City Council
Meeting Agenda

Making a Difference

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

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

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

Open Meeting – 6:30 p.m.

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

Confirmation of Minutes: (Councillor MacKinnon)
That the minutes of the open Council Meetings held April 24 and May 8, 2017, and the open Committee of the Whole meeting held May 1, 2017 be confirmed as recorded and without being read.

Committee of the Whole Consent Report:

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

COW-IDE-2017.20 Elementary School Speed Zone - Update

Recommendation:

1. That the 40 km/h School Speed Zones by time of day on arterial classified roads be extended to include roadways with 3000 annual average daily traffic.

2. That additional School Speed Zones be implemented based upon a number of factors such as fencing location, property line separation, location of school entrances, location of sidewalks and other mitigating factors that are present.

3. That Traffic Bylaw (2002) 17017 be amended to reflect the changes in speed limits and the additional new School Speed Zones as identified in Report IDE 17-60.

4. That Council request the Ontario Ministry of Transportation to amend Regulation 615 Section 5 of the Highway Traffic Act to permit text tab signs indicating times and days when the reduced speeds in school zones are in effect.

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

Recommendation:

1. That Report IDE 17-56, from Infrastructure, Development and Enterprise titled "Municipal Property and Building Commemorative Naming Annual Report" be approved.

2. That the names and recommendations proposed by the Naming Committee listed in Attachment 1to Report IDE 17-56 be approved.

3. That Council provide endorsement to the Naming Committee regarding future proposals to name non-City owned assets (GRCA lands).

COW-IDE-2017.22 2017 Development Priorities Plan Summary

Recommendation:

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

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

Recommendation:

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

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

Recommendation:

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

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

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

Recommendation:

1. That the CAO Performance Development Plan process previously under the Governance Committee now be brought to Council through Committee of the Whole.

2. That the revised CAO Performance Development Plan Terms of Reference (Attachment 1) of report titled CAO Performance Development Plan (PDP) Process dated Monday, May 1, 2017, be approved.

3. That the CAO Performance Evaluation Process Summary (Attachment 2) of report titled CAO Performance Development Plan (PDP) Process dated Monday, May 1, 2017, be approved.

COW-2017.02 Review and Discussion Regarding Notices of Motion

Recommendation:

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

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

Recommendation:

1. That Guelph City Council Committee of the Whole governance structure remain in place.

2. That the remuneration for the Service Area Chairs be discontinued.

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

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

Recommendation:

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

Infrastructure Renewal reserve (150)	$2,079,939
Tax Rate Stabilization reserve (180)	$1,000,000
Total allocation	$3,079,939

2. That the Water surplus of $180,467 be allocated to reserve 181–Water Rate Stabilization reserve.

3. That the Wastewater surplus of $840,098 be allocated to reserve 153-Wastewater Capital reserve.

4. That the Court Services surplus of $484,958 be allocated to reserve 211–POA Contingency and 120–POA Capital as follows:

POA Contingency (211)	$242,479
POA Capital (120)	$242,479
Total allocation	$484,958

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

Recommendation:

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

COW-PS-2017.04 Business License Fees 2017

Recommendation:

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

COW-PS-2017.05 Refugee Support Program Review

Recommendation:

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

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

Recommendation:

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

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.

CON-2017.22 13 Stuart Street: Notice of Intention to Designate Pursuant to Part IV of the Ontario Heritage Act

Recommendation:

1. That the City Clerk be authorized to publish and serve notice of intention to designate 13 Stuart Street pursuant to Section 29, Part IV the Ontario Heritage Act and as recommended by Heritage Guelph.

2. That the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

Special Resolutions

By-laws

Resolution to adopt the By-laws (Councillor Piper)

By-law Number (2017)-20170	A by-law to specify the clawback percentages and the capping threshold parameters for the year 2017 and to as required establish a fixed date as of which to calculate such clawbacks for all properties in the commercial property class and to end the application of Part IX of the Municipal Act for the industrial property class.

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
April 24, 2017 at 6:00 p.m.

Attendance

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

Staff: Mr. D. Thomson, Chief Administrative Officer
Ms. C. Clack, Interim Deputy CAO of Corporate Services
Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise
Ms. T. Baker, General Manager, Finance/Treasurer
Mr. S. O'Brien, City Clerk
Mr. D. McMahon, Council Committee Coordinator

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

Mayor Guthrie called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

1. Moved by Councillor Gordon
Seconded by Councillor Allt

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (d) of the Municipal Act with respect to labour relations or employee negotiations.

Carried

Closed Meeting (6:03 p.m.)

Councillor Piper arrived at 6:03 p.m.

Councillor Hofland arrived at 6:03 p.m.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

C-CON-2017.7 ATU Collective Bargaining Mandate Request

Rise and recess from Closed Meeting (6:22 p.m.)

Council recessed.

Open Meeting (6:30 p.m.)

Mayor Guthrie called the meeting to order.

Closed Meeting Summary

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

Minutes – Council Closed Session – March 27, 2017
These minutes were adopted by Council.

C-CON-2017.7 ATU Collective Bargaining Mandate Request
Staff were given direction on this matter.

The Mayor made the following statement regarding the ATU Collective bargaining Mandate Request:

> Tonight Council provided staff with direction and a mandate for the upcoming union negotiations and the Amalgamated Transit Union (ATU).
>
> Council was clear in its direction. We hope to negotiate a fair, reasonable and affordable contract with our Transit employees – one that recognizes our belief that Transit employees should be compensated appropriately for the valued work they do, but also one that recognizes the balance needed to ensure long term affordability for our citizens.

Mayor Guthrie congratulated Doug Hallet, Guelph Mercury-Tribune Reporter, on his upcoming retirement.

Disclosure of Pecuniary Interest and General Nature Thereof

Councillor Gibson declared a pecuniary interest regarding the Habitat for Humanity Development Charge Late Payment Agreement because his wife serves as a voluntary board member for Habitat for Humanity.

Confirmation of Minutes

2. Moved by Councillor Gibson
Seconded by Councillor Van Hellemond

> That the minutes of the open Council Meetings held March 27 and April 10, 2017, and the open meeting minutes of the April 3, 2017 Committee of the Whole, 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 Report

The following items were extracted:

COW-CS-2017.02	**Tax Ratios 2017-2020 Assessment Cycle**
COW-CS-2017.03	**2017 Tax Policy**
COW-2017.01	**Councillors Mike Salisbury and Leanne Piper Request for Access to Additional Training Funding 2017**
CON-2017.09	**Surplus Asset Sales Policies – Mayor Guthrie's Motion for which notice was given on March 6, 2017**
CON-2017.11	**Habitat for Humanity Development Charge Late Payment Agreement**

Balance of Committee of the Whole Consent Items

3. Moved by Councillor Billings
Seconded by Councillor Hofland

That the balance of the April 24, 2017 Committee of the Whole Consent Report as identified below, be adopted:

COW-PS-2017.02 Outstanding Resolutions of Public Services

Recommendation:

That the recommendations marked as "completed" within Report# PS-17-05 Outstanding Resolutions of Public Services be removed from the outstanding resolutions list.

COW-PS-2017.03 Animal Control By-law Chicken Amendments

Recommendation:

1. That as detailed in Public Services Report #PS-17-04 Animal Control By-law chicken amendments, that staff be directed to create an amendment to the Animal Control By-law (2016)-20122 to permit residents that cannot facilitate a 15 metre (50 feet) distance for the keeping of poultry to keep chickens provided the following can be met:

    Hen coops and hen runs shall be a distance of at least 1.2m from the rear lot line and at least 1.2m from any side lot line of the dwelling lot on which the hen coop is located (meeting the setback requirements as per the zoning bylaw);

    Pens (includes hen coop and hen run) must be located the furthest from any other dwelling, and must be 1.2m away from any property line;

    Pens shall be located at least 7.5m from the lot line to any religious institution or business or school;

    Pens shall be a minimum distance of 3m from all windows and doors of dwellings that are located on an abutting property;

Pens are not permitted in any front or side yard;

That the maximum number of hens be limited to ten (10).

2. That as detailed in Public Services Report #PS-17-04 Animal Control By-law chicken amendments, that staff be directed to create an amendment to the Animal Control Bylaw (2016)-20122 requiring food for poultry be stored in an animal proof secured container.

3. That as detailed in Public Services Report #PS-17-04 Animal Control By-law chicken amendments, that staff be directed to create an amendment to the Animal Control By-law (2016)-20122 requiring that coop floors be lined with an appropriate material to absorb fecal matter and to facilitate cleaning.

4. That as detailed in Public Services Report #PS-17-04 Animal Control By-law chicken amendments, that staff be directed to create an amendment to the Animal Control By-law (2016)-20122 requiring that residents keeping backyard chickens shall provide each hen with food, water, shelter, light, ventilation, appropriate substrate flooring, and provide opportunities for essential behaviours such as scratching, nesting, including but not limited to dust-bathing, and roosting, to maintain each hen in good health and welfare.

5. That as detailed in Public Services Report #PS-17-04 Animal Control By-law chicken amendments, that staff be directed to create an amendment to the Animal Control By-law (2016)-20122 prohibiting persons from killing a domestic animal on their property, except by a licenced vet or otherwise authorized by the City of Guelph.

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

CON-2017.15 Exploring Pathways for Aligning Guelph's Corporate Assets with the Low Carbon Economy

Councillor Gibson withdrew the motion.

Items for Discussion

CON-2017.12 Nomination of a City of Guelph Representative to Apply for a Federation of Canadian Municipalities (FCM) Board of Director Position

4. Moved by Councillor Piper
Seconded by Councillor Hofland

1. That Council endorse Cam Guthrie to stand for election on the Federation of Canadian Municipalities (FCM) National Board of Directors (Ontario Chapter) for the period starting in June 2017 and ending June 2018.

2. That Council confirms it will assume all costs associated with the representative's attendance at FCM's Board of Directors meetings and Annual Conference.

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

CON-2017.11 Habitat for Humanity Development Charge Late Payment Agreement

Councillor Gibson did not discuss or vote on this item.

5. Moved by Councillor Piper
Seconded by Councillor Downer

That the Mayor and Clerk be directed to execute the Development Charge late payment agreement with Habitat for Humanity, generally in the form included as Attachment 2 to IDE Report 17-46, dated April 24, 2017.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: (0)

Carried

COW-2017.01 Councillors Mike Salisbury and Leanne Piper Request for Access to Additional Training Funding 2017

6. Moved by Councillor Piper
Seconded by Councillor Allt

That Councillor Leanne Piper be authorized to exceed her 2017 training allocation of $3250 to an upset limit of $750 in order to attend the American Planning Association conference in May 2017.

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

CON-2017.09 Surplus Asset Sales Policies – Mayor Guthrie's Motion for which notice was given on March 6, 2017

It was requested that the clauses be voted on separately.

7. Moved by Councillor Bell
Seconded by Councillor Hofland

1. That staff report back on the City of Guelph's policy on local community non-profit access to surplus assets through our Wellbeing Grant policy.

