping.
- 3) The proximity to downtown will encourage seniors to be out and involved in the many opportunities in the downtown area. The nearby library, with computers and various programs, coffee shops, medical offices, shopping, theatre and restaurants are likely spots to visit, and this ease of access removes the barrier that taking transit can pose.
- 4) Additional traffic has been cited as a reason not to have this site approved, but 75 Dublin St. N. is within one block of downtown Guelph, and a reasonable amount of traffic would be expected for those who have chosen to live in this area.
- 5) Concerns are also expressed for "tenant safety", especially for those with mobility constraints. However, all future tenants will be adults who can assess the situation, and can choose to live at this location or not.
- 6) Concerns that a Heritage site will be diminished by providing affordable housing to seniors in the next block denies the fact that senior are our living heritage.
- 7) Some of the concerns expressed on behalf of the school are concerns that would occur regardless of what is built on this site...e.g. the noise of construction. As for traffic, there are many Guelph schools that are built on higher traffic streets, and the students do get to school safely. As a senior myself, I was especially taken aback by the fear expressed that someone might look out their window and see children happily playing together at recess. There is no nicer sound than hearing the laughter of a child to brighten one's

AGE FRIENDLY GUELPH LEADERSHIP TEAM

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519-823-1291 x2691 guelph.ca/agefriendly



life, and I would hope that children and families living near this new building would take the opportunity to get to know some of the seniors who move in, their new neighbours, and enjoy the benefits of intergenerational friendships.

We at Age Friendly Guelph hope that council will view favourably the Rykur Holdings Inc. proposed housing project planned for the 75 Dublin St. N. site.

Background to Age Friendly Guelph:

By 2031 the population of the City of Guelph is projected to be 175,000, with the greatest proportional increase in the 55+ age category, or 33% of all Guelph residents.¹ The impact of this demographic shift on the design and delivery of municipal services presents both opportunities and challenges.

In November 2012, City of Guelph Council approved the Goal, Vision and Guiding Principles of an Older Adult Strategy (OAS). The Strategy was developed based on extensive consultations, using a framework consistent with the World Health Organization's (WHO) Dimensions of Age-Friendliness: outdoor spaces and buildings, transportation, housing, social participation, respect and social inclusion, civic participation and employment, communication and information, community support and health supports. Guelph is committed to becoming age-friendly in each of these areas.

The Age Friendly Guelph Leadership Team (AFGLT) is responsible for the stewardship of the Older Adult Strategy Framework in Guelph. Its primary responsibilities are to lead, uphold and advocate for the achievement of vision and goal of the Older Adult Strategy, through coordinating the prioritized implementation of the Strategy's recommendations.²

Housing is one of the eight domains chosen for the formation of a working group. The AFGLT needed to know to what extent older adults have housing that is "safe, affordable, close to services, accessible, and integrated into their community". We attended meetings as part of the City's focus groups concerning Guelph's Affordable Housing Strategy, became familiar with the County of Wellington's 10 year Housing and Homelessness Plan, and joined the Wellington Guelph Housing Committee to become further informed of the many issues. We became aware of the definite need for new, affordable rental spaces in Guelph.

Respectively submitted on behalf of the Age Friendly Guelph Leadership Team,


Janet Fowler
Housing Domain Working Group

¹ (Revised Official Plan, Local Growth Management Strategy, 2009/*The Growth Outlook for the Greater Golden Horseshoe*, Hemson Consulting Ltd., January 2005).

² Age Friendly Guelph Leadership Team Terms of Reference

November 24, 2016

Via email: mayor@guelph.ca

His Worship Mayor Cam Guthrie
and Members of Council
City of Guelph
Guelph City Hall
1 Carden Street
Guelph, Ontario
N1H 3A1

Your Worship and Members of Council

Re: 75 Dublin Street North
Re: Downtown Zoning Bylaw Amendment and Applications OP1603 and ZC1612
Re: City of Guelph Council Meeting November 28, 2016

Please be advised that we have been retained by the Upper Grand District School Board with respect to the above referenced development proposal and proposed planning instruments.

Our client owns and operates the Central Public School, located at 97 Dublin Street North immediately to the north of the above referenced property. Central Public School is one of the oldest school sites in the City of Guelph and a public school has operated on the same site for approximately 140 years. The current school building was constructed in 1968 to replace the original structure. Central PS is the only operating school remaining in Guelph's downtown. It is the Board's view that Central PS will be on Dublin Street North for many generations to come.

The Upper Grand District School Board's mission and vision includes fostering achievement and well-being and creating positive and inclusive learning environments. The Board is concerned with the access of its students to natural sunlight on school playgrounds throughout the school year and the safety and privacy of the Central PS school community. It is this lens which informs the Board's position with respect to the proposal for the development of 75 Dublin Street North.

Our client is of the opinion that both the proposed 5 storey development and the four storey alternative recommended by City Staff constitute an overbuilding of the site, with unacceptable massing and overlook, inadequate setbacks and landscaping and unacceptable shadow impacts.

Bob Dragicevic a well-regarded land use planner with significant experience advising school boards was retained to provide his comments concerning this development proposal. A copy

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of Mr. Dragicevic's comments was forwarded to City Planning Staff November 8 and is attached for Council's information.

Notwithstanding the changes to the development proposal by the owner of 75 Dublin Street North and staff's recommendations as described in Report Number 16-85 "Decision Report, City-initiated Official Plan Amendment (OP1603), Proposed revision to the Downtown Zoning By-law Amendment (ZC1612) as it pertains to 75 Dublin Street North" our client still has serious concerns with the development proposed for this site and cannot support the City-initiated amendments.

The location of the main entrance of the proposed building on Dublin and its close proximity to the Dublin Street parking layby will create conflicts between apartment and school users, and raises safety concerns that the Board does not feel have been adequately addressed. The two guest parking spaces located in or adjacent the underground parking garage, which has its driveway off of Cork Street, are questionably functional, inconveniently located to the main entrance, and will not be an attractive parking option for guests of this building.

Amendments to the Proposed Downtown Zoning Bylaw or a Site Specific Bylaw Amendment

The Board agrees with City staff that site specific zoning is required to address this property's unique characteristics and its relationship to adjacent land uses.

City staff places considerable reliance on the "as of right" Institutional zoning for this property in assessing the development proposal and making recommendations for amendments to the proposed Downtown Zoning Bylaw.

We are perplexed how an "as of right condition" analysis has applicability when there is before Council proposed changes in use in the Official Plan, maximum height limit in the Official Plan and in the site regulations.

It is our position that the current Institutional zoning is not in conformity with the recently adopted Downtown Secondary Plan and that although the performance standards for the Institutional zoning might assist in informing a land use planning analysis for this site, site specific zoning must be informed first by, and be in conformity with, the approved official plan.

The Official Plan for this site designates the property as Mixed Use 2 area, which permits low-rise buildings a minimum of 2 to a maximum 4 stories in height that are residential in character. Individual circumstances of each application need to be addressed to determine the appropriate height of a building in order to demonstrate compatibility as set out in the City's Official Plan.

The Official Plan designation for this property does not guarantee a 4 storey building within this property's land use designation.

Even under the shadow generated by City Staff's 4 storey proposal, with the recommended setbacks and stepbacks, the Central PS main playground will be mostly in shadow during the morning hours in the late fall/winter and there will be a significant increase in shadow cast on the Full Day Kindergarten play yard at the front of the school during those months as well.

The shadows cast on the Central PS playgrounds by City Staff's 4 storey proposal will be considerably greater than that generated by a 2 storey building on the site and it is our opinion that the proponent or Staff should be required to demonstrate, through additional shadow analysis, the impact of that alternative in order to provide Council the complete picture, before it makes final decisions as to site specific zoning amendments for this property.

The need to examine the lower height range as permitted by the Official Plan is also suggested by the significant grade difference between the school playground and the property which increases the impact of the height of any building on this site. Effectively a 2 storey building on this property, as viewed from the School playground or from the south on Cork Street will be experienced as a nearly 4 – 5 storey building. A 4 storey building will be experienced as a 6 – 7 storey building from the same vantage points. Contrary to the Official Plan, the 4 storey proposal does not respond appropriately to the conditions of the site and surroundings.

We would request that site specific zoning by-law amendments adopted by Council for this property to the proposed Downtown Zoning Bylaw should include the following matters:

1. An absolute height limit for this property, including mechanical penthouses and telecommunication facilities and antennae, based on geodetic elevation datum, needs to be enshrined.
2. A maximum Floor Space Index (FSI).
3. Increased minimum front yard, in keeping with the average setback of buildings along the same block face of the east side of Dublin Street North, increased side yard setbacks and the 10 metre minimum rear yard setback required in the Downtown Zoning Bylaw.
4. Prohibition of balconies or main room windows on the northerly face of the building, overlooking the school site.

