

COMMITTEE AGENDA



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

DATE March 19, 2012

LOCATION Council Chambers

TIME 12:30 p.m.

DISCLOSURE OF PECUNIARY INTEREST

CONFIRMATION OF MINUTES – February 21, 2012

PRESENTATIONS (Items with no accompanying report)

a)

CONSENT AGENDA

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

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
PBEE-9 Termite Control Program 2011 Annual Report	Tim Myles, Termite Control Officer		✓
PBEE-10 Annual Report on 2011 Building Permit Fees, Costs and Building Stabilization Reserve Fund			
PBEE-11 Committee of Adjustment 2011 Annual Report			
PBEE-12 Building Services 2011 Annual Report			
PBEE-13 148-152 Macdonell Street Brownfield			

Redevelopment Community Improvement Plan – Tax Increment- Based Grant Request			
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Resolution to adopt the balance of the Planning & Building, Engineering & Environment Committee Consent Agenda.

ITEMS EXTRACTED FROM CONSENT AGENDA

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

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

NEXT MEETING – April 16, 2012

**The Corporation of the City of Guelph
Planning & Building, Engineering and Environment Committee
Tuesday, February 21, 2012 at 12:30 p.m.**

A meeting of the Planning & Building, Engineering and Environment Committee was held on Tuesday, February 21, 2012 in Council Chambers at 12:30 p.m.

Present: Councillors Bell, Burcher, Guthrie, Piper and Mayor Farbridge

Also Present: Councillors Dennis, Findlay, Furfaro and Wettstein

Staff in Attendance: Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. T. Salter, Acting General Manager, Planning Services; Mr. P. Cartwright, General Manager of Economic Development; Mr. R. Templeton, Landscape Planner, Mr. S. Worsfold, Deputy City Solicitor; Mr. B. Labelle, City Clerk; and Ms. D. Black, Assistant Council Committee Coordinator.

There was no declaration of pecuniary interest.

1. Moved by Councillor Burcher
Seconded by Councillor Guthrie
THAT the minutes of the Planning & Building, Engineering and Environment Committee meeting held on January 23, 2012 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Consent Agenda

The following items were extracted from the February 21, 2012 Consent Agenda to be voted on separately:

- | | |
|---------------|--|
| PBEE 2012-A.1 | Draft Urban Forestry Management Plan |
| PBEE 2012-A.2 | Brooklyn and College Hill Heritage Conservation District Designation Process – Summary of Phase One and Recommendation to Proceed to Phase Two |
| PBEE 2012-A.3 | Economic Development, Planning, Building and Engineering Joint Operational Review |

2. Moved by Mayor Farbridge
Seconded by Councillor Burcher
THAT the balance of the Consent Agenda of the Planning & Building, Engineering and Environment Committee of February 21, 2012 as identified below, be adopted:

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

REPORT

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

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

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

REPORT

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

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

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie, and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

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

Mr. Todd Salter, Acting General Manager, Planning Services, provided a high level overview and summary of the staff report and recommendations contained in the meeting agenda. He discussed the intent of the Heritage Conservation District Designation Process and the benefits of implementing a Heritage Conservation District.

Mr. David Cuming, consultant, provided an overview with respect to the presentation attached as part of the meeting agenda and his assessment of the proposed Heritage Conservation District Study. He discussed; historical information in relation to the subject area, details in relation to provincial guidelines vis-à-vis the establishment of Heritage Conservation Districts; various features containing heritage and cultural value and the rationale with respect to identifying the proposed boundary recommended for acknowledgment moving into the second phase.

Mr. Stephen Robinson, Heritage Planner, summarized the process undertaken in the first phase and addressed key issues raised as part of the public consultation and engagement program.

The Committee posed various questions for follow up and clarification. There was discussion in relation to; the cost and need of the proposed Environmental Assessment for the Wellington Street Dam; the timing of reporting back to Council in relation to the second phase and on the finalization of a boundary; the public consultation process managed through the first phase; inclusion of the river section, particularly the north side, within the acknowledged boundary; the number of buildings included within the acknowledged boundary which have inherent heritage value as well as other buildings and features which contribute to the proposed district area; potential alternatives to manage change as opposed to a Heritage Conservation District; potential regulations which may be applied to manage development within a Heritage Conservation District, cost estimates associated with the second and third phases as well as other matters.

Mr. John Gruzleski, on behalf of the Old University Neighbourhood Residents Association (OUNRA), spoke in support of the study. He provided information in relation to previous work undertaken in respect to a Community Improvement Plan which led to the support for a Heritage Conservation District in the area. He advised that OUNRA supported the proposed boundary which would be acknowledged by way of approving the staff recommendation. He stated that there are processes which can be made available within Heritage Conservation District regulations that could address the concerns of some residents with respect to their ability to modify their properties.

Ms. Robin-Lee Norris, on behalf of the Jamieson family, owners of the majority share of James Street East properties, advised that the owners are opposed to the inclusion of James Street East within the Heritage Conservation District. She commented that the Jamieson's properties do not warrant designation individually and that by virtue of being encompassed within a Heritage Conservation District their ability to modify their properties may be restricted. She expressed concerns regarding the lack of time available with which to properly review and provide an assessment of the consultant's study noting that materials referenced therein were flawed. As a result, Ms. Norris requested a one month deferral to allow for a Heritage Planner retained by the Jamieson's to complete a peer review of the study.

Mr. Paul Ross, Chair, Heritage Guelph, advised that Heritage Guelph was supportive of the conclusions brought forward in the consultant's report and the recommendation to move into the second phase. He

suggested that public concern with respect to a proposed Heritage Conservation District is typical, however, many of the concerns could be further explored and managed as a result of the public consultation component within the second phase. He advised that recent studies across the province have shown that most property owners residing in heritage districts are generally satisfied and do not find the associated regulations overly onerous. Mr. Ross commented on the variances between individual property designations and a heritage conservation district.

The Jamieson's properties were illustrated on a map and there was discussion with respect to the potential exclusion of the properties from the acknowledged boundary. The Committee also discussed the related correspondence on the matter which was attached as part of the meeting agenda.

3. Moved by Councillor Burcher
Seconded by Mayor Farbridge

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

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

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

4. Moved in Amendment by Councillor Bell
Seconded by Councillor Guthrie

AND THAT James Street East be removed from the Brooklyn and College Hill Heritage Conservation District proposed boundary.

VOTING IN FAVOUR: Councillors Bell and Guthrie (2)

VOTING AGAINST: Councillors Burcher and Piper and Mayor Farbridge (3)

Defeated

5. Moved by Councillor Guthrie
Seconded by Councillor Bell

THAT the decision to move to the second phase of the Brooklyn and College Hill Heritage District Designation Process be deferred for two months to allow for further community feedback and to provide the James Street East residents an opportunity to undertake a peer review assessment with respect to the matter through their Heritage Planner.

VOTING IN FAVOUR: Councillors Bell and Guthrie (2)

VOTING AGAINST: Councillors Burcher and Piper and Mayor Farbridge (3)

Defeated

It was requested that the clauses of the main motion be voted on separately.

REPORT

6. Moved by Councillor Burcher
Seconded by Mayor Farbridge

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

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie, and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

REPORT

7. Moved by Councillor Burcher
Seconded by Mayor Farbridge

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

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie, and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

REPORT

8. Moved by Councillor Burcher
Seconded by Mayor Farbridge

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

VOTING IN FAVOUR: Councillors Burcher and Piper and Mayor Farbridge (3)

VOTING AGAINST: Councillors Bell and Guthrie (2)

Carried

The meeting recessed at 2:38 p.m.

The meeting resumed at 2:46 p.m.

Urban Forest Management Plan 2013-2032

Mr. Rory Templeton, delivered a presentation with respect to the Urban Forest Management Plan which was attached as part of the meeting agenda. It was noted that financial implications as a result of the plan would be addressed through the 2013 budgetary process.

Mr. Philip van Wassenauer, consultant, advised of the purpose for an Urban Forest Management Plan and addressed the development of the plan and next steps. He explained the local context and study rationale; vision, principles and strategic goals; management and monitoring; legislation; and the policies and guidelines associated with the plan.

Ms. Margot Ursic, consultant, outlined the strategic goals of the Urban Forest Management Plan and addressed the recommendations contained within the Draft Urban Forestry Management Plan attached as part of the meeting agenda.

The Committee posed various questions for follow up and clarification. There was discussion related to; the overall objectives of the plan; the related financial implications, risk mitigation and resource demands; the public consultation process, status of current policies and various other matters.

9. Moved by Mayor Farbridge
Seconded by Councillor Burcher

THAT when staff report back to the Planning, Building, Engineering and Environment Committee with the final recommended Urban Forest Management Plan, they also address the appropriate timing to address the recommendation of the 2011 Canopy Coverage Study to conduct further analysis of a target to achieve the 40% tree canopy coverage established in Official Plan Amendment 42.

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie, and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

10. Moved by Councillor Guthrie
Seconded by Councillor Bell

THAT report 12-14 dated February 21, 2012, from the Planning & Building, Engineering and Environment entitled Draft Urban Forestry Management Plan be received;

AND THAT the Urban Forest Management Plan be referred to the ongoing Council strategic planning process to ensure it is prioritized accordingly;

AND THAT the Urban Forest Management Plan be considered with the goal of having no impact on the tax base.

It was requested that the clauses be voted on separately.

11. Moved by Councillor Guthrie
Seconded by Councillor Bell

THAT report 12-14 dated February 21, 2012, from the Planning & Building, Engineering and Environment entitled Draft Urban Forestry Management Plan be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie, and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

12. Moved by Councillor Guthrie
Seconded by Councillor Bell

THAT the Urban Forest Management Plan be referred to the ongoing

Council strategic planning process to ensure it is prioritized accordingly;

VOTING IN FAVOUR: Councillors Bell and Guthrie (2)

VOTING AGAINST: Councillors Burcher and Piper and Mayor Farbridge (3)

Defeated

13. Moved by Councillor Guthrie
Seconded by Councillor Bell

THAT the Urban Forest Management Plan be considered with the goal of having no impact on the tax base.

VOTING IN FAVOUR: Councillors Bell and Guthrie (2)

VOTING AGAINST: Councillors Burcher and Piper and Mayor Farbridge (3)

Defeated

14. Moved by Mayor Farbridge
Seconded by Councillor Burcher

THAT report 12-14 dated February 21, 2012, from the Planning & Building, Engineering and Environment entitled Draft Urban Forestry Management Plan be received.

AND THAT when staff report back to the Planning, Building, Engineering and Environment Committee with the final recommended Urban Forest Management Plan, they also address the appropriate timing to address the recommendation of the 2011 Canopy Coverage Study to conduct further analysis of a target to achieve the 40% tree canopy coverage established in Official Plan Amendment 42.

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie, and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Economic Development, Planning, Building and Engineering Joint Operational Review

Mr. Peter Cartwright, General Manager, Economic Development, provided an overview of the Economic Development, Planning, Building and Engineering Joint Operational Review report and

Dr. J. Laird
Mr. T. Salter

presentation contained in the meeting agenda. He addressed findings from the first phase and provided an assessment and summary for the second phase.

Dr. Janet Laird, Executive Director, Planning & Building, Engineering and Environment, and Mr. Cartwright explained interim initiatives implemented in 2011 which addressed several process issues identified during the first phase of the review

Dr. J. Laird
Mr. P. Cartwright

15. Moved by Mayor Farbridge
Seconded by Councillor Burcher

THAT the Report dated February 21, 2012, regarding the Joint Operational Review that is being conducted for Economic Development, Planning, Building, and Engineering Services be received;

AND THAT as part of the Economic Development, Planning, Building, and Engineering Services Joint Operational Review, staff develop a set of performance indicators to establish a baseline and dashboard to serve as a framework for regular reporting to Council on the performance of the development approvals process (including Economic Development, Planning, Engineering and Building Services)

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie, and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

16. Moved by Councillor Burcher
Seconded by Councillor Bell

THAT, pursuant to Section 239(2)(b) of the *Municipal Act*, the Planning & Building, Engineering and Environment committee now hold a meeting that is closed to the public with respect to personal matters about an identifiable individual.

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie, and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

**Citizen Appointments to Water Conservation and Efficiency
Public Advisory Committee**

REPORT TO COUNCIL
IN CLOSED SESSION

17. Moved by Councillor Burcher
Seconded by Councillor

THAT staff be given direction with respect to citizen appointments to
the Water Conservation and Efficiency Public Advisory Committee.

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie, and Piper
and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

The Committee resolved out of closed session and the meeting
adjourned at 4:27 p.m.

.....
Chairperson

**PLANNING & BUILDING, ENGINEERING and ENVIRONMENT COMMITTEE
CONSENT AGENDA**

March 19, 2012

Members of the Planning & Building, Engineering & Environment Committee.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT	DIRECTION
<p>PBEE-2012 A.9) TERMITE CONTROL PROGRAM 2011 ANNUAL REPORT</p> <p>THAT the report (No. 12-34) on Termite Control Program 2011 Annual Report from Planning & Building, Engineering and Environment, dated March 19, 2012, be received.</p>	Receive
<p>PBEE-2012 A.10) ANNUAL REPORT ON 2011 BUILDING PERMIT FEES, COSTS AND BUILDING STABILIZATION RESERVE FUND</p> <p>THAT the Annual Report (No. 12-32) on 2011 Building Permit Fees, Costs and Building Stabilization Reserve Fund from Planning & Building, Engineering and Environment, dated March 19, 2012, be received.</p>	Receive
<p>PBEE-2012 A.11) COMMITTEE OF ADJUSTMENT 2011 ANNUAL REPORT</p> <p>THAT the report (No. 12-35) on Committee of Adjustment 2011 Annual Report from Planning & Building, Engineering and Environment, dated March 19, 2012, be received.</p>	Receive
<p>PBEE-2012 A.12) BUILDING SERVICES 2011 ANNUAL REPORT</p> <p>THAT the report (No. 12-33) on Building Services 2011 Annual Report from Planning & Building, Engineering and Environment, dated March 19, 2012, be received.</p>	Receive

**PBEE-2012 A.13) 148-152 MACDONELL STREET BROWNFIELD
REDEVELOPMENT COMMUNITY IMPROVEMENT
PLAN – TAX INCREMENT-BASED GRANT
REQUEST**

Approve

THAT Planning & Building, Engineering and Environment Report 12-25 dated March 19, 2012 regarding a request for a Tax Increment-Based Grant for the property municipally known as 148-152 Macdonell Street pursuant to the Brownfield Redevelopment Community Improvement Plan be received;

AND THAT the request by Carvest Properties Ltd. for a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan be approved to an upset total limit of \$1,750,700 subject to the program details set out in Attachment 4;

AND THAT staff be directed to proceed with the finalization of a Tax Increment-Based Grant agreement with Carvest Properties Ltd. or any subsequent owner(s) to the satisfaction of the General Manager of Planning Services and the General Manager of Legal and Realty Services/City Solicitor;

AND THAT the Mayor and Clerk be authorized to sign the Tax Increment-Based Grant Agreement.”

B Items for Direction of Committee

Attach.

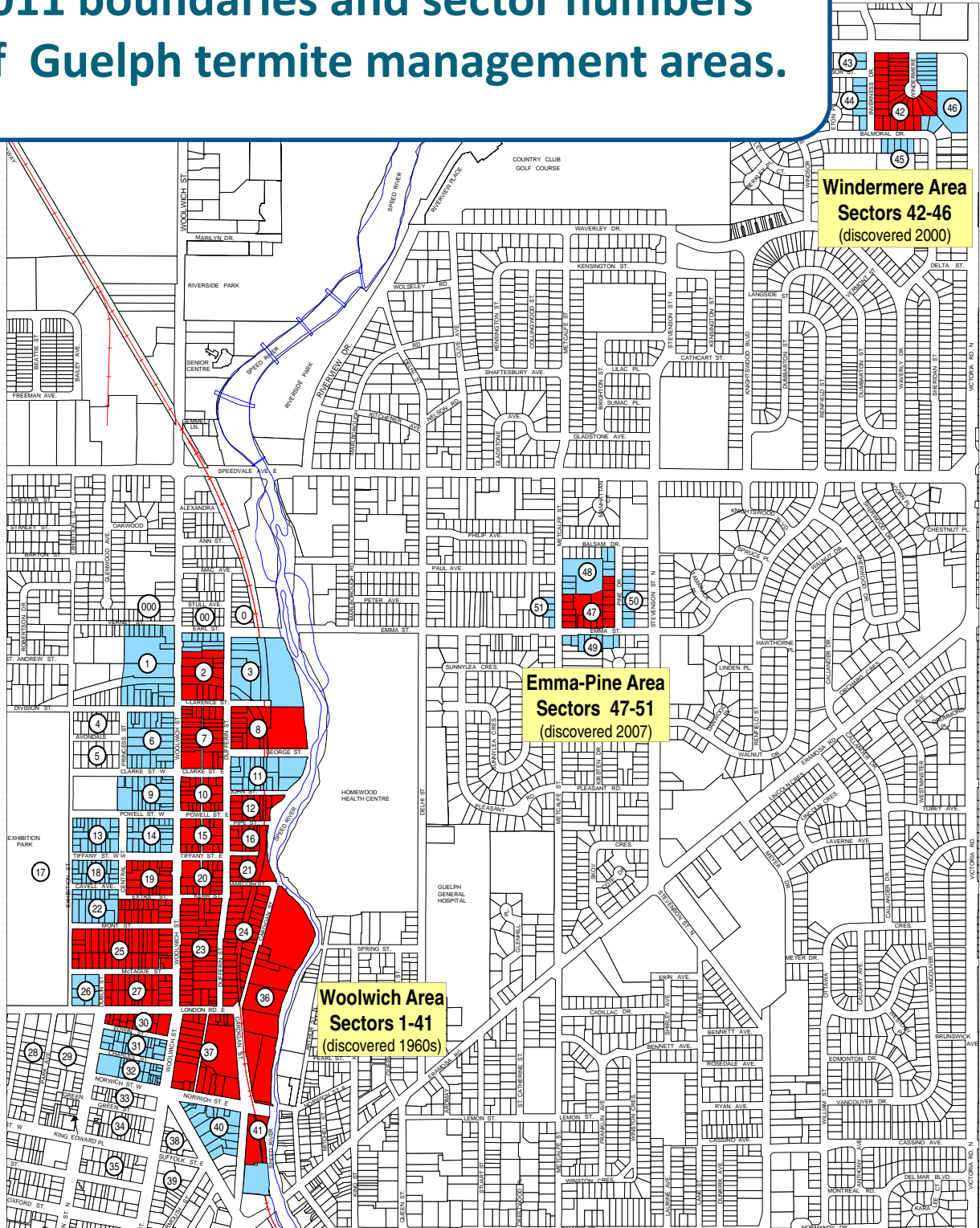
Guelph Termite Control Program

Review of 2011 and Goals for 2012

Tim Myles, Ph.D.
Termite Control Officer

March, 2012

2011 boundaries and sector numbers of Guelph termite management areas.



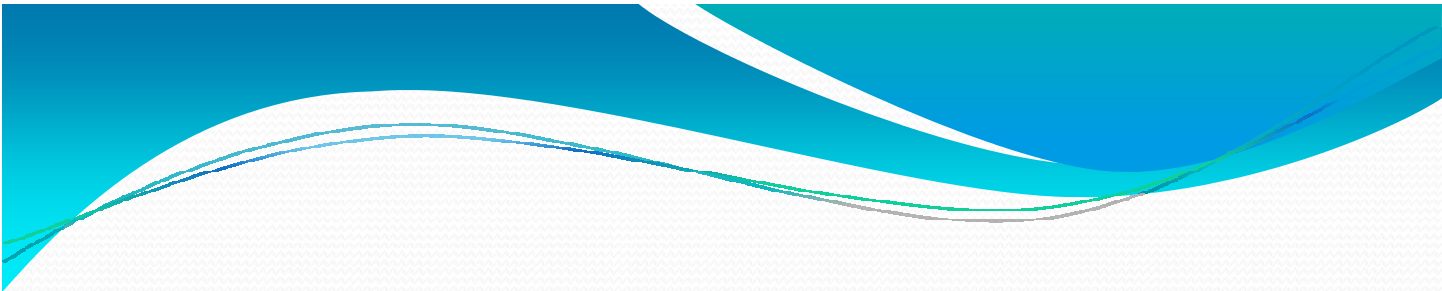
Management Practices in 2011

- Monitoring
- Trap-Treat-Release with zinc borate
- Installation of Impel borate rods
- Notices of required wood removal
- Tree and stump removals
- Disposal permits
- Inspections

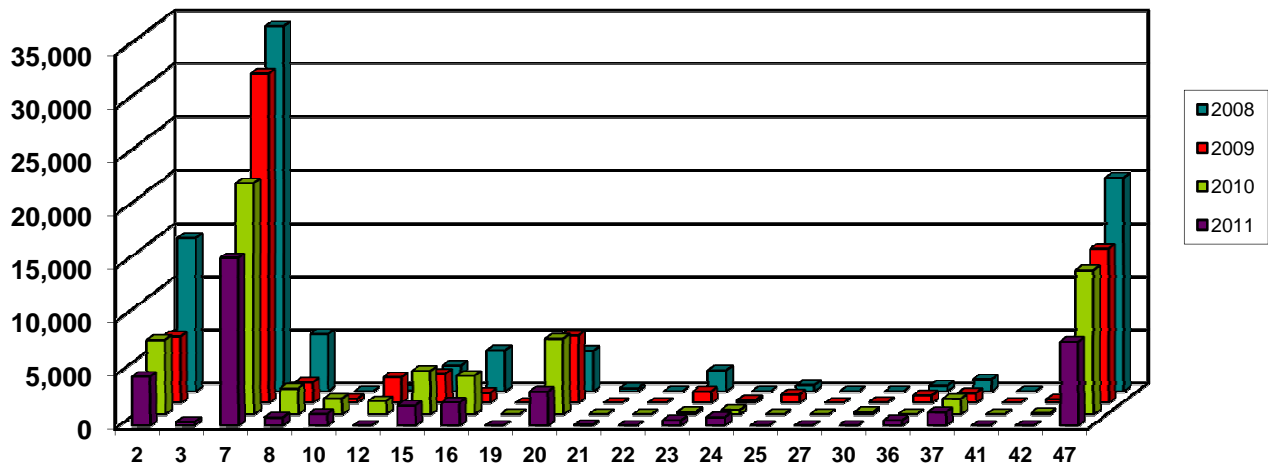
Trap-Treat-Release

with Zinc Borate

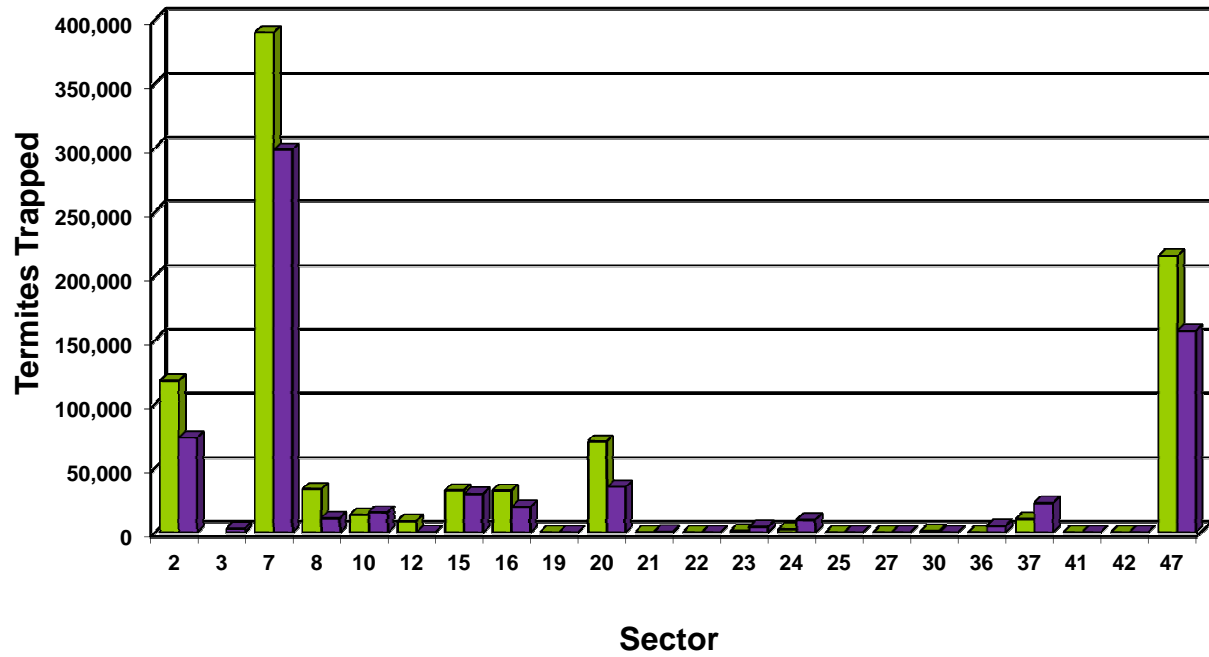


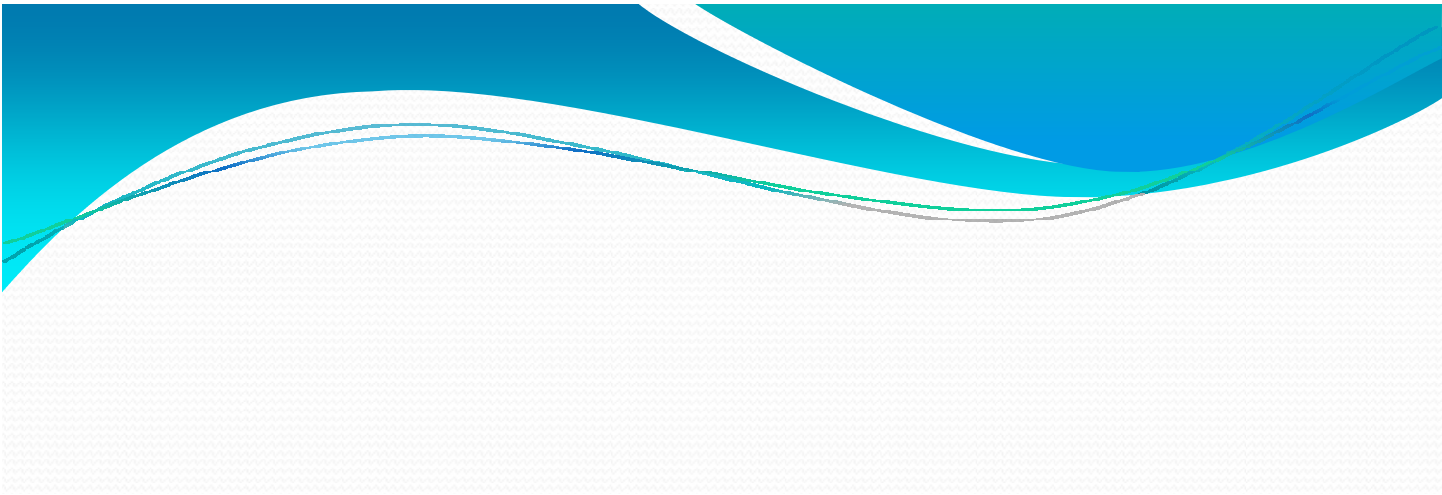


**Average Number of Termites Trapped Per Inspection
by Sector and Year**



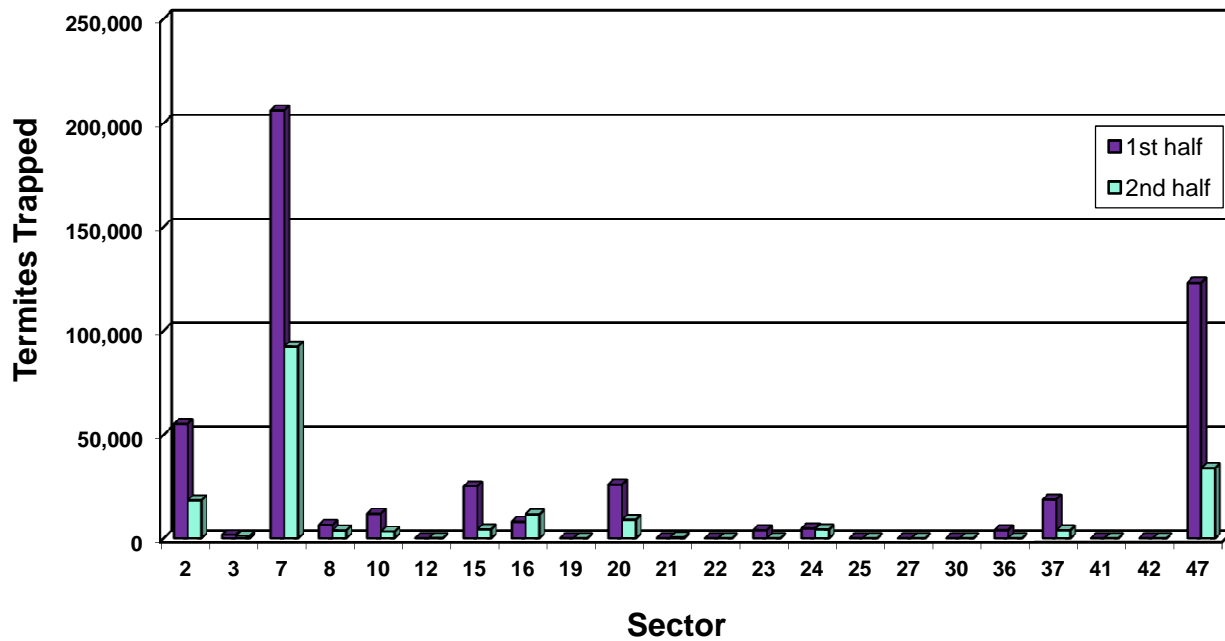
Termites Trapped per Red Zone Sector Comparison of 2010 and 2011