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

2. That staff be directed to facilitate the potential transfer of one surplus ambulance to St. John's Ambulance within the 2017 budget from the Infrastructure Renewal Reserve.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Downer, Gordon, Hofland, MacKinnon, Piper, Van Hellemond and Wettstein (10)
Voting Against: Councillor Billings, Gibson and Salisbury (3)

Carried

COW-CS-2017.02 Tax Ratios 2017-2020 Assessment Cycle

8. Moved by Councillor Bell
Seconded by Councillor Allt

1. That the Tax Ratios for the 2017 year be adopted as set out in Table One of the "Tax Ratios 2017-2020 Assessment Cycle" Report CS-2017-02 dated Monday, April 3, 2017.

2. That the Tax Ratios for the remainder of the 2017-2020 assessment cycle be adopted based on start ratios for all tax classes except for the multi-residential ratio which will remain revenue neutral on an annual basis.

3. That the tax ratios be incorporated into the appropriate Tax Policy.

Voting in Favour: Councillors Allt, Bell, Downer, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (10)
Voting Against: Mayor Guthrie, Councillors Billings and Gibson (3)

Carried

COW-CS-2017.03 2017 Tax Policy

It was requested that clauses 1 and 2 be voted on separately from clauses 3 and 4.

9. Moved by Councillor Gibson
Seconded by Councillor Bell

1. That the 2017 City of Guelph Property Tax Policies set out in Schedule 1 to the "2017 Tax Policy" CS-2017-07 report dated April 3, 2017, be approved.

2. That the tax policies be incorporated into tax ratio, tax rate, and capping by-laws to be adopted on April 24, 2017.

Voting in Favour: Councillors Allt, Bell, Downer, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (10)
Voting Against: Mayor Guthrie, Councillors Billings and Gibson (3)

Carried

3. That a tax rate related to the dedicated infrastructure levy be calculated for the required amount and identified separately on the 2017 and future years' City tax bills replacing the previously separated Public Health levy.

4. That the maximum allowed capping parameters be used for 2017, allowing the City of Guelph to exit the capping program in the shortest time frame available.

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

CON-2017.14 Annual Report from the Integrity Commissioner

Robert Swayze, City of Guelph Integrity Commissioner, presented the 2016 Annual Report from the Integrity Commissioner.

10. Moved by Councillor Downer
Seconded by Councillor Gibson

That the 2016 Annual Report of the Integrity Commissioner, dated April 24, 2017, be received

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: (0)

Carried

COW-CS-2017.04 2018 Municipal Election: Methods of Voting

The following delegates spoke regarding this item:
Anne Gajersky-Cauley
Aleksander Essex
Brian Holstein
George Kelly
Dave Suffling
Cameron Shelley
Jason Dodge and Brad Howcroft

Councillor Allt declared a point of personal privilege.

The following delegates spoke regarding this item:
Bill McClellan
Susan Watson

Council recessed at 9:53 p.m. and reconvened at 10:03 p.m.

The following delegates spoke regarding this item:
Ron East
Lin Grist
Dennis Galon

Maggie Laidlaw
Hugh Whiteley
Laura Root

Extension of Meeting Per Procedural By-law

11. Moved by Councillor Downer
Seconded by Councillor Gibson

That Section 4.13 (a) and (b) of the Procedural By-law be invoked to allow Council to continue to 11:59 p.m.

Carried

COW-CS-2017.04 2018 Municipal Election: Methods of Voting

12. Moved by Councillor MacKinnon
Seconded by Councillor Van Hellemond

That a By-law be adopted to support the use of vote scanners/tabulators in the 2018 Municipal Election.

Amendment

13. Moved by Councillor MacKinnon
Seconded by Councillor Van Hellemond

That a By-law be adopted to support the use of vote scanners/tabulators in the 2018 Municipal Election **and that internet voting be permitted during the advanced voting period.**

Suspending the Procedural By-law

14. Moved by Councillor MacKinnon
Seconded by Councillor Downer

That the Procedural By-law be suspended to allow Council to continue beyond 12:00 a.m.

Carried

COW-CS-2017.04 2018 Municipal Election: Methods of Voting

Amendment

15. Moved by Councillor MacKinnon
Seconded by Councillor Van Hellemond

That a By-law be adopted to support the use of vote scanners/tabulators in the 2018 Municipal Election **and that internet voting be permitted during the advanced voting period.**

Voting in Favour: Mayor Guthrie, Councillors Billings, Downer, Gibson, MacKinnon and Van Hellemond (6)
Voting Against: Councillor Allt, Bell, Gordon, Hofland, Piper, Salisbury and Wettstein (7)

Defeated

Main Motion

16. Moved by Councillor MacKinnon
Seconded by Councillor Van Hellemond

That a By-law be adopted to support the use of vote scanners/tabulators in the 2018 Municipal Election.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: Councillor Downer (1)

Carried

Councillor Van Hellemond left the meeting at 12:41 p.m.

17. Moved by Councillor Bell
Seconded by Councillor Salisbury

That the Council of the City of Guelph inform the Association of Municipalities of Ontario and the Province of Ontario that online voting requires proper standards and a process to ensure security of online voting for those unable to vote by paper ballot.

Voting in Favour: Councillors Allt, Bell, Gordon, Hofland, Piper, Salisbury, and Wettstein (7)
Voting Against: Mayor Guthrie, Councillors Billings, Downer, Gibson and MacKinnon (5)

Carried

Special Resolutions

CON-2017.16 Notice of Motion Policy

18. Moved by Councillor Wettstein
Seconded by Councillor Allt

That the following be referred to the May 1, 2017 Committee of the Whole:

That Council suspend the use of Notices of Motion until staff bring forward a clear policy on their purpose and intent.

Voting in Favour: Councillors Allt, Gordon, Hofland, Piper, Salisbury and Wettstein (6)
Voting Against: Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson and MacKinnon (6)

Defeated

By-laws

19. Moved by Councillor Gordon
Seconded by Councillor Hofland

That By-laws Numbered (2017)-20160 to (2017)-20168, inclusive, are hereby passed.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury and Wettstein (12)
Voting Against: (0)

Carried

Adjournment (12:53 a.m.)

20. Moved by Councillor Bell
Seconded by Councillor Salisbury

That the meeting be adjourned.

Carried

Minutes to be confirmed on May 23, 2017.

_____
Mayor Guthrie

_____
Stephen O'Brien - City Clerk

Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
May 8, 2017 at 6:30 p.m.

Attendance

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

Absent: Councillor J. Gordon
Councillor J. Hofland
Councillor L. Piper

Staff: Mr. S. Stewart, Deputy CAO, Infrastructure, Development and Enterprise Services
Mr. T. Salter, General Manager, Planning, Urban Design and Building Services
Ms. M. Aldunate, Manager, Policy Planning & Urban Design
Mr. D. de Groot, Senior Urban Designer
Mr. T. Donegani, Policy Planner
Ms. T. Agnello, Deputy Clerk
Ms. D. Tremblay, Council Committee Coordinator

Open Meeting (6:30 p.m.)

Mayor Guthrie called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Presentations:

The Mayor presented medals to the Guelph Buns Master Special Olympics Floor Hockey Team Silver medalists at the Special Olympic World Winter Games 2017, in Graz, Austria: Team Members: Ryan Blinn (absent), Doug Dunk, Adam Guthrie (absent), Daniel Ironmonger, Dan Jamieson, Mark Jamieson, Andrew McTaggart, Paul McTaggart, Stephen Slezsak, Ben Tinholt, Jeff Tromp, Patric Seeds, Majes Walker and David Winter (absent); Coaches Ron Cambridge (absent), Mark Cullen, Doug Pflug, Paul Turner, Shawn Turner.

Council Consent Agenda

CON-2017.17 Update to Municipal Register of Cultural Heritage Properties: Staff Initiated Heritage Review Applications to Remove Properties or Correct Records

1. Moved by Councillor Allt
Seconded by Councillor MacKinnon

1. That staff be directed to remove the following 23 properties from the Municipal Register of Cultural Heritage Properties:

33 Arkell Road
340 Clair Road East
132 Clair Road West
14 Clearview Street
148 Crawley Road
110 Dufferin Street
233 Forestell Road
202 Glasgow Street North
1640 Gordon Street
1647 Gordon Street
1756 Gordon Street
270 Grange Road
117 Liverpool Street
13 Marcon Street
206-210 Neeve Street
111 Norwich Street East
463 Speedvale Avenue West
268 Victoria Road North
63-67 Woolwich Street
229 Woolwich Street
504 Woolwich Street
160-164 Wyndham Street North
148 York Road; and

2. That staff be directed to make corrections as specified in Report IDE-17-21 to the following 6 properties listed on the Municipal Register of Cultural Heritage Properties:

91 Arthur St N	(Correct address: 38 Queen Street)
998 Edinburgh Rd S	(Correct address: 37 Geddes Court)
90 Fountain St E	(Correct address: 91 Farquhar St)
2093 Gordon St	(Barn incorrectly included in record for 1912 Gordon St in heritage register)
527 Stone Rd E	(Correct address: 728 Victoria Road South)
1023 Victoria Rd S	(Correct address: 1035 Victoria Rd S, Unit 151)

Voting In Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, MacKinnon, Salisbury, Van Hellemond, Wettstein (10)
Voting Against: (0)

CARRIED

CON-2017.18 Contract Award for Metcalfe Street Reconstruction – Phase 1

2. Moved by Councillor Gibson
Seconded by Councillor Salisbury

3. That Council approve a budget increase of $800,000 for capital account PN0042 Metcalfe Street Reconstruction Phase 1 – Speedvale to Terry.

4. That the additional budget be funded via budget reallocations from the following capital accounts; $162,000 from PN0126 Road Restoration and Resurfacing Program, $228,000 from – SC0013 Ward One - Sewer Replacement, $110,000 from SW0071 Storm Sewer Replacement CIP AND $299,000 from WD0015 Ward One – Watermain Replacement.

5. That the tender from Goetz Construction Limited be accepted and that the Mayor and Clerk be authorized to sign the Agreement for Contract 2-1711 for the Metcalfe Street Reconstruction Phase 1 – Speedvale to Terry project for a total tendered price of $3,999,624.70 (excluding HST) and contingency allowance of $320,147 with actual payment to be made in accordance with the terms of the Contract.

Voting In Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, MacKinnon, Salisbury, Van Hellemond, Wettstein (10)
Voting Against: (0)

CARRIED

Items for Discussion

CON-2017.20 Preliminary Design Directions Built Form Standards for Mid-rise Buildings and Townhouses

David de Groot, Senior Urban Designer made a presentation which outlined the preliminary design directions built form standards for mid-rise buildings and townhouses including objectives, project timelines, study area, city-wide design principles and key design issues.

Ms. Laura Murr expressed concerns that the Niska Road/Hanlon Creek Conservation area has been included in the preliminary design directions mapping of midrise building and stated that Heritage Guelph has recommended to Council that the area be designated a cultural heritage landscape. Ms. Murr requested that reference to the Kortright Waterfowl Park lands be removed.

3. Moved by Councillor MacKinnon
Seconded by Councillor Van Hellemond

That Council receive and support the Preliminary Design Directions: Built Form Standards for Mid-rise Buildings and Townhouses as a basis to develop draft Built Form Standards for Mid-rise Buildings and Townhouses.

Voting In Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, MacKinnon, Salisbury, Van Hellemond, Wettstein (10)
Voting Against: (0)

CARRIED

CON-2017.19 Affordable Housing Strategy: Review of the Affordable Housing Target and Secondary Market

Melissa Aldunate, Manger, Policy Planning and Urban Design, made a presentation outlining the affordable housing targets contained in the Affordable Housing Strategy including details on the affordable ownership and rental targets.

