

City Council - Planning Meeting Agenda

Consolidated as of July 6, 2018



July 9, 2018 – 4:30 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.

Authority to move into closed meeting

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

CAO-2018-24

132 Harts Lane West, Draft Plan of Subdivision, Appeal of Draft Plan Conditions

Section 239 (2) (e) and (f) of the Municipal Act related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor client privilege, including communications necessary for that purpose.

CS-2018-57

Canada Revenue Agency Payroll Compliance Matter

Section 239 (2) (b) (e) and (f) of the Municipal Act related to personal matters about an identifiable individual, including municipal or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor client privilege, including communications necessary for that purpose.

IDE-2018-105

Dolime Quarry - Mediation Process Update

Section 239 (2) (e) and (f) of the Municipal Act related to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor client privilege, including communications necessary for that purpose.

Closed Meeting

Open Meeting – 6:30 p.m.

O Canada

Silent Reflection

First Nations Acknowledgment

Disclosure of Pecuniary Interest and General Nature Thereof

Closed Meeting Summary

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.

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| IDE-2018-100 | Decision Report City-initiated Administrative Amendment to Zoning By-law (1995)-14864 to Address Service Animals (File: ZC1803) |
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Recommendation:

That the City-initiated administrative amendment to Guelph's Comprehensive Zoning By-law (1995)-14864 to address service animals be approved in accordance with ATT-1 of the Infrastructure, Development and Enterprise Report IDE 2018-100 dated, July 9, 2018.

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| IDE-2018-90 | Decision Report: Brownfield Redevelopment Community Improvement Plan Update |
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Correspondence:

Larry Kotseff, Fusion Homes

Recommendation:

1. That Amendment #1 to the City of Guelph Brownfield Redevelopment Community Improvement Plan, included as Attachment 1 to Report #IDE-2018-90, be approved.
2. That the interim financial approach to Brownfield Tax Increment Based Grants, included in Report #IDE-2018-90, be approved.

Recommendation:

That the application by Astrid J. Clos Planning Consultants on behalf of 1830334 Ontario Inc., the owners of the of the property municipally known as 671 Victoria Road North and legally described as Part of Lot 1, Concession 7, Division C, City of Guelph, for approval of a Zoning By-law Amendment application to change the zoning on a portion of the site from "Specialized Neighbourhood Commercial" (NC-9), to a "Specialized Cluster Townhouse Residential" (R.3A-??) Zone, to permit a residential townhouse development containing 31 units be approved in accordance with the zoning regulations and conditions in ATT-3 of the Infrastructure, Development and Enterprise Report 2018-93 dated July 9, 2018.

Recommendation:

1. That the City Clerk be authorized to publish and serve notice of intention to designate the Hart farmhouse in its associated lot within the Approved Draft Plan of Subdivision for Hart Village 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.

Items for Discussion:

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

Presentation:

Melissa Aldunate, Manager of Policy Planning and Urban Design

Recommendation:

1. That a Planning Advisory Committee be established for the City of Guelph in accordance with report IDE-2018-91 and as required by the Planning Act (Bill 73), dated July 9, 2018.

2. That staff be directed to develop terms of reference for the City of Guelph Planning Advisory Committee for consideration by City Council in Q3 2018.

IDE-2018-94

Commercial Policy Review: Preferred Framework

Delegations:

Charlene Downey

Correspondence:

Tom Halinski, on behalf of Silvercreek (Guelph) Developments Limited

Recommendation:

1. That the Commercial Policy Review: Preferred Framework and the Commercial Policy Review: Stage 2 Preferred Framework Report included in Report IDE-2018-94 dated May 2018 be approved.
2. That staff be directed to initiate amendments to the Official Plan and Zoning By-law to implement the Council approved Commercial Policy Review: Preferred Framework.

Special Resolutions

By-laws

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

That by-laws (2018)-20294 to (2018)-20303, inclusive, are hereby passed.

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| By-law Number (2018)-20294 | A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property municipally known as 47-51 Paisley Street and legally described as Part Lot 1, Registered Plan 324, City of Guelph. The purpose of this amending by-law is to remove the holding provisions to permit a revised building consisting of four dwelling units. |
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| By-law Number (2018)-20295 | A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property municipally known as 671 Victoria Road North and legally described as Part of Lot 1, Concession 7, Division C, City of Guelph. The purpose of this amending by-law is to permit the development of 31 townhouses. |
| By-law Number (2018)-20296 | A By-law to amend the City of Guelph Brownfield Redevelopment Community Improvement Plan. |
| By-law Number (2018)-20297 | A by-law to designate portions of the building and property municipally known as 43 Arthur Street South and legally described as Part of the Grist Mill Lands east side of River Speed, Plan 113, more particularly described as Parts 1, 2, 3, 4, 13 & 14, Reference Plan 61R-21139; Guelph, as being a property of cultural heritage value or interest. |
| By-law Number (2018)-20298 | A by-law to designate portions of the building and property municipally known as 122 Cardigan Street and legally described as PT PARK LOT 88, PLAN 8, PART 3, 61R7139; GUELPH, as being a property of cultural heritage value or interest. |