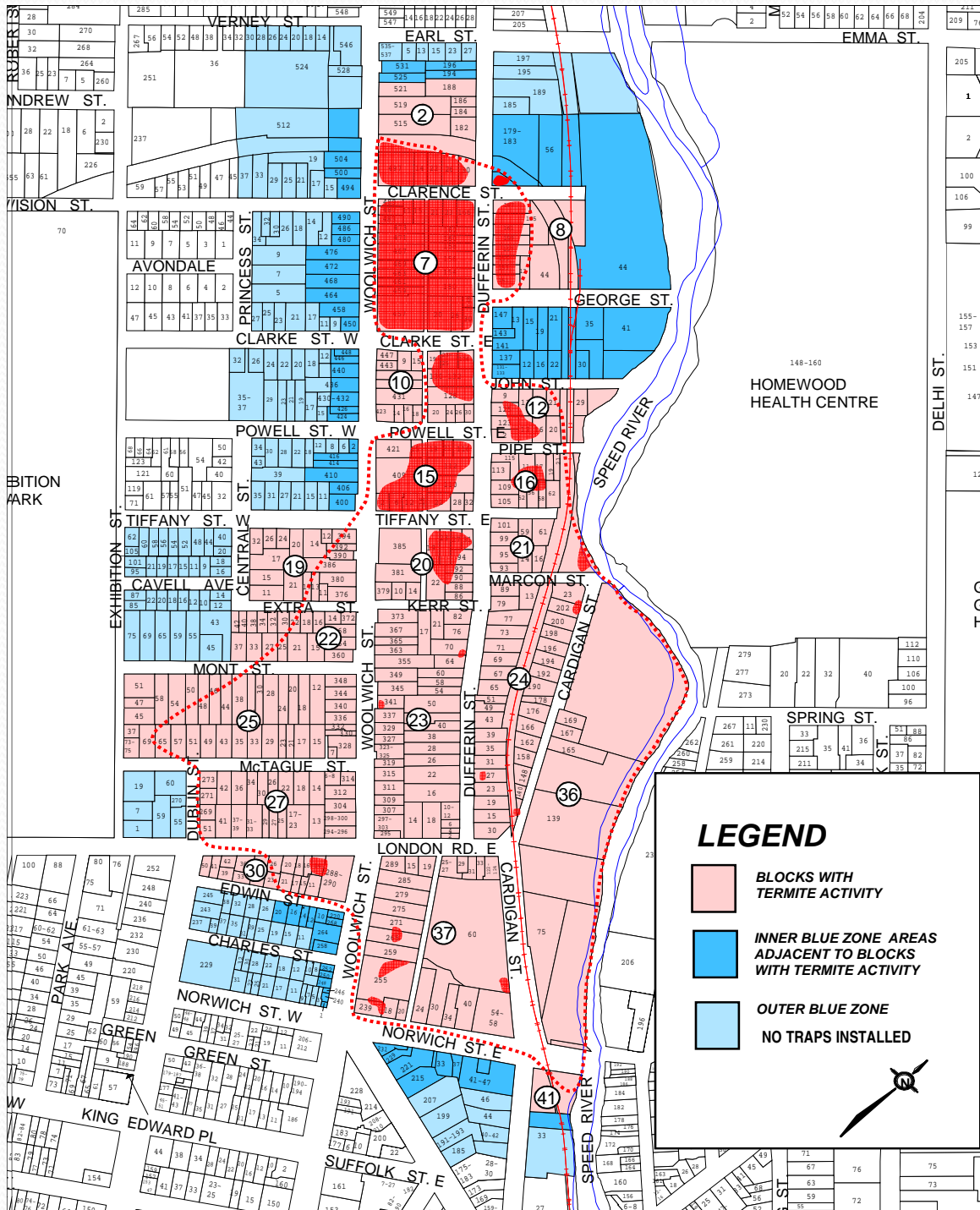





Termites Trapped per Red Zone Sector in 2011

Comparison of 1st & 2nd halves of season

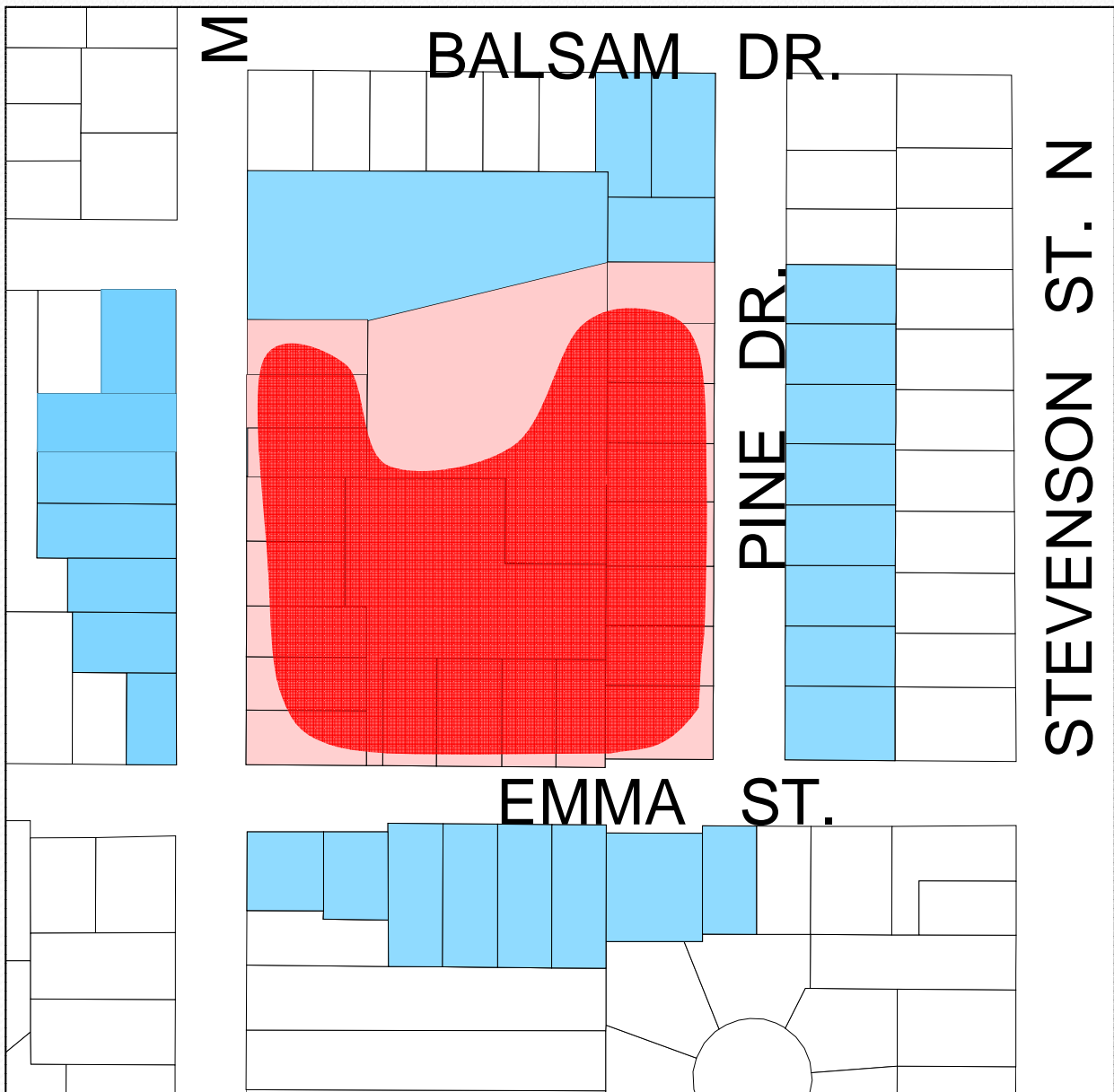


Areas of detected termite activity in the Woolwich management area in 2011.

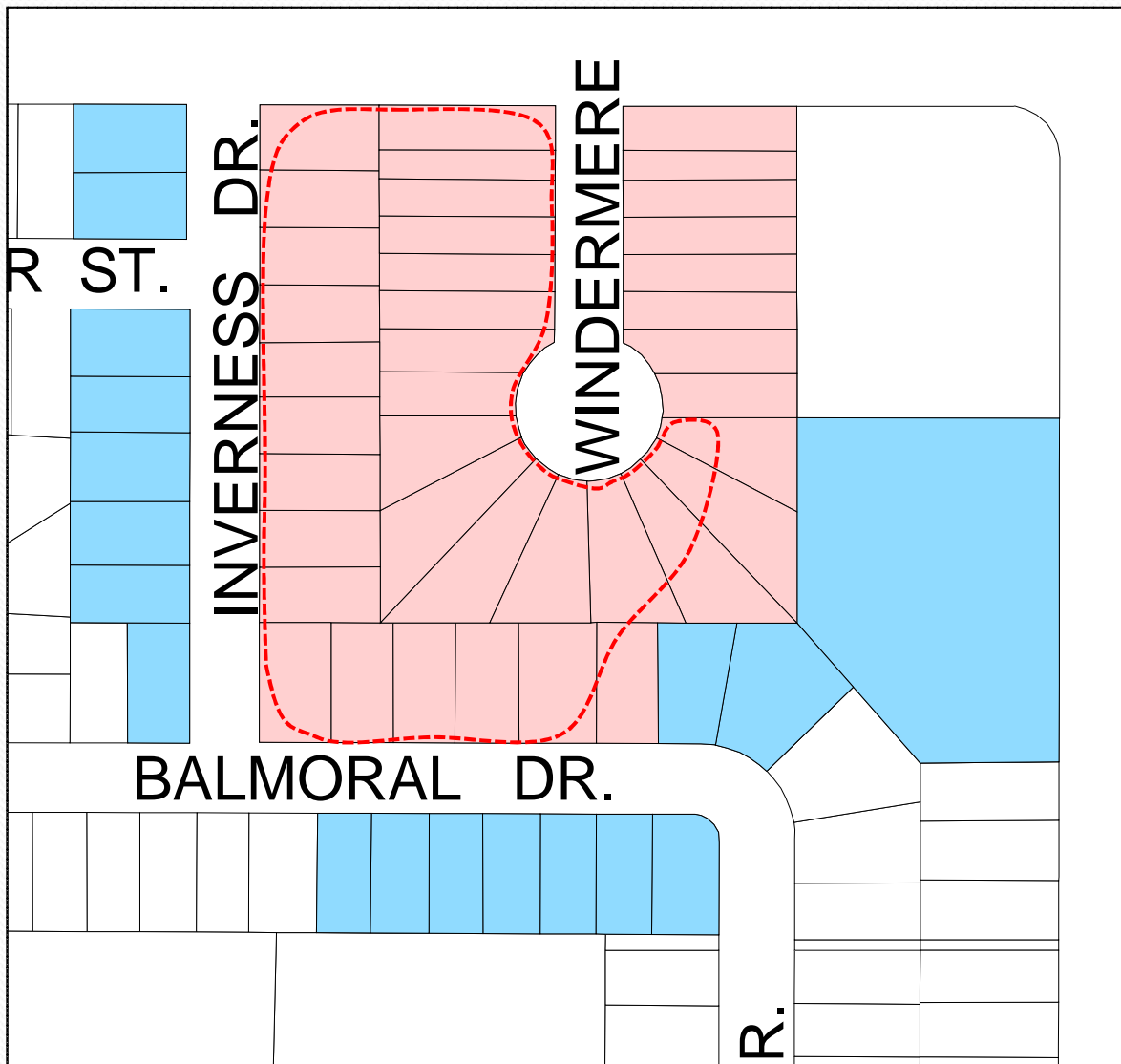


-  Areas of identified termite activity in 2010.
-  Red Zone sector numbers.
-  Maximum extent of infestation.

Area of detected termite activity in the Emma-Pine management area in 2011.

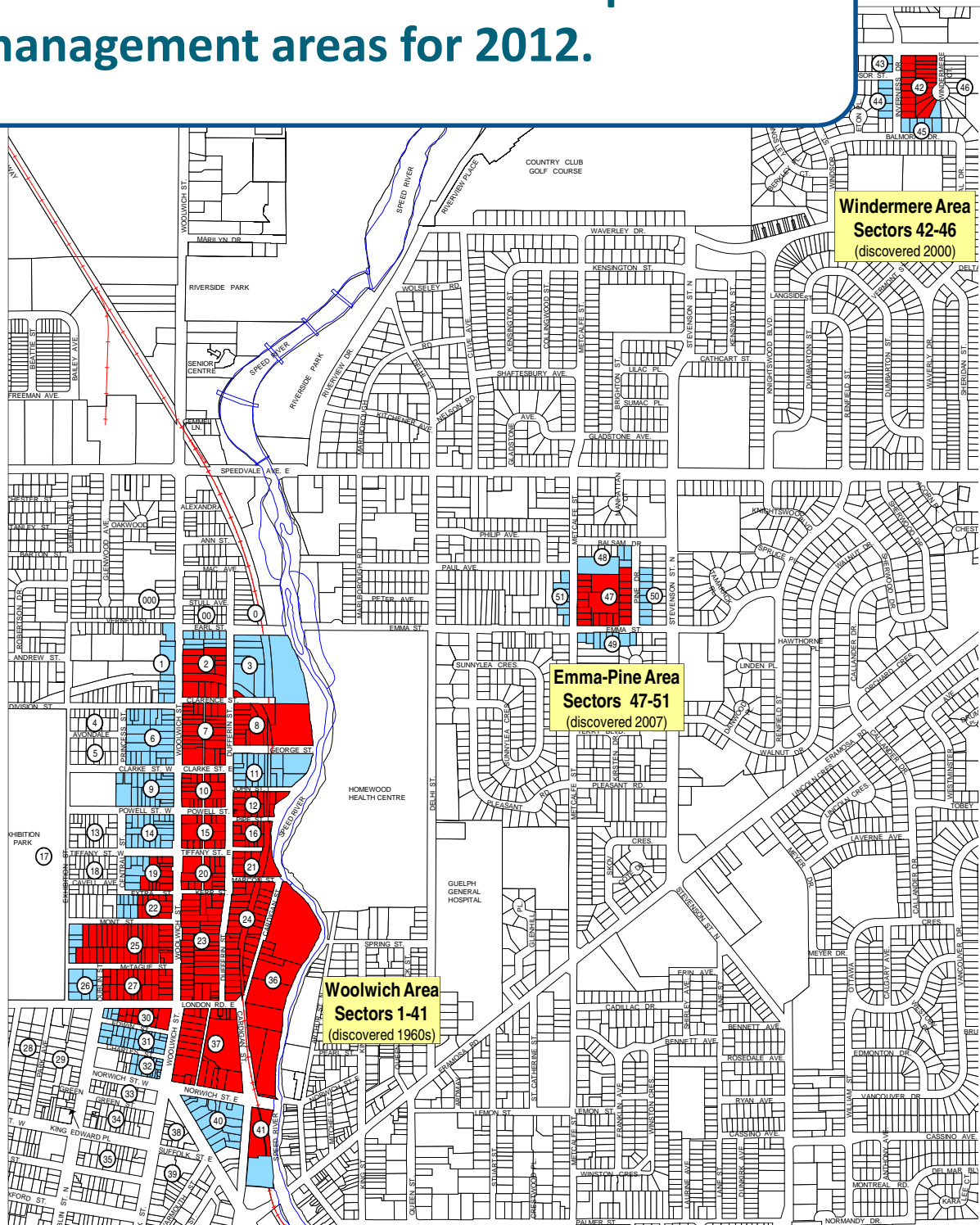


Area of detected termite activity in the Windermere management area in 2011.



Maximum extent of prior infestation

New boundaries of the Guelph termite management areas for 2012.



Goals for 2012

- Continue monitoring
- Refurbish or remove traps
- Continue population suppression
 - Trap-Treat-Release with Zinc Borate
- Distribute notices of required wood removal
- Issue disposal permits
- Continue borate treatments
 - Sheds (10 properties)
 - Fence posts (50 properties)
 - Retaining walls (5 properties)
- Tree and stump removals
- Approve building permits with preventive measures
- Chemical treatments as required
- Further constriction of zones

Questions?



COMMITTEE REPORT



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

SERVICE AREA Planning & Building, Engineering and Environment
DATE March 19, 2012

SUBJECT Termite Control Program 2011 Annual Report
REPORT NUMBER 12-34

SUMMARY

Purpose of Report:

Summary information on Termite Control Program activities in 2011 and goals for 2012.

RECOMMENDATION

"THAT the report (No. 12-34) on Termite Control Program 2011 Annual Report from Planning & Building, Engineering and Environment, dated March 19, 2012, be received."

BACKGROUND

Dr. Tim Myles was hired as the new Termite Control Officer on June 11, 2007. Tim was previously the Director of the Urban Entomology Program at the University of Toronto and had conducted termite control projects under contract for the City of Guelph from 1998-2001 and a baiting project in 2005. In 2007, he oversaw the installation of an array of nearly 3,000 termite monitoring traps and precisely delimited the termite infestations in the City's three termite management areas. In 2008 and 2009 habitat removal and parasitic nematodes were used as the primary methods of area-wide control achieving modest population suppression. After two years of lab testing and applying for research permits from the federal Pest Management Regulatory Agency, Tim was granted an Experimental Research Authorization in 2010 to test zinc borate using a treatment method which he invented called Trap-Treat-Release (TTR). Tim has now completed the second field season utilizing zinc borate as the new active ingredient for Trap-Treat-Release, with encouraging results.

REPORT

For Council's information, see the attached 'Executive Summary' of the Termite Control Program 2011 Annual Report with accompanying Figures #1 to #4.

CORPORATE STRATEGIC PLAN

Government and Community Involvement

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

The Executive Summary will be mailed to all residents in the termite management areas the last week of March. As with previous annual reports, the 2011 report will be posted on the City's website at www.guelph.ca > quick links > termites, the last week of March.

ATTACHMENTS

Executive Summary and Figures #1 to #4.

Prepared By:

Dr. Tim Myles,
Termite Control Officer
Building Services
519-837-5615, ext 2840
tim.myles@guelph.ca

"original signed by Bruce Poole"

Recommended By:

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

"original signed by Bruce Poole for"

Recommended By:

Janet L. Laird, Ph.D.
Executive Director
Planning & Building,
Engineering and Environment
519-822-1260, ext 2237
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Executive Summary

Guelph's Termite Management Areas Guelph has three termite management areas which have introduced populations of the eastern subterranean termite. The management areas are divided into red and blue zones. Red zone areas have had known termite infestations while blue zones are buffer areas. Each block is assigned a sector number (Figure 1). Approximately 3,100 traps are installed in the red zones and inner blue zones and are checked on a regular basis from spring through fall.

Windermere Area Inactive in 2011 The most encouraging finding in 2011 was the complete inactivity of all 259 traps in the Windermere management area. Consequently the boundaries of that area have been further constricted this year as indicated in Figure 1 for 2012.

Pattern of Activity in 2011 and Constriction of the Termite Management Areas The red and blue zones currently (2012) encompass 637 properties on portions of 38 blocks, down from a maximal extent of 869 properties on 48 blocks in 2009. See Figure 1 for sector numbers and the current zone designations for specific properties. New marginal activity was found on one property in Sector 3 and on three properties in Sector 48. However this expansion was offset by continuous inactivity in many peripheral red and blue zone areas, which have now been re-designated as follows. Thirty-five red properties were re-designated as blue due to inactivity. Thus there was a net reduction of 31 red properties. Another 98 formerly blue properties were removed from the termite management area and are now indicated as white areas (Figure 1). With continued management, we may anticipate continuous annual shrinkage of the termite management areas as termite populations are suppressed and hidden structural infestations are discovered, treated, and eliminated.

Second Year of Suppression with Zinc Borate 2011 was the second year of treatments under the current experimental authorization from the Pest Management Regulatory Agency (PMRA) to test zinc borate. Therefore this was the first year for comparing year over year trap yield as a way of assessing the efficacy of the zinc borate treatments. The total number of termites trapped in 2010 was 928,495 compared to 683,793 in 2011 (Figure 2). This represents a 26.4% reduction in the termite population over the previous year. Comparison of the first and second halves of 2011 suggests an even sharper level of decline. The number of termites trapped in May, June, and July was 495,433 compared to 187,201 collected in August, September and October (Figure 3). This represents a within-year decline of 62.2%. These measures of suppression are also supported by the continuous downward trend in the average number of termites trapped per inspection (Figure 4).

Detection and Treatment of Structural Infestations Seven structural (house) infestations were discovered during 2011 and structures were rebuilt, renovated, and/or treated. Although this was an increase over the three discovered in 2010, it was still less than half the number discovered in 2009. The ongoing process of discovery and remediation of hidden structural infestations will continue to be an important component of the program, as such infestations are likely to be a critical factor in sustaining the current pattern of infestation.

Termite Habitat Reduction Further progress was made in the removal of critical habitat. Thirty-one dead or infested trees and 34 stumps were identified and removed. This included 20 infested trees, logs, or stumps removed from the Grand River Conservation Authority land in sector 21. Two additional trees with superficial activity were sprayed. 210 borate rods were installed in guard rail posts, fence posts, and retaining walls in sectors 2, 7 and 37. A large planter box in sector 47 was found to be infested and was dismantled and removed. Disposal

permits were provided to area residents to defray the cost of disposing of yard wood and demolition debris. A total of 200 disposal permits were issued in 2011, up from 156 permits issued in 2010.

Termite Inspections In 2011, the number of termite inspections for real estate transfers was 41, up from 38 in 2010. The number of termite inspections related to building permits was 50, over twice the number in 2010, indicating an increase in building activity in the termite management areas.

New Trap Installations In 2011, 40 new traps were installed along the newly completed section of the Trans Canada Trail which runs through sectors 8, 11, 12, 16, and 20 of the Woolwich Management Area. Another 40 new traps were installed in the newly completed Stewart Mill townhouses on Cardigan Street in sector 37. Thirty-four new traps were also installed in the red and inner blue areas of sector 3.

Lab Studies on Baits Further lab studies were conducted on borate baits to bracket the effective concentration. The bait acceptance threshold concentration was determined. This may allow future treatments to be conducted with very low concentrations of certain borate compounds.

Collaboration with USDA on Other Potential Actives In November, I attended a small conference of scientists at the United States Department of Agriculture's Forest Products Laboratory in Madison, Wisconsin to discuss similar projects there on area-wide termite control. A potentially effective control agent, (N'-naphthaloylhydroxyl amine (NHA)), was obtained for testing. Lab tests however did not indicate a comparative advantage over Trap-Treat-Release with zinc borate. We will also be collaborating to evaluate two additional termite control actives: the insect-specific fungal pathogen *Metarhizium flavoviride* and Termidor Dry® with fipronil, both as potential dusts applied to trapped termites for release.

Guidelines for Construction and Renovation in Termite Management Areas In order to assist residents, builders and contractors in the termite management areas, guidelines have been enhanced, providing building details for new construction in termite management areas.

2011 Report As with previous annual reports, the full 2011 report will be posted on the City's termite web site at: www.guelph.ca > quick links > termites, by the last week of March.

Goals for the 2012 Season The goals for the upcoming season will be similar to 2011:

- This executive summary and graphs will be sent to residents at the end of March as an annual progress report.
- Two part-time summer technicians will be hired and will start work in mid-April. Traps will be refurbished with new cardboard rolls and any missing traps replaced during April and May.
- During the spring or early summer, trees and stumps on the embankment at the NE corner of sector 7 will be cleared and a retaining wall will be installed to shore up the slope on that corner.
- As in 2010 and 2011, the central focus of the season will be to continue doing Trap-Treat-Release treatments with zinc borate. Traps will be checked periodically and trapped termites will be treated with a resinous coating containing zinc borate and released back into active traps. Any trap used as a release port will be secured with plastic cable ties and identified with a treatment lid label and brick.
- Later in the season, letters will be sent to selected residents for required wood removal or to schedule borate rod installations in fence posts and retaining walls.

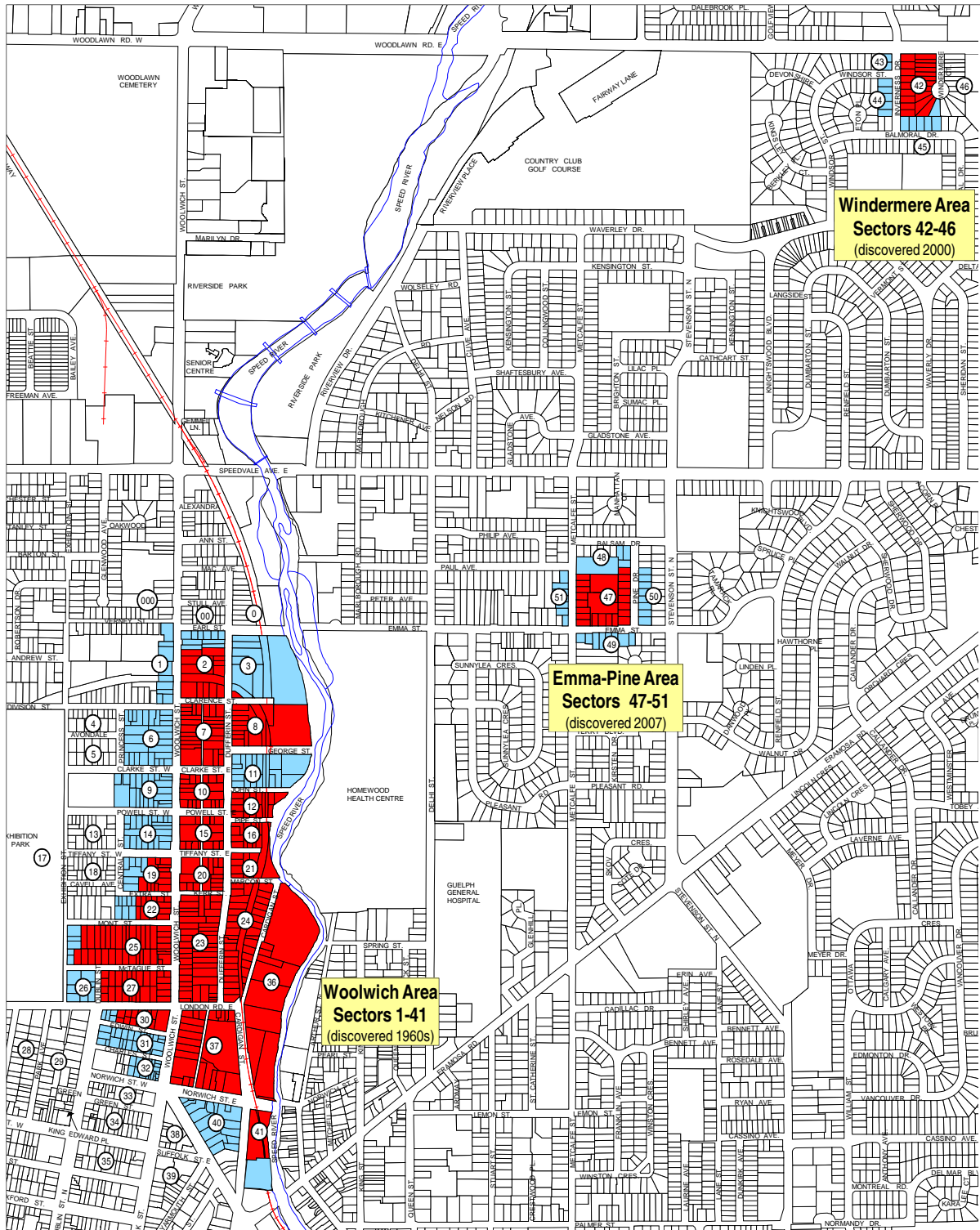


Figure 1. New boundaries of Guelph termites management areas for 2012.

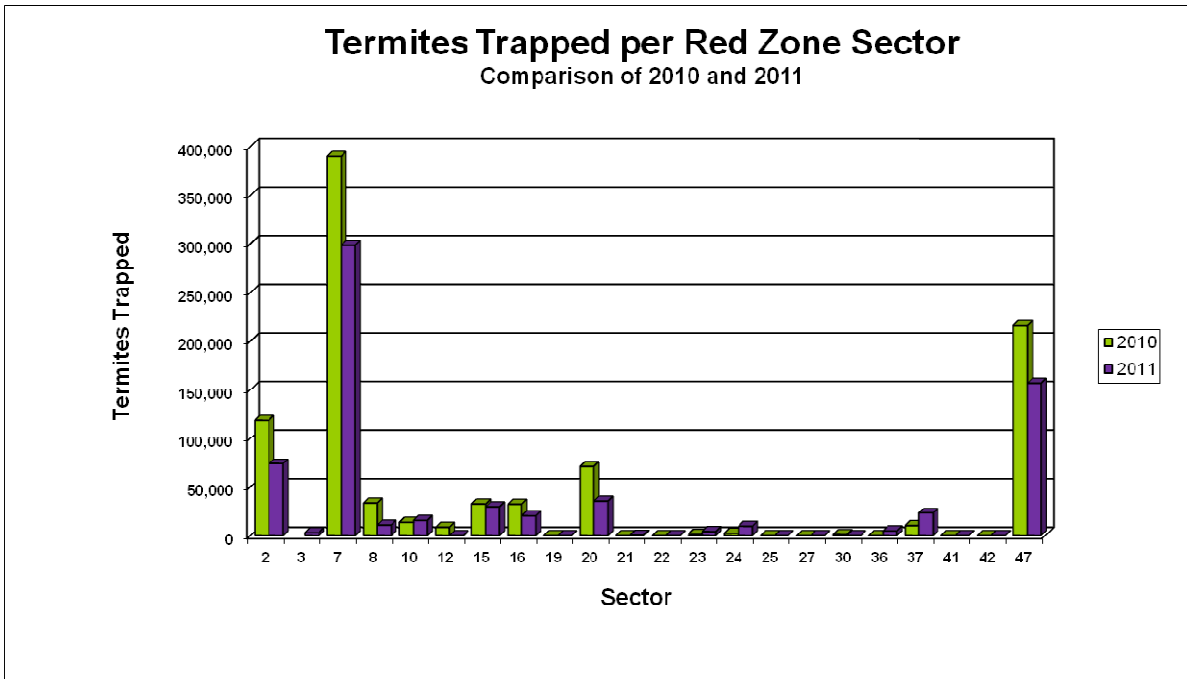


Figure 2. Total termites trapped per sector in 2010 and 2011.