5. The location of the main entrance of any new building on the property should be located on Cork Street. Issues such as main building entrance location and other site specific matters are often addressed in zoning bylaws. The Board has no rights of appeal from a site plan decision and this issue is of sufficient importance to the public interest that it should be addressed now in the site specific zoning.

Further, consideration needs to be given to expanding the 45 degree plane required for new Downtown Zones abutting R1, R2 or R3 zones to include sensitive Institutional uses like the Central Public School property and its associated playfields, play areas and student gathering areas.

Please acknowledge receipt of this letter in writing.

Please provide the author with notice of the passing of any site specific zoning bylaw amendment affecting this property, the Downtown Zoning Bylaw or any part of it, notice of passing of any zoning bylaw amendment pursuant to application ZC1612 and notice of adoption of any official plan amendment application pursuant to application OP1603.

Yours very truly,



A. Milliken Heisey, Q.C.
AMH/cmb

Attachment

cc: Martha Rogers, Director of Education, Upper Grand District School Board
Mark Bailey, Chair, Upper Grand District School Board
Linda Busuttil, Trustee, Upper Grand District School Board
Susan Moziar, Trustee, Upper Grand District School Board
Glen Regier, Superintendent of Finance, Upper Grand District School Board
Jennifer Passy, Manager of Planning, Upper Grand District School Board
Clerk of the City of Guelph (clerk@guelph.ca)
Councillor Phil Allt Ward 3
Councillor June Hofland Ward 3

7 November 2016

Papazian | Heisey | Myers, Barristers & Solicitors
Standard Life Centre, Suite 510,
121 King St. W., P.O. Box 105
Toronto, ON M5H 3T9

Attention: **Mr. Alan M. Milliken Heisey Q.C.**

Dear Mr. Heisey,

RE: **75 Dublin Street North
Development Application
Central Public School
City of Guelph**

WND File No. 16.665

As requested, we have reviewed various files and reports prepared by the consultants for the residential apartment building proposed for the lands located at 75 Dublin Street North, which is adjacent to the Central Public School located at 97 Dublin Street North, at the southwest corner of Dublin Street North and Cork Street, in the downtown area of the City of Guelph ("the subject site").

We have visited the subject site and attended at a meeting with the proponent and their planning and architectural advisors at the Upper Grand District School Board offices on October 21, 2016. At that time we were advised that changes would be made to the plans submitted to the City. Amended plans were to be filed with the City on October 24, 2016.

The Central Public School has been in operation at this location for decades. A school has been located on the site since 1876.

It is the only public elementary school in the Downtown area of the City and we have been advised that this school is expected to remain as an operating school in the long term. Full day kindergarten (FDK) programming is provided at the school, and the associated play yard is located in the western portion of the school site. The area between the school building and the subject site has been improved as a Peace Garden, used by the school for quiet times and passive activity.

The Central Public School has on its rooftop an array of solar energy panels, which are operated under a 20 year contract, and provides for some financial return to the School Board. The School Board's policies

on sustainability make the continued availability of uninterrupted sunlight to these panels an important consideration for our client.

The Central Public School enjoys a pick up and drop off location in the form of a lay by on Dublin Street North, towards the southern end of the subject site and extending north along a portion of the Dublin Street North frontage of 75 Dublin Street North. A pedestrian cross walk supervised by an Adult School Crossing Guard is located on Dublin Street North at Cambridge Street.

The Proposed Development

The development application filed for 75 Dublin Street North (“the property”) involves a 37-unit, 5-storey apartment building, with an underground parking garage accessed from Cork Street.

The building will be developed as a condominium with 17 market units and 20 units of affordable rental housing to be operated under contract with Rykur Holdings Inc. for a guaranteed period of twenty to twenty five years, after which the units could be available as market units.

The market units will consist of one and two bedroom condominium apartment units, and the affordable units will be primarily one bedroom rental apartments. The market units will be located on floors three to five, with the affordable units on the first and second floors.

The primary pedestrian entrance to the building is to be located on the Dublin Street frontage, with a secondary access/exit on Cork Street. Balconies will be provided on the west and east faces of the building and the north face of the apartment building (the latter occurring as a result of the amended plans).

All vehicular access will occur from the Cork Street frontage leading to the underground parking garage.

A total of 37 parking spaces will be provided. The parking will be provided in a mechanical parking stacker, and in standard underground parking spaces. No surface parking is proposed to be provided on the site. The parking supply will allow for one (1) space per market unit, and 0.85 spaces per affordable unit. Two (2) visitor parking spaces will be provided in the underground parking garage near the entry to the parking garage on Cork Street.

The parking provided by the applicant in the revised application is consistent with recent parking standards for condominium buildings in the Downtown area of the City.

Development Approvals Required

The development proposal requires an amendment to the City of Guelph Official Plan to allow for a 5-storey building, whereas city policy in the Downtown Secondary Plan would limit the height of the building to two to four storeys. The height limits in the Official Plan are intended to protect for views of the cultural heritage landscape features of Catholic Hill, and specifically the Basilica of Our Lady, which is a federally designated heritage site.

The proposed use of the property is otherwise consistent with the City’s Official Plan.

The development proposal also seeks to amend the City of Guelph Zoning Bylaw to allow for the residential use of the property, an increase in the height allowance for the building, and to provide for site specific regulations, which would be expected to be tailored to the building placement on the site, including allowable gross floor area as well as parking. A notable change to the bylaw includes a reduction in the east portion of the property, which is technically a rear yard of the property according to the City's zoning bylaw. The development proposal seeks a reduction in the required rear yard from 10 metres to 3 metres. It should be noted that the current allowance permits a 4-storey building and the rear yard requirement applies only to a non-residential building on an as-of-right basis.

An application for site plan approval and a draft plan of condominium would also be required and have not been submitted to the City at this time.

The property was formerly developed with tennis courts and there is little in the way of trees or significant vegetation. The property is located in an area with considerable change in grade, necessitating the use of retaining wall on the east side of the property adjacent to a commercial property and along the northern property line shared with Central Public School. The elevation change along the subject site has been estimated to be 4.5 to 5m in height (from the base of the school building to the top of the property formerly occupied by the tennis courts). This elevation difference is the equivalent of one and half to two storeys in height of a typical residential apartment development.

Issues

In our review of the proposed amendment, we have identified the following matters which may be of concern or issue:

Official Plan Conformity

As indicated above the proposed development requires an amendment to the Official Plan in respect to height of the building. This policy was developed largely in response to the federally designated heritage site of the church property to the west and its prominence on the skyline of the downtown. This policy was also developed for the entire downtown area and requires consideration of adjacent buildings (likely due to the extent of existing development within the Downtown and the expectation for infill type development). In the context of the proposed development for the property and its relationship to the school site the change in elevation between the property and the adjacent school building would require careful consideration to the impact of the proposed massing and placement on the school building and the areas around the school itself.

From our review of the proposed development, there is an issue with Official Plan policy which speaks to general building heights of two to four storeys. The elevation change alone account for a one and half storey differential in height, which would effectively establish the height of the proposed building as an equivalent of approximately 7-storeys in height (excluding the mechanical penthouse) to the facing condition with the Central Public School.

The proposed development also requires substantial reduction in the rear yard allowance from 10m to 3m. This reduction also introduces a substantial increase in the building massing which in turns affects the shadow cast onto the school site, particularly the Peace Garden which will be in shade much of the day as a result of the proposed building.

As the development requires an Official Plan Amendment, the onus should be on the proponent to provide an analysis of the additional height sought to allow an evaluation on the basis of the overall impact on the subject site.

Impact of Height on the School Site

Particularly to the FDK play area on the Dublin Street North frontage, to the Peace Garden along the south limit of the school site, and the hard surface play areas along to the east of the school building, the height and massing of the proposed residential building will create:

Loss of sunlight to the play areas in the typical operating months of operation of the school

In regards to the shadow impact of the proposed development, as there are no City of Guelph terms of reference or policies available to determine whether the potential shadows created by the proposed building will be provided at an acceptable level on the subject site, we have taken a practical approach in our review of the shadow studies prepared by the applicant. Typically, loss of sunlight is addressed in the context of the March, September and June time periods (taking into account Daylight Saving Time) and, occasionally, winter conditions are considered for public spaces.

In the context of the development application for the property, the applicant has provided sun shadow studies to demonstrate the impact of the proposed building to the subject site. At this time, we can advise that the shadow of the proposed building in the morning and early afternoon hours extend over the FDK play area, the Peace Garden, and into the southern extent of the easterly play area of the school (created by the proposed increased building height and width), beyond the shadow created by a building built as-of-right under the current zoning by-law. This condition is most pronounced in the winter months rendering those areas without sunlight for the bulk of the school day.

As outlined in our memorandum dated October 17, 2016, a number of concerns pertaining to the shadow studies were identified and recommendations were provided to assist in our review of the proposed residential development.

