

Council Caucus Room
July 3, 2012 5:00 p.m.

An Open Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Van Hellemond and Wettstein

Absent: Councillors Findlay, Laidlaw and Piper

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning, Building, Engineering and Environment; and Ms. T. Agnello, Deputy Clerk

1. Moved by Councillor Burcher
Seconded by Councillor Hofland
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Personal Matters about Identifiable Individuals

S. 239 (2) (b) of the *Municipal Act* – personal matters about identifiable individuals

1266304 Ontario Inc. et al v. City of Guelph

S. 239 (2) (e) of the *Municipal Act* – litigation or potential litigation

OMB Appeal – Development Charges By-law

S. 239(2) (e) of the *Municipal Act* – litigation or potential litigation

S. 239 (2) (f) of the *Municipal Act* - advice that is subject to solicitor-client privilege

OMB Appeal – 716 Gordon Street

S. 239(2) (e) of the *Municipal Act* – litigation or potential litigation

S. 239 (2) (f) of the *Municipal Act* - advice that is subject to solicitor-client privilege

Litigation or Potential Litigation

S. 239(2) (e) of the *Municipal Act* – litigation or potential litigation

City Property at 6 Dublin Street

S. 239 (2) (c) of the *Municipal Act* - proposed or pending acquisition or disposition of land

Carried

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Mayor

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Deputy Clerk

Council Caucus Room
July 3 & July 4, 2012 5:01 p.m.

A Closed Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw (arrived at 5:05 pm), Piper (arrived at 5:12 pm), Van Hellemond and Wettstein

Absent: Councillor Findlay

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning, Building, Engineering and Environment; Ms. D. Jaques, General Manager of Legal & Realty Services; Mr. S. Worsfold, Deputy City Solicitor; Mr. J. Stokes, Manager of Realty Services; Ms. C. Clack, General Manager, Culture & Tourism; Mr. R. Henry, General Manager, Engineering Services/City Engineer; Ms. S. Aram, Manager of Financial Planning/Deputy Treasurer; Mr. T. Salter, General Manager, Planning Services and Ms. T. Agnello, Deputy Clerk

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Councillor Piper declared a possible pecuniary interest with regards to OMB Hearing - 716 Gordon Street by virtue of her employment with the University of Guelph, and vacated the room for that portion of the meeting.

Personal Matters about Identifiable Individuals

The Chief Administrative Officer provided the Committee with information.

226304 Ontario Inc. et al v. City of Guelph

1. Moved by Councillor Burcher
Seconded by Councillor Hofland

THAT staff be given direction with respect to litigation matter.

Carried

OMB Appeal – Development Charges By-law

2. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT staff be given direction with respect to a litigation matter.

Carried

OMB Appeal – 716 Gordon Street

Councillor Piper vacated the room for discussion and voting relating to this matter.

3. Moved by Councillor Kovach
Seconded by Councillor Burcher
THAT Peter Pickfield, legal counsel on behalf of the City of Guelph, be invited to address Council in closed session.

Carried

Mr. Pickfield provided a status update on the matter.

Litigation or Potential Litigation

The City Solicitor provided the Committee with information.

City Property at 6 Dublin Street

The Executive Director of Community & Social Services and the Manager of Realty Services provided a verbal report on this matter.

4. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
That the closed meeting of Guelph City Council of July 3, 2012 be recessed.

Carried

The meeting adjourned at 6:30 p.m.

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Mayor

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Deputy Clerk

Council Chambers
July 3 & July 4, 2012 7:00 p.m.

An Open Meeting of Guelph City Council

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning, Building, Engineering and Environment; and Ms. T. Agnello, Deputy Clerk and Ms. J. Sweeney, Council Committee Co-ordinator

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Councillor Piper declared a possible pecuniary interest with regards to OMB Hearing - 716 Gordon Street by virtue of her employment with the University of Guelph, and did not discuss or vote on the matter.