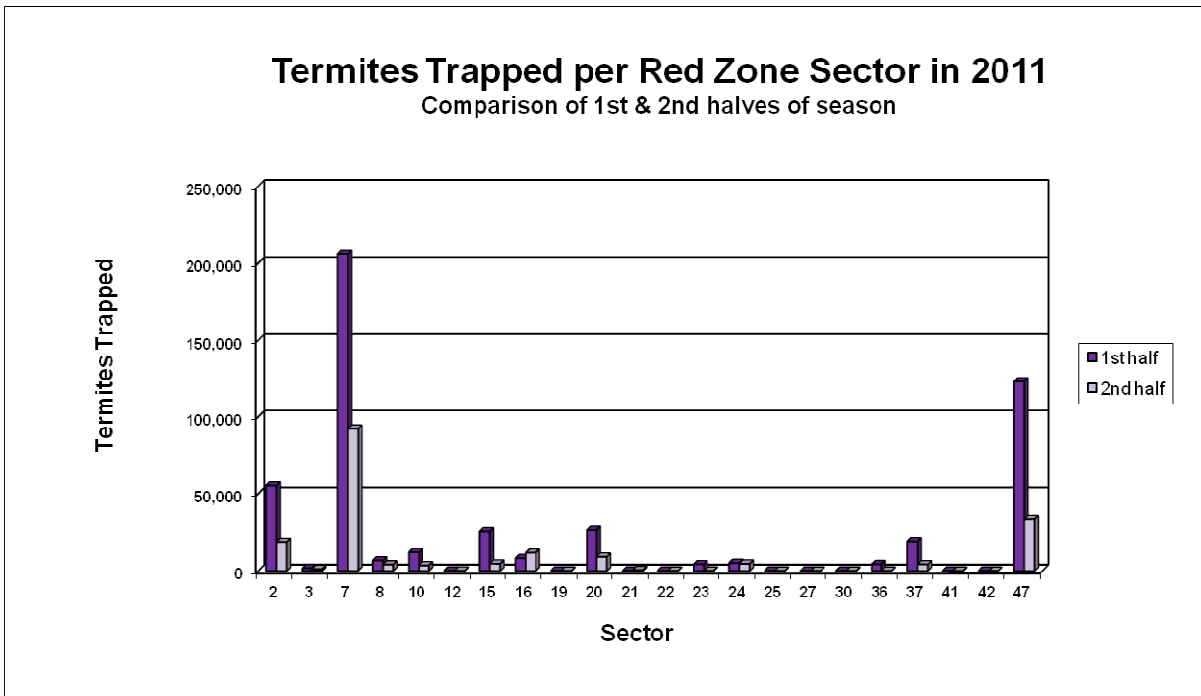


Figure 3. Comparison of termite trapped in first and second halves of 2011 by sector.

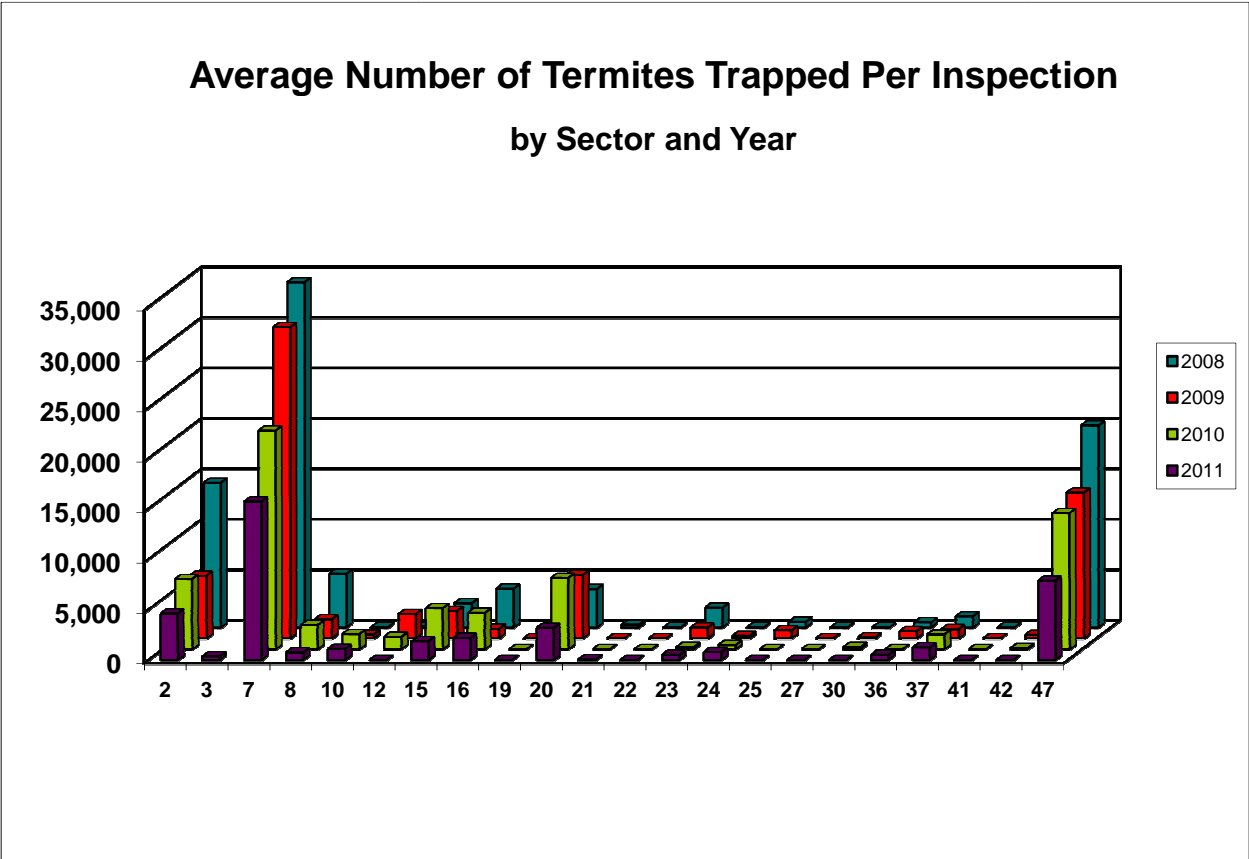


Figure 4. Average number of termites trapped per inspection by sector (2008-2011).

COMMITTEE REPORT



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

SERVICE AREA Planning & Building, Engineering and Environment
DATE March 19, 2012

**SUBJECT Annual Report on 2011 Building Permit Fees, Costs and
Building Stabilization Reserve Fund**

REPORT NUMBER 12-32

SUMMARY

Purpose of Report: Summary information on Building Permit Fees, Costs and Building Stabilization Reserve Fund for 2011.

RECOMMENDATION

"THAT the Annual Report (No. 12-32) on 2011 Building Permit Fees, Costs and Building Stabilization Reserve Fund from Planning & Building, Engineering and Environment, dated March 19, 2012, be received."

REPORT

Annual Report:

In accordance with Subsection 7(4) of the Building Code Act, municipalities shall prepare an annual report on the total building permit fees collected, the direct and indirect costs of delivering services related to the administration and enforcement of the Building Code Act and the amount of an established Reserve Fund. See Attachment A for a summary.

Building Stabilization Reserve Fund:

Purpose

The Building Code Act allows permit fees to be set to cover only the costs associated with the administration and enforcement of the Building Code Act, as well as, reasonable contributions to a reserve fund. The reserve fund can be used to offset lean years, implement service enhancements and to cover unexpected expenses related to the administration and enforcement of the Building Code Act.

Balance

\$1,284,993.29 as of December 31, 2011.

The balance of the Reserve Fund shall not exceed anticipated funding for approximately 1 year of operation of Building Services for the administration and

enforcement of the Building Code Act only, (\$2,215,238.25 in 2011). This balance will provide staff with an upper limit to freeze automatic increases and the ability to maintain a healthy Reserve Fund.

Funding and Use

- Year-end surplus where Building Permit revenues exceed expenditures.
 - Surplus is transferred to the Reserve Fund.
- Year-end deficit where expenditures exceed Building Permit revenues.
 - Funds are transferred from the Reserve Fund.

Review in 2011

Staff from Building Services and the Finance Department transferred the Ontario Building Code Administration Operating Budget and the Building Stabilization Reserve Fund to an Enterprise Budget in 2011. All indirect costs (i.e.: support and overhead costs) were reviewed utilizing the Ontario Municipal Benchmarking Initiative (OMBI) methodology.

Building Stabilization Reserve Fund Policy:

See Attachment B.

CORPORATE STRATEGIC PLAN

Government & Community Involvement

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

Finance Department

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment A – 2011 Building Permit Fees, Costs and Reserve Fund

Attachment B – Building Stabilization Reserve Fund Policy (#188)

“original signed by Bruce Poole”

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Recommended By:

Janet L. Laird, Ph.D.
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Attachment A

2011 PERMIT FEES, COSTS AND RESERVE FUND

1. TOTAL BUILDING PERMIT FEES & REVENUES COLLECTED	\$2,522,680.00
2. TOTAL COSTS OF DELIVERING SERVICES RELATED TO THE ADMINISTRATION AND ENFORCEMENT OF THE BUILDING CODE ACT.	\$2,215,238.25
a) Total Direct Costs of administration and enforcement of the Building Code Act, including the review of applications for permits and inspection of buildings	\$1,591,738.25
b) Total Indirect Costs of administration and enforcement of the Building Code Act, including support and overhead costs.	\$623,500.00
3. TRANSFER TO RESERVE FUND FROM OPERATING BUDGET	\$307,441.75
4. TOTAL AMOUNT OF BUILDING STABILIZATION RESERVE FUND AS OF DECEMBER 31, 2010.	<hr/> \$1,284,993.29

Attachment B

CORPORATE POLICY AND PROCEDURE



POLICY	Building Stabilization Reserve Fund #188
CATEGORY	Finance
AUTHORITY	Council/Planning & Building, Engineering and Environment
RELATED POLICES	Reserve and Reserve Fund Policy
APPROVED BY	Council
EFFECTIVE DATE	May 1, 2009
REVISION DATES	April 26, 2010, March 26, 2012

POLICY STATEMENT

To establish a Building Stabilization Reserve Fund Policy. The Building Reserve Fund was approved by Council in June 2005 but at that time it was not the practice to have a Reserve Fund Policy simultaneously approved.

PURPOSE

The Building Code Act allows permit fees to be set to cover the costs of the administration and enforcement of the Building Code Act, as well as, reasonable contributions to a reserve fund. The reserve fund can be used to offset lean years, implement service enhancements and to cover unexpected expenses.

BACKGROUND

Building Code regulatory changes introduced under The Building Code Act, effective July 1, 2005, directs municipalities to set building permit fees to recover only the costs associated with the administration and enforcement of the Building Code Act. These include direct, indirect and overhead costs.

Direct Costs: include (but not limited to) employee compensation costs, training expenses, office expenses, membership fees, vehicle expenses, advertising and communication tools.

Indirect Costs: include (but not limited to) a portion of costs of other departments that support Building Services in the administration and enforcement of the Building Code Act.

Overhead Costs: include (but not limited to) Corporate staff development, postage, telephone, communications, advertising, accommodations, utilities, building maintenance, cleaning and insurance.

SOURCE OF FUNDS

Legislation sets out that the Reserve Fund is funded from Building Permit fees which must not exceed the anticipated reasonable costs to administer and enforce the activities under the Building Code Act.

USE OF FUNDS

The Reserve Fund will be used to stabilize revenues in lean years, implement service enhancements and cover unexpected expenses such as training, legal fees, staffing needs and associated support costs.

RESERVE FUND BALANCE

Staff will monitor and maintain the Reserve Fund with a balance that would provide funding for approximately 1 year of operation of Building Services for the administration and enforcement of the Building Code Act only. This balance would provide staff with an upper limit to freeze automatic increases and the ability to maintain a healthy Reserve Fund.

AUTHORITY TO RELEASE FUNDS

Consistent with the current Purchasing By-law ~~#2005-17679~~ #2009-18777, the ~~Director of Community Design and Development Services~~ Chief Building Official has the authority to approve transfers from the Building Stabilization Reserve Fund to an annual total maximum of \$100,000.

Transfers from the Building Stabilization Reserve Fund (individual transfers or annual total) greater than \$100,000 must be approved by Council either via the budget process or through Council resolution.

COMMITTEE REPORT



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

SERVICE AREA Planning & Building, Engineering and Environment
DATE March 19, 2012

SUBJECT **Committee of Adjustment 2011 Annual Report**
REPORT NUMBER 12-35

SUMMARY

Purpose of Report:

Summary information on Committee of Adjustment activities in 2011.

RECOMMENDATION

"THAT the report (No. 12-35) on Committee of Adjustment 2011 Annual Report from Planning & Building, Engineering and Environment, dated March 19, 2012, be received."

BACKGROUND

What is the Committee of Adjustment?

The Committee of Adjustment is an independent, quasi-judicial committee of seven citizens appointed by Guelph City Council. The Committee is authorized to grant minor variances from the City's Zoning By-law, adjust property boundaries, create new lots, permit enlargements, extensions or changes to legal non-conforming uses.

What is a minor variance?

A minor variance is a minor deviation from the provisions of the Zoning By-law. A variance can relate to land, a building or structure or the use thereof. The Committee may authorize such minor variances if, in the opinion of the Committee, the variance is minor, desirable for the appropriate development or use of the land, building or structure, and if, in the opinion of the Committee, the general intent and purpose of the By-law and the Official Plan are maintained [the four tests in Section 45(1) of the Planning Act].

What is a consent?

A consent is often referred to as a "land severance". The most common types of consent applications are used to divide a parcel of land into two or more lots, or to add a lot to an abutting property. Consent is also required for use of lands for rights-of-way, easements and long term leases in excess of 21 years. A recent change in Planning Act legislation also allows for applicants to request a change of condition imposed for any consent application. The request must be made within 1 year of the decision.

REPORT

For Council's information, see the attached Committee of Adjustment 2010 Annual Report. The Report includes 5 year statistics, as requested by City Council in 2011.

CORPORATE STRATEGIC PLAN

Government & Community Involvement

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

The Annual Report will be forwarded to the members of the Committee of Adjustment and will be posted on the City's website at: guelph.ca/living/planning_building_engineering/committee_of_adjustment.

ATTACHMENTS

Committee of Adjustment 2011 Annual Report.

Prepared By:

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Committee of Adjustment 2011 Annual Report



Members of the Committee of Adjustment during 2011 were as follows:

L. McNair, Chair
D. Kelly, Vice-Chair
P. Brimblecombe
R. Funnell
J. Andrews
B. Birdsell
A. Diamond

Staff members involved with administration of the Committee of Adjustment:

K. Fairfull, Secretary-Treasurer
M. Bunnett, Assistant Secretary-Treasurer

The staff functional team involved in commenting on all Committee of Adjustment applications were:

S. Hannah, Manager of Development Planning (up to April, 2011)
K. Nasswetter, Senior Development Planner (up to June, 2011)
R. Kostyan, Development & Urban Design Planner
S. Laughlin, Senior Development Planner
J. Bodai, Engineering Technologist II
P. Sheehy, Zoning Inspector II/Senior By-law Administrator

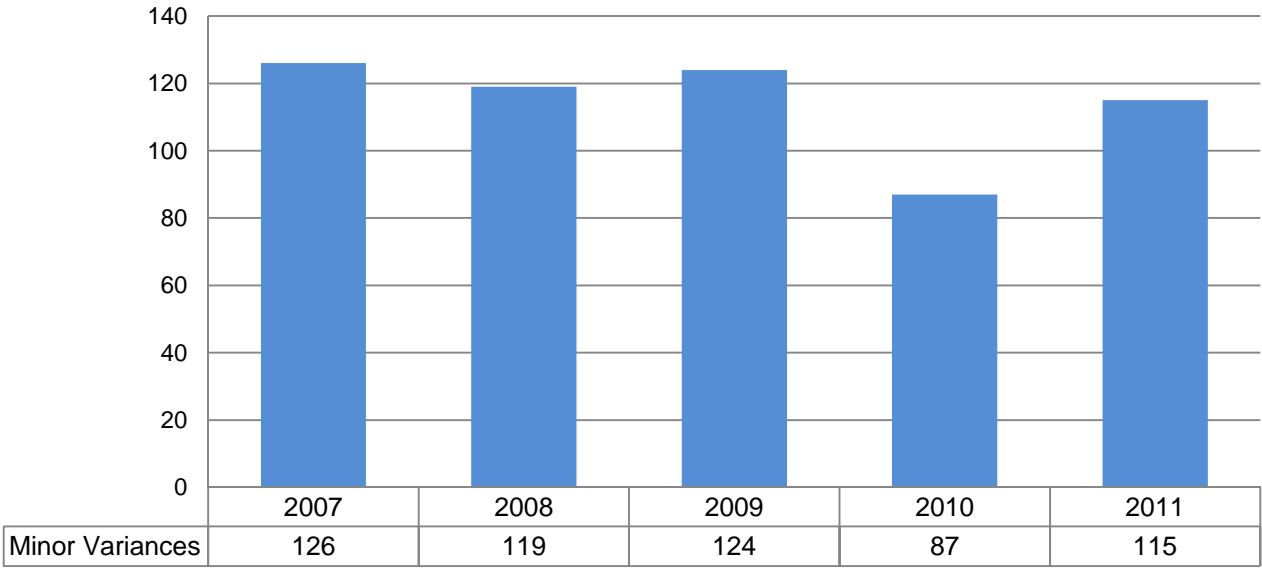
Two staff members and two Committee members attended the Annual Training Seminar conducted by the City of Woodstock.

2011 Statistics

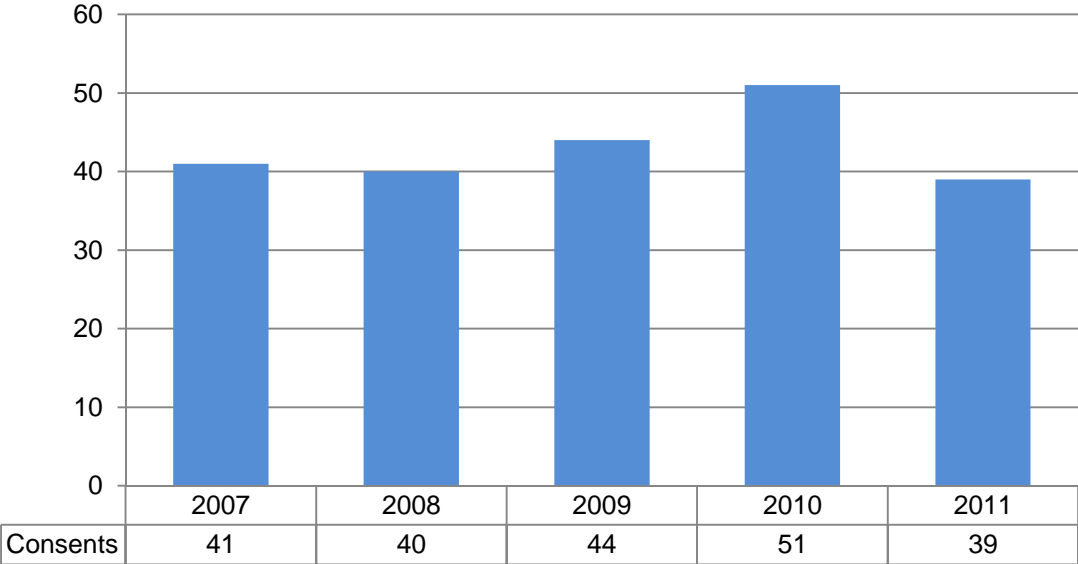
- The Committee of Adjustment held 17 Regular Meetings during 2011.
- A total of 154 applications were submitted during 2011, all considered by the Committee within the 30 day time frame required in the Planning Act.
- 115 applications were considered under Section 45 of the Planning Act (minor variances and change/extension of legal non-conforming uses).
 - 90 applications were approved, 18 applications were refused, 3 applications were deferred and 4 applications where there was an approval and a refusal.
- 39 applications were considered under Section 53 for consents (new lots, lot additions, easements, rights-of-way, leases).
- 38 applications were approved, 1 application was deferred.
- Pre-consultation with staff is strongly encouraged prior to submission of every application.

Number of Applications

Minor Variances

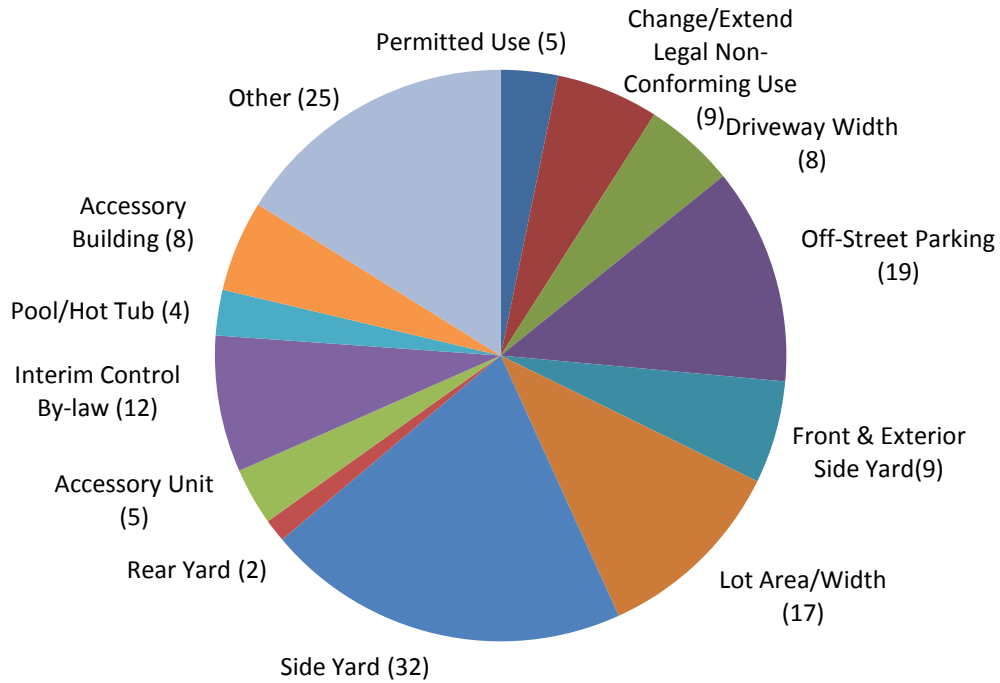


Consents

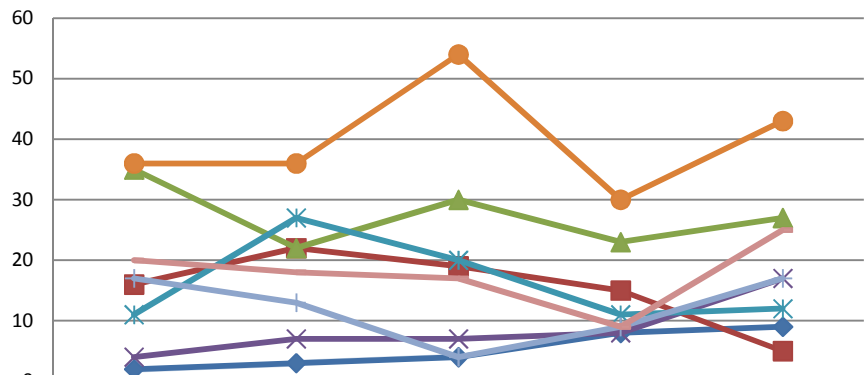


Minor Variances

The illustration below identifies the variances considered by type.



Five Year Comparison

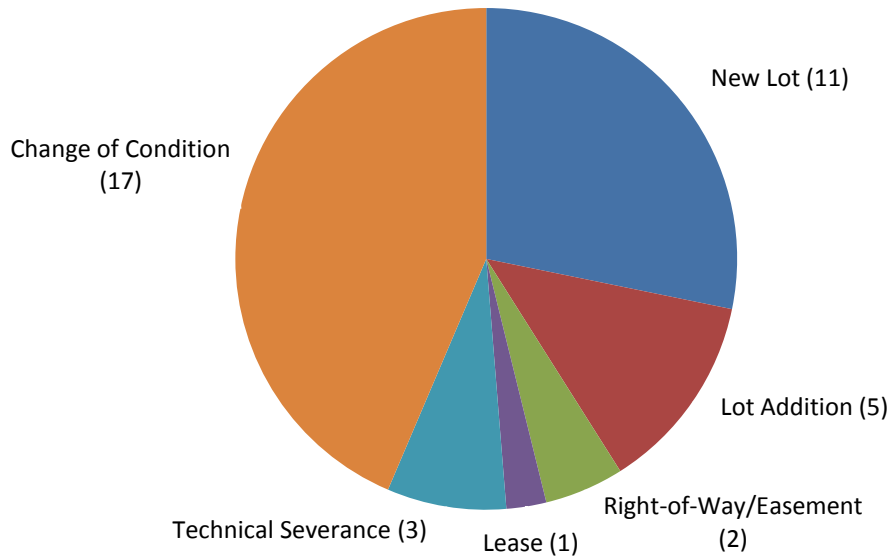


	2007	2008	2009	2010	2011
Change/Extend Legal Non-Conforming Use	2	3	4	8	9
Permitted Use	16	22	19	15	5
Off-Street Parking & Driveway Width	35	22	30	23	27
Accessory Unit/Interim Control By-law	4	7	7	8	17
Access Building/Pool/Fences	11	27	20	11	12
Yard Setbacks	36	36	54	30	43
Lot Area/Width	17	13	4	9	17
Other (ie. minimum building size, front yard projection)	20	18	17	9	25

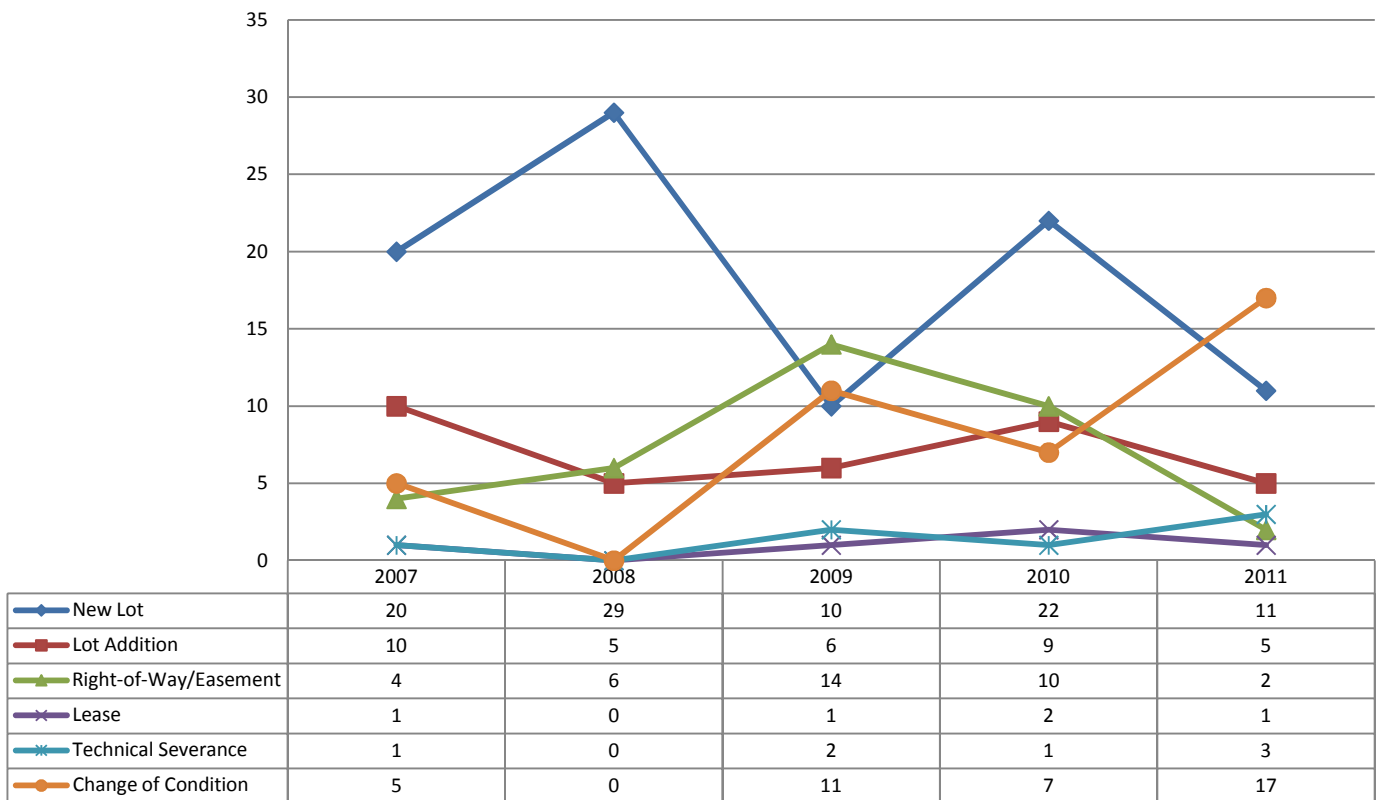
- There were no fence height variances in 2011.
- Variances to the Interim Control By-law continue to increase since the By-law was passed in 2010.

Consents

The illustration below identifies the consents considered by type.