Loss of sunlight to the roof mounted solar panels

The solar panels will be subject to shadow such that there could be a loss of power generation capacity in the morning hours and this would have a financial impact to the school board. This is a matter which could be eliminated by a reduction in the building height or the relocation of the panels to the north. If the latter option is pursued this should be accomplished by a binding agreement prior to any amendment to the zoning bylaw.

Overlook to school's play areas from proposed main residential rooms windows, balconies and terrace

The orientation of the proposed main residential window, balconies and terraces could create an overlook condition to the kindergarten play area at the front of the school building, to the Peace Garden, and the rear yard school playground to the north. This is a matter of balancing the benefit of "eyes" on the publicly accessible area of the Peace Garden and the potential disbenefit or loss of privacy and overlook into these areas of the school site. The revised plans now present terraces on the northern facing levels

of the proposed building at the fourth and fifth floors. The terrace condition is now proposed to result in a 3m deep condition and this will be usable area for future residents. To mitigate concerns with direct overlook, features such as opaque/frosted panels, and/or planters/balcony guards can be required to prevent people on the terrace from being immediately at the edge of the terrace creating a condition of a longer view vs an immediate overlook to the Peace Garden and play areas.

Impact of Building Massing to Heritage Property Considerations

Given the importance of the heritage considerations to Church Hill, we note that the heritage impact study for the proposal was not submitted to the City or made available to the School Board until October 21, 2016. With the modifications to the proposal submitted on October 24th, this report will need to be updated and reviewed by the City. We have not provided any commentary on this report and have had insufficient time to do so but would anticipate this to be a significant document in the assessment of the overall proposal by the City.

Impact of Location of Main Entrance to the Building

The transportation report filed on October 14, 2016 for the subject site states:

“There is existing on-street parking spaces along the Dublin Street North frontage of the subject property. These parking spaces function as a Kiss N’ Ride zone for the Central Public School with a time limit of 5 minutes between 08:00 and 16:30 from Monday to Friday. Outside these hours, on-street parking is permitted at all times. These spaces and the other on-street parking areas along the adjacent roadways will serve as visitor parking for the subject site. Visitor parking is used predominately in the evenings and on weekends and is not expected to conflict with typical school operating hours.”

In our view, the location of the main entrance to the proposed apartment building on Dublin Street North will create a potential conflict with the day-to-day operations of the school which has the exclusive use of the existing lay by on the street.

The proposed building makes no provision for a lay by on either Dublin Street North or Cork Street West for pick-up and drop-off of residents by others, including cabs and handicapped accessible vehicles, and general deliveries. This conflict would be unavoidable given the extent of the hours the lay by would be used by the school and the normal day-to-day needs of residents of the apartment building particularly a building oriented to seniors. The location of the underground visitor parking spaces is not likely to be convenient for most deliveries or pick-up of residents, and is not designed to accommodate larger handicapped accessible type vehicles which may be needed by residents.

Parking

Given the proposed increase in the parking supply, this should not be a matter of issue. As discussed above, the more significant issue is the location of the parking and the lack of a proper pick up and drop off for the proposed building in order to avoid the conflicts anticipated in the lay by area on Dublin Street North as programmed and limited to allow continued and effective use by the Central Public School.

Inadequate Setbacks

The proposed setbacks of 3 metres from the front , northerly and rear side yard setbacks are inadequate and create an incompatible relationship with the adjacent school.

Some guidance as to more appropriate minimum building setback distances for this development can be obtained by looking at the setbacks for development currently permitted for development on this site under the existing Institutional zoning.

Under the existing I.1 zoning a minimum front yard and side yard setback of 6 metres are required.

The front yard and side yard standard from the I.1 zoning if applied to the proposed development would reduce the overlook and loss of indirect light to the Kindergarten Play area at the southwest corner of the School and the Peace Garden.

The I.1 zoning requires a minimum rear yard setback of 7.5 metres and the proposed D.2 zoning under the Downtown Zoning Bylaw proposes to require 10 metres. Given the impact of the reduced setback proposed on shadow on the asphalt playground during the morning months in the winter maintenance of the 10 metre rear yard setback from the Downtown Zoning Bylaw would be more appropriate.

Conclusion

In our view, the proposed development should be required to address matters of fencing, landscape and lighting along the common property limit with the subject site. These details are typically advanced at a site plan approval stage and the Board technically would not have a right to review or materially affect those matters.

In our view, the application should be amended as follows to address the identified impacts to the school property:

- Relocate the main entrance to the building from Dublin Street North to Cork Street West or to the southwest corner of the building to be secured by the new zoning bylaw
 - Increase the front yard and north side yard setbacks to 6 metres and incorporate a landscape plan to improve and enlarge the area of the Peace Garden (by design and not ownership)
 - Increase the rear yard setback to 10 metres
 - Limit the height of the development to 2-4 stories and express it in an actual measured height above grade
 - Prohibit any protrusions above the height limit unless expressly permitted including prohibition of any telecommunications/wireless antennae
 - Provide further setbacks at the upper levels on the east, west and north sides of the building to mitigate sun shadow loss and reduce the impact of the buildings massing on adjacent school activity areas and playgrounds
 - Define the location , height and size of any proposed mechanical penthouse in the zoning bylaw
 - Develop a building envelope in the zoning bylaw reflecting these performance standards
 - Consider an approach to resolve loss of sunlight to the roof top panels on the school building
-

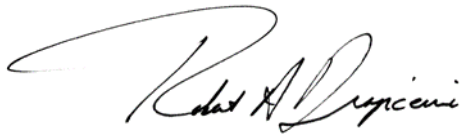
Should an amendment to the zoning bylaw be approved for the proposed development of the property, we would recommend specific regulations to limit the location, size and number of balconies, or terraces; and stepbacks and setbacks should be prescribed to ensure building placement and the light conditions demonstrated to be acceptable to the school board.

Given the unique characteristics and conditions of the school property, we would recommend the City amend the Downtown Zoning Bylaw as it affects this property to incorporate the recommendations contained in this letter to guide future development applications.

I trust this is satisfactory to your needs at this time. Should you have any questions or wish to discuss this please contact me.

Yours truly,

WND associates
planning + urban design

A handwritten signature in black ink, reading "Robert A. Dragicevic". The signature is fluid and cursive, with a large, sweeping initial "R".

Robert A. Dragicevic, MCIP, RPP
Senior Principal

Dear Councilors,

Much has been said about the proposal to build a large condo building at 75 Dublin. I urge you to protect the 19th century skyline of Guelph's most iconic basilica on Catholic Hill. For practical reasons, the placement of a seniors'

home on top of a steep hill is ill advised. The parking, the inability to have affordable shopping nearby, the snow on sidewalks in winter and the esthetics of juxtaposing another large building on a too-small lot argue against this proposal.

The timelines are tight apparently. Should haste allow development to scar the central feature of our city? Why can't the city swap other more accessible lots for 75 Dublin? Why can't the county be asked to delay its dates for affordable housing construction grants? Should not sensitive and timely planning be the hallmark of our city? Building elsewhere would still allow intensification to proceed and enrich the local tax base.

Please do not allow the beauty of the 19th century edifices in Guelph to be obliterated by the inappropriate placement of large buildings on small lots as council has done on several occasions this year. Many cities in the western world cherish their skylines. Can we not do the same?

Yours truly,

J.M. Crawley

Dear Mayor Guthrie and Councillors

At the time of writing (8 p.m. November 24th), my wife and I have just returned from the groundbreaking ceremony of the new Elora Mill complex to be developed by the Pearle Hospitality Group. The common theme of the speeches by the Mayor of Elora, the President of the local tourism organization, and the CEO of Pearle, as well as a letter from MPP Ted Arnott, was partnership and collaboration in revitalizing a community by restoring a heritage area of the town to the cultural and community prominence it once enjoyed. In Guelph we are dealing with a situation that is the complete antithesis, a situation in which the local community is battling with a developer who is now showing complete contempt for that community, a heritage area that is under threat from the development, and a Council that is under pressure to make a rushed decision because of external constraints on timing. This is a recipe for disaster.

The problem could have been avoided if the boundaries of the downtown secondary plan had been considered more fully, with recognition that seamless integration with adjacent neighbourhoods took on special meaning in the area of Catholic Hill. Even a 4-storey building on the eminence that underlies the tennis courts is too tall for that location, not just for the fact that it would loom over the school, but that it would irreparably denigrate the heritage value of the skyline of the hill.

The reaction of the developer to community pushback raises a red flag the size of the tennis courts. If this is the respect shown to legitimate concerns over the proposed project, how convivial and collegial a neighbour is said developer going to be when the concerns turn out to be real problems after construction.

The only sane approach to this situation is for Council to ignore the timing constraints, and slow the process down. Listen to the carefully researched points by the neighborhood group and their consultants that are raised against the proposal and weigh them thoughtfully. Reconsider the boundary specifications for the downtown zone. Take a leaf out of Elora's book and invite a proactive partnered planning process for the available land, rather than the current rushed reactive response that could have long lasting negative repercussions. Be long remembered as the Council that enhanced the beauty of Catholic Hill rather than the one who undermined its value to the City.

