

- ADDENDUM -

- Planning & Building, Engineering and Environment Committee -

Council Chambers @ 2:00 p.m.

- February 19, 2013 -

PBEE-2013.1 Guelph Cycling Master Plan

Delegations:

- Martin Collier
- Donna Jennison
- Suzanne Gates

Correspondence:

- Andrew Epler
- Bryan McPherson, Guelph Coalition for Active Transportation
- Herman and Sue Hubers
- Yvette Tendick

PBEE-2013.2 Rental Housing Licensing Directions

Delegations:

- Stewart Schinbein
- John Gruzleski, Old University Neighbourhood Residents' Association
- Joe Hoffer, representing Morris and Donna Haley
- Lyle McNair

Correspondence:

- Joe Hoffer
- Terri-Ann Ford
- Pierre Sandor/Dean Kueneman

PBEE-2013.4 Greater Toronto Area West Corridor Environmental Assessment Study

Delegations:

- Lloyd Longfield, Guelph Chamber of Commerce

Correspondence:

- Lloyd Longfield, Guelph Chamber of Commerce

From: Andrew L. Epler
Sent: February 14, 2013 11:12 AM
To: Jennifer McDowell
Subject: Draft City of Guelph Cycling Master Plan - Comments

I wish to provide some comments as a car driver and as a part-time recreational cyclist, but more importantly, as a resident of Downey Road who will be impacted by the proposed changes.

It is apparent that a considerable amount of time and effort has been expended to develop the Plan. I personally support the initiative but with certain reservations in the Downey Road area as noted below.

Comments:

1. **Loss of centre turning lane** - Downey Road is a very busy road with the volume of traffic constantly growing. Although the speed limit is 50 km/h, traffic comes from the Hanlon or from hwy 35 at speeds routinely exceeding the posted speed limit. There are ongoing accidents at the intersection of Downey Road and Niska Road due to motorists making unsafe turns from Niska onto Downey. Downey Road is currently demarcated into 3 lanes with the centre lane allowing left turns at intersections and onto residential driveways, and as a means of backing out of one's driveway to join the traffic flow – always a scary proposition. At times it can take 3 - 4 minutes to find an opening in the traffic flow and safely back into the centre lane and merge with the traffic. When the lanes are re-marked, I assume that the centre turning lane will be sacrificed. First, this will make it even more difficult and dangerous to enter the traffic flow. Has this problem for the local residents been considered? Second, it will make it more difficult to make a left turn from Downey Road for both vehicles and cyclists as either wishing to make a left turn will cause all of the traffic in the one lane behind them to stop until the turn (or multiple vehicle turns) has/have been completed, a situation that does not currently exist. Consequently, the flow of traffic and safety for all will be negatively impacted.
2. **Use of sidewalks as bike lanes** - During the non-winter seasons, Downey Road is very popular with cyclists of all descriptions travelling locally in the neighbourhood or to/from hwy 35 south. Included in 'Downey Road' is the sidewalk that is used by many cyclists who have chosen not to use the road. How will cyclists be required to use their new bike lanes and give the sidewalks back to pedestrians who are tired of being nearly run over by inconsiderate cyclists?
3. **Gravel shoulders** - Past the new industrial park on the south end of Downey Road, the paved surface narrows and gravel shoulders are introduced. Cyclists then travel on the main traffic lane in each direction. Traffic is slowed down as any following traffic cannot safely pass a cyclist until the opposing lane is clear. The traffic lanes are too narrow. Will the shoulders be paved to alleviate this problem?
4. **RV loading & temporary street parking** - A number of residents in the Downey Road area have RV's. Some are too large to park on driveways without blocking the sidewalk so the owners park on the street for the hour or two to load/unload before they are off on or returning from their travels. How will this be accommodated with the introduction of a bike lane, no on street parking and potential loss of the centre lane?
5. **Silent vehicles** – Bicycles, the new electric motorbikes, electric motorcycles, etc. are all silent vehicles. There is no way to hear their approach making them dangerous to pedestrians on shared trails or road crossings. My understanding is that some of these classes of vehicles do not need to be licenced, are not considered to be motor vehicles, do not require a driver's licence nor any insurance. In the City of Edmonton, where I

grew up, there are many multi-use trails shared by pedestrians, joggers, roller bladers and cyclists. There is a by-law requirement for all bicycles to have a bell to be used to warn of their presence to any pedestrians and others that they may be approaching from the rear. This simple system works well. Can the City of Guelph mandate a similar requirement? I think that the Province is trying to deal with the motorized bikes and this would be covered by provincial legislation.

I hope that these comments are of some value.

Regards,

Andrew L. Epler



February 18th, 2013

Dear PBEE Committee,

My name is Bryan McPherson - a landscape designer, cycling enthusiast and steering committee member for the Guelph Coalition for Active Transportation (GCAT). Thank you for accepting my comments for the 2012 Draft Master Cycling Plan. As an avid cyclist I have participated in cycling activities in many countries, and from East to West Coast within Canada. Riding in these various environments has provided me with unique opportunities to critique built form, and to observe enhancements that make cycling infrastructure both inviting and enjoyable.

The 2012 Draft Cycling Master Plan will ensure that Guelph continues its reputation as a cycling friendly destination - and as a resident I fully support its implementation as a strategic document. The City and partners should be commended on their terrific effort to date. However, there is always room for improvement, and this write-in for delegation outlines key areas that should be addressed in the Plan.

The write-in focuses on the following themes:

1. Bicycle Network, Connectivity & Safety
2. Targets, Monitoring & Partnerships
3. Aesthetics, Design & Amenities

Bicycle Network, Connectivity & Safety

The existing bike network provides many bike lanes for year-round riders, but there are several areas and connectivity corridors that need to have greater mention. In the Plan there should be more specific mention on how North-South connections along Edinburgh, and East-West connections along Woodlawn and Stone Road will be designed.

In 2010 I had the opportunity to attend a City of Guelph public information session on the proposed separated bike lanes to connect Victoria to Scottsdale via Stone Road. A third of this project was implemented, and it is a great addition. But the bike paths terminate on very busy intersections at which point the rider is left with no connectivity in continuing their commute!

This forces the rider to either fight busy traffic west of Edinburgh or forces them on gravel shoulders east of Gordon. **An alternate solution could be presented along with a corresponding timeline.** Please note that this corridor supports many student residents (including Family Housing). The adequate completion of this corridor is a must.

The Plan mentions a potential 'recommendation' for multi-use boulevard trails for Woodlawn Rd W and Edinburgh Rd N & S (p 35). This is a fantastic idea. However, it might be a difficult undertaking especially with the narrow right-of-way that exists between the road and sidewalk on Edinburgh. Traffic calming along these corridors is a must to ensure adequate safety. As an observation, most cyclists prefer to ride on the sidewalk rather than riding on these roads. **I encourage the City to change the 'recommendation' for Woodlawn to a specific target date for implementation, or at minimum outline the next steps to make it a reality. The possibility of creating a shared diamond lane + bike priority lane on Edinburgh Rd could be included in the document as an alternate solution to a bike boulevard.** Specific traffic calming targets could also be included in the Plan.