Five Year Comparison



- Change of Condition applications have increased – *Changes to the Planning Act which allows applicants to request a change of any imposed condition within one year of the decision, has allowed flexibility for applicants to finalize decisions.*

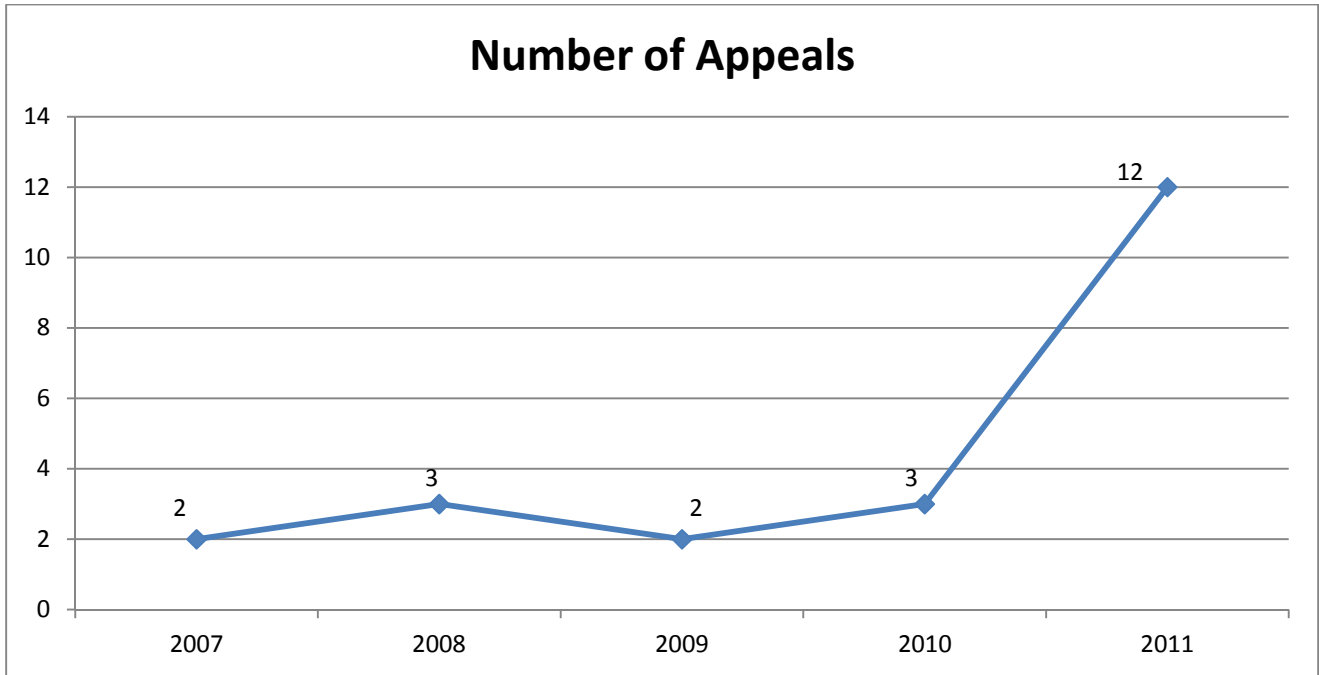
Appeals

In 2011, there were 12 appeals filed to the Ontario Municipal Board (7.8% of total applications considered). The nature of the appeals are as follows:

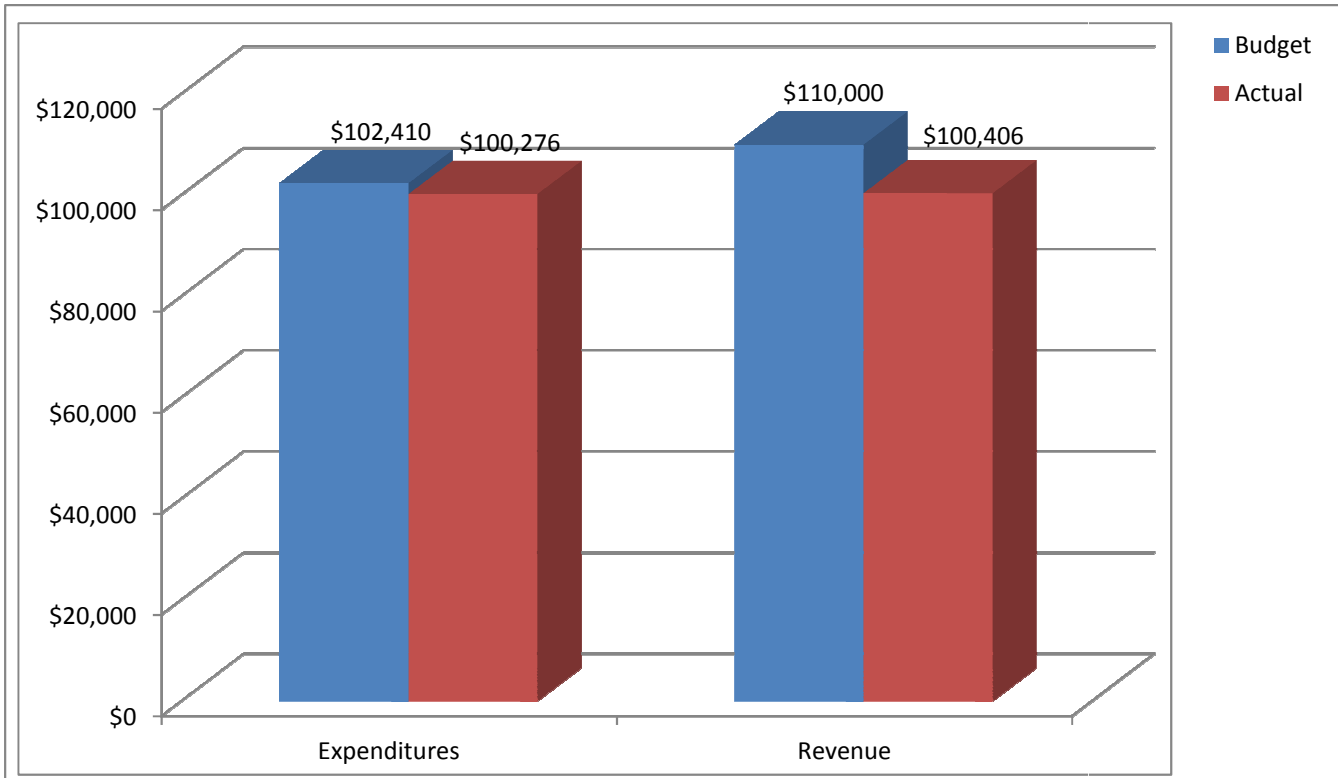
Address	Nature of Application	Decision	Nature of Appeal	Decision of Ontario Municipal Board
129 Baxter Dr.	Variations from Interim Control By-law & Accessory Apartment Size	Refused	Appealed by owner	Verbal decision rendered dismissing the appeal. Variations refused
47 Grange Street	Extension of Legal Non-conforming Use	Approved	Appealed by neighbour	Appeal withdrawn, variance approved
387 Ironwood Rd.	Variations from Interim Control By-law, side yard and off-street parking	Refused	Appealed by owner	Hearing July 28/11. No decision rendered to date
61 Rickson Ave.	Variations from Interim Control By-law, driveway width and no interior access	Refused	Appealed by owner	Hearing Sept. 7/11. No decision rendered to date
72 Kortright Rd. E.	Variance from Interim Control By-law	Refused	Appealed by owner	Hearing August 6/11. No decision rendered to date
29 Westra Dr.	Side yard setback variance	Refused	Appealed by owner	Hearing Feb. 8/12. Verbal decision rendered allowing the appeal. Variance allowed
27 Westra Dr.	Side yard setback variance	Refused	Appealed by owner	Hearing February 8/12. Verbal decision rendered allowing the appeal. Variance allowed
12 Balfour Crt.	Variations from Interim Control By-law & accessory apartment size	Refused	Appealed by owner	Hearing scheduled for February 29/12
25 Ervin Cres.	Variance from Interim Control By-law	Refused	Appealed by owner	Hearing January 5/12. No decision rendered to date
415 Cole Rd.	Variance from Interim Control By-law	Refused	Appealed by owner	Hearing scheduled for March 1/12
29 Curzon Cres.	Driveway width variance	Refused	Appealed by owner	Hearing scheduled for March 21/12
22 Mason Court	Variance from Interim Control By-law & off-street parking	Interim Control By-law-refused. Parking variance approved	Appealed by owner	Hearing scheduled for March 8/12

NOTE: 66.7% of the appeals relate to the Interim Control By-law.

Five Year Comparison



Budget



COMMITTEE REPORT



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

SERVICE AREA Planning & Building, Engineering and Environment
DATE March 19, 2012

SUBJECT Building Services 2011 Annual Report
REPORT NUMBER 12-33

SUMMARY

Purpose of Report:

Summary information on Building Services activities in 2011.

RECOMMENDATION

"THAT the report (No. 12-33) on Building Services 2011 Annual Report from Planning & Building, Engineering and Environment, dated March 19, 2012, be received."

REPORT

The following enhancements to the Annual Report include:

- a) The addition of 5 year statistics on Floor Area (new & existing affected) for all building types;
- b) New section on Performance Measurements. Data from comparable municipalities is not available at this time of year. This information will be included in the 2013 Budget information;
- c) The existing Code of Conduct is included as requested by a recent Council resolution.

CORPORATE STRATEGIC PLAN

Government & Community Involvement

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

All Reports on Building Permits (Quarterly and this Annual Report) are available on the City of Guelph's website at:
guelph.ca/living/planning,building,engineering/publications/building_permit_reports.

ATTACHMENTS

Building Services 2011 Annual Report.

"original signed by Bruce Poole"

Recommended By:

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"original signed by Bruce Poole for"

Recommended By:

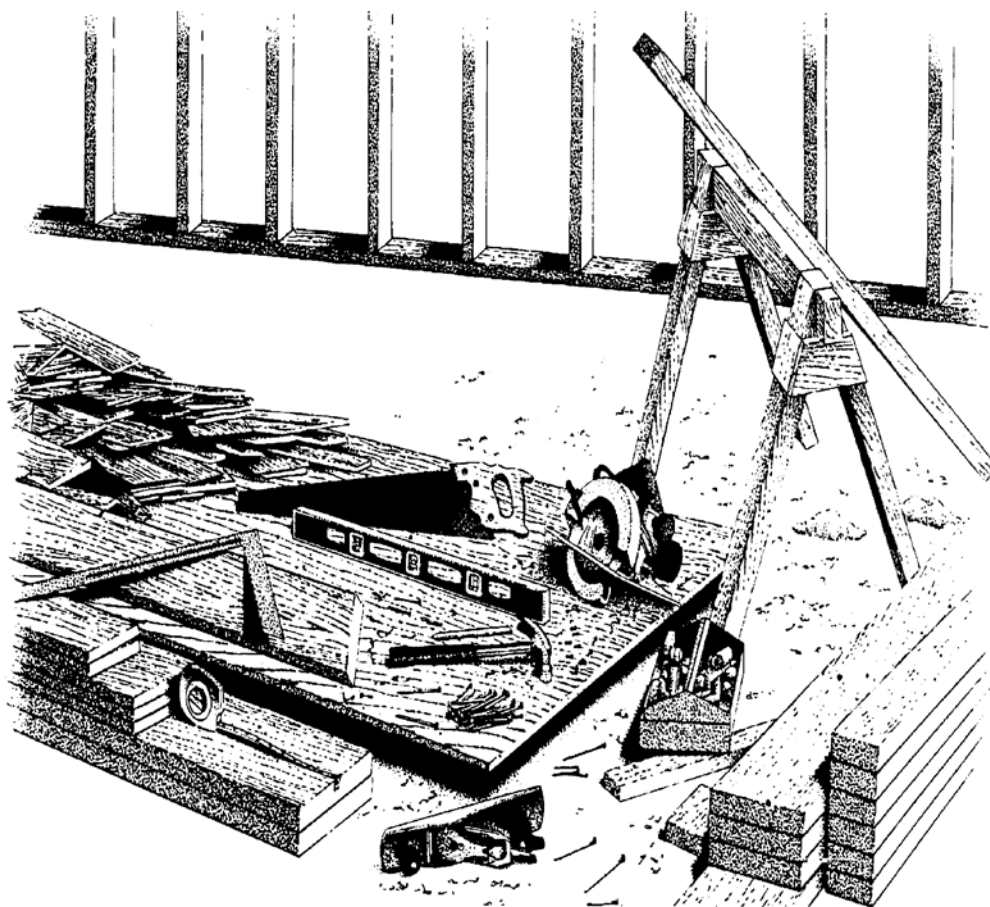
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Planning & Building, Engineering and Environment

BUILDING SERVICES



2011 ANNUAL REPORT

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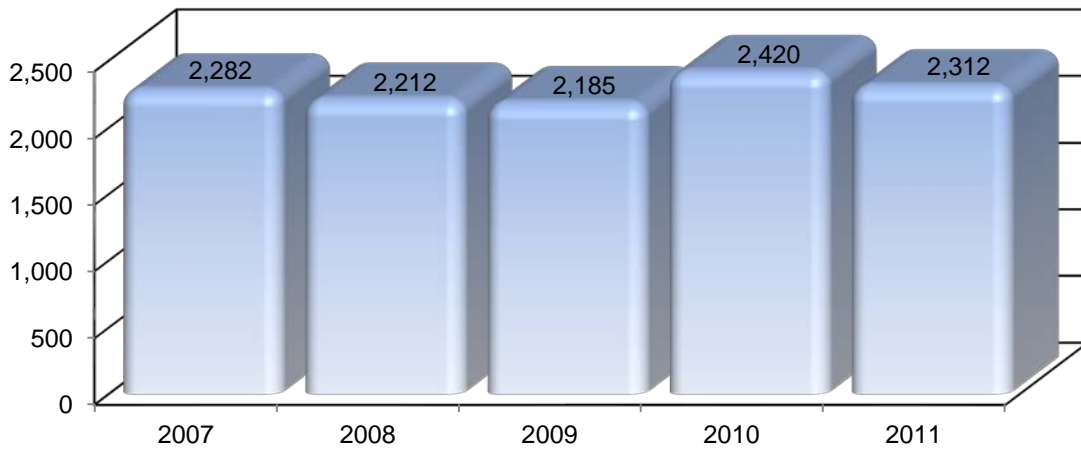
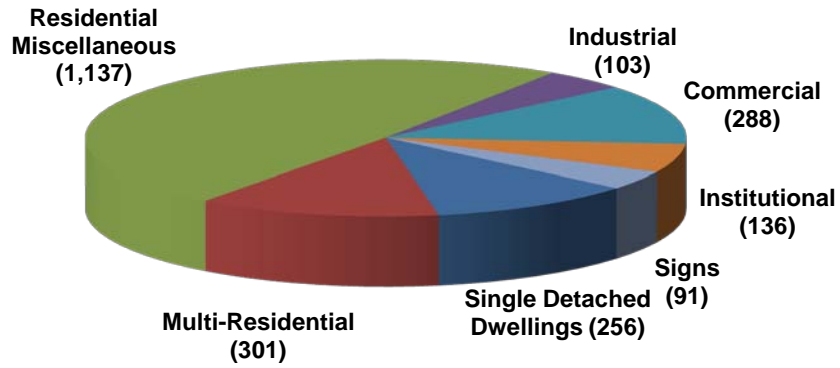
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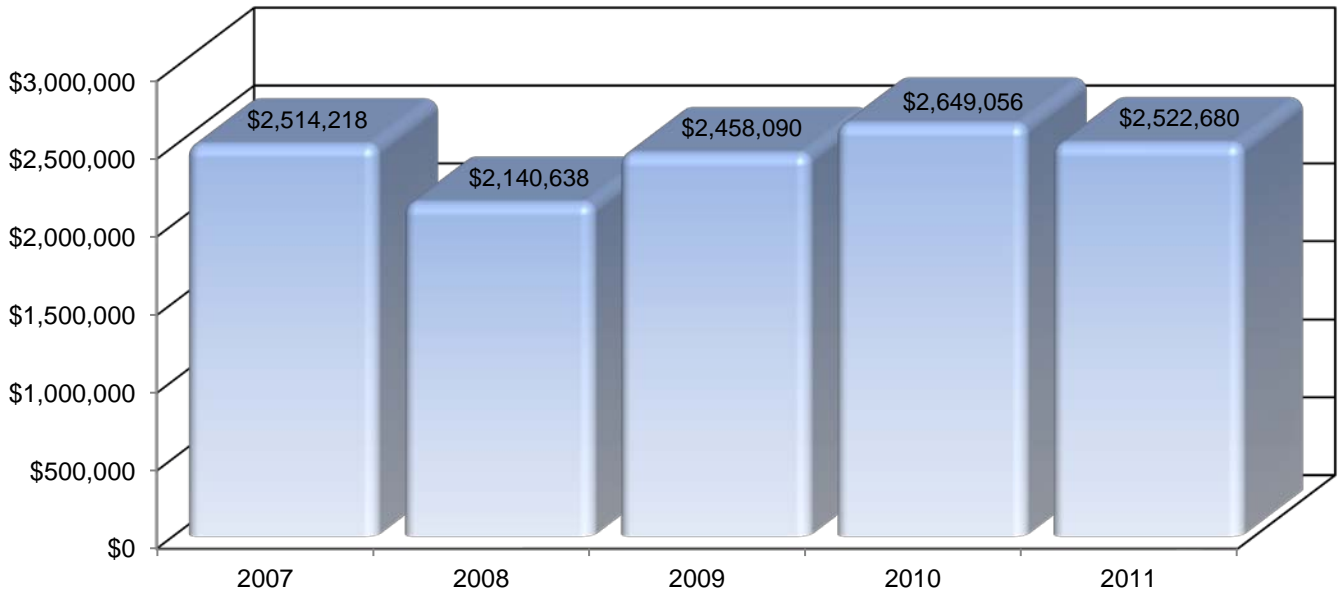
2011 MAJOR BUILDING PROJECTS

80 South Ring Road	<i>Addition and Renovations to the Albert Thornbrough Building & Richards Building at the University of Guelph</i>	\$20,000,000.00
55 East Ring Road	<i>New Field House at the University of Guelph</i>	\$7,980,000.00
72 Lemon Street	<i>New King George (Elementary) School</i>	\$7,820,000.00
945 Southgate Drive	<i>New Industrial Mall - Shell and Site Services</i>	\$6,750,000.00
60 Lynnmore Street	<i>New Superstructure for a 4 Storey Apartment Building- 54 Units</i>	\$5,500,000.00
925 Southgate Drive	<i>New Warehouse Addition for Kintetsu World Express (Canada)</i>	\$4,700,000.00
15 Woodlawn Rd. W.	<i>New Commercial Plaza Shell and Interior Finishes for Michaels and HomeSense</i>	\$4,500,000.00
5 Woodlawn Rd. W.	<i>New Commercial Building - Site Servicing, Shell & Demising Walls only</i>	\$4,300,000.00
457-467 Edinburgh Rd. S.	<i>New Exterior Façade & Balcony Repairs</i>	\$4,000,000.00
545 Speedvale Ave. W.	<i>Addition to Canadian Solar Solutions - Superstructure</i>	\$3,950,000.00
79 Carden Street	<i>Six Platform Canopies and Foundation for Future Tunnel & Elevator at new Transit Terminal</i>	\$3,856,000.00
36 College Ave. W.	<i>Additions & Interior Alterations at the University of Guelph Animal Cancer Centre</i>	\$3,200,000.00
180 Watson Pkwy. S.	<i>New Warehouse/Office Addition at Cargill Meat Solutions</i>	\$2,450,000.00
1 Douglas Street	<i>Interior Finishes for Residential and Commercial spaces</i>	\$2,400,000.00
22 Lennox Lane	<i>Renovations to Lennox-Addington Hall at the University of Guelph</i>	\$2,100,000.00