Consent Agenda

The following items were extracted from the July 3, 2012 Consent Agenda to be voted on separately:

- A-1 Community Improvement Project Area – Brownfield Redevelopment
- A-2 Ontario Municipal Board Hearing 716 Gordon Street Proposed Official Plan and Zoning By-law Amendment (Files: OP1001 / ZC1010), Ward 5
- A-3 City Property at 6 Dublin Street South

1. Moved by Councillor Guthrie
Seconded by Councillor Burcher

THAT the balance of the July 3, 2012 Council Consent Agenda as identified below, be adopted:

- a) **Proposed Demolition of 573, 575, 577-579 and 581 Gordon Street**

Dr. J. Laird
Mr. B. Poole

THAT Report 12-73 regarding the proposed demolition of four (4) detached former dwellings on University of Guelph lands, municipally known as 573, 575, 577-579 and 581 Gordon Street, City of Guelph, from Planning, Building, Engineering and Environment dated July 3, 2012, be received;

AND THAT the proposed demolition of the detached former dwellings on University of Guelph lands, municipally known as 573, 575, 577-579 and 581 Gordon Street be approved;

AND THAT the applicant be requested to contact Planning, Building, Engineering and Environment regarding options for the salvage or recycling of the demolition materials.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Wellington-Dufferin-Guelph Public Health Land Lease Resolution Request

Ms. Amanda Rayburn, Chair, Wellington-Dufferin-Guelph Board of Health, requested that the City consents to the Board of Health entering into a long-term lease for an additional 0.78 acres of land for future potential expansion of their facilities. Ms. Rayburn advised that the other two partners have consented to this request.

Dr. Nicola Mercer, Medical Officer of Health, provided information on anticipated long-term growth of programs.

2. Moved by Councillor Burcher
Seconded by Councillor Hofland

Ms. A. Rayburn

THAT the City not support Wellington-Dufferin-Guelph Health Unit entering into a long-term lease of an additional 0.78 acres of land.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Bell (1)

Carried

PLANNING PUBLIC MEETING

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

DELEGATIONS

803-807 Gordon Street: Proposed Zoning By-law Amendment (File: ZC1205) – Ward 5

Mr. Dan Currie, from MHBC, City Consultant, provided and overview of the report provided with the agenda for this meeting. He advised that the applicant proposed to rezone the land from Detached Dwelling to Specialized Stacked Townhouse Zone to allow the construction of 27 stacked townhouses.

Mr. Bernard Luttmmer, Podium Developments, on behalf of the applicant, highlighted the various revisions made to the proposal which has resulted in the present application.

Ms. Sandra Byers, expressed concern with the placement of snow and the resulting runoff. She further expressed concern with potential noise from tenants and the make-up of tenants.

Ms. Maryanne Robinson, an area resident, expressed concern with the proposal as it is not compatible with the existing neighbourhood. She further expressed concern with students living in the new development; traffic congestion; garbage; lot coverage; and water runoff.

Staff advised that they will report back with information regarding the elimination of buffering.

3. Moved by Councillor Hofland
Seconded by Councillor Laidlaw

Dr. J. Laird
Mr. T. Salter

THAT Report 12-66 regarding an application for a Zoning By-law Amendment to permit the development of 27 stacked townhouse units applying to the property municipally known as 803-807 Gordon Street, legally described as the Northeast Half Lot 2, Concession 7 (also known as Parts 1, 2 and 3, Plan 61R-7123, Geographic Township of Puslinch, City of Guelph, County of Wellington), from Planning, Building, Engineering and Environment, dated July 3, 2012 be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

**172 Niska Road: Proposed Zoning By-law
Amendment (File: ZC1119) – Ward 6**

Mr. Al Hearne, Senior Development Planner, provided an overview of the report provided with the agenda for this meeting. He advised that the applicant is requesting a Zoning Amendment to allow the demolition of the existing single detached dwelling and construction of three new single detached residential dwellings.