Lastly, there is little mention on how the Plan aims to connect off-road trails with on-road trails in a safe and convenient manner. There can be more mention in the document on providing adequate connections by providing curb cuts or other solutions to connect the City's overall network of trails.

Targets, Monitoring & Partnerships

The current number of trips as outlined in the Plan is 1%. There is conflicting numbers in the Plan with respect to the target dates for increasing the number of riders. Page 12 aims to triple this number by 2018, and Page 9 aims to have a 3% increase by 2022. **This goal can be set higher – a 5% increase by 2018 and a 6% increase by 2022 are realistic and achievable.**

The Plan indicates that monitoring progress is essential in achieving targets and goals, and outlines this in Appendix A. On Page 53 there is mention of a lack of resources to conduct extensive surveys related to 'cycling patterns, perceptions, behaviours and preferences of Guelph cyclists'. In reality this is the target group that ensures the City is meeting expectations. **The City should allocate time and resources to conduct similar type surveys on a bi-annual basis.** The City could partner with research affiliates at the University and external organizations to assist in developing criteria for monitoring, and in conducting future user surveys.

The reinstatement of a Cycling Advisory Committee would also help ensure on-going efforts are properly monitored. This committee could continue to reach out and partner with cycling enthusiasts and / or advocacy groups for feedback. Lastly, the City can aim to share data related to cycling infrastructure and planning. **Creating an open source data exchange related to transit & cycling would greatly assist in monitoring and evaluation.**

Aesthetics & Design

The Plan examines multiple standards, but can elaborate more on how to improve aesthetics or deliver amenities that enhance rider experience. The creation of a bike box is a very welcome addition, and ensures that cyclists and motorists can effectively share the road. But how can we ensure that it is visible? One method is through the appropriate use of colour. Many cities are exploring colour markings to help delineate bike boxes, bike lanes and sharrows.

Having appropriate amenities is another key component in enhancing rider experience. This includes visual aids for wayfinding, regular rest + water stations, covered shelters, benches, and adequate dedication of bike parking spaces. **The Plan should establish guidelines for allocating rest areas at set intervals along corridors for safety and comfort.**

Page 42 of the Plan mentions that the City requires a ‘minimum number of bicycle parking spaces as part of Site Plan Approval Procedures and Guidelines for new developments’ but is not enforced through a Zoning By-law. Bicycle parking is very limited outside of downtown, specifically in commercial and retail outlets located throughout the City. The creation of more bike parking spaces at these locations has little mention in the Plan. **Please ensure that efforts are made to create requirements for bicycle parking in a Zoning By-law, and set out a plan to encourage businesses to create more bicycle parking locations.**

The Plan mentions artistic bicycle parking on Page 42. While living abroad I came across many artistically enhanced bike facilities and amenities, and this greatly improved my comfort and experience as a rider. When looking to install cycling infrastructure and amenities it may help to **explore collaborations with local artists in creating spaces that represent the unique culture and identity of Guelph.** The creation of a Cycling Master Plan is a positive step forward for cycling in Guelph. Thank you for your dedication in making this a reality.

Sincerely,

Bryan McPherson, MLA, GISP

From: H HUBERS
Sent: February 12, 2013 8:17 PM
To: Mayors Office
Subject: Bike Lanes on Starwood

Dear Mayor,

I read in the paper about a "Master Plan" to put bike lanes on Starwood and Eastview and eliminate parking. I fail to see the benefit. Both roads are wide enough to safely support both bikes and parking. With no parking on Starwood, where would we park? I take regular walks and bike rides in my neighbourhood and find Starwood a safer place to ride or walk than the back streets - Auden - Watt which is the closest place to park in my neck of the woods. If you have not already done so in the past few years, take a walk down Auden and Watt, better still, ride your bike. You'll see what I mean first hand. Not a place to put more cars.

Before proceeding with this type action, has anyone really looked into the positives versus negatives to the surrounding neighbourhoods? We were the first ones to buy a home on Starwood and have seen many changes. This proposal serves to at best benefit a few at the expense of the majority. As a citizen who actually lives on this street I find it unacceptable to have my access denied for a few people who may pass by my home in transit on a bike. Sorry but there has got to be a greater need for me to buy into this change.

We had an issue just a few years ago with another "master plan" to open Starwood up to four lanes and eliminate parking. Within a few years we have another "master plan" going the other way with the only constant - no parking on Starwood. We need fewer "master plans" and more "master minds" please. Mayor I think you have a clearer picture than anyone to where our "needs" are in our great city compared to our "wants". This is a "want" only issue for a few, please stay focused on the "needs". Starwood and Eastview are just fine the way they are. Waste no time and monies here. Please send the city's effort and monies where its more needed please.

Thank you;

Herman and Sue Hubers

My name is Yvette Tendick, and I am a member of Guelph Coalition for Active Transportation. I am also a taxpayer and resident of Guelph.

Since moving to Guelph, our family has been able to go from owning two cars to one. We were able to downsize because I use my bicycle instead of a car as my primary mode of transportation. It saves our family, I figure, about \$500 a month. Wow! What a savings! What can I do with \$500 extra dollars a month? Well, my husband and I can eat out in more local restaurants, spend more money in local shops, and maybe make life easier on our children doing their post secondary education.

I am mentioning this anecdote, because it relates to the release of the City of Guelph Bicycle Master Plan. Wouldn't it be nice if more families had the opportunity to save money by not needing an extra car, so that they could either spend it other ways like shopping locally or putting it towards house or other payments? Well, for this to happen, we need alternate ways for people to move around the city. The proposed Bicycle Master Plan, if approved and implemented, is a great way to offer people alternatives to expensive car use. I encourage the planning committee and all council members to approve this plan, and get on with the business of implementing it.

Some of the areas on Bicycle Master Plan proposed bike lanes have particular interest for me. One is Woodlawn Road. My husband and I decided to shop for a refrigerator by bike one day, going down Woodlawn to an appliance dealer. Well, we were taking our life in our hands. There were four lanes of busy traffic and no shoulder or safe area to speak of to get safely away from the traffic. I thought, how can this be? There are all kinds of shops along Woodlawn road. Does everyone, including the minimum wage employees that work in the shops, have cars? To me, it is a tremendous safety issue that a city bus drops Guelph citizens off on a busy road that has no sidewalk or bike lane. How about the Galaxy Theatre? Don't young people like to go to the movies? There are no bike lanes or sidewalks around there. How can it be that they can't get there safely without mom or dad driving them there? Some date! Finally, in looking at the Bicycle Master Plan, there is a multi-use path planned for Woodlawn Road. And, from what I understand, there is already a design for it. The next step is a commitment from the City of Guelph to actually follow through.