Total Permits Issued

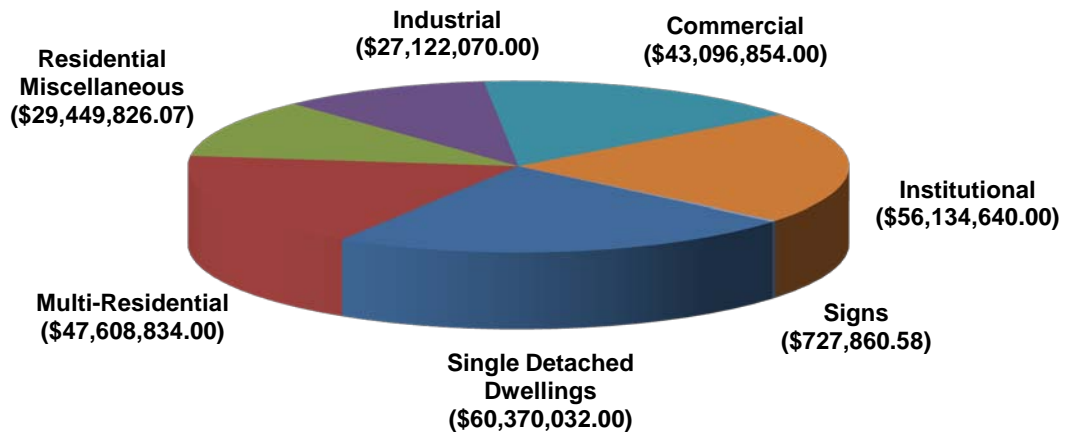


Annual Totals

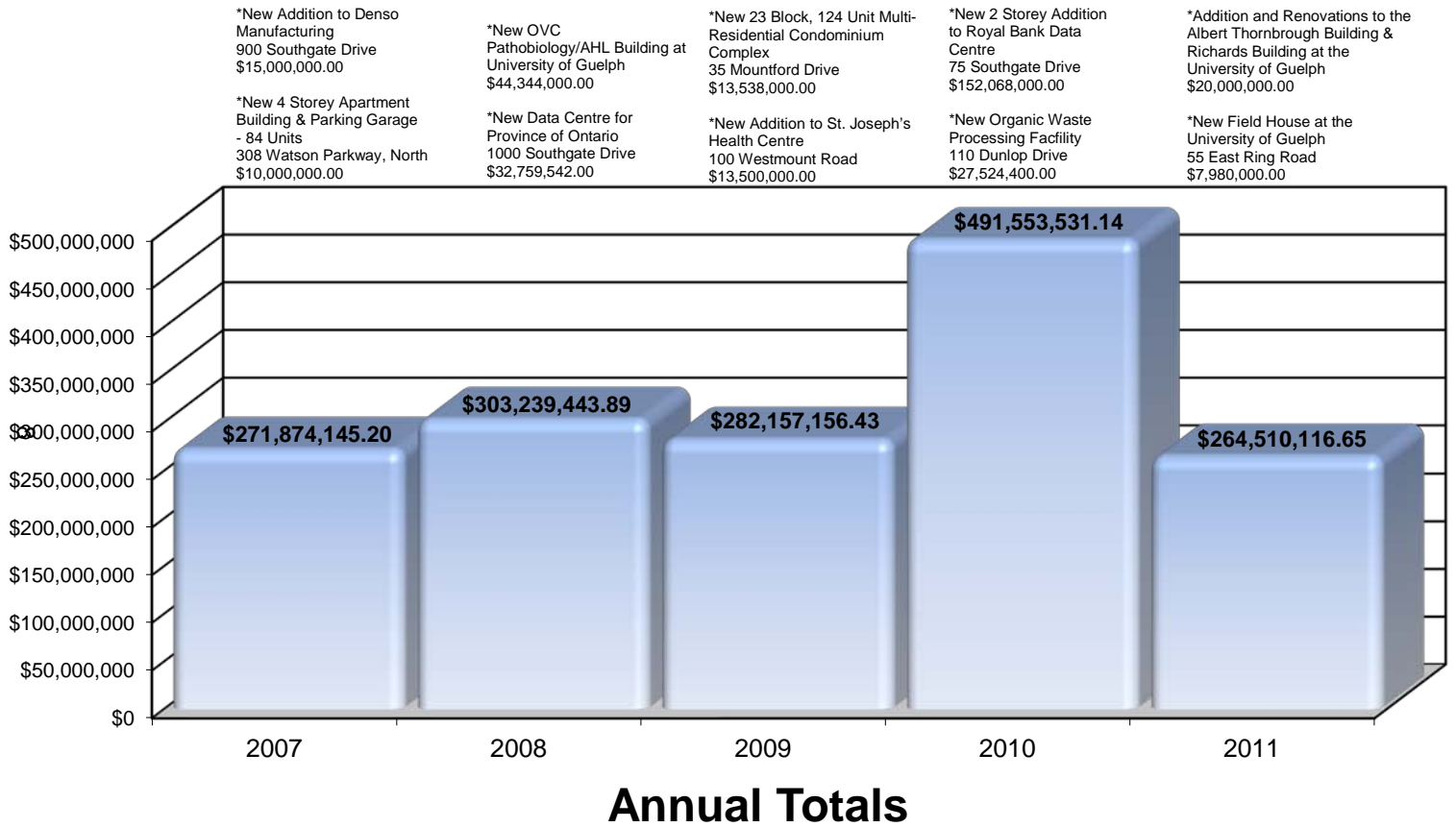


Annual Permit Fee Revenues

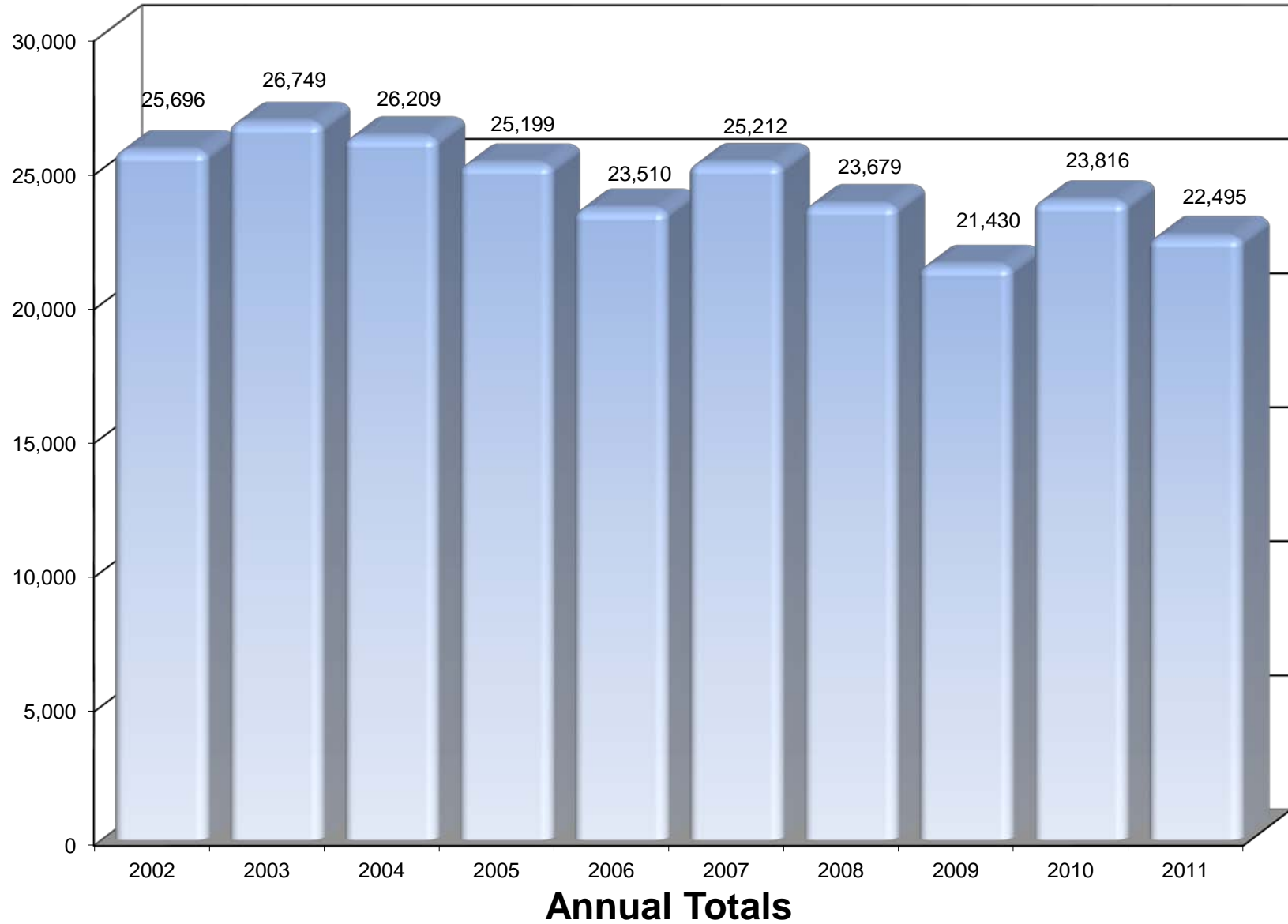
Total Construction Values



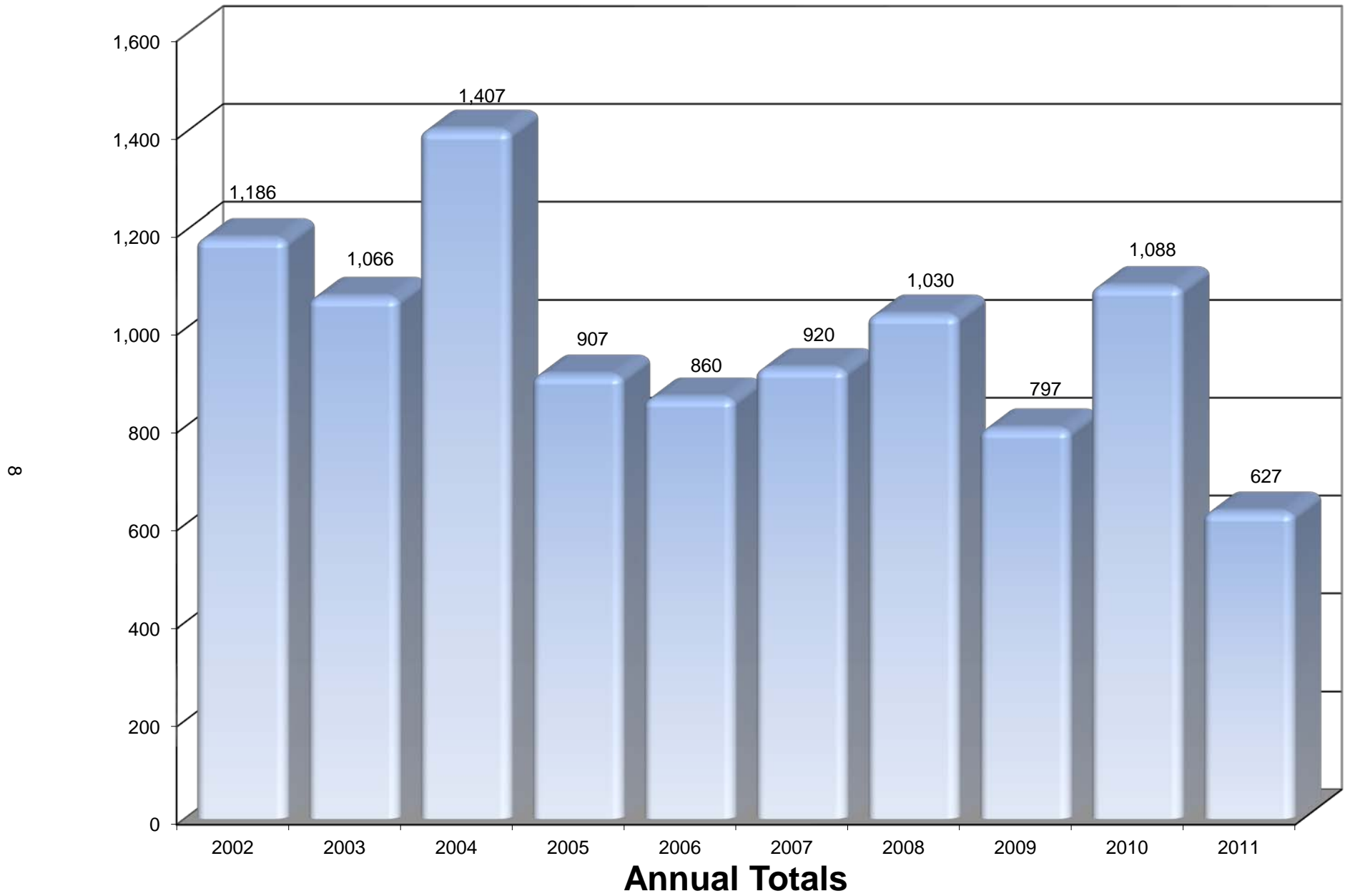
2011



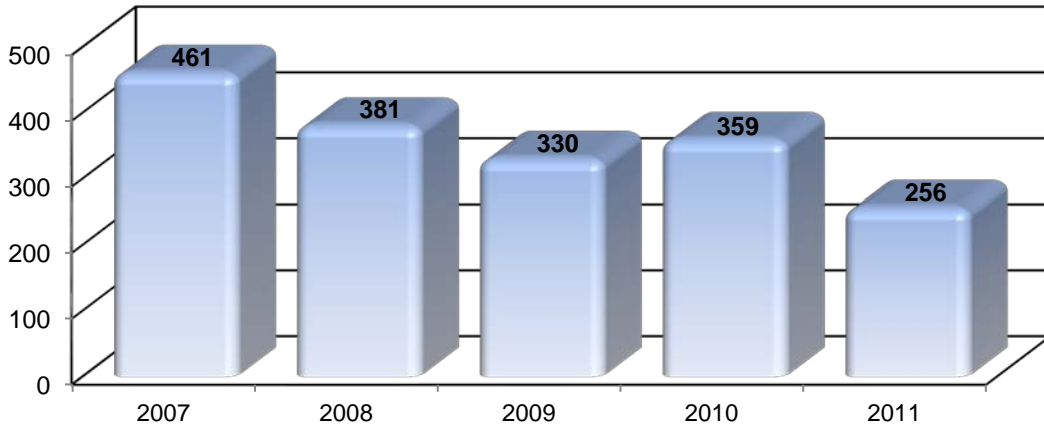
Building Inspections



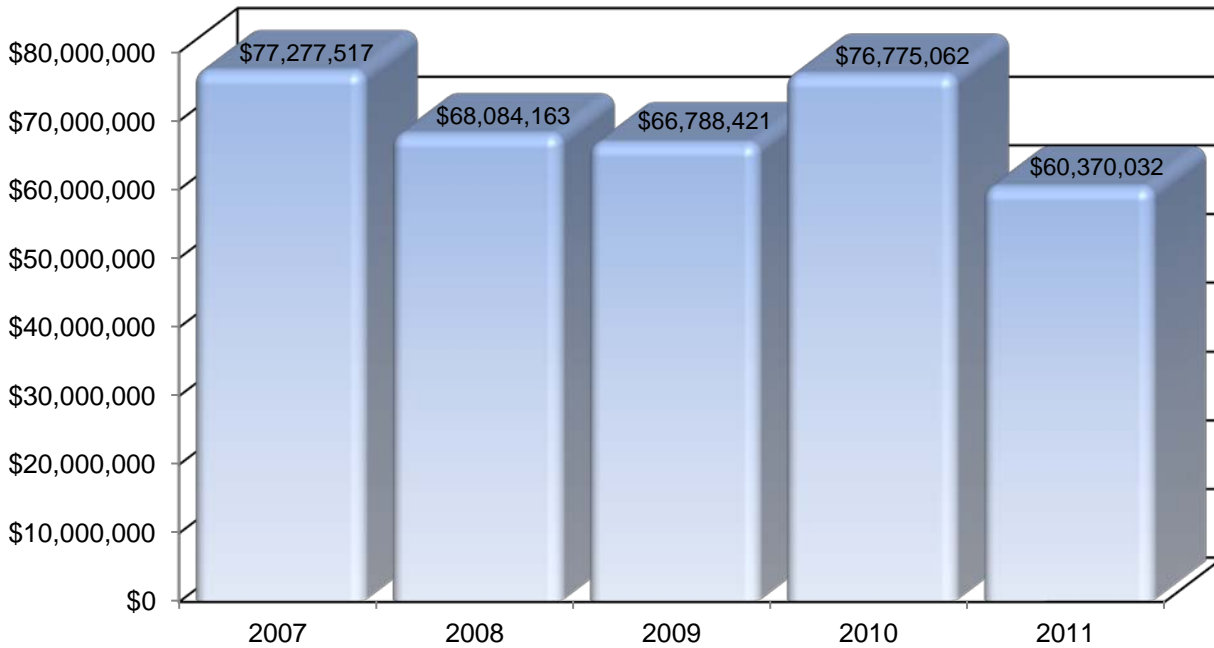
New Residential Units



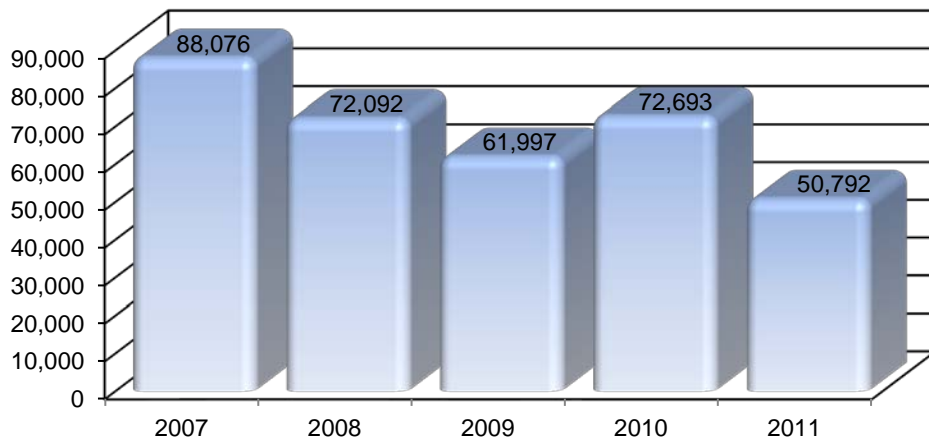
Single Detached Dwellings



Number of Permits

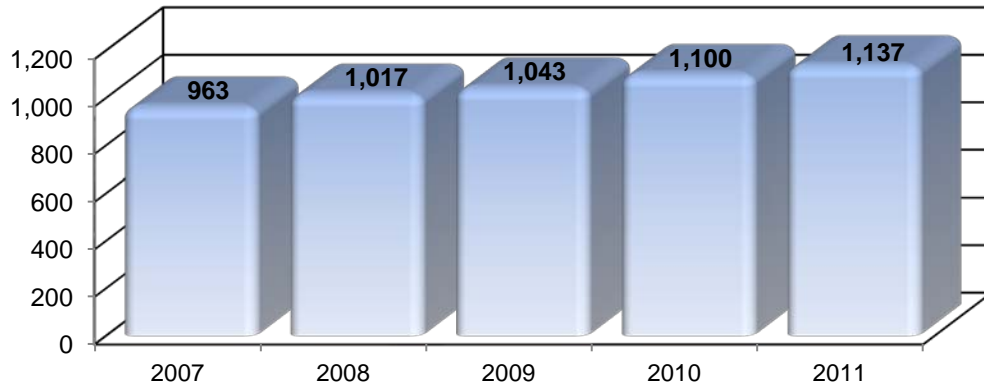


Construction Values

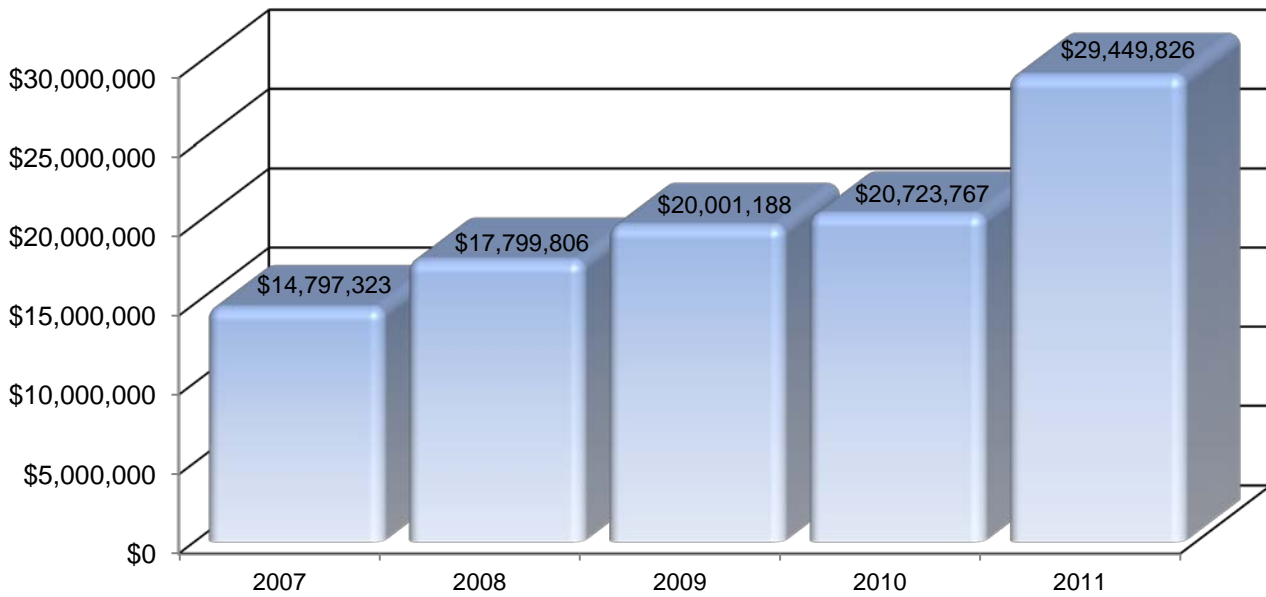


Floor Area (m²)

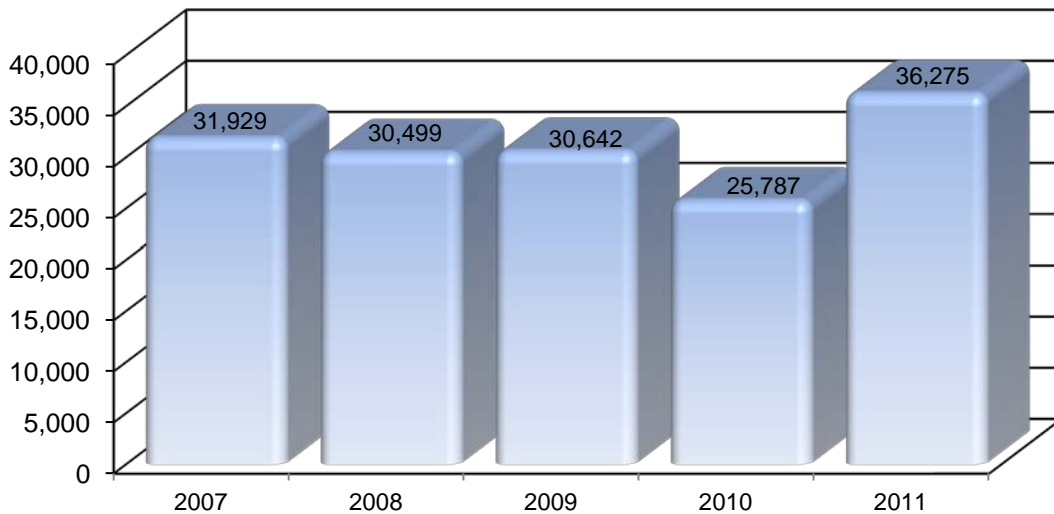
Residential Miscellaneous



Number of Permits

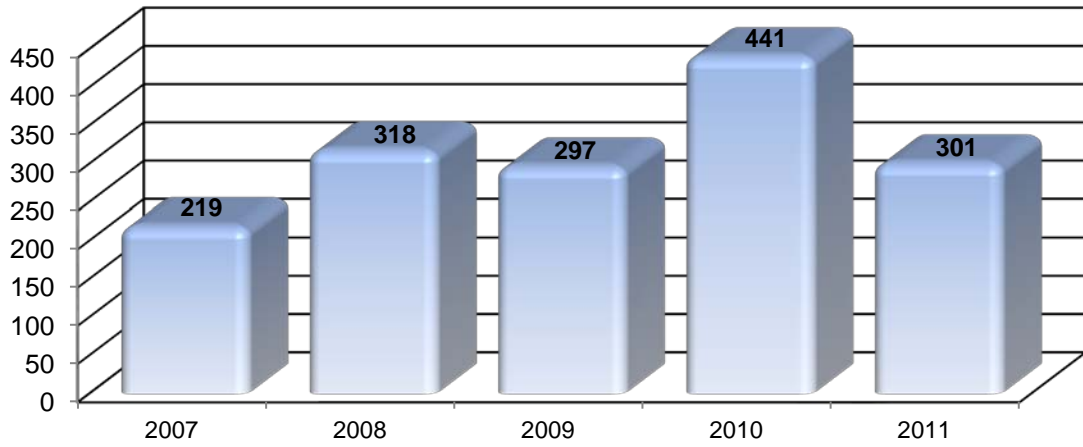


Construction Values

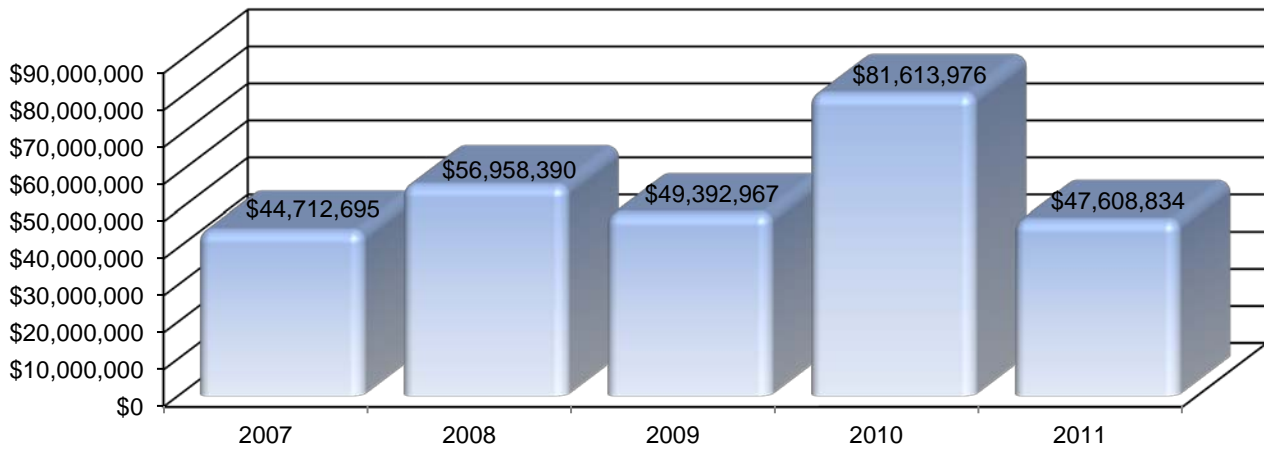


Floor Area (m²)

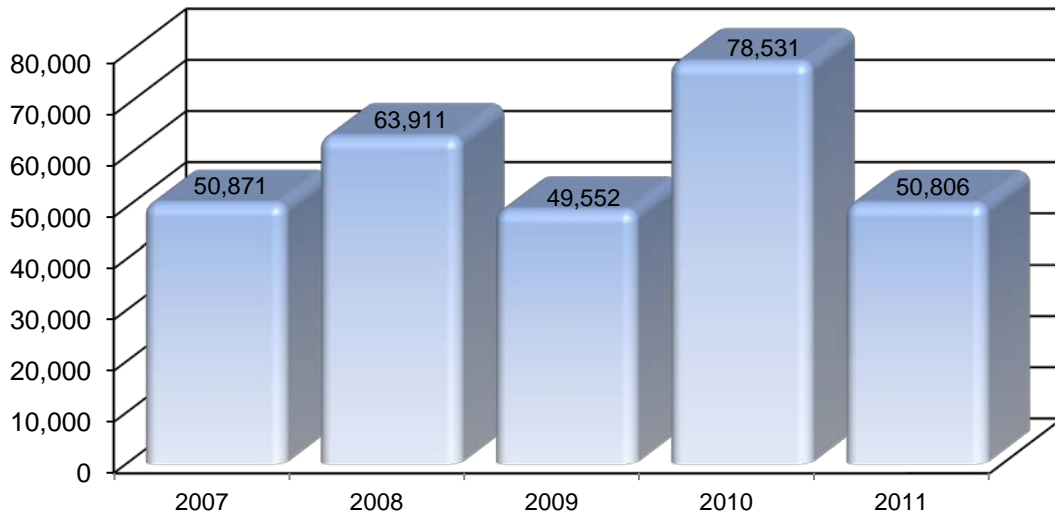
Multi-Residential



Number of Permits

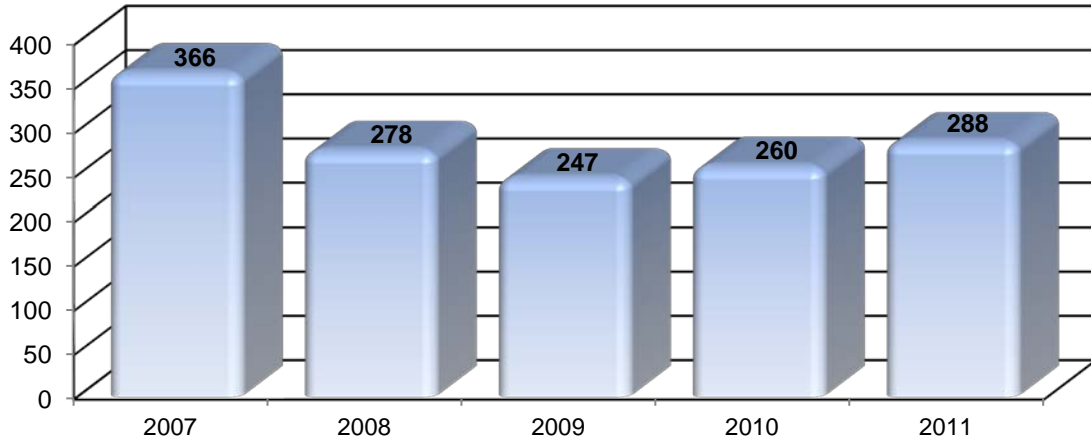


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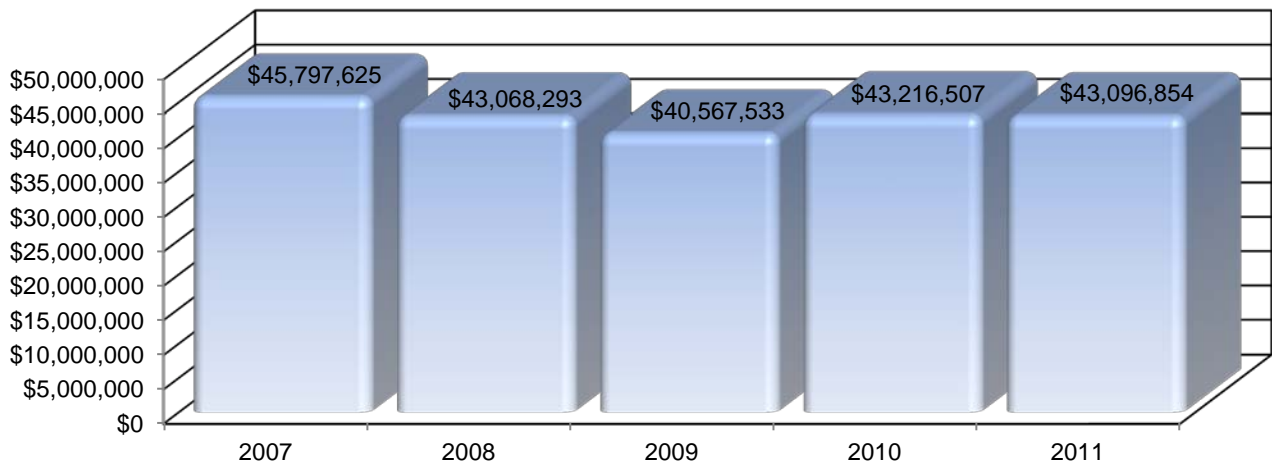


Floor Area (m²)

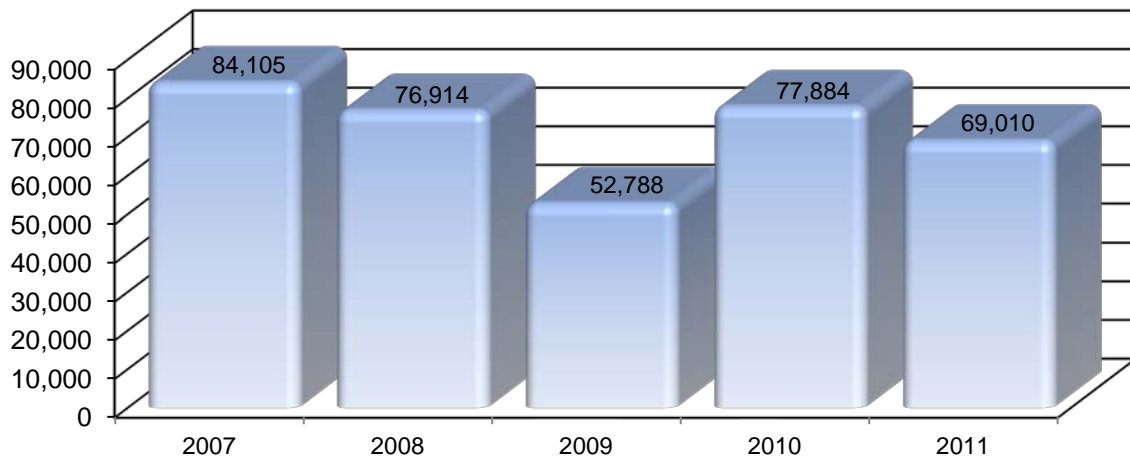
Commercial



Number of Permits

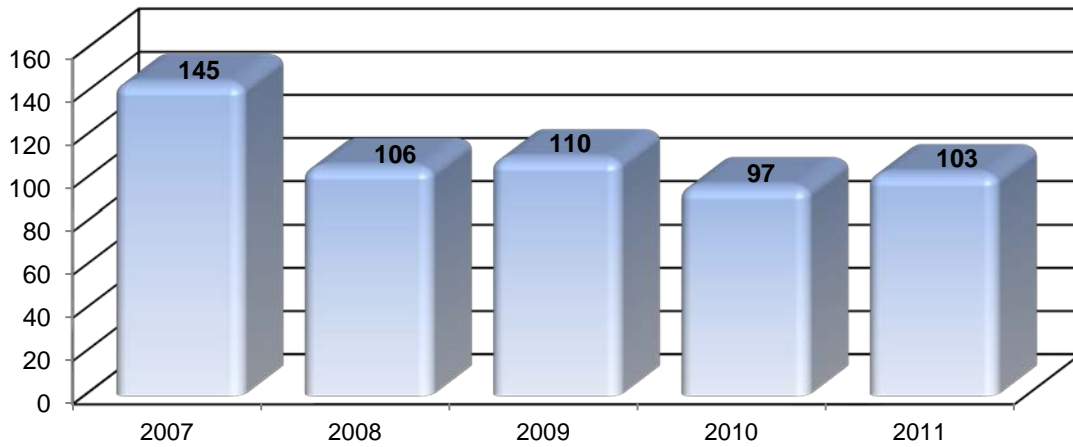


Construction Values

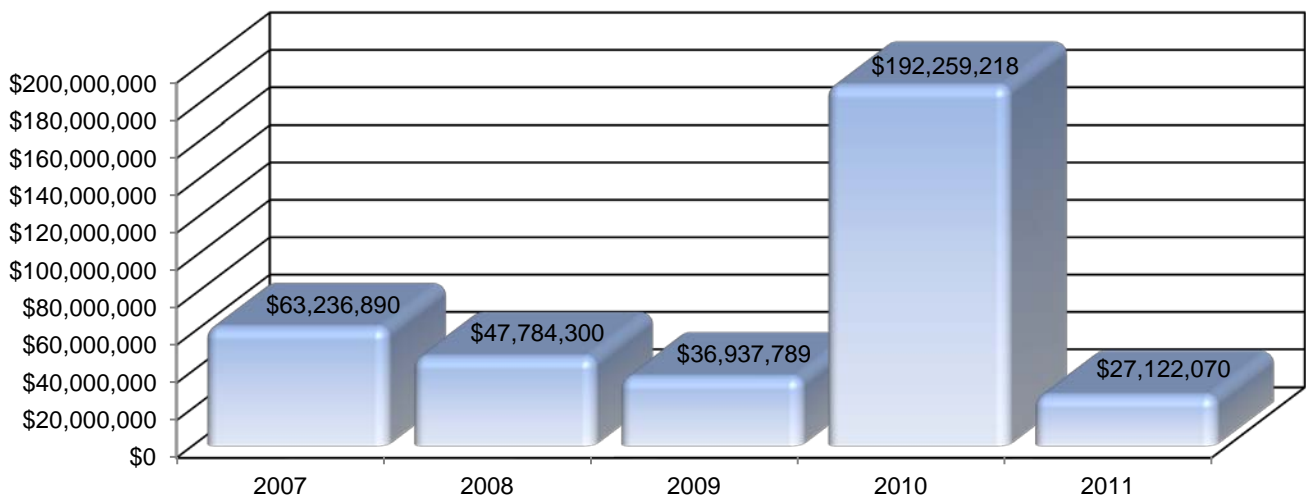


Floor Area (m²)

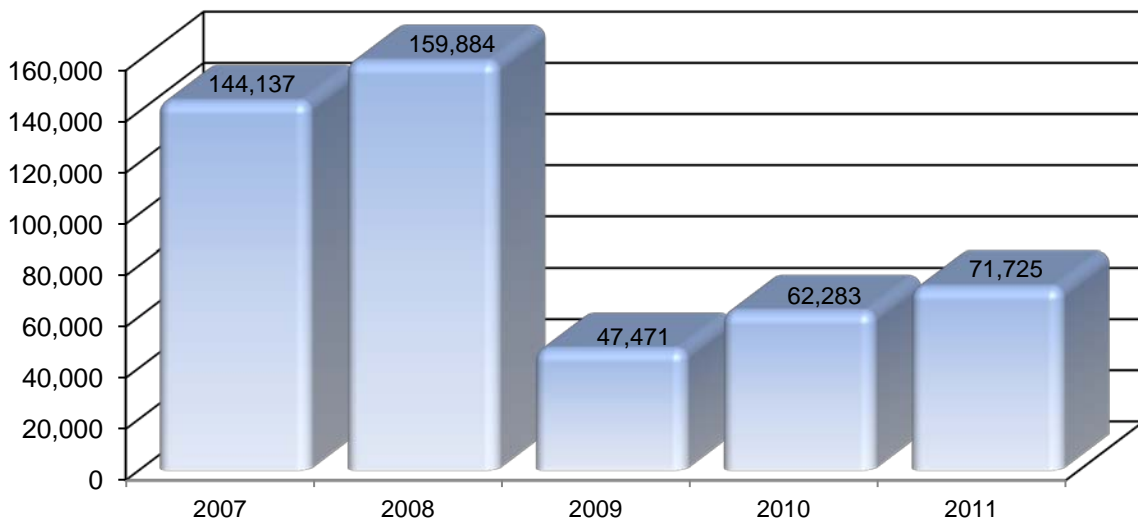
Industrial



Number of Permits

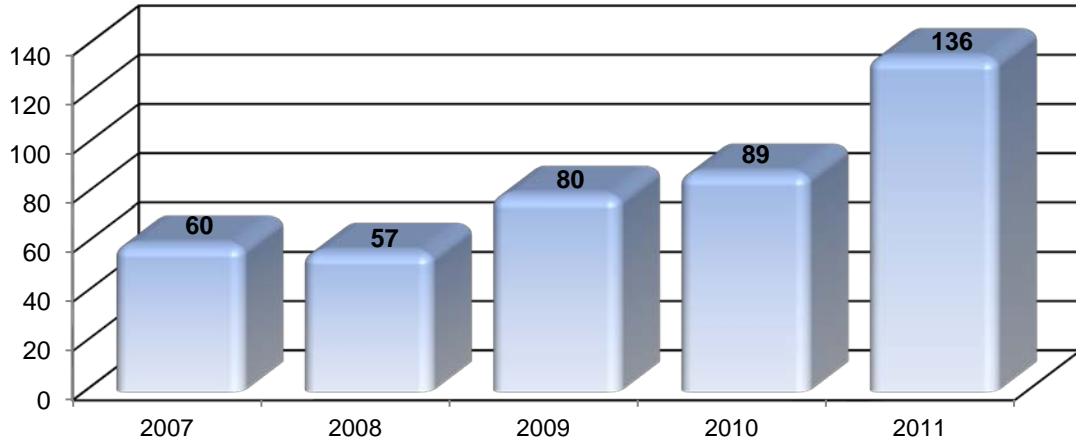


Construction Values

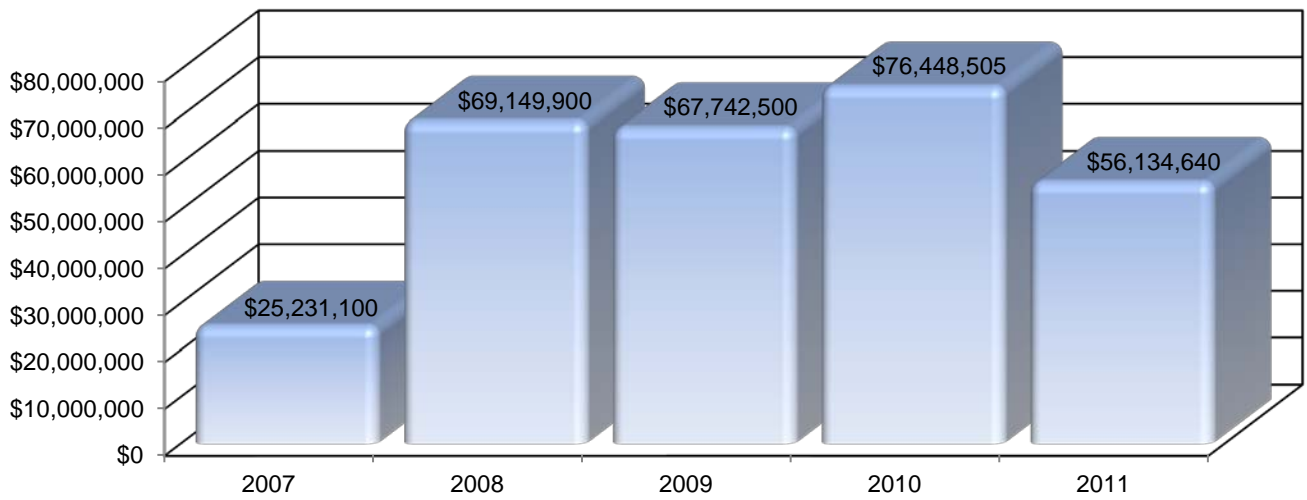


Floor Area (m²)