Ms. Nancy Shoemaker, Planning Consultant on behalf of the applicant suggested that the proposal is the best use for the site. She advised that a tree study has been completed and that they will be requesting permission to remove 5 dead trees.

Ms. Valeria Szabo, an area resident, expressed concern with the loss of privacy and the removal of some of the trees between the subject property and her property.

It was requested that when Staff report back they address maintaining the character of the neighbourhood, advise which trees will be removed, and provide background why the land was still designated UR.

4. Moved by Councillor Hofland
Seconded by Councillor Piper

Dr. J. Laird
Mr. T. Salter

THAT report 12-70 regarding a proposed Zoning By-law Amendment for the property municipally known as 172 Niska Road, City of Guelph, from Planning, Building, Engineering and Environment, dated July 3, 2012, be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

**Brownfield Redevelopment Community
Improvement Plan Update – Public Meeting**

Mr. Luciano Piccioni, RCI Consulting, City's consultant provided an overview of the report provided with the agenda for this meeting. Mr. Piccioni provided detail with respect to the rationale for the review and update; consultation process; goals of the review; and the proposed revisions.

Ms. Melissa Walker, Project Manager with a brownfield development company, advised of their participation in the review and that they are in support of the recommendation.

It was requested that when Staff report back that more detail be provided on the delegation of authority reporting back; reporting framework; monitoring and consideration if the Downtown Activation Grant would be considered as part of this.

5. Moved by Councillor Piper

Seconded by Councillor Burcher

Dr. J. Laird
Mr. T. Salter

THAT Report 12-53 dated July 3, 2012 from Planning, Building, Engineering and Environment regarding the Brownfield Redevelopment Community Improvement Plan Update – Public Meeting be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Community Improvement Project Area – Brownfield Redevelopment

Mr. Tim Donegani, Policy Planner, highlighted the report provided with the agenda for this meeting. He advised that there are brownfield sites throughout the City which would benefit from this program.

6. Moved by Councillor Piper

Seconded by Councillor Furfaro

Dr. J. Laird
Mr. T. Salter

THAT Report 12-71 dated July 3, 2012 from Planning, Building, Engineering and Environment regarding the Community Improvement Project Area – Brownfield Redevelopment be received;

AND THAT Council pass a by-law to designate the entire area of the City of Guelph Official Plan as a Community Improvement Project Area for the purposes of Brownfield Redevelopment.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

**Ontario Municipal Board Hearing 716 Gordon Street
Proposed Official Plan Amendment and Zoning By-
law Amendment (Files: OP1001 / ZC1010)**

Ms. Stacey Laughlin, Senior Development Planner, highlighted the report provided with the agenda for this meeting. She advised that Council is no longer the decision making authority, however, the City is expected to take a position on this application. She outlined staff's position for not supporting this proposal.

Mr. Chris Pidgeon, GSP Group, Planner for the applicant, highlighted the revised proposed development which will have a reduction to the building height; decrease in the number of units and total number of beds proposed; and addition of visitor parking spaces on-site.

Mr. Philip Wong was present, but did not speak.

Mr. Don O'Leary, Vice-President of Finance & Administration at the University of Guelph, advised that due to the close proximity to the University, student housing is an appropriate form of development, however, the scale and scope of the development needs to be compatible to the existing community and adjacent built environment. He advised that the University would support a scaled down student housing project sensitive to the existing neighbourhood and campus.

Mr. Ian Mann, resident of Village by the Arboretum, expressed concern with the increased traffic this proposal would generate. He suggested that the proposal is overbuilt and unsuitable for this site and Council should support the staff recommendation.

Ms. Kate MacDonald, President of Mayfield Park Community Association, commended staff on the proposed recommendation to not support the application. She advised that by not supporting the application the unique character of the City is maintained. She urged Council to approve the recommendation and the City to oppose the application at the Ontario Municipal Board Hearing.

Ms. Julia Croome, lawyer on behalf of the Mayfield Park Community Association, highlighted the role of the Association in the Ontario Municipal Board process. She advised that the Association has been granted party status at the upcoming hearing.

