

# City Council Meeting Agenda



**March 26, 2017 – 5:30 p.m.**  
**Council Chambers, Guelph City Hall, 1 Carden Street**

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## **Authority to move into closed meeting**

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

### **Confirmation of Minutes for the closed Council meetings held February 26 and 27, 2018.**

#### **Public Appointment to Guelph Public Library Board of Directors**

Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees.

**IDE-2018-43**

#### **Hanlon Creek Business Park – Potential Disposition of Real Estate**

Section 239 (2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board.

## **Open Meeting – 6:30 p.m.**

### **Closed Meeting Summary**

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

### **Confirmation of Minutes:** (Councillor Salisbury)

That the minutes of the open Council Meetings held February 12, 21, 26 and 27, Council Development Charges Complaint Hearing held January 22, 2018, Committee of the Whole meeting held March 5, 2018, and Council as Shareholder of GMHI meeting held March 5, 2018 be confirmed as recorded and without being read.

## **Committee of the Whole Consent Report:**

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

### **IDE-2018.32                    2017 Annual & Summary Water Services Report**

#### **Recommendation:**

That Guelph City Council approves the 2017 Annual & Summary Water Services Report.

### **IDE-2018.28                    Municipal Class Environmental Assessment Reform**

#### **Recommendation:**

That the Mayor be directed to send a letter to the Minister of the Environment and Climate Change (MOECC) requesting that:

- a. the response process for Part II Orders or 'Bump-Up requests' be expedited, as part of the s.61 review to improve MCEA process times and reduce study costs;
- b. changes to better integrate and harmonize the MCEA process with processes defined under the Planning Act be supported;
- c. the scope of MCEA reports and studies be amended to reduce duplication with existing public processes and decisions made under municipal Official Plans and provincial legislation.

### **IDE-2018.26                    Sign By-Law Variance - 392 Silvercreek Parkway North**

#### **Recommendation:**

1. That the request for a variance from Table 1, Row 1 of Sign By-law Number (1996)-15245, as amended, to permit a total sign face area of 27.86m<sup>2</sup> on the west building face of 392 Silvercreek Parkway North, be approved.
2. That the request for a variance from Table 1, Row 6 of Sign By-law Number (1996)-15245, as amended, to permit a building sign with an area of 9.75m<sup>2</sup> to be located on the first storey of a building face fronting an adjacent property at a distance of 3.5m from the property line of 392 Silvercreek Parkway North, be approved.

### **IDE-2018.27                    Sign By-Law Variance - 848 Gordon Street**

#### **Recommendation:**

That the request for variances from Table 2, Row 5 of Sign By-law Number (1996)-15245, as amended, to permit a non-illuminated freestanding sign with a

height of 3.15m above the adjacent roadway and sign face area of 3.84m<sup>2</sup> on the property of 848 Gordon Street, be approved.

**IDE-2018.36      Parking Technology Selection and Implementation Metrics Study**

**Recommendation:**

1. That the Parking Technology Selection and Implementation Metrics Study dated January 2018, prepared by CIMA+ Canada Limited, be approved.
2. That staff operationalize a set of performance based parking metrics to provide reliable data with which to measure the performance of the parking operation, based upon the metrics identified in Table 1: Proposed Parking Metrics of this report.
3. That staff establish a mechanism to review at established intervals the performance metrics of the parking system and work in partnership with the Downtown Advisory Committee when recommending any changes to parking policy and pricing.
4. That staff work with the Downtown Advisory Committee to create an implementation plan which addresses the key elements raised by stakeholders in the Stakeholder Survey.
5. That the implementation of the new on-street paid parking technology be scheduled for Fall 2019, following the opening of the Wilson Street Parkade.

**IDE-2018.18      Commercial Policy Review: Vision and Principles**

**Recommendation:**

That the Commercial Policy Review vision and principles be approved as outlined in report IDE-2018-18.

**IDE-2018.03      City Initiated Official Plan Amendment for Affordable Housing**

**Recommendation:**

That staff be directed to initiate an amendment to the Official Plan to reflect the Council approved Affordable Housing Strategy.

**IDE-2018.31      Sewer Abatement and Leak Forgiveness Credits Policies**

**Recommendation:**

1. That the March 5, 2018 report of the Deputy CAO of Infrastructure, Development and Enterprise entitled "Sewer Abatement Credit and Leak Forgiveness Credits Policies" be approved.

2. That the staff recommended Sewer Abatement Credit Policy be approved for implementation on July 1, 2018 as outlined in Attachment 1 to this report.
3. That the staff recommended Leak Forgiveness Credit Policy be approved for implementation on April 1, 2018 as outlined in Attachment 2 to this report.
4. That Council approve amendment to the Water and Wastewater Fees and Charges By-law Number (2017-20224) as outlined in Attachment 3 to this report.

**CS-2018.33 Code of Conduct for Members of Council and Local Boards - Update**

**Recommendation:**

That the revised Code of Conduct for Members of Council and Local Boards, included as ATT-1 to the report titled Code of Conduct for Members of Council and Local Boards – Update and dated March 5, 2018, be approved.

**CS-2018.36 Procedural By-Law Update**

**Recommendation:**

That the proposed Procedural By-law, included as ATT-1 to the report titled Procedural By-law Update, dated March 5, 2018, be approved, as amended, and that By-Law (2016)-20087 be repealed.

**CS-2018.02 Procurement By-Law Update**

**Recommendation:**

That report CS-2018-02 Procurement By-law Update be approved and adopted by by-law.

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**Council Consent Agenda:**

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

**CS-2018-35 2018 Development Charge Study: Area-Specific Rating Consideration**

**Recommendation:**

That the City continue to calculate development charges using a citywide rate and not pursue area-specific development charges in the 2019 Development Charge By-law.

## Special Resolutions

### By-laws

Resolution to adopt the By-laws (Councillor Van Hellemond).

By-law Number (2018)-20258	A by-law to amend By-law Number (2013)-19529, as amended, being a by-law to delegate authority pursuant to the Municipal Act. (Add Schedule "HH" - to Represent, Negotiate and Legally Bind the City of Guelph in Property Assessment or Property Taxation Appeals' Schedule "II" - to Vest in Property After a Failed Tax Sale; Schedule "JJ" - to file taxation/assessment Municipal Act applications or Request for Reconsideration or appeals with the Assessment Review Board; and Schedule "KK" - to sign any document related to collection of property taxes and property assessment related issues.)
By-law Number (2019)-20259	A By-law to provide for the procurement of goods and services by The Corporation of the City of Guelph.
By-law Number (2018)-20260	A By-law to provide rules for governing the order and procedures of the Council of the City of Guelph, and to repeal By-law Number (2016)-20087

### Mayor's Announcements

Please provide any announcements, to the Mayor in writing, by 12 noon on the day of the Council meeting.

### Notice of Motion

### Adjournment



**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
February 12, 2018 at 6:30 p.m.**

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**Attendance**

Council: Mayor C. Guthrie  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor D. Gibson  
Councillor J. Gordon

Councillor J. Hofland  
Councillor M. MacKinnon  
Councillor L. Piper  
Councillor M. Salisbury  
Councillor K. Wettstein

Absent: Councillor P. Allt  
Councillor A. Van Hellemond

Staff: Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise  
Mr. T. Lee, Deputy CAO of Corporate Services  
Mr. J. Krauter, Manager, Taxation and Revenue / Deputy City Treasurer  
Mr. I. Panabaker, Corporate Manager, Downtown Renewal  
Ms. K. Nasswetter, Senior Development Planner  
Mr. T. Donegani, Policy Planner  
Ms. T. Agnello, Deputy City Clerk  
Mr. D. McMahon, Council Committee Coordinator

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**Call to Order (6:30 p.m.)**

Mayor Guthrie called the meeting to order.

**Mayor's Announcements**

Mayor Guthrie recognized the retirement of Tina Agnello, Deputy City Clerk, and acknowledged her contributions to the City of Guelph.

Mayor Guthrie recognized Ian Panabaker, Corporate Manager, Downtown Renewal, and acknowledged his contributions to the City of Guelph.

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

**Planning Public Meeting**

Mayor Guthrie announced that in accordance with The Planning Act, Council is now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to the planning matters listed on the agenda.

Katie Nasswetter, Senior Development Planner, presented the 120-122 Huron Street - Proposed Zoning By-law Amendment which includes the redevelopment of an existing four storey building into an 86 unit apartment building and the development of 96 stacked and cluster townhouses, for a total of 182 residential units. The applicant is requesting to rezone the subject lands from B.4-1 (Specialized Industrial) to R.4A (Specialized Apartment Residential). Specialized zoning regulations to permit stacked and cluster townhouses, a minimum front yard of 2 metres, a minimum exterior side yard of 4.5 metres, a minimum rear yard of 5 metres, and a common amenity area of 1800 square metres, are also being requested.

