



**Minutes of Guelph City Council  
Held in the Council Chambers Room, Guelph City Hall on  
Monday, November 4, 2013 at 5:30 p.m.**

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**Attendance**

Council: Mayor Farbridge  
Councillor B. Bell  
Councillor L. Burcher  
Councillor T. Dennis  
Councillor I. Findlay  
Councillor J. Furfaro  
Councillor C. Guthrie

Councillor J. Hofland  
Councillor G. Kovach (*arrived at 5:45 p.m.*)  
Councillor L. Piper  
Councillor M. Laidlaw (*arrived at 5:35 p.m.*)  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Staff: Ms. A. Pappert, Chief Administrative Officer  
Mr. A. Horsman, Executive Director of Finance and Enterprise  
Mr. M. Amorosi, Executive Director of Corporate & Human Resources  
Mr. D. Thomson, Executive Director of Community & Social Services  
Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment  
Mr. D. McCaughan, Executive Director of Operations, Transit & Emergency Services  
Ms. D. Jaques, General Manager, Legal & Realty Services/City Solicitor  
Ms. S. Smith, Associate City Solicitor  
Mr. S. Worsfold, Deputy City Solicitor  
Mr. D. Mast, Associate Solicitor  
Mr. M. Kershaw, Associate Solicitor  
Mr. T. Salter, General Manager, Planning Services  
Ms. A. Nix, Environmental Planner - Policy  
Ms. T. Agnello, Deputy Clerk  
Ms. D. Black, Council Committee Coordinator

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**Call to Order (5:30p.m.)**

Mayor Farbridge called the meeting to order.

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

1. Moved by Councillor Dennis  
Seconded by Councillor Hofland

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b), (c) and (f) of the *Municipal Act* with respect to personal matters about an identifiable individual; pending acquisition or disposition of property, and litigation or potential litigation.

CARRIED

**Closed Meeting (5:31 p.m.)**

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

There were no disclosures.

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The following matters were considered:

- C.2013.27 OPA 42 Ontario Municipal Board Appeals: Status and Next Steps**
- C.2013.28 OPA 42 (Natural Heritage System) Appeals – Ontario Municipal Board**
- C.2013.29 Pending Acquisition or Disposition of Property**
- C.2013.30 Ontario Municipal Board Hearing – 1159 Victoria Road South (Victoria Park Village) – Proposed Redline Revision to an Approved Draft Plan of Subdivision, Zoning By-law Amendment and Applications for Site Plan Approval (Files: 23T-07506/ZC1206) – Ward 6**
- C.2013.32 Appointments to the Guelph Cemetery Commission**
- C.2013.33 Litigation or Potential Litigation**

**Rise from Closed Meeting (6:40 p.m.)**

*Council recessed.*

**Open Meeting (7:00 p.m.)**

Mayor Farbridge called the meeting to order.

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

There were no disclosures.

### **Presentations**

Ms. Dawn Hamilton, City of Guelph United Way Campaign Manager, presented a \$66,000 cheque to Mr. Ken Dardano, Executive Director and Mr. Terry O'Connor, Labour Coordinator for the United Way.

Mr. Dean Wyman, General Manager, Solid Waste Resources, Ms. Heather Connell, Manager Integrated Systems and Ms. Vivian DeGiovanni, Program Development Supervisor presented the Mayor with the following awards:

- i) the Recycling Council of Ontario 2013 Municipal Gold Award in Communications and Diversion in recognition of excellence and commitment to a sustainable environment;
- ii) the Municipal Waste Association 2013 Gold Promotion and Education Award (over 30,000 households) in recognition of the Conservation Calendar; and
- iii) the Municipal Waste Association 2013 Silver Award Promotion and Education Award (over 30,000 households) in recognition of the Cart Rollout Campaign.

### **Consent Agenda**

The following item was extracted:

#### **CON-2013.33 Proposed Demolition of 1159 Victoria Road South – Ward 6**

- 1. Moved by Councillor Dennis  
Seconded by Councillor Findlay

That the balance of the November 4, 2013 Consent Agenda as identified below, be adopted:

**CON-2013.34 Proposed Merger of 54 and 56 Lyon Avenue - Ward 3**

1. That Report 13-68 regarding the proposed consolidation of the properties municipally known as 54 and 56 Lyon Avenue, from Planning, Building, Engineering and Environment dated November 4, 2013, be received.
2. That a by-law to deem Lots 11 and 12, Plan 316 not to be Lots on a Plan of Subdivision, pursuant to Section 50 (4) of the *Planning Act*, which would allow them to merge, be approved.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

**Planning Public Meeting**

Mayor Farbridge announced that in accordance with The Planning Act, Council is now in a public meeting for the purpose of informing the public of various planning matters.