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| By-law Number (2018)-20299 | A by-law to designate portions of the building and property municipally known as 55 Delhi Street and legally described as Lot 34 & Part Lot 35, Plan 133 , as in MS2192; S/T MS2192, S/T Right in MS2192 & Part Lot 40, Plan 133, Parts 1, 2, 3 & 4, 61R20329; T/W CS8635; Together with an easement over Part Lots 35, 36, 40 & 41, Plan 133 Des as Parts 1 to 6, 61R11415 as in WC297163; Together with an easement over Part Lots 35, 36 & 40, Plan 133 Designated as Parts 1, 3, 5, 7 & 8, 61R11415 as in WC297163 Together with an easement over Parts 1,2,3 & 4 61R11415 as in WC376481 Subject to an easement over Part 2, 61R20329 In Favour of Part Lot 40, Plan 133, Part 4, WGR50 Except Part 4, 61R20329 as in WC407498 City of Guelph, as being a property of cultural heritage value or interest. |
| By-law Number (2018)-20300 | A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph to address Service Animals (File #ZC1803). |
| By-law Number (2018)-20301 | A By-law to dedicate certain lands known as part of a Public Street AKA Northumberland Street, Part of Lot 121, Plan 8, closed by MS83454, designated as Part 2, Reference Plan 61R-21335, City of Guelph as part of Northumberland Street and Part of Wilson Street, Plan 8, closed by MS83454, designated as Part 1, Reference Plan 61R-21335 as part of Wilson Street. |
| By-law Number (2018)-20302 | A By-law to dedicate certain lands known as part of Broken Front Lot 1, Division F, formerly Township of Guelph, designated as Part 2, Reference Plan 61R-21043, City of Guelph as part of Speedvale Avenue E. |
| By-law Number (2018)-20303 | A By-law to confirm the proceedings of the meeting of Guelph City Council held July 9, 2018. |

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

July 3rd 2018

City of Guelph
City Hall
1 Carden Street
Guelph ON
N1H 3A1

Attention: Mayor Cam Guthrie and Members of Council

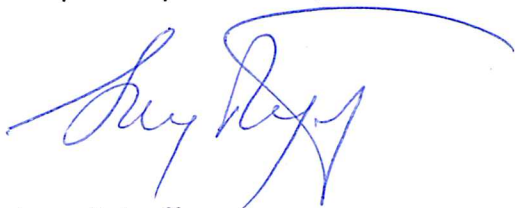
Dear Mayor Guthrie and Councillors:

**Re: Report IDE-2018-90 Brownfield Redevelopment
Community Improvement Plan**

Further to our attached letter of April 5th, 2018 in support of the Brownfield Redevelopment Community Improvement Plan, we wish to re-affirm our support for this key program. We believe that this program is necessary to the further development of brownfield sites in the City, and allows the increased development costs associated with such sites to be defrayed without direct expense to the Municipality.

We look forward to continuing to work with staff on this key initiative to continue to provide the appropriate climate for investments in Guelph's downtown core.

Respectfully submitted,



Larry Kotseff
Senior Executive Land Development

Cc. Stephen O'Brien, City Clerk
Tim Donegani, Principal Planner

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April 5th 2018

City of Guelph
City Hall
1 Carden Street
Guelph ON
N1H 3A1

Attention: Mayor Cam Guthrie and Members of Council

Dear Mayor Guthrie and Councillors:

**Re: Report IDE-2018-24 Brownfield Redevelopment
Community Improvement Plan**

Our Company has seen great success in the ongoing redevelopment efforts at The Metalworks project at 5 Arthur Street South here in Guelph. This can be attributed in part directly to the availability of the Brownfield Redevelopment Grant Program and approval of the City at this location.

The purpose of our letter is to lend support to the recommendations contained in Report IDE-2018-24 in particular as it applies to the downtown area of the City. A number of positive outcomes have been the direct result of the Brownfield Redevelopment Grant Program. Accordingly, we support its continuation and the general intent of the recommendations contained in the report.

The report outlines the value to the City of the Brownfield Redevelopment Grant Program based on a number of reasons. These include:

- Environmental improvements to soil and groundwater conditions
- Provision of new housing opportunities
- Job creation
- Improvements to public safety
- Efficient use of municipal services

In addition, the Grant Program allows for the increased development costs associated with complex brownfield sites such as The Metalworks to be offset without direct expense to the Municipality, simply by deferring future property tax revenue that would not be realized without the redevelopment taking place. All the above have no doubt improved the economic position of and been

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beneficial to the City's well-being while aligning with the Council approved vision for Guelph's downtown core contained in the Downtown Secondary Plan.

The recommendations address enhancements to the program including a number of clarifications, aspects which facilitate administrative processes and decision making, and timing and financial considerations that will be of benefit to the Program and its outcomes.