4. Moved by Councillor Downer
Seconded by Councillor MacKinnon

That Council approve the revised affordable housing target, as outlined in Report 17-49 dated May 8, 2017, and direct that the Affordable Housing Strategy, as approved by Council on October 11, 2016, be modified to reflect this revised target in accordance with Attachment 3 to Report 17-29 attached as Schedule 1 hereto.

Amendment

5. Moved by Councillor Billings
Seconded by Councillor Gibson

That attachment 3 be changed to the affordable housing target set at 30%; 25% affordable ownership and 5% affordable rental and revise attachment 3 accordingly**.**

Voting in Favour: Mayor Guthrie, Councillors Billings, Gibson, Van Hellemond (4)
Voting Against: Councillor Allt, Bell, Downer, MacKinnon, Salisbury and Wettstein (6)

Defeated

Main Motion

6. Moved by Councillor Downer
Seconded by Councillor MacKinnon

That Council approve the revised affordable housing target, as outlined in Report 17-49 dated May 8, 2017, and direct that the Affordable Housing Strategy, as

approved by Council on October 11, 2016, be modified to reflect this revised target in accordance with Attachment 3 to Report 17-29 attached as Schedule 1 hereto.

Voting In Favour: Councillors Allt, Bell, Downer, MacKinnon, Salisbury, Van Hellemond, Wettstein (7)
Voting Against: Mayor Guthrie, Councillors Billings and Gibson (3)

CARRIED

By-laws

7. Moved by Councillor Allt
Seconded by Councillor Salisbury

"That By-law Numbers (2017)-20169 is hereby passed."

Voting In Favour: Mayor Guthrie, Councillors, Allt, Bell, Billings, Downer, Gibson, Hofland, MacKinnon, Salisbury, Van Hellemond, Wettstein (10)
Voting Against: (0)

CARRIED

Adjournment (7:57 p.m.)

8. Moved by Councillor Bell
Seconded by Councillor Salisbury

That the meeting be adjourned.

CARRIED

Minutes to be confirmed on May 23, 2017.

_____
Mayor Guthrie

_____
Tina Agnello – Deputy Clerk

Attachment 3 – Affordable Housing Strategy Report Revisions

The revised affordable housing targets require updates to the Affordable Housing Strategy approved in part by Council on October 11, 2016. This attachment provides amendments to the text of the Strategy to implement the recommendations of this report. Each amendment is identified in an **item number in bold**. *The location of the amended text within the Strategy, including page and section numbers, is included in italics.* Finally, the amended paragraphs are excerpted with edits in blue. Deletions to the text are shown as ~~strikeouts~~ and insertions shown as underlines.

Item 1
Section 1 is amended by editing the third paragraph on pg 1 as follows:

The Affordable Housing Strategy addresses municipal requirements under the Provincial Policy Statement, 2014 and the Provincial Growth Plan, 2006. It builds on the City's Official Plan Update (OPA 48, currently under appeal to the Ontario Municipal Board), which establishes a framework for planning for a range and mix of housing types and densities, through appropriate land use designations and supporting policies. Further clarity is provided around affordability issues and concrete recommendations regarding how to advance the Official Plan affordable housing target that 30% of all new residential units constructed be affordable. This target is broken down into an annual affordable housing target of ~~27~~25% affordable ownership housing ~~and 3% rental housing~~, 1% affordable primary rental and 4% affordable secondary rental.

Item 2
Section 2.2 is amended by editing the last paragraph beginning on page 3 as follows:

Recommended Strategic Actions Report
The Recommended Strategic Actions report was presented to Council in July 2016 for receipt and Council endorsed its use for continued community engagement in the preparation of the final Affordable Housing Strategy. The Recommended Strategic Actions report presented recommendations for a final strategy to:

- support achievement of the city-wide 30% affordable housing target ~~(27% ownership and 3% rental)~~;
- monitor achievement of the target; and
- address affordable housing issues on the market end of the housing continuum.

Item 3
Section 2.6 is amended by editing the last paragraph on page 6 as follows:

The City supports a full range of housing types through its Official Plan policies and Zoning By-law. The City's Official Plan Update (OPA 48), 2012 is the main policy document for the City that guides the type, form and location of growth in the City. The policies support a range and mix of housing types and densities throughout the City through land use designations and intensification policies. Through its growth management work the City ensures that sufficient lands are available to meet projected population and household needs and that growth plan targets for built-up and greenfield areas are monitored and met. Affordable housing targets for both ownership and rental housing have been incorporated within the Official Plan and measured in the State of Housing report. ~~Appendix 2 provides an excerpt of the housing policies contained in the City's Official Plan, including OPA 48.~~

Item 4
Section 2.6 is further amended by editing the fourth paragraph on page 7 as follows:

The City has been viewed as a best practice for its accessory apartment regulations. Over the last 10 years (2007-2016) ~~which have created,~~ on average, ~~122~~ 120 ~~registered~~ accessory apartments have been registered each year ~~since 1995~~. As of December 31, ~~2015~~ 2016 there were in excess of ~~2,300~~2,500 registered accessory apartments within the City. These units provide both affordable home ownership and secondary rental options. The accessory apartments tend to have lower rental rates than other types of rental units and tend to service smaller household sizes given the current two bedroom size limit. However, based on a survey of registered accessory apartments conducted during November-December 2014, 22% of accessory apartments were not being rented at the time.

Item 5
Section 4 on page 11 is amended by deleting the section in its entirety and replacing it as follows:

~~As required by Provincial policy, the City's Official Plan Update (OPA 48), 2012 includes policy that establishes a target for the creation of affordable housing. The policy establishes an annual target of 30% of all new housing to be affordable to low and moderate income households. The target is further divided into a 27% ownership target and a 3% primary rental target.~~

~~The City projects a population of approximately 169,000 people (excluding the Census undercount) by the year 2031. This equates to an increase of 22,500 dwelling units between 2011 and 2031, representing an annual increase of 1,125 dwelling units. Applying the affordable housing target of 30% equates to 338 dwelling units being affordable annually (304 ownership and 34 rental units).~~

~~The income based and market based prices for both ownership and rental housing have been quantified in accordance with the PPS definition and~~

~~measured whether or not the City's new housing stock met the targets over the period from 2009 to 2015. The affordable ownership target of 27% was exceeded each year. Between 2009 and 2015 we have data for a total of 3,982 new units that were sold with 46% of them priced below the affordable house price. The majority of units below the affordable benchmark price (95%) were apartment or townhouse units.~~

~~In comparison, the affordable rental target of 3% was only met in 2012 with the development of 80 senior residential units at The Residences of St. Joseph's. Incidentally the seniors units were provided with financial assistance which allowed them to be geared to low to moderate income households. Between 2009 and 2015, a total of 328 purpose built (primary) rental units were constructed with only the 80 senior residential apartment units meeting the affordable rental benchmark price, representing 1.2% of new housing units developed over the five year period.~~

Provincial legislation requires the City to set a target for housing that is affordable for low and moderate income households. The Province defines affordable housing and prescribes how affordable housing is measured but does not prescribe a target or method to determine the target. The goal of the Affordable Housing Strategy is to ensure that affordable housing is included in the range and mix of housing provided for all households across the City. Progress towards this goal will be measured by a number of key indicators including the vacancy rate, core housing need and how new residential construction is performing against the affordable housing target.

The Affordable Housing Strategy sets an annual city-wide 30% target with a target breakdown of 25% affordable ownership units, 1% affordable primary rental units, and 4% affordable secondary rental market units (See Appendix 3). The separate annual target for accessory apartments is no longer required since the accessory apartments are now included within the affordable rental target.

The City projects a population of approximately 169,000 people (excluding the Census undercount) by the year 2031. Projected household growth in Guelph between 2013 and 2031 equates to an average of 1,170 new units per year based on Watson & Associates Development Charge Background Study, 2014. Applying the affordable housing target of 30% equates to 352 dwelling units being affordable annually (293 ownership and 59 rental, of which 12 are to be primary rental units).

The income based and market based prices for both ownership and rental housing have been quantified in accordance with the PPS definition and measured whether or not the City's new housing stock met the targets over the period from 2009 to 2015.

Page 21

The affordable ownership target of 25% was exceeded each year. Between 2009 and 2015 we have data for a total of 3,982 new units that were sold with 46% of them priced below the affordable benchmark price. The majority of units below the affordable benchmark price (95%) were apartment or townhouse units.

The 5% affordable rental target, which includes a 1% affordable primary rental target, measured as a five year average with 2009 as the base year, was met between 2009 and 2013 due to the 80 affordable apartment units for seniors created in 2012. In addition, the new affordable accessory apartment units created between 2009 and 2016 were between 3.6% and 10.3% of new housing units per year. No affordable purpose built secondary rental was constructed during this time. Accordingly, the 4% secondary rental target was met in each year except for 2010, when 3.6% of units built were affordable accessory apartments.

Additional details on the method for determining the target are included as Appendix 3.

Item 6

Section 5 is amended by editing the first paragraph beginning on page 11 as follows:

The economics of residential development in the private market suggests the need for financial incentives to encourage development to be offered at more affordable prices. Specifically the City has been able to meet its affordable homeownership target every year since 2009. The secondary rental target was met every year since 2009, except for 2010. The primary rental target, measured as a five year average, was met in the 2009-2013 period through the development of 80 affordable apartment units for seniors at The Residences of St. Joseph's with government subsidies in 2012. In addition there is high need for smaller units (bachelor and one bedroom) for smaller households who experience the highest level of core housing need and represent a growing portion of the City's population. From a financial perspective smaller residential units (bachelor and one bedrooms) tend to be more expensive to construct than larger units with more bedrooms and common amenity areas on a price per square footage basis. The simple fact is that every dwelling unit requires a kitchen and bathroom, which are expensive parts of a house, given servicing and construction costs (e.g. plumbing and electrical infrastructure). Meanwhile the addition of extra bedrooms or common amenity areas represents relatively inexpensive square footage additions that have high perceived value added in the market place. The absence of financial incentives will likely mean that dwelling units will become less affordable.

Item 7

Section 6.2 is amended by editing the second paragraph on page 14 as follows:

The strategy includes and confirms the following three policy positions that provide the implementation framework for meeting the City's affordable housing needs:

1. That the affordable housing target is ~~be maintained at~~ 30% of all new residential development; ~~27~~25% affordable ownership ~~and 3% rental~~, 1% affordable primary rental, and 4% affordable secondary rental.

Item 8
Section 6.3.1 is amended by editing the second paragraph on page 15 as follows:

6.3.1 Targets

Action
1. That the City review the affordable ~~rental~~ housing target during the next Official Plan review based on factors such as vacancy rate, success of the actions recommended in this Strategy and performance of the market sector in delivering affordable housing.