**55 and 75 Cityview Drive North - Proposed Draft Plan of Residential Subdivision and Associated Zoning By-law Amendment (File: 23T-12501 / ZC1202) Ward 1**

Mr. Chris DeVriendt, Senior Development Planner, advised that the applicant proposes to develop between 261 and 336 mixed residential units as summarized in the staff report.

Mr. Hugh Handy, on behalf of the applicant, explained the evolution of the subdivision plan. He advised they intend to work with Colterra to make the linkages work between the abutting properties.

Discussion ensued regarding garbage removal, linkages, the "hidden space" and traffic issues.

2. Moved by Councillor Burcher  
Seconded by Councillor Guthrie

That Report 13-64 regarding a proposed Draft Plan of Residential Subdivision and associated Zoning Bylaw Amendment application (File 23T-12501 / ZC1202) by IBI Group to permit a range of 261 to 336 dwelling units applying to property legally described as Part of Lots 25, 31 and 32, Registered Plan 53 and Part of Lot 4, Concession 3, Division "C", City of Guelph, from Planning, Building, Engineering and Environment dated November 4, 2013, be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

**20 and 37 Cityview Drive North - Proposed Draft Plan of Residential Subdivision and Associated Zoning By-law Amendment (File: 23T-12502 / ZC1208) Ward 1**

Mr. Chris DeVriendt, Senior Development Planner, advised that the applicant proposes to develop 264 mixed residential units as summarized in the staff report.

Ms. Nancy Shoemaker, on behalf of the owner, explained the challenges regarding the wetlands and significant slopes. She addressed the proposed trails, storm water management, grading and connection concerns.

Discussion ensued regarding the public view on the east side, encroachment issues, street configurations, frontages and an accessible extension of the trail to Watson and York.

3. Moved by Councillor Findlay  
Seconded by Councillor Dennis

That Report 13-65 regarding a proposed Draft Plan of Residential Subdivision and associated Zoning Bylaw Amendment application (File 23T-12502 / ZC1208) by BSRD Inc. to permit a total of 264 dwelling units applying to property municipally known as 20 and 37 Cityview Drive North and legally described as Part of Lot 4, Concession 3, Division C and Lot 34 and Part Lots 30, 32 and 33, Registered Plan 53, City of Guelph, from Planning, Building, Engineering and Environment dated November 4, 2013, be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

## **12 Summerfield Drive – Proposed Zoning By-law Amendment (File: ZC1311)-Ward 6**

Mr. Michael Witmer, Development & Urban Design Planner, advised that the applicant proposes to develop 2 Single family detached homes on two separate lots as summarized in the staff report.

Mr. Peter Graham, on behalf of the applicant, provided two illustrations of the possible elevation of the proposed buildings.

4. Moved by Councillor Kovach  
Seconded by Councillor Findlay

That Report 13-66 regarding a Zoning By-law Amendment application by Acorn Development Corporation, on behalf of Fabbian Homes Inc., to permit the development of two (2) single detached dwellings at the property municipally known as 12 Summerfield Drive and legally described as Lot 2, Registered Plan 61M-114, City of Guelph, from Planning, Building, Engineering and Environment dated November 4, 2013, be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

## **Extracted Consent Agenda Items**

### **CON-2013.33 Proposed Demolition of 1159 Victoria Road South - Ward 6**

Staff clarified that no barn swallow habitat was deemed present. Staff will investigate and report on enforcement options available for proceeding without a demolition permit.

5. Moved by Councillor Burcher  
Seconded by Councillor Wettstein
  1. That Report 13-67 regarding the proposed demolition of a four (4) unit apartment building at 1159 Victoria Road South, legally described as Concession 8, Rear Part Lot 5, City of Guelph, from Planning, Building, Engineering and Environment dated November 4, 2013, be received.
  2. That the proposed demolition of the four (4) unit apartment building at 1159 Victoria Road South be approved.
  3. That the applicant shall erect protective fencing at one (1) metre from the dripline of any existing trees on the property being preserved and also that have the potential of being impacted by demolition activities, prior to commencement of demolition and maintain fencing during demolition.
  4. That the applicant consult with the Ministry of Natural Resources regarding Barn Swallow habitat, undertake any habitat screening activities and obtain clearance as required, prior to commencement of any demolition activities.
  5. That the applicant be requested to contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

## **Special Resolutions**

### **Councillor Piper's motion for which notice was given September 30, 2013**

Ms. Susan Watson supported the motion and requested that no amendments be made. She believes this process would allow public input that was not previously afforded. She noted the City's Official Plan recognizes the property as a community use or alternatively, a residential home.

Ms. Madeleine Digby and Ms. Malkah McNeilly withdrew their requests to speak.