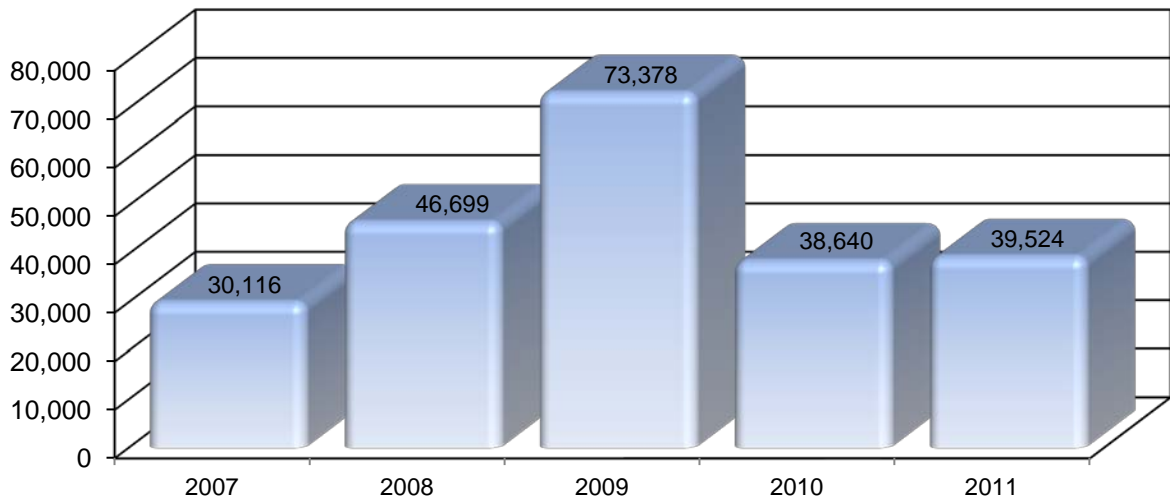
Institutional



Number of Permits



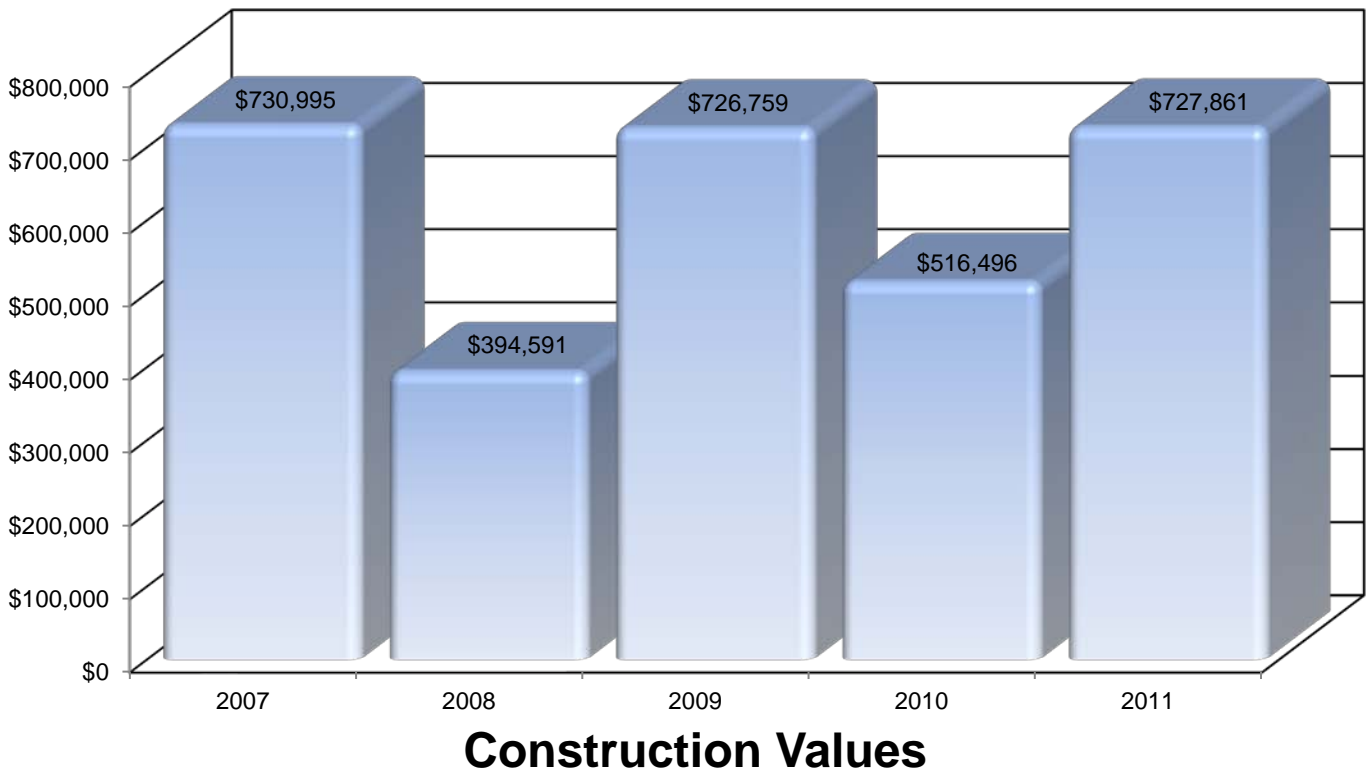
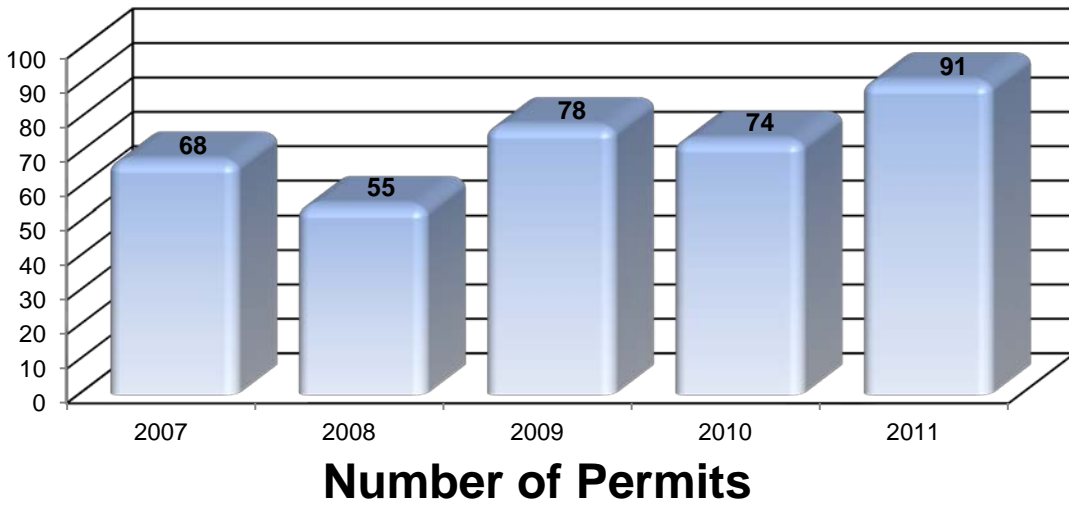
Construction Values



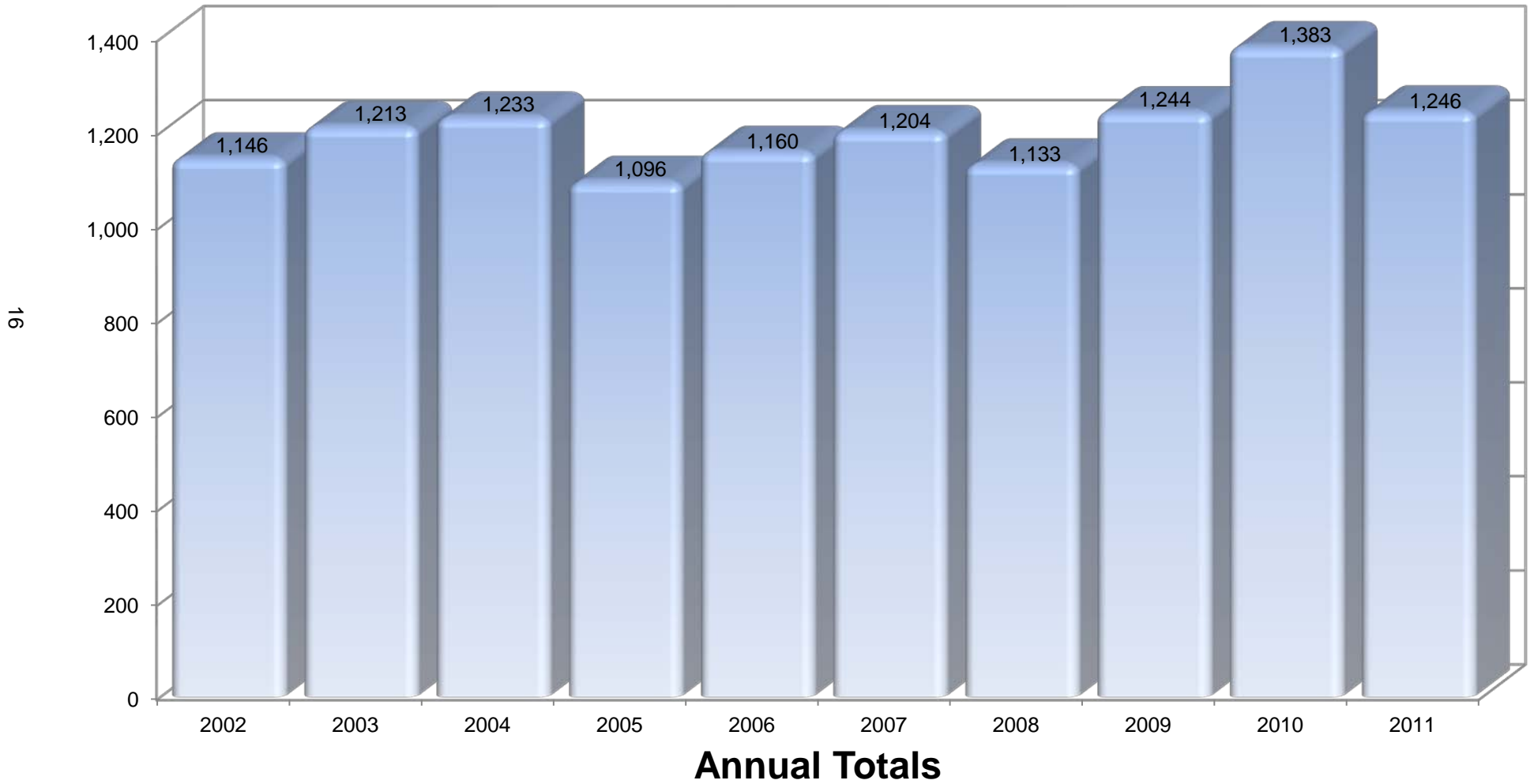
Floor Area (m²)

Signs

*excluding Mobile Signs

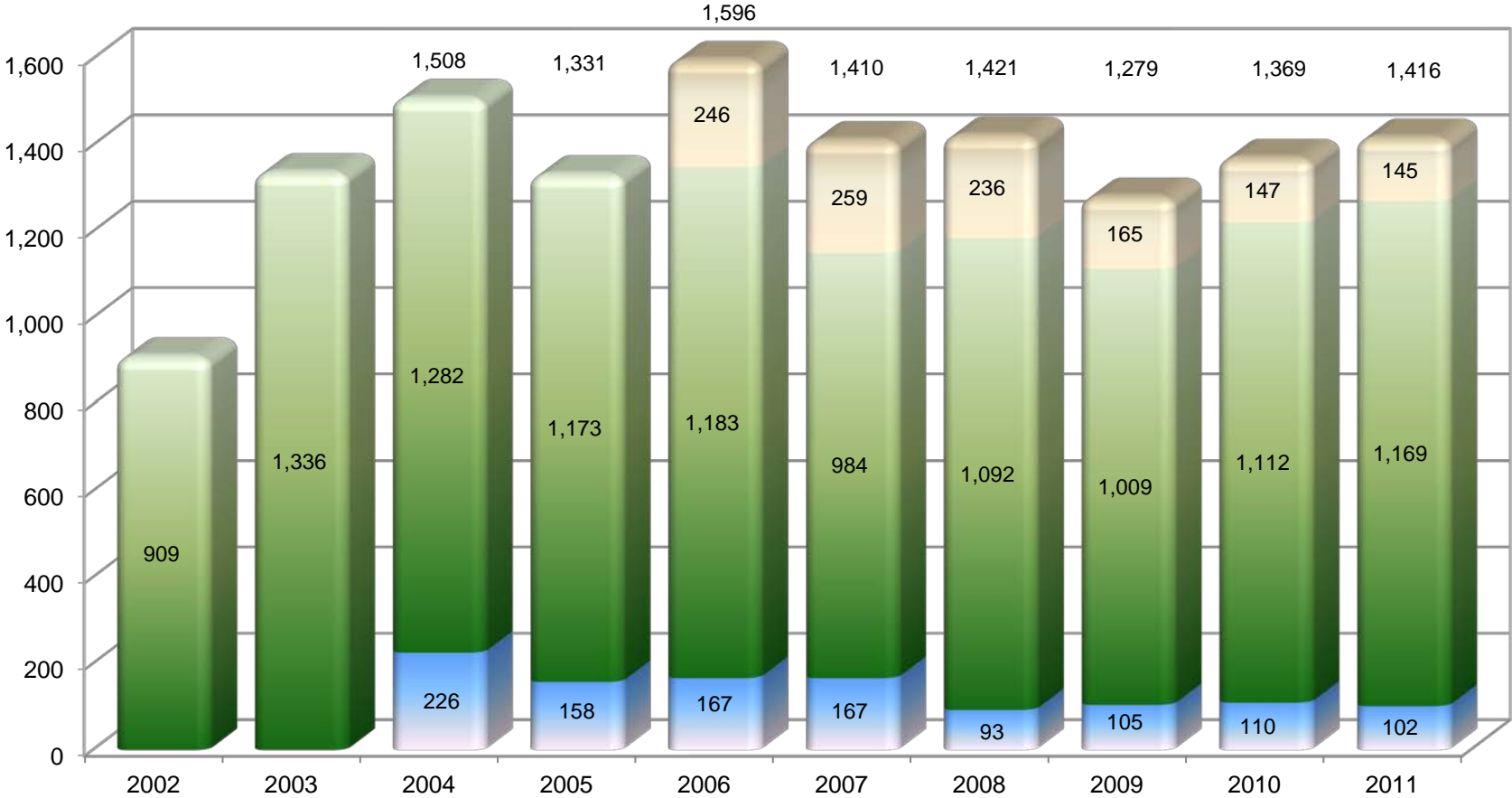


Mobile Signs



By-law Investigations Processed

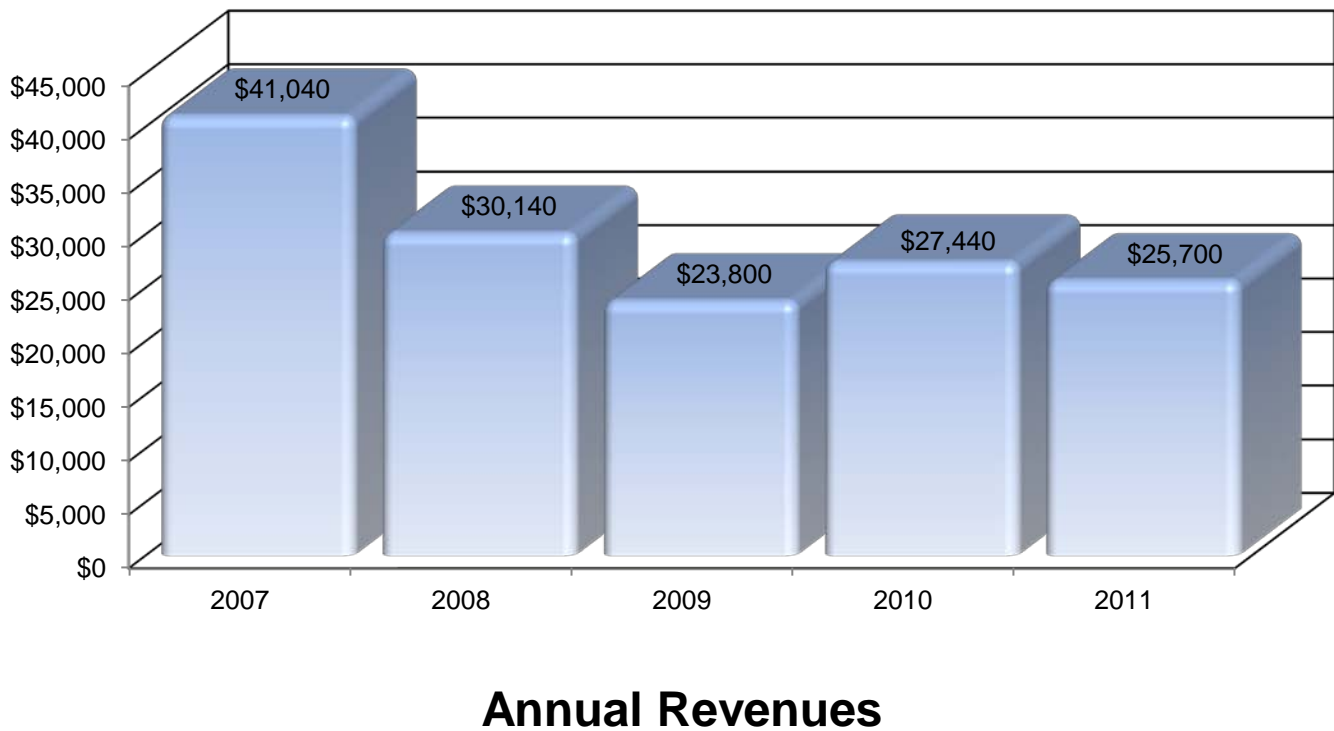
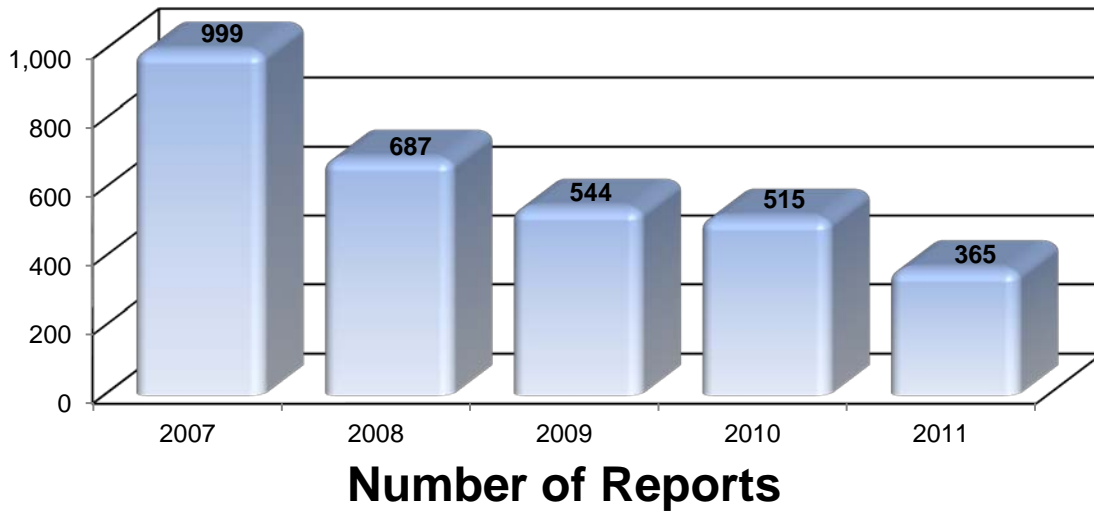
*Includes Complaints received and Pro-active Enforcement



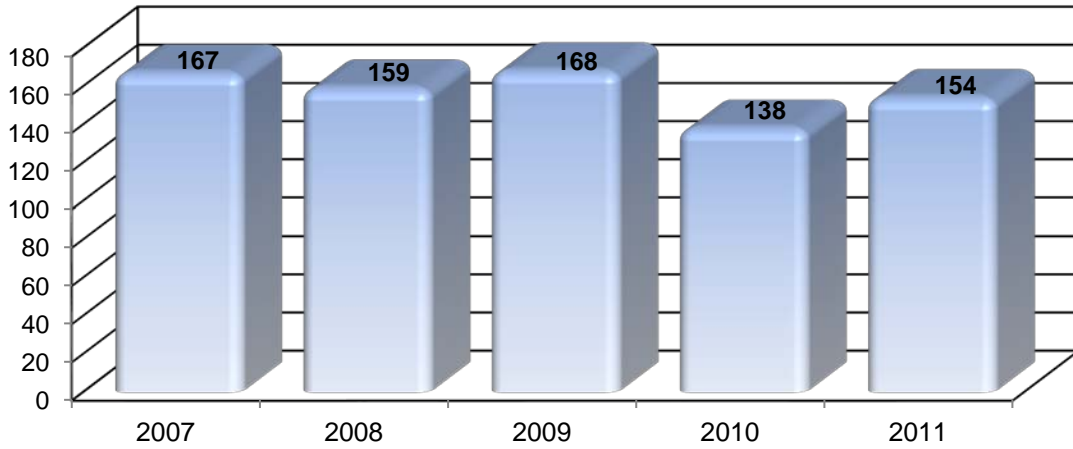
- By-law Compliance Officers *Complaints & Pro-active Enforcement
- Complaints Received by Building Services
- Proactive Enforcement by Building Services

Annual Totals

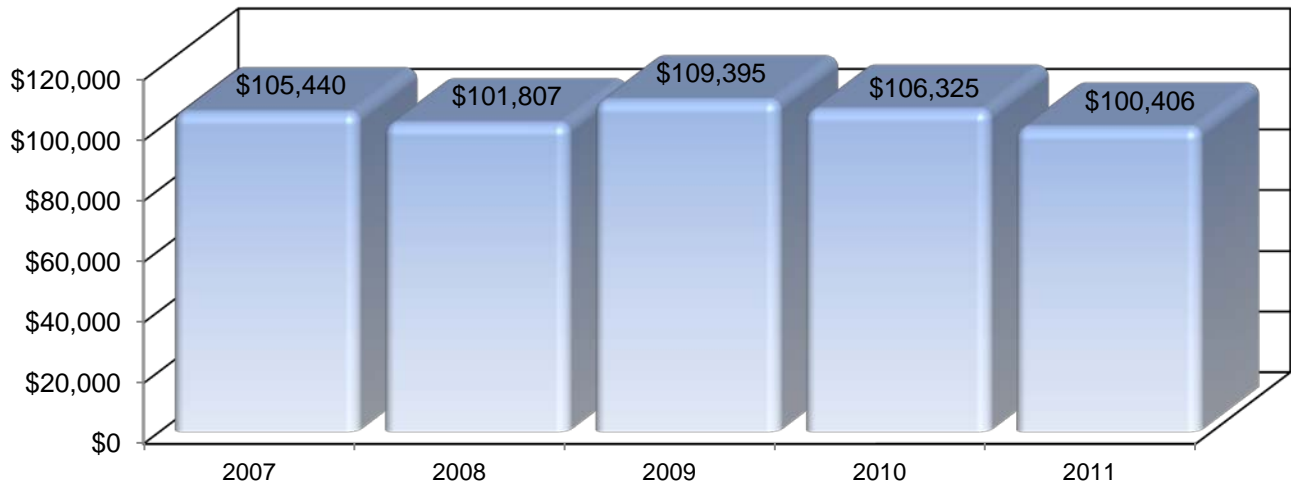
Property Information Reports



Committee of Adjustment



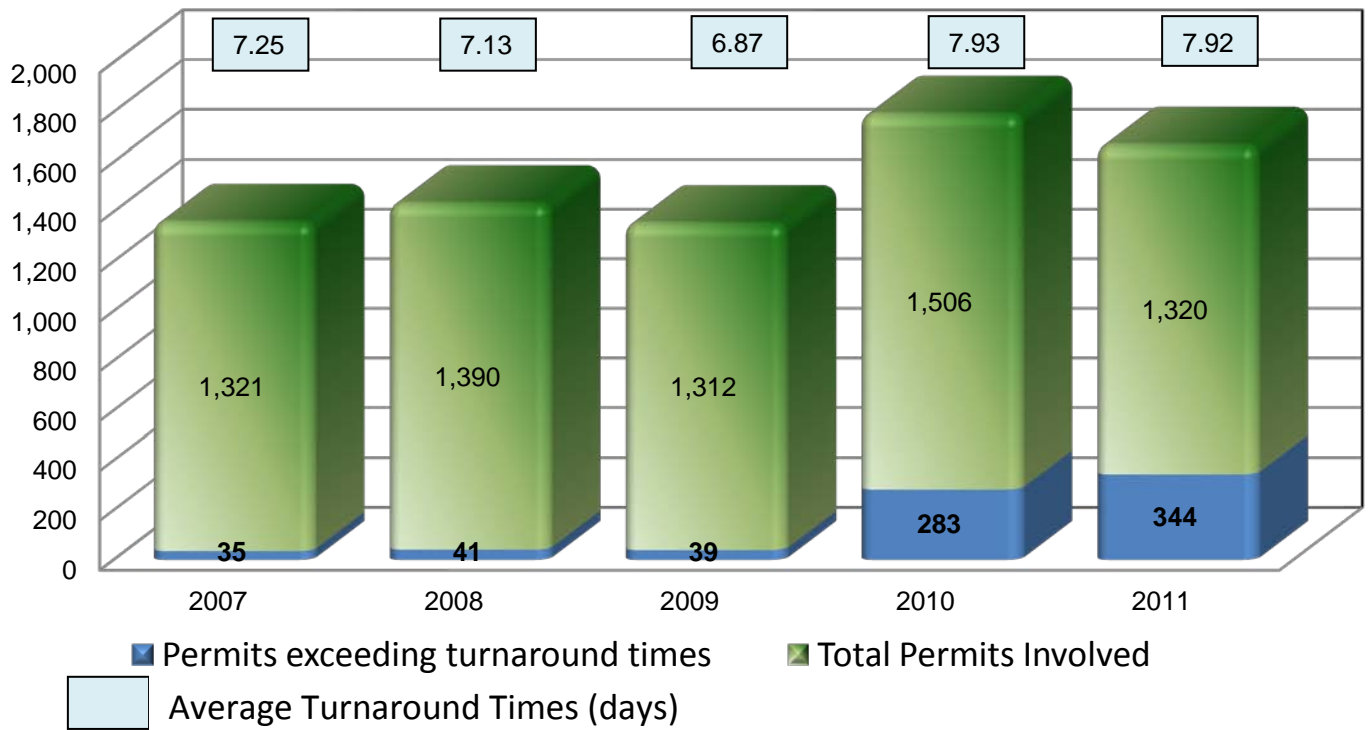
Number of Applications



Annual Revenues

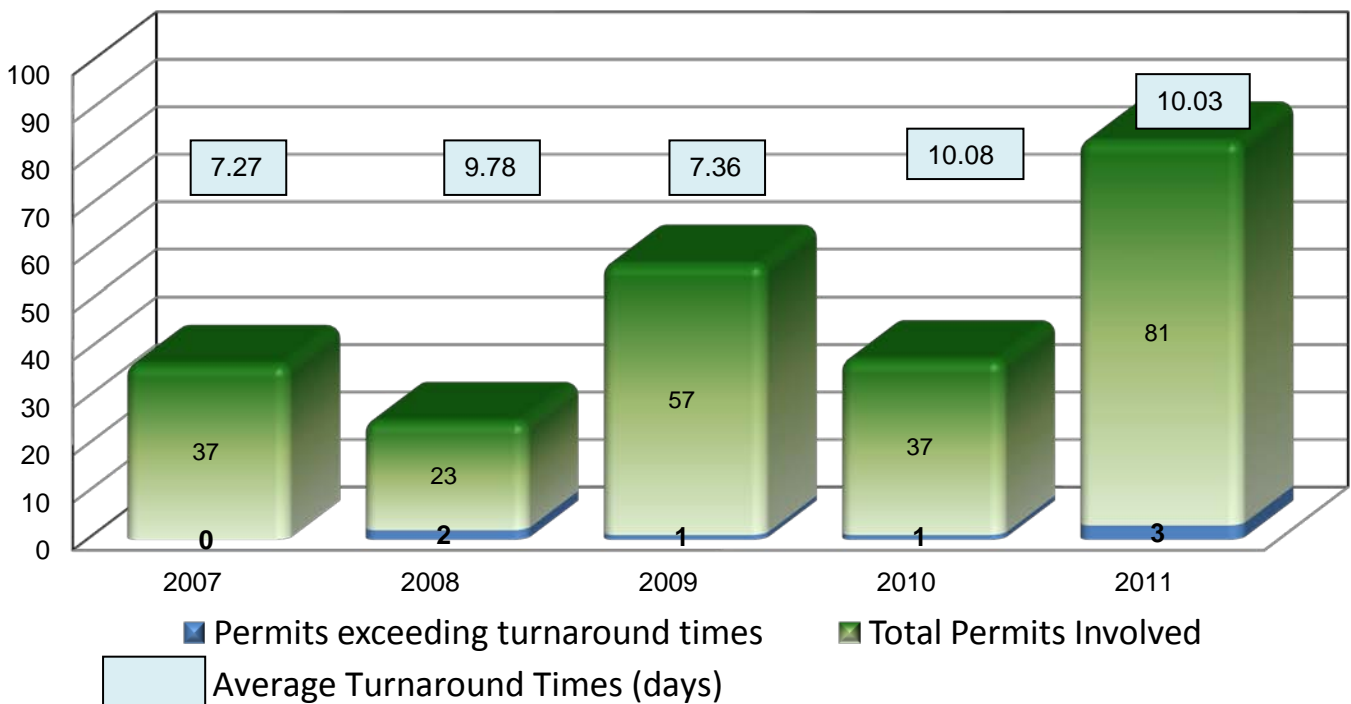
Performance Measurements

Legislated Turnaround Times for Permits



10 Days

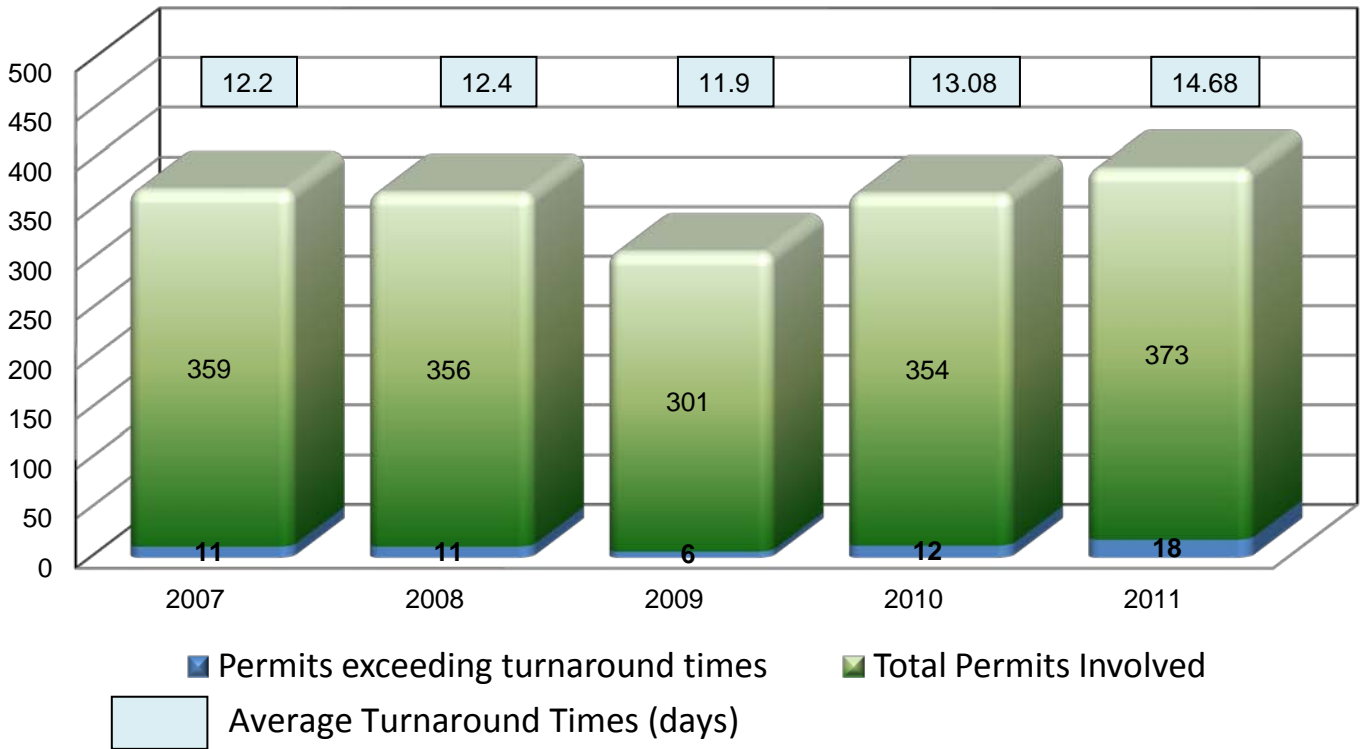
(Residential - does not include pools, revision permits & backflow prevention devices)