Ms. Beate Bowron, planning consultant for the Mayfield Park Community Association, advised that the proposal

would create significant impacts to the surrounding area as it is too dense, massive and the height does not fit with the area structures. She recommended that Council approve the staff recommendation.

Dr. J. Laird
Mr. T. Salter
Ms. D. Jaques

7. Moved by Councillor Kovach
Seconded by Councillor Hofland

THAT Report 12-28 dated July 3, 2012 regarding a proposed Official Plan Amendment and Zoning By-law Amendment for the property municipally known as 716 Gordon Street, and legally described as Part of Block A, Registered Plan 552, City of Guelph, from Planning, Building, Engineering and Environment be received; AND THAT Council not support the application by GSP Group Inc. on behalf of Abode Varsity Living requesting an amendment to the Official Plan to redesignate the subject lands from "General Residential" to "High Density Residential" with site specific policies to permit a maximum density of 156 units per hectare affecting lands municipally known as 716 Gordon Street and legally described as Part of Block A, Registered Plan 552, City of Guelph, for the reasons set out in Report 12-28 dated July 3, 2012 from Planning, Building, Engineering and Environment;

AND THAT Council not support the application by GSP Group Inc. on behalf of Abode Varsity Living requesting an amendment to the Zoning By-law to rezone the subject lands from the SC.1-11 (Service Commercial) Zone to a Specialized R.4B (High Density Apartment) Zone to permit the development of two apartment buildings, 12 and 10 storeys in height, containing a total of 1216 bedrooms in 264 apartment units, affecting lands municipally known as 716 Gordon Street and legally described as Part of Block A, Registered Plan 552, City of Guelph, for the reasons set out in Report 12-28 dated July 3, 2012 from Planning, Building, Engineering and Environment;

AND THAT Council authorizes appropriate City Staff, advisors and consultants to participate in, and report back to Council on, further discussions and/or mediations, if any, involving the parties to the Ontario Municipal Board proceedings to consider any modifications to the proposed development and planning documents, including additional technical information, provided that any such modifications address the outstanding concerns set out in this Report;

AND THAT Council hereby directs and authorizes its legal counsel, appropriate staff and consultants to attend at the Ontario Municipal Board hearing, and any related Ontario

Municipal Board proceedings, with respect to this matter, in support of its position as set out in these resolutions.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Councillor Piper vacated the room and did not discuss or vote due to her potential pecuniary interest.

Carried

City Property at 6 Dublin Street South

Mr. James Gordon, Guelph Arts Platform, expressed support for the Tyrcathlen Partners offer to purchase 6 Dublin Street South and establish a Centre for Arts, Culture and New Media. He advised that centre of this kind is needed in the City. He asked Council to look at the long-term vision and invest in the arts.

8. Moved by Councillor Laidlaw

Seconded by Councillor Hofland

THAT the City of Guelph Procedural By-law (2012)-19375 be suspended to allow Council to continue beyond 11 p.m.

Carried

Ms. Sonya Poweska, Guelph Arts Council, advised of their support for the Tyrcathlen Partners offer for the purchase of 6 Dublin Street South. She advised that the city is in need of an arts/culture central hub. She further suggested that this proposal would stimulate job growth, tourism and downtown revitalization. She urged Council to accept this offer.

Ms. Maria Pezzano, stated that Tyrcathlen Partners proposal will address a need in the arts community.

Ms. Nan Hogg, visual artist and art teacher, suggested that such a space would provide affordable workshop areas for various recreational groups and guilds. She also suggested that such a proposal would promote the downtown.

9. Moved by Councillor Hofland

Seconded by Councillor Burcher

THAT the report of the Manager of Realty Services dated July 3, 2012, entitled 'City Property at 6 Dublin Street South' be received for information.