Respectfully submitted

Jeff Thomason and Melody Wren

Please make this correspondence part of the agenda for the November 28th meeting, and forward to the Mayor and Council Members.

I urge Council to reject the 5-storey development that has been proposed by Rykur Holdings for 75 Dublin Street, North.

I also ask that in addition, the decision on this property be deferred and placed back in the overall Downtown Secondary Plan Zoning Amendment process, which is coming to Council in Spring of 2017, where it rightfully belongs.

As part of the deferral, the following actions are requested of Council:

1. Direct staff to look at more sensitive zoning for all lands adjacent to Catholic Hill, part of cultural heritage landscape, under the Downtown Secondary Plan Zoning Amendment.
2. Direct staff to continue to investigate the possibility of a land swap with the developer.

The need for the City to get this right can't be emphasized enough. The property proposal must be taken of the so-called "urgent" status and proper due diligence performed for the overall plans for this property.

The many concerns from community members and organizations bear repeating:

1. The development will have a negative impact on the Central Public School, immediately next door.
2. Heritage Guelph is concerned about the impacts on Catholic Hill. This property, a sensitive historical and architecturally significant site with an extra-ordinary skyline view, must not be ruined by the commercial ambitions of a developer wishing to rush the process and bypass years of planning and financial investment by the City.
3. The proposed development is inappropriate for seniors.
4. The Upper Grand District School Board planner's report cites ongoing concerns with parking and traffic.
5. The proposed development is incompatible with the surrounding Victorian streetscape.

The City must resist being held hostage to the timelines of the affordable housing infrastructure grant. Upon close examination it would appear that the grant would be as much of a benefit to the developer as it would be for low-income seniors, and so does not represent value for either taxpayers or low-income seniors.

Sincerely,

Patti Maurice

The Highs and Lows of Guelph Getting high in Guelph

by Susan Ratcliffe

Guelph has seven hills and on the highest one sits the Basilica of our Lady, along with its family of familiar limestone structures.

Guelph has one of the widest main streets in Ontario and on it sits the grand old Petrie building topped with its elaborate mortar and pestle, scrolls and lions - the highest art in downtown Guelph. Its restoration will bring new life and visitors to an important part of the old downtown.

In its valleys, Guelph has the beautiful wooded banks of the Eramosa River, the peaceful paths along the storied banks of the Speed River and once-powerful streams of the Silver and Pond Creeks now largely buried in their urban surroundings. We hope that the new Greenbelt expansion will bring protection and visitors to this irreplaceable natural landscape.

An irreplaceable combination of highs and lows in landscapes and buildings that gives Guelph its truly unique character among Ontario towns. We need to be careful stewards of these priceless treasures. Under the pressures of growth and external demands, we need to stand firm and make careful decisions to protect our heritage for future generations. And we need to be aware of their economic value as tourist attractions.

In the glowing light of the setting sun and the rising super moon, the Basilica shines in its newly-renovated glory, now illuminated to highlight its limestone towers. As it sits as the crown on Catholic Hill, it creates our iconic skyline visible from all main entrances to the city. We can thank our city founder, John Galt, for his vision for our city. According to Guelph's pre-eminent heritage expert, Gil Stelter:

When John Galt founded and planned Guelph in 1827, he was conscious of the symbolic importance of a skyline for future generations. Wherever he had travelled in the world, especially in the Mediterranean area and Europe, he wrote about the way a community's skyline was a good indication of what that community was like, and what it valued. For this reason he wanted his new community to have a church in a physically prominent place as a statement of what he hoped his new place would be like. So when his first visitor to the new town site, Bishop Macdonnell, came to Guelph, Galt and he chose the spot now known as Catholic Hill.

Professor Stelter continues with this key observation:

The result was the most important view, a sort of branding of the community, for residents and visitors alike. And it went beyond the one religious denomination involved. Galt, a Presbyterian, was working with a Catholic dignitary, on a community project that would come to define the future community.

Now Galt's vision and our city's celebrated brand is threatened by the proposal to construct a six-storey building adjacent to the Basilica and its sister buildings. The most prominent piece of vacant real estate in the whole city, it is adjacent not only to a National Historic Site (the Basilica) and an identified heritage resource (St. Agnes School and the rest of the Catholic Hill Ecclesiastical Campus), but also to a historic neighbourhood of listed and designated houses no higher than two storeys.

The "viewsapes to and from the city", one of the Character Defining elements of the National Historic Site designation, appears on many of Guelph's tourism publicity materials and has recently been used

on a Metro shopping bag. The site attracts thousands of visitors a year, in tour busses, on walking tours, and for concerts and events like weddings and funerals. On the *Trip Advisor* website are 127 positive reviews of the Basilica and Catholic Hill with visitors making comments like the following:

- The church of our lady is visible from every major road entering the city, sitting high atop the hill in the centre of town... very pretty and a nice landmark, even for the non-religious!
- The Church of Our Lady Immaculate stands majestically overlooking the city of Guelph, Ontario. It is a major city landmark and an important piece of Canadian architecture.

The 1975 Height By-law prohibited any new building that could interfere with the viewscape of Guelph's most notable landmark. Planning Director Ken Perry said, that such new developments would be "not compatible with the preservation of the existing skyline. . . and would eventually obliterate the view of the Church of our Lady. . . The character of Guelph should be preserved by encouraging lower profile redevelopment projects." Both Norm Harrison, the Heritage Planner at the time, and Gil Stelter remember that the intention was clearly to protect ALL the views.

To quote Gil Stelter again:

The main question faced by Guelphites and their City Council is: do the views of Catholic Hill matter? The views today from various angles represent Guelph's chief branding as a community with real pride in its heritage. Anything that detracts from it weakens Guelph's most important identifying symbol. The symbolic significance of Catholic Hill for this city's self-image and for its promotion of itself to others should not be underestimated.

Two key questions about this project involve the federal and provincial funding of \$3,000,000 for this so-called affordable housing project and Mr. Lammer's request for a special and extraordinarily hasty zoning amendment to build this project on Guelph's highest hill. Why would the federal government provide so much money to effectively destroy a federally-designated National Historic Site? Why would the provincial government support providing so much money for a project that will result in high-priced condos owned by the developer? And why would City Council hurry to provide a zoning change on a site that is singularly unique in Guelph, a zoning change to allow a building that would ruin forever John Galt's vision for Guelph?

Susan Ratcliffe

November 24, 2016

Dear Mayor and Members of Council,

As a resident living in the immediate vicinity of the proposed development (City Files: OP1603 and ZC1612), I wish to express my very strong objection to the proposal submitted to the City of Guelph on behalf of developer T. Lammer to undertake Official Plan and Zoning Bylaw amendments for 75 Dublin Street North to allow the development of a condominium apartment complex. These proposals have generated a range of objections from fellow residents related to its location, the proposed height and configuration of the building, the safety of children in the adjacent school, difficulties in access to the building by tenants and its significant negative impacts on local traffic and parking, all of which appear to be ignored. In addition, concern is expressed regarding the circumstances under which the application is proceeding. Whilst I concur wholeheartedly with this broad range of serious public concerns, my written submission focuses on the negative impact of the proposed development on adjacent properties and streets.

Issue 1: Impact of the Massing of the Building on Catholic Hill

Although much higher density residential development can be appropriate along major roads or high use transit routes in urban areas, this proposal involves a site that is neither. It is located at the intersection of two streets on the boundary of an older single detached residential area (Zoned R.1B) possessing a grid pattern of somewhat narrow streets (average 6.5m) with the adjacent downtown area presently zoned I.1 (Institutional) and which the City plans to zone D.2 Downtown. The developer originally requested a revision to the Draft Downtown Zoning Amendment to create a “specialized “D2-9 zone to permit even greater residential intensification of the site (by approximately 24% in units) together with a 35% reduction in on-site parking to service site residents and visitors. While he has since offered a minor modification to the proposal, residents in the area are yet to see an accurate architectural rendering of the proposed building and its impact on the viewscape of Guelph will be very considerable.

The site is located at the summit of a significant hill that dominates the City and whose approach roads have grades up to 8% (Cork Street). A study undertaken by the Heritage Guelph Committee on historic architectural landmarks in Guelph presented to City staff on November 14th provided convincing evidence that the panorama of Catholic Hill will be negatively impacted by the proposed development for a period of at least 100 years. Heritage Guelph has passed a unanimous motion recommending that the whole of Catholic Hill be designated a

National Historical Site under Part IV of the Ontario Heritage Act. This target aligns with the City's commitment to: **"Increase the number of cultural heritage resources designated under the Ontario Heritage Act."** Council should note in addition that it has the responsibility, as per the Official Secondary Downtown Plan, to: "Strategically locate and articulate tall buildings to minimize impacts on historic areas and preserve important public views." (November 2016 Consolidation, Objectives, at 1.e.).

