

# CITY COUNCIL AGENDA



**Council Chambers, Guelph City Hall, 1 Carden Street**

**DATE August 25, 2014 – 7:00 p.m.**

Please turn off or place on non-audible all cell phones, PDAs, Blackberrys and pagers during the meeting.

**O Canada  
Silent Prayer  
Disclosure of Pecuniary Interest and General Nature Thereof**

## **PRESENTATION**

a)

**CONFIRMATION OF MINUTES** (Councillor Van Hellemond)

*"THAT the minutes of the Council Meetings held June 18, July 28, 2014 and August 5, and the minutes of the Closed Meeting of Council held July 28, 2014 and August 5, 2014 be confirmed as recorded and without being read."*

## **CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED**

*The following resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Reports/Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Consent Reports/Agenda will be approved in one resolution.*

### **Consent Reports/Agenda from:**

<b>Audit Committee</b>			
<b>Item</b>	<b>City Presentation</b>	<b>Delegations</b>	<b>To be Extracted</b>
AUD-2014.20 Policy for the Implementation of PS 3260 – Liability for Contaminated Sites			

Adoption of balance of Audit Committee Consent Report - Councillor Guthrie, Chair

<b>Corporate Administration, Finance &amp; Enterprise Committee</b>			
<b>Item</b>	<b>City Presentation</b>	<b>Delegations</b>	<b>To be Extracted</b>
CAFE-2014.34 Enterprise Services – Annual Activity Report  (presentation to be distributed prior to the meeting)	Rob Kerr, Corporate Manager, Community Energy Peter Cartwright, General Manager of Economic Development Ian Panabaker, Corporate Manager, Downtown Renewal		✓
CAFE-2014.35 200 Beverly Street – IMICO Redevelopment Update		<u>Correspondence</u> • John Farley	
CAFE-2014.36 Municipal Development Corporation Business Case Study Update			

Adoption of balance of Corporate Administration, Finance & Enterprise Committee  
Consent Report - Councillor Hofland, Chair

<b>Planning &amp; Building, Engineering and Environment Committee</b>			
<b>Item</b>	<b>City Presentation</b>	<b>Delegations</b>	<b>To be Extracted</b>
PBEE-2014.25 Enbridge Line 9B Application			
PBEE-2014.26 Rental Housing Licensing Recommended Approach			
PBEE-2014.27 Downtown Streetscape Manual, Built Form Standards and St. George’s Square Concept (presentation to be distributed prior to the meeting)	David DeGroot, Urban Designer	<ul style="list-style-type: none"> <li>• Steve Baldamus</li> <li>• Marty Williams</li> </ul> <u>Correspondence</u> <ul style="list-style-type: none"> <li>• Steve Baldamus</li> <li>• Electronic Petition from residents of 85 Neeve Street</li> </ul>	✓
PBEE-2014.29 Sign By-law Variances – 679 Southgate Drive			



Adoption of balance of Planning & Building, Engineering and Environment  
Committee Consent Report - Councillor Bell, Chair

<b>Council Internal Audit</b>			
<b>Item</b>	<b>City Presentation</b>	<b>Delegations</b>	<b>To be Extracted</b>
IA-2014.6 Learning and Development Audit Report	Loretta Alonzo, Internal Auditor		✓
IA-2014.7 Learning and Development Audit Management's Response	David Godwaldt, General Manager, Human Resources		✓

Adoption of balance of Internal Auditor's Third Consent Report -

<b>Council Consent Agenda</b>			
<b>Item</b>	<b>City Presentation</b>	<b>Delegations</b>	<b>To be Extracted</b>
CON-2014.39 Disposition of Permanent Easements to Hydro One Networks Inc.			
CON-2014.40 Culture and Tourism Department – Advisory Committees			
CON-2014.41 2015 Council and Committee Meeting Schedule			
CON-2014.42 2014 Municipal Election – Amendment to Special Voting Provisions			
CON-2014.43 By-laws for The Elliott Long- Term Care Residence			

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CON-2014.44 Proposed Demolition of 85 University Avenue West - Ward 5			
CON-2014.45 5 Arthur Street South – Proposed Zoning By-law Amendment (File: ZC1305) - Ward 1	Katie Nasswetter, Senior Development Planner		✓
CON-2014.46 Elsegood Court Proposed Street Name Change, Ward 6			
CON-2014.47 Proposed Demolition of 103 Grange Street West – Ward 1			
CON-2014.48 Issuer of Lottery Licences			

Adoption of balance of the Council Consent Agenda – Councillor

**ITEMS EXTRACTED FROM COMMITTEES OF COUNCIL REPORTS  
AND COUNCIL CONSENT AGENDA** (Chairs to present the extracted  
items)

*Once extracted items are identified, they will be dealt with in the following order:*

- 1) *delegations (may include presentations)*
- 2) *staff presentations only*
- 3) *all others.*

Reports from:

- Audit Committee – Councillor Guthrie
- Corporate Administration, Finance & Enterprise Committee– Councillor Hofland
- Planning & Building, Engineering and Environment Committee– Councillor Bell
- Council Consent – Mayor Farbridge

**SPECIAL RESOLUTIONS**

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**BY-LAWS**

Resolution – Adoption of By-laws (Councillor Wettstein)

**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  
Wednesday, June 18, 2014 at 6:00 p.m.**

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**Attendance**

Council: Mayor Farbridge  
Councillor B. Bell  
Councillor T. Dennis  
Councillor I. Findlay  
Councillor J. Furfaro  
Councillor C. Guthrie (arrived at 6:04 p.m.)

Councillor J. Hofland  
Councillor G. Kovach  
Councillor L. Piper  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Regrets: Councillors L. Burcher, M. Laidlaw

Staff: Ms. A. Pappert, Chief Administrative Officer  
Mr. M. Amorosi, Executive Director, Corporate & Human Resources  
Mr. D. Thomson, Executive Director, Community & Social Services  
Mr. A. Horsman, Executive Director, Finance & Enterprise  
Ms. J. Laird, Executive Director, Planning & Building, Engineering and Environment  
Mr. D. McCaughan, Executive Director, Operations, Transit & Emergency Services  
Mr. I. Panabaker, Corporate Manager Downtown Renewal  
Ms. K. Murillo, Downtown Renewal Officer  
Mr. S. O'Brien, City Clerk  
Ms. G. van den Burg, Council Committee Coordinator

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

Mayor Farbridge called the meeting to order.

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

There were no disclosures.

**Presentations**

Joe Minicozzi, Principal of Urban3, submitted a video presentation explaining the importance of the effective utilization of land and how to manage the cost of growth while generating sufficient revenue.

**The Enterprise Framework Approach**

Al Horsman, Executive Director of Finance & Enterprise provided an introduction to the Enterprise Framework Approach, which is intended to present Council with a comprehensive analysis of various opportunities to inform their strategic decision-making.

Ian Panabaker, Corporate Manager Downtown Renewal, explained the concept of city building and how it will aid in achieving community goals.

1. Moved by Councillor Piper  
Seconded by Councillor Wettstein
  1. That Report FIN-DR-14-04 "The Enterprise Framework Approach" be received; and
  2. That Council endorses the "Enterprise Framework" approach and that the tool be further developed for inclusion in Council's strategic planning process; and
  3. That the Strategic and Capital Planning priority setting discussions for the next term of Council inform use of the Framework; and
  4. That the Communications and Engagement Strategy as described in Attachment 3, **as amended**, be undertaken as part of this work.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond and Wettstein (11)*  
*VOTING AGAINST: (0)*

CARRIED

Council recessed at 7:15 p.m. and reconvened at 7:21 p.m.

**Downtown Renewal Projects Update: Baker District and Parking Master Plan**

Mr. Ian Panabaker, Corporate Manager Downtown Renewal, provided an overview of the different models for the various projects in the Baker District.

Ms. Susan Watson, resident, recommended that Council investigate expanding the housing component in the downtown (i.e. senior residences and affordable housing in the high density components) through possible private partnerships.

2. Moved by Councillor Wettstein  
Seconded by Councillor Piper
  1. That Report FIN-DR-14-05 "Downtown Renewal Projects Update: Baker District and Parking Master Plan" be received.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond and Wettstein (11)*  
*VOTING AGAINST: (0)*

CARRIED

2. That based on the decision level pro forma attached to this report, Council endorses the 'Private and Major Institutional' mixed-use development as the preferred option for the Baker District lands.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Hofland, Piper, and Wettstein (7)*

*VOTING AGAINST: Councillors Furfaro, Guthrie, Kovach, and Van Hellemond (4)*

CARRIED

3. That Council directs that, while acknowledging the ongoing Parking Master Plan community discussions, a 350 space structured parking project is required in the immediate term, in that the project start be identified in Year One of the 2015 10 year Capital Budget for consideration.

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

*VOTING AGAINST: Councillor Kovach (1)*

CARRIED

4. That staff bring back to Council the recommended 'Level of Municipal Support' to be approved ahead of Conestoga College submitting a Post-Secondary Expansion RFP to the Province.

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

*VOTING AGAINST: (0)*

CARRIED

**Adjournment** (9:12 p.m.)

3. Moved by Councillor Hofland  
Seconded by Councillor Guthrie

That the meeting be adjourned.

CARRIED

*Minutes to be confirmed on July 28, 2014.*

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Mayor Farbridge

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City Clerk



**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
Monday July 28, 2014 at 5:30 p.m.**

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**Attendance**

Council: Mayor Farbridge  
Councillor B. Bell  
Councillor L. Burcher (arrived 7:00 p.m)  
Councillor T. Dennis  
Councillor I. Findlay  
Councillor J. Furfaro  
Councillor Guthrie  
Councillor Hofland  
Councillor G. Kovach  
Councillor M. Laidlaw  
Councillor L. Piper  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Staff: Ms. A. Pappert, Chief Administrative Officer  
Mr. M. Amorosi, Executive Director, Corporate & Human Resources  
Mr. A. Horsman, Executive Director, Finance & Enterprise  
Ms. C. Clack, General Manager Culture and Tourism  
Mr. R. Keller, General Manager Public Works  
Mr. D. Wyman, General Manager Solid Waste Resource  
Mr. S. O'Brien, City Clerk  
Ms. J. Sweeney, Council Committee Coordinator

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

Mayor Farbridge called the meeting to order.

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

1. Moved by Councillor Piper  
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) (c), (d) and (f) of the *Municipal Act* with respect to proposed or pending acquisition or disposition of land; labour relations or employee negotiations; and advice that is subject to solicitor-client privilege.

CARRIED

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

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

There were no disclosures.

The following matters were considered:

- C.2014.39 Hanlon Creek Business Park – Phase 3 Development Options**
  - C.2014.40 ATU Labour Relations**
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## **Rise from Closed Meeting (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.

## **Presentation**

The Mayor presented City medals to the following members of the 2014 Girls Bishop Macdonell Catholic High School soccer team in recognition of winning OFSAA AA Girls Soccer: Victoria Hinchliff, Rebecca Valeriote, Kylee Szendre, Reighan Pflug, Olivia Lane, Tianna Sullivan, Kerrie Sullivan, Christine Sullivan, Mackenzie Bernhardt, Adele Valeriote, Jessica Burke, Paige Boyle, Jamie de Jonge, Leah Parisotto, Erica Gilbert, Brianna Martini, Selena Case, Jillian MacEachern, Maia Di Nucci, Megan Hoogaars, Samantha Keats, Samantha Scott, Sydney Natalie; Coaches – Philip Di Nucci and Natalie Downey

## **Confirmation of Minutes**

1. Moved by Councillor  
Seconded by Councillor
  1. That the minutes of the Council Meetings held on May 12, June 9, 23 and July 14, 2014 and the minutes of the Closed Meetings of Council held June 23 and July 14, 2014 be confirmed as recorded;
  2. That the minutes of the Closed Meeting of Council held May 12, 2014 be amended to reflect Todd Salter, General Manager of Planning Services providing an update on OPA 42 Ontario Municipal Board Appeals not Todd Dennis, and that the minutes be confirmed as amended.
  3. That the minutes of the Council meeting held on May 21 be amended to reflect Councillor Burcher being absent and that the minutes be confirmed as amended.

*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

## **Consent Reports**

### **Community & Social Services Committee Fifth Consent Report**

Councillor Dennis presented the Community & Social Services Committee Fifth Consent Report.



2. Moved by Councillor Dennis  
Seconded by Councillor Van Hellemond

That the July 28, 2014 Community & Social Services Committee Fifth Consent Report as identified below, be adopted:

**CSS-2014.18 Public Art Policy Revisions**

1. That the July 9, 2014 report entitled "Public Art Policy Revisions" be received for information.
2. That Council approve the revisions to the Public Art Policy.

**CSS-2014.19 Guelph Museums – Dissolution of Locomotive 6167 Restoration Committee**

1. That the July 9, 2014 report entitled "Guelph Museums – Dissolution of Locomotive 6167 Committee" be received for information.
2. That Council dissolves the Locomotive 6167 Committee.
3. That Locomotive 6167 Committee members, past and present, be formally thanked for their service.

**CSS-2014.20 Guelph Museums – McCrae House Redevelopment**

1. That the July 9, 2014 report entitled "Guelph Museums – McCrae House Redevelopment", be received for information.
2. That Council approves the expenditure of up to \$159,000 in the existing McCrae House Development Reserve Fund, in addition to the previously approved \$30,000, as well as any additional funds raised through foundation and government grants, in order to design, fabricate and install new exhibits and enhance public spaces at McCrae House.

*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

**Corporate Administration, Finance & Enterprise Committee Sixth Consent Report**

The following item was extracted:

**CAFE-2014.31 Guelph Police Services Headquarters – Business Case**

**Governance Committee Third Consent Report**

Mayor Farbridge presented the Governance Committee Third Consent Report.

3. Moved by Councillor Findlay  
Seconded by Councillor Dennis

That the July 28, 2014 Governance Committee Third Consent Report as identified below, be adopted:

**GOV-2014.14 Proposed Amendments to City of Guelph Procedural By-law (2012)-19375 Governing Council and Committee Meetings**

1. That the report from the City Clerk dated July 8, 2014 regarding the Procedural By-law be received.
2. That Section 8.11 of Appendix A be deleted and replaced as follows:
  - "8.11 a) For the purpose of Council meeting agendas, delegates have until 9:00 a.m. on the Friday of the week prior to the meeting to notify the Clerk to be a delegate or to submit a written comment.
  - "8.11 b) For the purposes of Standing Committee meeting agendas:
    - (i) Delegates have until 11:00 a.m. the day of the meeting to register with the Clerk to speak to an item listed on that meeting agenda.
    - (ii) Delegates have until 9:00 a.m. on the Friday of the week prior to the meeting to notify the Clerk to submit a written comment for any meeting occurring the following week.";
3. That Section 8.7 of Appendix A be deleted and replaced with the following:

If a delegate is unable to attend the meeting for which they are registered, they may have another person read their written submission;
4. That Section 9.2 (b) and (d) of Appendix A related to electronic petitions, be deleted and Section 9.2 (a) be amended as follows:

9.2(a) Petitions shall include a statement or position that the signers are supporting and include legible names;
5. That a by-law be enacted to repeal and replace By-law 2012 -19375, as amended, being the Procedures Governing Council and Committee meetings to incorporate the changes proposed as attached hereto as Appendix "A", as amended.

**GOV-2014.15 Internal Audit System – Flow of Reports**

1. That the internal audit process flow of reports described in report CAO-A-1409 be approved.
2. That the Quarterly Status report from the Internal Auditor be discontinued.

**GOV-2014.18      Municipal Election Compliance Appointments**

1. That the Municipal Election Compliance Audit Committee Terms of Reference, as set out in Appendix A to this report, be approved and adopted.
2. That City Council appoint the following selected people to the Committee, as required under the Municipal Elections Act, 1996, from December 1, 2014 until the end of the term of the incoming Council, November 30, 2018:
  - George Gorringer
  - Glenn Greer
  - Lyndsay Monk

*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

**Operations, Transit & Emergency Services Committee Fourth Consent Report**

That the following item was extracted:

**OTES-2014.24      Overnight On-Street Parking Review**

**Planning & Building, Engineering and Environment Committee Fifth Consent Report**

Councillor Bell presented the Planning & Building, Engineering and Environment Committee Fifth Consent Report.

4. Moved by Councillor Bell  
Seconded by Councillor Guthrie

That the July 28, 2014 Planning & Building, Engineering and Environment Committee Fifth Consent Report as identified below, be adopted:

**PBEE-2014.19      Water Supply Master Plan Update**

1. That Council receive the Water Supply Master Plan Update Report (final draft).
2. That the Water Supply Master Plan Update be approved in principle.
3. That staff be directed to implement the recommendations, subject to budget approval.

**PBEE-2014.21      Sign By-law Variance for 40 Wellington Street West**

1. That the report from Planning, Building, Engineering and Environment dated July 7, 2014, regarding sign by-law variances for 40 Wellington Street West, be received.

2. That the request for variances from the Sign By-law for 40 Wellington Street West to permit a sign perpendicular to the building face to project 1.02 metres from the building face and contain internal lighting, be approved.

**PBEE-2014.22 Sign By-law Variance for 765 Woodlawn Road West**

1. That the report from Planning, Building, Engineering and Environment dated July 7, 2014, regarding two (2) Sign By-law variances for 765 Woodlawn Road West, be received.
2. That the requested variances from the Sign By-law for 765 Woodlawn Road West for a freestanding sign to be a height of 8.05 metres and within 27 metres of a freestanding sign on an adjacent property, 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

**Council Internal Audit Second Consent**

The following items were extracted:

<b>IA-2014.3</b>	<b>2013 Internal Audit Annual Report</b>
<b>IA-2014.4</b>	<b>Use of External Consulting Value for Money Audit Report</b>
<b>IA-2104.5</b>	<b>Internal Audit Report – External Consultants – Management Response</b>

**Council Consent Agenda**

5. Moved by Councillor Laidlaw  
Seconded by Councillor Burcher

That July 28, 2014 Consent Agenda as identified below, be adopted:

**CON-2014.38 Hanlon Creek Business Park – Phase 3 – Development Options**

1. That report FIN-ED-14-06-02 dated July 28, 2014 titled 'Hanlon Creek Business Park Phase 3 – Development Options' 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

6. Moved by Councillor Dennis  
Seconded by Councillor Wettstein

That Council hear the delegations relating to Councillor Piper's motion for which notice was given June 23, 2014 at this time.

*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

## **Delegations**

### **Councillor Piper's motion for which notice was given June 23, 2014.**

Mr. John Core suggested that bicycle lanes are unnecessary on Downey Road due to the lack of volume and trail connections. He advised that on-street parking is essential for the neighbourhood for mail delivery and the use of Mollison Park.

Ms. Pat Johnson suggested that the major issue is the volume and speed of traffic on Downey Road. She advised vehicles impacts the neighbourhood due to poor sightlines and pedestrian crossings. She expressed concern that the outcome of the Niska Road study is not known.

Mr. Doug Johnson expressed concern that there was no discussion with the community when Downey Road was designated as an arterial road. He requested that Downey Road be included in the Niska Road study and the designation as an arterial road be removed as the new Laird Road interchange offers an alternative route. He further requested that traffic be routed onto Laird Road, connect the existing bicycle lanes, eventually create Downey Road as a cul-de-sac just past Teal Street, reduce the speed limit on Downey Road and install traffic calming measures.

Ms. Laura Murr was not present.

Ms. Ellen Wakarchuk suggested the Laird Road interchange will allow traffic patterns on Downey Road to evolve and that vehicles should be encouraged to use this route. She encouraged Council to expand the cycling network west to serve the business park, reduce the speed limit on Downey Road and allocate funding for traffic calming measures.

Ms. Yvette Tendick suggested there is a need for transportation alternatives and that bicycle lanes slows traffic. She further suggested that the large driveways on Downey Road decreases the need for on-street parking.

7. Moved by Councillor Piper  
Seconded by Councillor Wettstein

That the matter of Clause 4 of Council's resolution of February 25, 2013, related to the Guelph Cycling Master Plan, specifically, the reference to removal of on-street parking and installation of bike lanes on Downey Road, be reconsidered.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Piper and Wettstein (10)*  
*VOTING AGAINST: Councillors Burcher, Laidlaw and Van Hellemond (3)*

CARRIED

## **Main Motion**

8. Moved by Councillor Piper  
Seconded by Councillor Dennis

Whereas the completion of the Laird Road interchange has changed traffic patterns on Downey Road, and

Whereas, residential development in Kortright Hills Phase 4 nears completion,

Be it therefore resolved that the removal of on-street parking on Downey Road be deferred until such time as updated traffic counts are analysed and pedestrian crossing location(s) has been identified, and

That staff report back to Council with a recommendation on the classification of Downey Road in Q3 2015.

#### **Amendment**

9. Moved by Councillor Bell  
Seconded by Councillor Dennis

That staff be directed to report back to Council on the design of traffic calming on Downey Road and that bicycle lanes be included in the redesign.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Laidlaw and Piper, (9)*

*VOTING AGAINST: Councillors Findlay, Kovach, Van Hellemond and Wettstein (4)*

CARRIED

#### **Main Motion as Amended**

10. Moved by Councillor Piper  
Seconded by Councillor Dennis

Whereas the completion of the Laird Road interchange has changed traffic patterns on Downey Road, and

Whereas, residential development in Kortright Hills Phase 4 nears completion,

Be it therefore resolved that the removal of on-street parking on Downey Road be deferred until such time as updated traffic counts are analysed and pedestrian crossing location(s) has been identified, and

**That staff be directed to report back to Council on the design of traffic calming on Downey Road and that bicycle lanes be included in the redesign, and**

That staff report back to Council with a recommendation on the classification of Downey Road in Q3 2015.

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

VOTING AGAINST: Councillor Wettstein (1)

CARRIED

### **Extracted Items**

#### **CAFE-2014.31 Guelph Police Services Headquarters – Business Case**

Mr. A. Horsman, Executive Director Finance & Enterprise, provided information on the tendering process.

Mr. Brian Bourns of KPMG provided information on the tendering time frame.

Mr. Rob Broughton, Project Manager outlined the tendering process and timing for awarding the tender for the Guelph Police Services Headquarters project.

It was requested that the clauses be voted on separately.

11. Moved by Councillor Hofland  
Seconded by Councillor Burcher

1. That the Finance and Enterprise Services report FIN-14-35, entitled "Guelph Police Services Headquarters – Business Case", 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. Moved by Councillor Hofland  
Seconded by Councillor Burcher

2. That the Guelph Police Services Headquarters project (PS0033) proceed as described in the 2014 Tax Supported Budget at a cost of up to \$34 million.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Piper and Wettstein (9)  
VOTING AGAINST: Councillors Bell, Kovach, Laidlaw and Van Hellemond (4)

CARRIED

13. Moved by Councillor Hofland  
Seconded by Councillor Burcher

3. That staff review options respecting consolidation of Emergency Services Communications (police and fire dispatch) in a central location and report back in Q1 2015 regarding a recommended approach for consideration as part of the 2015 Tax Supported Operating and Capital Budgets.

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

14. Moved by Councillor Hofland  
Seconded by Councillor Burcher

4. That staff in the Emergency Services Department, Guelph Police Services and Finance and Enterprise Services continue to explore potential savings available through synergies created in joint emergency services operations.

*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

## **OTES-2014.24 Overnight On-Street Parking Review**

### **Main Motion**

15. Moved by Councillor Findlay  
Seconded by Councillor Piper

1. That staff be provided the authority to declare a temporary on-street parking ban effective 2014.
2. That overnight on-street parking on Guelph Transit bus routes be restricted during the period of the winter overnight on-street parking restriction effective 2014.
3. That the following be referred to the 2015 budget process for consideration:

That the duration of the winter overnight on-street parking restriction be reduced from six months to five months (November 1 until March 31) [Note: Staff only recommend this in conjunction with the authority to declare a temporary on-street parking ban]; and

4. That the following be referred to staff to develop a policy and criteria for any local street that does not currently have, but where there is a request for, year-round permissive overnight parking, permit year-round overnight parking on one side of the street if the street has a travel width (curb face to curb face) of at least 7 metres and if the street has at least one residence with no driveway and no options to provide a driveway, and report back to the Operations, Transit, and Emergency Services Committee.

### **Amendment**

16. Moved by Councillor Laidlaw  
Seconded by Councillor Kovach

That Clause 3 be amended by replacing "five" with four and "November" with December.



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

*VOTING AGAINST: Councillors Dennis and Piper (2)*

CARRIED

### **Main Motion as Amended**

17. Moved by Councillor Findlay  
Seconded by Councillor Piper

1. That staff be provided the authority to declare a temporary on-street parking ban effective 2014.
2. That overnight on-street parking on Guelph Transit bus routes be restricted during the period of the winter overnight on-street parking restriction effective 2014.
3. That the following be referred to the 2015 budget process for consideration:

That the duration of the winter overnight on-street parking restriction be reduced from six months to **four** months (**December** 1 until March 31) [Note: Staff only recommend this in conjunction with the authority to declare a temporary on-street parking ban]; and

4. That the following be referred to staff to develop a policy and criteria for any local street that does not currently have, but where there is a request for, year-round permissive overnight parking, permit year-round overnight parking on one side of the street if the street has a travel width (curb face to curb face) of at least 7 metres and if the street has at least one residence with no driveway and no options to provide a driveway, and report back to the Operations, Transit, and Emergency Services Committee.

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

*VOTING AGAINST: Councillors Dennis (1)*

CARRIED

### **IA-2014.3            2013 Internal Audit Annual Report**

Ms. Loretta Alonzo, Internal Auditor, highlighted the 2013 internal audit annual report.

18. Moved by Councillor Hofland  
Seconded by Councillor Burcher

1. That Council receive the Internal Auditor's report number CAO-A-1411, "2013 Internal Audit Annual Report".

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

*VOTING AGAINST: (0)*

*Councillor Kovach was absent from the Chambers when the vote was taken.*

CARRIED

**IA-2014.4            Use of External Consulting Value for Money Audit Report**  
**IA-2014.5            Internal Audit Report – External Consultants – Management Response**

Ms. Katherine Gray, Business Performance Specialist, outlined the purpose, scope and results of the external consulting value for money audit.

Mr. A. Horsman, Executive Director Finance & Enterprise, highlighted management's response to the external consulting value for money audit.

19.    Moved by Councillor Guthrie  
      Seconded by Councillor Hofland

1.    That Council receive the Use of External Consulting Value for Money Audit Report.

*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.    Moved by Councillor Hofland  
      Seconded by Councillor Dennis

1.    That report FIN-14-41 entitled "Internal Audit Report – External Consultants – Management Response" 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

**Special Resolution**

**Councillor Kovach's motion for which notice was given June 9, 2014.**

21.    Moved by Councillor Kovach  
      Seconded by Councillor Van Hellemond

That the following motion be referred to the Governance Committee:

That any member of Council appointed to a municipal government organization board such as AMO or FCM, and/or its committees, be required on a quarterly basis, to provide information reports to Council on the 'Weekly Items for Information' regarding their attendance at meetings and a general overview of the business conducted at these meetings.

*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

**By-laws**

22. Moved by Councillor Piper  
Seconded by Councillor Wettstein

That By-laws Numbered (2014)-19783 to (2014)-19788, inclusive, 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

**Mayor's Announcements**

The Mayor had no announcements.

**Notice of Motion**

Councillor Findlay gave notice that he will be bringing forward a motion to a subsequent meeting with respect to kick starting traffic calming.

**Adjournment** (10:00 p.m.)

23. Moved by Councillor Burcher  
Seconded by Councillor Hofland

That the meeting be adjourned.

CARRIED

*Minutes to be confirmed on August 25, 2014.*

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Mayor Farbridge

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City Clerk



**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
Tuesday, August 5, 2014 at 7:00 p.m.**

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**Attendance**

Council: Mayor Farbridge  
Councillor B. Bell  
Councillor T. Dennis  
Councillor I. Findlay  
Councillor J. Furfaro  
Councillor Guthrie  
Councillor G. Kovach  
Councillor M. Laidlaw  
Councillor L. Piper  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Absent: Councillor L. Burcher  
Councillor J. Hofland

Staff: Ms. A. Pappert, Chief Administrative Officer  
Mr. M. Amorosi, Executive Director of Corporate & Human Resources  
Mr. P. Meagher, General Manager Community Connectivity & Transit  
Mr. D. Godwalt, General Manager Human Resources  
Ms. F. Tranquilli-Nardini, Manager Labour Relations, Health & Safety  
Ms. J. Maitland, Labour Relations Specialist  
Mr. S. O'Brien, City Clerk  
Ms. D. Black, Council Committee Co-ordinator

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**Call to Order (7:00 p.m.)**

Mayor Farbridge called the meeting to order.

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

1. Moved by Councillor Kovach  
Seconded by Councillor Furfaro

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 (7:01 p.m.)**

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

There were no disclosures.

The following matters were considered:

**C.2014.40 ATU Labour Relations**

**Rise from Closed Meeting (7:30 p.m.)**

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*Council recessed.*

**Open Meeting** (7:33 p.m.)

Mayor Farbridge called the meeting to order.

**Special Resolution**

2. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw

That the Memorandums of Agreement between the City of Guelph and the Amalgamated Transit Union Local 1189 on file with Human Resources, be approved.

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

*VOTING AGAINST: (0)*

CARRIED

The Mayor advised a press conference would take place immediately following the meeting.

**Adjournment** (7:35 p.m.)

3. Moved by Councillor Furfaro  
Seconded by Councillor Laidlaw

That the meeting be adjourned.

CARRIED

*Minutes to be confirmed on August 25, 2014.*

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Mayor Farbridge

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City Clerk

**CONSENT REPORT OF THE  
AUDIT COMMITTEE**

August 25, 2014

Her Worship the Mayor and  
Councillors of the City of Guelph.

Your Audit Committee beg leave to present their FOURTH CONSENT REPORT as recommended at its meeting of August 12, 2014.

*If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Audit Committee will be approved in one resolution.*

**AUD-2014.20      Policy for the Implementation of PS 3260 – Liability for Contaminated Sites**

1. That FIN-14-40 Policy for the Implementation of PS 3260 – Liability for Contaminated Sites be received; and
2. That the Contaminated Sites Policy, attached as Appendix 1, be approved.

All of which is respectfully submitted.

Councillor Cam Guthrie, Chair  
Audit Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE  
AGENDA FOR THE AUGUST 12, 2014 MEETING.***

# STAFF REPORT



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TO Audit Committee

SERVICE AREA Finance and Enterprise Services

DATE August 12, 2014

**SUBJECT Policy for the Implementation of PS 3260 – Liability for Contaminated Sites**

REPORT NUMBER FIN-14-40

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## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To present, for approval, a formal policy that outlines the process for identifying and accounting for contaminated sites under the Public Sector Accounting Standard 3260 – Liability for Contaminated Sites.

### KEY FINDINGS

The attached policy outlines key components of the accounting standard PS 3260 and highlights the City's methodology for determining the value of the liability to record each year end.

### FINANCIAL IMPLICATIONS

There are no financial implications resulting from this report, however, there could be significant financial implications resulting from the adoption of PS3260 depending on the number of contaminated sites identified. When implemented the impact will likely be an increase in the City's liabilities and expenses. The expense will be a non-cash item that will be adjusted outside the operating budget process. A strategy on the City's approach to funding these liabilities will need to be developed to ensure appropriate financial planning relating to contaminated sites.

### ACTION REQUIRED

Receipt of report number FIN-14-40 and approval of the Contaminated Sites Policy.

## RECOMMENDATION

1. That FIN-14-40 Policy for the Implementation of PS 3260 - Liability for Contaminated Sites be received; and
2. That the Contaminated Sites Policy, attached as Appendix 1, be approved.

# STAFF REPORT



## BACKGROUND

Effective for fiscal year ending December 31, 2015, the City is required to be compliant with the accounting standard, PS 3260 – Liability for Contaminated Sites. This section establishes a standard for municipalities to account for and report on liabilities associated with the remediation of contaminated sites.

Specifically, PS3260:

- Defines which activities would be included in a liability for remediation;
- Establishes when to recognize and how to measure a liability for remediation;
- Provides the related financial statement presentation and disclosure requirements.

The proposed policy will ensure that there is a process in place related to identification, classification, and estimation of the liability associated with contaminated sites.

## REPORT

The proposed policy outlines the key components related to implementation of PS3260-Liability for Contaminated Sites including the following:

- 1) Highlights of the accounting standard PS3260
- 2) Governing policy and legislative background
- 3) Process for the identification and classification of contaminated sites
- 4) Process for the recognition and estimation of the liability
- 5) Financial statement disclosure requirements

## CORPORATE STRATEGIC PLAN

- 1.3 Build robust systems, structures and frameworks aligned to strategy.
- 2.3 Ensure accountability, transparency and engagement.

## DEPARTMENTAL CONSULTATION

Members of the Planning, Engineering & Environmental Services department have reviewed the policy and provided input.

## FINANCIAL IMPLICATIONS

The financial implications for this report are nil. The impact when PS3260 is implemented in 2015 will likely be an increase in liabilities and expenses. The expense will be a non-cash item that will be adjusted outside the operating budget process. A strategy on the City's approach to funding these liabilities will need to be developed to ensure appropriate financial planning relating to contaminated sites.



# STAFF REPORT

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## COMMUNICATIONS

The policy will be included with other policies approved by Council.

## ATTACHMENTS

Appendix 1: Proposed Contaminated Sites Policy

### Report Author

Kamran Ali  
Senior Corporate Analyst, Financial  
Reporting and Accounting

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### Approved By

Jade Surgeoner  
Manager,  
Financial Reporting & Accounting

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### Recommended By

Albert Horsman  
Executive Director and CFO  
519-822-1260 ext. 5606  
Al.Horsman@guelph.ca

**CONSENT REPORT OF THE  
CORPORATE ADMINISTRATION, FINANCE  
& ENTERPRISE COMMITTEE**

August 25, 2014

Her Worship the Mayor and  
Councillors of the City of Guelph.

Your Corporate Administration, Finance & Enterprise Committee beg leave to present their SEVENTH CONSENT REPORT as recommended at its meeting of August 12, 2014.

*If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Corporate Administration, Finance & Enterprise Committee will be approved in one resolution.*

**CAFE-2014.34      Enterprise Services – Annual Activity Report**

That report number FIN-ED-14-07 titled, '*Enterprise Services –Annual Activity Report*' be received for information.

**CAFE-2014.35      200 Beverly Street – IMICO – Redevelopment Update**

1. That Council receive report # FIN-ED-14-08 titled '200 Beverly Street – IMICO – Redevelopment Update'; and
2. That Council direct staff to proceed with the IMICO Phase 2 Marketing Program as described in report FIN-ED-14-08; and
3. That Council approve the transfer of funds in the amount of Forty-Four Thousand, Six Hundred and Ten Dollars (\$44,610.00) from the DC Exempt Reserve Fund Account #156 for the purpose of implementing the IMICO Phase 2 Marketing Program as described in report FIN-ED-14-08; and
4. That Council direct staff to report back to Council on the status of the IMICO Phase 2 Marketing Program as described in report FIN-ED-14-08 by no later than the end of Q1 2015.

**CAFE-2014.36      Municipal Development Corporation Business Case Study Update**

1. That Council receive report # FIN-ED-14-09 titled '*Municipal Development Corporation Business Case Study Update*'; and
2. That Council approve the business case study attached to Report FIN-ED-14-09; and

3. That Council directs staff to incorporate a municipal development corporation, as described in report # FIN-ED-14-09, with the first director of the corporation to be Barry Chuddy, CEO of GMHI.

All of which is respectfully submitted.

Councillor June Hofland, Chair  
Corporate Administration, Finance &  
Enterprise Committee

***Please bring the material that was distributed with the Agenda for the August 12, 2014 meeting.***

# STAFF REPORT



TO Corporate, Administrative, Finance and Enterprise Committee

SERVICE AREA Enterprise Services

DATE August 12, 2014

**SUBJECT Enterprise Services – Annual Activity Report**

REPORT NUMBER FIN-ED-14-07

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

Enterprise Services is pleased to present to its Annual Activity Report for the period of mid-2013 to mid-2014. The report summarizes the integrated 'City Building' activities of the Economic Development, Downtown Renewal and Corporate Energy offices. The report also serves to provide an overview of planned activities for the period mid-2014 to mid-2015.

The intent of the attached document is to also further promote the "*Guelph Advantage*" to prospective business investors considering Guelph as a place to locate or expand, and the facilitation roles and services provided by Enterprise Services. Enterprise Services therefore encourages members of Council to share this information with their constituents and business contacts.

### KEY FINDINGS

Given the complex and multi-year nature of the 'City Building' projects and programs entrusted to Enterprise Services, this year's report differs from those of previous years. This year's report, provided in **Attachment # 1**, describes the on-going and ever evolving story of Enterprise Services, supplemented with examples of major accomplishments achieved during the period of mid-2013 to mid-2014. Key findings provided in this report include 'City Building' activities and results relating to:

- Foreign Direct Investment (FDI)
- Business Retention and Expansion (BRE)
- Building Capacity
- Partnerships
- Community Energy
- Downtown Renewal

### FINANCIAL IMPLICATIONS

The 2013 – 2014 operational and program activities that are described in this report have been funded by Guelph City Council through its annual budget

# STAFF REPORT



process. Where possible these funds have been used to leverage additional funds for specific initiatives.

Any new activities that have been highlighted for the period 2015 will be subject for review and consideration through the 2015 budget approval process.

## **ACTION REQUIRED**

This report is being presented for information, and is to be received by the Corporate, Administrative, Finance and Enterprise Committee.

## **RECOMMENDATION**

That report number FIN-ED-14-07, titled '*Enterprise Services - Annual Activity Report*' be received for information.

## **BACKGROUND**

In early 2012 Finance and Enterprise Services was established for the purpose of better integrating the City's financial management and planning functions through an "enterprise" focused approach to program delivery. The intended results were to establish alternate and innovative approaches to municipal financial planning, management, budgeting and revenue generating practices and processes.