Chris Pidgeon, GSP Group, speaking on behalf of the applicant, outlined the history and size of the subject property including an exemption to the City Tree Protection By-law, remediation of the brownfield site, existing heritage building and the potential for a parkette across the street. In addition, Mr. Pidgeon showed conceptual designs for the development and indicated that an informal neighbourhood meeting was held with area residents in November, 2017.

Mitch Faskin, on behalf of the applicant, discussed the heritage character of the existing building.

Jason and Melissa Fleming, area residents, expressed concerns about the narrow streets surrounding the proposed development, parking and traffic resulting from new residential units, and the noise and dust caused by construction and HVAC systems.

Joan Fenlon, area resident, showed pictures of Oliver Street to demonstrate how narrow it is and indicated that additional traffic would exacerbate existing parking and safety problems.

Yvette Tendick indicated that she did not support the reduced front yard setback request because it did not leave enough room to grow mature trees or to keep sidewalks a safe distance from the road.

David Larson, area resident, indicated his street was very narrow and could not accommodate additional traffic.

Mandie Hiscocks, area resident, asked questions about the affordability of the proposed units.

The following delegate was not present:  
Patrick Sheridan

1. Moved by Councillor Piper  
Seconded by Councillor Gibson

That Report IDE 2018-09 from Infrastructure, Development and Enterprise dated February 12, 2018 regarding a proposed Zoning By-law Amendment application (ZC1709) from GSP Group Inc. on behalf of 120 Huron GP Inc. to permit a residential development on the property municipally known as 120-122 Huron Street and legally described as Part of Lots 1 & 2, Range 2, Division F, City of Guelph and Part 1 of 61R-4274, be received.

**Voting in Favour:** Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury and Wettstein (11)

**Voting Against:** (0)

Carried

## Items for Discussion

Councillor Gibson left at 8:27 p.m.

### **IDE 2018-14                    2018 Development Priorities Plan Summary**

The following delegates spoke regarding this item:  
Susan Watson

2.        Moved by Councillor Hofland  
          Seconded by Councillor Bell

That Council approve a 2018 target for the draft approval of 286 housing units and the potential for registration of 1014 housing units within plans of subdivision in accordance with the 2018 Development Priorities Plan.

**Voting in Favour:** Mayor Guthrie, Councillors Bell, Billings, Downer, Gordon, Hofland, MacKinnon, Piper and Wettstein (9)

**Voting Against:** Councillor Salisbury (1)

Carried

### **IDE-2018-01                    Downtown, Brownfield and Heritage Grant Performance Monitoring: 2012-2017 and Potential CIP Review Directions**

Ian Panabaker, Corporate Manager, Downtown Renewal, presented the Downtown, Brownfield and Heritage Grant Performance Monitoring: 2012-2017 and Potential CIP Review Directions.

Councillor Billings left the meeting at 10:10 p.m.

3.        Moved by Councillor Piper  
          Seconded by Councillor Wettstein

That Council receive report # IDE-2018-01 titled 'Downtown, Brownfield and Heritage Grant Performance Monitoring: 2010-2017' and Potential CIP Review Directions'.



**Voting in Favour:** Mayor Guthrie, Councillors Bell, Downer, Gordon, Hofland, MacKinnon, Piper, Salisbury and Wettstein (9)

**Voting Against:** (0)

Carried

### **By-laws**

4. Moved by Councillor Gordon  
Seconded by Councillor Bell

That By-laws Numbered (2018)-20245 to (2018)-20247, inclusive, are hereby passed.

**Voting in Favour:** Mayor Guthrie, Councillors Bell, Downer, Gordon, Hofland, MacKinnon, Piper, Salisbury and Wettstein (9)

**Voting Against:** (0)

Carried

### **Adjournment** (10:28 p.m.)

5. Moved by Councillor Bell  
Seconded by Councillor Gordon

That the meeting be adjourned.

Carried

Minutes to be confirmed on March 26, 2018.

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Mayor Guthrie

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Stephen O'Brien - City Clerk



**Minutes of Special Guelph City Council Meeting  
Held in the Council Chambers, Guelph City Hall on  
February 21, 2018 at 6:00 p.m.**

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**Attendance**

Council: Mayor C. Guthrie  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer

Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. Salisbury  
Councillor K. Wettstein

Absent: Councillor P. Allt  
Councillor D. Gibson  
Councillor M. MacKinnon

Councillor L. Piper  
Councillor A. Van Hellemond

Staff: Mr. D. Thomson, Chief Administrative Officer  
Mr. T. Lee, Deputy CAO of Corporate Services  
Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise  
Ms. T. Baker, General Manager, Finance / City Treasurer  
Ms. C. Gregson, Senior Corporate Analyst, Financial Strategy  
Ms. T. Agnello, Deputy City Clerk

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**Call to Order** (6:00 p.m.)

Mayor Guthrie called the meeting to order.

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

**Special Council Workshop - Development Charges Study Kick-Off and Policy Update**

Tara Baker, General Manager, Finance / City Treasurer provided a summary of the process and next steps.

Gary Scandlan, Director, Watson and Associates Economists Ltd. provided Council with a presentation that included the following:

- Development charges overview and update on legislated changes to the Development Charges Act
- Development charges study schedule
- External stakeholder team
- Local Service Policy and implications of the proposed changes
- Policy discussions
- Growth target assumptions

Councillor Gordon left the meeting at 7:45 p.m.

**Adjournment** (8:18 p.m.)

Moved by Councillor Bell  
Seconded by Councillor Salisbury

That the meeting be adjourned.

Carried

Minutes to be confirmed on March 26, 2018.

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Mayor Guthrie

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Tina Agnello – Deputy City Clerk



**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
Monday, February 26, 2018 at 5:01 p.m.**

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**Attendance**

Council: Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor D. Gibson  
Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. Salisbury  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Absent: Councillor M. MacKinnon  
Councillor L. Piper

Staff: Mr. S. O'Brien, City Clerk  
Ms. D. Black, Council Committee Coordinator

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**Call to Order (5:00 p.m.)**

Mayor Guthrie called the meeting to order.

Councillors Billings, Downer, Gibson, Gordon and Wettstein arrived at the meeting.  
(5:02 p.m.)

**Authority to Resolve into a Closed Meeting of Council**

1. Moved by Councillor Bell  
Seconded by Councillor Van Hellemond

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b), (d), (e) and (f) of the Municipal Act with respect to personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, Salisbury, Van Hellemond and Wettstein (11)

**Voting Against:** (0)

Carried

**Closed Meeting (5:04 p.m.)**

The following matters were considered:

**Minutes – Council Closed Session - December 11 and 13, 2017**  
**IATSE Bargaining Mandate**  
**Guelph Professional Firefighters Association Bargaining Mandate**

**Solid Waste Contract Update**  
**CAO-2018-03 Agreements with Guelph Soccer Inc. and Guelph Community Sports**

**Rise and recess from Closed Meeting (6:26 p.m.)**

Council recessed.

**Open Meeting (6:34 p.m.)**

**Attendance**

Council: Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor D. Gibson  
Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. MacKinnon  
Councillor L. Piper  
Councillor M. Salisbury  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Staff: Mr. D. Thomson, Chief Administrative Officer  
Ms. C. Clack, Deputy CAO of Public Services  
Mr. T. Lee, Deputy CAO of Corporate Services  
Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise  
Ms. B. Swartzentruber, Executive Director, Strategy Innovation Intergovernmental Services  
Ms. C. Kennedy, Manager, Policy and Intergovernmental Relations  
Mr. A. Chapman, Manager, Climate Change Office  
Mr. T. Salter, General Manager, Planning Urban Design and Building Services  
Mr. M. Petricevic, General Manager, Facilities Management  
Mr. S. O'Brien, City Clerk  
Ms. D. Black, Council Committee Coordinator

Mayor Guthrie called the meeting to order.

The anthem was performed by Edward Johnson Public School Choir

Councillor MacKinnon arrived at the meeting. (6:39 p.m.)

Councillor Piper welcomed the 27th Guelph Girl Guides/Pathfinders in attendance as part of their program.

**Closed Meeting Summary**

Mayor Guthrie spoke regarding the matters addressed in closed and identified the following:

**Minutes – Council Closed Session – December 11 and 13, 2017**

These minutes were adopted by Council.

### **IATSE Bargaining Mandate**

Staff were given direction on this matter.

### **Guelph Professional Firefighters Association Bargaining Mandate**

Staff were given direction on this matter.

### **Solid Waste Contract Update**

Information was received and no direction was given.

### **CAO-2018-03      Agreements with Guelph Soccer Inc. and Guelph Community Sports**

Staff were given direction on this matter.

The Mayor read a statement regarding the IATSE and Guelph Professional Firefighters Association Bargaining Mandates.