Another area of particular interest for me is Stevenson Road. I am looking forward to the reworking of this road in 2014. Then, maybe I can bike ride to work on a smooth bike lane instead of my current practice of keeping my head down, avoiding the potholes, and hoping that when I swerve to avoid one, the car behind me sees me and swerves as well. Not the best, safest way to get to work. I'm sure the city will do the right thing in 2014 and make Stevenson road safe for all road users.

Edinburgh Road has its particular challenges as well. I see future veterinarians, entrepreneurs, farmers, biologists, etc. cycling on this busy four-lane road. These students are just trying to get to university without becoming road kill. They have to hop on the sidewalk (which isn't particularly safe either) and then risk getting ticketed. Lo and behold, the Bicycle Master Plan has a bike lane planned for Edinburgh as well.

I often hear that the city doesn't have enough money for bike lanes. I am amazed at that argument. We get grants for a \$2 million bridge at Niska Road, unwanted by the residents there. Why not some money

for bike lanes? We could blanket the city in bike lanes with \$2 million. They are cheap by comparison to building roads and bridges, and service all kinds of citizens who want good health, a lower debt load, and a smaller carbon footprint.

It would be prudent of the City of Guelph to rejuvenate its Cycling Advisory committee, perhaps broadening it to become the Guelph Active Transportation committee. This committee could serve as a bit of a watchdog to ensure that the goals of the Bicycle Master Plan be funded and implemented within a reasonable time frame.

Another issue I would like to address briefly is the streets where on street parking might have to be eliminated: Stevenson Street, Eastview, Starwood and Grange due to a bike lane. The first, Stevenson Street, only allows parking on a short stretch of road from Eramosa to Speedvale from 6pm to 8 am. On my morning commute, which is always before 8 am, I have never once remembered encountering a parked car on that street. So it is not widely used.

Regarding Eastview, Starwood, and Grange, I decided to take a road trip on Family Day morning to see what all the fuss was about. (That is, since the Guelph Mercury and Guelph Tribune made the on street parking issue their headline.) I found only one car parked on each of the three streets on a holiday, in a residential area. To me, that means that the on street parking is not widely used. Since each house has its own driveway, I'm assuming that the residents will be able to adjust as they do in other parts of the city where on street parking is not allowed. I'm sure there is a percentage of residents in that area who cycle and would prefer to see a city wide bicycle network that also serves the east end.

I believe in the future a smaller percentage of adults will own cars. Even the Globe and Mail says we have reached peak car use. Young adults, like our three daughters, all in their 20's, do not own cars. They don't, mainly because the cost of their education combined with the high cost of housing makes it difficult to add on the cost of a car. Let's hope the city can attract these young people, and keep them. We can do this by offering them alternatives to car use. Thank you Jennifer McDowell and others responsible for this plan for your committed efforts at developing a city wide connected bike lane network to increase mobility for all citizens, not just car owners. Now we just need the will of City Council to put an appropriate time line and financial commitment (3-5% of road budget, perhaps?) Please city council, look into the future (but hopefully not too far in the future) and see that a city wide, connected bike lane network will be a great legacy for this city.

Purpose: Review Staff Report No. 13 -04. “Rental Housing Licensing Directions”

Written Submission and Power Point presented by Joe Hoffer, Cohen Highley LLP, on behalf of Donna and Morris Haley, Property Owners, Guelph:

Comments:

THE REPORT DOES NOT JUSTIFY IMPLEMENTATION OF LANDLORD LICENSING:

1. The report states the “basic purpose” is that the City has the “authority to pass by-laws” to help protect the health & safety of “persons and property.” The Report then states the justification of a licensing by-law would be to help tenants who “**may be less able**” than persons living in their own accommodations to protect themselves & their property.

- The Report provides no basis or evidence to support the statement that Tenants “**may be less able**” to protect themselves. The report attempts to cynically exploit a paternalistic stereotype of tenants as helpless, uninformed and disadvantaged when in reality the License fee is a new municipal charge which, ironically, will be paid by tenants!
- Tenants are protected by City zoning, property standards and other existing municipal by-laws, and are further protected under the Building Code, Fire Code and Residential Tenancies Act. City Staff are adding a redundant layer of regulation solely to extract License Fees from Tenants and Landlord to support “empire building” by City Staff, at the expense of taxpayers.
- The City intends to license properties that have been rented safely to Tenants for decades. Why? “Because it can”: the *Municipal Act*, gave Guelph the legal power to do so since 2007?

2. In August 2010, the City proposed a license by-law basically restricting rented bedrooms to 4 in a house & targeting legal accessorized houses to address “neighbourhood destabilization” in areas adjacent to the University of Guelph. The term, “destabilization” was never defined or justified and the related licensing proposals were withdrawn.

Now, the Report proposes a new strategy to restrict occupancy which will affect a far greater variety & number of rental housing types than that proposed in 2010 to address ***potential*** “Tenant safety issues” and not “neighbourhood destabilization”.

Staff proposes to limit the number of bedrooms that can be rented. They highlight that it is not the number of bedrooms in the dwelling that will be limited by this by-law, but the number of bedrooms that can be rented. This distinction is absurd. The by-law would effectively use the licensing by-law to attempt to impose restrictions that are appropriate to a zoning by-law.

Similar laws have been struck down by the courts as illegal (most recently in *Orillia* and *St. Catharines*) and the Human Rights Commission has properly expressed the concern that such laws amount to “constructive discrimination” based on family status and other prohibited

grounds under the *Human Rights Code*. Is this the real agenda behind the City's efforts to impose licensing?

3. BEHAVIOURAL ISSUES:

Section 3.1, first paragraph. The report acknowledges that licensing will not deal with "zoning domain" issues such as property standards; intensity use of a property. By extension, licensing will not resolve behavioural issues that were the focus of previous unsuccessful licensing efforts made during 2010.

Recent enhanced by-law enforcement efforts dealing with behavioural issues have been successful in reducing neighbourhood complaints. (Reference: Comments made Neighbourhood Representatives at the most recent January 2013 Town and Gown meeting attended by Donna Haley).

4. THE CITY HAS NOT OBJECTIVELY EVALUATED THE NEED FOR LICENSING:

Previously City Council "directed" Staff to prepare a licensing by-law without any consideration whether or not licensing was required. The City's website notes the following regulations already apply to rental housing in the city, in addition to Landlord and Tenant laws that apply:

Current Municipal By-laws and Regulations

- Property Standards By-law (2000)-16454, as amended
- Yard Maintenance By-law (2008)-18552
- Noise Control By-law (2000)-16366
- Fire Code Requirements
- Fire Information Package
- Accessory Apartment Regulations
- Lodging House Regulations

Proactive enforcement of these existing regulations and the *Residential Tenancies Act* meets the objectives of the licensing program in a manner that is cost effective and does not burden tenants by passing on costs of licensing regime.