We look forward to working with staff and providing our input in the formulation of staff's recommendations to be considered by Council in the near future. Along with other incentives presently in place, the Brownfield Redevelopment Grant Program has contributed to the appropriate climate for investments in Guelph's downtown core.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Larry Kotseff", with a long horizontal stroke extending to the right.

Larry Kotseff
Senior Executive Land Development

Cc. Stephen O'Brien, City Clerk
Tim Donegani, Principal Planner

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July 4, 2018

File No. 94693

BY EMAIL: clerks@guelph.ca

Mayor and Members of Council
City of Guelph
1 Carden Street
Guelph, Ontario N1H 3A1

Dear Mayor Guthrie and Members of Council:

**Re: Staff Report IDE-2018-92
Commercial Policy Review – Preferred Framework**

As you are aware, we act on behalf of Silvercreek (Guelph) Developments Limited ("Silvercreek") in respect of its site at 35 and 40 Silvercreek Parkway South.

We previously wrote to you on June 6, 2018, to express our client's concern with options put forward in Staff Report ID-2018-57, regarding a proposed "absolute minimum floor space of 6,500 sq. m (70,000 sq. ft.) of gross floor area for the Community Mixed-use Centre designation". A copy of our correspondence is attached to this letter for ease of reference.

The concern expressed in our letter continues to apply to the "Stage 2 Preferred Policy Framework Report" and, specifically, to its recommendations that a specific minimum amount of commercial gross floor area and FSI be required in each Community Mixed-use Centre. The in-force Official Plan policies which apply to the Silvercreek property do not include a minimum requirement for commercial space and implementing such restrictions would not conform to the Minutes of Settlement.

It continues to be our client's understanding and expectation that any new Official Plan policies would include an exemption for the Silvercreek property in order to remain consistent with the settlement.

We would be pleased to meet with the City to discuss this issue in more detail.

July 4, 2018

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Yours truly,

AIRD & BERLIS LLP



Tom Halinski

TH/eb

Encl.

c: Astrid Clos
Carlo Stefanutti
Todd Salter
Peter Pickfield

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AIRD BERLIS

AIRD BERLIS

Tom Halinski
Direct: 416.865.7767
E-mail: thallinski@airdberlis.com

June 6, 2018

File No. 94693

BY EMAIL: clerks@guelph.ca

Mayor and Members of Council
City of Guelph
1 Carden Street
Guelph, Ontario N1H 3A1

Dear Mayor Guthrie and Members of Council:

Re: Commercial Policy Review – Draft Policy Alternatives

As you are aware, we act on behalf of Silvercreek (Guelph) Developments Limited ("Silvercreek") in respect of its site at 35 and 40 Silvercreek Parkway South.

Our client's lands are subject to site-specific Official Plan and Zoning By-law provisions, which were negotiated between Silvercreek, the City, and the Howitt Park Neighbourhood Residents Association through an Ontario Municipal Board mediation process. That mediation resulted in signed Minutes of Settlement and a subsequent Order of the OMB approving the agreed-upon amendments to the Official Plan and the Zoning By-law.

Since that time, our client has been diligently pursuing the development of its lands. That process has taken longer than anticipated, largely due to changes in the marketplace which resulted in none of the anticipated retail anchor tenants materializing. However, at every step, all of the parties to the Minutes of Settlement have consistently emphasized the importance of abiding by the terms of the negotiated, approved agreement.

As you are aware, the Minutes of Settlement are detailed and comprehensive. Over the past several years, our client has taken multiple steps in fulfilling its obligations under the agreement. It intends to continue to do so. In fact, our client has expressed to City Staff its intention to submit an application for Draft Plan approval imminently. That application will implement the in-place designations and zoning.

We are therefore writing to express concern with some of the options being put forward in Staff Report ID-2018-57, dated May 14, 2018. Specifically, the Report contemplates an approach which may involve establishing "an absolute minimum floor space of 6,500 sq. m (70,000 sq. ft.) of gross floor area for the Community Mixed-use Centre designation to maintain its planned commercial function". This type of policy would be entirely inconsistent with the site-specific policies and zoning which have been approved for the Silvercreek site. The Report further indicates that, "a potential response to the current landowner interests to develop non-

June 6, 2018

Page 2

commercial uses within the Community Mixed-use Centre lands at Silvercreek Junction and Watson Parkway/Starwood could be setting a minimum commercial floor space to protect an appropriate amount of commercial within the Centres while also intensifying and/or designating other lands in the general area to reallocate the remaining planned commercial space". While the Report does not contain a detailed discussion of this initiative, we are concerned that it would amount to revisions to the approved site-specific Official Plan policies for the Silvercreek site, thereby leading to a reopening of the Minutes of Settlement.

It is our client's understanding and expectation that any new Official Plan policies would include an exemption for the Silvercreek property in order to remain consistent with the Minutes of Settlement.

Yours truly,

AIRD & BERLIS LLP



Tom Halinski

TH/ek

c: Astrid Clos
Carlo Stefanutti
Todd Salter
Peter Pickfield

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