### **Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

### **Confirmation of Minutes**

2. Moved by Councillor Hofland  
Seconded by Councillor Allt

That the minutes of the Council Meetings held December 11 and 13, 2017; January 29 and February 13, 2018 and the Committee of the Whole meetings held December 4, 2017 and February 5, 2018 be confirmed as recorded and without being read.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

**Voting Against:** (0)

Carried

### **Committee of the Whole Consent Reports**

3. Moved by Councillor MacKinnon  
Seconded by Councillor Gibson

That the balance of the February 26, 2018 Committee of the Whole Consent Report as identified below, be adopted:

### **CS-2018-04      Delegation of Authority - Property Assessment and Taxation**

1. That pursuant to Section 23.1(1) of the Municipal Act, By-law (2013)-19529 be amended by adding Schedule "HH" to provide staff the authority to represent, negotiate and legally bind the City in property assessment or property taxation appeals, as set out in Attachment 1 to the February 5, 2018 Report CS-2018-04 entitled Delegation of Authority - Property Assessment and Taxation.

2. That pursuant to Section 23.1(1) of the Municipal Act, By-law (2013)-19529 be amended by adding Schedule "II" to provide staff the authority to vest in property after a failed tax sale, as set out in Attachment 2 to the February 5, 2018 Report CS-2018-04 entitled Delegation of Authority - Property Assessment and Taxation.
3. That pursuant to Section 23.1(1) of the Municipal Act, By-law (2013)-19529 be amended by adding Schedule "JJ" to provide staff the authority to file taxation/assessment Municipal Act applications, or Request for Reconsiderations or appeals with the Assessment Review Board, as set out in Attachment 3 to the February 5, 2018 Report CS-2018-04 entitled Delegation of Authority - Property Assessment and Taxation.
4. That pursuant to Section 23.1(1) of the Municipal Act, By-law (2013)-19529 be amended by adding Schedule "KK" to provide staff the authority to sign and execute documents related to property assessment and taxation, as set out in Attachment 4 to Report CS-2018-04 entitled Delegation of Authority – Property Assessment and Taxation.

**CS-2018-05          2018 Tax Bill Layout**

1. That the City continues the practice of identifying the Dedicated Infrastructure Levy separately on the 2018 City tax bill.
2. That the insert included with the 2018 City tax bill illustrate detailed information regarding the Dedicated Infrastructure Levy and total capital contributions from the operating budget.

**PS-2018-02          The Elliott Community – Consent to Obtain External Financing**

1. That staff be directed to authorize The Elliott Community to move forward with obtaining external financing in the amount of \$2,000,000.
2. That staff be authorized to enter into an agreement with an external loan provider to guarantee The Elliott Community's loan in the amount of \$2,000,000.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

**Voting Against:** (0)

Carried

**Items for Discussion**

**CAO-2018-02          Participation in the Global Covenant of Mayors for Climate & Energy**

Barbara Swartzentruber, Executive Director, Strategy Innovation Intergovernmental Services, provided an overview of the Global Covenant of Mayors for Climate and Energy and the City's Climate and Energy activities.

Alex Chapman, Manager, Climate Change Office provided details of the purpose of the program, the City's involvement level, the benefits and opportunities of joining the Global Covenant of Mayors for Climate and Energy and the terms of commitment.

Barbara Swartzentruber provided information regarding the purpose of the Global Mayors Summit and outlined next steps.

4. Moved by Councillor MacKinnon  
Seconded by Councillor Hofland

1. That the Mayor be authorized to sign and submit the Letter of Commitment as outlined in Attachment 2 of Report CAO-2018-02, to participate on the Global Covenant of Mayors for Climate & Energy.
2. That the Mayor be authorized to sign the 'Change for Climate - Edmonton Declaration' at the Global Mayors Summit occurring between March 5-7 in Edmonton, Alberta, as conveyed in Attachment 3 of Report CAO-2018-02 titled "Participation in the Global Covenant of Mayors for Climate & Energy".

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

**Voting Against:** (0)

Carried

**IDE-2018-20                      Protecting Water for Future Generations, Growing the Greenbelt in the Outer Ring, Public Consultation Document**

**Presentation:**

Todd Salter, General Manager, Planning, Urban Design, and Building Services provided an overview of the Protecting Water for Future Generations, Growing the Greenbelt in the Outer Ring, Public Consultation Document.

**Delegations:**

The following person spoke to this item:

Hugh Whiteley

5. Moved by Councillor Downer  
Seconded by Councillor Billings

That Report IDE 2018-20 entitled 'Protecting Water for Future Generations, Growing the Greenbelt in the Outer Ring, Public Consultation Document' dated February 26, 2018, be endorsed and submitted to the Ministry of Municipal Affairs as the City's response to the provincial consultation on the Protecting Water for Future Generations, Growing the Greenbelt in the Outer Ring, Public Consultation Document.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

**Voting Against:** (0)

Carried



## By-laws

- Moved by Councillor MacKinnon  
Seconded by Councillor Van Hellemond

That By-laws Numbered (2018) - 20248 to (2018) - 20251, inclusive, are hereby passed.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

**Voting Against:** (0)

Carried

## Mayor's Announcements

The Mayor thanked Councillors Hofland, Downer and Piper for organizing and hosting the Women's Campaign School that took place on Saturday, February 24<sup>th</sup> and thanked them for their work.

## Adjournment (8:10 p.m.)

- Moved by Councillor Piper  
Seconded by Councillor Bell

That the meeting be adjourned.

Carried

Minutes to be confirmed on March 26, 2018.

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Mayor Guthrie

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Stephen O'Brien - City Clerk



**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
Tuesday, February 27, 2018 at 6:01 p.m.**

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**Attendance**

Council: Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. MacKinnon  
Councillor L. Piper  
Councillor M. Salisbury  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Absent: Councillor D. Gibson

Staff: Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise  
Mr. T. Salter, General Manager Planning Urban Design Building Services  
Mr. C. Devriendt, Manager, Development Planning  
Mr. D. Mast, Associate Solicitor  
Ms. K. Nasswetter, Senior Development Planner  
Ms. T. Agnello, Deputy Clerk  
Ms. D. Tremblay, Council Committee Coordinator

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**Call to Order (6:01 p.m.)**

Mayor Guthrie called the meeting to order.

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

**Planning Public Meeting**

Mayor Guthrie announced that in accordance with The Planning Act, Council is now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to the planning matters listed on the agenda.

**IDE -2018-16 Statutory Public Meeting Report – 75 Dublin Street North  
Proposed Official Plan Amendment (File: OP1706)**

Ms. Katie Nasswetter, Senior Development Planner presented the 75 Dublin Street - Proposed Official Plan Amendment which permits a maximum building height of four storeys. The applicant is proposing a five storey apartment building and the official Plan Amendment is required because the site is permitted a maximum building height of four storeys.

Ms. Astrid Clos, speaking on behalf of the applicant, outlined the proposed Official Plan Amendment request, including the history of the previous application which is currently before the OMB, a summary of the applicant's previous affordable housing development in the City, and summary of the proposed building height, design and

set-backs. She provided clarification regarding the applicant's requirement for 5 storeys in relation to affordable housing and the results of the shadow study.

Councillor Salisbury arrived at 6:15 p.m.

Mr. Scott Snider, Solicitor, speaking on behalf of the applicant, summarized the applicant's measures in securing of the affordable housing component by use of the amendment to the Official Plan. He summarized the differences between the proposed amendment and the as of right permitted under the current zoning by-law.

Ms. Jennifer Passy, Manager Planning, Upper Grand District School Board and Mr. Alan Heisey, Legal Counsel, speaking on behalf of the Upper Grand District School Board summarizing the school boards concerns including that the current application including that no additional information with the exception of the applicants suggestion of a holding under the zoning be permitted. Mr. Heisey expressed concerns regarding the official plan amendment requirement for affordable housing, continued concerns regarding height and shadows. Mr. Heisey, indicated that suggested that the result of the OMB decision should be taken into consideration before moving forward with this new Official Plan Amendment request.

Dr. Christine Main, expressed her opposition to the proposed amendment.

Ms. Anne Gajerski-Cauley, a resident of the downtown area, expressed concerns regarding the loss of the historical characteristics of the downtown.

Ms. Catherine Killen, area resident, expressed her opposition to the proposal, including the loss of green space, the shade resulting from the height of a 5 storey structure and requested that the city take into consideration alternative solutions.

Mr. Ian Flett, Solicitor, speaking on behalf of the Guelph Old City Resident's Association Inc., expressed his client's concerns including loss of cultural heritage landscape, and supported the consideration of a land swap for the site to be used as greenspace.

Ms. Elizabeth Macrae, expressed her concerns, regarding the loss of the views of catholic hill.

Ms. Melissa Dean, expressed her concerns including the loss of the views of catholic hill, and the affordable housing request of the application and provided a summary of the maximum housing allowance for both OW and ODSP recipients.

Mr. John Parkyn, expressed his opposition to the current application including loss of views of catholic hill, height of the proposed development and lack of park land in the downtown area.

Mr. Declan Anderson, a second year landscape architecture student, provided council with a visual presentation of parkland on the proposed development site.