The 30% target was developed as part of the background work to the City's 2012 Official Plan Update and has been validated through the affordable housing strategy work. ~~The 3% affordable rental target was also produced as part of the background work to the City's Official Plan Update.~~ The Affordable Housing Strategy work has demonstrated that meeting the affordable primary rental target is a ~~significant~~ challenge. Focusing actions on the affordable rental market combined with enhanced monitoring will provide a better base to review the ~~3%~~ target in the future. ~~Retaining the 3% target at this time is appropriate since it still recognizes the need to strive for affordable rental units.~~ In addition other data and actions emerging from the affordable housing strategy work support overcoming affordable primary rental market housing challenges. Reviewing the ~~3%~~ affordable ~~rental~~ housing target regularly ~~is best done~~ as part of the City's Official Plan review process will keep the target current by reflecting ~~when~~ updated monitoring data ~~will be available which reflects~~ and the impact of implementing actions from the Affordable Housing Strategy. ~~The City's Official Plan review occurs on a five year basis with the next review scheduled to commence in 2017/18 and take a number of years to complete.~~

Item 9
Section 6.3.3 is amended by editing the last paragraph starting on page 20 and the first paragraph starting on pg 21 as follows:

The City's financial incentives should focus on achieving the City's affordable housing targets and address identified housing issues. The City's main

challenge has been meeting the ~~annual 3~~1% affordable primary rental housing target without financial incentives which equates to approximately ~~34~~ 60 rental units ~~per year~~in a five year period. The additional research undertaken on the costs of development revealed that $60,000 to $80,000 represents the financial hurdle o~~f~~r "tipping point" for development to be financially viable with a reasonable rate of return in the current Guelph market for creating affordable rental housing that meets the City's benchmark price. While financial incentives are the most impactful, the Affordable Housing Strategy includes other actions that support meeting the City's affordable rental target and identified housing issues. In addition, potential tools and resources provided by senior levels of government are still under development and could positively affect the City's ability to meet the rental housing target. Since the strategy as a whole is directed at increasing supply and addressing meeting the targets, staff are of the opinion that financial incentives are not required for 100% of the units.

~~Staff recommend setting aside sufficient funds to incent 40% to 50% of the City's affordable rental target which would equate to approximately $820,000 to $1.3 million representing 40% of the rental target at the lowest cost per unit to 50% of the rental target at the highest cost per unit.~~ Staff note that setting aside sufficient funds to incent 50% of the City's affordable primary rental target would equate to approximately $360,000 to $480,000 annually representing six units at $60,000 to $80,000 per unit. The annual financial allotment would allow the City to participate in cost shared government programs and provide direct incentives. Over time staff will assess the impact of the other actions from the Affordable Housing Strategy on meeting affordable housing targets and identified housing issues; the market's ability to supply units and assess the effectiveness and future need for incentives.

Item 10
Section 6.3.6 is amended by editing actions #20 and 23 as follows:

> 20. That the primary rental housing target be measured as a five year average~~ and that purpose built secondary rental housing units, excluding accessory apartments, be included where known~~.
>
> 23. That the City ~~continue to~~ monitor primary rental and purpose built secondary rental units ~~explore the ability to identify and monitor purpose built secondary rental housing annually, excluding accessory apartments,~~ through the development review/approval process, for inclusion in measuring the affordable rental target~~s~~.

Item 11
Section 6.3.6 is further amended by editing the last paragraph on page 23 as follows:

Page 24

Plans need to be implemented and monitored to ensure that anticipated outcomes are met. The City's Official Plan Update (OPA 48), 2012 policies commit the City to developing and maintaining an affordable housing monitoring system ~~(See Appendix 2, Policy 7.2.6.11)~~. The monitoring is to include details on the affordable housing developments planned and constructed over the year and to set the new affordable housing benchmark prices for ownership and rental housing for the upcoming year.

Item 12
Section 6.3.6 is further amended by editing the last paragraph starting on page 24 as follows:

Information on the secondary rental market is also important since it is estimated to be a significant portion of the City's rental market at 45% and a source of affordable units, especially within the accessory apartment stock. Identifying purpose built secondary rental housing, where possible, as part of the development review/approval process will help gauge whether or not it should be included in measuring the affordable rental target which in turn would assist the City in meeting rental housing targets. Purpose built secondary rental housing units, also referred to as condominium investment units, are an emerging supply that has similar security of tenure as primary rental housing stock. In addition Canada Mortgage and Housing Corporation (CMHC) includes secondary rental market units, where ~~more than 5~~10% of the units are rented and managed by one property management company, as part of its rental market vacancy rate. ~~City staff will endeavour to evolve the measurement of the rental target to include secondary rental housing stock that aligns with CMHC's definition.~~

Item 13
Appendix 2- Official Plan Update (OPA 48 and OPA 39): Housing Policies (Excerpt) *is deleted in its entirety*

Item 14
Appendix 3 is amended by editing the table on page 1 as follows:

Appendix 3
Summary of Strategic Actions

Strategic Actions

#	Policy Implementation	How
1.	That the affordable housing target be ~~maintained~~ set at 30%; ~~27~~25% affordable ownership, ~~and 3%~~ ~~rental~~1% affordable primary rental, and 4%	To be monitored annually and reported to

	affordable secondary rental.	Council.

Item 15

Appendix 3 is further amended by editing page 6 as follows:

Monitoring				
20.	That the affordable primary rental housing target be measured as a five year ~~annual~~ average~~, and that purpose built secondary rental housing units, excluding accessory apartments, be included where known~~.	2017, Ongoing	Staff: Policy Planning and Urban Design	

Item 16
Attachment 2 of IDE Report #17-49 be inserted as Appendix 4.

Item 17
That the table of contents, page numbers, section numbers, cross references etc. be amended as appropriate in accordance with the items above.

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Minutes of Committee of the Whole Meeting
Held in the Council Chambers, Guelph City Hall on
May 1, 2017 at 1:32 p.m.

Attendance

Council: Mayor 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 M. Salisbury
Councillor A. Van Hellemond
Councillor K. Wettstein

Absent: Councillor L. Piper

Staff: Mr. D. Thomson, Chief Administrative Officer
Mr. A. MacDonald, Acting Deputy CAO, Public Services
Ms. C. Clack, Interim Deputy CAO, Corporate Services
Mr. S. Stewart, Deputy CAO, Infrastructure, Development and Enterprise
Mr. T. Salter, General Manager, Planning, Urban Design and Building Services
Mr. R. Reynen, Chief Building Official
Ms. K. Dedman, General Manager / City Engineer, Engineering and Capital Infrastructure Services
Mr. D. Godwaldt, General Manager, Human Resources
Ms. T. Baker, General Manager / City Treasurer, Finance
Mr. D. Godfrey, General Manager, Operations
Mr. J. Aitkens, Deputy City Solicitor
Mr. A. McILveen, Manager, Transportation Services
Ms. S. Kirkwood, Manager, Development Planning
Mr. T. Myles, Program Manager, Termite Control
Mr. A. Van Eck, Program Manager, Inspections
Mr. R. Templeton, Landscape Planner
Mr. S. O'Brien, City Clerk
Mr. D. McMahon, Council Committee Coordinator

Call to Order (1:32 p.m.)

Mayor Guthrie called the meeting to order.

Authority to Move into Closed Meeting

1. Moved by Councillor
Seconded by Councillor

That the Council of the City of Guelph 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 necessary for that purpose.

Carried

Closed Meeting (1:34 p.m.)

Open Meeting (2:04 p.m.)

Closed Meeting Summary

The following matters were considered:

C-COW-GOV-2017.01 Council Briefing – Public Libraries Act
Information was received from staff.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Presentations

Shawn Marsh, President, Guelph and District Home Builders Associations, presented the Guelph and District Home Builders 30 Year Membership Award to Rob Reynen, Chief Building Official.

Councillor Gibson acknowledged Adrian van Eck, Program Manager, Inspections on his graduation from the Association of Municipal Clerks and Treasurers of Ontario's Executive Diploma in Municipal Management.

Consent Agenda – Infrastructure, Development and Enterprise

The following items were extracted:

COW-IDE-2017.20 Elementary School Speed Zone - Update
COW-IDE-2017.21 Municipal Property and Building Commemorative Naming Annual Report
COW-IDE-2017.22 2017 Development Priorities Plan Summary

Consent Agenda – Governance

The following items were extracted:

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

Consent Agenda - Corporate Services

The following items were extracted:

COW-CS-2017.07 2016 Year-End Capital Variance Report
COW-CS-2017.06 2016 Operating Variance Report and Surplus and Deficit Allocation

Consent Agenda - Public Services

The following items were extracted:

COW-PS-2017.05 Refugee Support Program Review
COW-PS-2017.04 Business License Fees 2017

Balance of Remaining Consent Items

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

2. Moved by Councillor Hofland
Seconded by Councillor Billings

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

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: (0)

Carried

Items for Discussion – Corporate Services

Councillor MacKinnon assumed the Chair.

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

Stephen O'Brien, City Clerk, presented the Six Month Committee of the Whole Recap.

The following delegate spoke to this item:
Hugh Whiteley

It was requested that the clauses be voted on separately.

3. Moved by Billings
Seconded by Hofland

1. That Guelph City Council Committee of the Whole governance structure remain in place.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: (0)

Carried

3. That the remuneration for the Service Area Chairs be discontinued.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: (0)

Carried

4. That staff conduct a calendar year review of the Committee of the Whole governance structure and report back in Q2 2018.

Amendment

4. Moved by Councillor Hofland
Seconded by Councillor Allt

That the following phrase: "and that a community engagement process be completed" be added to the end of clause 4.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, Salisbury, Van Hellemond and Wettstein (11)
Voting Against: Councillor MacKinnon (1)

Carried

Main Motion as Amended

5. Moved by Billings
Seconded by Hofland

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

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, Salisbury, Van Hellemond and Wettstein (11)
Voting Against: Councillor MacKinnon (1)

Carried

6. Moved by Councillor Allt
Seconded by Councillor Salisbury

That the Committee of the Whole meeting process be amended by changing the Chair's position to consist of the Mayor for the remainder of this term.

Voting in Favour: Councillors Allt, Billings, Hofland, Gordon and Salisbury (5)
Voting Against: Mayor Guthrie, Councillors Bell, Downer, Gibson, MacKinnon, Van Hellemond and Wettstein (7)

Defeated

Items for Discussion – Infrastructure, Development and Enterprise

Councillor Gibson assumed the Chair.

COW-IDE-2017.24 Termite Control Program 2016 Annual Report

Tim Myles, Program Manager, Termite Control, presented the Termite Control Program 2016 Annual Report.

7. Moved by Councillor Billings
Seconded by Councillor Bell

That report 17-48 dated May 1, 2017 entitled "Termite Control Program 2016 Annual Report" be received.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: (0)

Carried

Councillor Van Hellemond left the meeting at 3:53 p.m.

Council recessed at 3:53 p.m. and reconvened at 4:01 p.m.

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

Rob Reynen, Chief Building Official, presented the 2016 Building Permit Revenue and Expenditures, Building Stabilization Reserve Fund, Annual Setting of Building Permit Fees and Building By-law Amendments report.

8. Moved by Mayor Guthrie
Seconded by Councillor Bell

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

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

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury and Wettstein (11)
Voting Against: (0)

Carried

Councillor Van Hellemond returned to the meeting at 4:41 p.m.

COW-IDE-2017.20 Elementary School Speed Zone – Update

9. Moved by Councillor MacKinnon
Seconded by Councillor Hofland

1. That all existing 30 km/h School Speed Zones be converted to 40 km/h speed zones.

2. That the 40 km/h School Speed Zones by time of day on arterial classified roads be extended to include roadways with 3000 annual average daily traffic.