Ms. D. Jaques

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

10. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

City Property at 6 Dublin Street

S. 239 (2) (c) of the *Municipal Act* - proposed or pending acquisition or disposition of land.

Carried

Council recessed into closed session at 11:15 p.m.

11. Moved by Councillor Guthrie
Seconded by Councillor Wettstein

THAT the rules of order be suspended in order to allow the meeting to continue past 11:59 p.m.

Carried

12. Moved by Councillor Burcher
Seconded by Councillor Laidlaw

THAT staff be given direction with respect to the City property at 6 Dublin Street.

13. Moved in Amendment by Councillor Burcher
Seconded by Councillor Laidlaw

THAT staff be given direction with respect to the City property at 6 Dublin Street.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Bell, Burcher, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillors Dennis and Kovach (2)

Carried

14. Moved by Councillor Burcher
Seconded by Councillor Laidlaw

THAT Council rise, report and introduce the following motions under the open meeting report entitled "City

Property at 6 Dublin Street South" appearing on the July 3, 2012 Council agenda:

THAT the Mayor and Clerk be authorized to execute an Offer to Purchase and Agreement of Purchase and Sale from Tyrcathlen Partners Ltd. at the purchase price as directed in the closed meeting on the standard form developed by staff until noon on July 6, 2012;

And otherwise, that the Mayor and Clerk be authorized to execute the Offer to Purchase and Agreement of Purchase and Sale received from the other bidder.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (8)

VOTING AGAINST: Councillors Bell, Burcher, Dennis and Laidlaw (4)

Carried

15. Moved by Councillor Burcher
Seconded by Councillor Hofland
That the closed meeting of Guelph City Council of July 3, 2012 be adjourned.

Carried

Council reconvened in open session at 12:23 a.m.

BY-LAWS

16. Moved by Councillor Wettstein
Seconded by Councillor Dennis
THAT By-law Number (2012)-19432, is hereby passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Guthrie, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: (0)

Councillors Furfaro and Hofland were not present in the Chambers when the vote was taken.

Carried

NOTICE OF MOTION

Councillor Guthrie advised that he will be bringing forward a notice of motion to a subsequent meeting of Council in relation to a policy framework on the disposition of year end surpluses.

Special Resolution

City Property at 6 Dublin Street

17. Moved by Councillor Furfaro
Seconded by Councillor Guthrie

THAT the Mayor and Clerk be authorized to execute an Offer to Purchase and Agreement of Purchase and Sale from Tyrcathlen Partners Ltd. at the purchase price as directed in the closed meeting on the standard form developed by staff until noon on July 6, 2012;

And otherwise, that the Mayor and Clerk be authorized to execute the Offer to Purchase and Agreement of Purchase and Sale received from the other bidder.

It was requested that the resolution be separated and voted on separately.

18. Moved by Councillor Furfaro
Seconded by Councillor Guthrie

THAT the Mayor and Clerk be authorized to execute an Offer to Purchase and Agreement of Purchase and Sale from Tyrcathlen Partners Ltd. at the purchase price as directed in the closed meeting on the standard form developed by staff until noon on July 6, 2012;

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Kovach (1)

Carried

19. Moved by Councillor Furfaro
Seconded by Councillor Guthrie

And otherwise, that the Mayor and Clerk be authorized to execute the Offer to Purchase and Agreement of Purchase and Sale received from the other bidder.

VOTING IN FAVOUR: Councillors Dennis, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (9)

Mr. J. Stokes
Ms. D. Jaques
Ms. C. Bell

Mr. J. Stokes
Ms. D. Jaques
Ms. C. Bell

VOTING AGAINST: Councillors Bell, Burcher and Laidlaw
(3)

Carried

ADJOURNMENT

15. Moved by Councillor Burcher
Seconded by Councillor Guthrie
That the meeting of Guelph City Council of July 3 & July 4,
2012 be adjourned.

Carried

The meeting adjourned at 12:30 a.m., July 4, 2012

Minutes to be confirmed on July 23, 2012.

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Mayor

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Deputy Clerk