5. INSPECTIONS-BASED LICENSING BY-LAW

This proposal is based on an inspection being completed within 30 days of any application being submitted and an inspection for a renewal of the license (initially 1 year, then can be 1-3 years for renewal). This is different than the self-certification model implemented elsewhere (London, Waterloo,). The biggest problem with this type of model is the cost of the program.

It is estimated that there are 8,700 rental units in Guelph that would be subject to this by-law. The administrative costs of an inspection by both Fire and Building officials would be staggering. Even if the by-law implements licensing inspections with both Fire and Building inspections performed by one individual (which strikes us as problematic on its own), the costs of performing over 8000 inspections annually - not to mention the re-inspections if

deficiencies are found - would result in costs far greater than we have seen in other municipalities.

Waterloo charges licensing and renewal fees of hundreds of dollars per property and cannot run a self-certification based licensing program on a cost-recovery basis, so how Guelph's staff can even suggest that the program might ever hope to run on a cost-recovery basis is beyond comprehension. Further, these excessive licensing fees, passed on to tenants, would virtually wipe out any affordable housing in the City.

6. THE PROPOSAL IS INCONSISTENT WITH GUELPH'S CORPORATE STRATEGIC PLAN

The proposed licensing regime does not meet the goals of the Strategic Plan, namely:

2.1 – *“fiscal and service sustainability”* – is not fiscally sustainable

2.2 – *“deliver public services better”* – does not provide a service that is not already provided by the by-laws and will provide overlapping services to tenants at much greater cost to tenants and taxpayers

3.2 – *“economically viable, resilient, diverse and attractive for business”* – the proposal as submitted will deliver no value to tenants and taxpayers; will be a hardship on tenants; and will drive out investment in affordable rental housing options for Guelph residents

7. LICENSING FEE COST:

The Report attempts to justify the need for licensing but makes no effort to, perhaps on purpose, to quantify the costs of such a program. This approach was taken in London, Ontario and after receiving more than 3000 applications only 15 applications were refused and none of those were refused due to substandard housing issues. 13 were refused due to zoning violations (which could have been caught under the zoning by-law) and 2 were refused for Fire Code reasons (which could have been disclosed using existing fire inspection powers). Program cost over 3 years was \$1.26 Million dollars or \$84,000.00 per violation. Is that responsible taxpayer spending by Council?

The only value of a Landlord Licensing Program is that it extracts revenue from tenants to support the hiring of City Staff, each of whom is a permanent, ongoing financial liability to taxpayers. Guelph has a low vacancy rate and high demand for affordable rental housing. Council's proposed Licensing By-laws and fees are permitted to be passed on to tenants under the Residential Tenancies Act as “municipal charges” and they can and will be passed on to tenants by landlords, in the same way that Municipal Councillors pass on their expenses to taxpayers.

WHY WOULD THE CITY DEVELOP A LICENSING BY-LAW WITHOUT EVEN CONSIDERING WHAT THE POTENTIAL COST WOULD BE? WHAT VALUE WILL TAXPAYERS AND TENANTS RECEIVE?

8. The Plan calls for only consideration to have “public consultation session(s)” and hold one “public meeting on licensing” during April 2013 but this Report is vague on:

- Cost of a license.
- Cost of the program
- Number of bedrooms that will be allowed to be rented.
- Definition of what comprises 8,700 rented dwelling units. Bedrooms or houses? Legal non-conforming 2, 3, 4 apartments contained in houses?

Significant changes are being proposed without much consideration of the value of the program or its financial impact on Taxpayers, Tenants and Investors. This Report minimizes the need and time for extensive public education and public input.

9. SUMMARY:

Toronto and Ottawa Councils rejected Landlord Licensing because they did their homework and recognized that there is no value to taxpayers or tenants from such a program and the License fee is a hardship to tenants. London and Waterloo have implemented Licensing. London is operating the program at a loss to the taxpayer of nearly \$400,000.00 annually with tenants paying the balance of about \$30000.00 annually. Waterloo has implemented licensing with fees ranging, on average, over \$1000.00 per rental unit, including mandatory inspection fees. The program is a windfall for inspection services, whose fees have skyrocketed as a result of the mandatory components of the legislation but it is a disaster for tenants who must now pay an increase of up to \$100.00 monthly to reimburse the Landlord for the cost. Worse: all of these issues can be dealt with under existing laws with no additional cost to tenants or taxpayers.

Hamilton Council, after taking an objective fact-based look at the London and Waterloo experience, and noting the rejection of Landlord Licensing by, among others, Ottawa and Toronto, rejected a motion to implement enactment of a licensing by-law and sent the issue back for more reliable public input and evaluation. This is the sort of due diligence and accountability to taxpayers have the right to expect from Guelph Council.

Bottom line: The proposed by-law should be scrapped and Council should seek an objective assessment of the need for such a by-law because City Staff, by definition, are in a conflict of interest position when the question is whether more money should be spent to hire more people at City Hall.

Respectfully,

Donna and Morris Haley, Property Owners

Summary of Costs, Value, Taxpayer funded Losses in London, Waterloo

	London	Waterloo
Applications received		
2010	2392	n.a.
2011	682	n/a
2012	582 (to Sept 13, 2012)	2029 (April 1 to Sept 3, 2012)
Licenses issued		
2010	1870	n.a.
2011	897	n.a.
2012	1655 (to Sept 13, 2012)	785 (April 1 to Sept 3, 2012)
Licenses refused	15	0
	13- Non-compliance with Zoning 1- Couldn't schedule FPPA Inspection 1- Non-compliance with FPPA	
Appeals filed	1 (invalid)	0
Costs	Average \$400,000 per year	No records yet
Revenue		No records yet
2010	\$59,800	
2011	\$17,050	
2012	\$14,550 (to Sept 13, 2012)	\$221,601 (estimated)
Licence Fees (2-3 bedroom, non-owner occupied)	\$25 application/yearly renewal \$0 appeal \$95 inspection if required 800% increase proposed for 2013	\$68.15 preliminary consultation \$544.23 licence for each unit \$296.85 renewal for each unit \$100.00 appeal

NOTE: Toronto and Ottawa rejected Landlord Licensing in favour of applying existing laws

Objections to Landlord Licensing By-Law

Joe Hoffer

Cohen Highley LLP

55 King Street West, Suite 1002

Kitchener, ON

On behalf of Donna & Morris Haley



Cohen Highley
LAWYERS

Residential Tenancies Act and Municipal By-laws already regulate health, maintenance, building, property and zoning issues relative to rental housing: City proposal simply adds/duplicates an already existing regulatory regime. This is a waste of financial resources and an unnecessary expansion of City Hall financial and legal liability.