Ms. Daphne Wainman-Wood, on behalf of Heritage Guelph, advised they support the proposed motion because it provides an opportunity for community use or residential use. She requested staff examine all options and start the 120 day period when the request for expressions of interest is complete.

Mr. Mike Lackowicz, on behalf of Northern Heights residents, noted that they do not want to see the property severed, rezoned or farmhouse sold separately. He raised concerns about the maintenance of the property, the lack of incorporation into the redevelopment and a disconnect in this process to City policies.

Mr. Frank Barber, local resident, recapped significant events for this property and noted the City cannot afford to restore the building or run it as a City facility. He requested the farmhouse be demolished, the land remain part of the park and requested Council reject the words "to sever and sell" and not support a third party endeavour.

Ms. Susan Ratcliffe supports the motion and explained that the building has been deemed sound, and potential property community uses need to be determined. She advised that the Architectural Conservancy of Ontario is willing to assist with hosting public forums and said funding options are available to create community uses.

Ms. Marcia Santen concurred with the motion to sever and sell and was supportive of keeping the property.

Dr. Dennis Galon requested the proposed motion be adopted without amendments because it provides a reasonable substitution for public consultation. He noted the proposal provides opportunities for the property and the 120 days is a reasonable time frame to produce options before demolition can occur.

Ms. Mary-Kate Gilbertson, representing Transition Guelph, Net Zero and Trillium Waldorf School said there is much interest from community groups for an alternative use and supports the proposed motion. She advised that Transition Guelph supports an educational use.

6. Moved by Councillor Piper  
Seconded by Councillor Dennis

1. That staff be directed to issue a Request for Expressions of Interest for the sale or lease of 80 Simmonds Drive (Wilson Farmhouse) for a period of 120 days for community use or residential use (including its permitted uses under the Zoning By-law).
2. That staff report back at a future meeting of Council all Expressions of Interest received, for evaluation and further direction.
3. That, if no Expressions of Interest are received, or deemed appropriate by Council for further consideration, that the farmhouse at 80 Simmonds Drive be demolished and its materials, where possible, be salvaged for reuse or recycling.

### **First Amendment**

7. Moved by Councillor Bell  
Seconded by Councillor Guthrie

That the words "or residential use" be removed from Clause one of the recommendation regarding Wilson Farmhouse.

VOTING IN FAVOUR: Councillors Bell, Findlay, Furfaro, Guthrie, Kovach and Van Hellemond (6)  
VOTING AGAINST: Mayor Farbridge, Councillors Burcher, Dennis, Hofland, Laidlaw, Piper and Wettstein (7)

DEFEATED

### **Second Amendment**

8. Moved by Councillor Van Hellemond  
Seconded by Councillor Kovach

That the Option 1 configuration as detailed in a staff report be the only option available for Expressions of Interest.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie, Kovach and Van Hellemond (5)  
VOTING AGAINST: Mayor Farbridge, Councillors Burcher, Dennis, Findlay, Hofland, Laidlaw, Piper and Wettstein (8)

DEFEATED

### **Main Motion**

9. Moved by Councillor Piper  
Seconded by Councillor Dennis

1. That staff be directed to issue a Request for Expressions of Interest for the sale or lease of 80 Simmonds Drive (Wilson Farmhouse) for a period of 120 days for community use or residential use (including its permitted uses under the Zoning By-law).
2. That staff report back at a future meeting of Council all Expressions of Interest received, for evaluation and further direction.
3. That, if no Expressions of Interest are received, or deemed appropriate by Council for further consideration, that the farmhouse at 80 Simmonds Drive be demolished and its materials, where possible, be salvaged for reuse or recycling.

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

VOTING AGAINST: Councillors Furfaro and Van Hellemond (2)

CARRIED

### **C-2013.32 Appointments to the Guelph Cemetery Commission**

10. Moved by Councillor Guthrie  
Seconded by Councillor Wettstein

1. That Murray Cameron, General Manager, Parks & Recreation be appointed to the Guelph Cemetery Commission for a one year term ending November 30, 2014 and Tara Baker, Manager, Financial Reporting & Accounting be appointed to the Guelph Cemetery Commission on a temporary basis until citizen representatives are recruited and appointed.

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

VOTING AGAINST: Councillor Hofland (1)

CARRIED

**By-laws**

11. Moved by Councillor Laidlaw  
Seconded by Councillor Burcher

That By-law Numbers (2013)-19649 to (2013)-19653 are hereby passed.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

**Adjournment** (9:15 p.m.)

12. Moved by Councillor Burcher  
Seconded by Councillor Laidlaw

That the meeting be adjourned.

CARRIED

*Minutes to be confirmed on November 25, 2013.*

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Mayor Farbridge

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Deputy Clerk