### **Vision Statement**

*"To grow the City's economic base through innovative approaches in developing and delivering municipal initiatives and services. Such approaches will consider alternate delivery models, partnerships, as well as performance measurements. The main operating principle of Enterprise Services is to grow Guelph's economic base through the effective positioning of municipal assets and services."*

### **Mission Statement**

*"To create an environment that attracts and supports business investment; fosters collaboration and partnerships among stakeholders; and leverages local, regional and national assets to create sustainable 'City Building' opportunities for Guelph."*

Enterprise Services conducts its activities within a framework of various strategic documents and directions that have been approved by Guelph City Council.

It is within this background and framework that Enterprise Services is pleased to provide the following report.

## REPORT

The information provided in this section of the staff report augments the information provided in **Attachment #1**.

The City of Guelph's 2012-2016 Corporate Strategic Plan identifies the need for Guelph to be "economically viable, resilient and attractive for business".

In order to achieve this objective, the local environment and culture needs to be responsive to evolving and ever changing economic and social conditions. Enterprise Services plays a significant role in achieving this objective through the creation, delivery and management of the "**Guelph Advantage**" and the "**Invest in Guelph**" brand.

- **Foreign Direct Investment (FDI):** In 2013 the City developed a multi-year FDI strategy which is being implemented through the City's participation in partnership with other Ontario municipalities. A copy of this strategy can be found at <http://guelph.ca/wp-content/uploads/GuelphFDIAttractionRetentionStrategyActionPlan.pdf>.

Throughout 2013 and 2014 Enterprise Services City hosted in-coming FDI delegations from Europe, Asia, South America and the United States. Progress was also made in hosting twelve Canadian foreign affairs and trade commission offices as well as the Consul General's office for the Netherlands.

A key strategy in the development of the Community Energy Plan was to benchmark the plan's goals and objectives to those achieved in Europe. As the Plan move to implementation through the CEI, this benchmarking process continued with the Transatlantic Urban Climate Dialogue (TUCD) – an exchange between two regions in North America and two regions in Germany. This has exposed Guelph to municipal best practice in community energy planning as well as providers of products and services supporting a well-developed market in the community energy space. Through the TUCD, The City has developed the strategic the Strategic Implementation Network (SIN) designed to build relationships with companies outside of the region that not only provide support for the development of projects in support of the CEI but to promote the concept of Guelph as the doorway to a changing and growing market in the area of community energy innovation. Guelph's reputation as a leader in the area of community energy planning has proven to be a valuable selling point. To date, four foreign companies have commitment to establish an early business presence in Guelph to begin a strategic process of serving the North American marketplace.

For the period 2014 – 2015 Enterprise Services will be working with the Consult General's office for the Netherlands to explore in-coming and out-going trade mission opportunities which will target potential new investment from the agri-food and environmental technology sectors. The City will also

# STAFF REPORT



continue to be involved in two Pan-regional FDI marketing consortiums that target the Clean-tech, Advanced Manufacturing and Agri-tech sectors.

- **Business Retention and Expansion (BRE):** Late 2013 marked the launch of the City's BRE program, which included interviewing approximately 80 local businesses and industries. Interviews were concluded in early 2014 and a final report and action plan to address matters that were identified through this process will be made available later this summer. This information is currently being assessed, and a final summary report will be made available on the City's Economic Development web-site.

The objectives of the interviews include providing business assistance outreach services, better understanding the local business needs, and where beneficial invite businesses to attend trade shows as part of a Guelph consortium.

Staff also conducted post-site plan approvals audits with select businesses to continue to improve Guelph's planning approval processes.

The Community Energy Initiative has played a pivotal role in retaining and expanding business in Guelph. Two key examples have been Canadian Solar Solutions Inc. (CSSI) and Polycon Industries:

- CSSI has originally chosen Guelph to locate its manufacturing plant in Guelph largely due to the overall strategy of the CEI and demonstrated partnerships among local stakeholders particularly Guelph Hydro. Since that time Canadian Solar has developed partnerships with a number of local solar installers and contractors. In addition, Canadian Solar has recently opened its Microgrid Testing Centre, with support from the Province of Ontario. The city played a supporting role in advocating to the Province for this facility. CSSI has originally targeted 400 jobs for its Guelph plant. It has recently exceeded 500 jobs.
- Polycon Industries is one of Guelph's largest energy users. Energy costs and energy inflation are an ongoing challenge to this industry. Polycon has recently installed 8 MW of generation capacity on its site to ensure reliable energy supply and to control rising prices. The City played a major role in supporting the provincial process involved in confirming this project. Ontario Minister Bob Chiarelli acknowledged the City's role as Guelph the "poster child for municipal energy planning" in the province.

The results of these initiatives will greatly inform the BRE work plan for the period of 2014 – 2015. At the time of preparing this report next year's program will focus on:

1. Continuing to provide input into the City's Integrated Operational Review activities, specifically with respect to improvements to Guelph's approval processes, as well as providing improved communications and awareness of proposed new development activities;

2. Developing Trade Events that will support the needs of local business sectors;
  3. Promoting energy/water efficiency programs to current businesses;
  4. Providing input into local workforce attraction efforts;
  5. Holding workshops and programs which will better inform local businesses of Provincial/Federal funding programs, or marketing opportunities;
  6. Conduct an assessment of the local supply chain for the agri-tech, environmental and advanced manufacturing sectors;
  7. Develop and provide for business sector/city hall liaison opportunities, including possible opportunities for local elected officials.
- o **Building Capacity:** Enterprise Services plays a number of roles to help build the local capacity that is required to attract new investment to the City.

Enterprise Services continued to be directly involved in managing property development matters relating to the Hanlon Creek Business Park, IMICO, and Baker Street. The department significantly contributed and facilitated with private sector investment relating to a variety of downtown properties.

The Community Energy Initiative is playing a growing role in building the capacity to attract new investment to the City. Of particular focus in the last two years has been the ongoing development of the thermal strategies of the CEI in the form of District Energy. The provision of competitive and stably priced thermal energy services (i.e. – heating and cooling) has been very attractive to a number of investors. In addition, District Energy negates the need for on-site heating and cooling equipment thus avoiding significant capital costs. Currently, there are three district energy “nodes” in early operation – Sleeman Centre, West End Community Centre and the Hanlon Creek Business Park. All of these projects have been developed under the leadership of Envida Community Energy Inc. Two city facilities are connected to these nodes at this time – Sleeman Centre and WECC. Several private sector firms are also connect with a number of additional prospects in negotiations.

Potential activities for the period of 2014 – 2015 include:

1. The further identification and assessment of municipal stranded real estate assets;
2. The continued planning, positioning and management of such projects as the IMICO, Hanlon Creek Business Park (HCBP), and Baker Street projects;
3. Working with the Province of Ontario, and where appropriate other property owners to position the Guelph Innovation District (GID) for development;
4. Continue to work with Envida to implement its district energy plans in the HCBP, Downtown as well as within the GID.



- **Partnerships:** Where possible, Enterprise Services leverages funding and resources with a wide range of local, regional, provincial and national partners. In total we have partnered with over 100 different public and private organizations.

An excellent example of such partnerships is Connect Guelph/Wellington, which was established by Enterprise Services in 2012 and continues to work together to deliver projects and programs that were identified by Prosperity 2020. Connect Guelph/Wellington includes members from local and regional economic development programs. Its objective is to better coordinate and align programs, and where possible leverage resources. During the time period of this report key achievements include the creation of an economic development portal (<http://www.connectguelph.ca>).

Through a partnership with the Guelph Chamber of Commerce a Guelph based industrial, commercial and institutional real estate search engine was also activated. (<http://guelph.ca/realestate>)

Partnerships have not only driven support for the ongoing implementation of the CEI but have created important conduits for attracting development and investment to Guelph, as described above. There are three key partnerships that provide a profile for Guelph and support our message of the investment advantage provided by the CEI:

- **Transatlantic Urban Climate Dialogue (TUCD)** – The TUCD provides an ongoing venue for benchmarking best practices in implementing programs such as the CEI against European cities. Also, the TUCD provides a more direct connection to private sector firms providing products and services to the markets being driven by municipal energy planning. To date four companies have made initial commitments to locate their North American operations in Guelph.
- **Federation of Canadian Municipalities (FCM)** – Through their various Sustainable Communities activities, FCM provides a powerful venue for showcasing and promoting Guelph as well as garnering support for specific projects through the Green Municipal Funds. In 2013 the City was notified for winning the 2014 Sustainable Community Awards for the CEI.
- **Quality Urban Energy Systems of Tomorrow (QUEST)** – QUEST is in its 8<sup>th</sup> year of operations. The City was a founding member of QUEST and continues to benefit greatly from the growing community of practice in community energy planning. QUEST is also a very effective advocate for municipalities in acquiring policy and program support from other levels of government.

For the period of 2014 – 2015 Enterprise Services intends to expand these partnerships to include new international focused programs.

# STAFF REPORT



- **Corporate Energy Management:** Under the strategic direction of the Corporate Energy Management Plan (CEMP) a number of key outcomes have been achieved through the leadership of the Community Energy office:
  - Capital energy retrofit projects as described in the CEMP for the City's Transit facility as well as the 45/50 Municipal street facility. These projects were implemented with the support and cooperation of Corporate Building Maintenance.
  - Final actuals for energy compared to the aggregated corporate energy budget for electricity and natural gas in 2013 showed a \$690K positive variance.
  - The Corporate Energy team continues to focus on building the corporation's capacity to manage its energy use. 2013 saw considerable focus on continuing to develop systems and processes to manage and report on the energy data supplied by over several hundred natural gas and electricity meters. Also, the manager of corporate energy received his Certified Energy Manager accreditation in early 2014.
  - Two city facilities, West End Community Centre and the Sleeman Centre became the first customers of district energy.
  - Six city facilities became hosts for solar photovoltaic installations under the Ontario Power Authority's Feed-In-Tariff program – Fire HQ, Fire Hall 3, Fire Hall 5 45 Municipal St., River Run Centre and the Speedvale Ave. water tower.
- **Downtown Renewal:** Specific to continuing the implementation of the Downtown Secondary Plan and the Prosperity 2020 directive to "Target Icon Status for Downtown Guelph" the following has been achieved over the report period:
  - Approvals or applications in queue for over 1,000 housing units in the downtown
  - Zoning approval for 150 Wellington East (Marsh Tire)
  - Downtown CIP and Brownfield CIP recommendations supporting 150 Wellington East and 5 Arthur Street
  - Supporting the Downtown Streetscape and Built Form Standards update process – recommendation coming forward in August 2014
  - Institutional Partnership development for Baker Street, Including Guelph Public Library, Conestoga College, University of Guelph, YMCA and Innovation Guelph.
    - Support to Intergovernmental Affairs/CAO Office on GO/Metrolinx Advocacy for increased rail investments and service: 'The Information SuperCluster' business case.

# STAFF REPORT



([http://www.kitchener.ca/en/businessinkitchener/resources/ED\\_GO\\_Train\\_Business\\_Case.pdf](http://www.kitchener.ca/en/businessinkitchener/resources/ED_GO_Train_Business_Case.pdf))

- Introduction of Downtown Strategic Assessment to inform strategic thinking for increasing Downtown economy
- Support for Urban Design Summit (Winter 2014) – including development of Urban3’s Tax-Density model of Guelph and presentations by Joe Minicozzi.

Potential activities for Downtown Renewal in 2014-15 are focussed on Rail Corridor investments, Baker Street development, maintaining residential and business investment momentum, concluding the enterprise analysis of the parking system to enable system and investment decisions in 2015.

## **CORPORATE STRATEGIC PLAN (CSP)**

This initiative touches in whole, or in part on all of the CSP’s objectives.

### **1. Organizational Excellence**

- 1.1 Engage employees through excellence in leadership
- 1.2 Develop collaborative work team and apply whole systems thinking to deliver creative solutions
- 1.3 Build robust systems, structures and frameworks aligned to strategy

### **2. Innovation in Local Government**

- 2.1 Build an adaptive environment for government innovation to ensure fiscal and service sustainability
- 2.2 Deliver Public Service better
- 2.3 Ensure accountability, transparency and engagement

### **3. City Building**

- 3.1 Ensure a well-designed, safe, inclusive, appealing and sustainable City
- 3.2 Be economically viable, resilient, diverse and attractive for business
- 3.3 Strengthen citizen and stakeholder engagement and communications

## **DEPARTMENTAL CONSULTATION**

N/A

## **FINANCIAL IMPLICATIONS**

N/A

# STAFF REPORT

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## **COMMUNICATIONS**

Upon Council's receipt of the Annual Report provided in Attachment #1, it is staff's intention to distribute copies to our strategic partners.

Staff welcomes the opportunity to provide copies to the members of Council for their use and distribution to constituents and business contacts.

## **ATTACHMENTS**

Attachment 1 – Building a City – Guelph Enterprise Services Annual Review (This brochure is available upon request from the Economic Development Department)

Peter Cartwright, GM Economic Development  
Rob Kerr, Corporate Manager, Community Energy  
Ian Panabaker, Corporate Manager, Downtown Renewal

## **Report Authors**

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### **Approved By**

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# STAFF REPORT



TO Corporate, Administrative, Finance & Enterprise Committee

SERVICE AREA Enterprise Services

DATE August 12, 2014

**SUBJECT** 200 Beverly Street – IMICO – Redevelopment Update

REPORT NUMBER FIN-ED-14-08

## **EXECUTIVE SUMMARY**

### **PURPOSE OF REPORT**

The purpose of this report (FIN-ED-14-08) is to:

1. Provide Council with an update on the status of this initiative;
2. Seek Council's direction with respect to implementing the marketing program proposed by CBRE; and
3. Obtain Council's approval to re-allocate funds for the purpose to implement the marketing program proposed by CBRE.

### **KEY FINDINGS**

Based on the work conducted to date by CBRE, its consulting team and the unsolicited inquiries received from potential private investors, it is staff's opinion that the property has significant development potential and market interest.

CBRE's team has provided the following key market findings:

1. Development concepts prepared suggest an approach which may result in lower remediation costs and higher land valuation than originally contemplated. Information about the concepts and their respective elements are described further in this report.
2. The preliminary market assessment conducted by CBRE suggests there is a strong emerging market for new medium density rental residential development within the Guelph market place.
3. CBRE's involvement in other projects throughout the region indicates a growing involvement by GTA and Hamilton based investors in residential rental projects, including brownfield projects.
4. CBRE is aware of potential investors that may be interested in responding to the Request for Submission (RFS) phase of the marketing program.
5. The experience gained through the RFS process will assist with the creation of a Corporate Strategic Asset Real Estate Reserve Policy which may be applied to other stranded real estate assets.

# STAFF REPORT

## **FINANCIAL IMPLICATIONS**

To date Council has approved the reallocation of funds from Reserve Account # 357 (\$20,000) and Reserve Account # 156 (\$55,000) for the purpose of retaining CBRE and its team to conduct the due diligence and pre-marketing activities for the property. While funds are still available to conclude this work, it is anticipated that the property will be ready to market this fall, which will trigger the second phase of CBRE's contract.

Phase two includes developing and implementing a process to solicit "Request for Submissions" from prospective parties, evaluating submissions, and if successful entering into an Offering Memorandum with a preferred party. The cost to do this work is Forty-Four Thousand, Six Hundred and Ten Dollars (\$44,610.00). It is proposed that further funds be re-allocated from the DC Exempt Reserve Fund Account # 156.

## **ACTION REQUIRED**

While the main objective of this initiative is to implement a process which will result in the redevelopment and repurposing of this municipally owned stranded real estate asset, the process will also be used to influence a corporate wide approach to dealing with other stranded real estate assets. Therefore the actions that are required of Council to support both initiatives are:

1. To receive report FIN-ED-08;
2. To direct staff to proceed with Phase 2 of the marketing program; and
3. To provide the necessary financial resources to implement Phase 2 of this initiative.

## **RECOMMENDATION**

THAT Council receive report # FIN-ED-14-08 titled '200 Beverly Street - IMICO - Redevelopment Update'; and

THAT Council direct staff to proceed with the IMICO Phase 2 Marketing Program as described in report FIN-ED-14-08; and

THAT Council approve the transfer of funds in the amount of Forty-Four Thousand, Six Hundred and Ten Dollars (\$44,610.00) from the DC Exempt Reserve Fund Account # 156 for the purpose of implementing the IMICO Phase 2 Marketing Program as described in report FIN-ED-14-08; and

THAT Council direct staff to report back to Council on the status of the IMICO Phase 2 Marketing Program as described in report FIN-ED-14-08 by no later than the end of Q1 2015.

# STAFF REPORT

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## BACKGROUND

To provide further context to this report the following background is provided.

At its meeting of September 16, 2013 Council passed the following resolutions in response to Report FIN-ED-13-05.

***That** Council receive report FIN-ED-13-05; and*

***That** Council direct staff to proceed with the process to attract an investor that will acquire and redevelop 200 Beverly Street as described in report FIN-ED-13-05; and*

***That** Council direct staff to report back at the key milestones outlined in report FIN-ED-13-05 regarding the status of the process to attract an investor that will acquire and redevelop 200 Beverly Street.*

At its subsequent meeting of April 14, 2014 Council passed the following resolutions in response to Report FIN-ED-14-04.

***That** Guelph City Council receive report FIN-ED-14-04; and*

***That** Council approve the re-allocation of funds, in the total amount of \$75,000 from the Brownfield Capital Reserve Account # 357 in the amount of \$20,000 and the DC Exempt Reserve Account # 156 in the amount of \$55,000 for the purpose of contracting real estate advisory services for the IMICO property as described in report FIN-ED-14-04.*

## REPORT

As mentioned elsewhere in this report, the real estate consulting/brokerage firm CBRE has been retained to implement a multi-phased "Modified Tender Process" for 200 Beverly Street. In summary the process is structured as follows:

- Phase 1 – Due Diligence and Pre-Marketing (Currently underway and substantially complete);
- Phase 2 – Request for Submission (RFS) & Offering Memorandum (Next Phase – To be conducted throughout the fall of 2014);
- Phase 3 – Evaluation of Submissions (To be conducted throughout the fall of 2014 and the results provided to Council in Q1 2015);
- Phase 4 – Negotiations (Q1 – 2015)

This report focuses on the Phase 1 results achieved to date.

In conducting its due diligence and pre-marketing activities CBRE's team has given due consideration to the following resolutions passed by Council.

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At its meeting of April 18, 2004, Council passed the following resolution:

***That** the identified uses for the former IMICO site at 200 Beverley Street include any of: (a) Community Use as a Single Use; (b) Community, Medium Density Residential and Commercial Uses; (c) Railway Use; or (d) Community and Government Uses.*

On June 19, 2006, Council passed a further resolution as follows:

***That** approximately 3 to 4 acres of the 200 Beverley Street property, with access to Stevenson Street, be dedicated for park purposes in the final redevelopment scheme for the site.*

As part of the due diligence, staff gave direction to CBRE to prepare development concepts which not only considers Council's 2004 and 2006 resolutions, but also considered development approaches which would hopefully result in reduced remediation costs, increased land valuation, and be responsive to emerging market demands and potential financial returns for an investor.

The concepts that have been prepared by CBRE's team are found in **Attachments 1 and 2**. They only serve as a guide to determine the potential economic potential of the property and will serve as a guide to further prepare RFS packages for the marketplace.

The concepts have been circulated to Planning, Engineering, Building and Parks Services for further input and comments which will assist in developing the RFS package. The concepts are not intended to imply in any sense a pre-approval of the development of the property.

The RFS process will incorporate a more detailed assessment by staff of planning, engineering and other development matters. It is also contemplated that the RFS evaluation process will provide for public communications and consultation.

In preparing these preliminary concepts the following information was considered by CBRE and its team.

- **Interim Market Findings (Summary)** – Using the 2011 *Market Update & Options for Redevelopment – 200 Beverley Street (IMICO site)* that was prepared by N. Barry Lyon Consultants Limited as a baseline, CBRE has conducted an interim assessment of market conditions. This assessment has been based on:
  - The current and emerging real estate development activity throughout the Region of Waterloo;



- The demonstrated increase in investment activity and interest in the local and regional market place for this type of product from the Greater Toronto and the Hamilton market areas; and
- An assessment of the current and planned inventory within the Guelph market place.

In summary, CBRE has offered an opinion that there is a strong emerging market, latent demand, and potential investment interest for new medium density rental residential units within the Guelph market place.

Staff agree that this product may be desirable with young professionals that are not yet at the stage to afford home ownership as well as the mature market segment that may wish to realize equity accrued in their current residences through the “right sizing” of their residential needs.

- **Proposed Land Use Mix** – As provided in the attached concepts, CBRE is proposing the optimum mixture of land uses for the property are:
  - Medium density rental residential buildings ranging in height from 3 to 5 stories.
  - The potential number of units would be in order of 490 units.
  - The projected resulting net density would be in the range of 38 units per acre, and the gross density may range between 49 to 52 units per acre.
  - All residential units would be constructed from the second floor and above.
  - The residential parking requirements, estimated to be between 458 and 498 would be located on the first level.
  - Other non-residential uses, including scaled commercial and community related uses would be provided on the first level of select buildings.

**Attachment # 3** provides land use schedules for each concept.

- **Re-development Approach** – In order to manage potential remediation costs CBRE’s team has proposed the following:
  - Restricting the first floor use for a combination of resident parking, commercial and/or community purposes, and building construction. These uses will also be restricted to those areas of the property with the lowest environmental contamination. It is the recommendation of CBRE and its team that the combination of these two principles would result in lower remediation cost.
  - Public open spaces would be developed within those areas of the property that currently have the highest contamination. This land would be remediated to public use standards, and the resulting cost is

# STAFF REPORT

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projected to be far less than would be the case for residential, commercial or community building purposes.

- **Urban Design** – CBRE has conducted research of similar development projects to determine the level of urban design that is being developed.

**Attachment # 4** provides visual examples of the built form envisaged for this property. Based on these examples, urban design principles are to be developed by CBRE’s team, with input from Planning Services for the purpose of the RFS process.

- **Assessment of Land Valuation** – Previous reports conducted for the property have suggested that the level of contamination exceeds the real estate value of the property.

Conestoga Rovers & Associates (CRA) has conducted a preliminary Environmental Scope of Work that is related to the re-development approach described in this report. It is CRA’s opinion this approach to remediate the property to acceptable Ministry of Environment (MOE) standards and to obtain a Record of Site Condition (RSC) may be substantially less than previously indicated.

CRA has stated that the re-development approach that is recommended would allow for proposed residential use while appropriately minimizing the scope, timing and cost for remediation by the development of site-specific remediation standards that are approved by the MOE. From an investment perspective, the ability to achieve this will serve to better provide certainty for potential investors, and potentially increase to land valuation.

CBRE has conducted a preliminary market assessment which includes data obtained from documents received from local appraisers, land titles, and the Kitchener-Waterloo Real Estate Board. CBRE also used market intelligence through its national operations.

Using the Direct Comparison Approach to property valuation, and considering site remediation work provided by CRA, it appears that based on the recommended approach to re-develop the property, a more positive property valuation than originally contemplated may be possible.

In order to proceed to market staff is seeking direction from Council with respect to the development approach described in this report.

In addition, should Council provide direction and approval of the re-allocation of funds to proceed further with this initiative staff is proposing to finalize phase 1 by the end of September, and implement the RFS Phase this fall. It is anticipated that

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the results of the RFS process would be presented to Council in early Q1 2015 for further consideration and direction.

## **CORPORATE STRATEGIC PLAN (CSP)**

- 3.1 Ensure a well-designed, safe, inclusive, appealing and sustainable City
- 3.2 Be economically viable, resilient, diverse and attractive for business
- 3.3 Strengthen citizen and stakeholder engagement and communications

## **DEPARTMENTAL CONSULTATION**

- Planning Services
- Realty and Legal Services
- Engineering Services
- Finance Services

## **FINANCIAL IMPLICATIONS**

Phase two includes developing and implementing a Request for Submissions from prospective parties, evaluating submissions, and if successful entering into an Offering Memorandum with a preferred party. The cost to do this work is Forty-Four Thousand, Six Hundred and Ten Dollars (\$44,610.00), and it is proposed that funds be re-allocated from the DC Exempt Reserve Fund Account # 156. Future costs will be identified and budgeted for through the City's 2015 budget process.

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## COMMUNICATIONS

It is staff's intention that details regarding the implementation and the status of the RFS process and will be made publically available on the City of Guelph's Economic Development web site.

## ATTACHMENTS

**Attachment 1** – Preliminary Land Use Development Concept Option 1

**Attachment 2** – Preliminary Land Use Development Concept Option 2

**Attachment 3** – Land Use Schedules for Land Use Concept Options 1 & 2

**Attachment 4** – Urban Design Examples

Peter J. Cartwright, PLE, MCIP, RPP

**Report Author**

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## Approved By

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# STAFF REPORT

## Attachment 1

### Preliminary Land Use Development Concept Option 1





## Attachment 2 Preliminary Land Use Development Concept Option 2



## Attachment 3 Land Use Schedules for Land Use Concept Options 1 & 2

IMICO SITE GUELPH  
RESIDENTIAL UNIT AND PARKING COUNT | DENSITY CALCULATIONS  
July 15, 2014 / File 1379 'B'

### OPTION 1

Apartment Building	Height in Storeys	Ground Floor Area in Non-Residential Use	No. of Units	No. of Parking Spaces
1	3		32	
2	4		54	
3	5	1.155m <sup>2</sup> (12,432ft <sup>2</sup> )	64	
<b>SUBTOTAL</b>			<b>150</b>	<b>157</b>
4	5		72	
5	5		72	
<b>SUBTOTAL</b>			<b>144</b>	<b>151</b>
6	4	861M <sup>2</sup> (9,267ft <sup>2</sup> )	36	
7	5		72	
<b>SUBTOTAL</b>			<b>108</b>	<b>99</b>
8	4	1,302m <sup>2</sup> (14,015ft <sup>2</sup> )	54	
<b>SUBTOTAL</b>			<b>54</b>	<b>51</b>
<b>APARTMENT TOTAL</b>		<b>3,318m<sup>2</sup> (35,715ft<sup>2</sup>)</b>	<b>456</b>	<b>458</b>
<b>NO. OF TOWNHOMES</b>			<b>36</b>	
<b>TOTAL NO. UNITS</b>			<b>492</b>	

### OPTION 2

Apartment Building	Height in Storeys	Ground Floor Area in Non-Residential Use	No. of Units	No. of Parking Spaces
1	3		32	
2	4		54	
3	5	1.155m <sup>2</sup> (12,432ft <sup>2</sup> )	64	
<b>SUBTOTAL</b>			<b>150</b>	<b>157</b>
4	4		54	
5	4		54	
6	6		72	
<b>SUBTOTAL</b>			<b>180</b>	<b>191</b>
7	4	861M <sup>2</sup> (9,267ft <sup>2</sup> )	36	
8	5		72	
<b>SUBTOTAL</b>			<b>108</b>	<b>99</b>
9	4	1,302m <sup>2</sup> (14,015ft <sup>2</sup> )	54	
<b>SUBTOTAL</b>			<b>54</b>	<b>51</b>
<b>APARTMENT TOTAL</b>		<b>3,318m<sup>2</sup> (35,715ft<sup>2</sup>)</b>	<b>492</b>	<b>498</b>
<b>TOTAL NO. UNITS</b>			<b>492</b>	

### DENSITY

Option	No. of Units	Total Site Area Acres	Gross Density	Site Area Minus Linear Walk & Park	Net Density
1	492	12.99 ac	38 u.p.a.	10.05 ac	49.0 u.p.a.
2	492	12.99 ac	38 u.p.a.	9.53 ac	51.6 u.p.a.



## Attachment 4 Urban Design Examples

### VICTORIA COMMON, KITCHENER Mid Rise (4-12 Storey) and Townhouse Development





## MIDRISE WITH ONE LEVEL AT-GRADE PARKING University Avenue and Westmount, Waterloo



August 12<sup>th</sup>, 2014

City of Guelph Council:

I wish to call to your attention an important policy element that was not evident in the CAFÉ Staff Report of the IMICO Redevelopment Update.

For the 200 Beverly Street property, as a prime City of Guelph asset with a large scale residential development proposed, it would make sense to integrate the Official Plan policy and target of 30% affordable housing (27% ownership; 3% rental)

*“The annual affordable housing target requires that an average of 30% of new residential development constitute affordable housing. The target is to be measured city-wide. The target includes an annual target of 27% affordable ownership units and an annual target of 3% affordable rental housing units.”*

It would be the hope that CAFÉ Committee and Council would provide direction regarding the multi-phased “Modified Tender Process” - specifically, Phase 2 RFS conditions - of this redevelopment to integrate the OP policy goals to insure that the housing developed be 30% affordable.

Regards,  
John Farley  
Development Consultant  
Creating Homes Guelph  
Office/cell 519.994.1221

# STAFF REPORT



TO Corporate, Administrative, Finance and Enterprise Committee

SERVICE AREA Enterprise Services

DATE August 12, 2014

**SUBJECT Municipal Development Corporation Business Case Study Update**

REPORT NUMBER FIN-ED-14-09

## **EXECUTIVE SUMMARY**

In an effort to strengthen corporate governance practices regarding the management of current and future City-owned assets and further contribute to community well-being, in August 2011 the City of Guelph established the Guelph Municipal Holding Inc. (GMHI). GMHI is intended to provide the City powers to establish a range of corporations.

Since its inception GMHI has built up its governance structure and developed the capacity of the Board to manage City owned assets. The Board has recognized that there is potential for non-energy related assets to be transferred to GMHI to allow GMHI to leverage the assets in a for-profit structure.

At its meeting of December 2, 2013, the GMHI Board directed staff to seek City approval for the incorporation of a development company which would be used to develop City assets within the GMHI structure.

At its meeting of March 31, 2014, Guelph City Council further endorsed the direction of GMHI's Board by passing the following resolution:

*'That City Staff be directed to complete the Municipal Act requirements for incorporation of a company, including public consultation and development of a business case study, that will be used by GMHI for the development of City assets and report back to Council with recommendations.'*

## **PURPOSE OF REPORT**

The purpose of this report is to provide a business case study which in part responds to Guelph City Council's March 31, 2014 resolution. At the time of preparing this report a July 30<sup>th</sup> public consultation meeting has been scheduled. A subsequent report, highlighting the findings of this public consultation meeting will be provided in the form of an addendum.

## KEY FINDINGS

Like most other municipalities, the City of Guelph is experiencing financial challenges in delivering programs and projects that are intended to provide wide spread community benefit. The delivery of current and projected community based projects may be negatively impacted as a result of limited municipal financial and administrative resources. In seeking solutions to these challenges some municipalities have focused their efforts on reducing municipal programs, services and resources to match their current municipal revenue levels. Others have considered the establishment of 'Development Corporations' for the purpose of attracting new revenue sources through the strategic placement of municipal assets.

A number of Canadian municipalities are moving towards the creation of development corporations to better position and leverage municipal assets. The attached Business Case Study provides information on the following established corporations which have leverage municipal real estate assets to delivery community programs and projects.

- Calgary Municipal Land Corporation
- Build Toronto
- Waterfront Toronto
- SCDC (City of Surrey, British Columbia)

In Guelph's case there appears to exist a number assets that are either underperforming or stranded, but may be leveraged to attract new sources of capital from public and/or private sector sources. Examples of such assets may include, but are limited to:

- **Underperforming assets** – Current downtown parking facilities, such as Baker Street.
- **Stranded assets** – Abandoned Brownfield properties that are owned by the City. An example being the former IMICO property.
- **Leveraged Assets** – Current Greenfield and In-fill properties that are owned by the City such as the future development of the Hanlon Creek Business Park Phase 3 or the re-positioning of the Baker Street suite of properties.
- **Community Planned Assets** – Assets that will address the community's planned growth, such as the South-end Recreational Facility or the Guelph Innovation District.

The creation of a Development Corporation is permitted under the 2001 Municipal Act Legislation (O.R. 599/06) (the 'Act').

In order to incorporate a Development Corporation the 'Act' and its Regulations require the City to first prepare a business case study and engage in public

# STAFF REPORT

consultation.

## **ACTION REQUIRED**

In order to fulfill the 2001 Municipal Act Legislation requirements to commence with the establishment of a municipal development corporation, Guelph City Council must:

1. Receive report # FIN-ED-14-09 titled 'Municipal Development Corporation Business Case Study Update'; and
2. Approve the business case which is attached to # FIN-ED-14-09 titled 'Municipal Development Corporation Business Case Study'; and,
3. Direct the incorporation of the Development Corporation.

## **RECOMMENDATION**

THAT Council receive report # FIN-ED-14-09 titled 'Municipal Development Corporation Business Case Study Update'; and,

THAT Council approve the business case study attached to Report FIN-ED-14-09; and,

THAT Council directs staff to incorporate a municipal development corporation, as described in report # FIN-ED-14-09, with the first director of the corporation to be Barry Chuddy, CEO of GMHI.

## **BACKGROUND**

In an effort to strengthen corporate governance practices regarding the management of current and future City-owned assets and further contribute to community well-being, in August 2011 the City of Guelph established the Guelph Municipal Holding Inc. (GMHI). GMHI is intended to provide the City powers to establish a range of corporations.

The objectives for the establishment of GMHI are:

1. GMHI, reporting through the City, would work to build value for the community through synergistic collaboration that strengthens the individual and collective position of City-owned assets and investments.
2. Operating in a business environment, GMHI will play an integral role in achieving enhanced operational excellence through a continuum of improved communications between the operating companies and the Shareholder.
3. By capitalizing on synergies and unlocking greater potential, GMHI, through its management and oversight role, will help to ensure the continued generation of reliable returns and benefits from its assets.

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The establishment of a municipal development corporation is the next step in assisting GMHI to meet its objectives. The creation of this corporation will enable the following:

1. Provide a corporate structure into which City owned assets (both physical and knowledge based) can be transferred and “incubated” to achieve the desired returns from the assets.
2. Allow the City to pursue investors to stimulate the development of City owned assets.
3. Provide an opportunity to create the synergies between GHI and other City owned assets under the governance of GMHI.

At its meeting of March 31, 2014, Guelph City Council passed the following resolution:

*'That City Staff be directed to complete the Municipal Act requirements for incorporation of a company, including public consultation and development of a business case study, that will be used by GMHI for the development of City assets and report back to Council with recommendations.'*

## **REPORT**

As referenced elsewhere in this document, a number of Canadian municipalities are moving towards the creation of development corporations to better position and leverage municipal assets. The following provides a summary of municipal development corporations operating in other jurisdictions. Further details of each are provided in the attached business case study.

### **Calgary Municipal Land Corporation (CMLC)**

The Calgary Municipal Land Corporation was established in 2007 by the City of Calgary to implement its Rivers District Community Revitalization Plan – a public infrastructure program approved by the City of Calgary and the Province of Alberta to kick-start Calgary's urban renewal. The City of Calgary created CMLC for the purpose of establishing public/private strategic partnership that will reposition one of the city's most downtrodden areas into an asset that will result in a viable “work”, “live” and “play” district. The CMLC is accountable for the development and sale of land transferred from The City of Calgary and the implementation of public infrastructure improvements.

Additional information about CMLC can be found in its 2013 annual report which is found at: <http://www.calgarymlc.ca/sites/default/files/page-attach/CMLC%20Annual%20Report%202013%20LoRes,FNLSV.pdf>.

### **Toronto Port Lands Company (TPLC)**

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Toronto Port Lands Company (TPLC) was incorporated as City of Toronto Economic Development Corporation in 1986. Provincial legislation was passed allowing the City to create the company under the Ontario Business Corporations Act. Its business model is based upon similar corporations in the United States, Europe and other international centres.

The corporation was designed to function as a self-financing, arms-length private company wholly-owned by its sole shareholder, the City of Toronto.

TPLC's annual reports can be found at:  
<http://www.tplc.ca/corporate/governance/annual-reports>.

## **Build Toronto**

Build Toronto is the real estate and development corporation created to generate value from the City of Toronto's real estate assets. Incorporated in 2009 and launched in 2010, Build Toronto's mandate is to position properties that are under-utilized to being "development ready" and desirable for private sector investment. Its mandate is *'To create value from the City's underutilized real estate assets and generate a net financial return to the City'*. The vision is *'To maximize value in a responsible, innovative and integrated manner, creating City-Building opportunity and enhancing Toronto's economic competitiveness.'* Build Toronto's portfolio includes a wide range of industrial, brownfield, mixed use, office, residential and retail properties.

Build Toronto focuses mainly on positioning assets as being 'development ready' for private sector investment. This includes conducting studies, designs, assessments and preliminary financial studies that are intended to minimize an investors front end risk, and in some cases develop joint venture partnerships that are intended to share and mitigate longer term risk.

Further details about Build Toronto and its performance can be found in its 2012 Annual Report which is located at:  
<http://www.buildtoronto.ca/sites/default/files/files/062513BTAnnual%20Report2012-pt1.pdf>.

## **Waterfront Toronto**

While not technically a municipal development corporation, Waterfront Toronto is a publically funded development corporation. Created and funded by the Governments of Canada and Ontario and the City of Toronto, Waterfront Toronto is mandated to deliver a revitalized waterfront.

Formally created in 2001, Waterfront Toronto has a 25-year mandate to transform 800 hectares (2,000 acres) of brownfield lands on the waterfront into beautiful,



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sustainable mixed-use communities and dynamic public spaces. The Waterfront Toronto model is recognized as leading edge in city-building.

A primary objective of Waterfront Toronto is to leverage the public funding of infrastructure projects to deliver key economic and social benefits through private investment in real estate development and job creation. Waterfront Toronto accomplishes this through innovative approaches to sustainable development, excellence in urban design, real estate development, and advanced technology infrastructure.

Further detailed information about Waterfront Toronto can be found at: [http://www.waterfronttoronto.ca/about\\_us/accountability/annual\\_reports\\_and\\_financial\\_statements](http://www.waterfronttoronto.ca/about_us/accountability/annual_reports_and_financial_statements).

## **SCDC (City of Surrey, British Columbia)**

SCDC was incorporated in 2007 and is one of the building blocks that the City of Surrey British Columbia is using to make the City a more vibrant, sustainable and complete community.