In London: since 2010 the city has spent on average \$400K per year on its Landlord Licensing Program for a total of \$1.2 Million: total recovery? Just over \$90K from licensing fees paid for by Tenants with the balance of \$1.1 Million funded by taxpayers. London City Staff grossly misrepresented to taxpayers and Council the cost of the program. In 2013, City Staff are seeking an increase of over 800% to the application fee but failed to disclose that this will still produce a taxpayer funded shortfall of more than \$400K annually as Staff plan to hire 2 more inspectors. Who pays? Tenants and Taxpayers!

Value to Taxpayer: 3000 applications and 15 refused licenses = cost to taxpayers is \$84K per refusal

In Waterloo: fees are \$68.15 set up; \$544 per unit Class A license; \$296 annual renewal; and \$100 appeal = \$1008 before inspectors even start the mandatory inspections. These charges are passed through to tenants: therefore increased rents; or, operations go underground (increased vulnerability for tenants); or landlords cease business (loss of affordable rental housing). Does the system pay for itself? Waterloo anticipates \$400K of expense and in year one, estimates \$221K recovery. If their estimates are anything like those given by London staff, the program deficit will be at least 2 times the projection.

Who pays for the system? Tenants and Taxpayers.

In Oshawa: Due to lack of inspections, vast majority of units have not been inspected; license fees have resulted in no demonstrable benefits to tenants or their housing standards; rents have increased substantially to cover exorbitant license fees. Oshawa's system is underfunded and mired in bureaucracy and litigation, with additional litigation currently before the Ontario Court of Appeal. **Who pays for system? Tenants and Residential Taxpayers.** Who benefits? City Staff through job security and seniority: the more staff you have under you, the better your prospect for tenure (aka. "Empire Building")

Who Pays?? A picture is worth a thousand words!



In Toronto and Ottawa: Both Cities used due diligence in assessing cost, value and benefits of the program and concluded that Landlord Licensing is a costly, valueless exercise and that it would be irresponsible to proceed with such a program.

Conclusions?

Landlord Licensing is redundant to existing regulations and is a demonstrably failed system with adverse consequences for tenants, taxpayers, landlords and the city. The only ones that benefit are the City Hall work force and perhaps some private inspection services, all at the expense of stakeholders.

We urge members of Guelph Council to consider the failed experiments of Landlord Licensing in other Ontario Cities and reject landlord licensing as a solution to Council concerns about rental housing.

In other cities, the effect of Landlord Licensing has been to expand the number of City employees; permanently embed salaries, pension liability, insurance liability and administration costs; and operate at a taxpayer funded shortfall, with no tangible benefit to tenants.

Solution?/Better Option?:

Follow the examples of Toronto and Ottawa which have rejected Landlord Licensing in favour of a proactive Inspection Program by Municipal Law Enforcement Officers and enforce existing by-laws.

The City of Toronto implemented this alternative under the reign of David Miller, perceived as a clear “left wing” advocate for tenants and rampant government spending at taxpayer expense...yet he had the good sense to recognize the adverse consequences of a licensing system that duplicates existing legislation and provides no real value to Tenants or taxpayers.

Questions?

Feb. 13, 2013

I've been trying hard to understand how the intent to impose a new licensing bylaw on rentals in Guelph can work out for all concerned parties. I'm wondering if some of the methods I have been reading about are perhaps not as efficient as they might be. Allow me to explain.

I believe the folks that will end paying for yet another level of costs, are the tenants. Everything seems to fall back onto those who can least afford it. I had to raise my rents this year due to Municipal property assessment appraisals and increased taxes. MPAC appraised properties nearer the university much higher than those in other areas, but all went up. As a side note, insurance on rentals has recently gone up as well. My downtown rentals had to go up 15\$ a month per tenant. My rental near the university went up 25\$ per tenant. That's a month! Even the family rentals in the North end of town had to be raised to cover increased costs.

We are now so expensive to rent in as a city that the university students are having a difficult time making ends meet financially. I had a group of girls beg me, actually really beg me to allow them to stay in a rental because they were "such good girls." I bet they are good girls. My heart broke for them, unable to afford to live close to school. However, I could not cover my costs if I rented to them at the maximum they felt they could pay. That's a shame, and its those girls, indeed all of our students I think of today. I **hated** to increase my rents, I look at student housing as one of the ways I give back to my community.

Without the students, economically Guelph would not be sitting so pretty. The university is our second largest employer, and those students bring a vitality and energy to our town that we would never have with out them. Why financially punish them? (because indeed that's who will pay for the licensing fees)

Its already so hard for me to extol the virtues of our town to the students. Telling them that that they matter, they are appreciated and desired members of the community. So many NIMBYs our town are unfortunately not so welcoming and the students are aware of it. Now it seems the city has to get in on it, on yet another level and make it nigh impossible for me to show these young people that they are desired as citizens.

As a real Estate Broker in my home town, I feel the licensing by law would just be another issue to add to the expense of our housing. Do you realize the average price of our homes is out of reach of the average income of a family that lives and works in Guelph? Its completely unfair to young people "first time

buyers" wanting to buy a home in Guelph. The licensing by law decision will only add fuel to that fire. Bureaucracy is adding to the cost of our housing.

I live in Puslinch. I consider Guelph home. I understand the whole absentee landlord jist. Indeed as real estate Broker I have heard some agents say they have represented some absentee landlords, who actually buy through a representative without ever seeing the house. But, living just outside the city limits does not an absentee landlord make me! The approach is heavy handed perhaps? I was born and raised in Guelph. My family has business holdings in town and we contribute in many ways to the City, not the least of which is financially. Now you are telling me I have to move back to Guelph or hire someone other than myself to manage the properties, so that they can be "authorized to respond to management issues regarding the rental living accommodation" Whether or not I live in Guelph makes no difference to the property taxes I pay on my rentals. Yet I am to have no voice? So, I have to hire someone to be my voice, at yet another cost to my tenants and my family's small business.

The licensing by law is to improve tenant safety, health and well being? How pray tell? I dare say every landlord at city hall today keeps their rentals in tip top condition, and their tenants are already safe. I care about the young people and young families who live in my city as much as I can. My landlord style (good housing at good prices) keeps them safe. How is paying you an annual fee going to keep them any safer? Indeed it will financially harm them.

As a conscientious landlord, with life long ties to the city and many dollars invested in real estate the city, and many tax dollars annually already flowing out of my bank account to your coffers, I ask you why are you trying to force me out of the market? So large corporations can take over? Because that is the likely end result of this. De personalize the rental housing. Business 101- Large corporations can carry this added expense, they spread the costs over a larger number of homes, and hire people to deal with tenants and by law issues.

I have an idea - Perhaps allow each landlord you intend to license present themselves, their business, their business plan, and the reason behind their investments. Then determine on an individual basis how to charge each of us? Or not..... Based on the fact that so many of us have already registered our rentals and jumped through the building code hoops. How about less or no fees for those of us who manage our own rentals, are hands on landlords. If someone is coming out to inspect, then surely some one else can come along and interview the landlord? One fo those questions could be about the landlords location. I realize this may take time, but, the job will done correctly and fairly.