Ms. Elizabeth Mulkins, an area resident, stated that she is in support of social housing and greenspace initiatives and expressed concerns regarding shading of the proposed development and the need for sunshine.

Ms. Corinne Maloney, an area resident and a business owner, expressed concerns regarding the proposals request for additional set-backs and height amendments, the lack of exterior landscape space, the potential of increased parking concerns, privacy of school yard children and the development competing with the view of the basilica.

Mr. Luke Weiler, an area resident, expresses concerns regarding loss of cultural and heritage landscape of the area. He provided a summary of drumlins fields in the downtown area and expressed concerns on effect the cultural landscape of the area.

Ms. Glynis Logue, an area resident, expressed concerns regarding increased shadows resulting from the height of the proposed building, the potential impact on the school yard and lack of park space in the downtown area.

Council recessed at 8:51 pm  
Council resumed at 9:08 pm

Ms. Karen McNabb, a teacher at Central School, expressed concerns regarding the lack of green and play space for the students.

Ms. Kathryn Folkl, expressed concerns regarding the proposal and was in support of park space for the property.

Mr. Michael Grand, an area resident, expressed concerns regarding the loss of heritage buildings and heritage landscape in the downtown area.

Ms. Susan Watson, a resident, summarized that the school board was unable to purchase the lands given their policy restrictions and encouraged the city to purchase the lands to increase green space.

Mr. Eric Lion, a resident, stated he was in support of green space.

Ms. Jennifer Jepp, expressed concerns for the proposal and was in support of greenspace.

Mr. Roger Johnston, a resident, questioned as to what is required for an application to have the city use their funds to purchase land for park land purposes.

Ms. Susan Ratcliffe, a resident, expressed concerns regarding the amount of tax dollars spent on the OMB appeal. She summarized the heritage restoration works the Lammer family for Guelph's heritage, the work the City is Cultural Heritage landscape plans and was in support of the city acquiring the property for parkland in recognition of the lamer family's heritage efforts and the in exchange the lamer family could continue their social housing efforts in working with St. Andrew's church and their yarmouth street properties.

**IDE -2018-16      Statutory Public Meeting Report – 75 Dublin Street North  
Proposed Official Plan Amendment (File: OP1706)**

1. Moved by Councillor MacKinnon  
Seconded by Councillor VanHellemond

That Report IDE 2018-16 from Infrastructure, Development and Enterprise Services dated February 27, 2018, regarding a proposed Official Plan Amendment application (OP1706) from Astrid J. Clos Planning Consultants on behalf of Rykur Holdings Inc. to permit a five-storey residential development on the property municipally known as 75 Dublin Street North and legally described as All of Lot 1051, Part of Lot 1052, Registered Plan 8, City of Guelph, be received.

### **Authority to Resolve into a Closed Meeting of Council**

2. Moved by Councillor Hofland  
Seconded by Councillor Allt

That Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239(e) and (f) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

### **Closed Meeting (9:47 pm)**

The following matter was considered:

#### **IDE -2018-16 Statutory Public Meeting Report – 75 Dublin Street North Proposed Official Plan Amendment (File: OP1706)**

Rise from Closed meeting (9:55 pm)

### **Open Meeting (9:58 p.m.)**

Mayor Guthrie called the meeting to order.

### **Closed Summary**

Mayor Guthrie spoke regarding the matters addressed in closed and identified the following:

#### **IDE -2018-16 Statutory Public Meeting Report – 75 Dublin Street North Proposed Official Plan Amendment (File: OP1706)**

Information was received and no direction given.

Council resumed discussion regarding Statutory Public Meeting Report – 75 Dublin Street North Proposed Official Plan Amendment (File: OP1706)

3. Moved by Councillor MacKinnon  
Seconded by Councillor VanHellemond

That Report IDE 2018-16 from Infrastructure, Development and Enterprise Services dated February 27, 2018, regarding a proposed Official Plan Amendment application (OP1706) from Astrid J. Clos Planning Consultants on behalf of Rykur Holdings Inc. to

permit a five-storey residential development on the property municipally known as 75 Dublin Street North and legally described as All of Lot 1051, Part of Lot 1052, Registered Plan 8, City of Guelph, be received.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gordon, Hofland, MacKinnon, Piper, Van Hellemond and Wettstein (11)

**Voting Against:** Councillor Salisbury (1)

Carried

**Adjournment** (10:33 p.m.)

4. Moved by Councillor Bell  
Seconded by Councillor Gordon

That the meeting be adjourned.

Carried

Minutes to be confirmed on Monday, March 26, 2018.

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Mayor Guthrie

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Tina Agnello- Deputy Clerk



**Minutes of Guelph City Council Development Charges Hearing  
Held in the Council Chambers, Guelph City Hall on  
January 22, 2018 at 5:05 p.m.**

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**Attendance**

Council: Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor D. Gibson  
Councillor M. MacKinnon  
Councillor L. Piper  
Councillor M. Salisbury  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Absent: Councillor J. Gordon  
Councillor J. Hofland

Staff: Mr. C. Cooper, City Solicitor  
Ms. T. Agnello, Deputy City Clerk  
Ms. D. Black, Council Committee Coordinator

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**Call to Order (5:00 p.m.)**

Mayor Guthrie called the meeting to order.

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

Councillor Salisbury arrived at the meeting. (5:107 p.m.)

**Development Charges Complaint Procedures Orientation**

Christopher Cooper, City Solicitor provided instruction regarding the hearing procedures and applicable legislation.

Councillor Piper arrived at the meeting. (5:13 p.m.)

**Recess (5:22 p.m.)**

1. Moved by Councillor MacKinnon  
Seconded by Councillor Van Hellemond

That the meeting be recessed.

Carried

The meeting recessed at 5:22 p.m. and reconvened at 6:00 p.m.

## **Public Meeting to Hear Complaint – 561 York Road Guelph – Foundation Permit Application – 17 005798PF**

### **Attendance**

Council: Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor D. Gibson

Councillor M. MacKinnon  
Councillor L. Piper  
Councillor M. Salisbury  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Absent: Councillor J. Gordon  
Councillor J. Hofland

Staff: Mr. C. Cooper, City Solicitor  
Ms. T. Agnello, Deputy City Clerk  
Ms. D. Black, Council Committee Coordinator

Also

Present: Mr. R. Ferraro, Agent for the Complainant, 1776410 Ontario Ltd.  
Mr. W. Leuschner, Owner and President, 1776410 Ontario Ltd.  
Mr. D. Mast, Counsel for the Respondent

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### **Call to Order (6:00 p.m.)**

The Mayor called the meeting to order.

### **Preliminary Statement**

Darrell Mast, Counsel for the Respondent, clarified that he is present in the role as the Counsel for the Respondent and provided a statement about impartiality.

The Mayor explained the Hearing process.

The parties introduced themselves:

Darrell Mast, Counsel for the Respondent, The Corporation of the City of Guelph  
Ray Ferraro, Agent for the Complainant, 1776410 Ontario Ltd.  
Werner Leuschner, Owner and President of 1776410 Ontario Ltd.

### **Complainant**

Ray Ferraro, Agent for the Complainant, 14776410 Ontario Ltd., outlined the Complainant's objections to the City's demand for development charges. He advised the Development Agreement was in place eight years before development charges came into effect and all of the items have been addressed. He stated that during the Site Plan Approval process development charges and parkland dedication were not mentioned.

Counsel for the Respondent interjected to request the Development Agreement be submitted as an exhibit for the hearing.



The Development Agreement between Arthur Wolfond (In Trust), Wolfond Construction Limited and The Corporation of the City of Guelph dated the 6<sup>th</sup> day of April, 1981, registered on title for the property municipally known as 561 York Road, Guelph, was submitted as "Exhibit 1" attached hereto.

The Agent for the Complainant stated it was a surprise to them to be requested to pay development charges when they applied for the building permit. He noted there were no demolish credits because the Development Charges Act was not in effect, the redevelopment of the property did not cost the City, the taxes have been paid in full each year, and all of the Site Plan Approval costs have been paid.

The Counsel for the Respondent interjected and raised the issue that documents being referred to by the Complainant were not provided as evidence and the Complainant was addressing factual information rather than evidence.

The Complainant stated the Development Agreement preceded the inception of development charges and the subject property should therefore not be subject to the charges. He noted previous structures were on the property and commercial buildings were demolished and all taxes have been paid. He believes the refusal was issued by the building department because they were not aware of the development agreement on title and the conditions that were already in place.

Council asked questions regarding whether subsequent owners were aware of the Development Agreement, the timing of the demolition on the property, when the Complainant acquired the property and what the Complainant believes was in error regarding the calculations of the development charges.

The Complainant believes that the Development Agreement and the Development Charges by-law are in conflict and the development charges should not be retroactively assigned to the property.

Council also sought clarification regarding the charges and credits given and the development plan for the property.

The agent for the Complainant advised the owner of the property also wished to speak.

Counsel for the Respondent consented to the owner speaking with the provision that the owner speaks as an agent and not as a witness.