SCDC's mandate is to help advance the City's financial, social, business and community goals through the development of the City's surplus land holdings, strategic acquisition of properties for redevelopment, and the acquisition of income generating properties. It undertakes real estate development projects on City-owned sites which help achieve the City of Surrey's objectives. This is accomplished by:

- Acting as a catalyst and facilitator to accelerate beneficial development throughout the City;
- Partnering with private sector partners on real estate development projects;
- Providing real estate consulting advice to help the City achieve its vision for the various neighborhoods throughout the City; and
- Providing an annual dividend to the City of Surrey.

SCDC's 2012 financial results can be found at: <http://scdc.ca/media/scdc-2012-annual-report.pdf>.

Based on the above examples the following provides a consolidated summary of elements that are common amongst existing Canadian municipal development corporations.

## **Governance Model**

- All have a dedicated board of directors, comprised of public/private members;
- Each has a government body as the principle shareholder;
- Annual financial and operating reports are produced and publically available;



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- Each operates arm's length from municipal government and its associated regulations;
- Each attempts to act like a private development corporation.

## Activities

- Most reposition underperforming properties through various land use planning initiatives which enhance value and redevelopment potential;
- Properties are taken to market to seek private investment;
- In some cases the development corporation will actively participate in ventures through joint venture agreements with private investors;
- In rare cases, the development corporation will acquire new property and act as the property manager for the purpose securing long term commercial leases which assist in producing long term cash flows;
- Also, in some cases the development corporation acts the municipality's agent to deliver required off site municipal infrastructure.

## Funding Models

- Each received substantial seed capital from government;
- Most provide their shareholders an annual return on investment through either paid dividends or profit sharing;
- Each seeks out private joint-venture partnerships to share in investment risk and revenues;
- Each has a mandate to become financially self-sufficient.

## Revenues

- Each provide revenues through a combination of sale or redevelopment of property;
- In some cases the corporation acts as a property manager and achieves revenues through commercial leases;
- Each has a good inventory mix of valuable, underperforming and stranded real estate assets to provide for positive revenues.

Using this information as a bench mark, the attached business case study assesses the potential benefits and risks associated with the creation of a municipal development corporation for the City of Guelph this document will also examine and compare other potential options. In summary the options that are assessed are:

1. **Status-Quo** - Municipal real estate assets are retained within the current municipal structure.

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2. **Development Corporation** - Municipal real estate assets are transferred to a Development Corporation.

The assessment also provides context and examples of property that might benefit from the establishment of a development corporation. **Figure 1** provides a summary of the potential properties that could benefit from the establishment of a municipal development corporation.

<b>Property Category</b>
<b>Underperforming assets</b>
This asset class does not generate an expected or necessary return. While the asset may produce income, the income may not be sufficient and is certainly less than its potential.
<b>Stranded Assets</b>
This asset class is worth less on the market than it is on a balance sheet due to the fact that it has become obsolete in advance of complete depreciation.
<b>Leveraged Assets</b>
This class of asset includes real estate that is producing, or has the ability to produce sufficient positive financial benefit to attract new or additional public/private investment. Leveraged assets may be strategically bundled with other assets to make them more attractive.
<b>Community Planned Assets</b>
Community planned assets are those that have broader financial and/or social community benefits, and if positioned properly may be attractive to public and/or private partnerships.

Using the Corporation’s recently adopted Risk/Benefit assessment tools the attached business case suggests that Option 2 “**Development Corporation**” provides for the best combination of achieved benefit within a low and manageable framework with respect to:

1. Providing a corporate structure into which City owned assets (both physical and knowledge based) can be transferred and “incubated” to achieve the desired returns from the assets.
2. Allowing the City to pursue investors to stimulate the development of City owned assets.
3. Providing an opportunity to create the synergies between GHI and other City owned assets under the governance of GMHI.

**CORPORATE STRATEGIC PLAN (CSP)**

This initiative touches in whole, or in part on all of the CSP’s objectives.

**1. Organizational Excellence**

1.1 Engage employees through excellence in leadership

# STAFF REPORT



1.2 Develop collaborative work team and apply whole systems thinking to deliver creative solutions

1.3 Build robust systems, structures and frameworks aligned to strategy

## 2. Innovation in Local Government

2.1 Build an adaptive environment for government innovation to ensure fiscal and service sustainability

2.2 Deliver Public Service better

2.3 Ensure accountability, transparency and engagement

## 3. City Building

3.1 Ensure a well-designed, safe, inclusive, appealing and sustainable City

3.2 Be economically viable, resilient, diverse and attractive for business

3.3 Strengthen citizen and stakeholder engagement and communications [#.# Strategic Direction]

## DEPARTMENTAL CONSULTATION

Economic Development Office

Legal and Realty Services

Downtown Renewal

GMHI

## FINANCIAL IMPLICATIONS

Cost of Registration – 2k

## COMMUNICATIONS

## ATTACHMENTS

**Attachment 1** - A Business Case Study to Establish a Development Corporation for the City of Guelph

## Report Author

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## Approved By

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**A Business Case Study  
To Establish  
A  
Development Corporation  
For  
The City of Guelph**

**Prepared by:** Peter J. Cartwright PLE MCIP RPP

**Date:** August 2014

**Version:** Final

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## SECTION 1: EXECUTIVE SUMMARY

Effective corporate governance is essential to the success of all organizations, regardless of whether they exist in the public, private or not-for-profit sectors. Strong governance practices can generate several benefits including revenue maximization through strategic resource deployment, risk minimization from more integrated planning, communications enhancements, increased market responsiveness and higher levels of trust and confidence for all stakeholders including residents and employees.

In an effort to strengthen corporate governance practices regarding the management of current and future City-owned assets and further contribute to community well-being, in August 2011 the City of Guelph established the Guelph Municipal Holding Inc. (GMHI). GMHI is intended to provide the City powers to establish a range of corporations.

GMHI is structured under the Ontario Business Corporations Act (OBCA), will share core operating principles with subsidiary corporations that will be created to implement programs and projects. Such principles include, but are not limited to collaboration, transparency, efficiency and effectiveness.

GMHI is a strategic approach designed to achieve higher levels of excellence in asset management practices. It will primarily work towards improved communication and information flow between the shareholder and the operating companies, capitalize on potential synergies, and help to maximize value provided to the community.

Since its inception GMHI has built up its governance structure and developed the capacity of the Board to manage City owned assets. The Board has recognized that there is potential for non-energy related assets to be transferred to GMHI to allow GMHI to leverage the assets in a for-profit structure.

At its meeting of December 2, 2013, the GMHI Board directed staff to seek City approval for the incorporation of a development company which would be used to develop City assets within the GMHI structure.

At its meeting of March 31, 2014, Guelph City Council further endorsed the direction of GMHI's Board by passing the following resolution:

*'That City Staff be directed to complete the Municipal Act requirements for incorporation of a company, including public consultation and development of a business case study, that will be used by GMHI for the development of City assets and report back to Council with recommendations.'*

The purpose of this document is to provide a business case study which responds to Guelph City Council's direction.

## SECTION 2: BACKGROUND (GAP ANALYSIS)

Like most other municipalities, the City of Guelph is experiencing financial challenges in delivering programs and projects that are intended to provide wide spread community benefit. The delivery of current and projected community based projects may be negatively impacted as a result of limited municipal financial and administrative resources. In seeking solutions to these challenges some municipalities have focused their efforts on reducing municipal programs, services and resources to match their current municipal revenue levels. Others have considered the establishment of 'Development Corporations' for the purpose of attracting new revenue sources through the strategic placement of municipal assets.

In Guelph's case there appears to exist a number assets that are either underperforming or stranded, but may be leveraged to attract new sources of capital from public and/or private sector sources. Examples of such assets may include, but are limited to:

- **Underperforming assets** – Current downtown parking facilities, such as Baker Street.
- **Stranded assets** – Abandoned Brownfield properties that are owned by the City. An example being the former IMICO property.
- **Leveraged Assets** – Current Greenfield and In-fill properties that are owned by the City such as the future development of the Hanlon Creek Business Park Phase 3 or the re-positioning of the Baker Street suite of properties.
- **Community Planned Assets** – Assets that will address the community's planned growth, such as the South-end Recreational Facility or the Guelph Innovation District.

The creation of a Development Corporation is permitted under the 2001 Municipal Act Legislation (O.R. 599/06) (the 'Act') which gives local governments the powers to establish a range of corporations. Such corporations will provide municipalities' greater ability and flexibility in addressing and responding to the business needs of the Community. Municipal governments are restricted in such matters due to their governing legislation as provided by the Municipal Act and their governance structure. As well, most municipalities do not have the required dedicated resources to assess, manage and conduct such business matters.

In order to incorporate a Development Corporation the 'Act' and its Regulations require the City to first prepare a business case study and engage in public consultation. This document will explore the necessity of establishing the corporation to achieve the City's objectives in creating GMHI – to achieve excellence in asset management practices.

## SECTION 3: OBJECTIVES / DESIRED OUTCOMES

The business case study will explore the necessity of establishing the corporation to achieve the City's objectives in creating GMHI – to achieve excellence in asset management practices.

The objectives for the establishment of GMHI were:

1. GMHI, reporting through the City, would work to build value for the community through synergistic collaboration that strengthens the individual and collective position of City-owned assets and investments.
2. Operating in a business environment, GMHI will play an integral role in achieving enhanced operational excellence through a continuum of improved communications between the operating companies and the Shareholder.
3. By capitalizing on synergies and unlocking greater potential, GMHI, through its management and oversight role, will help to ensure the continued generation of reliable returns and benefits from its assets.

The creation of a Municipal Development Corporation (DevCo) is the next step in assisting GMHI to meet its objectives. Dev Co will enable the following:

1. Provide a corporate structure into which City owned assets (both physical and knowledge based) can be transferred and “incubated” to achieve the desired returns from the assets.
2. Allow the City to pursue investors to stimulate the development of City owned assets.
3. Provide an opportunity to create the synergies between GHI and other City owned assets under the governance of GMHI.

**Figure # 1** sets out the process required to create a new company to be owned by GMHI.

**Figure # 2** sets out the identified stakeholders in the creation of DevCo and a high level assessment of their interests and requirements.



Figure 1

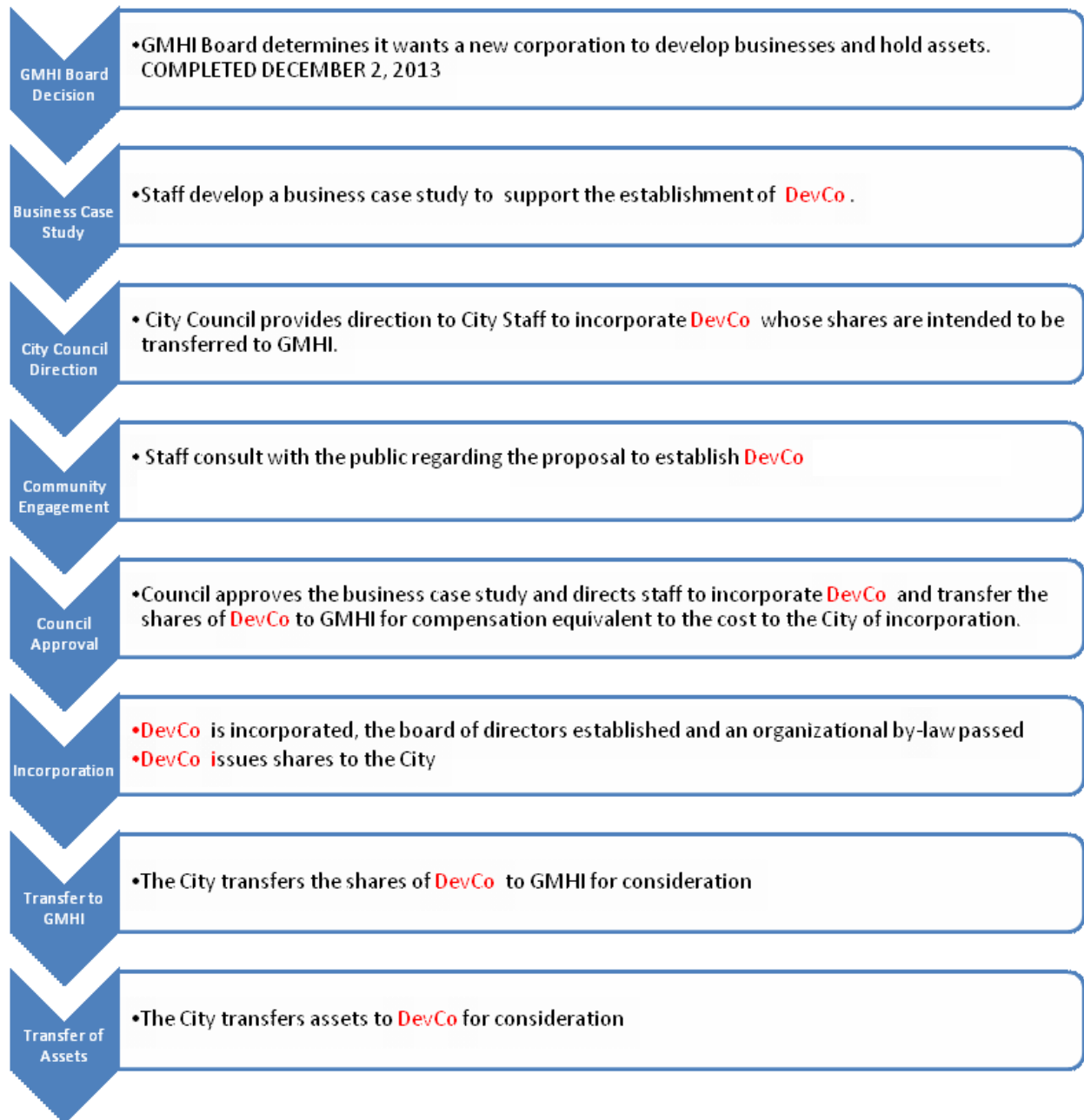


Figure 2

Stakeholder	Interest or Requirement	Assessment
<b>City of Guelph</b>	Excellence in asset management	The City's interest is being met in providing the corporate structure for asset management under the governance structure of GMHI
<b>Residents</b>	Prudent use of City resources; achieve reliable returns and benefits from City assets	Public consultation will be undertaken.  DevCo will allow the City to leverage the assets to achieve greater benefits for the Residents
<b>Investors</b>	Investment opportunities to generate adequate ROIs	Dev Co will provide an opportunity for investors to participate in the development of City assets
<b>GHI</b>		

## SECTION 4: ENVIRONMENTAL ANALYSIS

As referenced elsewhere in this document, a number of Canadian municipalities are moving towards the creation of development corporations to better position and leverage municipal assets. This section will serve to illustrate and provide a select sample of existing corporations.

### **Calgary Municipal Land Corporation (CMLC)**

The Calgary Municipal Land Corporation was established in 2007 by the City of Calgary to implement its Rivers District Community Revitalization Plan – a public infrastructure program approved by the City of Calgary and the Province of Alberta to kick-start Calgary's urban renewal. The City of Calgary created CMLC for the purpose of establishing public/private strategic partnership that will reposition one of the city's most downtrodden areas into an asset that will result in a viable “work”, “live” and “play” district. The CMLC is accountable for the development and sale of land transferred from The City of Calgary and the implementation of public infrastructure improvements in The Rivers District. It operates arm's length from the municipal government. Its composition includes a Board of Directors comprised of a President, Mayor and 4 Independent Directors.

Since 2007, CMLC has committed \$345 million of public funds in infrastructure construction and improvement, an investment that has leveraged nearly \$2 billion in planned private sector investment. The private sector investment includes development projects from some of North America's most proficient and experienced real estate developers. Private sector projects include the development and marketing of mixed use neighbourhoods, a world class hotel, the re-purposing of existing public cultural amenities as well as the construction of district energy.

Additional information about CMLC can be found in its 2013 annual report which is found at:

<http://www.calgarymlc.ca/sites/default/files/page-attach/CMLC%20Annual%20Report%202013%20LoRes,FNLSV.pdf>.

### **Toronto Port Lands Company (TPLC)**

Toronto Port Lands Company (TPLC) was incorporated as City of Toronto Economic Development Corporation in 1986. Provincial legislation was passed allowing the City to create the company under the Ontario Business Corporations Act. Its business model is based upon similar corporations in the United States, Europe and other international centres.

TPLC's mandate includes the ability to share profits and pay dividends to the City, leasing and management, the sale and purchase of property and support for economic development initiatives. For more than 20 years, TPLC has supported sector specific incubator and commercialization programs with funding and administrative support. TPLC continues to fund these programs for the City and also provides funding for Invest Toronto's operations. Invest Toronto is the City's economic development office.

The corporation was designed to function as a self-financing, arms-length private company wholly-owned by its sole shareholder, the City of Toronto.

TPLC is the largest landowner in the port lands with more than 400 acres under management. The lands are managed to a commercially prudent standard. TPLC focuses on the repositioning of brownfield port lands for private sector commercial, industrial and mixed-use development. Over the years TPLC has also been strategic investor and developer on catalyst projects such as Corus Quay. TPLC has also partnered with the private sector to create Canada's newest and largest film and media business district.

TPLC partners its real estate activities with its sister corporations Build Toronto and Invest Toronto.

TPLC's annual reports can be found at: <http://www.tplc.ca/corporate/governance/annual-reports>.

### **Build Toronto**

Build Toronto is the real estate and development corporation created to generate value from the City of Toronto's real estate assets. Incorporated in 2009 and launched in 2010, Build Toronto's mandate is to position properties that are under-utilized to being "development ready" and desirable for private sector investment. Its mandate is *'To create value from the City's underutilized real estate assets and generate a net financial return to the City'*. The vision is *'To maximize value in a responsible, innovative and integrated manner, creating City-Building opportunity and enhancing Toronto's economic competitiveness.'* Build Toronto's portfolio includes a wide range of industrial, brownfield, mixed use, office, residential and retail properties.

In 2012 Build Toronto generate sales revenue of \$94 million from property transactions, three times what was achieved in 2011. These funds are strategically re-invested into long-term, high-risk and capital-intensive real estate assets for the long-term financial benefit of Toronto.

It is important to note that Build Toronto focuses mainly on positioning assets as being 'development ready' for private sector investment. This includes conducting studies, designs, assessments and preliminary financial studies that are intended to minimize an investors front end risk, and in some cases develop joint venture partnerships that are intended to share and mitigate longer term risk.

In Build Toronto's third year of operation (2012) it accomplished the following:

- Assets grew by over \$30 million to \$294 million;
- Shareholder Equity increased to approximately \$229 million, up \$43 million from the previous year;
- A \$20 million dividend was paid to its shareholder, the City of Toronto;
- Real estate transactions of \$94 million was realized, an increase of more than \$60 million from the previous year;
- The fair market value of its real estate portfolio increased by \$13 million over three years; and
- Net operating income for 2012 was approximately \$39 million.

Further details about Build Toronto and its performance can be found in its 2012 Annual Report which is located at: <http://www.buildtoronto.ca/sites/default/files/files/062513BTAnnual%20Report2012-pt1.pdf>.

## Waterfront Toronto

While not technically a municipal development corporation, Waterfront Toronto is a publically funded development corporation. Created and funded by the Governments of Canada and Ontario and the City of Toronto, Waterfront Toronto is mandated to deliver a revitalized waterfront.

Formally created in 2001, Waterfront Toronto has a 25-year mandate to transform 800 hectares (2,000 acres) of brownfield lands on the waterfront into beautiful, sustainable mixed-use communities and dynamic public spaces. The Waterfront Toronto model is recognized as leading edge in city-building.

A primary objective of Waterfront Toronto is to leverage the public funding of infrastructure projects to deliver key economic and social benefits through private investment in real estate development and job creation. Waterfront Toronto accomplishes this through innovative approaches to sustainable development, excellence in urban design, real estate development, and advanced technology infrastructure.

When Waterfront Toronto was established, the three orders of government each committed \$500 million in seed capital to enable the organization to begin the revitalization process. The vast majority of the land in the waterfront revitalization area was owned by the governments and development control was given to Waterfront Toronto.

To facilitate the revitalization of this property, Waterfront Toronto works with public and private partners. Waterfront Toronto's funding model leverages public capital with private development partners who buy the land for development. Money earned through these real estate transactions is used to further fund public infrastructure.

From 2001 through March 31, 2011, Waterfront Toronto and its government partners invested approximately \$965 million dollars (\$769.5 million + \$195.4 million) of which \$458.9 million (48 percent) of the money invested was contributed by the federal government, \$330 million (34 percent) was contributed by the provincial government and \$176 million (18 percent) was from the City of Toronto.

The projected financial return on this investment includes an increase in annual property tax assessment totalling \$9.7 billion, which is estimated to result in \$136 million worth of new annual property tax revenue. In addition, this investment has generated approximately 9,700 full-time years of employment.

Further detailed information about Waterfront Toronto can be found at: [http://www.waterfronttoronto.ca/about\\_us/accountability/annual\\_reports\\_and\\_financial\\_statements](http://www.waterfronttoronto.ca/about_us/accountability/annual_reports_and_financial_statements).

## SCDC (City of Surrey, British Columbia)

SCDC was incorporated in 2007 and is one of the building blocks that the City of Surrey British Columbia is using to make the City a more vibrant, sustainable and complete community.

SCDC's mandate is to help advance the City's financial, social, business and community goals through the development of the City's surplus land holdings, strategic acquisition of properties for redevelopment, and the acquisition of income generating properties. It undertakes real estate development projects on City-owned sites which help achieve the City of Surrey's objectives. This is accomplished by:

- Acting as a catalyst and facilitator to accelerate beneficial development throughout the City;

- Partnering with private sector partners on real estate development projects;
- Providing real estate consulting advice to help the City achieve its vision for the various neighborhoods throughout the City; and
- Providing an annual dividend to the City of Surrey.

SCDC undertakes projects throughout Surrey that involve industrial, commercial, and residential developments designed to generate positive financial returns and achieve important community objectives.

SCDC is wholly-owned by the City of Surrey but operates with a market-based approach to development opportunities. Its business practices are consistent with private sector discipline which includes having a professional board of directors.

SCDC's 2012 financial results can be found at: <http://scdc.ca/media/scdc-2012-annual-report.pdf>.

Based on the above examples the following provides a consolidated summary of elements that are common amongst existing Canadian municipal development corporations.

### **Governance Model**

- All have a dedicated board of directors, comprised of public/private members;
- Each has a government body as the principle shareholder;
- Annual financial and operating reports are produced and publically available;
- Each operates arm's length from municipal government and its associated regulations;
- Each attempts to act like a private development corporation.

### **Activities**

- Most reposition underperforming properties through various land use planning initiatives which enhance value and redevelopment potential;
- Properties are taken to market to seek private investment;
- In some cases the development corporation will actively participate in ventures through joint venture agreements with private investors;
- In rare cases, the development corporation will acquire new property and act as the property manager for the purpose securing long term commercial leases which assist in producing long term cash flows;
- Also, in some cases the development corporation acts the municipality's agent to deliver required off site municipal infrastructure.

### **Funding Models**

- Each received substantial seed capital from government;
- Most provide their shareholders an annual return on investment through either paid dividends or profit sharing;
- Each seeks out private joint-venture partnerships to share in investment risk and revenues;
- Each has a mandate to become financially self-sufficient.

## Revenues

- Each provide revenues through a combination of sale or redevelopment of property;
- In some cases the corporation acts as a property manager and achieves revenues through commercial leases;
- Each has a good inventory mix of valuable, underperforming and stranded real estate assets to provide for positive revenues.

## SECTION 5: OPTION IDENTIFICATION

In order to better assess the potential benefits and risks associated with the creation of a municipal development corporation for the City of Guelph this document will also examine and compare other potential options. In summary the options that will be assessed are:

1. **Status-Quo** - Municipal real estate assets are retained within the current municipal structure.
2. **Development Corporation** - Municipal real estate assets are transferred to a Development Corporation.

Option	Description Of Scope	SWOT Analysis
<p><b>Option 1:</b> <b>Status Quo</b></p>	<p>In this option municipal assets are retained and managed within the current municipal structure.</p> <p>The positioning of assets for development and/or investment purposes would be governed by the Ontario Municipal Act.</p> <p>The City would manage its business/government/administrative roles in a public manner.</p> <p>Within the current status quo the management of municipal property for the purpose of achieving commercial value is addressed in a fragmented and project specific manner.</p>	<p><b>Strengths</b></p> <p>Due to the governance framework resulting from the Ontario Municipal Act, this option will provide the opportunity for significant public disclosure of projects, supporting the objectives of “open government”.</p> <p><b>Weaknesses</b></p> <p>From past experience, this approach to developing municipal real estate has resulted in a blurring of the City’s development/approval roles and responsibilities. In such instances it has been difficult for the municipality to balance these matters.</p> <p>This option also provides significant challenges for the City to address proprietary business related matters in a public environment.</p> <p><b>Opportunities</b></p> <p>In this scenario Council is not divesting or delegating its direct influence over the redevelopment of municipal property.</p>

Option	Description Of Scope	SWOT Analysis
		<p>Council would have more direct involvement in decisions relating to providing direction within a public environment.</p> <p><b>Threats</b> Due to the municipal nature of governing and managing potential municipal real estate/development matters, the decision making process associated with this option has the potential to <u>not</u> attract private sector investment in such projects.</p> <p>The private sector will need the confidence that a partner can address development matters in clear, concise and absolute term, which may be problematic for a municipality in this scenario.</p>
<p><b>Option 2: Development Corporation</b></p>	<p>In this option the City would create a development corporation which would operate within the umbrella of the Guelph Municipal Holding Inc. (GMHI). The subsidiary corporation would take on the responsibility of managing (with strategic private sector partnerships) select municipal real estate assets for development purposes.</p> <p>The resulting corporation would operate at arm's length from the municipality and would be governed by the Ontario Business Corporations Act.</p> <p>Most likely the City through GMHI would be the principle (and only) shareholder, receiving annual dividends or other financial benefits.</p> <p>Based on an examination of similar development corporations, the resulting corporation would also most likely be governed by a board of directors, consisting of a mix of public/private sector representatives.</p> <p>The corporation would have dedicated resources which would have the required skills</p>	<p><b>Strengths</b> As described, the operation of a development corporation would be arm's length from municipal government, and governed by the requirements of the Ontario Business Corporations Act.</p> <p>This scenario would result in a more positive business approach to managing select municipal assets due to the noted governance structure, most likely enhancing the ability to attract new private sector investment.</p> <p><b>Weaknesses</b> From the examples provided elsewhere in this document, the public disclosure of business related matters may not be as public as in the case of the "status quo" option.</p> <p>At the time of preparing this business case study it is uncertain if there is an adequate supply of real estate assets which would result in the development corporation becoming financially sustainable over time.</p>



Option	Description Of Scope	SWOT Analysis
	to focus on real estate development and management.	<p>This work is currently being undertaken through the Corporate Stranded Asset review.</p> <p><b>Opportunities</b> A preliminary assessment of current real estate assets suggests there may be property that will lend itself well to be managed for development by a dedicated corporation. Figure 4 of this document provides a summary of the potential property that might benefit from the creation of a development corporation.</p> <p><b>Threats</b> There is a risk that the public may perceived the transfer of select real estate to a development corporation may not provide for adequate public disclosure of information. The examples provided elsewhere in this document indicates there may be a need for pro-active public communications regarding the creation and operation of a development corporation.</p>


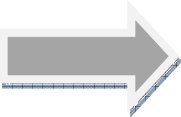
The next section of the document provides an assessment of each option. Before proceeding with the assessment it is important to provide context and examples of property that might benefit from the establishment of a development corporation. **Figure 4** provides a summary of the potential properties that could benefit from the establishment of a municipal development corporation.

Figure 4	
Property Category	Examples
<b>Underperforming assets</b>	
This asset class does not generate an expected or necessary return. While the asset may produce income, the income may not be sufficient and is certainly less than its potential.	<ul style="list-style-type: none"> <li>• Baker Street Redevelopment</li> <li>• Fountain Street Redevelopment</li> </ul>
<b>Stranded Assets</b>	
This asset class is worth less on the market than it is on a balance sheet due to the fact that it has become obsolete in advance of complete depreciation.	<ul style="list-style-type: none"> <li>• IMICO – 200 Beverly Street</li> <li>• Hanlon Creek Business Park – Heritage House Redevelopment</li> </ul>
<b>Leveraged Assets</b>	
This class of asset includes real estate that is producing, or has the ability to produce sufficient positive financial benefit to attract new or additional public/private investment. Leveraged assets may be strategically bundled with other assets to make them more attractive.	<ul style="list-style-type: none"> <li>• Hanlon Creek Business Park – Phase 1</li> <li>• Hanlon Creek Business Park – Phase 3</li> </ul>
<b>Community Planned Assets</b>	
Community planned assets are those that have broader financial and/or social community benefits, and if positioned properly may be attractive to public and/or private partnerships.	<ul style="list-style-type: none"> <li>• Guelph Innovation District</li> <li>• South-End Recreational Facility</li> <li>• GO Transit Parking Facility</li> </ul>

## SECTION 6: QUALITATIVE & QUANTITATIVE ANALYSIS

### SECTION 6.1 RISK ANALYSIS OF OPTIONS

The current City of Guelph **Risk Matrix** below assigns colours to the resulting score based on the City's risk tolerance as set out below.

<b>Impact Scale</b> 					
<b>4 Catastrophic</b>	4	8	12	16	20
<b>3 Major</b>	3	6	9	12	15
<b>2 Moderate</b>	2	4	6	8	10
<b>1 Minor</b>	1	2	3	4	5
<b>Likelihood Scale</b> 	1	2	3	4	5
	Rare	Unlikely	Somewhat Likely	Likely	Almost Certain

Option 1		Description			
Status Quo		Reference Section 5.1			
Risk Categories	Category Definition	Description	Impact	Likelihood	TOTAL
Service Delivery	<i>Risk of not meeting customer expectations</i>	<p>For the purpose of this analysis it is assumed that the customer will be Guelph City Council, and the service that will be provided is to enhance property valuation to better position real estate assets to deliver projects and programs for the public good through new funding sources and models.</p> <p>The 'status quo' scenario does present risk in accomplishing this objective given the municipality will be governed by the Municipal Act. While the Act does not specifically address how business matters must be conducted it is apparent that the Act was not established with business matters in mind, which will most likely restrict the municipality's ability to achieve the goal of positioning certain real estate assets for the public good through new funding sources and models.</p>	3	4	12
Employees	<i>Risk that employees, contractors or other people at the City will be negatively impacted by a policy, program, process or project including physical harm.</i>	This assessment focuses only on the broader ability of certain municipal real estate assets to achieve better leverage new funding sources for the planning and development of property. At this time it is uncertain if this would result in the privatization in the delivery of programs or services. Further business cases for specific projects will be required to assess any potential impacts on employees.	1	1	1
Public	<i>Risk that the policy, program or action will have a negative impact on the citizens of Guelph</i>	This assessment focuses only on the broader ability of municipal real estate assets to better leverage new funding sources for the planning and development of property. At this time it is uncertain what, if any impacts this scenario would have on the public.	1	1	1
Physical Environment	<i>Risk that natural capital will be damaged</i>	This category is assessed within the context of 'stranded' or 'underperforming' real estate assets, and the ability of this scenario resulting in the improved community performance of such assets.	4	4	16
Reputation	<i>Risk associated with anything that can damage the reputation of the City or undermine confidence in the City of Guelph</i>	<p>This category is assessed within the context of this scenario's ability to delivery projects/programs through alternative funding models, including possible private/public joint venture partnerships.</p> <p>Given potential business partners will seek certainty and discretion in addressing business matters, this scenario provides challenges for the municipality to provide these assurances given the City's obligations through governing legislation.</p>	5	3	15

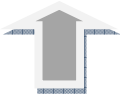

<i>Financial</i>	<i>Risk related to decisions about assets, liabilities, income and expenses including asset management, capital and operational funding, economic development, theft or fraud</i>	In this scenario the City's ability to plan, develop and manage its real estate assets will be governed by the Municipal Act. As illustrated elsewhere in this document, this approach to managing assets that have commercial value has been challenging with respect to clearly defining the City's roles and responsibilities (as developer or approval authority), and less successful in attracting new funding with private partners and/or other public sector programs.	5	3	15
Regulatory	<i>Risk related to the consequences of non-compliance with laws, regulations, policies or other rules</i>	As mentioned throughout this document, the City of Guelph is governed in its practices and policies by the Ontario Municipal Act. The intent of this legislation is to provide direction on municipal and public related matters. It does not lend itself well in addressing business matters. Given the potential business needs that are associated with certain real estate assets, this scenario does provide risk in legislative addressing matters relating to the Ontario Municipal Act specifically with respect balancing public transparency with proprietary business related matters.	5	3	15

Option 2		Description			
Development Corporation		Reference Section 5.1			
Risk Categories	Category Definition	Description	Impact	Likelihood	TOTAL
Service Delivery	<i>Risk of not meeting customer expectations</i>	The customer is the City of Guelph, and the service that will be delivered is the positioning of select real estate assets to achieve a reasonable financial return to the City, deliver municipal programs and projects with a reasonable amount of risk, and to provide a reasonable social return on investment.	2	2	4
Employees	<i>Risk that employees, contractors or other people at the City will be negatively impacted by a policy, program, process or project including physical harm.</i>	Select real estate assets will be positioned to attract new funding partners, which may include private partners that may develop and operate select assets. While not specifically intended, this could conceivably result in the outsourcing or privatization of some municipal services, which could result in the need to address and mitigate municipal labour related matters.	3	3	9
Public	<i>Risk that the policy, program or action will have a negative impact on the citizens of Guelph</i>	The intent of this scenario is to continue to deliver excellent public service and programs through alternate funding models that will not increase the cost to the public. Based on an understanding of other jurisdictions this appears reasonable; however there are examples where private partnerships exist for the delivery of community programs, new public user fees have resulted. While this is not the intent of Guelph's exercise, this point is worth noting.	3	1	3
Physical Environment	<i>Risk that natural capital will be damaged</i>	Where private funds contribute to the development and operation of select real estate assets (example: parking facilities), care will have to be taken in structuring legal agreements to include the care and maintenance of such facilities, especially where such facilities may be returned to the City at a future date. Within this scenario this risk is quite manageable.	3	2	6
Reputation	<i>Risk associated with anything that can damage the reputation of the City or undermine confidence in the City of Guelph</i>	This scenario would represent a new approach by the City of Guelph in its delivery of programs and services. Most likely the public and business community will follow events quite closely. Therefore, based on the examples of other municipal development corporations, there will need to be a committed and dedicated effort by the City of Guelph and GMHI to ensure proper governance and resources are established.	3	3	9
Financial	<i>Risk related to decisions about assets, liabilities, income and expenses including asset management, capital and operational funding, economic development, theft or fraud</i>	While the financial gain may be viewed as being positive, there are inherent risks associated relating to this option. The City will be transferring select assets that may have significant economic and social value. In short, the City will be entrusting its faith in the development corporation to properly manage such assets. This means there will need to be dedicate and skilled resources as well appropriate decision making and reporting structures in place. As shown in the other municipal examples if these	3	3	6

		structures are in place this risk becomes very manageable. The Ontario Business Corporation Act requires such practices.			
Regulatory	<i>Risk related to the consequences of non-compliance with laws, regulations, policies or other rules</i>	As mentioned elsewhere in the document, municipal development corporations are governed by the Ontario Business Corporation Act. It would operate in a similar fashion as GMHI, which has been in existence for the last number of years. Given the City's experience with GMHI this risk appears to be minor and manageable.	1	4	4

## SECTION 6.2 BENEFIT ANALYSIS OF OPTIONS

The current City of Guelph **Benefit Matrix** below assigns colours to the resulting score based on the City's benefit significance as set out below.