The proposed development at 75 Dublin St North has exposed a serious oversight: the need for more restrictive, more sensitive zoning should have been considered on Cork St between Norfolk and Dublin due to its proximity to the ecclesiastical campus of the Church of Our Lady.

There is no doubt that the physical and visual connections to the immediate surroundings and broader downtown area will be negatively impacted if the Official Plan Amendment and Downtown Zoning Bylaw Amendment is passed.

Issue 2: Impact of the Height of the Building to Adjacent Heritage Property

The City's Secondary Downtown Plan (November 2016 Consolidation, 11.1.2.2. Principle 1) states: "Downtown Guelph has many assets, not the least of which is its rich inventory of historic buildings, many constructed of limestone. These buildings, and the streets and open spaces they frame, give Downtown a unique and attractive character. ***Downtown also overlaps with historic neighbourhoods whose qualities should be protected.***" Council should note that properties in the immediate area to the West of the proposed building site, including 57-59 Cork St West, are designated buildings of historical and architectural significance by the City of Guelph. These are homes with heritage attributes or designated heritage buildings and the proposed development will overshadow them and constitute an invasion of privacy and blight on the visual landscape.

Council also has the moral obligation to **"conserve significant heritage structures"** (November 2016 Consolidation, 11.1.2.2. Principle 1.a.). Erected at the top of Cork St W. in 1878, 57-59 Cork St West is a three-storey limestone building originally constructed by mason John Pike. The proposed development will have a negative geological impact that should be addressed. Construction activities are being envisioned upon strata at 75 Dublin St North that could result in considerable structural damage to the adjacent properties.

Issue 3: Impact of Development to Neighbourhood Streets

The developer's proposal will add to the significant burden already faced by residents on adjacent streets. All of the roads in the vicinity of the proposed development (Dublin, Cork,

Cambridge and Durham) are narrow and extremely steep limiting both traffic and pedestrian movement.

Road sections can become treacherously icy in the winter as can the sidewalks. Although a consultant has described the location as “walkable” to downtown, it is very clear that vehicles using the neighbourhood and pedestrians -- especially the elderly or infirm -- would face challenges living on the site. The roads in the residential area are two-lane (approximately 6.5m wide), reduced to one lane (4.5m) by the parking allowed on the one side of many of the streets. Significant pressure on pedestrians caused by vehicular movement and parking remain an issue, as pressure exists from workers in and visitors to the downtown area during regular and weekend working hours and residents at evenings and weekends. In addition, many roads in the area are “narrowed” by vehicles parked on street in accordance with existing parking regulations, and these regulations become more restrictive according to season.

Issue 4: Impact of Subject Property on Parking

The Draft Downtown Zoning ByLaw requires one parking space per dwelling unit plus visitor parking spaces for the building. The developer’s original plan to revise the Downtown Zoning ByLaw (D.2.9) increased the size of the building from 4 to 5 floors with a total of 37 dwelling units and allowed for only 24 spots for the 37 dwelling units with no provision for visitor parking. The spaces available in front of the building are for school drop-off and pick-up only and limited to a maximum of five minutes between 8:30 am and 4:30 pm with no parking at night. Any visitor parking would have to be on adjacent streets, which are already heavily congested. Many of the adjacent streets do not permit any parking during daytime hours, and some limit parking between May and October. The developer’s revised parking plan allows for one space per market unit, and 0.85 spaces per affordable unit with the addition of two visitor parking spaces provided in the underground parking garage.

This means that visitors to the proposed site, delivery trucks, service/ medical personnel and moving trucks would have extremely limited parking available. Existing neighbourhood residents would face increased competition for neighbourhood on-street parking.

Issue 5: Impact of Increased Traffic on the Neighbourhood

In the City’s Secondary Downtown Plan it states as a key objective for urban renewal: “Minimize and mitigate traffic impacts on existing residential neighbourhoods within and surrounding Downtown”. (November 2016 Consolidation, 11.1.2.2. Principle 6.g.)

Traffic issues within the area of the proposal are not well known -- except by its residents. According to the City, the intersection of Norfolk St and Cork St was traffic surveyed in 2015

and the school zone on Dublin St just south of Paisley was surveyed in 2016. However, the City charges \$102 (plus tax) for the results of each survey and hence the results are not readily available to ordinary members of the community. According to the City, no other data is available on traffic movement within the site area. Further, as noted above, many roads in the area are “narrowed” by vehicles parked on street in accordance with existing parking regulations and these regulations become seasonally more restrictive.

Any serious consideration of the proposal requires detailed information on the current traffic situation in the area and how the proposal will impact it. The facts presented here indicate that the development would likely have a negative impact on both traffic flows and parking in the neighbourhood but the lack of adequate data precludes any proper evaluation at this time. Any decision should be postponed until such reliable data becomes available.

In short, I urge the City to deny the proposed Official Plan Amendment and Reject the 5-storey development as proposed by Rykur holdings. Defer the decision on 75 Dublin St. N and place it back in the overall Downtown Secondary Plan Zoning Amendment process coming before Council in the Spring of 2017.

Yours truly

Susan Douglas Ph.D.

Dear Mayor Guthrie and Members of Guelph City Council,

I am writing again (first email October 14) to further express concerns regarding the proposed development for 75 Dublin Street.

In the month since the public meeting (October 17th) I have had the opportunity to explore and better understand the scope of the impact of building an apartment complex at the peak of Catholic Hill. I am even more convinced now that this endeavour will be without any measurable or lasting benefits to the City of Guelph while simultaneously imposing a burden on the adjacent community. Beyond the multitude of practical issues which were presented and articulately expressed by delegates at the meeting in the October meeting I would like to share a few other concerns.

Although Guelph does need affordable housing, the benefits of the affordable housing described in the current proposal are limited. The plan does not provide for long-term accommodation of affordable residency nor does it provide value for money for the residents of Guelph. Affordable units will only be available for a period of 20 years. After this time, these units will revert to market value and/or can be sold by the developer/owner. The need for affordable housing for seniors and for those on limited income will likely not vanish in 2037. Furthermore, based on the economic/financial assessment shared by Dr. Martin, half of the grant will remain with the developer.

Church of our Lady is a national treasure, a City landmark which attracts visitors from within Canada and internationally. So valued is the Basilica that 12 million dollars were poured into its renovation. The proposed development will sit in glaring contrast to the tapestry of Catholic Hill. The apartment complex will subordinate the Basilica and overwhelm the physical attributes of the significantly smaller buildings in the vicinity.

The recent directive from the province for growth requires accommodating an increase of 60,000 individuals in Guelph within the next 15 years. We need to establish a clear vision of the urban design we want for our city. One that aligns with Guelph's forward thinking, provides for innovative development, guidance for sensitive zones, prevents piecemeal development and supports Guelph's coveted status of a great place to live in.

In the event a land swap is not feasible, I strongly urge Mayor and Council to reject the proposed development at 75 Dublin Street for the long-term negative impacts outweigh the short-term benefits of affordable housing provisions.

Thank you for your consideration.

Respectfully submitted,

Pia K. Muchaal

My name is Patricia Kandel, a concerned citizen of Guelph.

I am a senior and also a retired physician. In both these capacities I am aware of the needs of seniors as their physical health begins to decline. My issue is regarding the giving to Mr. Lammer the three million dollar Federal Government grant in order to put 20 affordable housing units for SENIORS in his proposed building at 75 Dublin on Catholic hill, Objections have been made to him about the unsuitability of affordable seniors housing in this area. His reply was, in essence, that he will only take seniors who want to be there.

Facts about the building.

1. It is on top of a hill with steeply inclined streets on all four sides making climbing up on foot impossible for most true seniors in any season, and going down extremely dangerous in our 5 months of snow and ice.

2. There is to be no parking for the seniors' affordable housing units.

3. More importantly, there is no parking planned for visitors or service persons; particularly important and necessary for people such as family, friends, peers, health care providers, emergency vehicles, delivery persons, even taxis at times.

4. It is a fact that neighbourhood parking is already over-stretched in this old area, and further complicated by the fact of the public school next door and the hectic daily delivery of children to and from it. Lammer and cohorts suggested at the last Town hall meeting that these persons can park in the proposed new parkade on Wilson street and climb the hill. Of course, that is no more feasible than their driving round and around the blocks, up and down the hill until they find a parking space.

5. THERE IS NO BUS SERVICE GOING UP THAT HILL.

Facts about Seniors.

1. Aging is relentlessly progressive. 90 % of people over the age of 65 have at least one chronic disease. Diseases that come with aging include cardiac, respiratory, diabetes, problems with balance, osteoporosis, arthritis, Parkinson's disease, cancer, plus, plus.. Falls and fractured hips are one of the main causes of infirmity in elders and require considerable rehabilitation.