Werner Leuschner, Owner and President of 1776410 Ontario Ltd., stated that he bought the property unaware that development charges would be required and he provided a road widening to the City for free and that should be considered. He also spoke about conversations he had with City staff regarding the property and conditions to be met.

Counsel for the Respondent objected to statements made regarding City staff comments due to the lack of supporting evidence and asked Council not consider those statements during deliberations.

Questions were also raised regarding the timing of the road widening and the zoning of the property.

## **Respondent**

Darrell Mast, Associate Solicitor, Counsel for the Respondent, advised that the Development Charges by-law was passed pursuant to the Development Charges Act and noted that the building permit request is what instigated the development charges on the property in question. He clarified the purpose of development charges and provided the definition of same. He clarified that an appeal regarding the payment of taxes would be addressed by a separate tribunal and is not relevant to the issue of development charges.

He explained that the onus is on the Complainant to prove that there was an error in the application of the Development Charges By-law and Council should only consider whether if the by-law has been properly applied. He stated the Respondent's position is that it has not been improperly applied. He advised the Complainant does not allege there are outstanding credits and there are no grounds that would permit ruling in favour of the Complainant.

He then addressed the issue of the development agreement being in conflict with the development charges by-law. The Respondent's position is that there is no conflict between the two agreements because the development agreement is silent and does not contradict the Development Charges By-law.

Counsel for the Respondent addressed the section of the Development Charges By-law that relates to reasons for development charges and noted that a request for a building permit is one of those reasons unless agreed upon otherwise. He stated that again, the Development Agreement is silent on the issue so there is no provision to exempt the owner from being required to pay development charges in order to obtain the building permit.

Counsel for the Respondent does not dispute the fact the Development Agreement predates the Development Charges Act, but states that is irrelevant and the Development Charges By-law is still in effect.

Counsel for the Respondent also explained that the Development Agreement is also silent on Parkland Dedication and other City requirements relating to development of a property and those have been applied to the property so the development charges should be treated in the same manner.

Counsel for the Respondent addressed the Complainant's comment regarding the road dedication and explained that is a standard condition of site plan approval and formed part of the Development Agreement and does not factor into the issue of development charges.

He stated that the Development Agreement in question has no bearing on the Development Charges Act or the City's Development Charges By-law.

Counsel for the Respondent advised that factual evidence is required to attest to what has been said or not said and the factual information provided by the Complainant should not be considered without the required evidence.

Counsel for the Respondent also addressed the Complainant's issue of not hearing about Development Charges sooner and he stated that ignorance of the law is no excuse and that developers know payment of development charges are required.

In response to the Complainant's statement about taxes being paid, Counsel for the Respondent submitted that there was no evidence to prove the amount being quoted and since taxes are handled under a different tribunal, the information is irrelevant unless an exemption from Development Charges was made. The Development Agreement is silent on this matter as well so the tax issue should also not be a consideration.

Counsel for the Respondent summarized his presentation stating that the only question to be considered is whether the Development Charges By-law was properly applied. He requested that the complaint be denied and the decision that the requirement to pay development charges be upheld.

Council sought clarification regarding their decision options, the issue of the agreements being in conflict, the road dedication matter and determining the difference between local services and development charges.

Council also asked the amount of development charges were due, whether a demolition credit would apply, and how impost charges or levies differed from development charges.

Council also clarified that there are many other items that the Development Agreement was silent on that apply despite not being in place at the time the agreement was signed, that a buyer must conduct due diligence when purchasing a property and that there was a transition period for development charges application but that time expired in this scenario.

Counsel for the Respondent also cited the following case law in order to illustrate the purpose of Development Charges is for growth development and not just development of a lone property and onus of the Complainant.

Christensen v. Clarington (Regional Municipality) (2003), 45 O.M.B.R. 173, 49 M.P.L.R. (3d) 301(O.M.B.)

Martin v. Innisfil (Town) , 2017 CarswellOnt 10296 (O.M.B.) (Unreported)

Mistretta v. London (City) (2002), 43 O.M.B.R. 347 (O.M.B.)

Szilveszter v. Barrie (City) (2004), 48 O.M.B.R. 63 (O.M.B.)

1090505 Ontario Ltd. v. Waterloo (Regional Municipality) (2005), 50 O.M.B.R. 367 (O.M.B.)

## **Complainant Response**

The Complainant disputes that the owner should have known that development charges would be required. He does not believe any of the precedent cases are comparable and reiterated that the development agreement was in place before development charges were in place so no development charges should apply.

A question was raised regarding the amount paid for conditions and taxes.

Counsel for the Respondent objected to the question being answered because it would require new evidence and documentation has not been provided.

The Mayor provided information regarding the deliberation process.

**Deliberation and Decision** (7:55 p.m.)

Council retired to the Council Caucus room for deliberations.

**Decision Announcement** (8:14 p.m.)

Council returned to the Council Chambers.

The Mayor announced the decision of Council to dismiss the complaint of the Complainant, 1776410 Ontario Ltd. with respect to the decision of the Plans Examiner, Building Services, to demand the application of development charges for the issuance of 561 York Road, Guelph, Foundation Building Permit Application – 17 005798 PF. He advised the reasons for the decision would be provided in writing as soon as possible.

**Adjournment** (8:16 p.m.)

The Mayor adjourned the meeting.

Carried

Minutes to be confirmed on February 26, 2018.

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Mayor Guthrie

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Tina Agnello – Deputy City Clerk

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Exhibit 1

DEVELOPMENT AGREEMENT

This agreement made this 6th day of April, 1981.

BETWEEN:

ARTHUR WOLFOND (IN TRUST)

of the City of Guelph, County of Wellington,  
Province of Ontario

and

WOLFOND CONSTRUCTION LIMITED

a company incorporated under the laws of  
the Province of Ontario and having its  
Head Office in the City of Toronto, in  
the Municipality of Metropolitan Toronto

hereinafter called the "Owners"

of the FIRST PART

AND:

THE CORPORATION OF THE CITY OF GUELPH

hereinafter called the "City"

of the SECOND PART

WHEREAS the said Arthur Wolfond (in trust) is the owner of the lands and premises firstly described in Schedule "A" attached hereto, and Wolfond Construction Limited is the Owner of the lands and premises secondly described in Schedule "A", attached hereto being Part of Lot 1, Concession 2, Division "C", municipally known as 561 and 587 York Road, in the City of Guelph and hereinafter referred to as "the said lands",

AND WHEREAS the Owners represent that there are no mortgagees of the said lands;

AND WHEREAS the Owners have applied to the City for an amendment to the City's Restricted Area (Zoning) By-law, as amended, as that by-law affects the said lands;

AND WHEREAS the Mayor and Council of the Corporation of the City of Guelph have agreed to amend the Restricted Area (Zoning) By-law and, if necessary, to apply to the Ontario Municipal Board for approval of the said amendment, in accordance with the Owners' request, provided that the following conditions and matters as set out in this agreement are complied with by the Owners;

NOW THEREFORE, this agreement witnesseth that in consideration of the City amending the Restricted Area (Zoning) By-law and valuable consideration in the sum of Two Dollars (\$2.00) of lawful money of Canada, now paid by each party

hereto to the other party hereto, (the receipt of which is hereby acknowledged), the parties hereto covenant, promise and agree with each other as follows:

1. The Owners and the City mutually agree that the lands to be subject to this agreement are the lands hereinafter described in Schedule "A", attached hereto, being Part of Lot 1, Concession 2, Division "C", municipally known as 561 and 587 York Road, in the City of Guelph, and the Owners hereby consent to the registration of this agreement upon the title of the said lands. Cost of registration of this agreement incurred by the City shall be paid by the Owners to the City upon demand being made therefor.
2. The Owners agree to dedicate to the City a road widening strip across the frontage of York Road, taken from a point 20 feet east of the easterly building wall to the westerly lot line adjacent to the Canadian Pacific Railway. The widening should continue the irregular shape as defined in the road widening illustrated in the Deposit Plan 226. The easterly limit of the requested widening would be 15.3 feet wide and the westerly limit would be approximately 12 feet wide. This dedication must be made prior to the issuance of a building permit on the said lands for any new building.
3. The Owners agree to relocate the existing parking area to the rear of the building set-back line, prior to the 30th day of September, 1981. The parking area will be large enough to accommodate 31 parking spaces and one loading bay.
4. The Owners agree to pay to the City the actual cost of curb construction across the entire York Road frontage, prior to the issuance of a building permit on the said lands for any new building.
5. The Owners agree to obtain the approval of the Grand River Conservation Authority prior to undertaking any alterations or improvement on the said lands.
6. The Owners agree to remove the wooden fence across the front of the said lands and clean-up the rear yard of the said lands to the satisfaction of the City prior to the 30th day of September, 1981.
7. The Owners agree to remove the existing signage and apply to the Zoning Administrator for a sign permit for the appliance retail operation prior to the 30th day of September, 1981.