<b>Impact Scale</b> 					
<b>3 Significant</b>	3	6	9	12	15
<b>2 Moderate</b>	2	4	6	8	10
<b>1 Minor</b>	1	2	3	4	5
<b>Likelihood Scale</b> 	1	2	3	4	5
	<b>Rare</b>	<b>Unlikely</b>	<b>Somewhat Likely</b>	<b>Likely</b>	<b>Almost Certain</b>

Option 1		Description			
'Status' Quo'		Reference Section 5.1			
Benefit Categories	Stakeholders (Specific Groups)	Description	Impact	Likelihood	TOTAL
Organizational Culture	City Staff	This scenario assumes that there currently exists adequate staff resources and expertise.	3	1	3
Organizational Performance	Corporation	This scenario assumes there will be the dedicated Corporate support resources available, and there will not be competing Corporate priorities which will impact these resources.	3	1	3

Organizational Sustainability	Corporation	This scenario assumes the Corporation will provide the necessary financial resources and timeframe to achieve success.	3	1	3
Organizational Accountability	Public/Private Stakeholders	The scenario assumes that it will be possible for the Corporation to balance its accountability obligations to the public and potential private partners.	3	1	3
Healthy Populations	Public	This options ability of contributing to a Healthy Population by generating new revenue streams, accessing new funding sources, or re-allocating current municipal funds for other community priorities is constrained due to the public governance and its impact on attracting new private investment.	3	1	3
Democratic Engagement	Public	In this scenario it is assumed that the public would have a greater say in how public assets will be used, maintained and financed. The assessment is conducted from the point of view of leveraging assets to attract new funding and/or revenues.	3	2	6
Leisure and Culture	Public	The Status Quo option assumes the delivery of Public Leisure and Cultural programs and facilities will continue to be provided through the existing public tax based model, and that there will be capacity to continue to fund such programs and facilities. This assessment is made on the basis that this model will continue to be sustainable and achieve the expected results.	3	1	3
Time Use	Staff	This assessment is based on the premise that current municipal resources, that have dedicated expertise in the development of municipal assets currently exists, and that such resources will be entirely focused on the needs of such assets and not distracted by other municipal priorities.	3	1	3

Option 2		Description			
'Development Corporation'		Reference Section 5.1			
Benefit Categories	Stakeholders (Specific Groups)	Description	Impact	Likelihood	TOTAL
Organizational Culture	Corporation Council Public Private Investment	It is assumed that this option will operate at arm's length from the City, and will have skilled/dedicated resources. This would result in a more focused and business-like approach to managing select municipal real estate assets.	3	4	12
Organizational Performance	Corporation	It is anticipated that the transfer of select municipal real estate assets to a development corporation will result in freeing up City staff capacity and resources to attend to other Corporate priorities.	3	3	9

Organizational Sustainability	Corporation	From the examples noted elsewhere in this document, the initial establishment of development corporations required seed capital. Given one of the objectives of a development corporation is to generate new revenue streams for the City it may be possible for a development corporation to become self-sustainable over time. In such cases where this has been possible there has been significant assets transferred. In the case of Guelph it is uncertain at this time if adequate asset capacity exists for a development corporation to become sustainable.	2	3	6
Organizational Accountability	Council Public Private Stakeholders	As mentioned elsewhere in this document, development corporations are governed by the Ontario Business Corporation Act, and therefore subject to all of the rule and regulations relating to the report of its activities and finances to shareholders. It is anticipated that because the City will be the only shareholder that there will also be the reporting of activities to the public. This model provides for the best balance of reporting to the public, the shareholder as well as potential private project partners.	3	5	15
Healthy Populations	n/a	The intent of this option is to generate new cash flow for the City's benefit, which could be used to reinvest and fund a broader range of community priorities relating to all aspects of Community Well Being.	3	3	9
<i>Democratic Engagement</i>	Public	The intent of this option is to generate new cash flow for the City's benefit, which could be used to reinvest and fund a broader range of community priorities relating to all aspects of Community Well Being.	3	3	9
<i>Living Standards</i>	n/a	The intent of this option is to generate new cash flow for the City's benefit, which could be used to reinvest and fund a broader range of community priorities relating to all aspects of Community Well Being.	3	3	9
<i>Time Use</i>	Staff	The intent of this option is to generate new cash flow for the City's benefit, which could be used to reinvest and fund a broader range of community priorities relating to all aspects of Community Well Being.	3	3	9



## SECTION 6.3 RISK ANALYSIS SUMMARY

Viable Options	Risk Categories							
	Service Delivery	Employees	Public	Physical Environment	Reputation	Financial	Regulatory	TOTAL
Option 1: 'Status Quo'	12	1	1	16	15	15	15	75
Option 2: 'Development Corporation'	4	9	3	6	9	6	6	43

## SECTION 6.4 BENEFIT ANALYSIS SUMMARY

Viable Options	Benefit Categories					TOTAL
	Org Culture	Org Performance	Org Sustainability	Org Accountability	Avg. of 8 domains	
Option 1: 'Status Quo'	3	3	3	3	3.75	15.75
Option 2: 'Development Corporation'	12	9	6	15	9	51

## SECTION 7: CONCLUSIONS & RECOMMENDATIONS

As mentioned earlier in this document, this business case study was conducted to best determine which delivery model would best:

1. Provide a corporate structure into which City owned assets (both physical and knowledge based) can be transferred and “incubated” to achieve the desired returns from the assets.
2. Allow the City to pursue investors to stimulate the development of City owned assets.
3. Provide an opportunity to create the synergies between GHI and other City owned assets under the governance of GMHI.

From the assessment conducted for this business case study it appears that Option 2 “**Development Corporation**” offers the best prospect of achieving these objectives. This option appears to provide the best combination of achieved benefit within low and manageable risk factors.

## SECTION 8: IMPLEMENTATION STRATEGY

After approval by Council of the incorporation of DevCo, the following steps will be undertaken:

1. The articles of incorporation will be completed and filed with the Ministry. The first director of DevCo will be Barry Chuddy, CEO of GMHI. The officers of the corporation will be Barry Chuddy, CEO and Seymour Trachimovsky, Corporate Secretary.
2. After incorporation, the required corporate and Municipal Act documents will be prepared and approved by Mr. Chuddy, as director of DevCo.
3. One share of DevCo will be issued to GMHI.
4. GMHI Staff in conjunction with the Enterprise group will begin the process of identifying assets of the City that could be transferred to DevCo. Once an asset is agreed upon, Council will be asked to approve the transfer of the asset and establish the compensation to be paid by DevCo to the City for the asset.
5. GMHI, as Shareholder of DevCo, will provide oversight for DevCo's operations.

# INTERNAL MEMO



DATE August 12, 2014

TO **Corporate, Administrative, Finance and Enterprise Committee**

FROM Peter Cartwright

DIVISION Economic Development

DEPARTMENT Finance & Enterprise Services

**SUBJECT Municipal Development Corporation Business Case Study Update – Addendum (FIN-ED-14-09)**

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This information is an addendum to Report FIN-ED-14-09 Municipal Development Corporation Business Case Study Update.

Report FIN ED-14-09 cites Council's March 31, 2014 resolution which states:

*'That City Staff be directed to complete the Municipal Act requirements for incorporation of a company, **including public consultation** and development of a business case study, that will be used by GMHI for the development of City assets and report back to Council with recommendations.'*

Report FIN ED-14-09 also states that, *'a July 30<sup>th</sup> **public consultation meeting** has been scheduled. A subsequent report, highlighting the findings of this public consultation meeting will be provided in the form of an addendum.'*

The creation of a Development Corporation is permitted under the 2001 Municipal Act Legislation (O.R. 599/06) (the 'Act').

In order to incorporate a Development Corporation the 'Act' and its Regulations require the City to first prepare a business case study and engage in public consultation.

To date response to the public consultation process for a Municipal Development Corporation has been minimal and informal.

A number of activities were initiated through mid to late July to communicate the public consultation process that is required under the Municipal Act. They are itemized below:

- A web page on Guelph.ca entitled: **A City of Guelph Development Corporation**
  - <http://guelph.ca/2014/07/city-guelph-development-corporation/>
- **City's Events calendar:**
  - <http://guelph.ca/events/>
- **Guelph Tribune City Pages:** An advertisement run on July 24, 2014 on promoting the public meeting and open house, July 30, 2014 (see below):

**RE: Municipal Development Corporation Business Case Study Update – Addendum  
(FIN-ED-14-09)**

Page 2 of 6

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- Promotion of the event sent out through the **City's Twitter** account on July 29, 2014.
- Contact information for Rob Kerr, GM, GMHI and Peter Cartwright, GM, Economic Development were included in all communications.
- Personal invitations to the July 30, 2014 public open house were extended informally to interested parties and stakeholders with relationship to the City's Enterprise activities.
- Public meeting and open house: On July 30, 2014 a public meeting was conducted in City Hall from 6PM to 8PM. It was attended by City and GMHI staff. Information and background on the Development Corporation proposal and related GMHI and Enterprise activity was provided.

A core message document, with questions and answers, was created and used as content for all of the above activities, is provided as **Attachment #1**.

At the time of preparing this addendum neither the City nor GMHI have received substantial or significant public feedback regarding the establishment of a Municipal Development Corporation.

Despite efforts to provide public notice and extend personal invitations to the July 30<sup>th</sup> public meeting these actions resulted in one attendee. As well, through other communication mediums to date public response has been minimal and informal. Themes that have been discussed at the July 30<sup>th</sup> open house and in various public documents include:

- The role of the Development Corporation in supporting the objectives of Guelph Municipal Holdings Inc.
- The governance structure of the Development Corporation
- Public opportunity and involvement in the Development Corporation's governance
- Legislative details of the Municipal Act regarding the creation of a Development Corporation.

It is therefore the opinion of City and GMHI staff that the requirements for Public Consultation for the creation of a Development Corporation under the Municipal Act have been met.

**RE: Municipal Development Corporation Business Case Study Update – Addendum  
(FIN-ED-14-09)**

Further opportunity for public consultation and input will be afforded through the ongoing development of Guelph Municipal Holdings Inc. and its interaction with Council, as shareholder.

**Report Author**

Peter Cartwright, General Manager – Economic Development

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**Approved By**

Al Horsman  
Executive Director and CFO  
Finance and Enterprise Services  
519-822-1260 x 5606  
al.horsman@guelph.ca

**Attachment 1  
July 30, 2014  
Public Open House Core Message Document**

**A City of Guelph Development Corporation  
Open house July 30, 2014**

In August 2011, in an effort to strengthen corporate governance practices regarding the management of current and future City-owned assets, Guelph City Council directed staff to establish Guelph Municipal Holding Incorporated. Since its inception Guelph Municipal Holding Incorporated. has established a Board of Directors and developed the capacity to manage City-owned assets.

At its meeting of December 2, 2013, the Guelph Municipal Holding Incorporated Board directed staff to seek City approval for the incorporation of a development company which would be used to develop City assets within the Guelph Municipal Holding Incorporated structure and provide the municipality with greater ability and flexibility in addressing and responding to the business needs of the community.

At its meeting of March 31, 2014, Guelph City Council endorsed the direction of Guelph Municipal Holding Incorporated's Board and directed staff to complete the requirements of the Ontario Municipal Act Legislation (O.R. 599/06) to form a development corporation for the City of Guelph.

The development corporation will:

- Provide a corporate structure into which City-owned assets (both physical and knowledge based) can be transferred and incubated to achieve the desired returns.
- Allow the City to pursue investors to stimulate the development of City-owned assets.
- Create the synergies between the asset owned assets under the governance of GMHI.

Once Guelph City Council approves the business case the development corporation is established, the City will transfer all shares of the development company to Guelph Municipal Holding Incorporated followed soon after by City-owned assets.

The creation of a development company fulfills both the corporate strategic direction of innovation in local government and the objectives of Guelph Municipal Holding Incorporated.

## **Frequently Asked Questions**

### **Why is the City of Guelph creating a development corporation?**

Like most other municipalities, the City of Guelph is experiencing financial challenges in delivering programs and projects that are intended to provide wide spread community benefit. The delivery of current and projected community based projects may be negatively impacted as a result of limited municipal financial and administrative resources.

In seeking solutions to these challenges some municipalities have focused their efforts on reducing municipal programs, services and resources to match their current municipal revenue levels. Others have considered the establishment of 'Development Corporations' for the purpose of attracting new revenue sources through the strategic placement of municipal assets.

### **What are other examples of development corporations?**

Municipally owned development corporations are a common method of governance enacted by municipalities to manage public assets.

Other municipalities that have created development corporations include:

- City of Calgary - Calgary Municipal Land Corporation
- City of Toronto - Build Toronto, Waterfront Toronto, and Toronto Port Lands Company
- City of Surrey, British Columbia - Surrey City Development Corporation

### **What kinds of assets are being transferred to the development corporation?**

Types of assets that can be managed by a municipal development company are:

- **Underperforming assets:** Current lands or facilities owned by the City that have potential to generate a higher level of revenue.
- **Stranded assets:** Abandoned brownfield properties that are owned by the City.
- **Leveraged Assets:** Current greenfield and infill properties that are owned by the City.
- **Community Planned Assets** – Assets that will address the community's planned growth.

### **Who will be responsible for running the corporation?**

A board of directors will be determined by a nominating committee appointed by Guelph Municipal Holding Incorporated.

**What is the difference between the Development Corporation and Guelph Municipal Holding Incorporated?**

Guelph Municipal Holdings Incorporated is designed to provide the City powers to establish and hold shares in a range of corporations, but is to participate in the operations of those corporations. Guelph Municipal Holding Incorporated will improve communication and information flow between the shareholder and the operating companies, capitalize on potential synergies, and help to maximize value provided to the community.

**For more information regarding the establishment of a development corporation:**

**Peter Cartwright**

General Manager, Economic Development  
Finance and Enterprise Services  
519-822-1260 extension 2820  
[peter.cartwright@guelph.ca](mailto:peter.cartwright@guelph.ca)

**For more information regarding Guelph Municipal Holdings Incorporated:**

**Rob Kerr**

General Manager  
Guelph Municipal Holdings Incorporated  
519-822-1260 extension 2079  
[rob.kerr@guelph.ca](mailto:rob.kerr@guelph.ca)



**CONSENT REPORT OF THE  
PLANNING, BUILDING, ENGINEERING AND ENVIRONMENT COMMITTEE**

August 25, 2014

Her Worship the Mayor and  
Councillors of the City of Guelph.

Your Planning & Building, Engineering and Environment Committee beg leave to present their SIXTH CONSENT REPORT as recommended at its meeting of August 5, 2014.

*If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Planning, Building, Engineering and Environment Committee will be approved in one resolution.*

**PBEE-2014.26 RENTAL HOUSING LICENSING RECOMMENDED APPROACH**

1. That Report 14-29 from Planning, Building, Engineering and Environment regarding the Rental Housing Licensing Recommended Approach dated August 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 August 5, 2014.
3. That the proposed expansion package for one full-time proactive inspector and a comprehensive communications and education plan be referred to the 2015 budget process.
- 4. That staff report back in Q4 in 2015 to demonstrate the effectiveness of the alternative approach.**

**PBEE-2014.27 DOWNTOWN STREETScape MANUAL, BUILT FORM STANDARDS AND ST. GEORGE'S SQUARE CONCEPT**

1. That the Planning, Building, Engineering and Environment Report 14-47, regarding the Downtown Guelph Downtown Streetscape Manual, Built Form Standards and St. George's Square Concept, dated August 5, 2014, be received.
2. That the Streetscape Manual (contained in Chapter 2 of Attachment 1) be adopted and that staff be directed to use the Streetscape Manual to guide the design of the City's public realm capital projects and private investments that impact the public realm in the Downtown.

Planning, Building, Engineering and Environment Committee Sixth Consent Report

3. That the Downtown Built Form Standards (contained in Chapter 3 of Attachment 1) be adopted and that staff be directed to use the document to guide the review of development applications within Downtown.
4. That Council endorse the vision, principles and general design elements illustrated by the Conceptual Design for St. George's Square (contained in Chapter 4 of Attachment 1)
5. That, as individual public realm capital projects begin advancing through the detailed design phase prior to construction, such as St. George's Square and other streetscape reconstruction projects, staff continue to engage the public and businesses in the design and construction planning process phase; and that staff keep council informed regarding refinements and improvements to the design made through the detailed design process.
6. That the cost estimates for the Streetscape Manual and the Conceptual Design for St. George's Square be referred to the 2015 operating and capital budget and 10 year capital budgeting process.

**PBEE-2014.29 SIGN BY-LAW VARIANCES - 679 SOUTHGATE DRIVE**

1. That the report from Planning, Building, Engineering and Environment dated August 5, 2014, regarding sign by-law variances for 679 Southgate Drive, be received.
2. That the request for variances from the Sign By-law for 679 Southgate Drive to permit four (4) signs to be located on the second storey of the building (one on each building face), be approved.

All of which is respectfully submitted.

Councillor Bell, Chair  
Planning & Building, Engineering and  
Environment Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE  
AGENDA FOR THE AUGUST 5, 2014 MEETING.***

# STAFF REPORT



TO Planning & Building, Engineering and Environment Committee

SERVICE AREA Planning, Building, Engineering and Environment

DATE August 5, 2014

**SUBJECT Rental Housing Licensing Recommended Approach**

REPORT NUMBER 14-29

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

The purpose of this report is to provide:

- Staff's recommended approach to dealing with the issues associated with rental housing which is an alternative to the licensing options presented to Council in July 2013;
- The details of, and rationale for, the proposed approach that builds on existing City programs and introduces new elements to directly address the issues; and
- A summary of, and response to, the comments received from the public during the consultation on the cost benefit analysis for rental licensing.

### KEY FINDINGS

Staff has analyzed rental housing licensing options and alternatives taking into consideration: a review of the existing tools available to the City; an assessment of the results of previous investments in proactive enforcement and other initiatives; municipal practices and achievements in addressing the issue of rental housing; the results of the community engagement completed since July 2013; and an analysis of the costs and benefits of an alternative approach compared with licensing options. The analysis indicates that a combination of strategies and tools will produce positive results and will be more cost-effective and efficient in addressing the majority of issues associated with rental housing than introducing a rental housing licensing program at this time.

The recommended approach, outlined in Attachment 1, is an alternative to licensing that involves a refocusing and enhancement of current initiatives, including proactive enforcement, as well as increased collaboration with stakeholders and community partners, to improve issues associated with rental housing.

The recommended approach includes the following:

1. Enhance the Building Services proactive enforcement program to further build upon current successes by addressing issues related to rental

# STAFF REPORT

- housing and overcoming existing challenges.
2. Work with partners and stakeholders to research, develop and implement a comprehensive education/communications plan designed to discourage disruptive behavior and further address rental housing issues.

The benefits of the recommended approach are outlined in Attachment 3, and can be summarized as follows:

- Improved neighbourhood conditions with a primary focus on non-compliant properties;
- Tenants will be better informed of basic safety hazards and may choose not to live in unsafe units or may initiate inspection requests to ensure their units are safe and legal;
- Improved education initiatives may assist in the identification and prevention of zoning, parking and property standards issues;
- Community driven campaigns designed to increase neighbourhood cohesion and foster a change in behavior; and
- Strengthened partnerships and empowerment of stakeholders to improve the safety and wellbeing of residents and to create and maintain vibrant neighbourhoods for all to enjoy.

In the July 2013 report entitled "Rental Housing Licensing Cost-Benefit Analysis", staff stated that the cost-benefit analysis demonstrated that a licensing program would not only help address rental housing issues, but would also address the limitations of current tools. The report also stated that a licensing program provides an opportunity to utilize a number of unique benefits that are not available through other tools available to the City. Council directed staff to proceed with public consultation on the proposed licensing directions and cost-benefit analysis to guide the development of a rental housing licensing program.

Since July 2013, staff has undertaken community consultation and continued to evaluate and analyze not only licensing options but also an alternative to licensing and their professional opinion has evolved on the basis of the following considerations:

- The success of current City initiatives and the ability to build upon those successes to further resolve rental housing issues without significant impact to people living in or providing safe legal rental accommodations as demonstrated through data analysis;
- The potential for improvements in resolving rental housing issues through further education, engagement and partnership with stakeholders;
- Ontario Human Rights Commission input;
- The potential impact and delay that could result from legal challenges to a rental licensing by-law;
- Recent market shifts and changes in the rental housing market;
- The costs and benefits of a licensing program as compared to the costs

# STAFF REPORT

- and benefits of the recommended alternative; and
- Input received from stakeholders during public consultation.

Based on this further evaluation, and analysis of five potential licensing programs, staff concludes that the recommended approach to not license rental housing presents a viable, practical and affordable method to address the issues associated with rental housing without significant impact to those stakeholders living in or providing safe legal rental accommodations and with positive benefits to neighbouring residents.

While a licensing program may increase the City's ability to address certain issues associated with rental housing; licensing is not able to address behavioural issues or whether a dwelling is owner or tenant occupied which some stakeholders have linked to concerns around the destabilization of neighbourhoods. Licensing also has the potential to impact all tenants and landlords of qualifying rental properties rather than focus resources on illegal/non-compliant problem properties.

Key performance indicators would be used to measure and monitor the outcomes of the recommended approach. If the recommended approach does not produce the results anticipated, staff will review further options, including but not limited to licensing.

## **FINANCIAL IMPLICATIONS**

There are no new 2014 financial implications to supporting the recommended approach. An existing budget of \$25,000 is available to fund the development of a Communications Plan and the initial phase of the development of educational materials for tenants and neighbours of rental accommodations. Existing resources can also be used in 2014 to begin the process to improve the Building Services proactive enforcement program and continued support of community partnerships.

There are specific elements in the recommended approach that will be subject to future budget approvals. The largest investment would be an initial year one operating cost of \$135,000 for an additional full-time proactive inspector in Building Services which would decrease to an annualized base cost of approximately \$100,000 in subsequent years. There may also be additional future costs associated with the Communications Plan developed in 2014. The research performed this year would establish a recommended budget for future years, with costs dependent on the degree of community partnership opportunities and the amount and type of media used etc. For the purposes of this report, staff estimates a campaign could cost \$20,000-\$30,000 per year, which may be shared among participating organizations. This amount may change based on further research and costs would be submitted as part of future operating budgets.

# STAFF REPORT

Should Council approve in principle, the recommended approach outlined in this report, a budget package would be prepared for consideration during the 2015 budget process. The addition of a full time cross-trained Inspector will result in the ability to maintain the current number of proactive zoning investigations, while enhancing the quality and benefits of the outcomes by identifying and resolving not only zoning, but property standards and building code issues as well. This position will also create additional capacity to focus on search warrants, pursuing repeat offenders (e.g. “zero-tolerance” approach), communications and outreach, while maintaining current levels of proactive zoning inspections. Therefore, additional workload relating to the Committee of Adjustment and/or the Ontario Municipal Board is not anticipated.

All other recommended improvements to the proactive enforcement program, including the streamlining of existing enforcement methods, could be accomplished using existing resources and approved budget.

## **ACTION REQUIRED**

To receive the Rental Housing Licensing Recommended Approach report and approve in principle, the recommended alternative approach as set out in Attachment 1, subject to future budget considerations.

## **RECOMMENDATION**

1. That Report 14-29 from Planning, Building, Engineering and Environment regarding the Rental Housing Licensing Recommended Approach dated August 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 August 5, 2014.
3. That the proposed expansion package for one full-time proactive inspector and a comprehensive communications and education plan be referred to the 2015 budget process.

## **BACKGROUND**

### **Rental Housing Licensing Directions**

On February 25, 2013, PBEE Report 13-04 Rental Housing Licensing Directions was presented to PBEE Committee in response to a number of Council resolutions directing staff to proceed with the development of a rental housing licensing program for Council’s consideration. The key issues identified with rental housing in PBEE Report 13-04 included:

- Health, safety and well-being of tenants;
- Neighbourhood destabilization and deterioration;
- Disruptive behavior;

# STAFF REPORT

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- Lack of information about rental housing stock and inequality among rental housing providers since compliant business owners are currently competing with noncompliant business owners;
- Enforcement challenges; and
- Funding implications (to various stakeholders, including the City tax base, landlords of rental properties and tenants).

The directions presented were looked at comprehensively so that the appropriate tool(s) could be identified and used in an integrated manner. It was identified that the licensing of rental housing is an approach permitted under the Municipal Act to regulate the business of rental housing. The proposed licensing directions were city wide, inclusive and dealt with key items tied to the purpose of licensing, to support the health, safety and well-being of persons and protection of persons and property. The report recommended licensing all businesses that rent living accommodations except for apartment buildings, group homes, emergency shelters, student residences operated by universities or colleges, and social housing with an administrative and/or funding relationship with the County of Wellington, which have been approved for exemption. In total it was estimated that 8,700 rental dwellings units could have been subject to licensing.

## **Rental Housing Licensing Cost-Benefit Analysis**

Following receipt of the licensing directions report, Council requested staff to complete a cost-benefit analysis on the proposed direction prior to proceeding with public consultation on the proposed licensing program. On July 15, 2013, staff presented PBEE Report 13-32 Rental Housing Licensing Cost-Benefit Analysis. The report provided a cost-benefit analysis of the proposed licensing directions and included an analysis of three licensing options which varied in program timing, cost and risk.

The PBEE report concluded that the benefits of a licensing program outweighed costs given that a licensing program could, among other things:

- Increase the safety and well-being for tenants of low rise residential units with minimal financial impact;
- Assist in managing neighbourhood destabilization and deterioration (note: does not include the related matter of whether a property is owner or renter occupied);
- Assist in creating equality amongst rental housing providers; and
- Be based on a cost recovery model avoiding any financial burden on the general tax base.

## **Community Engagement**

In July 2013, Council authorized staff to proceed with public consultation on the proposed licensing directions and cost-benefit analysis to guide the development of a rental housing licensing program. Council also requested that additional licensing options be considered during the public consultation process using a risk-based

# STAFF REPORT



approach and that staff consider the establishment of a citizen's advisory committee.

Throughout this process, comment letters and emails have been received from stakeholders expressing concerns and support for licensing. Generally, the input gathered through letters and emails echoed the comments received through the formal community engagement.

A Community Engagement Plan was developed to solicit community feedback on licensing options via an online feedback form on the website during the month of November, as well as two community engagement meetings on November 19 and 21, 2013. The community engagement meetings included an overview of the housing directions report, cost-benefit analysis and five rental housing licensing options (three options presented to Council in July 2013, plus two additional options developed by staff as directed by Council). At the first meeting on November 19, facilitated breakout groups were used to guide participants through general questions regarding rental housing licensing costs and benefits. The second meeting on November 21 focused on potential elements of a licensing program (e.g. length of program, level of risk, potential penalties, etc.). The information provided during the community engagement meetings was made available on the City website, along with the online feedback form, which included many of the same questions from the facilitated meetings. This allowed stakeholders, who were unable to attend the community engagement meetings, to have the same information as those who attended the meetings so that informed feedback could be provided.

Attachment 2 - Summary of Community Engagement Results provides a compilation of the results collected via the online feedback form and during the two community engagement meetings. These questions were not developed as a survey, with a statistically representative sample population. Instead the community engagement work provided an open and inclusive invitation, venue and common format for all stakeholders to participate and share their views with City staff and others. The public meetings also provided stakeholders an opportunity to learn about the City's work on rental housing licensing and to ask clarifying questions about the feedback questions. As a result, the information gathered from the community engagement work provides a summary of opinions expressed by those who chose to participate. This feedback was analyzed by staff and was one input into the development of the recommended approach.

The community engagement meetings and online feedback form had an excellent level of participation with 319 responses received. Of those 319 responses, 50% self-identified as landlords, 34% self-identified as residents and 10% self-identified as tenants. The community engagement meetings and online survey were advertised through newspaper, internet, direct mailings to the stakeholder contact list, and through partner organizations including the University of Guelph.



The majority of respondents (58%) did not feel that a rental housing licensing program would assist in addressing the identified issues with rental housing. Looking at responses by stakeholder group, both the majority of tenants and the majority of landlords (two groups that would be directly affected by licensing) believed that licensing would not assist in addressing the identified issues with rental housing. Some respondents suggested that if a licensing option was to proceed, it would have to function with minimal resources in order to keep costs low and palatable to stakeholders.

The following summary captures the main concerns and points raised through the process from those participants who were not in support of licensing and those who were in support of licensing.

### **Not Supportive of Licensing**

- Costs would be passed onto tenants and potentially create an affordability issue;
- Licensing would require “good landlords” to have to pay for the shortcomings of “bad landlords”;
- Landlords would be faced with an onerous process with no real benefit;
- There would be an increase in non-compliance due to more rentals going underground;
- Licensing would not directly address behaviour issues;
- City could achieve desired results by continued/better enforcement of existing by-laws.

### **Supportive of Licensing**

- Concerns with the safety of some rental units;
- Help address concerns with inequality amongst housing providers;
- Initial costs of a licensing program could result in long term benefits (e.g. access, penalties, coordinated enforcement);
- Recognize rental properties as the business that they are;
- Help address problem areas (e.g. ongoing property standards and parking issues).

In addition, a Rental Housing Licensing Community Working Group was established in December 2013. The Community Working Group included representatives from landlords, tenants, community residents, the University of Guelph and the Wellington and Guelph Housing Committee. Three working group meetings were held in January and February 2014. The working group reviewed the results of the community feedback obtained in November 2013, provided feedback to staff on elements of a potential rental housing licensing program and explored an alternative approach to licensing to respond to ongoing concerns with rental housing.

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## REPORT

### Staff Analysis

In PBEE Report 13-32 (July 15, 2013), staff concluded that the benefits of licensing outweighed the costs based on an evaluation of the licensing options prepared by staff in accordance with the proposed licensing direction presented in PBEE Report 13-04 (February 19, 2013). While this conclusion is still valid in and of itself, as a result of staff's continued objective to identify the option that most effectively balances costs and benefits; staff evaluated the costs and benefits of licensing against the costs and benefits of an alternative approach. It is this comparative evaluation, along with the results of the community engagement that occurred between July 2013 and March 2014, that has resulted in staff bringing forward the alternative approach recommended in this report.

### Key Considerations & Analysis:

A number of key considerations were taken into account during staff's analysis, including:

- **Current City Initiatives and Programs:** The success of current initiatives and programs and the ability to build upon those successes to further improve rental housing issues without significant impact to stakeholders living in or providing safe legal rental accommodations;
- **Education, Engagement and Partnerships with Stakeholders:** The potential for improvements in resolving rental housing issues through further education, engagement and partnership with stakeholders;
- **Ontario Human Rights Commission:** Ontario Human Rights Commission input;
- **Potential Challenges:** The potential impact and delay that could result from legal challenges to a rental licensing by-law;
- **Rental Housing Supply:** recent market shifts and changes in the rental housing market; and
- **Public and Stakeholder Input:** The comments and concerns provided by stakeholders during public consultation were analyzed in relation to the costs and benefits of licensing.

Each of these considerations is addressed below.

### Current City Initiatives and Programs

As part of staff's analysis, the progress of the proactive enforcement program was reviewed. Staff found that there has been considerable success in improving both living accommodations and neighbourhood conditions with these current initiatives. The City's previous and ongoing investments in the proactive enforcement program and the resulting benefits of the investment are outlined below.

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During the 2010 budget process, Council approved the hiring of a Proactive Zoning Inspector, a Fire Prevention Officer and an expansion package for 1.75 FTE's to the By-law Compliance and Security Division's Enhanced Enforcement program. In 2013, Council also approved a seasonal (0.5 FTE) Proactive Property Standards Inspector.

Prior to the commencement of the proactive program, shared rental housing investigations relating to lodging houses, driveways, accessory apartments, two-unit house registration and identification of Ontario Building Code violations were limited to reactive enforcement (complaint based enforcement). Complaints related to shared rental housing averaged approximately 115 per year, with the majority of zoning staff time spent on other issues.

A Proactive Zoning Inspector was hired in late 2011 with full implementation of the proactive program commencing in 2012. Since this time, there have been more than 950 proactive investigations conducted in addition to the over 200 complaint based investigations over the same time period. Since 2012, Building Services has identified 548 unregistered accessory apartments, 354 of which have now been upgraded and registered with the city, 35 removed, and 159 in the process of being brought into compliance. Additionally since this time, Building Services has identified 149 lodging houses, 18 of which have been certified, 115 removed and 16 in the process of becoming compliant. Much of this success can be attributed to the proactive enforcement program. While the goal of Building Services is to gain voluntary compliance, the proactive enforcement program has resulted in more than 290 charges being laid for non-compliance with the Zoning By-Law, Two-Unit House Registration and/or the Ontario Building Code since 2012. Prior to this time period only a handful of charges were laid per year. While calls for service did not significantly decrease, staff attributes this to increased education and awareness due in part to the proactive program and the Interim Control By-Law.

Prior to 2013, identification and resolution of proactive property standards issues relating to long grass, debris and derelict vehicles etc. averaged approximately 130 per year. Council's approval to hire a seasonal (0.5 FTE) Proactive Property Standards Inspector in 2013 helped contribute to the proactive investigation and resolution of 470 proactive property standards infractions that year.

These successes have not gone without challenges. Since 2012, over \$12,500 in fines have been levied relating to proactive enforcement; however, most of these are from relatively low fine amounts which may be considered the cost of doing business by some. Additionally, under the proactive enforcement program, staff has been unable to gain access to 104 (approximately 13%) of the 792 dwellings where access was required to determine safety or compliance with municipal regulations.

The By-law Compliance and Security Division's Enhanced Enforcement Program has also been successful in addressing neighbourhood issues. Staff has seen the number of calls for service relating to noise reduced. In 2012 By-law staff attended 2,733 noise calls. In 2013, this number was reduced to 2,170. This program, along with the Nuisance Party By-law, updating of the Noise By-law, an increase in set fines for noise violations, and continued collaboration with other partners (such as the University of Guelph's Restorative Alternatives Pilot Program), have likely contributed to the reduction of noise calls attended by By-law staff.

Fire Prevention has also played a key role in assisting with the ongoing efforts to improve rental housing conditions. Since 2011, Fire Prevention has inspected over 260 properties, which includes involvement with 195 two-unit house registrations and the identification and resolution of 573 fire code violations.

While staff believes a licensing program could further assist in improving some issues related to rental housing, it cannot directly address behavioural issues which is a key concern for many stakeholders. Staff is of the opinion that although the proactive and enhanced enforcement programs are in their early stages, they have had demonstrated results in improving issues related to rental housing. Staff has identified alternative enforcement options that will assist in overcoming existing challenges relating to fines and access, without significantly affecting those living in or providing safe legal rental accommodations. It is anticipated that with the enforcement options described in the alternative approach, neighbours of rental accommodations will continue to see improvements relating to the conditions of their neighbourhoods.

### **Education, Engagement and Partnerships with Stakeholders**

The City has established working partnerships with local education institutions and neighbourhood associations. The City participates in Guelph's Town and Gown Committee, and supports initiatives administered by the University of Guelph's Off-campus Living Office such as Right Foot Forward, Move-In-Out Madness, and the Restorative Alternatives Pilot Program. As part of staff's analysis, it was identified that education, engagement, and partnership opportunities with stakeholders could be strengthened and improved to assist in overcoming issues relating to rental housing, including but not limited to safety and behavioural issues.

### **Ontario Human Rights Commission and Potential Challenges**

Staff was kept apprised of Ontario Human Rights Commission (OHRC) concerns and other potential challenges related to rental housing licensing.

The Ontario Human Rights Commission has suggested that increases in rents resulting from a licensing program could be found to be discriminatory and contrary to the Human Rights Code if such rent increases impact the affordability of rental housing on a code protected group. All licensing options presented to the public would have an impact on rents if licensing costs were to be passed on to tenants. Therefore those options could be interpreted by the Ontario Human Rights

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Commission as discriminatory and could result in legal challenges under the Human Rights Code.

While staff believes that none of the licensing options would be discriminatory in nature, there would be potential for challenges under the Human Rights Code or appeals to the By-Law itself. The cost, resulting delay and impact of potential appeals and challenges to a licensing by-law are unknown. The recommended approach presents a viable, practical and affordable method to address challenges associated with rental housing and should be implemented and measured prior to further consideration of a licensing program. This approach presents a further opportunity to build on the successes of current initiatives and focus on the core issues, rather than the potential distraction, cost, and delay of a possible challenge.

The OHRC submitted a letter dated May 2, 2014 (Attachment 6) expressing support for the alternative approach recommended in this report.

## **Rental Housing Supply**

There have been recent market shifts in the rental market. Approximately 900 units within multi-residential projects have recently been constructed or are coming on stream that appear to target the rental market thereby providing new rental opportunities. The addition of these units may lessen the pressure on the housing supply in existing low density neighbourhoods and may increase competition amongst rental housing providers (potentially resulting in better overall conditions). Staff cannot make a direct correlation at this time, however over the next few years the impact of this influx of multi-residential units on rental conditions will become more apparent and will be further studied through the ongoing Affordable Housing Strategy.

## **Public and Stakeholder Input**

As outlined in the Rental Housing Licensing Cost-Benefit Analysis report (13-32) and under the “Key Considerations & Analysis” of this report, staff believed the benefits of a proposed licensing program outweighed the costs, taking into consideration potential impacts on taxpayers, neighbours to qualifying properties, landlords and tenants. However, the public consultation process identified specific concerns which staff took into consideration in further assessing licensing options and alternatives to licensing. These concerns included:

- The main concern of many stakeholders is behavioural issues, which a licensing program cannot directly address;
- A concern of many stakeholders is the fact that there are rental houses in proximity to them. There are no by-laws, including licensing that can regulate whether a dwelling is rental or owner-occupied;
- Landlords would pass the costs of a license onto tenants;
- Tenants indicated that licensing would lead to increased rents and potential affordability issues; and

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- Licensing would impact all tenants and landlords of qualifying rental accommodations, rather than concentrating on illegal/non-compliant properties directly.

Recognizing behavioural issues as the primary concern of stakeholders, a benefit that licensing cannot address, along with the other considerations listed above, staff explored alternatives to licensing. Notwithstanding behavioural issues, staff continues to view licensing as an effective tool in addressing issues related to rental housing. However, further analysis resulted in the identification of an alternative approach that presents a viable, practical and affordable method to address current challenges and issues associated with rental housing.

## ALTERNATIVE APPROACH

Given the reasons outlined in “Key Considerations & Staff Analysis”, staff has developed and evaluated an alternative approach to respond to ongoing concerns and issues with rental housing, as summarized in Attachment 1. This approach would refocus and enhance current initiatives and programs, as well as increase collaboration with stakeholders and community partners to further respond to identified issues associated with rental housing. This recommended approach includes the following:

1. Enhance the Building Services **proactive enforcement** program to further build upon current successes by addressing issues related to rental housing and overcome existing challenges.
2. Work with partners and stakeholders to research, develop and implement a comprehensive **education/communications** plan designed to discourage disruptive behavior and further address rental housing issues.

This approach would continue to build upon the success of current City initiatives to improve tenant safety and behavioural issues. The two components of the recommended approach are further detailed as follows:

### 1. **PROACTIVE ENFORCEMENT**

**Objective:** to improve the Building Services proactive enforcement program and streamline existing enforcement methods.

The existing proactive enforcement program has produced positive results (as discussed in the previous section of this report). To continue to build upon the success of this program and attempt to overcome existing challenges, staff is proposing the following:

- a) **Search Warrants:** As identified in the July 15, 2013 Rental Housing Licensing Cost Benefit Analysis report (13-32) staff have encountered challenges in gaining access to buildings suspected of non-compliance. The City of Hamilton has had recent success with search warrants as part of their proactive enforcement program. With the assistance of our Legal Department, staff would actively pursue search warrants as a tool to

overcome access issues and to improve tenant safety. To obtain a search warrant, an inspector must have reasonable grounds to believe that an offence has been committed and that obtaining a search warrant would afford evidence relevant to the commission of the offence. An application must then be brought forward to a Justice of the Peace or Judge for consideration. While the time that it takes to prepare an application for a search warrant will vary based on the particulars of each circumstance, it is estimated that the average application will add approximately 14-21 additional hours of staff time to a file.