2. These problems come although we think they won't come to us.. They come, and require the assurance that acute hospital care and longer term home care and support is AVAILABLE so that they may be restored as much as is possible to good health as quickly as possible.. This is what both the Federal and the Provincial governments have mandated to do. This is what this \$3,000,000 grant is supposed to do. Home care would be undeliverable to this proposed building.

It is also in the Provincial Government's interest to keep seniors out of the much more costly extended care facilities for as long as possible. They spend much money to provide Personal Support Worker (PSWs) to go into homes along with physical and occupational therapists to help with this.

What else do seniors need besides health care to promote healthy aging, allowing them to stay in their homes.

1. Physical activity-- walking, swimming, biking, dancing, shopping, carrying your own groceries home.

2. Socializing-- with family, friends, community groups. Volunteering; senior centre activities such as bridge, painting, learning computing, pool; Reading clubs, trips the library ; meeting friends and family for coffee or getting the bus to other places in the city or out of town. Mixing with society in every way possible.

3. A healthy environment. Sunshine and trees and park-like settings to enjoy.

4. These needs are available in most of the affordable seniors housing in Guelph at present but would not be available living at 75 Dublin. Living in Lammer's units on that hill would make these seniors PRISONERS in their own homes.

Most seniors living in these proposed units will need to be moved to more costly and complex health care as they age, much sooner than those in a better environment. Other senior affordable housing in this city are well placed in flat areas, most with adequate out door space or near to parks and with transportation readily available .

Civilized societies provide the best facility they can in terms of health care and simple enjoyment for their elders who, in their prime, kept their society prosperous . They don't put them in buildings that restrict their ability to mingle and enjoy being part of a cross-generational society. THIS PROPOSAL IS A CRUEL DENIAL OF THEIR NEEDS.

The Federal grant has come from our pockets. Lets spend it wisely, and for the right purpose or let it go to those who will. This very inappropriate project that does not accomplish its goal, and is good for just 20 years is not what the Federal government had in mind. We all know that. Ask for an extension of time. Find another plot of land to trade. Habitat for Humanity found one.

Patricia Kandel MD retired.

We all know that real estate is about location, location, location, but it appears that the City of Guelph and a local developer have somehow mislaid this wisdom.

Rykur Holdings, a local development firm, wants to build a five-story apartment building just below the tip of the highest hill in downtown Guelph, right beside the landmark Basilica of Our [Lady](#). Historically, the most significant building in the city. It is a National Historic Site.

How could this happen? How can a city that - presumably - long ago left behind the small-town planning approach, support whatever development comes our way? No serious planning questions asked — just review the present planning rules and see if we can squeeze this one in!

Guelph is not desperate for growth, There are more than 30 development [applications](#) active in the city. Change is everywhere. So what gives?

First, city planning has been pushed, by provincial mandate, into densification mode. Drop a five-story apartment complex on a former tennis court site, and presto, we have densification. Guelph feels pressured to support whatever densification comes its way. Provincial mandate has compromised our community's vision for our future.

Second, Guelph recently created a Downtown Secondary Plan as a *“focus for intensification and the achievement of a minimum density target of 150 people and jobs combined per hectare by 2031.”* The Plan has merit. In particular, long sightlines from various vantage points around the city to the historic Basilica of Our Lady are protected. You don't get to put up a building that blocks the tourist attraction of this iconic site. But, no consideration was given to the visual impact on its immediate neighbours or to the reaction of the many appreciative Guelphites who cherish the view where they live, work and walk. The tourist factor has overshadowed community care for the core.

Even the tourists will be distracted to what would lie beside the unfettered view of those soaring towers on the church — a boxy building, a jarring smudge above the tree tops, a blight on the elegant symmetry of the skyline.

Third, serious work has started on supporting the Downtown Plan with a Downtown Zoning By-law Update. Here's where things get technical. The city's draft by-law changes the land in question from

institutional to a zone that technically allows four-story apartments everywhere in the downtown, including on top of the hill next to the church. Even before the by-law has been finalized, the developer is asking for major concessions — five stories, as well as the easing of other restrictions. By including affordable housing units, propped up with federal money which has an expiry date, the developer has succeeded in putting added pressure on our planning process. Federal government tax dollars are undermining our deliberative good sense.

The Ryker Holdings proposed development has potential to be a great asset to Guelph. The concept drawings have character. Affordable housing is important. Accommodation for seniors would be great. Almost anywhere else on the edge of Guelph's urban growth centre this proposal would be a tasteful addition.

But not here. Not right beside the Basilica of Our Lady. Not at the top of a hill that slopes steeply away in all four directions. Not beside a school, throwing its playground and peace garden into shade. Not beside a neighbourhood of two-story family homes.

Guelph can do better.

Elbert & Nellie van Donkersgoed

This photo will have been taken while the photographer was standing very close to the site of the proposed apartment block. By John Vetterli - originally posted to Flickr as Church Of Our Lady Immaculate, CC BY-SA 2.0, <https://commons.wikimedia.org/w/index.php?curid=10015537>.



This photo of Church of Our Lady Immaculate is courtesy of TripAdvisor

<https://media-cdn.tripadvisor.com/media/photo-s/09/8b/95/1a/church-of-our-lady-immaculate.jpg>



His Worship Mayor Cam Guthrie and
Members of Council
City of Guelph

November 24, 2016

We would like to express our concerns regarding the proposed condominium development at 75 Dublin Street North in Guelph.

The site of this proposal is a sensitive one due to its proximity to the National Historic Site of the Basilica of Our Lady Immaculate and Central Public School.

As our concerns are numerous we present them here in point form.

Central School

- Shade on the playground, less melting of ice and snow (safety), affect of less light (mental health)
- Any vehicle entrance on Dublin Street and a proposed crosswalk move (this creates danger due to the Dublin Street hill)
- Condominium windows 'looking' at students (loss of students sense of privacy)
- Affect on the schoolyard and garden (negating the work and money contributed by volunteers and the school) -not enough light
- Traffic re: parking, drop off and pickup

To 'press' against the school would severely impact the students sense of being out of doors and impress on these children the lack of importance the Guelph City Council places upon the mental and physical well-being of its citizens.

Historic Basilica

As to the impact on the National Historic Site of the Basilica it amazes us that any argument needs to be put forward. This iconic structure used so often to symbolize the City of Guelph is noted not only for its architecture but for the way in which it stands out so prominently on the skyline of the city. This prominence is no accident but was arranged by the city's founders to create a focal point for all citizens. To this day this historic prominence has been preserved and recognized by our nation in its official designation. How can we, indeed, who are we, to wipe out this legacy?

- 'Catholic Hill' one of the earliest 'designated' sites in Guelph
- Money spent on the Basilica and the Guelph Museum to be negatively altered by this building
- Building will block light to the basilica windows at sunset

2017 is the 150th Anniversary of Canada

- A lot of attention directed to events, celebrations and recognition of our heritage
- Let's acknowledge and respect our forefathers (e.g., John Galt, Bishop Macdonell) for their vision and execution of "Catholic Hill" and work to preserve this National Historic Site
- For a 3 million-dollar affordable housing grant (which in the long run will mostly benefit the developer) we would be selling our significant heritage and cultural site
- It would be great to show newcomers to Canada and visitors to our area how proud we are of our heritage
- A time extension should be requested in regards to the federal government grant (\$3 million) to allow assessment without putting important decisions under pressure
- The Downtown Development Plan is due in the new year - shed new light on boundaries
- Time is needed to discuss all the concerns (on both sides) and make the most intelligent decisions to preserve the integrity of this area of our city

Park

The brow of the Dublin Street hill should be kept free of any impact from private moneymaking structures. This site would be best kept for the use of ALL the citizens of Guelph, a possible use being a park. A park would enhance the entire area and be a signal to everyone, present and future, that Guelph and its City Council value our history and wish to be a part of a healthy city that we can all be proud of.

- Add needed greenspace
- A park would be visible from the Basilica and Museum parking lots where people e.g. visitors to Guelph, would view an agreeable landscape rather than an apartment complex

The members of the Guelph City Council may be willing to allow this site to be spoiled and to let their names be registered as those who cared so little for what those before them strove to preserve but we wish to be listed amongst those who said NO.

Thank you for your attention.

Paula Manford

Malcolm Manford

Good morning,

We are residents in Guelph.

We are deeply concerned about the proposed building to be erected on the site at 75 Dublin Street North.

We are opposed to this whole concept of putting up a structure, larger than two storeys, as it will compromise the total blending of existing buildings and block the skyline, in this neighbourhood.

The developer is still pressing ahead with this proposal with no change in overall height and set backs, in spite of all stated objections, from the neighbourhood, seniors, the church, the dentist's office, the Central School community, the Heritage Guelph Committee, Upper Grand School Board, Guelph Historical Society and citizens from across the city.

This three million dollar government grant for affordable housing and the additional monies that the city will have to provide (approx. \$500,000), does not represent value for taxpayers or for low income seniors.