8. The Owners and the City agree that, should the Ontario Municipal Board refuse to approve the Zoning By-law Amendment to permit the continued operation of the appliance retail store, in addition to establishing a wider variety of uses on the said lands, this agreement shall be null and void and all monies received from the Owners as a result of this agreement shall be returned by the City to the Owners, without interest.
9. The Owners agree to procure from any purchaser of the said lands from him, or from any person or corporation to whom they may convey the said lands, prior to such sale or conveyance and as a condition of the contract, an agreement between such purchaser, person or corporation and the City which is identical in terms with this agreement.
10. The Owners agree not to call into question, directly or indirectly in any proceedings whatsoever in law or in equity or before any administrative tribunal, the right of the City to enter into this agreement and to enforce each and every term, covenant and condition herein contained, and this agreement may be pleaded as an estoppel against the Owners in any such case.
11. In the event the Owners fail to make any payments specified herein or fails to pay any invoice or statement issued pursuant to this agreement within thirty (30) days, the said amount payable thereunder shall bear interest at the rate of one percent (1%) above the prime bank rate per annum, calculated monthly, and payable monthly and the Owners shall be declared to be in default under this Agreement.
12. It is expressly understood and agreed that the remedies of the City under this agreement are cumulative and the exercise by the City of any right or remedy for the default or breach of any term, covenant, condition or agreement herein contained shall not be deemed to be a waiver of or alter, affect or prejudice any other right or remedy or other rights or remedies, to which the City may be lawfully entitled for the same default or breach; and any waiver by the City of the strict observance, performance of compliance by the Owners with any term, covenant, condition or agreement herein contained, or any indulgence granted by the City to the Owners shall not be deemed to be a waiver of any subsequent default or breach by the Owners or to entitle the Owners to any similar indulgence heretofore granted.

13. It is agreed between the parties hereto that the appropriate changes in number and gender shall be implied where the context of this agreement and any schedules hereto so require in order that the agreement and any part thereof shall be construed to have its proper and reasonable meaning.

IT IS DECLARED AND AGREED that the covenants, agreements, conditions and understandings herein contained on the part of the Owners shall run with the land and shall enure to the benefit of, and be binding upon, the respective heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto set their corporate seal under the hands of their proper officers or set their hand and seal.

SIGNED, SEALED AND DELIVERED

WOLFOND CONSTRUCTION LIMITED

PER:

*Arthur Wolfond*  
Sec. Treas.

ARTHUR WOLFOND (IN TRUST)

*Arthur Wolfond*

*Sandra J. Macneil*  
WITNESS

THE CORPORATION OF THE CITY OF GUELPH

*Norman W. Gray*

MAYOR

*J. P. Hall*

CLERK



DATE: April 6th, 1981

BETWEEN:

WOLFOND CONSTRUCTION LIMITED ET AL

Suite 700  
1 St. Clair Avenue East  
Toronto, Ontario .  
M4T 2V7

AND:

THE CORPORATION OF THE CITY OF GUELPH

c/o J. Runions, City Solicitor  
59 Carden Street  
Guelph, Ontario  
N1H 3A1

DEVELOPMENT AGREEMENT

PROPERTY OF THE  
REGISTRY OFFICE

Land  
Registry Office  
at Guelph  
Ontario.  
15.6/197E  
LAND REGISTRAR  
97

Registry Division of Wellington South (No. 61)  
I CERTIFY that this instrument is registered as of  
01 JUN 22 PM 3:14 in the

No: 242857

242857 - Guelph

*Runions*

15.00



**Minutes of Committee of the Whole Meeting  
Held in the Council Chambers, Guelph City Hall on  
Monday, March 5, 2018 at 2:06 p.m.**

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**Attendance**

Council: Mayor Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor D. Gibson

Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. MacKinnon  
Councillor A. Van Hellemond

Absent: Councillor C. Downer  
Councillor L. Piper  
Councillor M. Salisbury  
Councillor K. Wettstein

Staff: Ms. C. Clack, Acting Chief Administrative Officer  
Mr. T. Lee, Deputy CAO of Corporate Services  
Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise  
Ms. D. Evans, Acting Deputy CAO, Public Services  
Ms. T. Baker, General Manager, Finance/Treasurer  
Mr. P. Busatto, General Manager, Environmental Services  
Mr. W. Galliher, Divisional Manager, Water Services  
Mr. T. Robinson, Divisional Manager, Water Services  
Ms. M. Alduante, Manager, Planning Urban Design  
Mr. A. McIlveen, Manager, Transportation Services  
Ms. E. Stahl, Manager, Technical Services Water Services  
Mr. J. Zettle, Program Manager, Parking  
Ms. Joanne Jylanne, Senior Policy Planner  
Mr. S. O'Brien, City Clerk  
Ms. D. Tremblay, Council Committee Coordinator

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**Call to Order (2:06 p.m.)**

Chair Billings called the meeting to order.

**Disclosure of Pecuniary Interest and General Nature Thereof**

Councillor MacKinnon declared a pecuniary interest with respect to discussions regarding on street parking and the Parking Technology Selection and Implementation Metrics Study as he is a co-owner of business fronting onto Wyndham Street.

**Presentations:**

Councillor Gibson presented to City's Facilities Management staff involved in the renovation of the Guelph Central Train Station, the 2017 Ontario Public Works Association's Historic Restoration/Preservation Award. Staff receiving the award included Rob Broughton and Mario Petricevic.

Councillor Gibson presented to Steven Di Pietro, the Ontario Public Works Association's 2017 Wally Wells Young Leader Award.

Councillor Gibson presented the Federation of Canadian Municipalities Sustainable Community Award in the category of Sustainable Neighbourhood Revitalization and Design for the Guelph Innovation District Secondary Plan to the team that lead and supported the secondary plan development. Staff receiving the award included: Joan Jylanne, Melissa Alduante, Stephen Robinson, David DeGroote, April Nix, Jason Downham, Todd Slater, Alex Chapman, Jyoti Pathak, Gwen Zhang, Arun Hindupur, Bab Maly, Emily Keating and Peter Cartwright.

Mayor Guthrie arrived at 2:12 p.m.

Councillor Allt arrived at 2:16 p.m.

Mayor Guthrie assumed the Chair.

## **Consent Agendas – Infrastructure, Development and Enterprise, Governance and Corporate Services**

The following items were extracted:

### **CS-2018.36 Procedural By-Law Update**

Mayor Guthrie presented the balance of the March 5, 2018 Infrastructure, Development and Enterprise, Governance and Corporate Services Consent Agendas.

1. Moved by Councillor Billings  
Seconded by Councillor Hoffland

That the balance of the March 5, 2018 Consent Agendas – Infrastructure, Development and Enterprise, Governance and Corporate Services as identified below, be adopted:

### **IDE-2018.32 2017 Annual & Summary Water Services Report**

That Guelph City Council approves the 2017 Annual & Summary Water Services Report.

### **IDE-2018.28 Municipal Class Environmental Assessment Reform**

That the Mayor be directed to send a letter to the Minister of the Environment and Climate Change (MOECC) requesting that:

- a. the response process for Part II Orders or 'Bump-Up requests' be expedited, as part of the s.61 review to improve MCEA process times and reduce study costs;
- b. changes to better integrate and harmonize the MCEA process with processes defined under the Planning Act be supported;
- c. the scope of MCEA reports and studies be amended to reduce duplication with existing public processes and decisions made under municipal Official Plans and provincial legislation.

**IDE-2018.26                      Sign By-Law Variance - 392 Silvercreek Parkway North**

1. That the request for a variance from Table 1, Row 1 of Sign By-law Number (1996)-15245, as amended, to permit a total sign face area of 27.86m<sup>2</sup> on the west building face of 392 Silvercreek Parkway North, be approved.
2. That the request for a variance from Table 1, Row 6 of Sign By-law Number (1996)-15245, as amended, to permit a building sign with an area of 9.75m<sup>2</sup> to be located on the first storey of a building face fronting an adjacent property at a distance of 3.5m from the property line of 392 Silvercreek Parkway North, be approved.

**IDE-2018.27                      Sign By-Law Variance - 848 Gordon Street**

That the request for variances from Table 2, Row 5 of Sign By-law Number (1996)-15245, as amended, to permit a non-illuminated freestanding sign with a height of 3.15m above the adjacent roadway and sign face area of 3.84m<sup>2</sup> on the property of 848 Gordon Street, be approved.

**CS-2018.33                      Code of Conduct for Members of Council and Local Boards - Update**

That the revised Code of Conduct for Members of Council and Local Boards, included as ATT-1 to the report titled Code of Conduct for Members of Council and Local Boards – Update and dated March 5, 2018, be approved.

**CS-2018.02                      Procurement By-Law Update**

That Report CS-2018.02 Procurement By-Law Update be approved and adopted by by-law.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland, MacKinnon and Van Hellemond (9)

**Voting Against:** (0)

Carried

**Items for Discussion – Infrastructure, Development and Enterprise**

Councillor Gibson assumed the chair.