- b) **Streamline Enforcement Methods:** Efficiencies in enforcement methods could be realized by cross-training Zoning and Property Standards Inspectors and by having them qualified to enforce the Ontario Building Code. This efficiency would prevent the need to send multiple inspectors to a single property to deal with issues most commonly found in rental accommodations.
- c) **New Staff Resource:** Improvements to tenant safety and the enhanced proactive enforcement program will be furthered by the addition of a new full-time inspector, cross-trained in zoning, property standards and the Ontario Building Code. The addition of a cross-trained inspector would play a key role in:
- improving the identification and resolution of unsafe/illegal conditions and current proactive inspection levels;
  - obtaining and preparing search warrants; and
  - preparing orders and charge documents.

The addition of this full-time inspector is not intended to focus on increasing the overall number of proactive zoning inspections conducted annually, but rather on creating additional capacity to focus on other aspects of the enhanced enforcement program, such as search warrants, pursuing repeat offenders (e.g. the “zero-tolerance” approach), communications and outreach. The net effect would not be an increase in the quantity of proactive inspections, but rather enhancing the quality and benefits of the outcomes by identifying and resolving not only zoning, but property standards and building code issues as well. Therefore, additional workload relating to the Committee of Adjustment and/or the Ontario Municipal Board are not anticipated, but will be monitored.

While the number of zoning investigations is anticipated to remain at current levels, the number of proactive property standards and Ontario Building Code inspections will increase, thus resulting in further improvements to neighborhood conditions and safety of rental units.

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d) **Zero Tolerance for Repeat Offenders:** Staff often proceed with full enforcement to the extent that statutory requirements allow for repeat offenders, however a formalized process has not been established. This approach would formalize a zero-tolerance approach for enforcement activity on properties where a person has previously been in violation of City by-laws and/or the Ontario Building Code. This could apply to any properties in the City that a person is associated with through ownership or property management functions. Where resources allow, the zero tolerance approach would involve immediate commencement of full enforcement to the extent that statutory requirements allow. The following table outlines the potential action that could result upon confirmation of a violation by a repeat offender:

By-Law or Code	Action
Ontario Building Code	Issue an Order – resulting in increased fees and/or Charge (dependant on evidence)
Yard Maintenance By-Law	Issue 5 day notice
Property Standards By-Law	Issue an Order
Zoning By-Law	Charge
Two-Unit House Registration By-Law	Charge

The ability to implement and proceed with an immediate Order or immediate legal action would be dependent on resource availability at the time of the violation. An additional inspector cross-trained in zoning, property standards and the Ontario Building Code would play a key role in the implementation of a formalized zero-tolerance approach for repeat offenders.

e) **Increased Fines for Zoning, Two Unit Registration, Property Standards, Yard Maintenance and Ontario Building Code Violations:** With the pursuit of search warrants, efficiencies in enforcement methods and the addition of a staff resource, staff would be in a better position to pursue legal action against those unwilling to voluntarily comply and provide safe legal rental accommodations. Increasing fines would provide a further deterrent to circumventing applicable legislation. This approach would include making an application to the Regional Senior Justice to increase “Set Fines” for various offences. The process, from internal preparation time, to the return of the application from the Regional Senior Justice, is estimated to take between



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6-12 months. Existing resources would be used to complete this process. While the appropriate fine amount depends on the nature of the offence, staff believes a fine of at least \$500 for a first time offence is warranted. For a second offence, staff would proceed by way of a Part III and would generally recommend progressively higher fines to the prosecutor for subsequent offences based on the severity of the violation. Maximum prescribed fines are as follows:

By-Law or Building Code	Maximum Fine
Zoning By-Law	<b>Person</b> \$25,000 and \$10,000 for each day <b>Corporation</b> \$50,000 and \$25,000 for each day
Two-Unit House Registration By-Law	\$5,000
Yard Maintenance By-Law	\$100,000
Ontario Building Code (Including Property Standards)	<b>Person</b> \$50,000 for a first offence, \$100,000 for a subsequent offence <b>Corporation</b> \$100,000 for a first offence, \$200,000 for a subsequent offence.

- f) **Monitoring:** Staff are committed to the ongoing monitoring of the Building Services enhanced enforcement program to gauge effectiveness and continuously make improvements. Key performance indicators would be used to measure and monitor the progress of the proactive enforcement program and to report annually to the Planning, Building, Engineering and Environment Committee. Key performance indicators, such as the ratio of dwelling units attended to the ratio of dwelling units accessed, could assist in measuring the success of improved communication/education and search warrants as they relate to access.

2. **COMMUNICATIONS, EDUCATION AND COMMUNITY PARTNERSHIPS**

**Objective:** to collaborate with community partners and stakeholders to research and develop communications and education programs designed to promote safe legal living accommodations and discourage disruptive or disrespectful behaviour, particularly in neighbourhoods with high concentrations of rental housing.

- a) **Community Partnerships:** Concerns about disruptive behaviour, excessive noise, parties, litter, vandalism etc. cannot be addressed by the City alone. This approach proposes to build upon existing community partnerships and initiate new partnerships with education institutions, community organizations, groups and individuals to work together to build

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a sense of community and neighbourhood harmony.

- b) **Communication and Education:** To bolster existing efforts, this approach would include further collaboration with a range of organizations and individuals (landlords, tenants, neighbours, student associations, clubs, University of Guelph, neighbourhood groups, etc.) to encourage their participation in the development and implementation of a community-driven campaign to reduce disruptive and disrespectful behaviour. Further collaboration with these and other organizations and individuals would also be used to improve communication and education initiatives with key stakeholders to address safety concerns (including access issues) and other challenges associated with rental housing to improve conditions in neighbourhoods.
- c) **Promoting Neighbourhood Cohesion:** Typically, the role of government has been to develop and enforce by-laws, and take action upon a violation. While rules and laws may act as a deterrent, they do not foster a genuine desire to behave differently.

Much like it has done with water conservation, under this approach the City would sponsor and collaborate with other organizations to develop and implement a campaign that promotes an increased sense of neighbourhood cohesion; the City would play a smaller role in a community-led efforts to encourage landlords and tenants to be better neighbours.

Campaigns like this are called “community-based social marketing”, and they typically promote health, safety, and environmental citizenship (e.g. don’t drink and drive, energy conservation etc.)

Before taking this approach it is important for City Council and community stakeholders to understand that community-based social marketing campaigns require sustained effort and resources over a period of years, and, when they are successful, they can result in real, permanent behavioural and/or cultural change.

## STAFF’S RECOMMENDED APPROACH

### Comparative Analysis of the Costs and Benefits of the Alternative Approach vs Licensing

Based on staff analysis of rental housing licensing options and alternatives and taking into consideration the results of the extensive community engagement work, staff is of the opinion that the alternative approach described in this report and in Attachment 1:

- Is a more cost effective and efficient response than licensing;
- Can directly target suspected unsafe non-compliant properties; and

# STAFF REPORT

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- Addresses the majority of issues.

Staff further recommend that the alternative approach be approved by Council and that licensing not be pursued at this time.

Attachment 3 (Comparative Analysis: Benefits of Recommended Approach vs. Benefits of a Licensing Program) outlines the identified issues with rental housing and compares the limitations of the existing City program to the increased benefits that could be provided through the recommended approach or through licensing. The recommended approach will continue to improve conditions in neighbourhoods with high concentrations of rental housing and address the key issues. This approach involves refocusing and enhancing current initiatives with known costs, while promoting the further engagement and empowerment of stakeholders to improve the safety, well-being and overall enjoyment of our neighbourhoods.

It is important to note that a licensing program cannot directly address behavioural issues which is a key issue raised by neighbourhood residents. The recommended approach can address behavioural issues through enhanced communications, education and community partnerships, and continued enforcement of existing by-laws. The City, in cooperation with the University of Guelph, has demonstrated success in recent years with respect to responding to and resolving behavioural issues (e.g., noise, garbage, property standards, and nuisance parties).

The benefits of the Recommended Approach include the following:

- Improved neighbourhood conditions with a primary focus on non-compliant properties;
- Tenants will be better informed of basic safety hazards and may choose not to live in unsafe units or may initiate inspection or reconsider inspection requests to ensure their units are safe and legal;
- Improved education initiatives may assist in the identification and prevention of zoning, parking and property standards issues;
- Community driven campaigns designed to increase neighborhood cohesion and foster a genuine change in behavior; and
- Strengthened partnerships and empowerment of stakeholders to improve the safety and wellbeing of residents and to create and maintain vibrant neighbourhoods for all to enjoy.

While the recommended approach does not contain all the benefits that can be attributed to licensing; it builds on the demonstrated success of current City initiatives without significantly affecting those living in or providing safe legal rental accommodations. When compared to the recommended approach, staff is of the opinion that targeting all rental housing through licensing is not the most efficient approach at this time.

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The benefits of licensing that cannot be achieved with the recommended approach include:

- Recurring inspections of licensed rental dwellings;
- Additional property and landlord information that could be required with a license (e.g. contact information, insurance information, parking plan);
- Creation of a registry of licensed rental dwellings;
- Ability to revoke a license where issues are not resolved; and
- Efficiencies of enforcement processes that are only available when a licensing by-law is in effect (e.g., administrative monetary penalties).

The recommended approach is estimated to cost an average of up to \$150,000 per year with the costs borne by the taxbase (based on the five year average of an additional FTE and the upper estimate of a communication/education campaign - See Attachment 4 for Costs of Recommended Approach and Licensing Options). If the recommended approach is approved, staff would bring an expansion package forward during the 2015 budget process for consideration at that time. All other improvements to the proactive enforcement program, including the streamlining of existing enforcement methods, could be accomplished using existing resources and approved budget. However, should approval of an additional inspector during the 2015 budget process not be granted, a reduction in the number of proactive investigations and prosecutions will occur. This would be caused by an increased focus on search warrants and implementing a formalized zero-tolerance approach for repeat offenders.

Comparatively, the estimated cost of a licensing program would range from an annual average of \$264,000 to \$1,572,000 with the costs borne by either the tax base or the licensee or combination of the two (see Attachment 4). The low end of the range relies upon self-certification and the willingness of landlords to comply with the regulations of a licensing program.

Staff is committed to improving issues related to rental housing. Should the alternative recommended approach not produce the results anticipated over the next few years, staff will review further options, including but not limited to licensing.

## **Next Steps**

Should Council endorse, in principle, staff's recommended approach outlined in Attachment 1, staff would, in addition to continuing with a number of existing program areas such as enhanced fire prevention, enforcement of the noise and nuisance party by-laws and participation on the Town and Gown Committee, initiate a number of elements of the recommended approach in 2014 including:

- Creating a search warrant team;
- Streamlining of enforcement methods;
- Requesting increased set fines;

# STAFF REPORT



- Completing initial improvements to educational materials for stakeholders; and
- Researching and developing a comprehensive education/communications plan for stakeholders.

A budget package would be prepared for aspects of the recommended approach that require additional resources to be initiated in 2015, including increased staff resources for Building Services proactive enforcement and to implement communications materials for stakeholders.

## **CORPORATE STRATEGIC PLAN**

**1.2 Organizational Excellence** - Develop collaborative work teams and apply whole systems thinking to deliver creative solutions.

**2.1 Innovation in Local Government** - Build an adaptive environment for government innovation to ensure fiscal and service sustainability.

**2.2 Innovation in Local Government** - Deliver public services better.

**2.3 Innovation in Local Government** - Ensure accountability, transparency and engagement.

**3.1 City Building** - Ensure a well-designed, safe, inclusive, appealing and sustainable City.

**3.2 City Building** - Be economically viable, resilient, diverse and attractive for business.

## **FINANCIAL IMPLICATIONS:**

There are no new 2014 financial implications to supporting the recommended alternative approach. An existing budget of \$25,000 is available to fund the development of a Communications Plan and the implementation of some components in 2014 to address education materials for tenants and neighbours of rental accommodations. Existing resources could also be used for additional elements recommended to start in 2014. These new elements include some improvements to the Building Services enforcement program, streamlining of existing enforcement methods, research and development of a comprehensive education/communications plan, and continued support of community partnerships.

While many of the elements of this recommended approach can be completed through creating efficiencies and utilizing current resources, there are financial implications for the following components:

1. The addition of a full time inspector in Building Services cross-trained in zoning, property standards and the Ontario Building Code would cost approximately \$135,000 initially and approximately \$100,000 for subsequent years.

2. There is currently an approved budget of \$25,000 to research, develop and begin implementing a comprehensive education/communications campaign this fall. If Council endorses, in principle, the recommended approach, staff will bring forward a corresponding budget package for consideration during the 2015 budget process. The research performed this year would establish a recommended budget for future years; costs are dependent on community partnership opportunities and the amount and type of media used etc. Staff estimates a campaign could cost \$20,000-\$30,000 per year, to be shared among participating organizations and agencies depending on available resources. This amount may change based on further research with costs submitted for approval as part of future operating budgets.

Should the budget package not be approved, all other recommended improvements to the proactive enforcement program, including the streamlining of existing enforcement methods, could be accomplished using existing resources and approved budget; however, a reduction in the number of proactive investigations and prosecutions will occur. This would be caused by an increased focus on search warrants and implementing a formalized zero-tolerance approach for repeat offenders.

## **DEPARTMENTAL CONSULTATION:**

Planning, Building, Zoning, By-law Compliance Security and Licensing Department, Fire, Corporate Communications, Community Engagement and Legal Services staff have been part of the staff working group that have contributed to the contents of this report.

## **COMMUNICATIONS:**

A Community Engagement Plan was developed and maintained in coordination with Community Engagement and Corporate Communications staff. Public notice of the November 2013 community engagement sessions was advertised through the newspaper, City website, direct mailings to our stakeholder contact list, and through other groups, e.g. University of Guelph, Town and Gown Committee and Wellington and Guelph Housing Committee. Community Engagement results were posted on the City's website in March 2014. Notice of this report was provided to our stakeholder contact list.

The City's website includes relevant information regarding current City requirements and activities regarding rental housing.

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## ATTACHMENTS

Attachment 1	Recommended Approach
Attachment 2	Summary of Community Engagement Results
Attachment 3	Comparative Analysis: Benefits of Recommended Approach vs. Benefits of a Licensing Program
Attachment 4	Cost Analysis
Attachment 5	Shared Rental Housing Statistics
Attachment 6	Letter from Ontario Human Rights Commission

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**Report to Planning, Building, Engineering & Environment Committee  
Rental Housing Licensing Recommended Approach  
August 5, 2014**

**Attachment 1  
Recommended Approach**

<b>Task</b>	<b>Existing</b>	<b>2014</b>	<b>2015</b>
<b>Proactive Enforcement</b>			
Continue enhanced fire prevention			
Continue enhanced noise and nuisance party by-laws			
Continue existing proactive enforcement			
Continue enhanced enforcement reporting			
Create search warrant team			
Seek to establish increased fines			
Cross train inspectors			
*Increase staff resources for proactive zoning enforcement and further legal initiatives			
**Zero tolerance approach for repeat offenders			
<b>Communications, Education and Community Partnerships</b>			
Continue to participate on Town and Gown committee			
Continue to support U of G programs			
**Collaborate with community groups and stakeholders to research and develop communications and education programs designed to improve behavioural and other rental housing issues.			

\*Task subject to budget approval.

\*\*Task effectiveness dependent on budget approval



**Attachment 3**  
**Comparative Analysis: Benefits of Recommended Approach vs. Benefits of a Licensing Program**

<b>Rental Housing Issue</b>	<b>Limitations of Existing Program</b>	<b>Benefits of Recommended Approach</b> (Approximate Cost \$154,000*)	<b>Benefits of a Licensing Program over the Recommended Approach</b> (Approximate Cost \$264,000 - \$1,572,000**)
<p><b>1. Tenant Health, Safety and Well-being</b></p> <ul style="list-style-type: none"> <li>Rental units may pose a health and safety hazard to the occupants</li> <li>Safety issues commonly found to include, but are not limited to, construction without permit; basements containing bedrooms that have either no windows or windows not large enough to provide a means of escape; smoke alarms not provided or not working; required fire separations missing, etc.</li> </ul>	<ul style="list-style-type: none"> <li>Tenants often not aware of potential safety issues</li> <li>Access to inspect dwelling units for safety and compliance sometimes refused (access was refused to approximately 13% of units attended where access was requested)</li> <li>Current methods are resource intensive, with penalties for providing unsafe living accommodations often viewed by some business owners as merely the cost of doing business</li> </ul>	<ul style="list-style-type: none"> <li>Through increased communication and education, tenants can be better informed of basic safety hazards and may choose not to live in unsafe units or may initiate inspections or reconsider inspection requests to verify their units are safe and legal</li> <li>Search warrants may assist in overcoming current access challenges for properties suspected of non-compliance</li> <li>An additional staff resource will be able to respond to additional tenant requests in a timely manner and further identify and resolve safety issues</li> <li>Streamlined enforcement methods and increased fines may further deter the circumvention of safety regulations</li> <li>Communication improvements will make it easier for stakeholders to advise city staff of potential safety issues</li> <li>A more comprehensive and efficient inspection process which will result in improving the safety of dwelling units that are inspected</li> <li>Focus specifically on suspected illegal/non-complaint properties to improve tenant health, safety and well-being (Licensing would include properties already in compliance with other By-Laws and Codes)</li> </ul>	<ul style="list-style-type: none"> <li>A license could require reoccurring inspections of building safety systems, fire safety systems, and mechanical systems (frequency dependant on licensing option)</li> <li>Floor plans could be required in order to obtain a license, which could assist in identifying safety concerns (e.g. identification of bedrooms located in basements or attics without proper exits)</li> <li>In order to obtain a license, Electrical Safety Authority inspections could be required to ensure safety of existing electrical systems</li> <li>Property owners who fail to meet safety standards could face administrative monetary penalties which may be a further deterrent to circumventing bylaws and/or codes</li> </ul>

<b>Rental Housing Issue</b>	<b>Limitations of Existing Program</b>	<b>Benefits of Recommended Approach</b> (Approximate Cost \$154,000*)	<b>Benefits of a Licensing Program over the Recommended Approach</b> (Approximate Cost \$264,000 - \$1,572,000**)
<p><b>2. Neighbourhood Destabilization and Deterioration</b></p> <ul style="list-style-type: none"> <li>• Concentration and intensity of non-owner occupied rental housing</li> <li>• Concern that residential neighbourhoods are in some instances becoming exclusive investment areas, which may create affordability issues for people trying to purchase a home as a principal residence</li> <li>• Short-term tenants or absentee landlords without vested interest in the neighbourhood or community (which may have a correlation with parking and property standards issues)</li> </ul>	<ul style="list-style-type: none"> <li>• Resource intensive- ongoing property maintenance and parking issues (ie. Widening driveways, parking on the front yard)</li> <li>• Often difficult to contact or locate absentee landlords/business owners to bring properties into compliance</li> </ul>	<ul style="list-style-type: none"> <li>• Improved communication/education initiatives may assist in the prevention of zoning, parking and property standards issues</li> <li>• An additional staff resource will be able to further proactively identify and resolve zoning, parking and property standards issues</li> <li>• Streamlined enforcement methods and increased fines may further deter the circumvention of zoning, property standards and parking issues</li> <li>• Focus specifically on suspected illegal/non-complaint properties to improve tenant health, safety and well-being (Licensing would include properties already in compliance with other By-Laws and Codes)</li> <li>• Opportunity to build rapport amongst stakeholders through increased contact, collaboration and partnership</li> </ul>	<ul style="list-style-type: none"> <li>• A license could require contact information of property managers or rental business owners to proactively and/or reactively inform him/her of issues and request assistance</li> <li>• Zoning of every rental property could be reviewed and confirmed during the licensing application process (recommended approach would focus only on known/suspected illegal properties)</li> <li>• A parking plan could be required to obtain a license which could assist in preventing potential parking issues</li> <li>• A property maintenance plan could be required to obtain a license which could proactively encourage proper care of the property</li> <li>• Licensed owners could be held responsible for the operation of their business, like other business owners including bed and breakfast establishments, and hotels</li> </ul>
<p><b>3. Disruptive Behaviour</b></p> <ul style="list-style-type: none"> <li>• Repeat or ongoing behavioural issues such as furniture on roofs, noise, parties, litter, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Often difficult to contact business owners or property managers to assist with addressing issue(s) when tenants are not responsive</li> </ul>	<ul style="list-style-type: none"> <li>• Increased community partnerships may assist in deterring disruptive behaviour</li> <li>• Improved communication and social media campaigns may assist in reducing disruptive behaviour</li> <li>• Opportunity to build rapport amongst tenants, owners and property managers through increased communication/education</li> <li>• Communication improvements will make it easier for stakeholders to advise city staff of disruptive behavior</li> </ul>	<ul style="list-style-type: none"> <li>• A license could require contact information of property managers or rental business owners to proactively and/or reactively inform him/her of issues and request assistance</li> </ul>

Rental Housing Issue	Limitations of Existing Program	Benefits of Recommended Approach (Approximate Cost \$154,000*)	Benefits of a Licensing Program over the Recommended Approach (Approximate Cost \$264,000 - \$1,572,000**)
<p><b>4. Lack of Information about Rental Housing Stock/Inequality among Rental Housing Providers</b></p>	<ul style="list-style-type: none"> <li>• Renters may not be able to verify that a unit meets codes, by-laws and other legislation designed to ensure the unit is safe</li> <li>• Compliant business owners competing with non-compliant business owners</li> </ul>	<ul style="list-style-type: none"> <li>• Through increased communication and education, tenants can be better informed of basic safety standards and may choose not to live in unsafe units or may initiate inspections or reconsider inspection requests to verify their units are safe and legal</li> <li>• Streamlined enforcement methods, search warrants and increased fines may further reduce the inequality amongst rental housing providers</li> </ul>	<ul style="list-style-type: none"> <li>• Could create a registry of licensed rental properties that could allow tenants to easily find and verify legal and safe living accommodations</li> </ul>
<p><b>5. Enforcement Challenges</b></p>	<ul style="list-style-type: none"> <li>• Staff have experienced difficulty locating landlords to serve them a summons to attend court – if the owner is not served, a trial cannot proceed</li> <li>• Many tenants are unwilling to commit to attending a trial in the future</li> <li>• Current methods are resource intensive, with results that often appear to be viewed by some landlords as merely the cost of doing business</li> <li>• Access to inspect dwelling units for safety and compliance sometimes refused (access was refused to approximately 13% of units attended where access was requested)</li> </ul>	<ul style="list-style-type: none"> <li>• Streamlined enforcement methods, search warrants and increased fines may further deter the circumvention of regulations</li> <li>• Tenants and landlords will be better informed and may be more cooperative (ie. Provide access, tenants may provide information to the whereabouts of the landlord and may attend court)</li> <li>• Search warrants may assist in overcoming current access challenges of properties suspected of non-compliance</li> <li>• Additional staff resource will be able to further assist with the identification and enforcement of non-compliant properties</li> <li>• Focus specifically on suspected illegal/non-complaint properties to improve tenant health, safety and well-being (Licensing would include properties already in compliance with other By-Laws and Codes)</li> </ul>	<ul style="list-style-type: none"> <li>• More proactive and preventative approach-licensees would need to conform with existing requirements to obtain licence and would be made aware of requirements before infraction occurs</li> <li>• Licensing could be an incentive for landlords/property owners to grant access (or get tenants to grant access), however licensing in general does not provide any additional authority for initial access to a dwelling unit</li> <li>• Could require complete contact information for the owner</li> <li>• Could simplify service requirements and eliminate the cost of out of town service</li> <li>• In most cases, testimony from tenants would not be required</li> <li>• Additional streamlined enforcement methods would be available</li> <li>• Business Owner/Licensee would have more at stake than just an individual prosecution – e.g. possible loss of licence</li> </ul>

\*Due to the licensing options being based on a cost recovery model over a five year period, all costs are the estimated costs averaged over a five year period. Recommended Approach includes an additional inspector and the highest estimated cost of a communications/education plan. \*\* Costs are new costs only and do not include the cost of 2 existing FTE positions (1 Fire Prevention Officer, 1 Proactive Zoning Inspector) that would be reallocated into a licensing program.

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



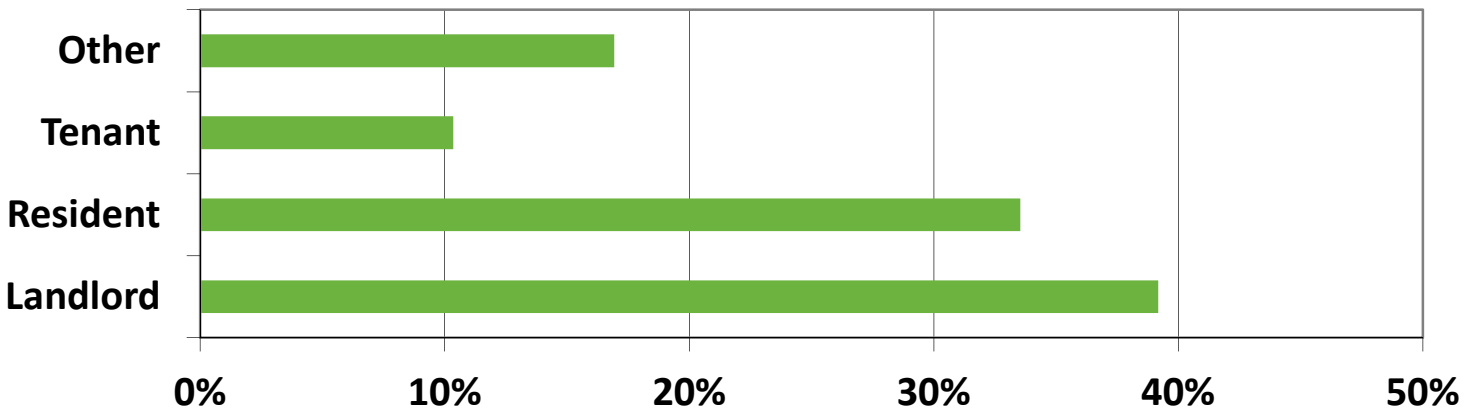
Community Engagement Results are based on the following sources:

Community Engagement Session November 19, 2013; Questions 1 – 6 (87 Respondents)

Community Engagement Session November 21, 2013; Questions 1, 7-19 (43 Respondents)

Online Questionnaire November 20 – 30, 2013; Questions 1 – 19 (199 Respondents)

1. I am a:



	Landlord	Resident	Tenant	Other	Total
<b>Count</b>	<b>125</b>	<b>107</b>	<b>33</b>	<b>54</b>	<b>319</b>
<b>Percentage</b>	<b>39%</b>	<b>34%</b>	<b>10%</b>	<b>17%</b>	<b>100%</b>

Other responses include:

- Multiple selection, e.g. Landlord/Community
- University of Guelph
- Neighbourhood Group
- Realtor
- Potential Landlord

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

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2. Please identify any other issues with rental housing that are not listed below.

- Tenant health, safety and well-being
- Neighborhood destabilization and deterioration
- Disruptive behavior
- Lack of information about housing stock
- Inequality among rental housing providers
- Enforcement challenges
- Funding implications

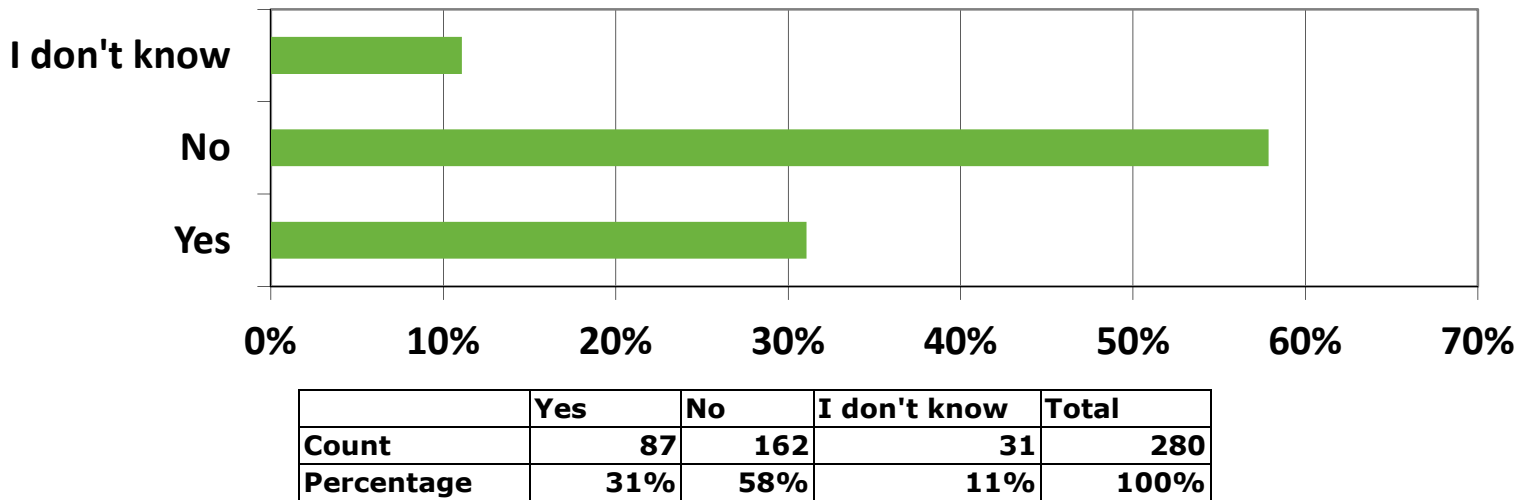
Other Issues:

- Tenant Registration
- Underground housing
- Realtors selling illegal rental properties and stating they are legal
- Affordability
- Parking issues
- Privacy
- Cash grab for the City
- Rent increase

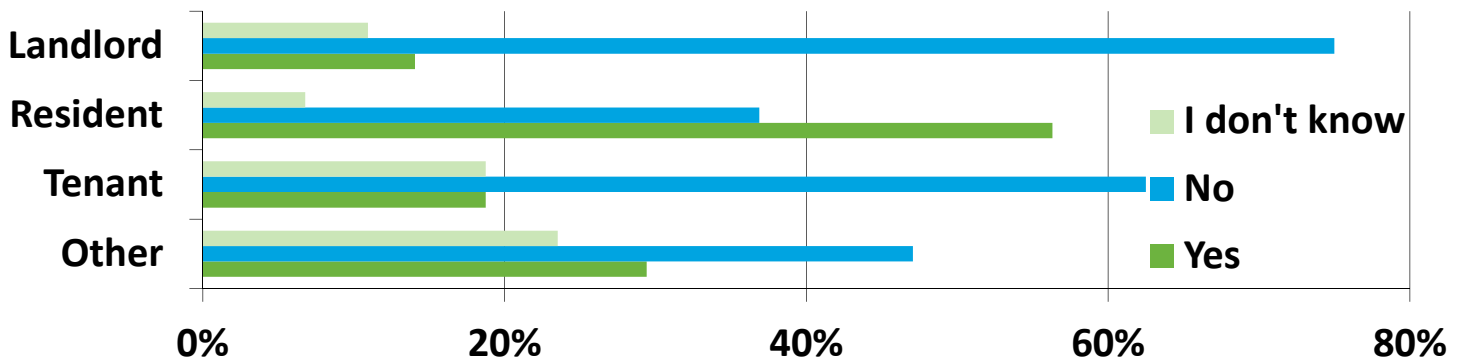
# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

3. In your opinion, could rental housing licensing assist in addressing the identified issues with rental housing?



Question 3 - Breakdown of Response by Stakeholder



	Yes	No	I don't know	Total
<b>Landlord</b>	<b>18</b>	<b>96</b>	<b>14</b>	<b>128</b>
<b>Resident</b>	<b>58</b>	<b>38</b>	<b>7</b>	<b>103</b>
<b>Tenant</b>	<b>6</b>	<b>20</b>	<b>6</b>	<b>32</b>
<b>Other</b>	<b>5</b>	<b>8</b>	<b>4</b>	<b>17</b>

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

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4. Please identify any other benefits/advantages of licensing that are not listed below.

- Apply specifically to rental housing
- Apply equally to new and existing rental housing
- Require regular inspections to ensure safety is maintained
- Require proof of appropriate insurance
- Paid for by the housing provider
- Enhance safety of tenants
- Reduced competition from non-compliant properties

Other advantages/benefits:

- No advantages/benefits

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

5. Please identify any other costs/disadvantages of licensing that are not listed below.

- Financial costs associated with license
- Financial costs associated with insurance
- Financial costs associated with bringing property into compliance
- Potential loss of rental income due to enforcement
- Potential loss of affordable housing stock

Other costs/disadvantages:

- Doesn't address behavior issues
- Condos and apartments aren't being addressed
- Large admin unit required
- Rich get Richer – small renters get left behind and large renters increase due to properties for sale
- Punishment
- Increase in rent on tenants
- Inequality
- Fixed income
- Prejudice to tenants
- Tax increase
- No enforcement on the "slum landlords"
- Discrimination
- Time consuming
- Increase in rental properties - properties will reduce to 4 bedrooms rented and then more properties purchased to fill the gaps
- Privacy
- Stress – tenant and landlord



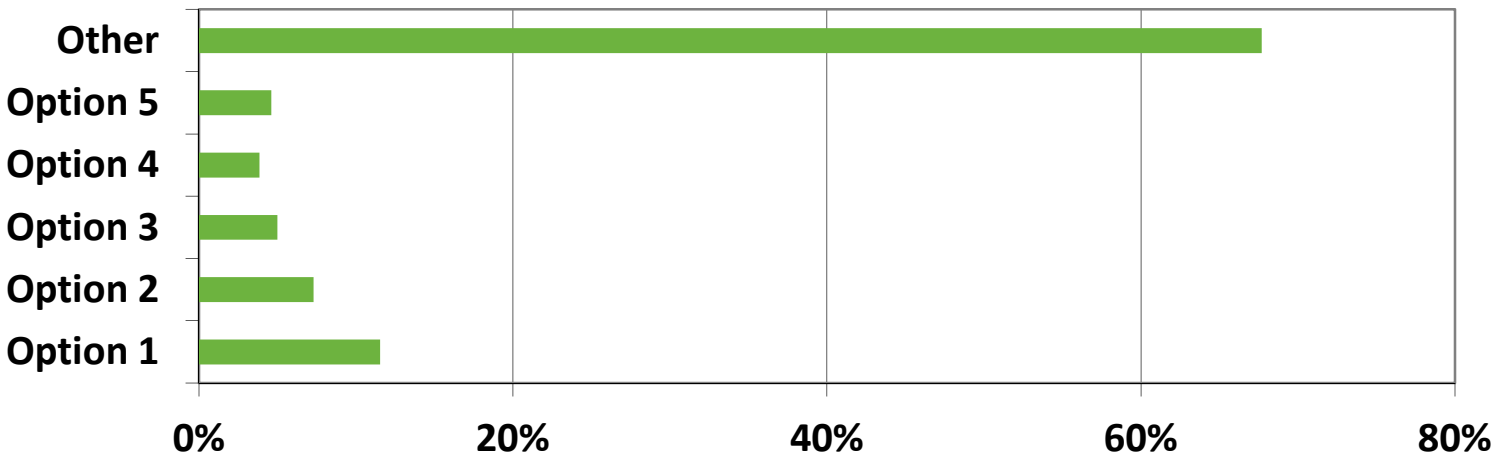
# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



6. Please identify your preferred rental housing licensing option.

- Option 1: Annual renewal, Annual inspection (\$132/bedroom/year est.)
- Option 2: Two year renewal, Inspect every two years (\$90/bedroom/year est.)
- Option 3: Annual renewal, Self certification, Risk-based inspection (e.g. properties with complaints and/or history of non-compliance) (\$62/bedroom/year est.)
- Option 4: Two year renewal, Self certification, Risk-based inspection (\$53/bedroom/year est.)
- Option 5: Two year renewal, Self certification, Risk-based approach (fewer inspections than option 4) (\$45/bedroom/year est.)
- Other: Self Regulate, Varying Time, No Licence, Misc.