3. That additional School Speed Zones be implemented based upon a number of factors such as fencing location, property line separation, location of school entrances, location of sidewalks and other mitigating factors that are present.

4. That Traffic Bylaw (2002) 17017 be amended to reflect the changes in speed limits and the additional new School Speed Zones as identified in Report IDE 17-60.

5. That Council request the Ontario Ministry of Transportation to an amend Regulation 615 section 5 of the Highway Traffic Act to permit text tab signs indicating times and days when the reduced speeds in school zones are in effect.

Amendment

10. Moved by Councillor Salisbury
Seconded by Councillor Allt

That clause one be referred until after Bill 65 is passed by the Provincial Legislature.

Voting in Favour: Councillors Allt and Salisbury (2)
Voting Against: Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Van Hellemond and Wettstein (10)

Defeated

Main Motion

It was requested that clause one be voted on separately.

11. Moved by Councillor MacKinnon
Seconded by Councillor Hofland

1. That all existing 30 km/h School Speed Zones be converted to 40 km/h speed zones.

Voting in Favour: Councillor MacKinnon (1)
Voting Against: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, Salisbury, Van Hellemond and Wettstein (11)

Defeated

2. That the 40 km/h School Speed Zones by time of day on arterial classified roads be extended to include roadways with 3000 annual average daily traffic.

3. That additional School Speed Zones be implemented based upon a number of factors such as fencing location, property line separation, location of school entrances, location of sidewalks and other mitigating factors that are present.

4. That Traffic Bylaw (2002) 17017 be amended to reflect the changes in speed limits and the additional new School Speed Zones as identified in Report IDE 17-60.

5. That Council request the Ontario Ministry of Transportation to an amend Regulation 615 section 5 of the Highway Traffic Act to permit text tab signs indicating times and days when the reduced speeds in school zones are in effect.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: (0)

Carried

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

12. Moved by Councillor Bell
Seconded by Councillor Downer

1. That Report IDE 17-56, from Infrastructure, Development and Enterprise titled “Municipal Property and Building Commemorative Naming Annual Report” be approved.

2. That the names and recommendations proposed by the Naming Committee listed in ATT-1 be approved.

3. That Council provide endorsement to the Naming Committee regarding future proposals to name non-City owned assets (GRCA lands).

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: (0)

Carried

COW-IDE-2017.22 2017 Development Priorities Plan Summary

13. Moved by Councillor Bell
Seconded by Councillor Mayor Guthrie

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

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)
Voting Against: (0)

Carried

Council recessed at 5:15 p.m. and reconvened at 5:45 p.m.

Consent Agenda – Governance

Mayor Guthrie assumed the Chair.

Councillor Gordon left the meeting at 5:58 p.m.

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

14. Moved by Councillor Downer
Seconded by Councillor Hofland

1. That the CAO Performance Development Plan process previously under the Governance Committee now be brought to Council through Committee of the Whole.

2. That the revised CAO Performance Development Plan Terms of Reference (Attachment 1) of report titled CAO Performance Development Plan (PDP) Process dated Monday, May 1, 2017, be approved.

3. That the CAO Performance Evaluation Process Summary (Attachment 2) of report titled CAO Performance Development Plan (PDP) Process dated Monday, May 1, 2017, be approved.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)
Voting Against: (0)

Carried

15. Moved by Councillor Hofland
Seconded by Councillor Allt

That Council hire an outside consultant to conduct / assist with the CAO PDP process.

Voting in Favour: Mayor Guthrie, Councillors Allt, Hofland and Salisbury (4)
Voting Against: Councillors Bell, Billings, Downer, Gibson, MacKinnon, Van Hellemond and Wettstein (7)

Defeated

Review and Discussion Regarding Notices of Motion

16. Moved by Councillor Hofland
Seconded by Councillor Wettstein

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

Voting in Favour: Mayor Guthrie, Councillors Allt, Downer, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (8)
Voting Against: Councillors Bell, Billings and Gibson (3)

Carried

Consent Agenda – Corporate Services

Councillor MacKinnon assumed the Chair.

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

17. Moved by Mayor Guthrie
Seconded by Councillor Hofland

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

Infrastructure Renewal reserve (150)	$76,300
Tax Rate Stabilization reserve (180)	$3,003,639
Total allocation	$3,079,939

2. That the Water surplus of $180,467 be allocated to reserve 181–Water Rate Stabilization reserve.

3. That the Wastewater surplus of $840,098 be allocated to reserve 153-Wastewater Capital reserve.

4. That the Court Services surplus of $484,958 be allocated to reserve 211–POA Contingency and 120–POA Capital as follows:

POA Contingency (211)	$242,479
POA Capital (120)	$242,479
Total allocation	$484,958

Amendment

18. Moved by Mayor Guthrie
Seconded by Councillor Gibson

That clause one be amended by allocating $1,000,000 to the Tax Rate Stabilization reserve and allocating the remainder to the Infrastructure Renewal reserve as follows:

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

Infrastructure Renewal reserve (150)	**$2,079,939**
Tax Rate Stabilization reserve (180)	**$1,000,000**
Total allocation	$3,079,939

Authority to Move into a Closed Meeting Regarding the Potential Acquisition of Land in Downtown Guelph

19. Moved by Councillor Salisbury
Seconded by Councillor Gibson

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (c), of the Municipal Act with respect to a proposed or pending acquisition or disposition of land by the municipality or local board.

Carried

Closed Meeting (6:49 p.m.)

Open Meeting (6:57 p.m.)

Closed Meeting Summary

The following matters were considered:

Potential Acquisition of Land in Downtown Guelph
Information was received from staff.

Continuation of Debate on Amendment

20. Moved by Mayor Guthrie
Seconded by Councillor Gibson

That clause one be amended by allocating $1,000,000 to the Tax Rate Stabilization reserve and allocating the remainder to the Infrastructure Renewal reserve as follows:

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

Infrastructure Renewal reserve (150)	**$2,079,939**
Tax Rate Stabilization reserve (180)	**$1,000,000**
Total allocation	$3,079,939

Voting in Favour: Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, MacKinnon and Van Hellemond (7)
Voting Against: Councillors Allt, Hofland, Salisbury and MacKinnon (4)

Carried

Main Motion as Amended

21. Moved by Mayor Guthrie
Seconded by Councillor Hofland

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

Infrastructure Renewal reserve (150)	**$2,079,939**
Tax Rate Stabilization reserve (180)	**$1,000,000**
Total allocation	$3,079,939

2. That the Water surplus of $180,467 be allocated to reserve 181–Water Rate Stabilization reserve.

3. That the Wastewater surplus of $840,098 be allocated to reserve 153-Wastewater Capital reserve.

4. That the Court Services surplus of $484,958 be allocated to reserve 211–POA Contingency and 120–POA Capital as follows:

POA Contingency (211)	$242,479
POA Capital (120)	$242,479
Total allocation	$484,958

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)
Voting Against: (0)

Carried

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

22. Moved by Mayor Guthrie
Seconded by Councillor Billings

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

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)
Voting Against: (0)

Carried

Consent Agenda – Public Services

Councillor Downer assumed the Chair

Councillor MacKinnon left at 7:26 p.m.

COW-PS-2017.04 Business License Fees 2017

23. Moved by Councillor Gibson
Seconded by Councillor Billings

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

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Hofland, Salisbury, Van Hellemond and Wettstein (10)
Voting Against: (0)

Carried

Councillor MacKinnon returned to the meeting at 7:32 p.m.

COW-PS-2017.05 Refugee Support Program Review

24. Moved by Mayor Guthrie
Seconded by Councillor Gibson

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

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)
Voting Against: (0)

Carried

Special Resolutions

Mayor Guthrie assumed the Chair.

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

25. Moved by Councillor Downer
Seconded by Councillor MacKinnon

That in collaboration with the Guelph Public Library, the current governance structure between the City of Guelph and the Guelph Public Library be reviewed as per the Public Libraries Act and Municipal Act in order to create Terms of Reference for a joint staff working group for the development of capital projects and that this motion be forwarded to the Guelph Public Library Board.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)
Voting Against: (0)

Carried

Adjournment (7:56 p.m.)

26. Moved by Councillor Bell
Seconded by Councillor Van Hellemond

That the meeting be adjourned.

Carried

Minutes to be confirmed on May 23, 2017.

_____
Mayor Guthrie

_____
Stephen O'Brien - City Clerk

Staff Report

To	**City Council**
Service Area	Infrastructure, Development and Enterprise Services
Date	Tuesday, May 23, 2017
Subject	**13 Stuart Street: Notice of Intention to Designate Pursuant to Part IV of the Ontario Heritage Act**
Report Number	IDE 17-65

Recommendation

1. That the City Clerk be authorized to publish and serve notice of intention to designate 13 Stuart Street pursuant to Section 29, Part IV the Ontario Heritage Act and as recommended by Heritage Guelph.

2. That the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

Executive Summary

Purpose of Report

To recommend that Council publish its intention to designate 13 Stuart Street according to provisions of Section 29, Part IV of the Ontario Heritage Act.

Key Findings

The cultural heritage value of the property is considered to be at risk and requires protection through an individual heritage designation by-law under the Ontario Heritage Act.

A property may be designated under Part IV, Section 29 of the *Ontario Heritage Act* if it meets one or more of the criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06.

Planning staff, in consultation with Heritage Guelph, have compiled a statement of significance including proposed heritage attributes of the property. Staff recommends that the property meets all three criteria used to determine cultural heritage value or interest as set out in Ontario Regulation 9/06 under the *Ontario Heritage Act*.

Financial Implications

Planning and Urban Design Services budget covers the cost of a heritage designation plaque.

Report

The subject property is located on the northeast side of Stuart Street, between Grange Street and Palmer Street. The current lot is comprised of six of the original parcels created in 1874 by Archdeacon Arthur Palmer's subdivision of the northern portion of his lands known as "Tyrcathlen". The subject property is described legally as Lots 6, 7, 8, 13, 14 & 15, Plan 235; Guelph.

The property backs onto what is now St. George's Park and consists of a two-storey brick house with a distinctive 2-storey front verandah with a porte-cochère over the driveway leading to a detached garage. Beyond the original metal fence and gates are mature trees that date from the Cutten family residency from 1904 to the 1960s.

The current owners purchased the subject property in May 2016 and in September of the same year had a demolition company completely remove the interior features and finishes of the house back to the studs and framing. The City of Guelph Building Services at the City of Guelph have ordered the owners and their demolition contractor to apply for the permit required for this extensive interior demolition. Building Services has issued a stop work order for all demolition and are also monitoring the site on a regular basis to ensure compliance with this order.

Historical Background

The property in question was part of lands purchased from the Reverend Arthur Palmer in 1875 by lawyer and former Guelph mayor Archibald H. Macdonald. 7 Stuart Street was built for William Stevenson in 1876 and leased by A. H. Macdonald until his new home was built at 55 Palmer Street. In 1890, A. H. Macdonald sold lots 7 and 8 to Frank Hall, a Guelph lawyer and merchant, who sold to Arthur Cutten in 1904. The land title abstracts (Attachment 5) refer to Cutten's full name – Arthur W. (William) Cutten. A. H. Macdonald sold lots 6, 13, 14, and 15 to Arthur Cutten in the following year.