15 Days

(Small Industrial, Commercial, Institutional & Multi-Residential - does not include revision permits)

Legislated Turnaround Times for Permits



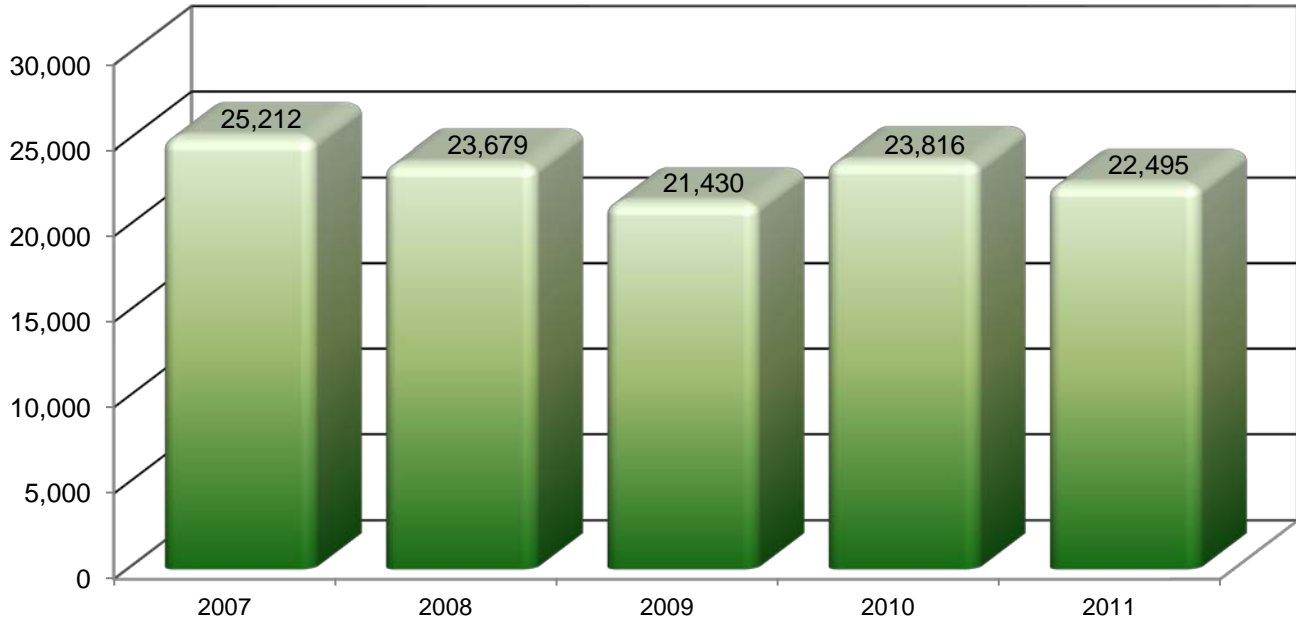
20 Days

(Large Industrial, Commercial, Institutional & Multi-Residential
- does not include revision permits)



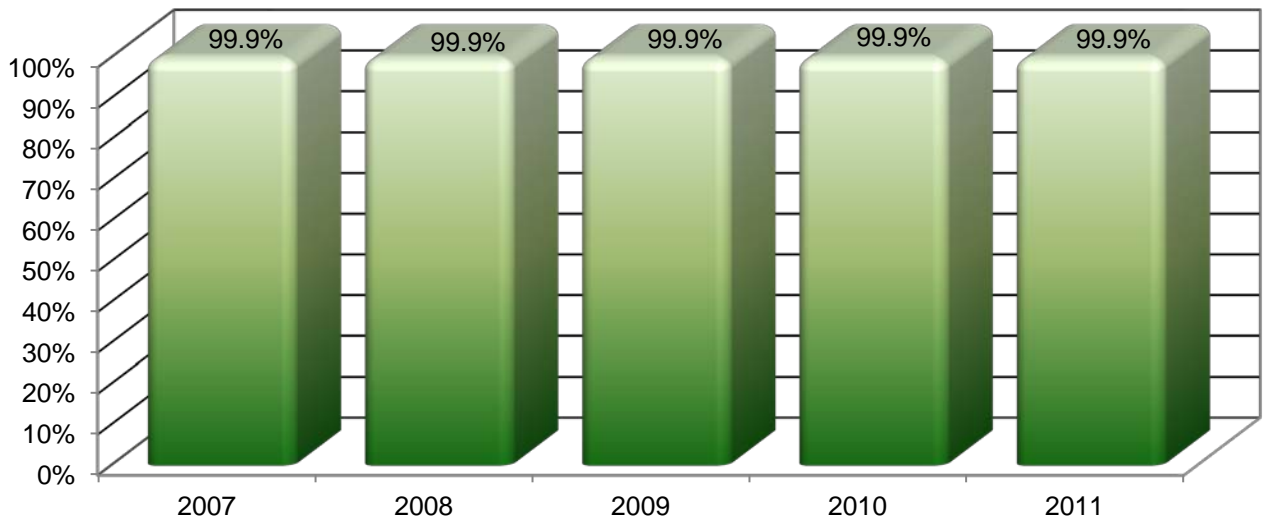
Total Permits Issued and Closed

Building Inspections



Annual Totals

Legislated Response Times for Inspections



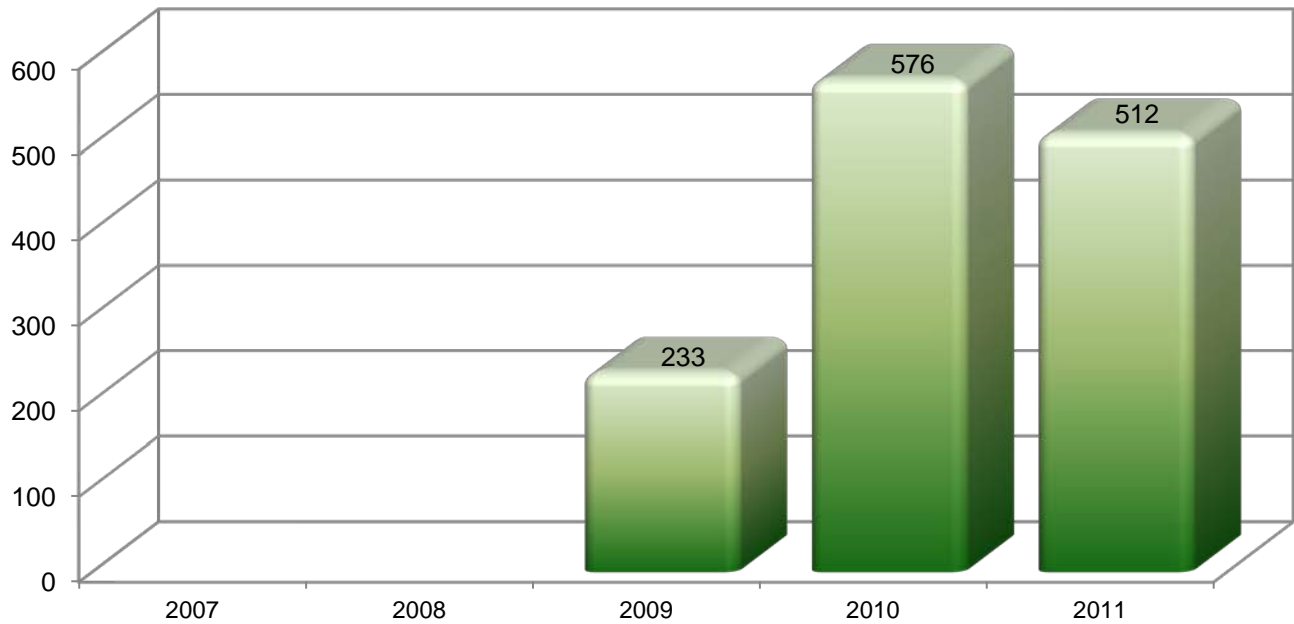
■ Estimated percentage of Inspections performed within Legislated Response Times (2 days).

* Approximately 10 inspections are performed beyond 2 days due to unexpected situations.

* Majority of Inspections are performed within 1 Day.

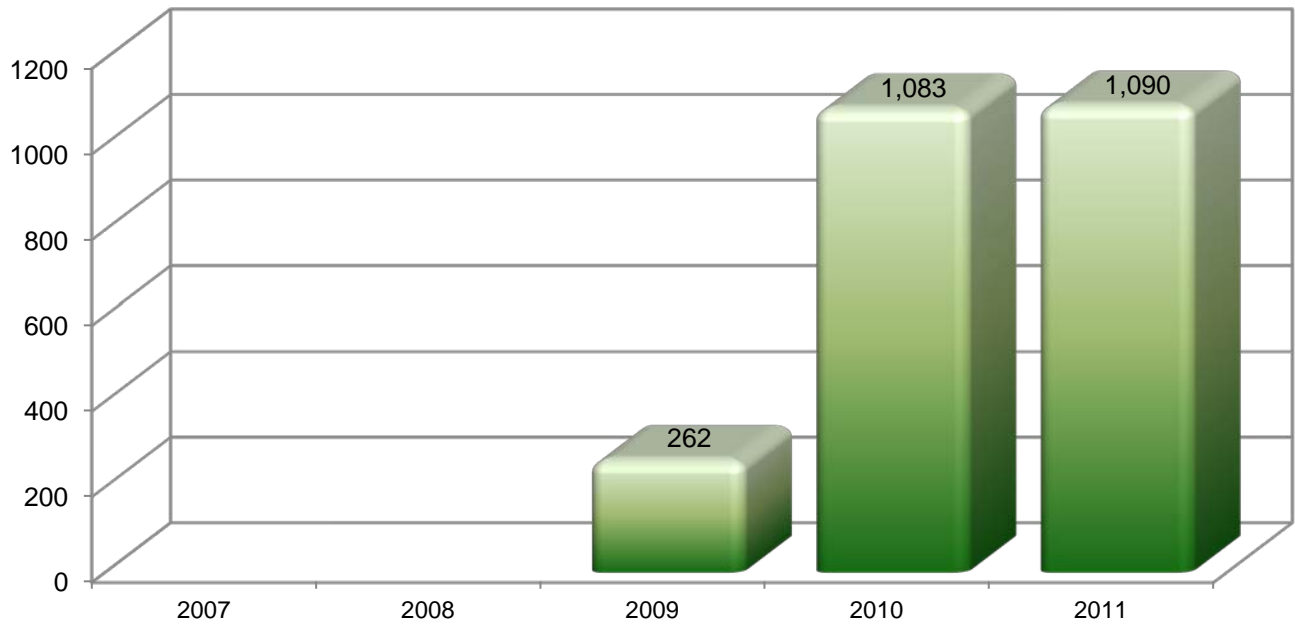
On-Line Services

*Commenced June, 2009



Permits Applied for On-Line

(residential building permits, swimming pools & mobile signs)

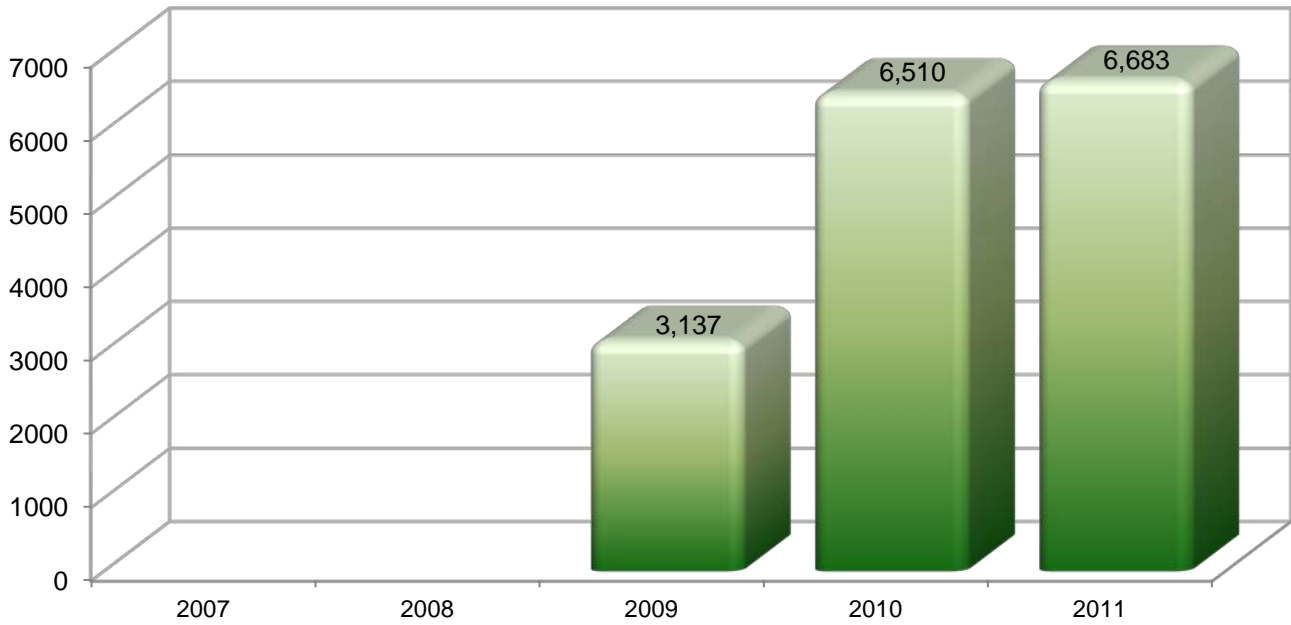


Inspections Requested On-Line

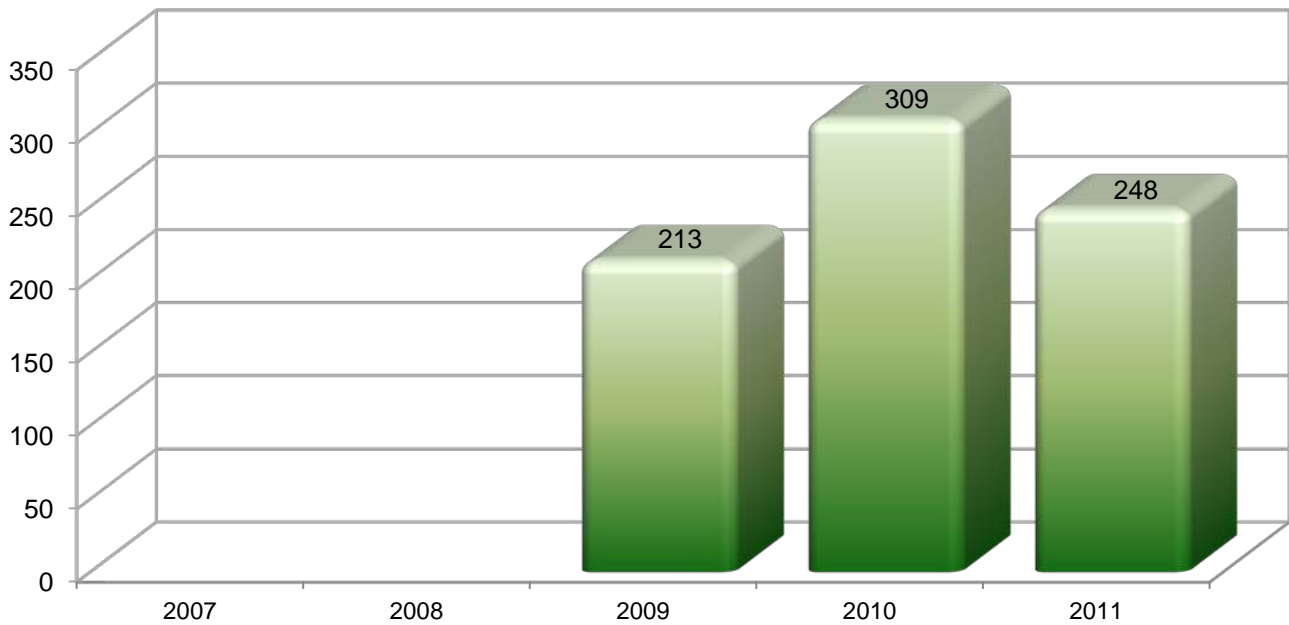
(residential building permits & swimming pools)

On-Line Services

*Commenced June, 2009

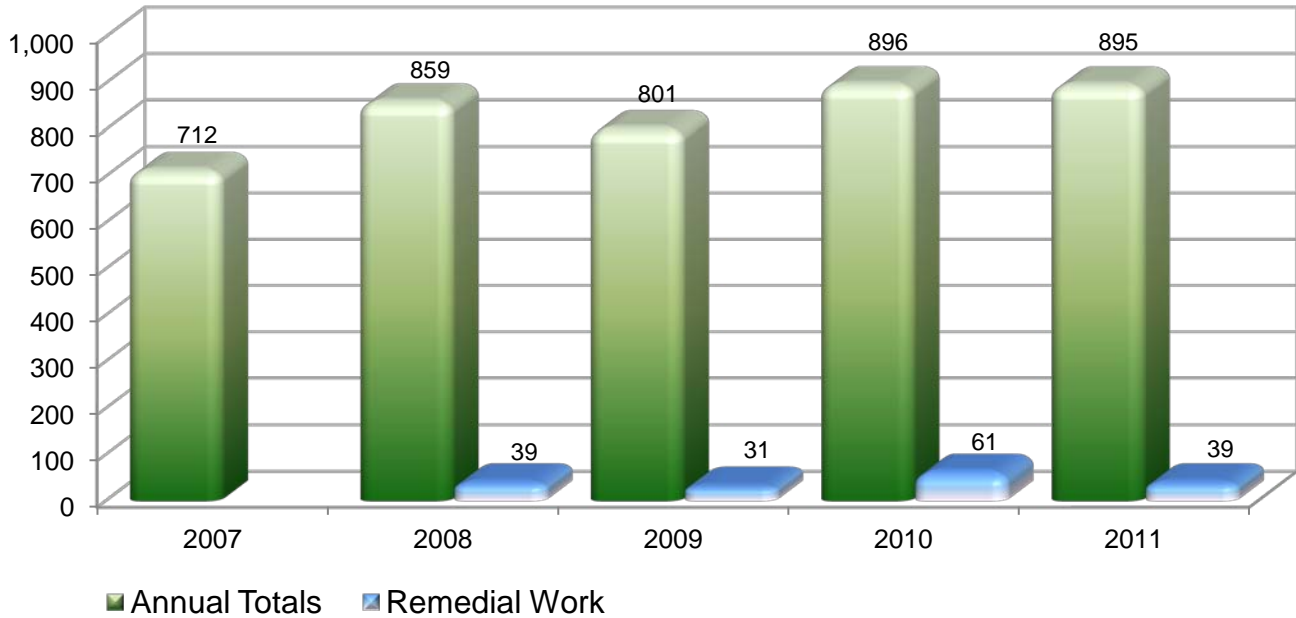


On-Line Page Views for Permits and Inspections (applying and status review)

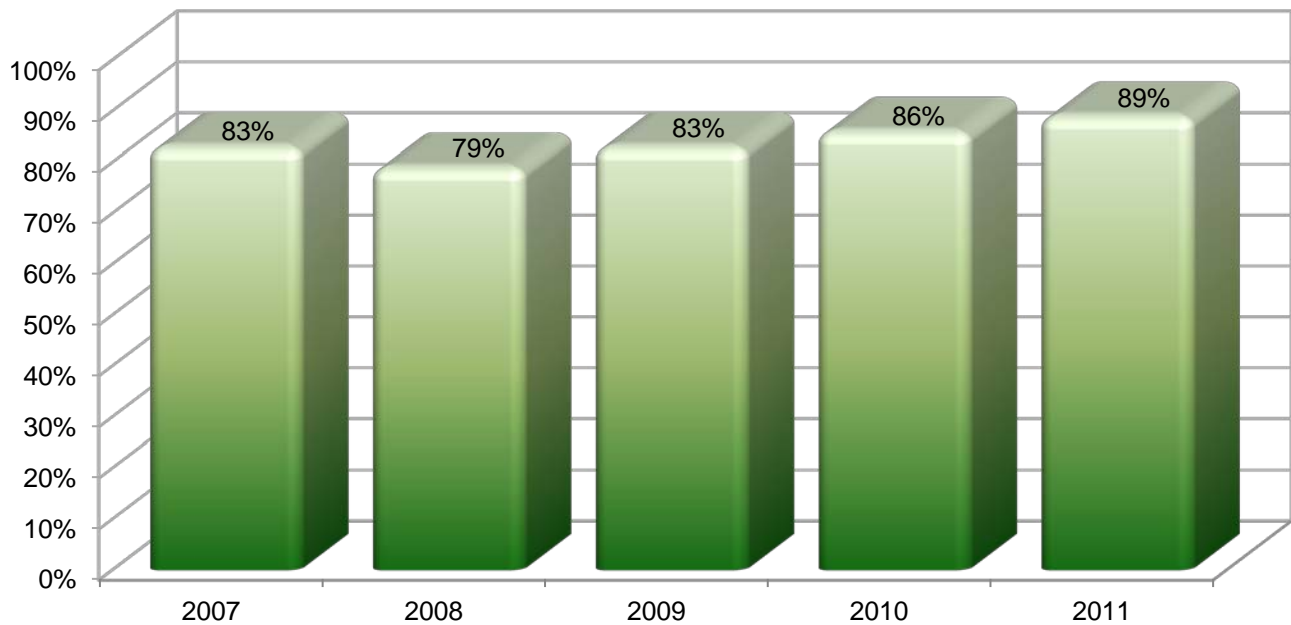


On-Line Page Views for Registration

Property Standards & Yard Maintenance Complaints

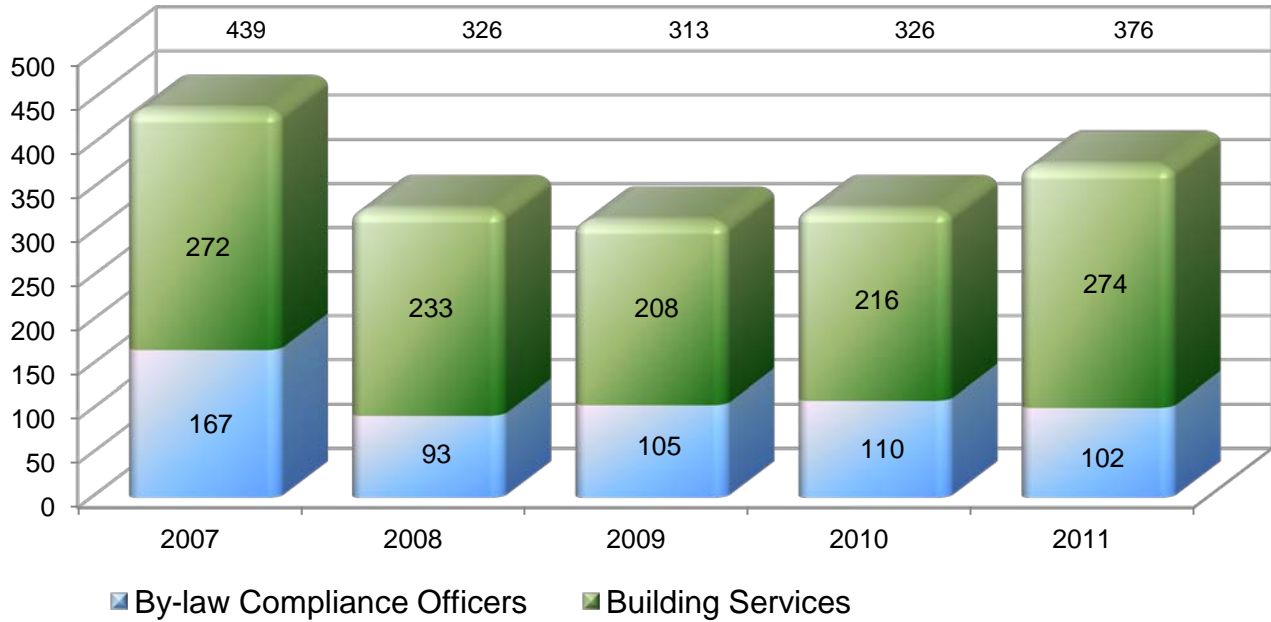


Annual Totals

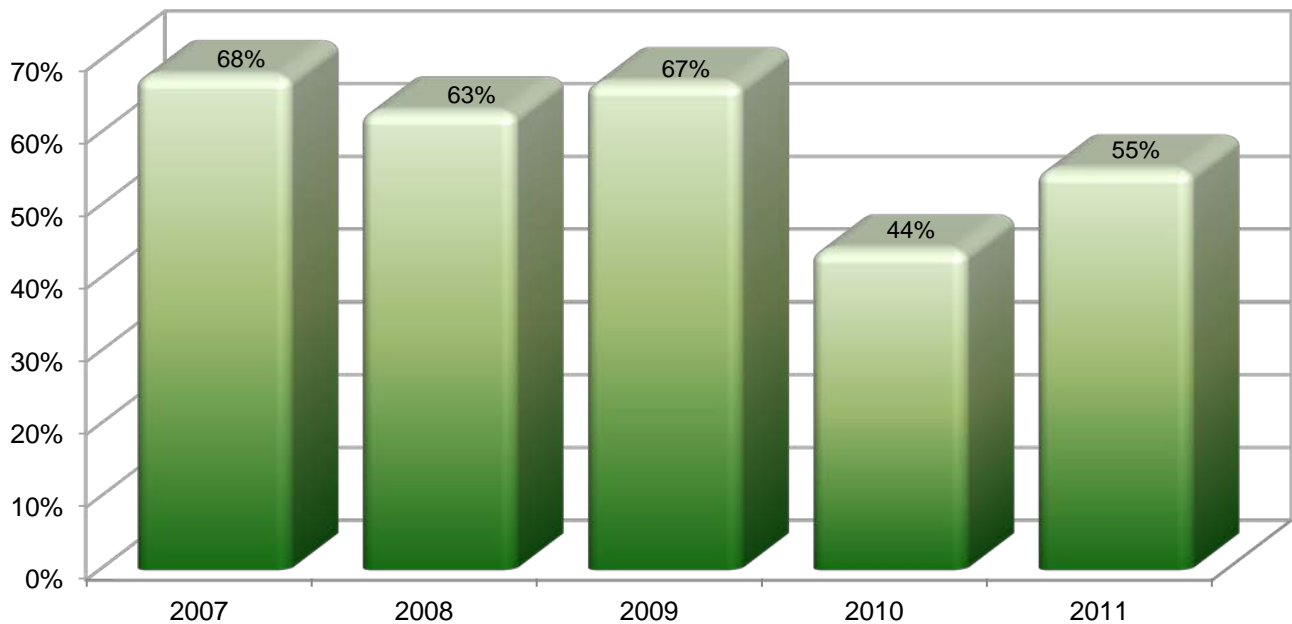


Percentage Responded to by Building Services
in 3 days or less (Service Standard)

Zoning Complaints



Annual Totals



Percentage Responded to by Building Services
in 5 days or less (Service Standard)

Code of Conduct

Code of Conduct for the Chief Building Official and Inspectors

1. Purpose

- a) to promote appropriate standards of behaviour and enforcement actions by the Chief Building Official and Inspectors in the exercise of a power or the performance of a duty under the Act or the Building Code.
- b) To prevent practices which may constitute an abuse of power, including unethical or illegal practices, by the Chief Building Official and Inspectors in the exercise of a power or the performance of a duty under the Act or the Building Code.
- c) To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under the Act or the Building Code by the Chief Building Official and Inspectors.