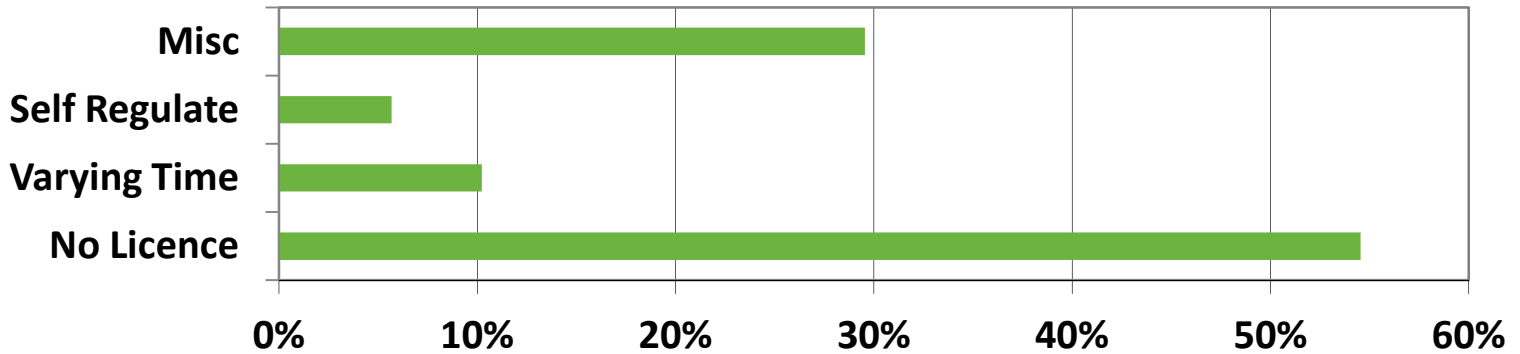
	Option 1	Option 2	Option 3	Option 4	Option 5	Other	Total
<b>Count</b>	<b>30</b>	<b>19</b>	<b>13</b>	<b>10</b>	<b>12</b>	<b>176</b>	<b>260</b>
<b>Percentage</b>	<b>12%</b>	<b>7%</b>	<b>5%</b>	<b>4%</b>	<b>5%</b>	<b>68%</b>	<b>100%</b>

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



### Question 6 - Breakdown of Other Response



	No Licence	Varying Time	Self Regulate	Misc.	Total
<b>Count</b>	<b>96</b>	<b>18</b>	<b>10</b>	<b>52</b>	<b>176</b>
<b>Percentage</b>	<b>55%</b>	<b>10%</b>	<b>6%</b>	<b>30%</b>	<b>100%</b>

Misc. responses include:

- One time licence, no renewal
- No cost if no complaints
- Comments made on licensing program elements, e.g. exclude owner occupied properties, revoke licence if requirements not met, large fines

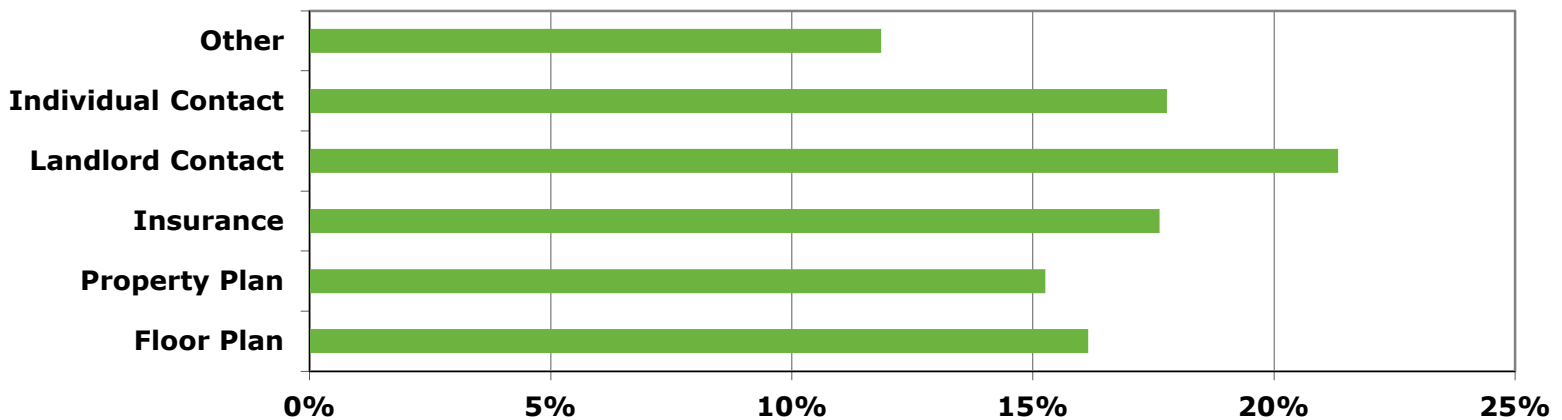
# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



7. Please select all items that should be required as part of a rental housing licence.

- Floor plan (number and location of all bedrooms to be rented, other rooms identified and location of fire exits)
- Property plan (parking spaces, solid waste containers)
- Insurance (Proof of insurance)
- Landlord Contact (Name and contact information of a landlord)
- Individual Contact (Name and contact information of an individual residing within the City authorized to respond to management issues regarding the rental living accommodation (if different from above))
- Other



	Floor Plan	Property Plan	Insurance	Landlord Contact	Individual Contact	Other	Total
<b>Count</b>	<b>109</b>	<b>103</b>	<b>119</b>	<b>144</b>	<b>120</b>	<b>80</b>	<b>675</b>
<b>Percentage</b>	<b>16%</b>	<b>15%</b>	<b>18%</b>	<b>21%</b>	<b>18%</b>	<b>12%</b>	<b>100%</b>

Other Items that should be required as part of a rental housing licence:

- A required manual for each house – providing various bylaws and contact info for departments in the City and will contain owner info
- Owner contact info up to date each year
- Code of behaviour for tenants
- Annual meetings with residents and stakeholders
- Should not be required for owner occupied dwellings
- No subletting
- Garbage storage/removal plan
- Damage deposit
- No licensing

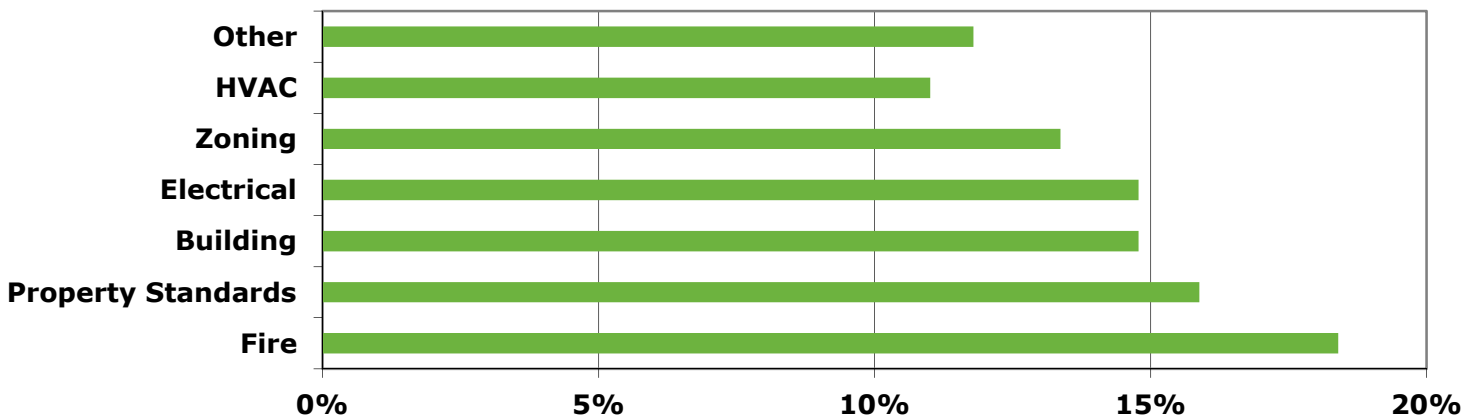
# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



8. Please select all inspections that should be required as part of a rental housing licensing program.

- Electrical - Electrical Safety Authority or Qualified Electrician
- Zoning
- Property Standards
- Building
- Fire
- HVAC (Heating and Ventilation - Qualified Contractor)
- Other



	Fire	Property Standards	Building	Electrical	Zoning	HVAC	Other	Total
<b>Count</b>	<b>117</b>	<b>101</b>	<b>94</b>	<b>94</b>	<b>85</b>	<b>70</b>	<b>75</b>	<b>636</b>
<b>Percentage</b>	<b>18%</b>	<b>16%</b>	<b>15%</b>	<b>15%</b>	<b>13%</b>	<b>11%</b>	<b>12%</b>	<b>100%</b>

Other Inspections that should be required as part of a rental housing licence program:

- Parking Inspection
- Health Inspection (mold)
- No licensing

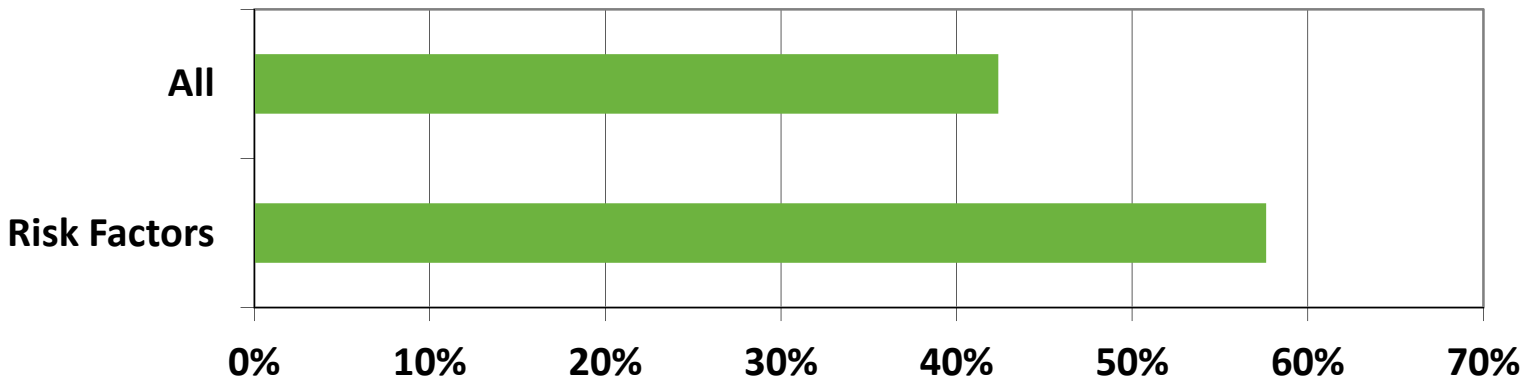
# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



9. Please identify which applications should be inspected.

- Risk Factors - Applications with risk factors (e.g. properties with complaints and/or history of non-compliance)
- All



	Risk Factors	All	Total
<b>Count</b>	<b>102</b>	<b>75</b>	<b>177</b>
<b>Percentage</b>	<b>58%</b>	<b>42%</b>	<b>100%</b>

Comments on which applications should be inspected:

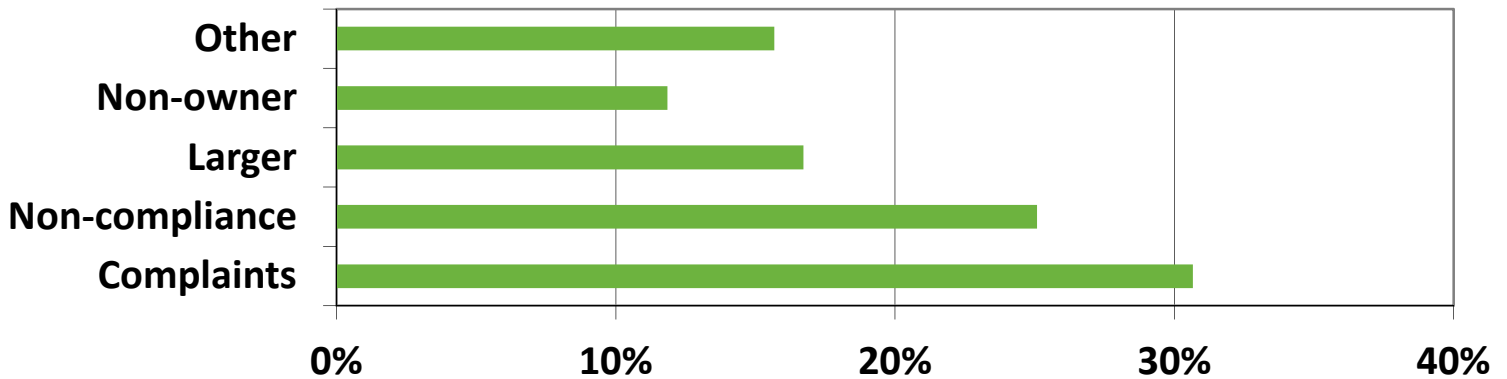
- Only initial inspections
- No licensing

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

10. Please select all risk factors that should apply to determine which units should be inspected.

- Complaints – Applications with a history of complaints
- Non-compliance – Applications with a history of non-compliance
- Larger – Applications with a larger number of bedrooms rented and/or with larger occupant loads
- Non-owner – Non-owner occupied dwellings
- Other Option



	Complaints	Non-compliance	Larger	Non-owner	Other	Total
<b>Count</b>	<b>88</b>	<b>72</b>	<b>48</b>	<b>34</b>	<b>45</b>	<b>287</b>
<b>Percentage</b>	<b>31%</b>	<b>25%</b>	<b>17%</b>	<b>12%</b>	<b>16%</b>	<b>100%</b>

Other risk factors that should be applied to when determining which units should be inspected:

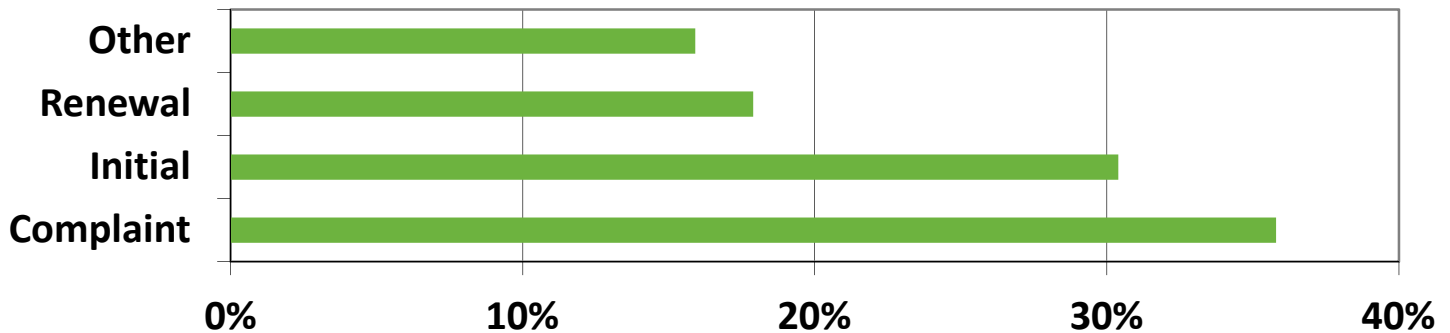
- Properties with a history of safety concerns
- Properties where the owner lives away from Guelph – distance may be used
- Properties with 4 or more rooms
- No licensing

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

11. Please identify when inspections should be required.

- Complaint (When a complaint is received)
- Initial (At the time of the initial licence)
- Renewal (Upon renewal of the licence)
- Other



	Complaint	Initial	Renewal	Other	Total
<b>Count</b>	<b>126</b>	<b>107</b>	<b>63</b>	<b>56</b>	<b>352</b>
<b>Percentage</b>	<b>36%</b>	<b>30%</b>	<b>18%</b>	<b>16%</b>	<b>100%</b>

Other responses concerning when inspections should be done:

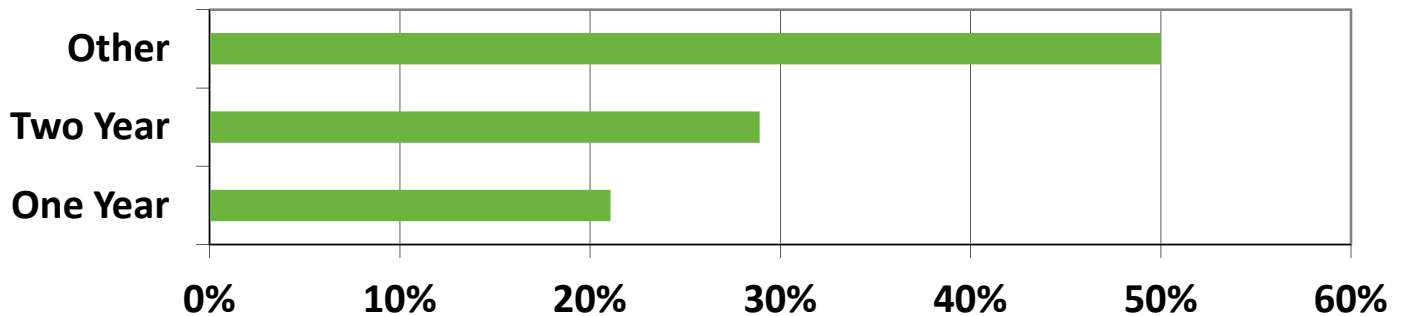
- Depends on type and duration of complaint, not just noise, perhaps property damage
- Initial inspections all-encompassing but reduced (based on risks) for renewals
- When ownership changes
- When inspection requested
- All initial licences inspected
- Random sample
- Never or only on complaint
- No licensing

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

12. Please identify how long the initial licence should apply.

- One year
- Two year
- Other Option



	One Year	Two Year	Other	Total
<b>Count</b>	<b>43</b>	<b>59</b>	<b>102</b>	<b>204</b>
<b>Percentage</b>	<b>22%</b>	<b>29%</b>	<b>50%</b>	<b>100%</b>

Other responses concerning how long the initial licence should apply:

- History of complaints
- Every 2 years
- Lodging houses only
- Change of tenants
- Every 4 months
- Random
- Every 4 - 5 years
- Forever
- Change of ownership
- Every 1 – 2 years depending on history of all complaints
- Every 3 years – unless there is a complaint then annually
- No licensing

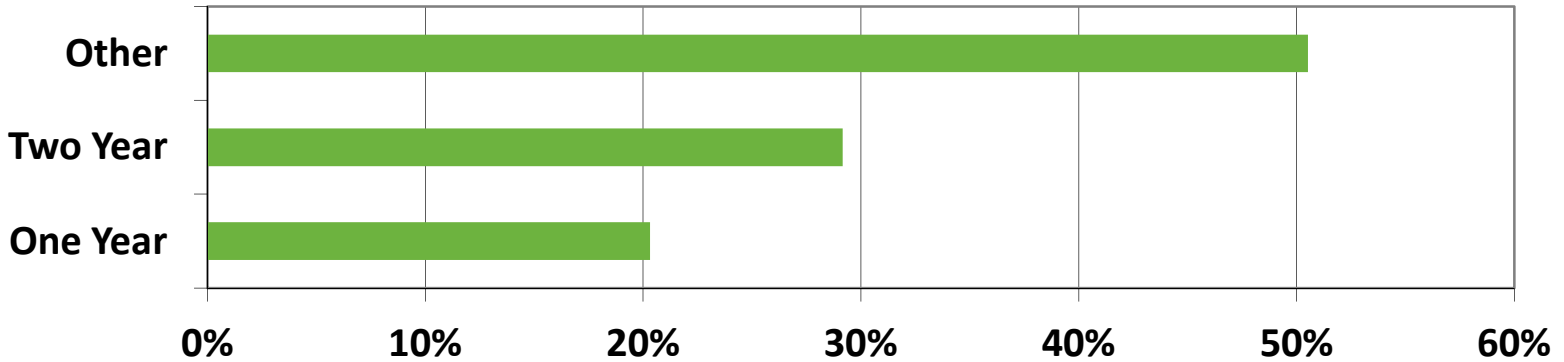


# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



13. Please identify how long the renewal licence should apply.



	One Year	Two Year	Other	Total
<b>Count</b>	<b>39</b>	<b>56</b>	<b>97</b>	<b>192</b>
<b>Percentage</b>	<b>20%</b>	<b>29%</b>	<b>50%</b>	<b>100%</b>

Other responses concerning how long the renewal licence should apply:

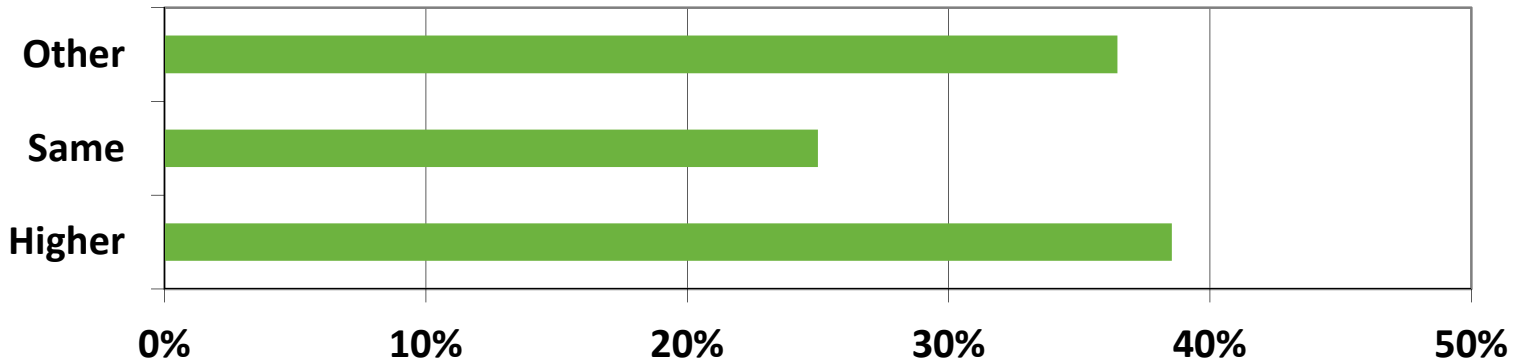
- Defer licence renewal until complaint resolved if serious complaints made
- Tier out in longer intervals as landlord proves compliance
- Three years
- Apply indefinitely if no new landlord or tenant or both
- Five years or until ownership changes
- Every 3 – 5 years
- Four years
- Lodging houses only
- Initially 2 years then 5 years based on no complaints
- For the length of the tenants' lease
- No licensing

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

14. Please identify how rental housing licence fees should be distributed.

- Higher – Higher for initial licence and lower for renewal
- Same – Same for initial licence and renewal
- Other



	Higher	Same	Other	Total
<b>Count</b>	<b>74</b>	<b>48</b>	<b>70</b>	<b>192</b>
<b>Percentage</b>	<b>39%</b>	<b>25%</b>	<b>36%</b>	<b>100%</b>

Other responses concerning how rental housing licence fees should be distributed:

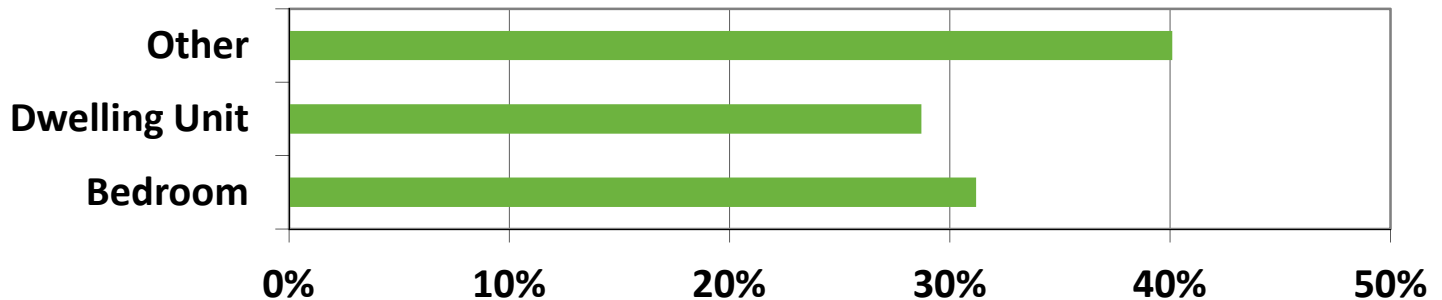
- Objective is a self financing scheme
- Low cost as possible
- Lower after initial
- One time fee, only renew upon ownership change
- Paid by tax base
- Higher fees for properties with complaints
- Fees for lodging house only
- Higher fee for initial licence and lower fee for renewal
- No licensing

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

15. Please identify what rental housing licence fees should be based on.

- Bedroom – Fee per bedroom
- Dwelling Unit – Fee per dwelling unit (self contained unit, e.g. house with an accessory apartment would be two dwelling units)
- Other



	Bedroom	Dwelling Unit	Other	Total
<b>Count</b>	<b>63</b>	<b>58</b>	<b>81</b>	<b>202</b>
<b>Percentage</b>	<b>31%</b>	<b>29%</b>	<b>40%</b>	<b>100%</b>

Other responses concerning what rental licensing fees should be based on:

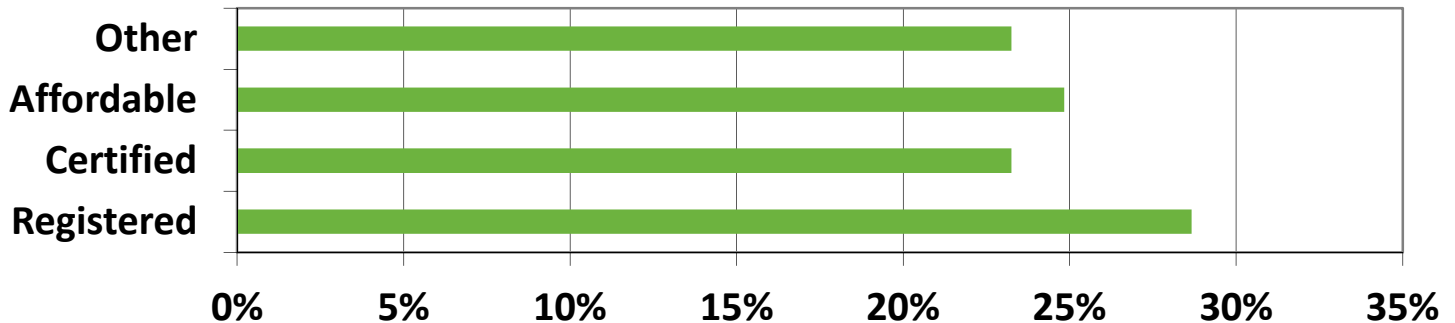
- Demographics
- Cost per unit
- Complaints
- Lodging house
- Number of non-related people in household
- Fee per occupant
- Square footage
- Landlord type – exempt small scale landlord if helping to pay off mortgage
- Fee per kitchen
- No licensing

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

16. Please select all reasons for reducing the initial rental housing licence fee.

- Registered – Accessory apartments previously registered with the City
- Certified – Lodging houses previously certified with the City of Guelph
- Affordable – Affordable housing (social housing, subsidized/rent-geared-to-income housing is excluded from by-law)
- Other



	Registered	Certified	Affordable	Other	Total
<b>Count</b>	<b>90</b>	<b>73</b>	<b>78</b>	<b>73</b>	<b>314</b>
<b>Percentage</b>	<b>29%</b>	<b>23%</b>	<b>25%</b>	<b>23%</b>	<b>100%</b>

Other reasons for reducing the initial rental housing licence fee:

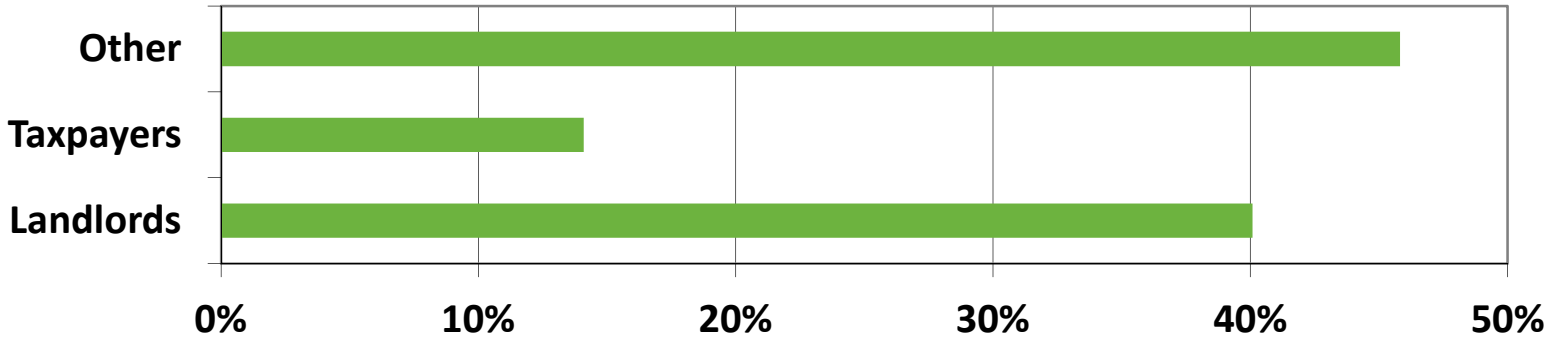
- No fee for already registered properties
- No fee for already certified properties
- Reduction due to history of no complaints
- No fee for legal non-conforming properties
- Should be no reduction in fees
- Disagree with exclusion of social housing
- Owner lives at the property
- No licensing

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



17. Please identify how a rental housing licence should be funded.



	Landlords	Taxpayers	Other	Total
<b>Count</b>	<b>91</b>	<b>32</b>	<b>104</b>	<b>227</b>
<b>Percentage</b>	<b>40%</b>	<b>14%</b>	<b>46%</b>	<b>100%</b>

Other ways a rental housing licence should be funded:

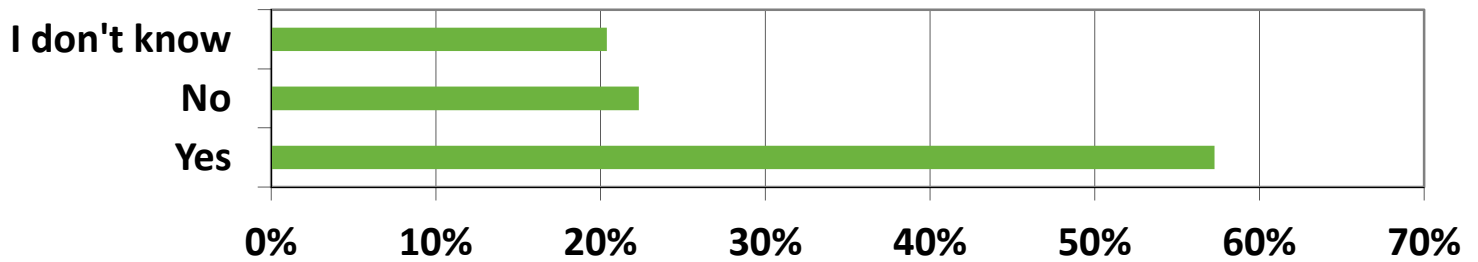
- It is a business, landlords bear the costs
- Society bears responsibility for safe housing
- One third each – tenants, landlords, taxpayers
- City of Guelph
- Nominal fee for landlords
- Already paying taxes
- Mayor and council
- Penalties from properties which are in violation
- No licensing

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



18. Should penalties apply for breaking the rental housing licensing by-law?



	Yes	No	I don't know	Total
<b>Count</b>	<b>118</b>	<b>46</b>	<b>42</b>	<b>206</b>
<b>Percentage</b>	<b>57%</b>	<b>22%</b>	<b>20%</b>	<b>100%</b>

Comments on whether penalties should apply for breaking the rental housing licensing by-law:

- Need monetary penalties
- Make an illegal snitch line
- Not enough information
- No licensing

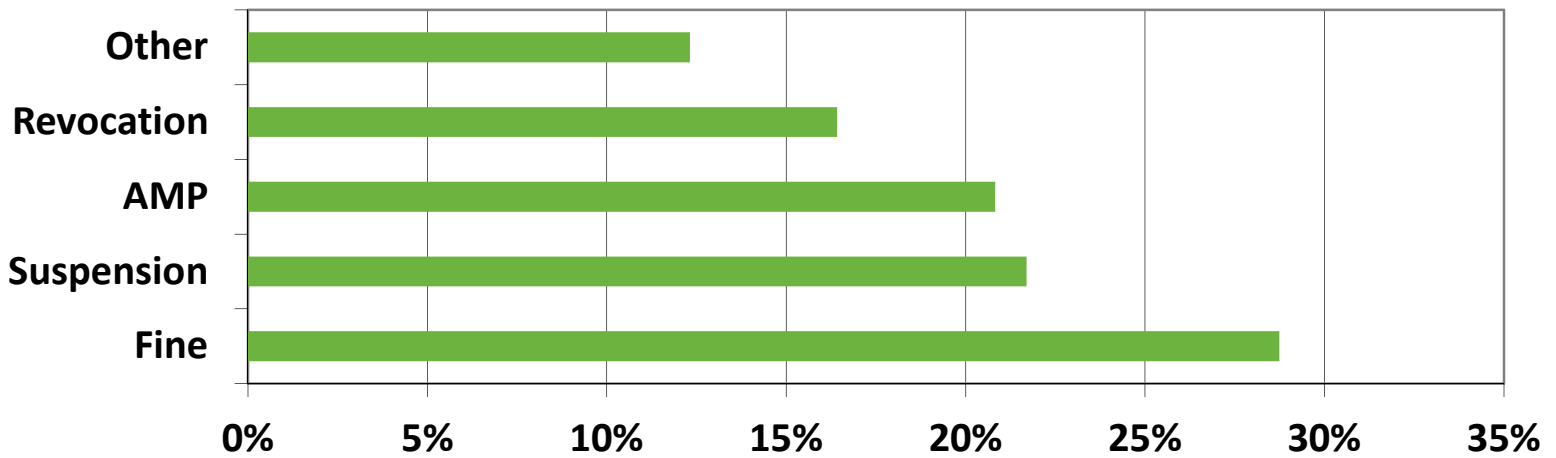
# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



19. Please select all of the penalties that should apply for breaking the rental housing licensing by-law.

- Fine – Fine as provided in the Municipal Act
- Suspension – Suspension of licence
- AMP – Administrative Monetary Penalties
- Revocation – Revocation of licence
- Other



	Fine	Suspension	AMP	Revocation	Other	Total
<b>Count</b>	<b>98</b>	<b>74</b>	<b>71</b>	<b>56</b>	<b>42</b>	<b>341</b>
<b>Percentage</b>	<b>29%</b>	<b>22%</b>	<b>21%</b>	<b>16%</b>	<b>12%</b>	<b>100%</b>

Other penalties for breaking the rental housing licensing by-law:

- Three tiered punishment system, i.e. suspension, revocation, fine
- Penalty based on severity of the violation
- Demerit point system
- Applied to taxes of property
- Revocation of licence after compliance notice
- Fine for both tenant and owner
- No licensing

# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results

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### 20. Other Comments

- Downsize City Employees
- Provide citizens the peace of mind that properties are being monitored and kept up to par
- Licencing doesn't deal with illegal properties. Will drive them further underground.
- Survey steered to get certain responses
- More fees for students
- Licencing shows rental properties are a business. All businesses need to be licenced.
- University of Guelph needs to pay a part in the fees
- Will address problem areas where noise violations are constantly taking place
- Help protect vulnerable students from renting properties with deficiencies
- Survey is biased and misrepresented
- Enforce current by-laws
- Disaster waiting to happen
- Help maintain unsafe properties
- Rich get Richer
- Increase fines instead of licencing
- No Licencing



# Proposed Licensing of Rental Housing

## Summary of Community Engagement Results



Both the sessions and online feedback form had an excellent level of participation with over 300 responses received. Of those 300 responses, over 50% were landlords (39% identified themselves as landlords, and another 11% identified themselves as landlords and also from another stakeholder group), and 34% identified themselves as residents. Tenants represented 10% of respondents. The sessions and online survey were advertised through newspaper, internet, direct mailings to our stakeholder contact list, and through other groups, e.g. University of Guelph.

Attachment 4 - Summary of Community Engagement Results provides a compilation of the results collected that have been used by staff and the Rental Housing Licensing Community Working Group in analyzing the issues and assisting in the development of a rental housing licensing recommended approach. The majority of respondents (58%) did not feel that a rental housing licensing program would assist in addressing the identified issues with rental housing. When asked about the five rental housing licensing options presented, over 68% choose "Other" as an option. In looking at the "Other" option comments, 55% of respondents stated that they preferred no licensing of rental housing.

The following summary captures the main concerns and points raised through the process from those supportive of licensing and those who are not supportive.

### **Supportive of Licensing**

- Concerns with the safety of some rental units
- Help address concerns with inequality amongst housing providers
- Initial costs of a licensing program could result in long term benefits (e.g. access, penalties, coordinated enforcement)
- Recognise rental properties as the business that they are
- Help address problem areas (e.g. ongoing property standards and parking issues)

### **Not Supportive of Licensing**

- Costs would be passed onto tenants and potentially create an affordability issue
- Licensing would require "good landlords" to have to pay for the shortcomings of "bad landlords"
- Landlords would be faced with an onerous process with no real benefit
- There would be an increase in non-compliance due to more rentals going underground
- Licensing would not directly address behaviour issues
- City could achieve desired results by continued/better enforcement of existing by-laws

Some respondents suggested that if a licensing option was to proceed, it would have to function with minimal resources in order to keep costs low and palatable to stakeholders.

## ATTACHMENT 4 - Cost Analysis

**Table 1: Current Annual Operating Costs of the Proactive Enforcement Program\***

Programs	Cost	Service Level	Who Pays
Proactive Enforcement*	\$344,000	<ul style="list-style-type: none"> <li>• Proactive inspections to suspected illegal and/or unsafe conditions and property standards issues</li> </ul>	General Tax Base

\*"Proactive Enforcement" includes a Proactive Zoning Inspector, a Fire Prevention Officer and a seasonal Proactive Property Standards Inspector. The 1.75 FTE approved for enhanced noise and nuisance parties bylaw enforcement is not included as this staff would not be involved in a licensing program. All costs are the estimated annual costs averaged over a five year period.

**Table 2: Cost Analysis of Recommended Approach and Licensing Options**

Programs	Cost	Service Level	Who Pays
Recommended Approach**	\$154,000	<ul style="list-style-type: none"> <li>• Proactive inspections to suspected illegal and/or unsafe conditions and property standards issues</li> <li>• Proactive inspections, streamlined enforcement, cross-trained inspectors, search warrants, increased fines, repeat offender zero tolerance approach</li> <li>• Comprehensive education/communications plan</li> </ul>	General Tax Base

Programs	Cost***	Service Level	Who Pays
Licensing Option 1	\$1,572,000	<ul style="list-style-type: none"> <li>• One(1) year program, annual renewal</li> <li>• Inspect every unit</li> </ul>	Licensee (potentially passed onto tenants) <b>OR</b> General Tax Base
Licensing Option 2	\$855,000	<ul style="list-style-type: none"> <li>• Two(2) year program, two (2) year renewal</li> <li>• Inspection of every unit every two (2) years</li> </ul>	
Licensing Option 3	\$543,000	<ul style="list-style-type: none"> <li>• One(1) year program, annual renewal</li> <li>• Self-certification, risk-based inspections</li> </ul>	
Licensing Option 4	\$371,000	<ul style="list-style-type: none"> <li>• Two(2) year program, two (2) year renewal</li> <li>• Self-certification, risk-based inspections</li> </ul>	
Licensing Option 5	\$264,000	<ul style="list-style-type: none"> <li>• Two(2) year program, two (2) year renewal</li> <li>• Self-certification, risk-based inspections (Less inspections than option 4)</li> </ul>	

Due to the licensing options being based on a cost recovery model over a five year period, all costs are the estimated annual costs averaged over a five year period. \*\*"Recommended Approach includes an additional inspector and the highest estimated cost of a communications/education plan. \*\*\* Costs are new costs only and do not include the cost of 2 existing FTE positions (1 Fire Prevention Officer, 1 Proactive Zoning Inspector) that would be reallocated into a licensing program.