**St. Andrew's Presbyterian Church Delegation and Funding Request**

Mr. John Groenewegen, a member of St. Andrew's Presbyterian Church, provided Council with a summary of the proposed project at 62, 68 and 74-76 Yarmouth Street and request for funding for the Heritage Impact Assessment.

## **Staff Memo Response to St. Andrew's Presbyterian Church Presentation to Committee of the Whole dated March 5, 2018**

2. Moved by Councillor Van Hellemond  
Seconded by Councillor MacKinnon

That the Staff Memo entitled "Response to St. Andrew's Presbyterian Church Presentation to Committee of the Whole dated March 5, 2018", be received.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland, MacKinnon and Van Hellemond (9)

**Voting Against:** (0)

Carried

### **IDE-2018.36 Parking Technology Selection and Implementation Metrics Study**

Ms. Kealy Deadman provided a summary of the background and the scope of the Parking Technology selection and implementation metrics study.

Mr. Jamie Zettle, Program Manager, Parking provided a summary of the steps taken in developing the parking technology selection and implementation metrics study, continuing ongoing work on the project and next steps.

The following delegates spoke regarding this item:

Mr. Marty Williams, Executive Director, Downtown Guelph Business Association  
Mr. Doug Minett

Councillor MacKinnon did not discuss or vote on this matter.

3. Moved by Mayor Guthrie  
Seconded by Councillor Billings

1. That the Parking Technology Selection and Implementation Metrics Study dated January 2018, prepared by CIMA+ Canada Limited, be received;
2. That staff operationalize a set of performance based parking metrics to provide reliable data with which to measure the performance of the parking operation, based upon the metrics identified in Table 1 : Proposed Parking Metrics of this report;
3. That staff establish a mechanism to review at established intervals the performance metrics of the parking system and work in partnership with the Downtown Advisory Committee when recommending any changes to parking policy and pricing;
4. That staff work with the Downtown Advisory Committee to create an implementation plan which addresses the key elements raised by stakeholders in the Stakeholder Survey.

It was requested that the clauses be voted on separately.

3. Moved by Mayor Guthrie  
Seconded by Councillor Billings

1. That the Parking Technology Selection and Implementation Metrics Study dated January 2018, prepared by CIMA+ Canada Limited, be received;

**Voting in Favour:** Mayor Guthrie, Councillors Bell, Billings, Gibson, Gordon, Hofland, and Van Hellemond (7)

**Voting Against:** Councillor Allt (1)

Carried

4. Moved by Mayor Guthrie  
Seconded by Councillor Billings

2. That staff operationalize a set of performance based parking metrics to provide reliable data with which to measure the performance of the parking operation, based upon the metrics identified in Table 1 : Proposed Parking Metrics of this report;

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland, and Van Hellemond (8)

**Voting Against:** (0)

Carried

5. Moved by Mayor Guthrie  
Seconded by Councillor Billings

3. That staff establish a mechanism to review at established intervals the performance metrics of the parking system and work in partnership with the Downtown Advisory Committee when recommending any changes to parking policy and pricing;

**Voting in Favour:** Mayor Guthrie, Councillors, Bell, Billings, Gibson, Gordon, Hofland and Van Hellemond (7)

**Voting Against:** Councillor Allt (1)

Carried

6. Moved by Mayor Guthrie  
Seconded by Councillor Billings

4. That staff work with the Downtown Advisory Committee to create an implementation plan which addresses the key elements raised by stakeholders in the Stakeholder Survey.

**Voting in Favour:** Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland and Van Hellemond (7)

**Voting Against:** Mayor Guthrie (1)

Carried

Councillor Van Hellemond left the meeting at 4:53 p.m.  
Council recessed at 4:53 and reconvened at 5:19 p.m.

### **Attendance**

Council: Mayor Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. MacKinnon  
Councillor D. Gibson

Absent: Councillor C. Downer  
Councillor L. Piper  
Councillor M. Salisbury  
Councillor K. Wettstein  
Councillor A. Van Hellemond

Staff: Ms. C. Clack, Acting Chief Administrative Officer  
Mr. T. Lee, Deputy CAO of Corporate Services  
Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise  
Ms. T. Baker, General Manager, Finance/Treasurer  
Mr. P. Busatto, General Manager, Environmental Services  
Mr. W. Galliher, Divisional Manager, Water Services  
Mr. T. Robinson, Divisional Manager, Water Services  
Ms. M. Alduante, Manager, Planning Urban Design  
Ms. E. Stahl, Manager, Technical Services Water Services  
Ms. Joanne Jylanne, Senior Policy Planner  
Mr. S. O'Brien, City Clerk  
Ms. D. Tremblay, Council Committee Coordinator

7. Moved by Councillor Billings  
Seconded by Councillor Bell

That Clause 5 "The implementation of the new on-street paid parking technology be scheduled for Fall of 2019, following the opening of the Wilson Street Parkade be referred to the May 7, 2018 Committee of the Whole Meeting."

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon and Hofland (7)

**Voting Against:** (0)

Carried

### **IDE-2018.18 Commercial Policy Review: Vision and Principles**

Ms. Joan Jylanne, Senior Policy Planner, provided a summary on the commercial policy review including development of the vision and principles, outcomes and next steps.

8. Moved by Councillor Bell  
Seconded by Councillor Hofland

That the Commercial Policy Review vision and principles be approved as outlined in report IDE-2018-18.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland and MacKinnon, (8)

**Voting Against:** (0)

Carried

### **IDE-2018.03 City Initiated Official Plan Amendment for Affordable Housing**

Ms. Melissa Aldunate, Manager, Policy Planning Urban Design, summarized the next steps and timing on the City Initiated Official Plan Amendment for Affordable Housing.

9. Moved by Councillor Bell  
Seconded by Mayor Guthrie

That staff be directed to initiate an amendment to the Official Plan to reflect the Council approved Affordable Housing Strategy.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon and Hofland and MacKinnon (8)

**Voting Against:** (0)

Carried

### **IDE-2018.31 Sewer Abatement and Leak Forgiveness Credits Policies**

Ms. Emily Stahl, Manager Technical Services Water Services, provided a summary of the sewer abatement credit and water leak billing forgiveness programs.

10. Moved by Councillor Bell  
Seconded by Councillor Allt

1. That the March 5, 2018 report of the Deputy CAO of Infrastructure, Development and Enterprise entitled "Sewer Abatement Credit and Leak Forgiveness Credits Policies" be approved.
2. That the staff recommended Sewer Abatement Credit Policy be approved for implementation on July 1, 2018 as outlined in Attachment 1 to this report.
3. That the staff recommended Leak Forgiveness Credit Policy be approved for implementation on April 1, 2018 as outlined in Attachment 2 to this report.



4. That Council approve amendment to the Water and Wastewater Fees and Charges By-law Number (2017-20224) as outlined in Attachment 3 to this report.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland and MacKinnon (8)

**Voting Against:** (0)

Carried

## Service Area Chair and Staff Announcements

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### Consent Agenda – Governance

Mayor Guthrie resumed the Chair.

### Items for Discussion - Governance

#### Smart Cities Submission Update

Barbara Swartzentruber, Executive Director, Strategy, Innovation, Intergovernmental Services and Peter Cartwright, General Manager, Business Development & Enterprise Services provided a summary of the Federal Governments Smart City Challenge including the various categories, timeline for submissions and the City's chosen topic of Food Sustainability and Security.

11. Moved by Councillor Gordon  
Seconded by Councillor Billings

That the Smart Cities Submission Update be received.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland and MacKinnon (8)

**Voting Against:** (0)

Carried

#### CS-2018.36 Procedural By-Law Update

12. Moved by Councillor Hofland  
Seconded by Councillor Allt

That the proposed Procedural By-law, included as ATT-1 to the report titled Procedural By-law Update, dated March 5, 2018, be approved, as amended, and that By-Law (2016)-20087 be repealed.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland and MacKinnon (8)

**Voting Against:** (0)

Carried

## Chair and Staff Announcements

### Adjournment *(6:32 p.m.)*

13. Moved by Councillor Bell  
Seconded by Councillor Gibson

That the meeting be adjourned.

Carried

Minutes to be confirmed on March 26, 2018.

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Mayor Guthrie

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Stephen O'Brien - City Clerk



**Minutes of Guelph City Council as Shareholder of GMHI  
Held in the Council Chambers, Guelph City Hall on  
Monday, March 5, 2018 at 1:36 p.m.**

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**Attendance**

Council: Councillor B. Bell Councillor J. Hofland  
Councillor C. Billings Councillor M. MacKinnon  
Councillor D. Gibson Councillor A. Van Hellemond  
Councillor J. Gordon

Absent: Mayor C. Guthrie Councillor L. Piper  
Councillor P. Allt Councillor M. Salisbury  
Councillor C. Downer Councillor K. Wettstein

Staff: Ms. C. Clack, DCAO, Public Services  
Mr. T. Lee, DCAO, Corporate Services  
Mr. S. Stewart, DCAO, Infrastructure, Development and Enterprise Services  
Mr. C. Cooper, General Manager, Legal, Realty and Risk/City Solicitor  
Ms. B. Swartzentruber, Executive Director, Strategy, Innovation, and Intergovernmental Services  
Mr. S. O'Brien, City Clerk  
Ms. D. Black, Council Committee Coordinator

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**Open Meeting (1:36 p.m.)**

**Call to Order**

Chair Billings called the meeting to order.