Rykur Holdings has the right to decide, who does and does not have the opportunity to rent one of these affordable units.

After the time frame of twenty years, these rental units whole ownership reverts back to Rykur Holdings.

Therefore Guelph has no more ownership in this building!

This is a no win situation for Guelph and a win, win for the developer.

We would prefer the decision to be deferred and placed back in the overall Downtown Secondary Plan Zoning Amendment process, which will be coming to Council in the spring of 2017.

Can we look at land swaps and preserve the green space, which could be made at 75 Dublin Street North and become a calming effect, in an already congested area, rather than adding to the congestion by erecting an oversized building on a limited area of land.

Common sense has to prevail. We appeal to your sense of community.

We request that this correspondence be part of the agenda for the November 28th meeting .

Sincerely,

Lynne and Albert Knox

Guelph & Wellington Task Force for Poverty Elimination
160 Chancellors Way
Guelph ON N1E 0E1

RE: City-initiated Official Plan Amendment (OP1603) Proposed revision to the Downtown Zoning By-law Amendment (ZC1612) as it pertains to 75 Dublin Street North

Dear Mayor Guthrie and Council

The Guelph & Wellington Task Force for Poverty Elimination supports the proposed development at 75 Dublin Street North. We are calling on City of Guelph Council to reject the staff recommendation calling for a maximum of four (4) storeys, thereby limiting the opportunity for affordable housing units to be created.

The Poverty Task Force recognizes that affordable housing is a critical priority for our community and believes that everyone should be able to find and maintain an appropriate, safe and affordable place to call home.¹ Meeting this outcome requires the all levels of government, including the City of Guelph, exercise the tools they have to facilitate and support the development and maintenance of affordable housing. It is recognized that, at times, this may require governments to demonstrate flexibility and by-pass typical processes. The Poverty Task Force encourages City Council to consider the proposed revisions to the Draft Downtown Zoning By-law Amendment as it pertains to 75 Dublin Street North as a unique opportunity to support the development of affordable housing for seniors.

According to the most recently available data, 7% of seniors (65+) in Guelph live below the Low Income Measure after-tax.² Data also indicates that the number of seniors in Wellington County (including the City of Guelph) will more than double in the next 20 years. Further, research indicates that three Wards in the City of Guelph have a distinctly older population, including Ward 3, which includes the proposed site 75 Dublin Street N.³

The City of Guelph has done an valuable work in highlighting the needs of seniors and affordable housing through the City's Older Adult Strategy and the development of the City's Affordable Housing

¹ Guelph & Wellington Task Force for Poverty Elimination (2014). *Strategic Plan: 2014 – 2017*. Guelph & Wellington Task Force for Poverty Elimination. Retrieved online: <http://www.gwpoverity.ca/wp-content/uploads/2014/01/2014-Strategic-Plan1.pdf>

² Statistics Canada (2013). *Guelph, CY, Ontario (Code 3523008) table. National Household Survey (NHS) Profile*. 2011 National Household Survey. Statistics Canada. Ottawa.

³ The Osborne Group (2012). *Older Adult Strategy for the City of Guelph*. Retrieved online: <http://guelph.ca/wp-content/uploads/OlderAdultStrategyReport.pdf>

Strategy. The City recognizes that in Guelph seniors make up the largest portion of all one person households and that “many of these seniors are living on fixed income, and will require affordable housing options.”⁴ In addition, the City is aware that “the availability of appropriate, affordable housing in the city is essential to the ability of older adults to live and grow in Guelph.”⁵

The proposed site at 75 Dublin Street N. offers our community an opportunity to provide affordable housing for seniors. Demonstrating flexibility and offering fair consideration to the proposed revisions to the Draft Downtown Zoning By-law Amendment as it pertains to the site in question, allows the City of Guelph to play an important role in ensuring low-income seniors in our community have a place to call home.

Thank you,



Randalin Ellery

Coordinator, Guelph & Wellington Task Force for Poverty Elimination

⁴ City of Guelph (2015). *Affordable Housing Strategy: The Current State of Housing in the City of Guelph*. Retrieved online: http://guelph.ca/wp-content/uploads/100615_AHS_State_of_Housing_ATTACHMENT_2_FINAL.pdf

⁵ The Osborne Group (2012). *Older Adult Strategy for the City of Guelph*. Retrieved online: <http://guelph.ca/wp-content/uploads/OlderAdultStrategyReport.pdf>

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November 25, 2016

Delivered by email

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

Dear Mayor Guthrie and Councillors:

Re: City-initiated Official Plan Amendment (OP1603) - Proposed revision to the Downtown Zoning By-law Amendment (ZC1612) as it pertains to 75 Dublin Street North

We represent an ad hoc group of Guelph citizens associated under the name of the Old City Residents' Committee ("OCRC"). The OCRC has followed closely the attempts to expedite an application for a site specific rezoning and official plan amendment at 75 Dublin Street. We have recommended, and our clients have instructed us to seek a deferral of the City Council's decision in respect of this matter to a later date.

75 Dublin Street is a particularly sensitive site and it deserves careful and thoughtful planning. The expedited process in this case risks destabilizing several important elements of the surrounding area. Those include the following:

1. 75 Dublin Street is adjacent to Central Public School, Guelph's only downtown elementary school. The development presents several compatibility issues with Central Public School. Many of OCRC's members are parents of students at Central Public School. They are concerned that the development does not make sufficient provision for safe traffic movements. The developer requests the movement of a cross-walk and extension of a to-be-shared lay-by with insufficient study. We understand the Upper Grand District School Board has expressed similar concerns to those shared by the parent members of OCRC.
2. There is significant concern over the shadow impacts of tall development with limited setbacks on the play area at the school. As most councillors are aware, shadows are progressively cast more broadly during the fall, winter and spring than during the summer. Therefore, the greatest shadow impacts will be concurrent with the school year. Unlike many development proposals that may be justified because of minimal shadow impacts during the summer, this application presents its worst impacts at the worst time for those most impacted.

3. Catholic Hill is an important heritage resource to the City of Guelph. A comprehensive and co-ordinated approach to zoning in its vicinity is required to make the most of this resource. Guelph has undertaken this approach within the context of its downtown zoning review. While the first draft of the zoning by-law for the area provides for 2-4 storeys, that does not necessarily mean 4 storeys is the acceptable height for a building at 75 Dublin Street North. Development on Catholic Hill should take impacts on the cultural heritage landscape into account.

We submit that the zoning by-law review should be completed before Guelph considers any site-specific applications. OCRC would support a reduced density of 2 storeys at 75 Dublin Street. Such a height would likely eliminate shadow impacts, reduce anticipated traffic concerns and bring development at that site more in line with its surrounding residential and institutional context. OCRC would also support a land swap that would make a park at the site a possibility and give the developer an opportunity to consider a potentially more appropriate site for residential intensification.

Yours very truly,

ERIC K. GILLESPIE
PROFESSIONAL CORPORATION

Per:

A handwritten signature in black ink, appearing to read 'Ian Flett', with a stylized flourish at the end.

Ian Flett

Dear Mr. Mayor and Councillors of the City of Guelph,

I have been following, with much concern, the discussion surrounding Tom Lammer's development proposals for 75 Dublin Street, and I feel that there are a couple of points that remain to be made.

Firstly, I feel that one must acknowledge that Mr. Lammer is the owner of 75 Dublin and that he is, therefore, entitled to dispose of that property, within the constraints of the law, in the manner that he sees fit. But I would suggest that that very fact - that an area so important to Guelph's geography and history should be under private ownership - is a serious problem, one that must be addressed by Council.

Surely this piece of land, designated now somewhat banally as "75 Dublin Street," is so crucial to Guelph's physical landscape and heritage that it really ought to be under public ownership and put towards civic use. The development of properties of such importance should be undertaken with care and intentionality and in such a way as deeply to involve public input. It should be undertaken with vision, in other words, the kind of vision that saw to fruition the relocation to Church Hill of the Guelph Civic Museum.

The ecclesiastical campus, which was established so long ago on Church Hill, was undertaken purposefully, with the intention of defining the city that would become the Guelph that we know today. I believe that the City of Guelph should and must undertake with the same purposefulness the redevelopment of the part of that site that is 75 Dublin Street. I believe, more specifically, that the site ought, therefore, to be acquired by any means necessary by the City and for its citizens. It strikes me that a "land-swap" would be the ideal mechanism by which for the City to acquire the property.

It strikes me, further, that the pressure of time that has been applied to this file is wholly inappropriate and wrong-headed, considering the sheer importance of this piece of land. To 'get this wrong' would be not only disgraceful but silly, for it would be entirely unnecessary, there being in our city an abundance of expertise, vision, energy and resources (not to mention of goodwill!) to put towards finding a solution.

The value of the site ought not to be calculated numerically but, rather, in aesthetic and even moral terms: for we as citizens and you as our Mayor and representatives in Council have a duty to treat Guelph's heritage sites (and, in this case, the nation's) with the utmost respect. That responsibility must also, and critically, be shared by developers.