## ATTACHMENT 5 - Shared Rental Housing Statistics

### Proactive Inspections

Item	2012	2013
Number of investigations opened	499	451
Number of investigations closed	424	305
Number of investigations open	75	146
Number of dwellings attended*	413	379
Number of dwellings accessed*	372	316

### Accessory Apartments

Item	2012	2013
Number of accessory apartments that have been registered	200	154
Number of accessory apartments that have been removed	21	14
Number of accessory apartments-process of becoming compliant	44	115

### Lodging Houses

Item	2012	2013
Number of lodging houses that have been certified	18	0
Number of lodging houses that have been removed	74	41
Number of lodging houses that are in the process of becoming compliant	10	6

### Parking Related Proactive Zoning Issues (Off-Street Obstructions, Driveways etc.)

Item	2012	2013
Number of parking related zoning issues identified**	85	74
Number of parking related zoning issues resolved**	80	53

### Legal Action as a result of Proactive Enforcement (Building Services)

Item	2012	2013
Number of charges laid	139	151
Number of convictions	66	104
Number of charges withdrawn	57	55
Number of charges resolved (Suspended)	14	10
Number of charges still in the court process	2	32
Number of Re-offenders after initial charge	0	0
Fine Amounts	\$6,890	\$5,815

\*Investigations that required access to a dwelling to confirm whether it complies with municipal regulations. \*\*Does not include front lawn parking violations resolved by the By-Law, Compliance and Licensing Division.



**Ontario Human  
Rights Commission**

Office of the Chief Commissioner

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**Commission ontarienne  
des droits de la personne**

Cabinet de la commissaire en chef

180, rue Dundas ouest, 9<sup>e</sup> étage  
Toronto ON M7A 2R9  
Tél. : (416) 314-4537  
Télé. : (416) 314-7752

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VIA Email

May 2, 2014

Mayor Karen Farbridge  
Members of Council  
City of Guelph  
Planning and Building, Engineering  
and Environment Committee  
Guelph City Hall, 1 Carden Street  
Guelph, Ontario N1H 3A1

Your Worship and Members of Council,

**Re: Report no. 14-29, Rental Housing Licensing Recommended Approach**

I am writing in support of the steps that are recommended in Report no. 14-29 – that instead of putting a licensing system in place for rental housing, the City of Guelph use existing bylaws to deal with property concerns.

Licensing can be a good tool if its focus is on Building Code, Fire Code and health and safety standards, but it is not an appropriate option for dealing with the actions of the people who may live in the housing. This is why we concur with the report's recommendation to expand existing programs to target the actual problem areas, without adding an extra cost to tenants across the City.

We are pleased to hear that the City's recent bylaw enforcement enhancements are having a positive effect in addressing some of the central community concerns relating to rental housing. And we support extending these efforts to better target areas and behaviours of concern, instead of imposing additional requirements that will affect all tenants.

The potential costs of licensing could reduce or limit the availability of affordable rental housing, which is a critical need for many people who identify with grounds of Ontario's *Human Rights Code* (for example, age, receipt of public assistance, disability, or country of origin). Provincial guidelines also call on municipalities to maintain the stock of affordable housing.

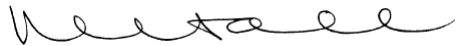
In our guide, *Room for Everyone: human rights and rental housing licensing*, we included a series of promising practices we saw in our work with municipalities across Ontario. We are pleased to see that the proposed approach in Guelph follows some of these practices.

For example, staff looked closely at human rights considerations before arriving at the recommendations. Also, we were pleased to see staff efforts to reach out to a wide variety of groups that would be affected by any proposed licensing.

Continuing to review bylaw options through a human rights lens can help you make sure your communities are inclusive and meet the needs of all residents.

I hope this information is helpful to you. If you would like more information on human rights and rental housing licensing, please contact Jacquelin Pegg at 416-326-9863, or via email at [Jacquelin.Pegg@ohrc.on.ca](mailto:Jacquelin.Pegg@ohrc.on.ca).

Yours truly,

A handwritten signature in cursive script, appearing to read 'Barbara Hall'.

Barbara Hall, B.A., LL.B., Ph.D. (hon.)  
Chief Commissioner

# STAFF REPORT



TO Planning & Building, Engineering and Environment Committee

SERVICE AREA Planning, Building, Engineering and Environment

DATE August 5, 2014

**SUBJECT Downtown Streetscape Manual, Built Form Standards and St. George's Square Concept**

REPORT NUMBER 14-47

## EXECUTIVE SUMMARY

### SUMMARY OF REPORT

As a key element of implementing Guelph's new Downtown Secondary Plan, the City has undertaken a highly collaborative, community-based process to update the Downtown Streetscape Manual and Built Form Standards (formerly the 2001 Downtown Public and Private Realm Manuals) and to develop a concept plan for the renewal of St. George's Square. These design documents have now been completed and have been incorporated into a consolidated document (Attachment 1, Chapters 2, 3 and 4 respectively).

This report:

- Summarizes the process to date;
- Explains how the recommended design elements contribute to achieving the City's transformative vision for Downtown and indeed contribute to enhancing the social, economic, environmental and cultural vitality of the City as a whole; and,
- Brings forward these documents for Council consideration and endorsement.

### KEY FINDINGS

The City has established a transformational vision for the Downtown through the Downtown Secondary Plan, the emerging Downtown Strategic Assessment and other key implementing documents. This transformation of Downtown is a fundamental component of Guelph's overall long term sustainable City-building vision.

In broad terms, the Downtown Secondary Plan establishes the foundation for significant residential and employment growth downtown and corresponding public and private investments. The Secondary Plan also envisages a significant renewal of the downtown public realm: its streets, urban squares, parks and other publicly accessible spaces, to create more socially and economically vibrant places, and to establish downtown as a major destination and support on-going private investments.

# STAFF REPORT

Over the next 10-20 years, the City will be making significant infrastructure investments in the Downtown, both to support anticipated new growth and to replace existing, aging infrastructure. This infrastructure program provides the opportunity for, and in fact necessitates a discussion and decisions regarding how the public realm is to be rebuilt. As noted above, the Downtown Secondary Plan establishes a broad vision for renewing the public realm, and also identifies the need to develop more detailed design direction through updates to the Downtown Streetscape Manual and Built Form Standards (formerly the 2001 Downtown Public and Private Realm Manuals) and by developing a concept plan for the renewal of St. George's Square.

Over the past 16 months, the City has undertaken a collaborative, community-based process to update these design documents and this report presents the results of this process and presents the recommended final design documents for Council consideration and adoption. Key elements of this updated design work are summarized as follows:

#### Downtown Streetscape Manual:

- Implements a flexible street approach on key streets Downtown which creates streets that provide an attractive, accessible and safe environment for all modes of transportation (walking, cycling, vehicular);
- Provides greater opportunities for vibrant commercial and people places.

#### Built Form Standards:

- Provides design direction for private and public investment and development in the Downtown including character area analysis, design standards for heritage resources as well as for all other buildings;
- Illustrates the built form and site design directions of the Downtown Secondary Plan and provides a developer's checklist that is a user-friendly summary of the design expectations in the Downtown.

#### St. George's Square Concept Plan:

- Establishes key principles for any redesign to create the Square as a signature place including principles around daily activation (i.e. creating reasons for people to visit and stay in the square), unification, beauty, and making it comfortable;
- Illustrates a recommended concept plan based on the key principles that supports daily activation and unifies the space within the Square, which provides flexibility for a wide range of activation opportunities;
- Acknowledges that the proposed concept would be further developed through the detailed design stage as part of a future capital reconstruction project and will include additional stakeholder and public engagement;
- This report also recommends that an activation management program for St. George's Square be completed in order to create a more welcoming image of the space prior to and after reconstruction as well as to refine its design through further testing prior to construction. This will include

additional stakeholder and public engagement.

## **FINANCIAL IMPLICATIONS**

The City's current 10 year capital forecast includes approximately \$18.5 million for Downtown infrastructure renewal (i.e. roads, underground services (water, wastewater, and stormwater) and streetscaping).

It is anticipated that the estimated capital costs of the new streetscape standards and recommended St. George's Square concept can be achieved within the existing \$18.5 million 10 year capital "envelope" for Downtown infrastructure and streetscaping. However, staff will have to further assess this through the Capital Budget process and advise Council of any specific implications or impacts, for example on the timing and phasing of other downtown infrastructure projects. In addition, the overall 10-year "envelope" will be reviewed on an annual basis as a normal part of the 10-year capital forecasting and prioritization process.

The potential costs of maintaining the new flexible street standard and St. George's Square concept have been estimated. This includes a one-time capital cost of approximately \$180,000 for new equipment and an increase in annual operating costs of approximately \$167,000 per year once all the flexible streets are implemented. In addition, the report demonstrates potential operating cost impacts of short and long-term activation opportunities. More detail on the capital and operating cost implications is contained in the Financial Implications section of this report.

## **ACTION**

That the report be received by PBEE Committee and make recommendation to Council regarding adoption of the documents.

## **RECOMMENDATIONS**

1. That the Planning, Building, Engineering and Environment Report 14-47, regarding the Downtown Guelph Downtown Streetscape Manual, Built Form Standards and St. George's Square Concept, dated August 5, 2014, be received.
2. That the Streetscape Manual (contained in Chapter 2 of Attachment 1) be adopted and that staff be directed to use the Streetscape Manual to guide the design of the City's public realm capital projects and private investments that impact the public realm in the Downtown.
3. That the Downtown Built Form Standards (contained in Chapter 3 of Attachment 1) be adopted and that staff be directed to use the document to guide the review of development applications within Downtown.



4. That Council endorse the vision, principles and general design elements illustrated by the Conceptual Design for St. George's Square (contained in Chapter 4 of Attachment 1).
5. That, as individual public realm capital projects begin advancing through the detailed design phase prior to construction, such as St. George's Square and other streetscape reconstruction projects, staff continue to engage the public and businesses in the design and construction planning process phase; and that staff keep council informed regarding refinements and improvements to the design made through the detailed design process.
6. That the cost estimates for the Streetscape Manual and the Conceptual Design for St. George's Square be referred to the 2015 operating and capital budget and 10 year capital budgeting process.

## **BACKGROUND**

Council adopted the Downtown Secondary Plan (DSP) in 2012 and it is in full force and effect with the exception of site-specific appeals. It projects that more people and jobs are coming Downtown. The City's Downtown growth targets project approximately 8,500 residents by 2031. There are currently approximately 3,200 people living downtown. In close proximity to St. George's Square, the Baker Street development envisions more students, employees and residents in the heart of the City. This is reflective of the directions of the City's Growth Management Plan. Rather than growing the City's boundaries the City is transforming the value of existing land by increasing densities and redeveloping underused sites.

Staff is moving forward with updating the City's implementation tools in order to reflect the directions of the DSP. Planning Services is managing the update to the Downtown Streetscape Manual (previously called the Downtown Public Realm Manual, 2001) and the Downtown Built Form Standards (previously called the Downtown Private Realm Manual, 2001). As part of this work, a draft concept plan for the redevelopment of St. George's Square has also been developed.

Before undertaking the update of these technical documents, staff retained Project for Public Spaces (PPS) to consult with the community about "place-making" in the downtown: what does any design or investment in downtown need to deliver to recognize the role of public space within the downtown as the City's civic heart and economic engine. BrookMcIlroy was retained to complete the draft Downtown Streetscape Manual and Built Form Standards which provides the detailed standards and responds to technical and public input received.

A comprehensive public and stakeholder consultation exercise was conducted by City Staff and consultants. A considerable effort was made to reach out to external stakeholders including the Downtown Guelph Business Association (DGBA). A full outline of public and stakeholder engagement undertaken is outlined in Attachment 5.

## ***Urban Forest Management Plan (UFMP)***

The City's UFMP has also informed the development of these design documents. The UFMP, which was approved in principle in October 2012 by Council, recognized the urban forest as essential 'green infrastructure' and outlined investments and recommendations for implementation. In particular the document recommended new rooting technologies be used for trees Downtown (Recommendation #15). The UFMP also recommended that \$100,000 be set aside annually for implementation however, this has not been included in the subsequent budgets.

Based on this Council-approved UFMP, staff has carried forward this recommendation into the Streetscape Manual and St. George's Square Concept Plan, and have assumed that new rooting technology will be used in order to help ensure the trees planted in the downtown survive over the long term. This has impacted the financial implications as the 2001 Public Realm manual did not include this enhanced street tree detail. From a financial impact point of view the result is an increase in budget for street trees from approximately \$1000 per tree to \$10,000 per tree. This has been further itemized in the Financial Implications section.

## **REPORT**

Planning Services, in collaboration with an interdepartmental project team and with input from key Downtown stakeholders, has prepared an update to the Downtown Streetscape Manual (previously called the Downtown Public Realm Manual, 2001) and the Downtown Built Form Standards (previously called the Downtown Private Realm Manual, 2001) and has developed a design vision, principles and recommended concept plan for St. George's Square.

The purpose of this project is to:

- Revise and expand the documents to ensure alignment with directions and concepts in the DSP;
- Provide direction regarding the operation and active use of the public space Downtown and alignment with economic development opportunities;
- Provide direction for future capital projects including road reconstruction Downtown (e.g. Wyndham Street) as well as the long term revitalization of St. George's Square (i.e. the improvement of the public realm downtown). This also includes potential impacts on the Capital budget for upcoming Downtown road reconstruction. For example, recognizing that portions of Wyndham Street and St. George's Square require reconstruction in the medium term in order to improve servicing to the Baker Street redevelopment and to replace aging infrastructure, a concept for Wyndham Street and St. George's Square is included to provide direction for the design of these future projects. The Baker Street Development cannot occur until the reconstruction of Wyndham Street, St. George's Square, Quebec Street and Baker Street has been completed;

- Provide design direction for private development and investment in the Downtown, including a heritage analysis. The Downtown Built Form Standards will also provide direction for the future update of the City's Zoning By-law.

Draft versions of these documents were released for public comment with the PBEE Council agenda for the April 7, 2014 meeting.

## **Overview of Documents**

### **Draft Downtown Streetscape Manual (Chapter 2, Attachment 1)**

The Downtown Streetscape Manual will guide the design of streets in Downtown and ensure that they are responsive to both the existing and planned context of the Downtown Secondary Plan and the strategic objectives of the Downtown Assessment.

Downtown streets need to accommodate all modes of transportation, and have character and personality. Streets can contribute to creating Downtown as a destination and contribute to place-making. The purpose of the Streetscape Manual is to set a vision for the streets in the Downtown and in particular those that need to be reconstructed over the next number of years. In other words, how should these streets be designed?

Getting our public spaces right, including our streets, will give Downtown Guelph a strong identity, support the collective productivity of the area and will reduce the risk of creating isolated initiatives. The Manual emphasizes designing for flexibility and creating streets that support local businesses.

To this end, one of the key recommendations of the Downtown Streetscape Manual is to incorporate a flexible street model on key streets (e.g. Wyndham Street north of Carden Street, Macdonell Street, Quebec Street and Douglas Street). Flexible streets intentionally blur the boundary between pedestrian and vehicle space, allowing the boulevard and roadway to read as one space and adapt to a variety of conditions. In contrast to traditional streets - which use a conventional raised curb and gutter - flexible streets place all users and elements of the street at the same level, allowing for unrestricted movement between roadway and boulevard zones. The implication is that design speed equals operating speed (30 km/h recommended), promoting traffic flow, pedestrian safety and more flexible space in front of businesses for retail display areas or patios. Carden Street in front of City Hall is an example of a flexible street. King Street in Kitchener is another example of this approach.

For the balance of the Downtown Secondary Plan area a moderately enhanced traditional street model is proposed which is essentially an update to the standard already in place.

# STAFF REPORT



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## Comments Raised on the Downtown Streetscape Manual

Key themes of the comments raised through the public and stakeholder consultation and how they have been addressed are outlined below. A copy of comments received is included as Attachment 4.

### *Parking Gain on Wyndham Street:*

Rethinking Wyndham Street allows for diagonal parking to be re-introduced on one side of the street increasing the number of on-street parking spaces from 50 to 76 spaces. In addition this will allow for expanded patio spaces and display areas for businesses on both sides of the street.

### *Traffic Volume Impacts:*

The proposed flex-street standard on Wyndham Street will reduce the number of through lanes of traffic from four lanes to two lanes. This recommendation is a carry-forward from the City's existing Public Realm document (2001).

Recent vehicle counts indicate average daily traffic volumes on Wyndham Street between Macdonell and Eramosa of approximately 7,000 vehicles per day (vpd), with future volumes projected to increase to 11,700 vpd by 2031 (based on the 2031 growth forecast). Typically a two-lane road in a downtown area can handle in excess of 15,000 vpd without beginning to experience significant traffic impacts. Therefore, the existing and future traffic volume can be adequately accommodated based on a two-lane cross-section to well beyond the 2031 planning horizon of the Downtown Secondary Plan.

### *Transit Service and Flow:*

The manual includes transit service standards and direction around transit facilities in the downtown. For the key downtown flexible streets, the manual promotes modal equality. Guelph Transit was also involved in the development of the manual. For example, based on input from Guelph Transit and others, lane widths were slightly increased to recognize the bus traffic on the roadway. In addition the document promotes traffic flow (e.g. less dependence on traffic lights), which can have benefits for transit vehicles which are already traveling at slow speeds through the downtown. In the concept plans for Wyndham Street and St. George's Square, bus stops have also been strategically located. As a result, the recommended design has continued to plan for the operation of transit on Downtown streets.

### *Commercial Deliveries:*

Commercial deliveries are to be accommodated through the strategic location of commercial loading zones. The recommended cross-section with parallel parking on one side and diagonal on the other, allows for loading zones to be identified within the parallel parking lanes. Preliminary locations have been identified in the Manual, however, detailed design and monitoring afterwards will ensure these have been appropriately located. This change in operation will require clear

# STAFF REPORT

communication through the transitional period (e.g. through the detailed design stage and post construction).

### *Bicycling Facilities and Bicycle Parking:*

Cycling-related concerns have been identified in regard to planning for adequate bicycle parking and the lack of dedicated bike lanes on Macdonell Street and Wyndham Street (north of Macdonell), as proposed in the Cycling Master Plan.

The Streetscape Manual establishes standards for bicycle parking. Some direction regarding typical minimum distance between bicycle parking spacing of 20m has now been added to the Manual to ensure adequate bicycle parking is provided.

In regard to separated cycling facilities, many streets in the downtown already have on-street and off-street dedicated cycling facilities. In addition the manual provides guidance for their implementation on the non-flexible streets where appropriate. In the heart of the downtown, key streets are recommended to employ the flexible street approach, which is premised on a posted and design speed of 30km/h. This flexible street approach is a different approach to street design being introduced through this document and was not anticipated through the cycling strategy. However, as per the cycling strategy, the need for separated facilities is a function of design speed and traffic volume. The flexible street approach creates a space where all modes of transportation have equality and move slowly, recognizing the function of these streets as destination streets and main streets (e.g. Wyndham, Macdonell, and Quebec). Providing sharrows and reduced design speeds on the flexible street approach will improve safety for cyclists. This is similar to the approach taken for King Street in Kitchener. In addition, based on further review the parking bays (both angled and parallel) have been increased in length and width respectively to create further space for motorists and cyclists to navigate the shared space. Also, in areas where there are grade changes (e.g. Wyndham near Eramosa, Macdonell west of Wilson Street and east of Carden), bike lanes are proposed. This will reduce the potential conflict between cyclists' moving more slowly up hill and other road users (e.g. cars and transit vehicles).

### *Construction Impacts:*

One of the key concerns from local businesses has been that no matter what the final design is, there is a likely impact of construction on their business. The document recognizes that mitigating construction impacts to the extent possible will be explored through the detailed design process (see section 2.4). Further, prior to moving forward with individual projects, staff will review best management practices for downtown main street construction projects and provide recommendations around the tendering process, construction staging and communication strategies. Staff will share this information and further discuss this concern and potential mitigation strategies with stakeholders through the detailed design process. In addition, as part of businesses survey conducted there was interest in establishing a business focus group to address detailed design,

# STAFF REPORT



construction impacts and timing. Staff intend on following up on establishing this group prior to construction.

## *Accessibility:*

Staff also received comments from the Accessibility Advisory Committee throughout the development of the documents (see Attachment 4). One of the key comments was to recommend that the Facilities Accessible Design Manual (FADM) be reflected in the standards. This has resulted in changes including the use of trench drains rather than the rolled curb profile used in Market Square on flexible streets in order to be more accessible for people with a disability (eye conditions, use of mobility devices, etc.).

## **Draft Downtown Built Form Standards (Chapter 3, Attachment 1)**

The draft Built Form Standards have been developed as an update to the City of Guelph's Public Realm Manual (2001), to reflect changes in the municipal planning framework, namely the adoption of the Downtown Secondary Plan (2012), and the advancement of leading urban design practices over the last decade. The purpose of the document is to guide private and public sector investment in the Downtown.

The draft Built Form Standards identifies six distinct Character Areas, each with unique locational conditions, site and building design characteristics, land use and built form policy considerations, and economic potential. The Built Form Standards identify a series of Design Principles for each Character Area (Section 3.1), to ensure that future development responds to context-sensitive conditions.

The document includes performance standards, which address site and Building Design Standards both for Cultural Heritage Resources and other developments.

Through the implementation process, the Built Form Standards provide direction for development applications, other policy and process amendments, and parameters for the evaluation of Downtown Community Improvement Plan applications. The document also contains a developer's checklist that is meant to be a user-friendly summary of the design expectations in the Downtown.

## **Recommended Conceptual Design for St. George's Square (Chapter 4, Attachment 1)**

Recognizing that Wyndham Street and Quebec Street require reconstruction in the medium term in order to provide necessary servicing to the Baker Street redevelopment and to replace aging infrastructure, there is a logical and strategic opportunity to renew St. George's Square. Although it may be possible to leave portions of the existing square outside the right-of-ways untouched, staff recommend addressing the square holistically. In conjunction with the right-of-way reconstruction, this provides a logical time to reimagine this important public space in the context of an intensifying downtown. The renewal of this important public

# STAFF REPORT

open space provides a critical City-building opportunity. In particular, a renewed square in the heart of the City can become a stronger anchor downtown, provide better connectivity and orient visitors.

This section provides visions and principles to be achieved through a rejuvenated square and identifies a recommended concept plan that illustrates how this vision and the principles can be achieved. The recommended concept plan for the redesign of St. George's Square illustrates how a redesigned St. George's Square can help facilitate business activation and establish the downtown's premier role as the City's heart and economic engine.

St. George's Square took its current form after 1981, dominated by a T-intersection with smaller public spaces in the remaining area. Based on public consultation the current configuration is perceived not to be working well for many users:

- Some members of the public do not feel comfortable using or staying in portions of the square;
- The square is fragmented and is not creating a space that is fully activated in all quadrants on a day-to-day basis (i.e. there is not the right amount of space in the right locations to maximize activation opportunities) and;
- The square is difficult to program for special events.

For further analysis please see the previous staff report which examines this in greater detail (Attachment 2: April 7, 2014 PBEE report).

The purpose of the principles and the recommended concept plan is to provide direction to a detailed design project similar to the process that was used for Market Square. Through the Market Square process the concept plan was improved and refined between the conceptual stage and the final design, and was further refined before construction.

The plan sets key principles which underpin the redesign process to ensure the creation of a great place:

- Support Local Business and Daily Activities
- Unify the Square
- Less is More
- Make it Beautiful
- Make it Comfortable
- Improve Connections to other Downtown Anchors

The recommended concept plan illustrates how these principles can be achieved by:

- gathering together the residual space currently separated into fragments around the intersection and creating a new consolidated central, programmable space
- creating enough space in front of the businesses for patios and opportunities for daily activation; and,
- ensuring accessibility for all users.

## Comments Raised on the Recommended St. George's Square Conceptual Design

Key themes of the comments raised through the public and stakeholder consultation and how they've been addressed are outlined below. A copy of comments received is included as Attachment 4.

### *Activation of the Central Space:*

Reclaiming space for the public in the centre creates a concern regarding the potential creation of a centralized unactivated new space. Furthermore, some people do not feel comfortable spending time in certain quadrants of the existing square. This raises concerns as to how a design with a centralized space could be welcoming for all rather than intimidating many. However, as demonstrated by the current design, no matter what the configuration of the square, activation is an important requirement and will be closely related to users' perception of safety.

To this end, the document recognizes that the on-going self-activation of the space on a daily basis is the first priority to be addressed through the detailed design of St. George's Square. In addition, staff will work with partners to identify opportunities and address potential needs for:

- A 'concierge function' for St. George's Square that recognizes the square's role as a wayfinding hub;
- Daily 'eyes on the square' to ensure it is a welcoming and well maintained space;
- Resources to help curate its daily activation.

It should be emphasized that one of the key benefits of the recommended concept plan is that it provides flexibility regarding potential activation opportunities that can be further explored through the detailed design stage and stakeholder consultations. A series of activation vignettes have been developed (Attachment 3) to illustrate some of these potential opportunities that could be further examined and tested.

These vignettes demonstrate the flexibility of the design concept, and give direction to the types of activation that could occur. Based on this direction, staff is proposing to examine this further by implementing short-term activation/programming opportunities prior to construction in order to help build the profile of St. George's Square and to influence the detailed design process. This activation management program would be based around the principles of public space management identified by Project for Public Spaces: security and hospitality, activation, governance, marketing and promotion, fundraising and commercial tenant management. This work would include further community engagement with the public and key stakeholders and will have to be appropriately aligned with and integrated into broader ongoing discussions regarding Downtown programming, public art and tourism. Staff estimates that a two-year budget over 2015-2016 of approximately \$60,000 may be appropriate to create a St. George's Square



# STAFF REPORT

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Activation Plan that will also inform the detailed design process. Staff will bring forward a proposal for Council's consideration during the budgeting process.

### *Creating a One-Way Square--Pedestrian Safety/Accessibility:*

There were concerns regarding creating a "traffic circle" or "roundabout" which is primarily about traffic movement rather than pedestrian movement in this location. Related concerns were expressed around pedestrian safety and the accessible movements into a central space.

The creation of a roundabout is not what the design concept illustrates. Rather, the goal is to ensure the creation of a strongly unified square where vehicles move at slow speeds similar to Carden Street through Market Square. Furthermore the concept envisions the opportunity for some on-street parking and transit stops within the square which will contribute to the flexible nature of the space. What results is the creation of central space ringed by a one-way road.

Reducing the width of the roadway in combination with the low operational speed will result in more people feeling comfortable crossing the street—similar to Carden Street through Market Square. For those that feel more comfortable using a crossing and to ensure full accessibility, an additional 2-3 signalized pedestrian crossings will provide accessible routes in other central spaces. These signalized crossings will give transit vehicles priority and will also actively manage signal timing to optimize traffic flow.

### *Family Fountain Location:*

Concerns have been raised around maintaining the Family Fountain in St. George's Square. The concept plan clearly indicates that the Family Fountain will remain in the square. It is anticipated that as part of any reconstruction the fountain will need to be renovated, especially the underground services. The final location of the Family Fountain in the square will be addressed through detailed design. For example, there may be an opportunity through detailed design to shift the location of the fountain to create axial views to it or another new vertical feature in the square.

### *Other Issues:*

- Concerns were identified regarding the patio space on the eastern quadrant of the current square. To address this concern, the design of the patio space in front of the Gummer building has been revised to create an expanded patio space for ground floor users;
- Better resolution of the entrance to Old Quebec Street has been achieved in order to not change the grading beyond the City's property line and show conformance to the FADM in regards to grading;
- A number of comments were requesting that more trees be added in the centre. The final placement, location and number of trees can be addressed through detailed design;
- Comments were received regarding whether parking should be permitted in

# STAFF REPORT

St. George's Square. The final number of spaces can be finalized through detailed design however, surface parking is seen as an important advantage for businesses in the immediate area.

## *Summary of Recommendations for St. George's Square:*

It is important to emphasize that the document illustrates a conceptual design and like Market Square will be improved and refined through detailed design with further consultation of stakeholders, businesses and the public.

The recommended central square with a one-way road around the outside is recommended as outlined in the document for the following reasons:

- Promotes daily business activation at the edges;
- Reclaims the space for the public in the centre;
- Strongest image to orient visitors and users alike;
- Creates a comfortable and unified square and creates flexible space; and,
- Creates an iconic destination in the heart of Downtown

In addition it:

- Allows Douglas Street to be reversed - making it easier to get to the heart of the Downtown;
- Allows on-street parking to be maintained;
- Eliminates the traffic lights to help maintain traffic flow.

These directions when combined with the detailed design process and the creation of an activation management program, will result in a finalized design that will create a great place, and a welcoming destination. It is recognized that this will require further community and stakeholder engagement.

## **Alignment with other Downtown Initiatives**

Staff and other partners including the Downtown Advisory Committee are also undertaking other initiatives this year to address additional aspects of implementing the Downtown Secondary Plan, for example:

- Downtown Guelph Strategic Assessment
- Baker Street Redevelopment – Project Implementation
- Parking Master Plan
- The Enterprise City-building Framework
- Public Art Policy

The collaborative process used to develop the design documents discussed in this report has ensured appropriate alignment with these and other initiatives.

# STAFF REPORT



## STAFF'S RECOMMENDATIONS

The transformation of Downtown is a fundamental component of Guelph's overall long term sustainable City-building vision. Over the next 10-20 years, the City will be making significant infrastructure investments in the Downtown, both to support anticipated new growth and to replace existing, aging infrastructure. Over the past 16 months, the City has undertaken a collaborative, community-based process to update these design documents. Based on this, staff recommend that Council adopt the a Downtown Streetscape Manual, which implements a flexible street approach on key streets Downtown, and which creates streets that provide an attractive, accessible and safe environment for all modes of transportation (walking, cycling, vehicular). Staff is recommending a Built Form Standards that provides clear design direction for private and public investment and development in the Downtown. Staff is also recommending that Council endorse the vision, principles and general design elements illustrated by the Conceptual Design for St. George's Square. These directions when combined with the detailed design process and the creation of an activation management program, will result in a finalized design that will create a great place, and a welcoming destination for all Guelph citizens and visitors.

## CORPORATE STRATEGIC PLAN

**Strategic Direction 1.2:** Develop collaborative work teams and apply whole systems thinking to deliver creative solutions.

**Strategic Direction 3.1:** ensure a well-designed, safe, inclusive, appealing and sustainable City.

**Strategic Direction 3.2:** Be economically viable, resilient, diverse and attractive for business.

**Strategic Direction 3.3:** Strengthen citizen and stakeholder engagement and communications.

## FINANCIAL IMPLICATIONS

This project has been funded through Planning Services Capital Budget. Staff has completed further review of the financial implications of these updated design standards. The estimated capital and operational costs of the Streetscape Manual and recommended St. George's Square design concept are outlined below.

The City's current 10 year capital forecast includes approximately \$18.5 million for Downtown infrastructure renewal (i.e. roads, underground services (water, wastewater, and stormwater) and streetscaping). This does not include the Arthur Street Trunk Sewer work which is a separate item in the budget.

For over ten years, the City has been implementing a Downtown-specific road and streetscape standard based on the 2001 Public Realm Manual. Where the new flexible streetscape standard is recommended on key streets, this new streetscape standard represents an additional investment of approximately \$1800 per linear

# STAFF REPORT

metre or 18% for improved street tree planning (as per the Council-approved Urban Forest Management Plan) plus approximately \$2900 per linear metre or 30% over the current downtown standard for the flexible street elements (i.e. pavers and trench drains). Based on taking Wyndham Street (north of Carden Street to Eramosa Road and not including St. George’s Square) as an example this would result in an increase in cost from \$4.9 million to \$7.3 million. This includes all other non-streetscape costs increases (i.e. larger storm sewer, utility relocates, construction staging etc). The benefit of this investment would create a more flexible streetscape on Wyndham Street including more parking, more space for retail spill-out areas (e.g. for patios), longer-lived and healthier street trees (and the associated human health and environmental benefits), and a more universally accessible space (based on the provision of trench drains).

The redevelopment of St. George’s Square would most appropriately occur concurrently with the reconstruction of Wyndham Street and Quebec Street. Although it may be possible to leave portions of the existing square outside the right-of-ways untouched, staff recommend addressing the square holistically at the time of road infrastructure reconstruction. As outlined in the table below, the cost estimates for St. George’s Square start from a “base” estimate of approximately \$4,800,000, which would include approximately \$3,040,000 based on extending the flexible streetscape through the square, plus \$1,760,000 for appropriate street trees, street furniture, and brushed concrete finish in the balance of the square. Further estimates illustrate the additional costs (over the “base”) of redeveloping the square to a “T-Intersection with Market Square equivalent finishes” and the “Recommended Configuration with Market Square equivalent finishes” (with optional kiosk and integrated canopy).

Scenario	Approximate Cost*	Difference from Baseline Cost
Baseline Cost based on existing configuration	\$5,000,000	n/a
T-Intersection with Market Square equivalent finishes	\$5,850,000	\$850,000
<b>Recommended Configuration with Market Square equivalent finishes</b>	<b>\$6,700,000</b>	<b>\$1,700,000</b>
Recommended Configuration with an Optional Kiosk and integrated canopy	\$7,950,000	\$2,950,000

\*all approximate costs include \$200,000 for the Family Fountain refurbishment

It is anticipated that the estimated capital costs of the new streetscape standards and recommended St. George’s Square concept can be achieved within the existing \$18.5 million 10 year capital “envelope” for Downtown infrastructure and streetscaping. However, staff will have to further assess this through future Capital Budget process and advise Council of any specific implications or impacts, for example on the timing and phase of other downtown infrastructure projects. In

# STAFF REPORT



addition, the overall 10-year “envelope” will be reviewed on an annual basis as a normal part of the 10-year capital forecasting and prioritization process.

The estimated costs of maintaining the new flexible streetscape standard on key streets and recommended St. George’s Square concept has also been provided. This include a one-time capital cost of approximately \$180,000 for new equipment and an increase in annual operating costs of approximately \$167,000 per year once all the flexible streets are implemented.

Through the community engagement process, many stakeholders have asked questions about the level of City-led activation (through programming investment) that might be needed to support the recommended St. George’s Square concept. The recommended concept provides a flexible platform for varying levels of programming for activation, including daily activation by residents, business and visitors. Staff has estimated the potential activation operational costs to be between \$20,000 and \$55,000 annually depending on the number of events (including, for example, temporary public art) and partnerships achieved. To staff and operate the optional kiosk full time is estimated to be an additional \$140,000 per year. Discussion and decisions regarding appropriate levels of programing, and associated operating budget and potential other funding sources and partners, can occur during the detailed design stage and prior to construction.

Staff is also recommending supporting and implementing a short-term St. George’s Square Activation Program and that this inform the long term activation, detailed design, and programming requirements of a reconstructed St. George’s Square. To this end staff will bring forward opportunities through the 2015 and 2016 operating budget process for Council’s consideration to allocate an estimated \$60,000 to develop this Activation Program.

## **DEPARTMENTAL CONSULTATION**

Throughout the preparation of this report a number of departments were consulted:

- Planning, Building, Engineering and Environment (Engineering)
- Finance and Enterprise (Downtown Renewal)
- Community and Social Services (Culture)
- Operations, Transit & Emergency Services (Traffic and Parking, Public Works, Transit Services)

In addition, a staff Technical Committee and General Manager Committee from all relevant departments and service areas has guided the development of these documents.

# STAFF REPORT



## COMMUNICATIONS

The preparation of documents included public and stakeholder engagement. Additional public and stakeholder engagement was undertaken in the finalization of the Downtown Streetscape Manual and Downtown Built Form Standards as outlined in the report. Further public and stakeholder engagement will occur during detailed design and construction phases of individual infrastructure projects as they proceed in the future.

## ATTACHMENTS

Attachments 1 and 2 are available on the City's website at [Guelph.ca/placemaking](http://Guelph.ca/placemaking).