2. Scope

This policy applies to the Chief Building Official and all appointed Inspectors.

The Code of Conduct must provide for its enforcement and include policies or guidelines to be used when responding to allegations that the Code of Conduct has been breached and disciplinary actions that may be taken if the Code of Conduct is breached.

3. Contents

Conduct

- a) Always act in the public interest, particularly with regard to the safety and accessibility aspects of Building works and structures.
- b) Apply all relevant Building laws, codes and standards in an impartial, consistent, fair and professional manner, independent of any external influence and without regard to any personal interests.
- c) Maintain required legislated qualifications, discharging all duties in accordance with recognized areas of competency.
- d) Extend professional courtesy to all.

Breaches of the Code of Conduct

The Chief Building Official will review any allegations of breaches of this Code of Conduct made against Inspectors. Where the allegations are against the Chief Building Official, senior management of the City will review the allegations.

Disciplinary action arising from violations of this Code of Conduct is the responsibility of the City and will be based on the severity and frequency of the violation in accordance with relevant employment standards.

*There was 1 formal allegation against an Inspector in 2007 and an investigation confirmed a violation of this Code of Conduct. Appropriate actions were taken to address the situation.

COMMITTEE REPORT



TO Planning & Building, Engineering and Environment
Committee

SERVICE AREA Planning & Building, Engineering and Environment
DATE March 19, 2012

SUBJECT 148-152 Macdonell Street Brownfield Redevelopment
Community Improvement Plan – Tax Increment-Based
Grant Request

REPORT NUMBER 12-25

SUMMARY

Purpose of Report:

To seek Council’s approval of a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan for 148-152 Macdonell Street. The report identifies a total grant upset limit, and projects the pace of paying out the grant under two development scenarios.

Committee Action:

To consider staff’s recommendation to approve the applicant’s grant request; to direct staff to prepare a grant agreement; and to authorize the Mayor and Clerk to sign the agreement.

RECOMMENDATION

“THAT Planning & Building, Engineering and Environment Report 12-25 dated March 19, 2012 regarding a request for a Tax Increment-Based Grant for the property municipally known as 148-152 Macdonell Street pursuant to the Brownfield Redevelopment Community Improvement Plan be received;

AND THAT the request by Carvest Properties Ltd. for a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan be approved to an upset total limit of \$1,750,700 subject to the program details set out in Attachment 4;

AND THAT staff be directed to proceed with the finalization of a Tax Increment-Based Grant agreement with Carvest Properties Ltd. or any subsequent owner(s) to the satisfaction of the General Manager of Planning Services and the General Manager of Legal and Realty Services/City Solicitor;

AND THAT the Mayor and Clerk be authorized to sign the Tax Increment-Based Grant Agreement.”

BACKGROUND

Guelph's Brownfield Redevelopment Community Improvement Plan (CIP)

The City's Brownfield Redevelopment CIP was approved by the Minister of Municipal Affairs and Housing in March of 2004 and amended by Council on July 7, 2008. The purpose of the CIP and its financial incentive programs is to stimulate investment in remediation, reuse and redevelopment of brownfield sites that otherwise would not be redeveloped. The premise of the CIP is that City investment in the remediation and redevelopment of brownfield sites will result in proportionally greater improvements to environmental and neighbourhood conditions while creating additional tax revenues in the long-term that would not otherwise be realized if the brownfield site remained vacant or underutilized. Additional rationale for providing financial incentives to brownfield redevelopment is presented in Attachment 1.

Site Background

The subject property is known municipally as 148-152 Macdonell Street (Site). The Site also includes the property known as 16 Priory Street, a closed road allowance. The 0.32 hectare Site is within Downtown at the northwest corner of Macdonell Street and Woolwich Street (see Attachment 2).

The Site has historically been used for residential and commercial purposes, including tire and battery repair, foundry supply, offices and, most recently, as a daycare.

The Site is designated Central Business District in the Official Plan and zoned CBD.1 which permits a broad range of commercial and institutional uses and residential uses as part of a mixed-use building to a maximum of 64 units and a maximum height of 6 storeys (See Attachment 3).

The City has received an application to amend the Official Plan and Zoning By-law to permit an 18 storey building with residential 130 units and 335 m² of commercial space. Additional details can be found in Council Report 12-21, entitled 148-152 Macdonell Street Proposed Official Plan Amendment & Zoning Bylaw Amendment (Files OP1104 & ZC1114) Ward 1 and dated March 5, 2012.

REPORT

Carvest Properties Ltd. has applied for a Tax Increment-Based Grant (TIBG) pursuant to the Brownfield Redevelopment CIP for the Site to offset eligible costs associated with the remediation of contaminants in soil and groundwater beneath the Site (see Attachment 4 for program details). Under the TIBG program, the City can provide annual grants that are based on the increase in the municipal tax levy (tax increment), which is defined as the difference between pre and post-development municipal taxes for a site. Once development is complete and property value is reassessed, taxes are paid in full by the future property owner(s). Under this program, 80 percent of the municipal portion of the tax increment is issued to the applicant (or designate) as an annual grant for a maximum of 10 years or until eligible remediation costs are reimbursed. The remaining 20 per cent of the tax increment is directed to the City's Brownfield Reserve Fund and used to fund the Brownfield Redevelopment CIP programs.

Calculation of Potential Maximum Tax Increment-Based Grant (TIBG)

The calculation of the potential maximum TIBG is based on current and proposed zoning scenarios. Building the maximum permitted by the current zoning (Scenario A) would result in a maximum annual \$174,517 grant or \$1,745,165 over ten years. The maximum annual grant under the proposed development (Scenario B) is \$315,995 or \$3,159,947 over ten years. Attachment 5 provides detailed annual grant allocations and assumptions used in calculating maximum potential TIBG.

The estimates above are provided to assist Council in considering the grant request, but the ultimate tax increment and resulting grant is calculated using the actual reassessment that occurs after building permits are issued. The TIBG does not require nor presume any outcome for Carvest Properties Ltd's planning application. This report's recommendations are applicable irrespective of the ultimate planning approvals for the Site.

Eligible Costs

Carvest Properties Ltd has submitted a Remedial Work Plan that sets out the actions necessary to make the site suitable for residential development and to file a Record of Site Condition with the Ministry of the Environment. The eligible costs related to site remediation is estimated to be \$1,750,700 as outlined in Attachment 6). Staff recommend that this estimate serve as the upset limit for the TIBG since the grant cannot exceed the eligible costs.

Engineering staff have reviewed the Remedial Work Plan and are satisfied with the cost estimates provided. The applicant has proposed a proven approach to site remediation which includes excavation and off-site disposal of contaminated soil and pumping/treatment of contaminated groundwater. Upon completion of the remediation, the applicant will file a Record of Site Condition with the Ministry of the Environment.

No TIBG will be provided until remediation and redevelopment is complete and reassessment of the development phase results in an increase in assessed value.

Projected Annual Municipal Taxes and Grants

In Scenario A the remediation costs are approximately \$5,000 greater than the potential maximum so the Grant would be the potential maximum of \$1,745,165. In Scenario B, the eligible costs are less than the maximum potential grant as calculated above and the grant would be capped by the eligible costs. Larger annual grants would be paid under scenario B. Accordingly, eligible costs would be reimbursed sooner and a larger portion of taxes that could be retained by the City.

Relationship to Downtown Guelph CIP

To date the City has not received an application for financial incentives under the Downtown Guelph Community Improvement Plan (DGCIP) for 148-152 Macdonell Street, however, this reports considers the potential relationship between Brownfield TIBG and DGCIP incentive applications for Council's information.

The DGCIP was adopted in 2010 and amended on November 7, 2011. Draft Implementation Guidelines were presented to the Corporate Administration, Finance & Emergency Services Committee and are expected to be brought to Council for adoption in April 2012. The Guidelines speak to the need for coordination among Brownfield Redevelopment CIP, Downtown Guelph CIP and heritage grant programs.

The Site is within the Downtown Guelph Community Improvement Project Area, and the proposed development may be eligible for a Major Downtown Activation Grant (DAG). The Implementation Guidelines specify:

- That there can be no 'double dipping' to offset the same cost under different CIP programs;
- that the total grants pursuant to the Brownfield (including 20% Brownfield reserve contribution) and Downtown tax increment programs cannot exceed the 10-year tax increment;
- that where projects are eligible under both CIPs, they will proceed first under the Brownfield Redevelopment CIP; and
- the total grants provided to all projects in the City cannot exceed the total Brownfield, Heritage and Downtown Redevelopment Grant Program Budget.

Subject to Council approval, annual grants of up to 80% of the increment would be provided under the Brownfield TIBG until the upset limit is reached, the remaining 20% would be retained by the City. Should any of the 10-year tax increment remain after Brownfield grants are awarded and subject to council approval that amount could be available to fund Major DAGs. Unlike the Brownfield TIBG where 80% of the tax increment is available for grants, 100% of the tax increment is available to offset Major DAG eligible costs.

Recommendation and Summary

Staff recommend that Council approve Carvest Properties Ltd's application for a TIBG to an upset limit of \$1,750,700.

It should be noted that while the program would result in up to \$1,750,700 of municipal taxes being granted back to the owner over the term of the grant and that current taxpayers would have to cover the additional service costs of this growth during this period, there would be significant tax revenue generated for the City when compared to the status quo. Once the redevelopment of the site is complete and the grant period is over, the City would collect additional annual municipal taxes of \$218,146 or \$394,993 depending on the nature of the development.

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well-functioning and sustainable city

Goal 2: A healthy and safe community where life can be lived to the fullest

Goal 6: A leader in conservation and resource protection/enhancement

FINANCIAL IMPLICATIONS

The upset limit for this Brownfield TIBG agreement will be \$1,750,700, which is the estimated gross eligible cost of the brownfield redevelopment. It is only upon completion of the improvement and property reassessment (expected about three years from now) that the annual grant payments will begin, limited by the actual property tax increment collected in any given year, but the full grant commitment will be recognized at that time as a long-term liability of the City much like a debt issue. The City's total debt as a percentage of operating fund revenue would increase by about 1% in the year when the grant commitment is recognized for this project.

This agreement is one of a series of Brownfield TIBG agreements which, in turn, are part of a set of strategic incentives for heritage, brownfield, and downtown redevelopment. Financial incentives are offered to developers to encourage the City's desired type of redevelopment, but these incentives involve large grant amounts over an extended period. Although the redevelopment produces increased property assessment and tax revenue, the increased population produces increased operating costs required because of an increased need for services. As the increased tax revenue from the additional property assessment is foregone to fund the redevelopment grants, it is not available to fund increased operating costs, which must then be funded from the general tax levy during the grant period. The incremental tax levy impact is estimated to be approximately 0.02% each year for ten years under scenario A and approximately 0.04% each year for six years under Scenario B.

Brownfield TIBG agreements provide for annual grants calculated at 80% of the property tax increment and allow for contributions to the Brownfield Strategy Reserve calculated at 20% of the tax increment. This reserve is used to fund environmental study grants consistent with the parameters established in the Brownfield CIP.

Other heritage, brownfield, and downtown redevelopment agreements, whether for the same property or other properties, must be taken into consideration by the City in determining the total cost of redevelopment grants and how they can best be accommodated in the City's financial planning, ideally by restricting the total grant funding amount and timing for all these programs combined. In order to address this issue, staff are preparing a combined program budget for Heritage, Brownfield and Downtown tax increment based grants and expect to bring this to Council for consideration in spring 2012. Although it would be preferable to adopt this budget prior to Council's consideration of the 148-152 Macdonell Street Brownfield TIBG, given the time sensitivity of this application (the property owner wishes to commence remediation work in April 2012), it is considered appropriate to bring the grant request forward for consideration at this time.

DEPARTMENTAL CONSULTATION

Financial Services
Downtown Renewal

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment 1 – The Value of Brownfield Redevelopment

Attachment 2 – Location Map

Attachment 3 – Zoning Map

Attachment 4 – Tax Increment-Based Grant Program Details

Attachment 5 – Estimated Annual Tax Increment-Base Grant Payments

Attachment 6 – Remedial Work Plan - Eligible Costs

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“original signed by Richard Henry”

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Attachment 1 - The Value of Brownfield Redevelopment

Importance of Brownfield Redevelopment

The City's records indicate that there are approximately 420 potential brownfield properties within the City. Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of cleanup. Furthermore, brownfield sites pose a potential threat to the quality of Guelph's groundwater-based drinking water supply and surface waters.

The Brownfield Redevelopment CIP provides financial incentives to undertake the studies and remedial work necessary to redevelop brownfield sites and eliminate the potential negative impacts to the City's water supply and the water quality of the City's rivers, which are important for sustaining fisheries, as well as aesthetic and recreational resources.

There are a number of additional benefits to the redevelopment of brownfield sites. For example, they are often located within existing built up areas of the City where hard and soft infrastructure services are already available, and additional infrastructure expenditure will not be required to service them. The redevelopment of brownfields sites can help reduce the stigma attached to both the subject and nearby properties thereby increasing their property values. Furthermore, redevelopment can bring the long-term benefits of increased tax revenue contributing the fiscal sustainability of the City.

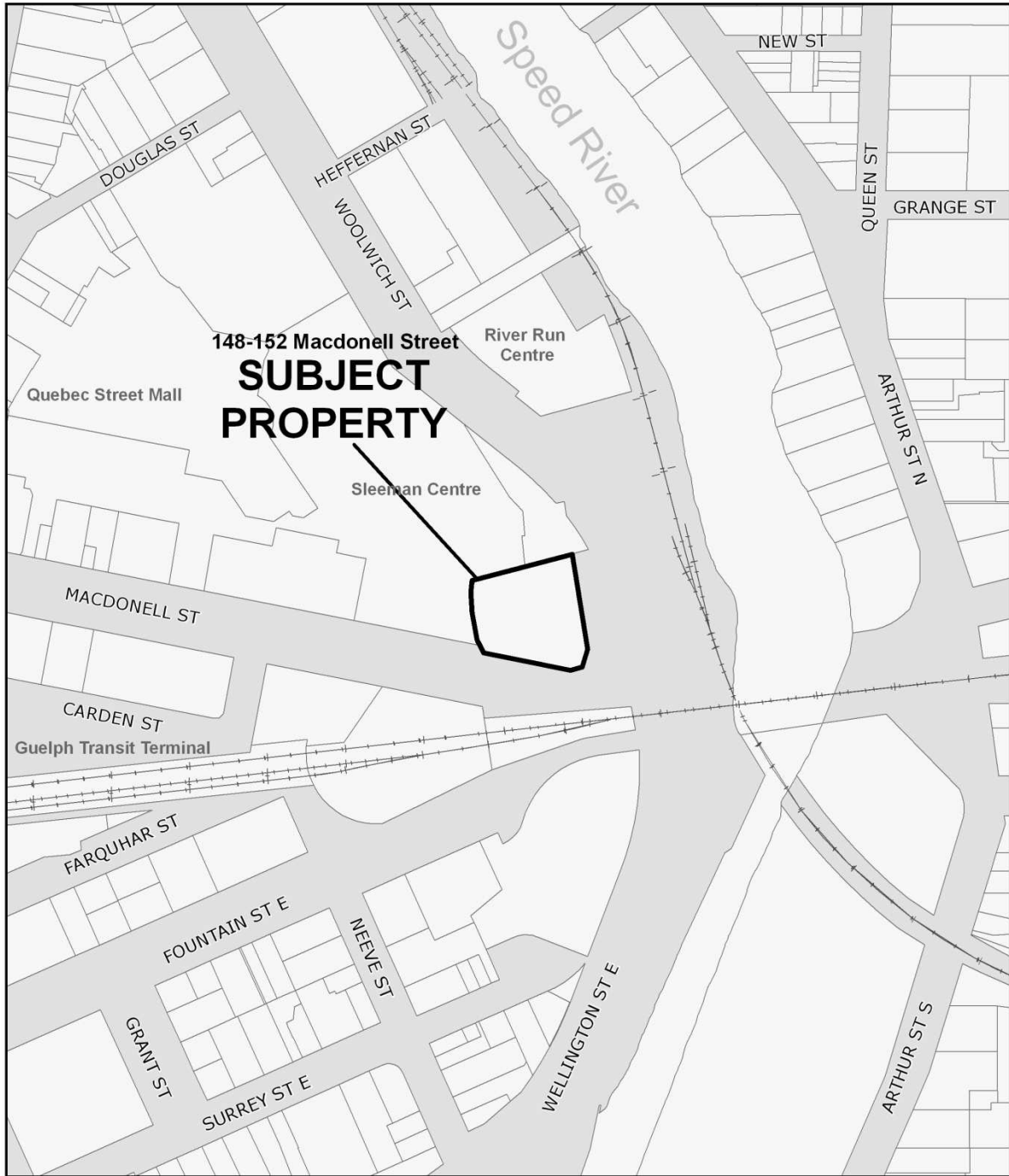
As the City moves forward with the implementation of its Growth Management Strategy, Draft Downtown Secondary Plan, Community Energy Initiative and Source Water Protection planning, the redevelopment of brownfield sites will play an increasingly important role in the achievement of the City's strategic goals and in particular the intensification targets for the built-up areas in General and the Downtown in particular.

The Value of Cleanup and Redevelopment of 148-152 Macdonell Street

Cleanup and redevelopment of the Site has several strategic benefits in addition to those listed above:

- Site is within the Urban Growth Centre (Downtown), identified as a focal point for major population and employment growth in the Official Plan
- Redevelopment will lead to the remediation of any contamination of City property that originated from the subject property
- Redevelopment from existing uses to higher density residential and commercial uses leads to increase in tax revenues
- Redevelopment will contribute to the vibrancy Downtown

Attachment 2 – Location Map



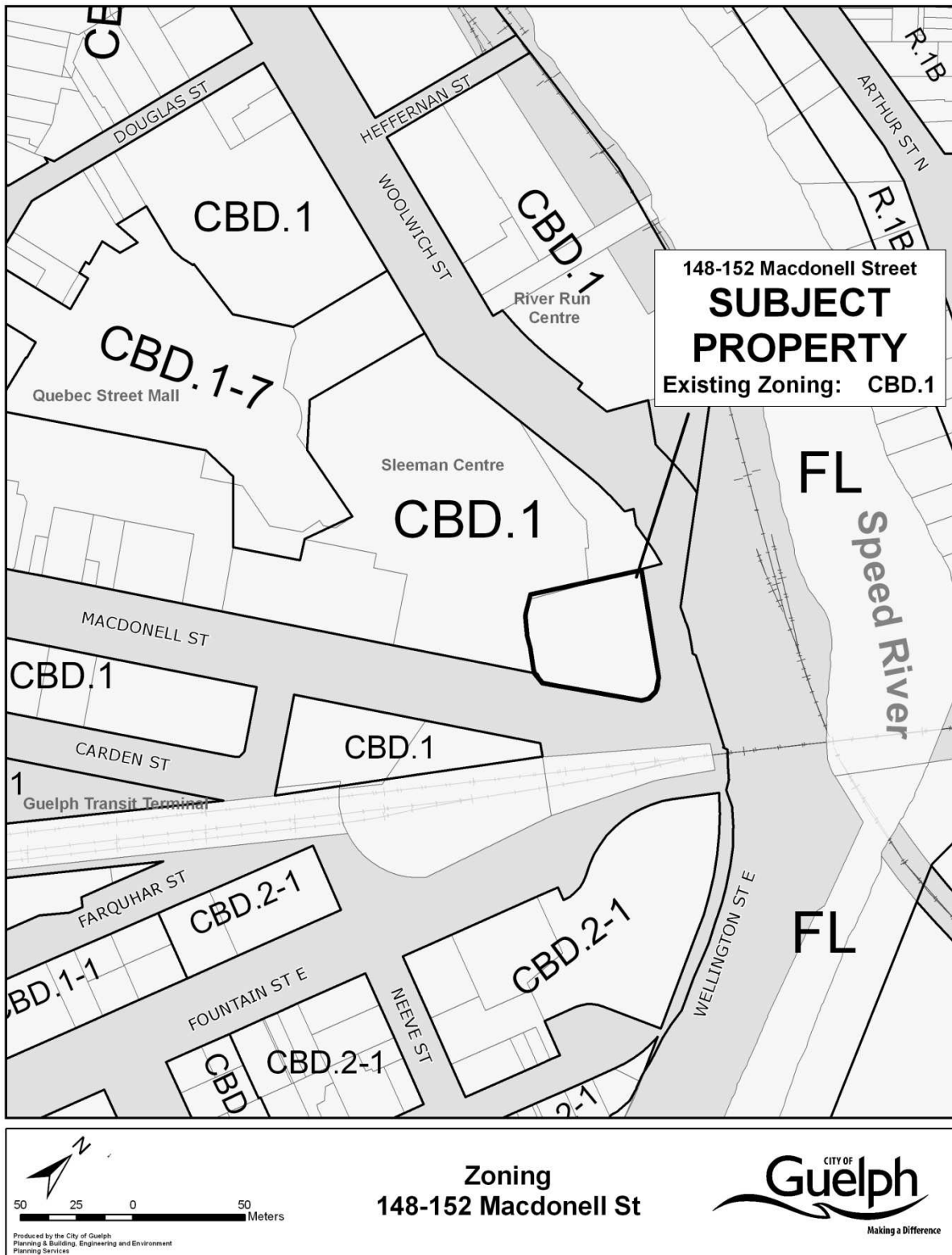
50 25 0 50 Meters

Produced by the City of Guelph
Planning & Building, Engineering and Environment
Planning Services

Location Map
148-152 Macdonell Street

CITY OF Guelph
Making a Difference

Attachment 3 – Zoning Map



Attachment 4 –Tax Increment-Based Grant Program Details Excerpted from the City of Guelph Brownfield Redevelopment Community Improvement Plan)

Schedule 2. Tax Increment-Based (or Equivalent) Grant Program

Legislative Authority:

- Section 28 of the Planning Act

Application:

- City-wide

Theme:

- Reducing financial barriers

Purpose

- To stimulate private sector investment in redevelopment
- To reimburse private sector clean-up costs without incurring debt to the municipality
- To increase the long-term municipal tax base
- To reward remediation and redevelopment of brownfield properties

Rationale:

Without redevelopment, the City would not be receiving increased tax revenue. Once the grant period ceases, the City collects the full amount of municipal taxes for the redeveloped property. To encourage lending institutions to provide site assessment and remediation loans for brownfields projects, the tax increment-based grant may be used to secure those loans through an agreement between the City, the land owner and the lending institution.

Departments:

- Finance (calculate and disburse tax rebates)
- Planning (lead: coordination)
- Legal (prepare agreements)

Priority:

- Year 1 – Prepare community improvement plan
- Year 2 - Implementation

Costs:

- Staff time
- In the event that brownfield redevelopment takes place, the municipal tax base will grow more slowly.

Details:

- Grants are based on the future increase in tax assessment and consequent increase in property tax revenues resulting from redevelopment of eligible brownfields properties. As property assessment rises, taxes payable on a property also rise. The developer will pay the increased taxes to the City as normal, and will subsequently be provided a tax increment-based grant from the Municipal portion of the increase. The total value of the grant provided under this program shall not exceed the total value of the work done under the Eligible Brownfield Rehabilitation Costs, as set out below.
- The total value of any tax increment-based grant shall not exceed the total value of work done under the Eligible Brownfield Rehabilitation Costs set out below, or shall not exceed the maximum grant time horizon of 10 years, whichever is the lesser amount. Tax increment-based grants will only be available when building permits have been issued and the assessed value of the property increases. The program is intended to encourage the remediation and redevelopment of contaminated properties.
- The total value of any tax increment-based grant shall not exceed the total value of work done under Eligible Brownfield Rehabilitation Cost as set out below, or shall not exceed the maximum grant time horizon of 10 years, whichever is the lesser amount. Tax increment-based grants will only be available when building permits have been issued and the assessed value of the property increases. This program is intended to encourage the remediation and redevelopment of contaminated properties.

Eligible Brownfield Rehabilitation Costs

Eligible costs include:

- Phase 2 Environmental Site Assessment costs
- Costs of preparing remedial work plans

- Demolition costs
- Site rehabilitation costs
- Costs of complying with the requirements of a Certificate of Property Use
- Costs of rehabilitating building contamination for projects involving re-use of existing structures.

Process

- Both the pre-construction and post-construction property assessments are established and approved by the City. The City reserves the right to obtain an independent third party to review the proposed remediation program and costing.
- Eligible Brownfield Redevelopment Costs are identified and certified;
- The owner continues to pay the property taxes for the site at its pre-construction assessment value.
- The difference between the 'pre-construction' taxes and 'post-construction' taxes (municipal portion) is calculated.
- Reassessment must result in higher assessment.
- This difference is the portion eligible for a grant to offset the Eligible Brownfield Rehabilitation Costs incurred.
- This grant is available for a set period of time set out in an agreement between the municipality and owner for a maximum of 10 years.
- Before any tax increment-based grant is issued, a Record of Site Condition must be prepared by a qualified person certifying site remediation to appropriate contaminant levels for the intended property use, as set out in the Environmental Protection Act and supporting regulations, and submitted to the City along with a copy of the Ministry of Environment's written acknowledgement.
- The tax increment-based grant can be issued to the property owner, or to whoever the grant is assigned by the owner.
- An agreement must be entered into by the property owner and the City, regarding the details of the tax increment-based grant.

Details:

- Tax increment grants will be provided in equal installments in the amount of 80% of the municipal portion of the property tax increase. The remaining twenty percent of the municipal portion of the property tax increase is paid by the property owner and allocated to a brownfields reserve account for municipal brownfield initiatives.
- The definition of vacant land will refer to the status of the property at the time of program approval. If subsequent demolition occurs the tax increment will be the difference between the assessment at the time of program approval and that following reassessment. It is the intent of this clause to avoid unnecessary demolitions and support adaptive re-use of architecture.
- Grant applications cannot be retroactively applied.
- It is the intent of this program that tax increment-based grants can be used to cover only the eligible Brownfield Redevelopment Costs exclusive of any other brownfield incentive provided.
- Applications for tax increment-based grants will be reviewed and approved by the Planning Department
- The City reserves the right to independently audit Eligible Brownfield Redevelopment Costs.
- The City and the property owner will enter into an agreement. This agreement will specify the terms of the financing; the activities which will be considered Eligible Brownfield Redevelopment Costs, the duration of the grant, the owner's obligations should the owner default on the Agreement, and any other requirements specified by the City.

Attachment 5: Estimated Tax Increment-Based Grant Payments

Year	Assessment Scenarion A					Assessment Scenario B				
	Municipal Levy	Tax Increment	Portion Retained By City ¹	Portion Granted to Applicant	% Eligible costs reimbursed	Municipal Levy	Tax Increment	Portion Retained By City ¹	Portion Granted to Applicant	% Eligible costs reimbursed
1	\$230,871	\$218,146	\$43,629	\$174,517	10%	\$407,719	\$394,993	\$78,999	\$315,995	18%
2	\$230,871	\$218,146	\$43,629	\$174,517	20%	\$407,719	\$394,993	\$78,999	\$315,995	36%
3	\$230,871	\$218,146	\$43,629	\$174,517	30%	\$407,719	\$394,993	\$78,999	\$315,995	54%
4	\$230,871	\$218,146	\$43,629	\$174,517	40%	\$407,719	\$394,993	\$78,999	\$315,995	72%
5	\$230,871	\$218,146	\$43,629	\$174,517	50%	\$407,719	\$394,993	\$78,999	\$315,995	90%
6	\$230,871	\$218,146	\$43,629	\$174,517	60%	\$407,719	\$394,993	\$224,267	\$170,727	100%
7	\$230,871	\$218,146	\$43,629	\$174,517	70%	\$407,719	\$394,993	\$394,993	\$0	100%
8	\$230,871	\$218,146	\$43,629	\$174,517	80%	\$407,719	\$394,993	\$394,993	\$0	100%
9	\$230,871	\$218,146	\$43,629	\$174,517	90%	\$407,719	\$394,993	\$394,993	\$0	100%
10	\$230,871	\$218,146	\$43,629	\$174,517	100%	\$407,719	\$394,993	\$394,993	\$0	100%
Total			\$436,291	\$1,745,165	100%			\$2,199,233	\$1,750,700	100%
Amount Available for Downtown Major Activation Grant					\$0	\$1,622,655				

Common Parameters

pre assessment	\$946,000
pre rate	1.35%
pre levy	\$12,725
eligible costs	\$1,750,700

Scenarion A parameters

post assessment	\$18,889,318 [*]
post rate	1.04% [†]
post levy	\$230,871 [‡]
tax increment	\$218,146 [§]

Scenario B Parameters

post assessment	\$38,368,928 ^a
post rate	1.04% ^b
post levy	\$407,719 ^c
tax increment	\$394,993 ^d

1 after brownfield CIP eligible costs are refunded, these funds may be available for a Downtown Major Activation Grant subject to Council approval

* residential component only (64 unit X \$368,932)
^a residential component only (130 units X \$368,932)

[†] 2012 multiple residential municipal rate
^b 2012 multiple residential municipal rate

[‡] (Residential assessment A X 1.04%) + (17,315 sq. ft. X \$1.94 per sq. ft.)
^c Residential assessment B*1.04%) + (3,605 sq. ft. X \$1.94 per sq. ft.)

[§] (Post assessment A) - (Pre assessment)
^d (Post assessment B) - (Pre assessment)

Attachment 6: Remedial Work Plan - Eligible Costs

<u>Type of Work</u>	<u>Estimated Cost</u>
Site Preparation	\$609,500
Remedial Activities	\$1,077,000
Post-Remediation Groundwater Monitoring Program	\$62,300
Record of Site Condition Submission	\$1,900
Total	<u>\$1,750,700</u>