So, instead of trying, by a thousand painful cuts, to mitigate the massive wrongness of Mr. Lammer's proposed development, would it not be infinitely preferable to take the pressure off, to take all the time necessary to explore the very best, most beautiful, most appropriate and most visionary redevelopment possibilities for this area of Church Hill? To do this respectfully and well would be worth infinitely more than the \$3,000,000.00 Federal grant from which Mr. Lammer is hoping to benefit and which has been the source of so much undue pressure of time; it would also be to do the very least, when we ought to be striving for so very much more.

With sincere concern and regards,

Daniel Cabena.

Good morning,

I ask that my written comments be part of the agenda at the November 28th meeting.

As a concerned resident and life-time citizen of Guelph, I whole-heartedly oppose this development and I would like you to consider what most if not all residents of Guelph feel - Catholic Hill, the Basilica and surrounding area is a great part of our heritage in Guelph. Its part of our soul. It belongs to Guelph, it belongs to everyone.

If you were to ask anyone in the audience, on the street, in the neighbourhood surrounding Catholic Hill and those residing near Catholic Hill the first thing they do when they have a guest visiting Guelph who has never been here before, I would bet that they show them the Basilica with pride. I know that's what my friends and family have been doing throughout my life. To place a building there that does not compliment the Basilica and the surrounding area is just a bad decision.

I agree and applaud the idea of creating affordable housing for seniors, most if not all residents of Guelph would say that is a positive step forward - but at what cost? Please think about this when you cast your vote.

Lastly, I will leave you with this thought. As a long time 20 plus-year Guelph resident who lives on Cambridge Street, near the corner of Dublin, I wanted to share this other concern with you. As I look out my window writing this with a clear view of the Basilica, its not just about the view for me - its about safety. I think of all the times I have slipped at the top of that hill in the winter time. It is NOT, and I say this with much experience, a space that is safe for seniors with mobility issues to easily navigate.

Thank you for your consideration,

Dr. Marlene Santin



Wellington & Guelph Housing Committee

RECEIVED
NOV 25 2016
CITY CLERK'S OFFICE

November 18, 2016

Re: 75 Dublin Street North

The Wellington Guelph Housing Committee would like to support the proposed development of 20 affordable seniors housing units on the 75 Dublin Street site. As stated in the City's Affordable Housing Strategy – State of Housing Report (2015):

“Seniors make up the largest segment (37%) of all one person households. Many of these seniors are living on fixed incomes, and will require affordable housing options. The median household income for this group (\$32,379) is the lowest of all household types.” □

The site is ideally located for the target tenant group, close to downtown amenities and services. It also is close to transit. Facilitating the planning approval process to meet the requirements for this project to receive funding under the IAH would demonstrate council's commitment to the Affordable Housing Strategy and would take advantage of federal and provincial funding to make the units affordable.,

Sincerely,

Steve Jones, Chair
Wellington and Guelph Housing Committee

Date: November 14, 2016

From: Susan Van Norman

Regarding: The Nestle Corporation Access to Ground Water in Wellington County, ON

Although I currently reside in the Region of Waterloo, I have been a resident of the Region of Wellington, ON for a number of years in the past, specifically 1972 until 1998. Many of my family members currently live in the Region of Wellington. I am deeply concerned that the Ontario Provincial government continues to contractually provide access to the Nestle Corporation to remove ground water from specific sites in the region; those being Aberfoyle and Elora.

I recently watched a television episode of the program W5 which aired Saturday November 12, 2016. According to Ontario Premier Kathleen Wynne "water is a precious resource". I am challenging the degree to which the Ontario government is requiring empirical evidence from Nestle that the removal of massive amounts of ground water on a daily basis is not compromising the survival of this groundwater supply in the near and long-term future. What research evidence has been provided and where is this information made available to the public?

I doubt very much that Nestle's research regarding sustainability with continued rate of water removal is objective. Further to this, the cost to Nestle for this water (their extraction costs excluded) at \$3.71 per million litres per day paid to the Ontario government is beyond laughable and suggests to the world that Ontarians and their government can be played for economic fools. I understand that Environmental Minister Murray is reviewing the rate of corporation fees levied to Nestle. Surely the serious undervaluing of this precious natural resource speaks volumes to the public that our provincial government has little regard for our collective rights to this resource. It is outrageous that homeowners in the region who pay for their water consumption through taxes would be paying \$3, 450 for this same amount of water. How is this fair and democratic? Assigning a higher and more appropriate corporation fee for this water would demonstrate common sense, and fair business practice. I am fairly certain that the Ontario government could direct the additional funds from water sales to improve Ontario's health care system which will benefit all Ontarians.

It is my understanding that the public has been invited to provide input to this matter until December 1, 2016. I truly hope that the input gathered will be reviewed and actions taken to:

1. scrutinize the effect of this massive water removal on local groundwater availability and make Nestle accountable
2. Adjust and commensurately raise the corporation fees for removal of water by Nestle from Aberfoyle and Elora sites
3. Limit or cease to allow future water removal sites by Nestle

I truly hope this for the sake of all the people of Wellington Region in the present and certainly in the future.

November 23, 2016

Dear Mayor Cam Guthrie and Councillors of the City of Guelph:

I applaud the Ontario government's announcement to implement a two-year provincial moratorium on the creation or expansion of bottled water plants as well as the Guelph City Council's support in this important step. I am encouraged by the leadership your Council has taken in studying this issue and hearing from local residents.

There are few things more important than water. Yet Nestlé's water takings are already impacting local watersheds.

Wellington Water Watchers reports that the aquifer tapped by Nestlé's main supply well in nearby Aberfoyle dropped by about 1.5 metres between 2011 and 2015, while Nestlé's water taking increased 33% over the same period.

The global water crisis is here and we must prioritize water for communities and ecosystems.

A report, prepared for a special Committee of the Whole meeting on November 7, states Nestlé's water-takings pose a risk to Guelph's drinking water security. It is critical that your City Council takes every measure possible to protect the drinking water of local community members.

With increasing drought, communities have the responsibility to decide which industries should be allowed to withdraw water, especially during times of drought. Do we want bottled water companies like Nestlé to withdraw water in a region where farmers and other community members are suffering?

Water is a human right and part of the commons to be shared, protected, carefully managed and enjoyed by all who live around it. Surface and groundwater should be declared a public trust, which will require the government to protect water for a community's reasonable use and deny bottled water takings.

I urge Guelph City Council to take the leadership needed to safeguard the watershed and drinking water for the community for generations to come. I ask that you vote to write a letter to the Ontario government urging them to reject the Aberfoyle permit and to place a moratorium on all bottled water takings.

Water is for life, not for profit. With increasing drought predicted due to climate change, your actions are now more critical than ever.

.../2

Thank you for your consideration.

In solidarity,

A handwritten signature in black ink, reading "Maude Barlow". The signature is fluid and cursive, with the first name "Maude" and the last name "Barlow" clearly distinguishable.

Maude Barlow
National Chairperson
Council of Canadians

I am submitting these concerns in regards to the part of the Agenda that concerns the City of Guelph's submission to the Ministry of Environment and Climate Change regarding Ontario's Water-Taking Regulations.

As a citizen of Guelph I am deeply concerned about the relationship between CETA(the EU-Canada Comprehensive Economic and Trade Agreement) and how it effects the Federal, Provincial and/or Municipal relationship with Nestle's. Although CETA has not yet been ratified by our Federal Government(but most likely) it seems important in our Municipal dealings with Nestle that a few questions be answered.

Therefore I offer these questions that I believe requires attention:

1. How does this Agreement describe and define the term "water"? Is it a "common", a "commodity", a "product", a "good" or an "investment"? Do any of these definitions whether permanent or progressive (i.e. while in the ground in its natural state is "common" but when abstracted or harvested becomes a "commodity" or "product" or "good" or "investment") change within the agreement and therefore come under different rules and regulations within the agreement?

2. If the Federal, Provincial or Municipal governments were to change its relationship with Nestle presently or possibly in the future for **whatever** reason--e.g. economic, moral or ethical, does this agreement allow Nestle to submit these changes by any of the respective governments to private arbitration tribunals and seek water-related financial retribution? (Tribunals such as the ISDS(Investor State Dispute Settlement referred to in CETA as ICS, Investment Court System)

3. If a European company can do this and the ISDS/ICS rules in favour of the company who pays the financial compensation--the Federal, Provincial and/or Municipal Government? If it is the Municipal government because it was there decision does that mean we the Guelph tax payer will be accountable?

4. These are a couple of questions I think should be answered. In general, any rules and regulations that apply to water, a European international company, any part of our respective governments and the CETA Agreement should be clearly defined for not only City Council but for all citizens of Guelph. Without this transparency I do not see how we can make decisions about our water future that is in the best interest of ourselves and future generations.

Sincerely, Richard Anstett