It was in 1904/05 that the subject property became known as "Tranquille" with major alterations made by members of the Cutten family. Arthur Cutten, a Guelphite of renown, would become a New York stock broker by 1925 and a very successful commodities speculator and multi-millionaire. Arthur Cutten is reported to have lost about fifty million dollars in the stock market crash of 1929.

Arthur Cutten did not live on a full-time basis at 13 Stuart Street but purchased the property for the family's use. He married Maud Boomer in 1906 and by 1912 had a large country estate outside Chicago and an apartment in that city. The Guelph City Directories indicate that the patriarch of the Cutten family, prominent Guelph lawyer Walter Hoyt Cutten, resided at 13 Stuart Street until his death in 1915. Constance, Lenora, Harry and William H. Cutten all are indicated as living in the house. Lois and Ralph Cutten were the last Cutten family members to live in the house until the mid-1960s.

The original house at 13 Stuart Street was built in 1891 for Frank Hall (a Guelph lawyer and merchant) as a two-storey, white brick home with Italianate styling and a medium pitch hip roof, carved wood soffit brackets and a central, double-leaf half-glass front door within a 3-bay façade. The windows have tooled stone sills and segmental arch heads with a header cap course. The main alterations carried out by the Cutten family after purchasing the property in 1904 (and before 1910) was the addition of the 2-storey front verandah that extends over the driveway in a porte-cochère and is supported on limestone piers. An enclosed sunporch on the southeast elevation and a large 2-storey addition to the rear. Before 1911 a detached, brick coach house/garage was added with an attached greenhouse on the side of the garage facing Stuart Street.

The grounds of the Cutten property at 13 Stuart Street were designed and well developed by 1930s featuring what are now impressive mature tree specimens such as a Japanese maple in front of the house and a butternut near the east corner of the property.

Why the property is being recommended for designation:

The subject property is worthy of designation under Part IV of the *Ontario Heritage Act* as it meets all three of the prescribed criteria for determining cultural heritage value or interest according to Ontario Regulation 9/06 made under the *Ontario Heritage Act*. The heritage attributes of 13 Stuart Street display design/physical, historical/associative and contextual value.

The subject property has design value or physical value because it is a representative example of Guelph's Edwardian residential architecture with a rare combination of a 2-storey front verandah, enclosed sunporch and a port-cochère over the driveway. The house displays a high degree of craftsmanship in the brickwork and exterior trim details.

The property has historical value or associative value because it has a significant historical association with the Cutten family as their principle residence and with Arthur Cutten, a prominent early 20th century philanthropist in Guelph. The real property has association with Guelph barrister Archibald H. Macdonald, barrister and Mayor of Guelph (1887-1888). The property yields information that contributes to an understanding of the historic social community in this area of Guelph.

The property has contextual value because it (the subject house, detached garage, front fence and mature trees associated with the Cutten's designed landscape) has major heritage character defining elements of the Stuart Street historic streetscape. The property has heritage attributes (the house, front fence, driveway and detached garage) that are each physically, functionally and visually linked to its surroundings.

What is to be protected by the designation:

The following elements of the property at 13 Stuart Street should be considered heritage attributes in a designation under Part IV of the *Ontario Heritage Act*:

House

- form and massing of roof and exterior brick walls of the house
- brick chimneys on side elevations
- wood soffits and brackets
- window and door openings
- all original wood doors, windows of the house (principle sash and storm sash) and associated trim and hardware
- porte-cochère and 2-storey front verandah
- enclosed sunporch on east elevation

Garage

- form and massing of hip roof, front and rear dormers, and exterior brick walls of the detached garage
- original window and door openings of the detached garage
- all original wood 9 and 12-pane windows of the detached garage and associated trim and hardware

Grounds

- metal fence along frontage
- context and relationship of the house, front fence, driveway, detached garage and mature trees on the property associated with the Cutten's designed landscape

Financial Implications

Planning and Urban Design Services budget covers the cost of a heritage designation plaque.

Consultations

At their meeting of May 8, 2017 Heritage Guelph passed the following motion:

> That Heritage Guelph recommends that Council publish its intention to designate 13 Stuart Street pursuant to Section 29, Part IV the Ontario Heritage Act; and
> That the following be considered as heritage attributes to be protected by the heritage designation by-law:
> - form and massing of roof and exterior brick walls of the house
> - brick chimneys on side elevations
> - wood soffits and brackets
> - window and door openings

- all original wood doors, windows of the house (principle sash and storm sash) and associated trim and hardware
- porte-cochère and 2-storey front verandah
- enclosed sunporch on east elevation
- form and massing of hip roof, front and rear dormers, and exterior brick walls of the detached garage
- original window and door openings of the detached garage
- all original wood 9 and 12-pane windows of the detached garage and associated trim and hardware
- metal fence along frontage
- context and relationship of the house, front fence, driveway, detached garage and mature trees on the property associated with the Cutten's designed landscape

The property owner was circulated by email on April 28 2017 the agenda for the May 8 2017 meeting of Heritage Guelph and on May 5 2017 the related addendum containing staff's recommendation that Heritage Guelph recommend Council publish its intention to designate 13 Stuart Street under Part IV of the Ontario Heritage Act. On May 11 2017 the owner was notified through email that Council will consider the matter of 13 Stuart Street at their meeting of May 23 2017 and that the Council agenda would be available on the City website after 3:00 p.m. on May 11 2017. As of the time this report was written, Planning staff have received no response from the owner regarding these communications.

Corporate Administrative Plan

Overarching Goals
Service Excellence

Service Area Operational Work Plans
Our Services - Municipal services that make lives better
Our People- Building a great community together
Our Resources - A solid foundation for a growing city

Attachments

ATT- 1 Current Photos of Subject Property
ATT- 2 Location of Subject Property
ATT- 3 Current Survey of Subject Property
ATT- 4 Property as a Listed (Non-designated) Cultural Heritage Resource
ATT- 5 Historical Maps and Fire Insurance Plans
ATT- 6 2014 Photos of Subject Property
ATT- 7 Interior Demolition (Sept 2016)
ATT- 8 Properties on Northeast Side of Stuart Street
ATT- 9 Statement of Reasons for Designation

Departmental Approval

Not applicable

Report Author

Stephen Robinson
Senior Heritage Planner

Approved by:

Melissa Aldunate
Manager of Policy Planning and Urban Design

Approved By
Todd Salter
General Manager
Planning, Urban Design and
Building Services
519-822-1260 x2395
todd.salter@guelph.ca

Recommended By
Scott Stewart
Deputy CAO
Infrastructure, Development and Enterprise
519-822-1260 x3445
scott.stewart@guelph.ca

ATTACHMENT 1

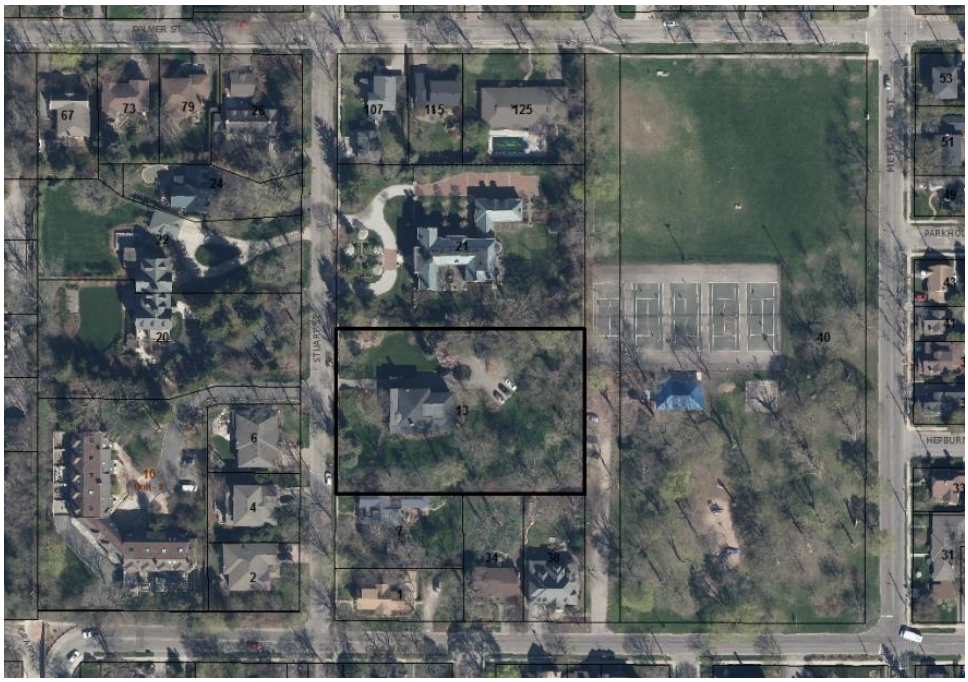
Current Photos of Subject Property

13 Stuart Street – House and garage. (Photo: S. Robinson, City of Guelph, Apr 11 2017)

13 Stuart Street – View from south gate. (Photo: S. Robinson, City of Guelph, Apr 11 2017)

ATTACHMENT 2

Location of Subject Property



(Images: City of Guelph GIS)

ATTACHMENT 3

Current Survey of Subject Property

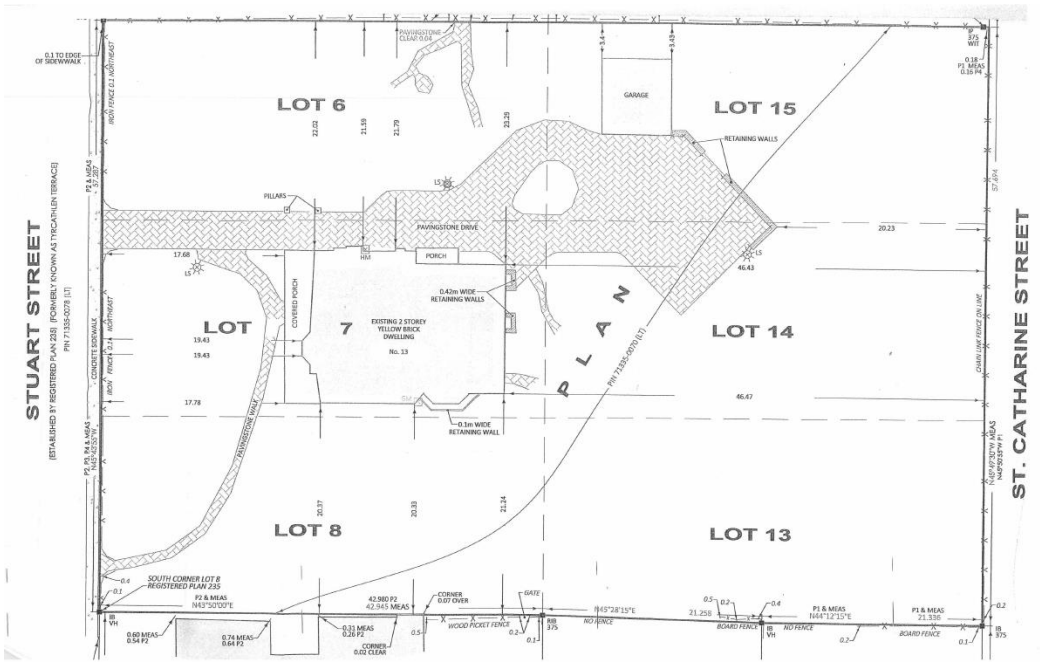


Image: Van Harten Surveying Inc. (April 29, 2016)

(Image: City of Guelph GIS)

ATTACHMENT 4

Property as a Listed (Non-designated)
Cultural Heritage Resource

ADDRESS: 13 Stuart St

PHOTO DATE: May 3, 2000

STRUCTURE NAME:

INVENTORY DATE: Dec 14, 2001

ORIGINAL OWNER: Cutter

CONST. DATE: c. 1880

DESIGNER:
(Architect (A), Engineer (E)
Landscape Architect (L).)

