

**Planning & Building, Engineering and Environment Committee
Held in the Council Chambers, Guelph City Hall
Monday, May 5, 2014 at 2:00 p.m.**

Attendance

Members: Chair Bell, Mayor Farbridge, Councillors Guthrie, Piper and Wettstein

Councillors: Councillors Furfaro, Hofland and Van Hellemond

Staff: Ms. A. Pappert, Chief Administrative Officer
Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment
Mr. T. Salter, General Manager, Planning Services
Mr. B. Poole, Chief Building Official
Mr. T. Myles, Termite Control Officer
Mr. B. Bond, Zoning Inspector III/Senior By-law Administrator
Mr. R. Reynen, Manager of Inspection Services
Mr. B. Labelle, City Clerk
Ms. D. Black, Council Committee Coordinator

Call to Order (2:00 p.m.)

Chair Bell called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Confirmation of Minutes

1. Moved by Councillor Guthrie
Seconded by Mayor Farbridge

That the open meeting minutes of the Planning & Building, Engineering and Environment Committee held on April 7, 2014 be confirmed as recorded.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Guthrie, Piper and Wettstein (5)

VOTING AGAINST: (0)

CARRIED

Consent Agenda

The following items were extracted from the May 5, 2014 Consent Agenda to be voted on separately:

PBEE-2014.13 Termite Control Program 2013 Annual Report
PBEE-2014.14 Rental Housing Licensing Recommended Approach
PBEE-2014.15 Building Services Annual Report

Extracted Consent Items

PBEE-2014.13 Termite Control Program 2013 Annual Report

Dr. Tim Myles, Termite Control Officer, provided an update of the 2013 termite control program; explained the treatment and plan of action for the newly-discovered termite infestation in the King Street area and outlined the termite program goals for 2014. He noted that 2013 has been Guelph's most successful year to date for the containment and eradication of termites.

2. Moved by Councillor Piper
Seconded by Councillor Wettstein

That the report from Planning, Building, Engineering and Environment dated May 5, 2014 entitled Termite Control Program 2013 Annual Report be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Guthrie, Piper and Wettstein (5)

VOTING AGAINST: (0)

CARRIED

PBEE-2014.14 Rental Housing Licensing Recommended Approach

Mr. Bill Bond, Zoning Inspector III/Senior By-law Administrator provided background information regarding the rental housing licensing recommended approach. He explained the staff rationale for their recommendation and outlined the plans to address the components of the recommended approach.

Mr. Rob Reynen, Manager of Inspection Services advised that licensing could still occur if the current approach does not successfully address the issues. Staff will continue to implement the new initiatives in 2014 with the funding available in the current budget and will prepare a budget package for consideration during the 2015 budget process.

Discussion ensued regarding right of access, the search warrants process, set fines and penalties. The community engagement process was also discussed along with the issue of how enforcement should be financed and who would be responsible to pay the charges administered.

Mr. Allan Dyer, landlord stated he is supportive of the approach being recommended because licensing would not address behavioural issues or neighbourhood stabilization. He advised that the majority of people were against rental licensing, including tenants. He was supportive of the search warrant method and commended staff on the approach being recommended.

Mr. Aldo Martone, landlord and property manager believes the tax payers should not have to pay for the program. He noted licensing would not apply to group homes or student residents and should apply to all forms of rental units. He supports the alternative to licensing and believes the best and most cost efficient method of handling the issues will be to enhance the existing by-laws.

Mr. Andrew Arklie, homeowner and landlord, agrees with the recommended approach and believes licensing would be redundant, would fail to deal with problem tenants, would not resolve the issue of problem landlords because they would not register their units and the costs would be passed down to tenants. He agrees with increased fines and enforcement of current

bylaws and the increased involvement with the University of Guelph. He noted that Guelph does not have a landlord association but believes it would be beneficial for self-regulation.

Mr. John Gruzleski, representing the Old University Neighbourhood Residents Association stated they do not believe enhancement of current by-laws and existing tools will address the current issues of absentee landlords, floor plans and access. He advised the staff recommendations are not proactive enough, fail to recognize renting as a business and are lacking significant fines for noncompliance. He noted the data is insufficient to support the recommendations and the public consultation process was insufficient. He requested the report be referred back to staff.

Mr. Lyle McNair, real estate agent suggested that building permits and increased assessment of properties resulting from the rental units could assist with the costs of enforcement. He believes the 3-6 unit homes need to be addressed and he fully supports an enhanced education program. He is also in favor of increased fines for noncompliance and he does not believe licensing will capture the noncompliant landlords.

Mr. Tony Santoro, landlord, does not feel licensing would resolve the issues and believes educating students, landlords and home owners is the best solution.

Councillor Bell vacated the Chair.

Councillor Wettstein assumed the Chair.

3. Moved by Councillor Guthrie
Seconded by Councillor Bell

1. That Report 14-29 from Planning, Building, Engineering and Environment regarding the Rental Housing Licensing Recommended Approach report dated May 5, 2014 be received.
2. That Council approve, in principle, the recommended alternative approach to a rental housing licensing program described in Report 14-29 from Planning, Building, Engineering and Environment dated May 5, 2014, specifically:
 1. Continue the enhanced enforcement program and improve the Building Services proactive enforcement program;
 2. Research, develop and begin implementing a comprehensive and multi-stakeholder education/communications plan; and
 3. Continue to support community partnerships, explore strategies and develop community based responses to rental housing issues.
3. That staff proceed with the implementation of the 2014 aspects of the recommended alternative approach to a rental housing licensing program which is already funded.

Councillor Bell resumed the Chair.

Discussion ensued regarding how to address non-compliant landlords and the various options of licensing - including the idea of a pilot program for a 2-3 year period. Staff advised even minimal licensing would require more resources including a new position to assist with enforcement.

Some issues with the report that were raised include: the ambiguity of the wording within the recommendations, the limited data provided to support the recommendations, the difference of

the professional opinions between the two reports, the report not addressing key issues that were referred back to staff, that correspondence received provided more information than the report, the lack of performance measures in place to determine success levels, the assumption of a budget increase and the lack of evidence of the value of money already invested.

First Amendment

4. Moved by Mayor Farbridge
Seconded by Councillor Piper

That the Rental Housing Licensing Recommended Approach report dated May 5, 2014 be referred back to staff as incomplete.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Piper and Wettstein (4)

VOTING AGAINST: Councillor Guthrie (1)

CARRIED

Discussion ensued regarding neighbourhood stabilization; the lack of investment in available preventative tools, how to obtain search warrants and the fines not being prohibitive enough. Comments also addressed the lack of feedback from neighbourhood groups and the public at large and the need to establish a business case to support staff recommendations.

PBEE-2014.15 Building Services Annual Report

Mr. Bruce Poole, Chief Building Official, provided a brief summary of the building services annual report.

There was some discussion regarding the feasibility of including the annual termite report within future building services annual reports.

5. Moved by Councillor Piper
Seconded by Mayor Farbridge

That the report from Planning, Building, Engineering and Environment dated May 5, 2014 entitled Building Services 2013 Annual Report be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Guthrie, Piper and Wettstein (5)

VOTING AGAINST: (0)

CARRIED

Staff Updates and Announcements

Dr. Laird, Executive Director, Planning, Building, Engineering and Environment, advised that the Environmental Review Tribunal has granted the City their appeal regarding the Dolime Permit to Take Water and staff will be reviewing the decision and reporting to Council at a future Council meeting.

Adjournment (4:20 p.m.)

6. Moved by Councillor Guthrie
Seconded by Mayor Farbridge

That the meeting be adjourned.

CARRIED

City Clerk