Or, perhaps landlords that want the city to know they are doing a good job can present themselves and their business plans at city hall if given an interview opportunity?

Believe it or not, there's not a lot of money to be made in good housing at good prices. This new fee you suggest might be just enough to put some of us smaller landlords out of business. The collateral casualties will be first the tenants wallets, then we smaller landlords, and yet more de personalization of my home town.

Regards,



TerriAnn Ford

Please read the response from one of my (young family) tenants when I forwarded your agenda for today's meeting to him. The student tenants were unable to get back to me due to the unfortunate timing of your meeting they are busy on study week.

TerriAnn, this looks like horse****. Smells like it too. Have there been deaths or hospitalizations of tennants in Guelph recently to cause something so seemingly unnecessary?! I just don't understand council's motive here...

sigh

I feel that it would be more appropriate to apply penalties to landlords who have proven themselves incompetent or negligent rather than blanketing everyone with extra costs and hassles. As a tenant, I don't want to pay for this when my landlord keeps us happy, and I have no intention of allowing the city to invade my home for an "inspection"--unless they have cause to suspect criminal activity.

Nothing about this makes sense.

A very grumpy

Tim Anderson

Feb 14th, 2013

Dear Esteemed Members of Council,

I am following with great interest your ongoing efforts to manage the co-existence of students and nuclear families in our City. Kudos for seeking a balance; one that the Human Rights Commission can support and that the Municipal Act can accept.

The last thing any of us wants is another drawn-out court case at the public's expense.

I foresee three obvious shortcomings in the present direction.

1. The Municipal Act of 2001 states that "The purpose of licensing is not meant to deal with zoning domain issues such as location, density and intensity of the use".

Section 3.3.4 of the current proposal states, "The issue or renewal of a licence would enable City staff to inform landlords of any conditions which contravene City by-laws (eg. zoning....)"

Our contradiction with the Ministry's purpose is glaring.

2. The Human Rights Commission suggests that we "avoid minimum separation distance requirements as part of a licensing By-Law."

The proposed by law suggests penalties for contravention 'up to \$10,000' for a first conviction. The penalty is a very powerful compulsion for landlords to register their houses.

It will be obvious to any court that the granting or withholding of a rental licence will have much to do with the separation distances between the 8700 estimated applications.

3. The main driver behind this bylaw's direction is not unsafe housing. It is the irritation by one segment of our population with another. Specifically, temporary student tenants seen as being irresponsible by nuclear families - who see themselves as permanent.

How does collecting floor plans, counting bedrooms and parking spaces do anything to curb loud parties, drunkenness or public urination? As stated by the Human Rights Commission, a bylaw needs to meet "a rational goal" and there needs to be "no other real options for meeting the goal".

Given the minutes from previous years' meetings and previous failed attempts to regulate student behaviour in the past, our primary underlying goal is vulnerably transparent. Moreover, we already have bylaws regarding inappropriate behaviour to meet our goals.

4. One positive aspect of the proposed by-law is the mention of a contact individual, "authorized to respond to management issues." Unfortunately, these issues would have to limit themselves to affairs of liability insurance, status of the housing licence and paying of fees, since the Human Rights Commission is very clear that we are to "regulate the units, not the renter".

We look forward to working further with the City's team as we all seek ways to address frictions among the various valued groups of people who choose to make Guelph their home.

Pierre Sandor and Dean Kueneman

Guelph – Wellington – Waterloo Regional Road Network

Re-examining the GTA West
Transportation Study Conclusions

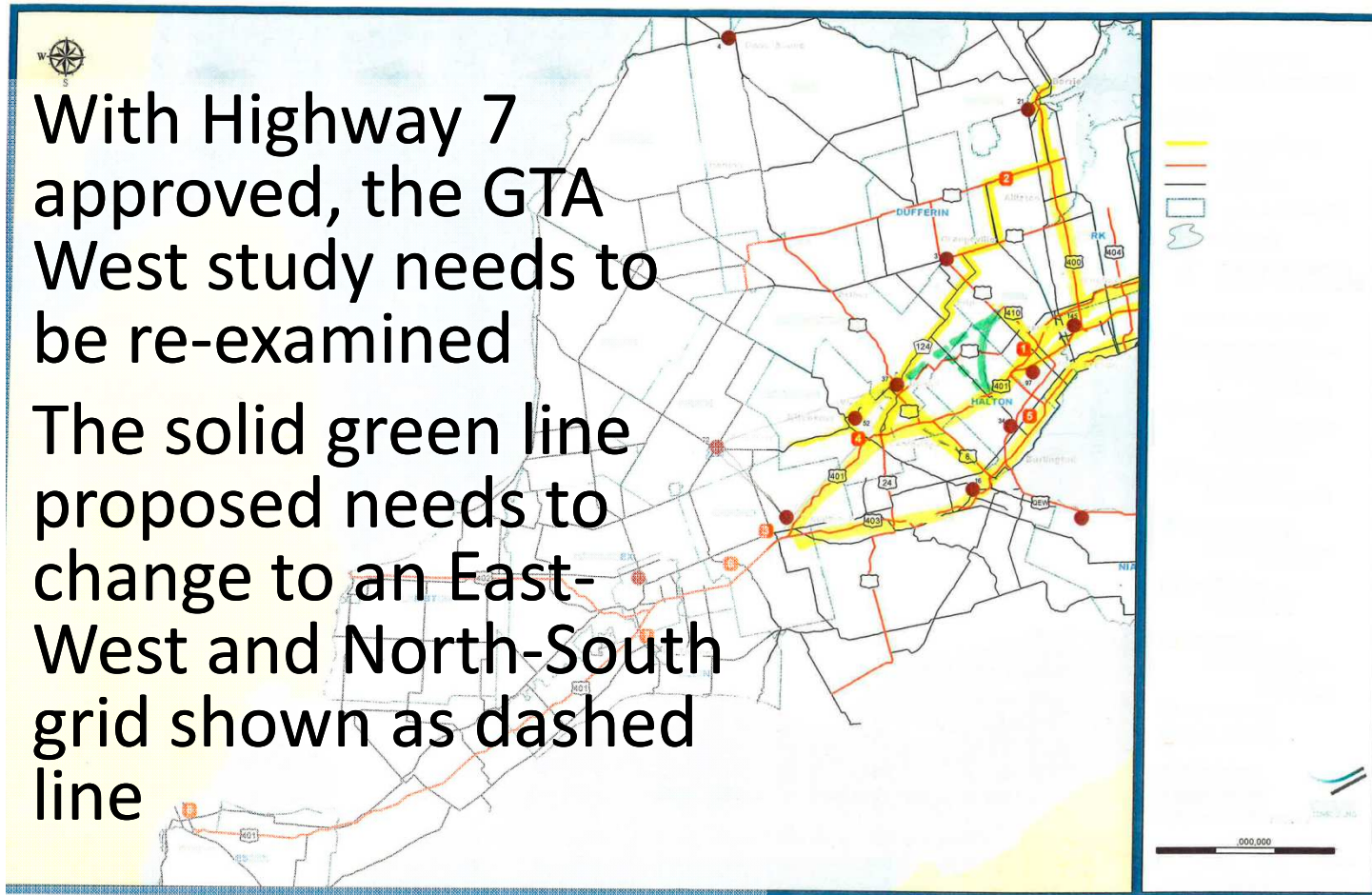
19 February 2013

GTA West Revisited

- The conclusion of the GTA West study in 2010 occurred prior to the recommendations on Highway 7
- The GTA West study did not take into account the area west of Guelph which includes a regional airport and significant manufacturing and food and agriculture activities