BUILDER:

ORIGINAL USE: Dwelling

PRESENT USE: Single family res'l

CURRENT OWNER & ADDRESS: John Pellettier

HERITAGE DESIGNATION:

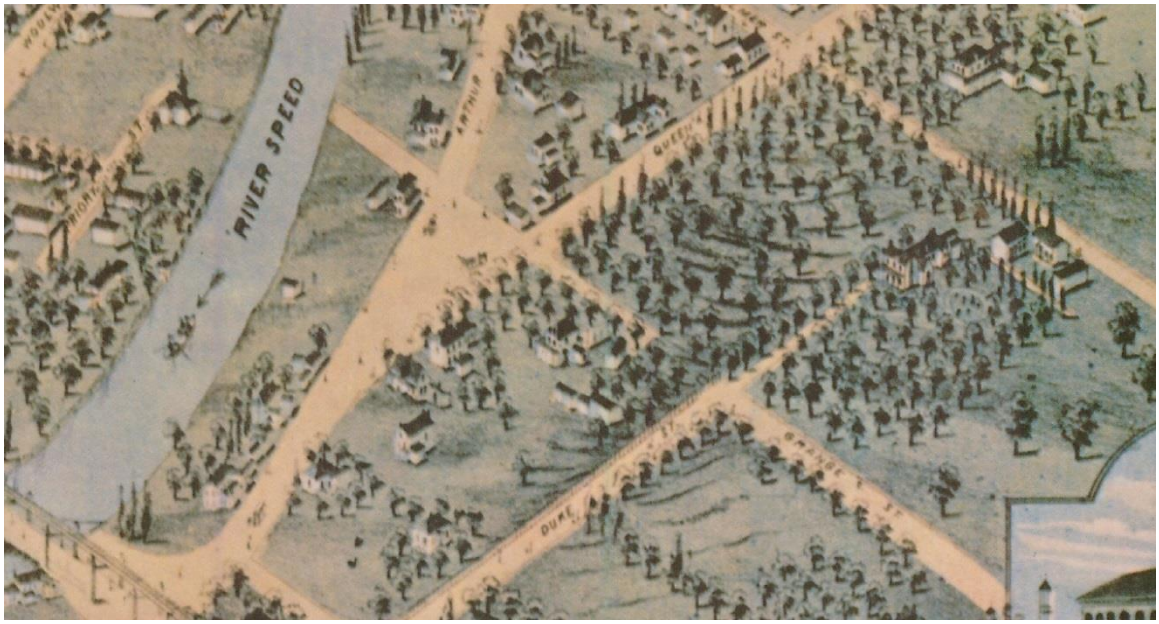
CONSTRUCTION MATERIALS: "White", sand-struck, stock, brick; stretcher bond.

SIGNIFICANT FEATURES: Neo-Classic Vernacular (late Italianate); 2 storey; 6 bay (with projecting brick bay of 3 lights incl.); hip roof; entrance with double leaf glass door, transom above; tooled stone sills; segmental arches with header cap course; end chimneys; projecting brick bay under wrap-around verandah; centred entrance; 2 storey gallery with basket shaped balustrade above c. 1910.

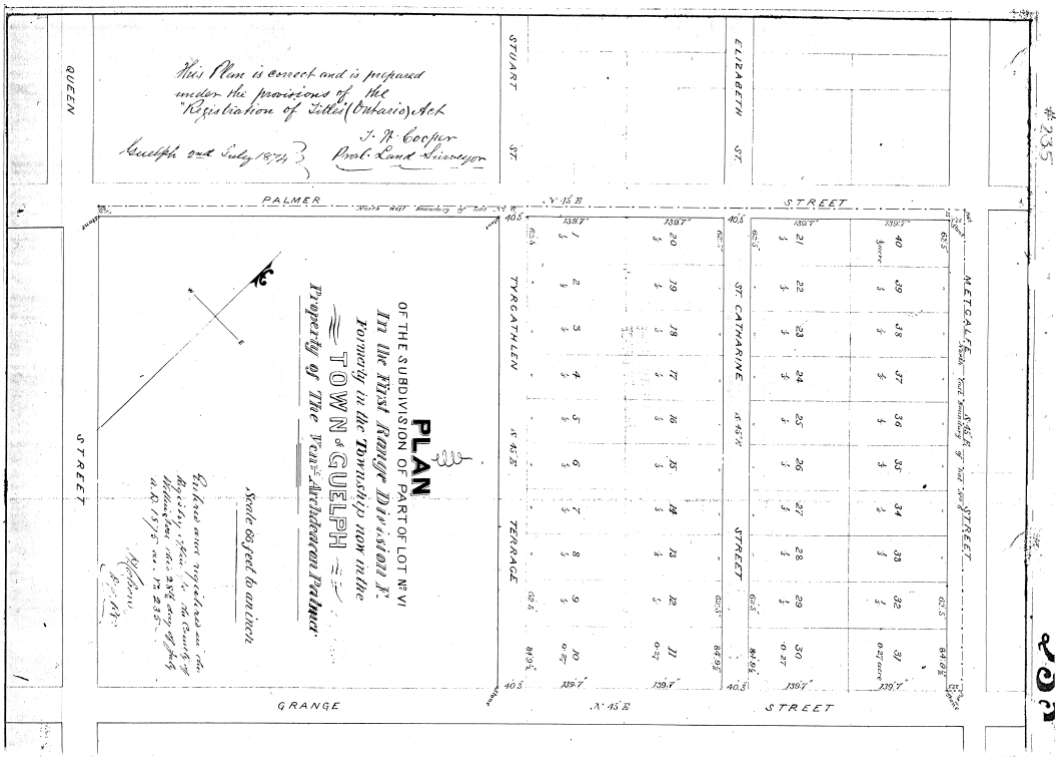
ATTACHMENT 5

Historical Maps and Fire Insurance Plans

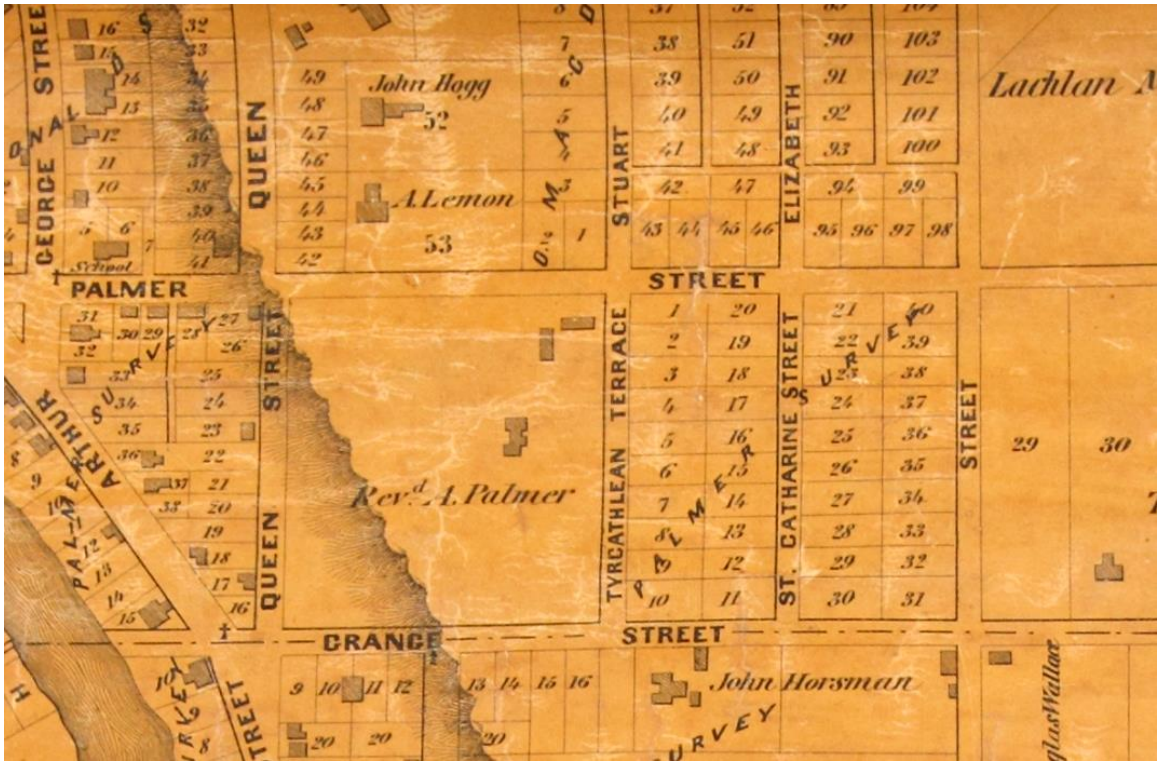
Cooper's Map of the Town of Guelph, 1862. (Image: Guelph Museums)



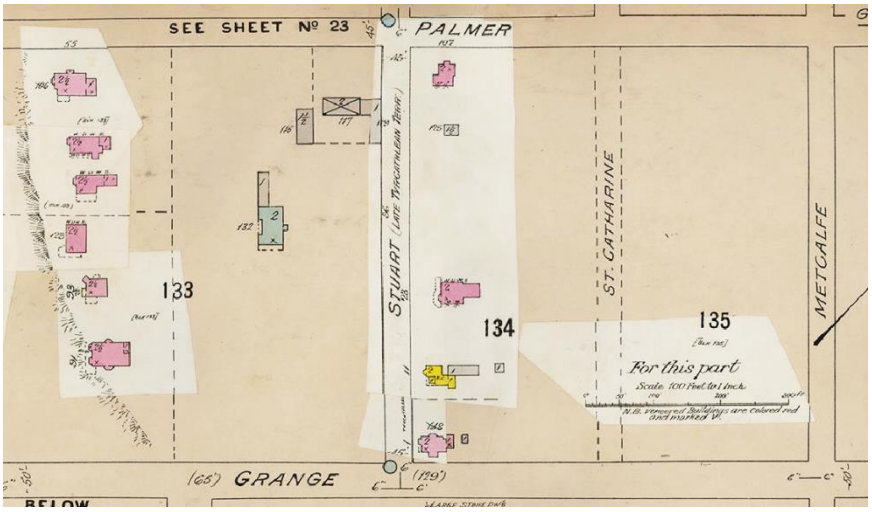
Bird's Eye View of the Town of Guelph 1872 (Image: City of Guelph Heritage Planning files)