**Recess (1:36 p.m.)**

Chair Billings advised the Mayor was attending a Provincial announcement event elsewhere in the City and requested the meeting be recessed until later today to begin at the completion of the Committee of the Whole meeting.

1. Moved by Councillor Gibson  
Seconded by Councillor Van Hellemond

That the meeting be recessed and reconvened at the completion of the Committee of the Whole meeting.

**Voting in Favour:** Chair Billings, Councillors Bell, Gibson, Gordon, Hofland, MacKinnon and Van Hellemond (7)

**Voting Against:** (0)

Carried

The meeting recessed at 1:37 p.m. and reconvened at 6:33 p.m.

## Attendance

Council:	Councillor B. Bell Councillor C. Billings Councillor D. Gibson Councillor J. Gordon	Councillor J. Hofland Councillor M. MacKinnon Councillor A. Van Hellemond
Absent:	Mayor C. Guthrie Councillor P. Allt Councillor C. Downer	Councillor L. Piper Councillor M. Salisbury Councillor K. Wettstein
Staff:	Mr. D. Thomson, CAO Ms. C. Clack, DCAO, Public Services Mr. T. Lee, DCAO, Corporate Services Mr. S. Stewart, DCAO, Infrastructure, Development and Enterprise Services Mr. C. Cooper, General Manager, Legal, Realty and Risk Services/City Solicitor Ms. B. Swartzentruber, Executive Director, Strategy, Innovation, and Intergovernmental Services Ms. T. Baker, General Manager Finance/City Treasurer Mr. S. O'Brien, City Clerk Ms. D. Black, Council Committee Coordinator	

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## Call to Order

Mayor Guthrie reconvened the meeting.

## Authority to Move into Closed Meeting

2. Moved by Councillor Hofland  
Seconded by Councillor Billings

That the Council of the City of Guelph as Shareholder of Guelph Municipal Holdings Inc. now hold a meeting that is closed to the public, pursuant to Section 239 (2) (f) of the Municipal Act with respect to advice that is subject to solicitor-client privilege, including communications for that purpose.

Carried

## Closed Meeting (6:37 p.m.)

### Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

### GMHI-2018.01 District Energy Update

## Rise and Recess from Closed Meeting (7:20 p.m.)

**Open Meeting (7:22 p.m.)**

Mayor Guthrie reconvened the meeting.

**Closed Meeting Summary**

Mayor Guthrie spoke regarding the matters addressed in the closed meeting and identified the following:

**GMHI-2018-01      District Energy Update**

Information was received and staff were given direction on this matter.

**Adjournment (7:24 p.m.)**

3.      Moved by Councillor Gordon  
          Seconded by Councillor Hofland

That the meeting be adjourned.

Carried

Minutes to be confirmed on March 26, 2018.

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Mayor Guthrie

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Stephen O'Brien – City Clerk

# Staff Report



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To **City Council**

Service Area Corporate Services

Date Monday, March 26, 2018

Subject **2018 Development Charge Study: Area-specific Rating Consideration**

Report Number CS-2018-35

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## Recommendation

That the City will continue to calculate development charges using a citywide rate and not pursue area-specific development charges in the 2019 Development Charge By-law.

## Executive Summary

### Purpose of Report

The purpose of this report is to establish Council's preferred approach for area-specific rating and the 2019 Development Charge (DC) By-law. It is an important direction to receive from Council early in the DC Background Study process because of the significant amount of time and resources required to pursue this option.

### Key Findings

The Province recently introduced changes to the Development Charges Act 1997 (DCA 1997), through Bill 73, which came into effect in January of 2016.

A new requirement of the DC Background Study is for Council to demonstrate that the implementation of area-specific rating was considered as part of the background study process.

Area-specific rating means having different DC rates for different areas within a municipality. The City currently has a citywide DC rate that is applied uniformly across the City. Prior to the 2009 DC By-law, the City had three different rates for; the downtown area, the older built-up area and everything outside of these areas. The 2008 DC Background Study (FIN 08-32) evaluated the impact of the area-specific rating and determined that a citywide rate could provide increased financial flexibility that is necessary to achieve strategic objectives and improve transparency to the taxpayer. It was decided at that time, that a Downtown Community Improvement Plan was the preferred way of encouraging certain types of development instead of the use of policies implemented through the DC By-law.

The DC Background Study consultant from Watson & Associates held a Council workshop on February 21, 2018 to provide Council with an overview of DCs and the implications of area-specific rating vs. citywide rating. A discussion was held regarding the merits of both options for the 2019 DC By-law.

After a comprehensive review, it was determined that a citywide rate would be preferred because it would result in a larger pool of DC funds allowing for greater flexibility in funding infrastructure priorities. It will also allow for a greater amount of DC's to be collected as the City is not capped by service standards in certain geographical areas. This will result in more strategic investment in growth-related infrastructure across the City and significantly reduce the administrative burden of an area-specific methodology.

Citywide rates are generally perceived to be the more equitable approach to the DC policy.

### **Financial Implications**

Although there are no direct financial implications to the City in regards to this decision at this time, this decision will have a significant impact on the DC revenue that the City will be able to collect for growth-related development.

## **Report**

The 2018 DC Background Study started in June 2017 and is on schedule to be completed and approved before the By-law expiration date of March 2, 2019. Gary Scandlan from Watson and Associates is the consultant hired to facilitate the DC Background Study process for the City.

The 2018 DC Background Study must reflect the recent changes made to the DCA 1997 through Bill 73 which came into effect in January of 2016. One of the new requirements outlined in the Act is that Council must demonstrate that area-specific rating was considered as part of the DC Background Study update process.

In order to meet this new requirement, the Consultants presented the benefits and risks of area-specific rating to Council during a special Council workshop on February 21, 2018.

### Citywide Rates

- DCs collected for a service can be spent anywhere throughout the municipality without restriction, allowing for more strategic investment in infrastructure.
- A citywide rate results in more DC revenue which can be used to fund growth-related projects sooner because service standard caps are not as limiting.
- A citywide rate allows for more flexible resource management and reduced administrative burden as there are fewer restrictions on inter-DC Reserve

Fund borrowing, significantly minimizing the need for debt to manage cash flow issues.

- Evidence shows that fewer DC By-law appeals occur under this methodology as generally, Developers perceive this to be the more equitable approach to funding growth-related infrastructure.

#### Area-specific Rates

- Ensures that DCs collected from a particular area are spent in that same area. If growth is not materializing at the projected pace however, there will be a delay in investment of growth-related infrastructure.
- A higher charge in one area compared to another may impact housing competitiveness.
- Area-specific rates may encourage more infill development in built-up areas if DC rates are lower in these areas.
- Area-specific rates increase the administrative requirements for the City related to accounting and reporting purposes (e.g. one pooled Water DC Reserve Fund vs. two or more Water DC Reserve Funds for different geographical service areas).
- Area-specific rates can also increase the complexity where there are differing charges based on the services applicable and/or service areas where a development is located.
- Area-specific rates may require additional debenture financing as funds are isolated to individual areas, thus removing the ability to pool or access other DC contributions for cash flow purposes.
- Services that require a 10 year service standard to be calculated in order to establish a ceiling (parks, recreation, libraries etc.), may not be eligible to collect sufficient DC revenues based on current service levels/asset inventories.
- Most of the services included in the DC rate do not restrict use to a specific area and are often used by all city residents (e.g. roads, parks, recreation, library, fire, etc.).
- Most municipalities that implement area-specific rates only do it for Water, Wastewater and Stormwater.
- Moving to area-specific rates may require transitional agreements because most of this infrastructure is built prior to development occurring.

After a comprehensive review of the implications of both citywide rates and area-specific rates, staff recommends that the City continue to utilize a citywide development charge in the 2019 DC By-law. The key reasons supporting this decision are that citywide rates are better able to fund infrastructure priorities because they generate a larger pool of DC revenues that increases flexibility and permits more strategic decision making.

## **Financial Implications**

There are no direct financial implications to report from this decision.



## Consultations

DC Oversight Committee (pending)

## Corporate Administrative Plan

### Overarching Goals

Innovation  
Financial Stability

### Service Area Operational Work Plans

Our Resources - A solid foundation for a growing city

## Attachments

None

## Departmental Approval

None noted

## Report Author

Christel Gregson  
Sr. Corporate Analyst



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### Approved By

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City Treasurer  
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