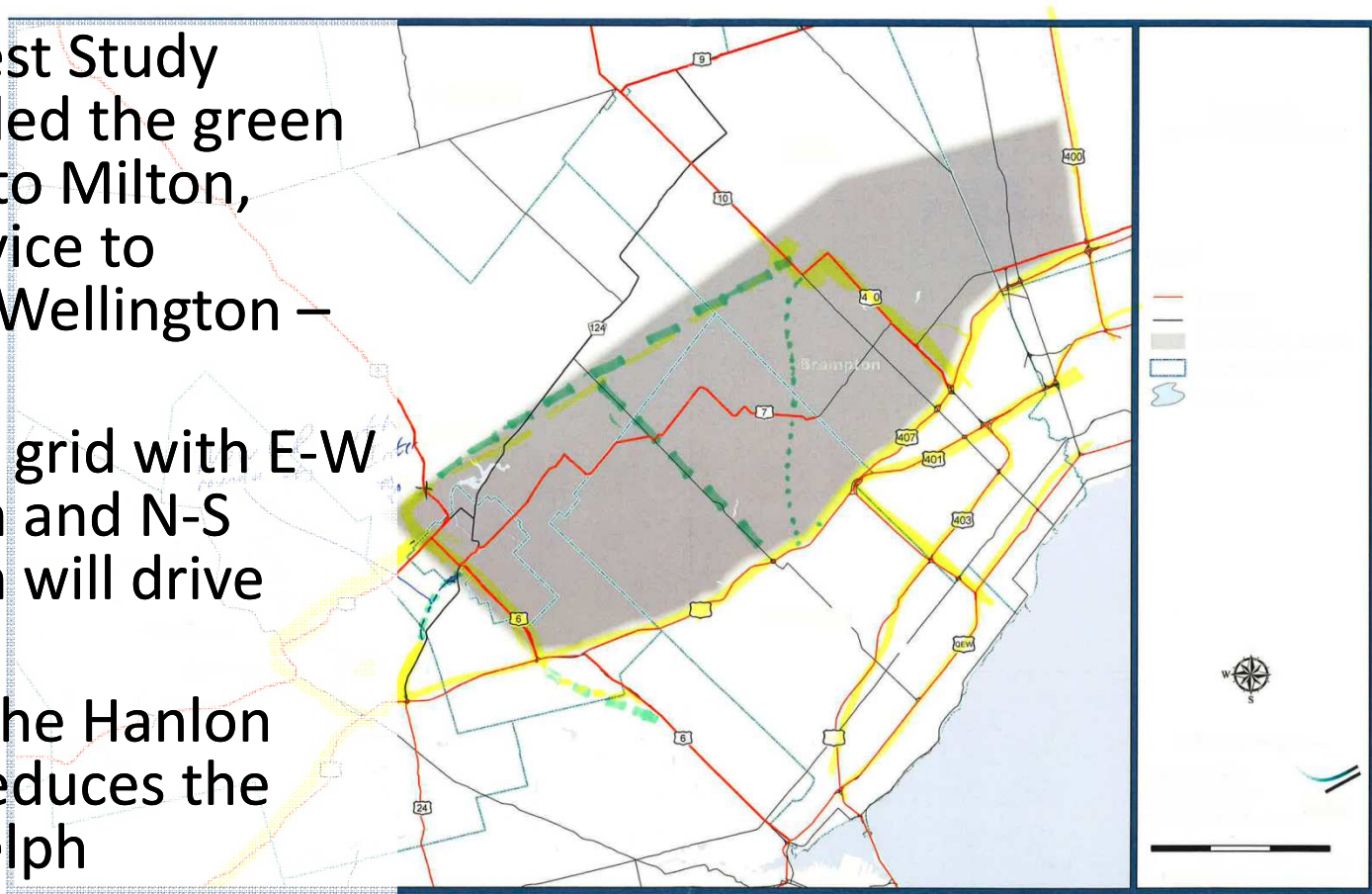
The Bigger Picture

- With Highway 7 approved, the GTA West study needs to be re-examined
- The solid green line proposed needs to change to an East-West and North-South grid shown as dashed line