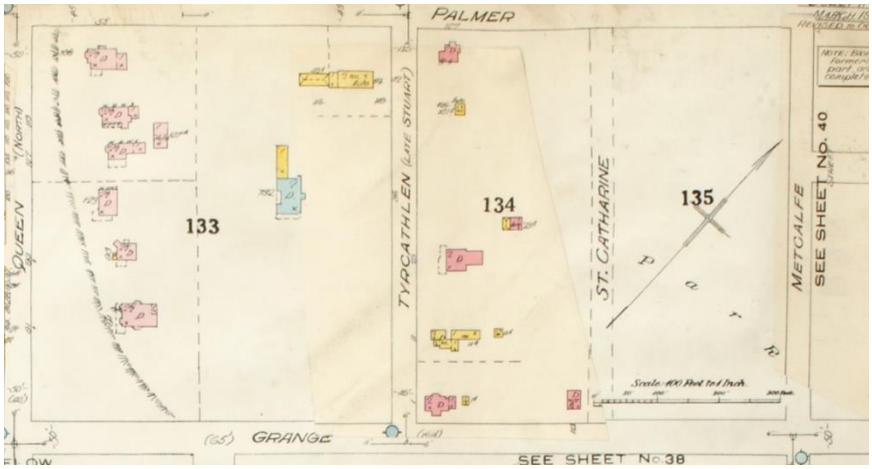
"Palmer Survey". Registered Plan 235, deposited 1874. (Image: Guelph Land Registry Office)



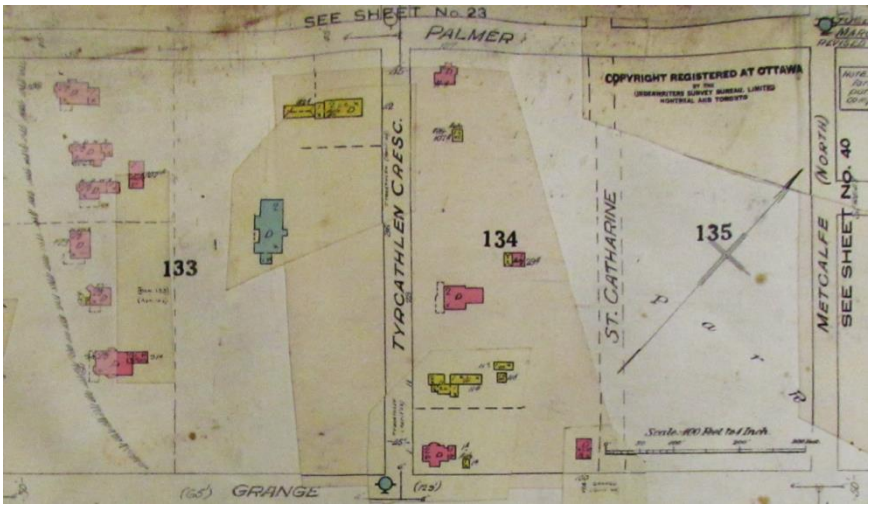
Cooper's Map of the Town of Guelph 1877 (Image: Guelph Museums)



Fire Insurance Plan of City of Guelph, 1897 (revised 1911). (Image: City of Guelph Heritage Planning files)



Fire Insurance Plan of City of Guelph, 1922 (revised 1929). (Image: Guelph Museums)

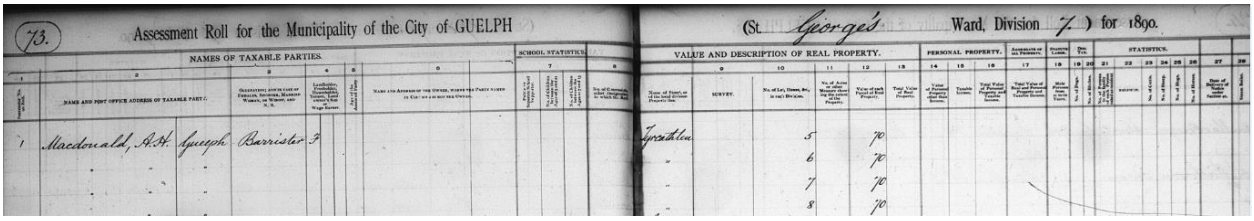


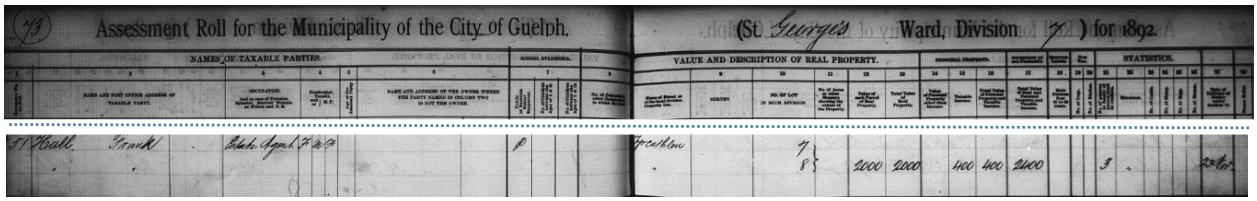
Fire Insurance Plan of City of Guelph, 1946. (Image: Guelph Museums)

Summary from Land Title Abstracts
(Source: Guelph Wellington Land Registry Office)

Instrument	Date Registered	Grantor (seller)	Grantee (buyer)	Quantity of Land	Consideration or Amount of Mortgage	Remarks
Bargain & Sale 4552	24 Aug 1875	Ven A. Palmer wife	Arch Macdonald	All		others
Bargain & Sale 4768	5 may 1890	A H Macdonald wife	Frank Hall	All		others
Bargain & Sale 2774	28 Sept 1904	Frank Hall wife	Arthur W Cutten	All	3750	
Bargain & Sale 5840	29 June 1908	Arthur Cutten	Maud Cutten	All	8000	
Bargain & Sale 14764	10 Apr 1917	Maud Cutten	Arthur W Cutten	All	1	
Trust Agreement 15353	8 Jan 1918	Arthur W Cutten	Walter E Buckingham, Evelyn Mary L Cutten and Maud Boomer Cutten Trustee	All	1	
Grant M26251	8 May 1962	The Royal Trust Company "Trustee"	Ernest Przekop and Agnes Przekop	All	$25,000	as joint tenants others
Deed 165259	1 Dec 1975	Ernest Przekop and Agnes Przekop	I Carolyn Pellettier	All	$140,000	Others
Transfer 787345	25 Nov 1997	Pellettier, I Carolyn	Pellettier, Ida Carolyn; Pellettier, John J T			

Summary from City of Guelph Tax Assessment Rolls – 1890 (p. 73) and 1892 (p.73) (Source: Guelph Public Library)



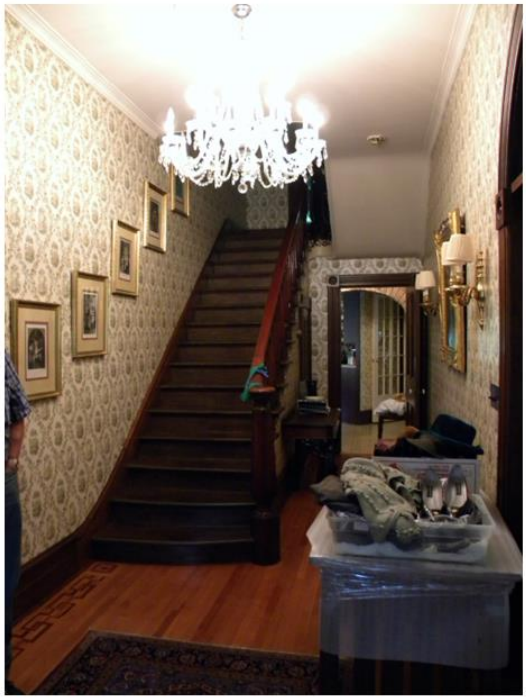


ATTACHMENT 6

2014 Photos of Property

(Photos: S. Robinson, City of Guelph, September 29, 2014)

(Photos: S. Robinson, City of Guelph, Sept 29, 2014)



13 Stuart Street - Front hall and front right room. (Photos: S. Robinson, City of Guelph, Sept 29 2014)

ATTACHMENT 7

Interior Demolition (Sept 2016)

13 Stuart Street – Interior demolition Sept 2016
(Photo: S. Robinson, City of Guelph, Sept 27 2016)

ATTACHMENT 8

Properties on Northeast Side of Stuart Street

21 Stuart Street – View from south. (Photo: S. Robinson, City of Guelph, Apr 11 2017)

7 Stuart Street – View from south. (Photo: S. Robinson, City of Guelph, Apr 11 2017)

1 Stuart Street – View from south. (Photo: S. Robinson, City of Guelph, Apr 11 2017)

107 Palmer Street – View from south west. (Photo: S. Robinson, City of Guelph, 2013)

ATTACHMENT 9

Statement of Reasons for Designation

13 Stuart Street

Why the property is being recommended for designation:
The subject property is worthy of designation under Part IV of the *Ontario Heritage Act* as it meets all three of the prescribed criteria for determining cultural heritage value or interest according to Ontario Regulation 9/06 made under the *Ontario Heritage Act*. The heritage attributes of 13 Stuart Street display design/physical, historical/associative and contextual value.

CRITERIA	NOTES	SCORE
The property has design value or physical value because it…		
… Is a rare, unique, representative or early example of a style, type, expression, and material or construction method.	… is a representative example of Guelph's Edwardian residential architecture with a rare combination of a 2-storey front verandah, enclosed sunporch and a port-cochère over the driveway	✓
… Displays a high degree of craftsmanship or artistic merit	… exhibits a high degree of craftsmanship in the brickwork and exterior trim details	✓
… Demonstrates a high degree of technical or scientific achievement		
The property has historical value or associative value because it…		
… Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	… has a significant historical association with the Cutten family as a principle residence and with Arthur Cutten, a prominent early 20th century philanthropist in Guelph … has association as real property owned by Guelph barrister Archibald H. Macdonald, barrister and Mayor of Guelph (1887-1888)	✓
… Yields, or has the potential to yield, information that contributes to an understanding of a community or culture	… contributes to an understanding of the historic social community in this area of Guelph	✓
… demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community		

The property has contextual value because it…		
… Is important in defining, maintaining or supporting the character of an area.	… (the subject house, detached garage, front fence and mature trees associated with the Cutten's designed landscape) has major heritage character defining elements of the Stuart Street historic streetscape	✓
… Is physically, functionally, visually or historically linked to its surroundings	… has heritage attributes (the house, front fence, driveway and detached garage) that are each physically, functionally and visually linked to its surroundings	✓
… Is a landmark		

What is to be protected by the designation:
The following elements of the property at 13 Stuart Street should be considered heritage attributes in a designation under Part IV of the *Ontario Heritage Act*:

House
- form and massing of roof and exterior brick walls of the house
- brick chimneys on side elevations
- wood soffits and brackets
- window and door openings
- all original wood doors, windows of the house (principle sash and storm sash) and associated trim and hardware
- porte-cochère and 2-storey front verandah
- enclosed sunporch on east elevation

Garage
- form and massing of hip roof, front and rear dormers, and exterior brick walls of the detached garage
- original window and door openings of the detached garage
- all original wood 9 and 12-pane windows of the detached garage and associated trim and hardware

Grounds
- metal fence along frontage
- context and relationship of the house, front fence, driveway, detached garage and mature trees on the property associated with the Cutten's designed landscape