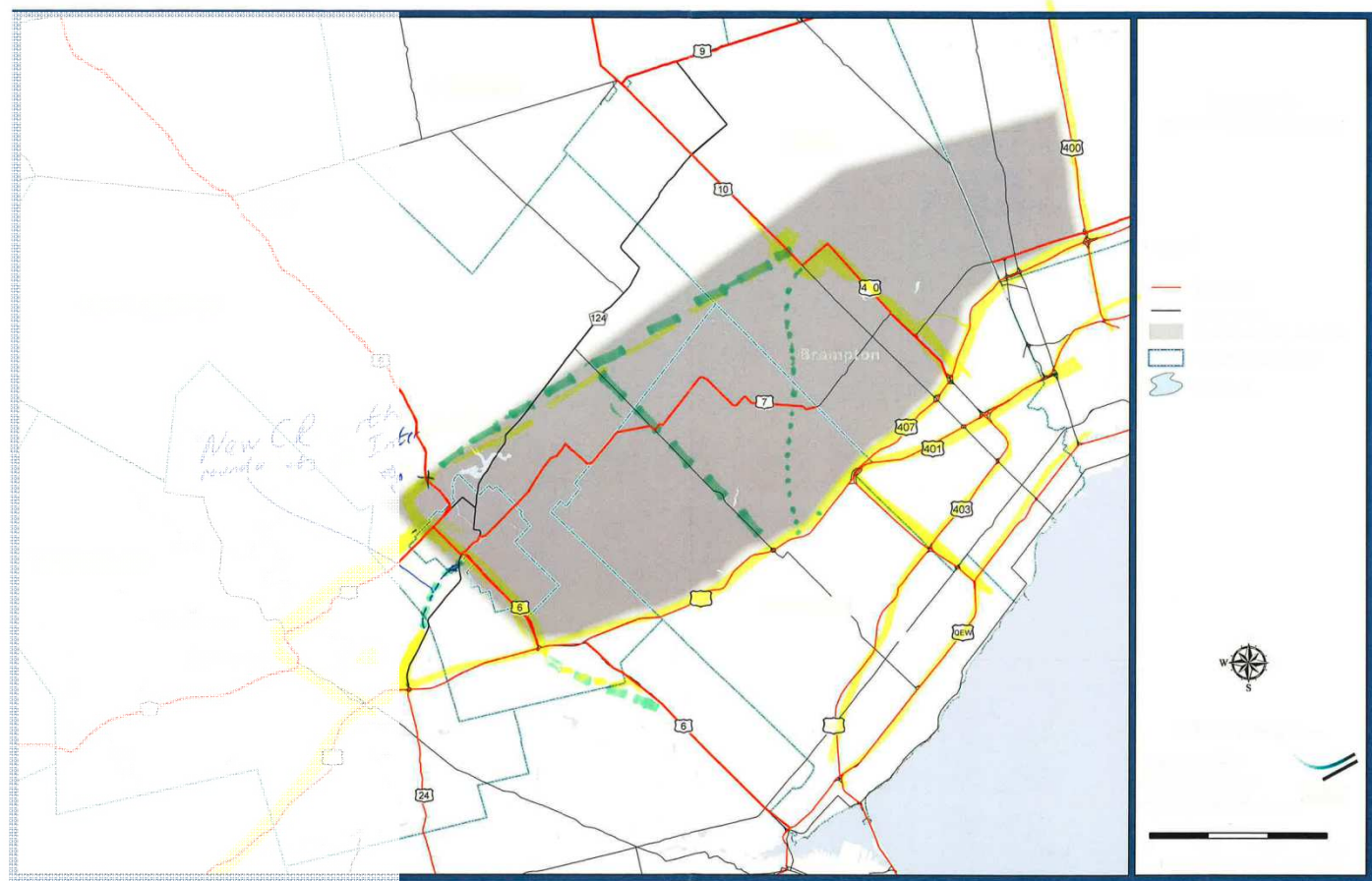


Guelph Chamber of Commerce

- The GTA West Study recommended the green dotted line to Milton, limiting service to Waterloo – Wellington – Guelph
- An effective grid with E-W every 15 km and N-S every 25 km will drive growth.
- Tying into the Hanlon extension reduces the load on Guelph infrastructure



Guelph Chamber of Commerce



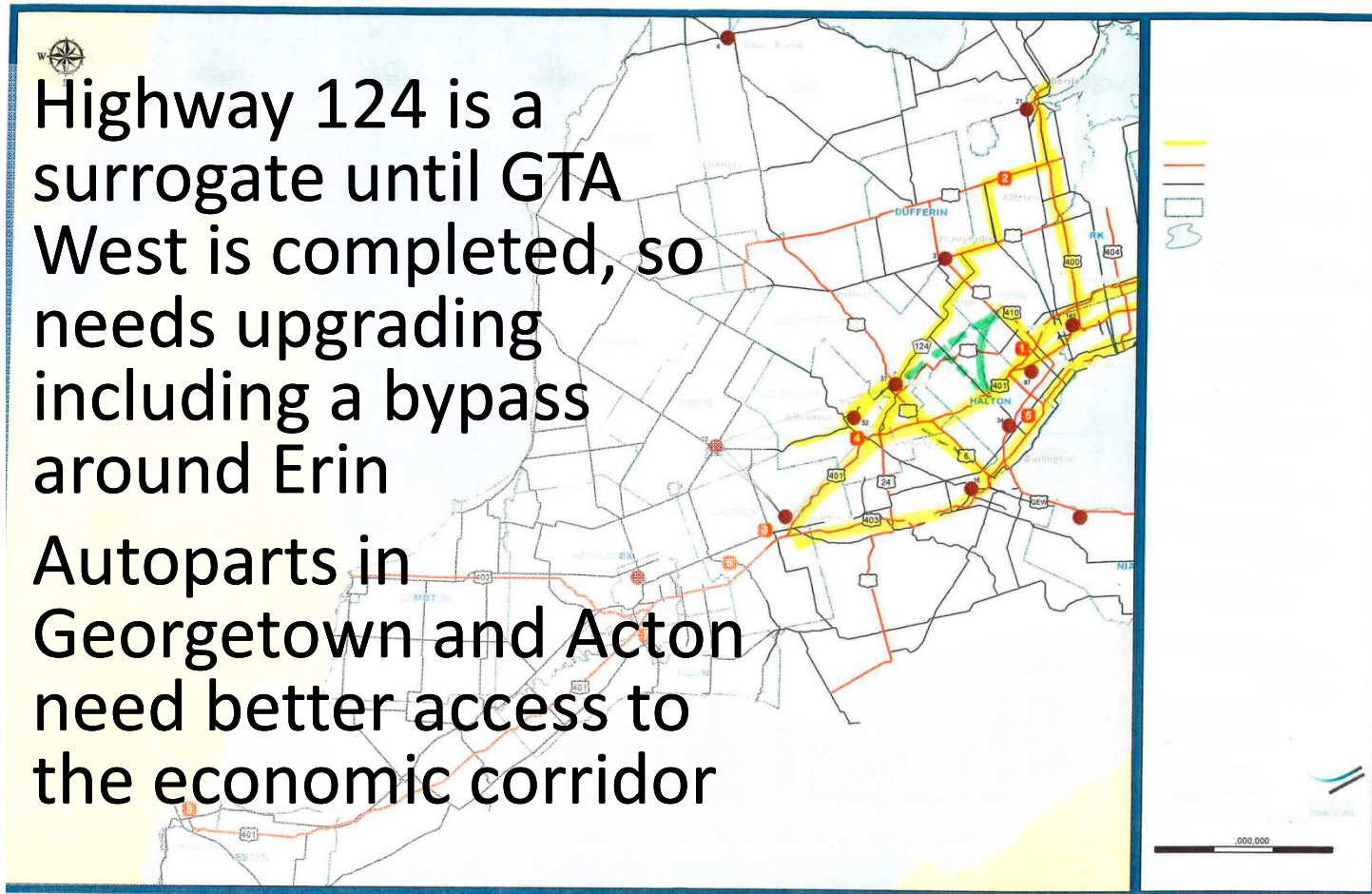
GCC Moving Business Forward
Guelph Chamber of Commerce



**Visionaries
Work Here**

North to Barrie, South to Cambridge

- Highway 124 is a surrogate until GTA West is completed, so needs upgrading including a bypass around Erin
- Autoparts in Georgetown and Acton need better access to the economic corridor



Other Economic Corridors

- In addition to connecting 8 auto assembly plants with 465 auto part manufacturers and related input companies, other key markets would be served
- Food and Ag growers and processors
- Furniture manufacturers and distributors
- Water technology companies and alternate energy
- Tourism and creative sectors