Attachment 1: Downtown Streetscape Manual, St. George's Square Concept Plan and Downtown Built Form Standards, available by link: <http://guelph.ca/city-hall/planning-building-zoning/community-design/urban-design/placemaking/>

Attachment 2: April 7, 2014 PBEE report, available by link: <http://guelph.ca/2014/03/april-7-2014-pbee-report-downtown-streetscape-manual-built-form-standards/>

Attachment 3: St. George's Square Activation Vignettes

Attachment 4: Public Comments Received After April, 2014

Attachment 5: Public and Stakeholder Engagement Undertaken

### Report Author:

David de Groot  
Senior Urban Designer

### Approved By:

Melissa Aldunate  
Manager of Policy Planning and Urban Design

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### Recommended By:

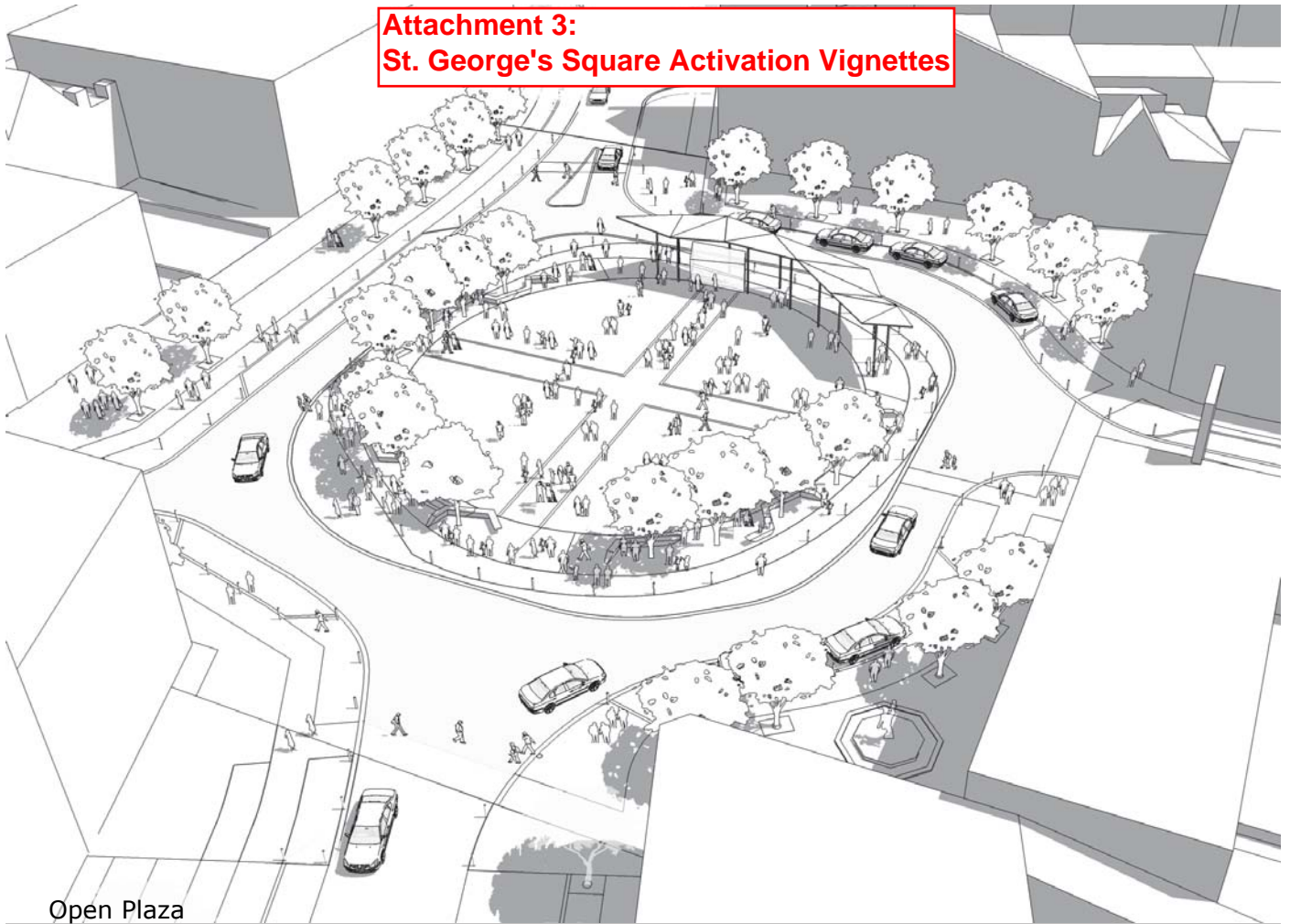
Todd Salter  
General Manager  
Planning Services  
519-822-1260 ext. 2395  
[todd.salter@guelph.ca](mailto:todd.salter@guelph.ca)

---

### Recommended By:

Janet L. Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering  
and Environment  
519-822-1260 ext. 2237  
[janet.laird@guelph.ca](mailto:janet.laird@guelph.ca)

**Attachment 3:  
St. George's Square Activation Vignettes**

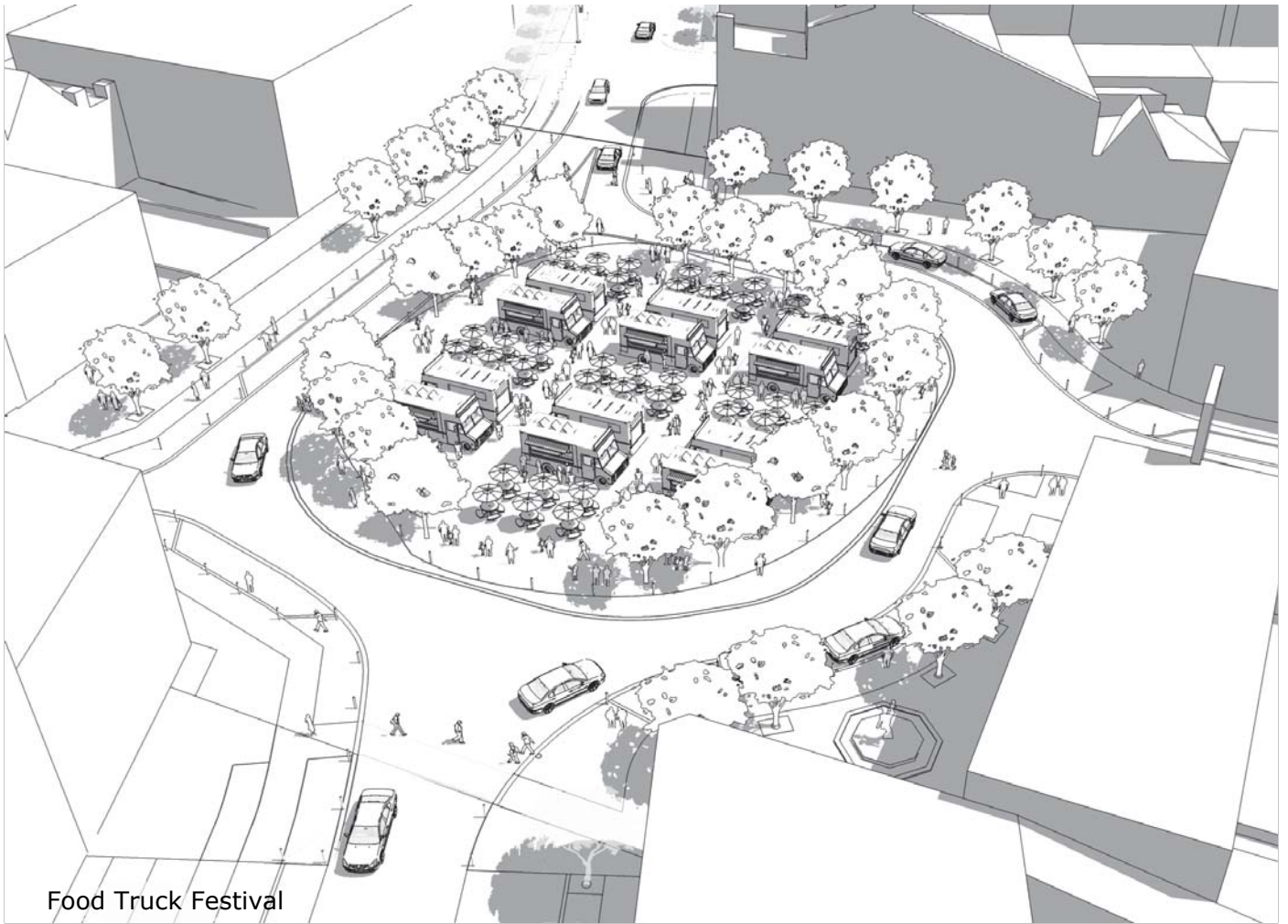


Open Plaza

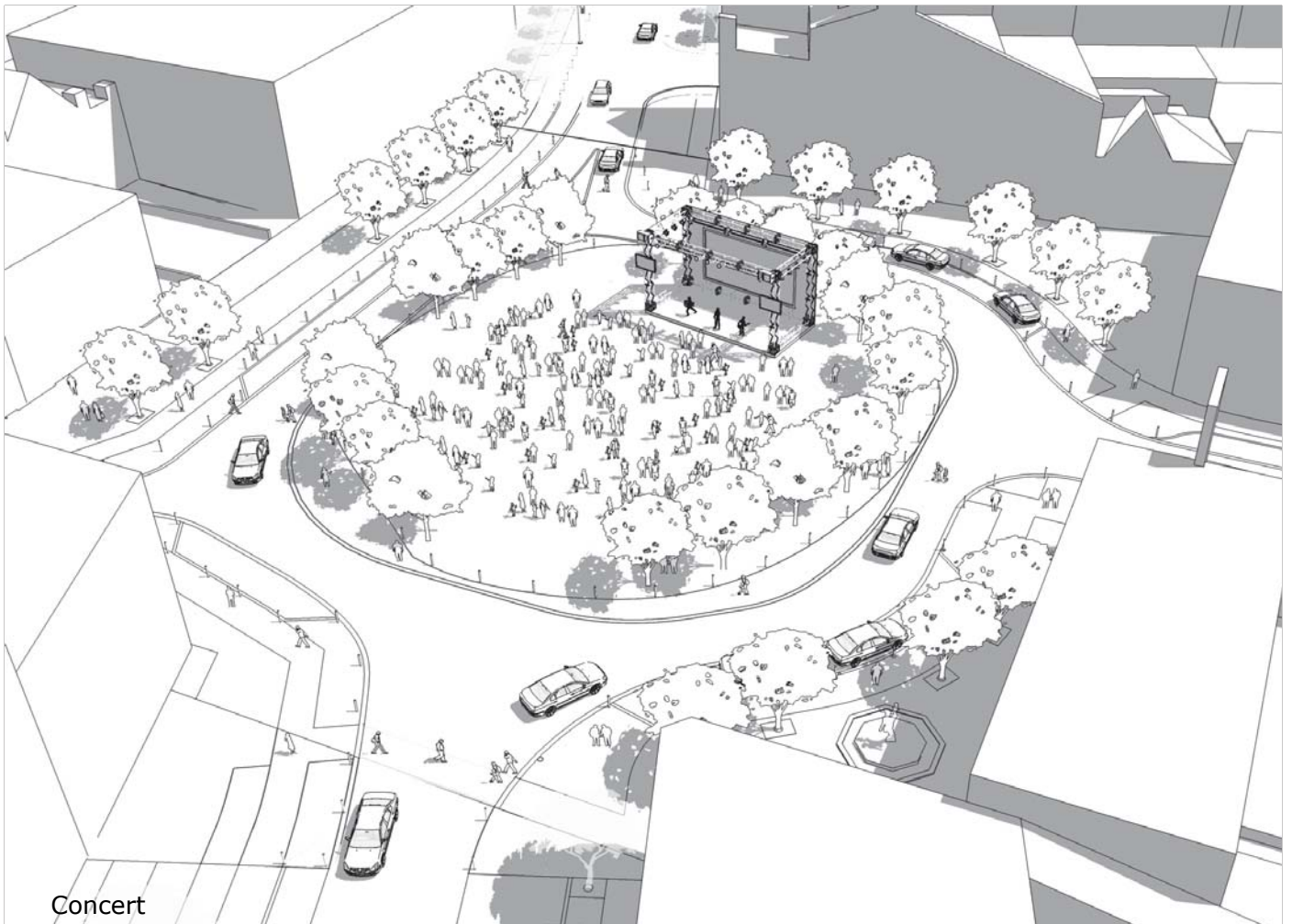


Market stalls



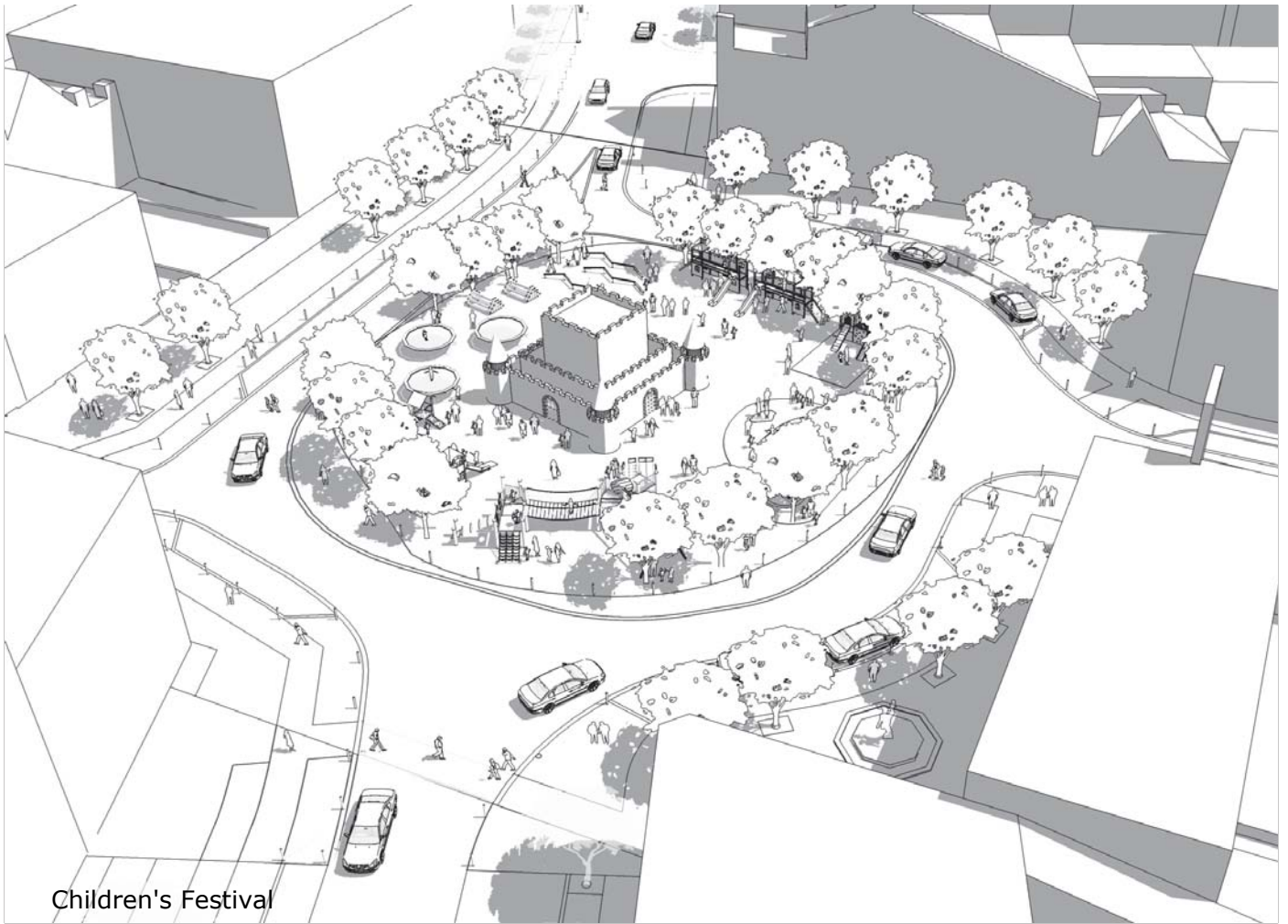


Food Truck Festival



Concert





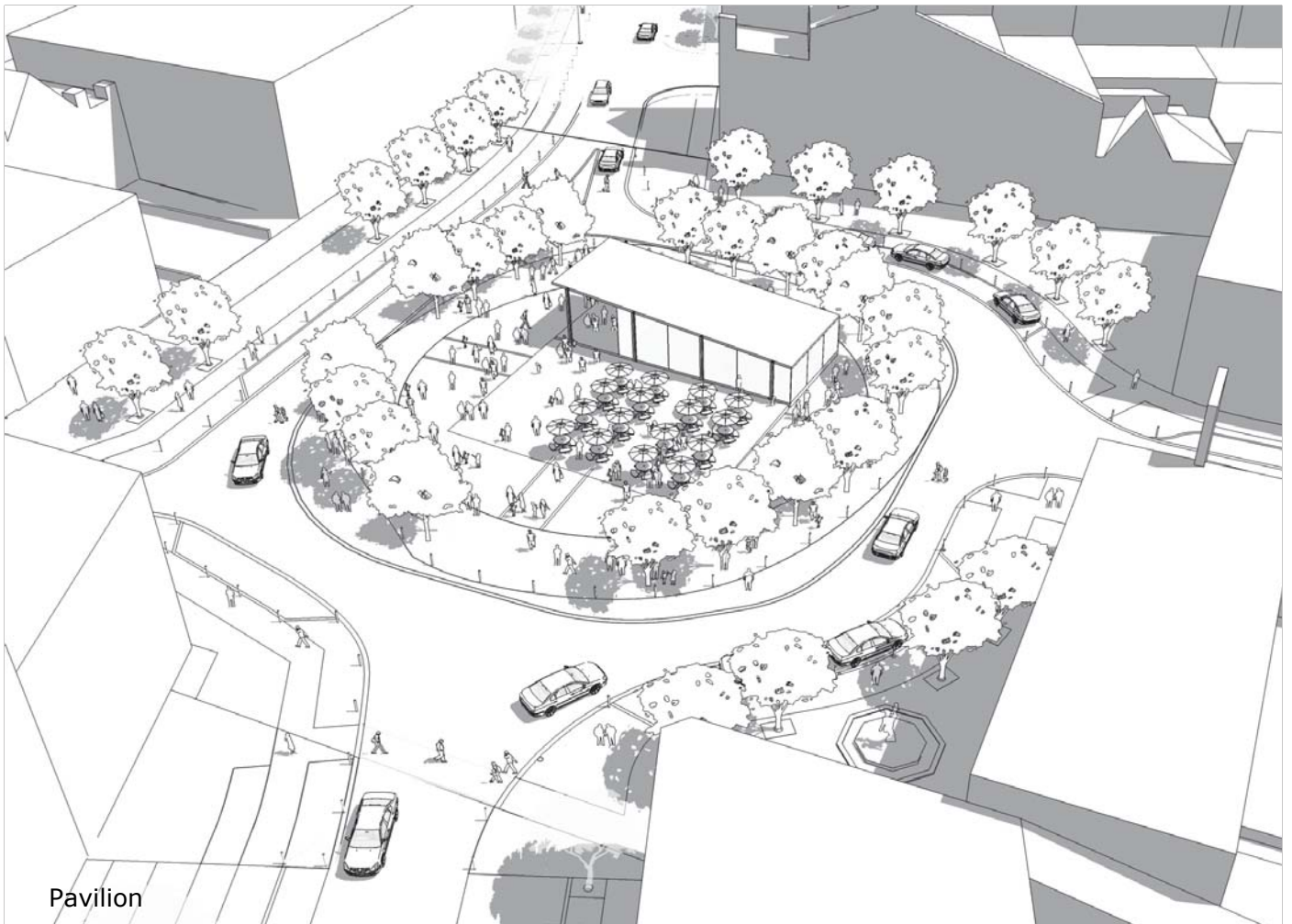
Children's Festival



Interactive public art

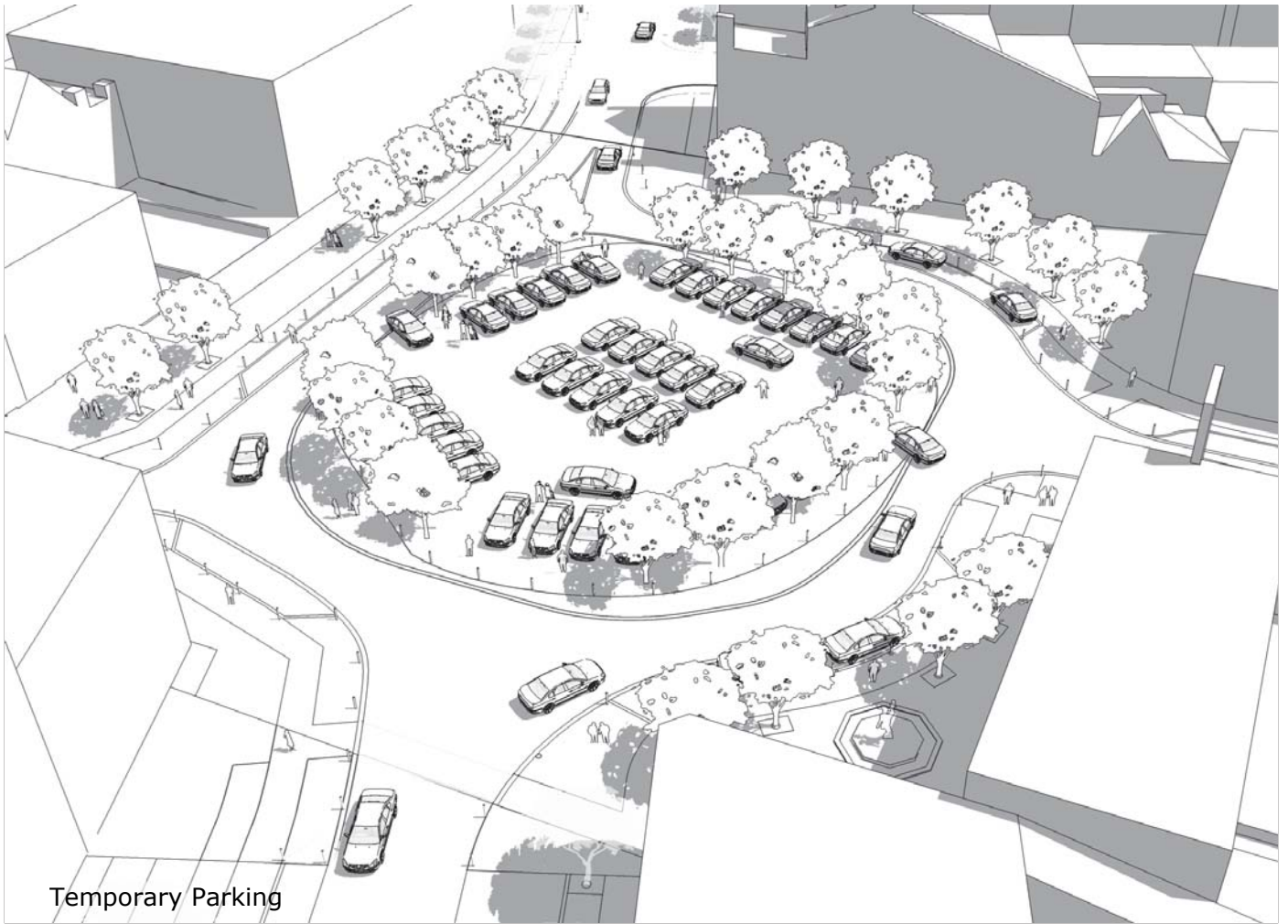


Holiday display



Pavilion





Temporary Parking

Attachment #4:  
Public Comments Received After April, 2014

Michelle Mercier

**Subject:** FW: St. Georges Square.

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**From:** Jim Furfaro  
**Sent:** June 30, 2014 9:25 AM  
**To:** 'Michael'; Bob Bell; Mayors Office  
**Cc:** David deGroot  
**Subject:** RE: St. Georges Square.

Good morning Michael  
I appreciate receiving your email. It has been forwarded to David deGroot, a city planner for comment.  
Take Care

Jim Furfaro

---

**From:** Michael [redacted]  
**Sent:** Saturday, June 28, 2014 9:26 AM  
**To:** Jim Furfaro; Bob Bell; Mayors Office  
**Subject:** St. Georges Square.

Hello,

I am writing related to the proposed plan for St. Georges Square.

Several comments.

1. Why is this being presented to council in September - before the election ?

2A. There were several comparisons made to other cities regarding this idea.

Several of them are not relevant. Examples:

\* Montreal. I am a born and raised Montrealer. To compare this project to Place D'Arm in Montreal is not relevant. Place D'Arm is not located in the heart of the City. It is not a major hub for business, people and other activities. At best the place is busy during business hours when office folks come out for lunch and breaks. After hours it is pretty quiet. Rarely is there "major" activities conducted after hours and weekends.

This is not a fair comparison with our St. Georges Square.

2B. The comparison to Kingston Farmers Market is way off the mark. With three sisters living in Kingston I have been to the Market on weekends. During the week there is little, if any, activity in the area. On weekends (Saturday) there is a busy crowd. The roadway in front of the Market is a regular roadway. No traffic circles. no roadway adjustments.

Again, not a comparison to what is planned for our City.

3. I am not in favor of this project. I believe it is a waste of money, a detriment to our city core and a distraction to the quality of life and vibrance of our city center.

Why: The traffic flow will not encourage people to go downtown. The lack of parking is an issue as well as the plan to make the roadway narrow with low speeds with missed car, truck and bus traffic. Douglas street

being reversed to bring vehicles into the city center will not help traffic  
egress from the core.

4. The Family Statue is planned to be moved to a corner, out of  
the way as was stated at the information meeting. Why?

I do not believe this project - at 85.5 Million is a proper use of our money.

The infrastructure needs to be updated. No argument on this.

I am sure you will get ideas from other folks. So, here is one from me.

1. After the infrastructure is done, re-do the street scape based on original Guelph  
city center design. (Street lights cobble stone road way side walks). Bring back the  
history and uniqueness of the core area.

. In summer, close off the main roadway through the core area (Quebec St. ect)  
As Montreal was used as a comparator let us use their example. Close off  
the streets (as Montreal does on East end Saint Catherine. Turn it over to groups  
to have celebrations, side walk cafes, art exhibits, music festivals and  
other activities. In winter open the roads to traffic. Incorporate a more  
efficient traffic light system to ensure smooth traffic flow through the core area.

On another note: We are willing to spend 85.5 Million to change our core. Yet a derelict  
building (my words) exists right in the center of the core. I believe it is called the  
Douglas Building. A beautiful face which is looking like it is ready to collapse. The city  
ensures I cut my grass, do not park vehicles on the lawn or on the drive way for an extended  
period of time, yet, this disgrace is allowed to continue. (See Attached picture)

Thanks for your ear.

Mike Dougherty

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## Michelle Mercier

---

**From:** b mcmulle <  
**Sent:** June 17, 2014 1:04 PM  
**To:** Downtown Plan  
**Cc:** David deGroot; marty@downtownguelph.com; pandrews@guelphmercury.com;  
cclark@guelphtribune.ca  
**Subject:** terrible downtown plan coming

When the city held its recent preview of the new plan for the square the public once again rose up with complaints and business owners with concerns about further loss of business.

Marty, you raised concerns about this maybe not being in the best interest of downtown business

Given 2 recent articles in the mercury

1: the actual demand for city transit serving GO transit is almost non-existent, it worked out to about 15 people using both

2: Guelph transit is now losing over 600k annually

These 2 concerns along with the fact that a lot of people are staying away from the square and downtown business owners are losing business (30 percent according to Wyndham Varieties owner, whom I spoke to) are a direct result of next to no transit serving downtown.

If we use the money to factor transit back in to the square then we can start putting the lost foot traffic back downtown which would restore lost customers to business owners.

Transit serves a lot of seniors and people with mobility issues who struggled on a decent service but now have to get on and off twice as many buses just to go downtown and back by being dragged through GCS first, this is a lot of wear and tear on these people and they rely on this service to get to essential services like the banks, clinics and post office.

I know the mayor wants a playground atmosphere at the square but the city used to show movies at Exhibition park and we have lots of venues designed for concerts, we can't displace 1000's of transit riders and cost so much business just to have a few concerts/movies.

With new condos being proposed for the Baker St. area there will be even more demand for transit serving the square.

It is time to ask the public if we think transit would better serve the public/business owners being at the square vs. GCS.

GO riders have complained about lack of parking and vacating transit from there we could turn GCS into a lot of parking and as I have stated help the public/business owners get back to where we were pre 2012, that was when the public liked coming downtown.

Phil and Chris, I asked both of you repeatedly to do a story on the loss of transit/business downtown from the public's perspective and I was completely ignored by both of you, we are 2 years removed from the square and the loss of business and people staying away from the square in large numbers are very newsworthy and we the public should be able to count on you doing this story from both sides, not just arbitrary statements from the Farbridge group.

Thanks for your time and lets get serious about fixing the downtown properly.

Brian McMullen

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## Michelle Mercier

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**From:** Downtown Plan  
**Sent:** June 16, 2014 8:29 AM  
**To:** David deGroot  
**Subject:** FW: St.George's Square design/McDonnell street

FYI

-----Original Message-----

**From:** Louie Visentin  
**Sent:** June 13, 2014 9:24 PM  
**To:** Downtown Plan  
**Subject:** St.George's Square design/McDonnell street

Hi,

Regarding activating the centre part of the square, I think putting a fountain on the eastern edge of the inner circle would attract people to the space. The eastern edge is where the sight lines converge from the 4 approaches to the square (Quebec St, Douglas, Wyndham north and south).

Don't put the statue in the middle of the fountain. Just make it a water feature. A large Christmas tree could be put in the fountain from mid Nov to mid Feb which would add interest/beauty during the winter months and it could be seen from all approaches. Would like to see the fountain have a way for people to throw money into it to donate to some children's charitable organization (toys For Tots? Christmas hampers?). Would need a design that would prevent people from getting into the fountain to 'steal' the donations:!) Another nice feature about putting a fountain there without a statue in the centre is that the water could be turned off if needed during large events if it would block sight lines. The Family statue could be put elsewhere in the inner circle or somewhere else in the square.

I like seeing the added trees in the inner circle. It will be a huge improvement from the current concrete acre in the middle of the square. Need to make sure that they are well lit/decorated during the 6 months of the year that they won't have leaves.

Regarding the McDonnell Street design...I like the narrower right of way for vehicles and wider boulevards. Just wondering if another fountain could be put in the middle of the road where the photo op space is planned (by Wilson Street) facing Church of Our Lady (put the fountain in the space planned for the flower bed). Doesn't need to be a large fountain. I think it will block the less attractive view of the rising street heading up to Norfolk, the fountain could be used to attract donations to support the Church of Our Lady...maybe to pay for lighting this national historic site at night. The fountain would add interest when looking up the street to the church...multiplying the 'depth' of interesting features (the new streetscape, fountain and church in the background).

Thanks for the opportunity to provide input.

Louie Visentin

Sent from my iPad



## Michelle Mercier

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**From:** Planning Division  
**Sent:** June 4, 2014 2:23 PM  
**To:** David deGroot  
**Cc:** Melissa Aldunate  
**Subject:** FW: Round about

FYI

---

**From:** Hans Schepers  
**Sent:** June 4, 2014 1:46 PM  
**To:** Planning Division  
**Subject:** Round about

St George Square make over!

The plan to build a roundabout is defeating its purpose.

How do we reach the center of the roundabout without being run over? What will be the feature at the center? How long will it take and how many businesses will be affected? Like the time it took to build the city hall and the make over of Garden Street?

Now look what attracts people to the Square? Basically there are different groups of people meeting at different corners, some around the fountain, others at the eating area of Gusto, and don't forget the sunken area at the SW with the great variety of attractions in the summer. The SE corner attracts its own group of people that like to talk with each other and it could use more benches ash bins and shade trees. In the summer we started a program with a few pianos scattered downtown and future virtuosos practicing their skill.

If we want to make changes I would suggest to start at the NW corner. Move the fountain closer to the post office and the bank. Surround it with raised flowerbeds and benches. Move the bus shelter closer to the bank so the music is not drowned out by traffic. Don't disturb the trees in that area!

Leave the paved streets alone but use the money to remove all the bumps from the side walks including all the silly brick strips from a 100 years ago.

I hope the dreamers at city hall will change their minds and start a more practical line of thought.

Hans Schepers

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**From:** Mike Hryn  
**Sent:** June 3, 2014 9:56 AM  
**To:** Mayors Office  
**Subject:** St. George's Square Presentation

Hi Karen,

After speaking with you after the Oak Tree Photo about my recent visit to Pittsburgh's market square I thought I'd share a few things from last night.

The information I think that were missed in the presentation:

- The reiteration to the public that the infrastructure has to be replaced and this is an opportunity to enhance the square further (this was only brought up after Marty Williams took it upon himself to say so)
- The projected costs including maintenance (again only brought up after a few heated questions)
- The increased parking for downtown business
- The return on investment for the city – Perhaps referring to that 3D chart showing tax receipts for downtown you spoke of or something from the city of Pittsburgh? Why did they do it?

As I said to you that afternoon. I think the opportunity is great for the city and I am all for it. I also take to heart your comment of not speaking up and that's why I am writing you now. The visual/design pieces are very important but also having a fact sheet of the benefits in a succinct format will only strengthen the argument to do this.

Best Regards,

Mike

## Michelle Mercier

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**From:** Chris and Krista -  
**Sent:** May 18, 2014 6:57 PM  
**To:** David deGroot  
**Subject:** downtown, St. George Square redesign

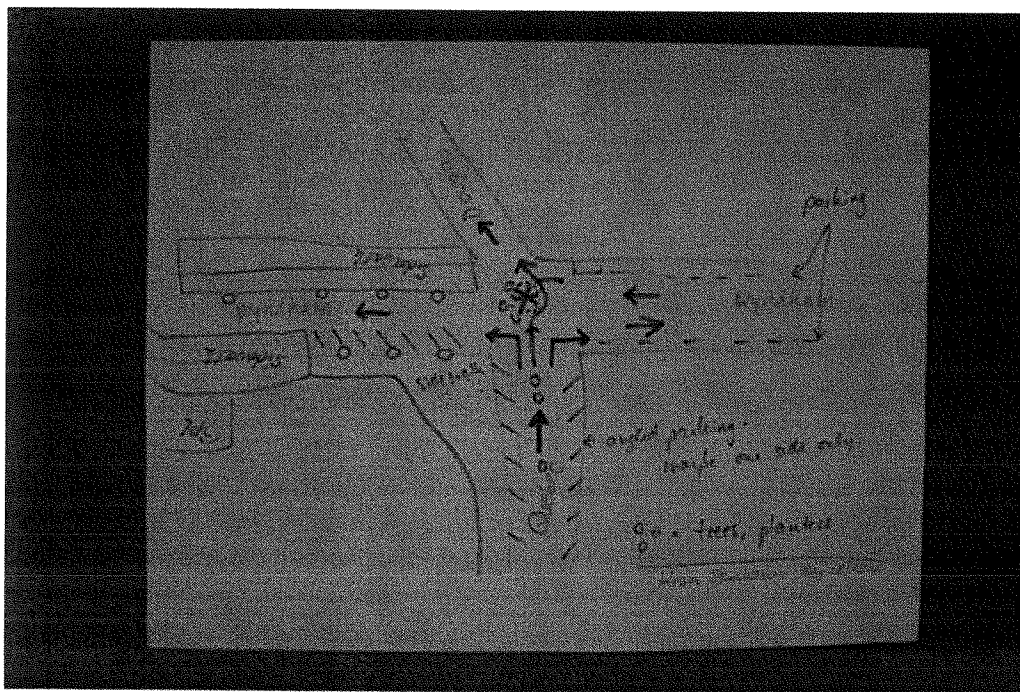
hi there,

Having lived in Guelph for 17 years and raising two children, I find myself disappointed with the downtown of Guelph. It is shabby, unloved and simply sad.

With the new Main Branch Public Library heading to Wyndham Street, it occurred to me that a 'facelift' of Wyndham, Quebec and Douglas Streets might be in order. At the same time, there have been discussions about the St. George Square re-development.

Even though I like roundabouts, I think it would be overkill. We don't need to feed high numbers of cars through the core, no thanks. We need to find a way to let them into the downtown, but calm down the area. This will make it both accessible and comfortable for pedestrians and drivers, buses and bikers alike.

Here is my idea:



Make Wyndham Street a ONE WAY street from St. George's square to Woolwich/Eramosa. Parking (angled) on one side only, the other a WIDE sidewalk with trees, benches etc (preferably the sunny side). Outdoor Cafés, etc. would be here. The END of this one way street could be closed on Sunday nights in the summer for some outdoor open air movie screenings, as well as downtown parties (art fest, jazz fest etc.)

To get to upper Wyndham, Cars would come up McDonnell and turn right onto Wyndham, Douglas on the right, straight ahead possible but traffic calming devices and a 30km/h zone would restrict driving through. Quebec/Douglas would be a

one way only street. The lower Wyndham Street would be two way only from Quebec (turn right) and Wyndham to Douglas (turn right).

There would have to be a traffic calming measure in the center of this, but a circle would be too much. Raised crosswalks maybe, planters etc. Lots of Trees to liven up the 'dead' space around the St. Georges square area. I'd love to bring cobble stones into this but I'm not sure how they do in severe winter.

The one way along Wyndham would be great to calm things along the road where the new library will be. People will be encouraged to walk along store fronts, sit, chat and meet. Cars on one side only would greatly improve the visual appeal . Renovating building frontage and unifying signage would also improve the visual appeal along that part of Wyndham Street.

I'm not sure if this is the right place to send suggestions... pass it on and let me know where it went.

Hope you had a lovely long weekend,

kind regards,  
Krista Steinhauser

## Michelle Mercier

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**From:**  
**Sent:** April 7, 2014 2:59 PM  
**To:** David deGroot  
**Cc:** Downtown Plan  
**Subject:** 2014-04-07 Downtown Streetscape Manual  
**Attachments:** Wellington Macdonnel Intersection.pdf

Hi David,

I have a couple of preliminary comments regarding the draft **Downtown Streetscape Manual** as follows:

**1. Wellington/Macdonnel intersection**

The pedestrian realm on the north east corner needs improvement. The existing and proposed right turn lane from Wellington onto Macdonnel is problematic from a pedestrian perspective. The movement of vehicular traffic within this highway style 'off ramp' diminishes pedestrian safety and comfort in this area. The crossing of this right turn lane is awkward for pedestrians. A greater focus on pedestrian comfort and safety is required. I have attached a suggested plan which would shift the right turn lane, making it more of a typical urban intersection, and creating a very functional pedestrian plaza where the right turn lane currently exists. It seems appropriate to compromise the speed and ease of movement of vehicles in favor of much greater pedestrian safety and comfort.

**2. Street Trees**

Street trees should only be considered where it is possible to provide adequate soil volumes which would permit them to grow to maturity. The environmental benefits of trees are only realized once they reach a considerable size and maturity. A minimum of 48 cubic meters of soil (tree root habitat) is required to grow a tree of 600mm diameter. This is the typical size of a middle aged large stature tree. This soil volume may be reduced to 30 cubic meters where it is shared by two or more trees.

Continuous soil trenches with pedestrian pavements supported with 'Sylva Cells' or other technologies can provide the tree root habitat required to ensure that the vision of tree lined streets may be realized. This infrastructure must be considered an integral part of the streetscape cross sections provided in the manual.

In regards to the **St. George's Square Concept Plan**, I offer the following:

**1. Public Washrooms/Storage Area**

The concept plan includes a proposal for public washrooms and storage building within the central area of the plaza. The placement of a structure such as this within the square will diminish the flexible use of the square, one of the main design objectives. It would be more appropriate to accommodate these functions within the existing buildings adjacent to the square, such as the Quebec Street Mall. I think if you reviewed the typical requirements for the staging of events where a large public gathering occupies the square, with the roadways closed, you may find that the placement of a building structure within the centre area of the square compromises the opportunities.

I may have some more comments later, but thought I would forward my initial thoughts now.

Thanks,  
William

<http://guelph.ca/2014/03/april-7-2014-pbee-report-downtown-streetscape-manual-built-form-standards/>

William Sleeth

## Michelle Mercier

---

**From:** Ian Panabaker  
**Sent:** April 25, 2014 10:55 AM  
**To:** 'R.Catteau'  
**Cc:** David deGroot  
**Subject:** RE: St. George circle

Hello Mr. Catteau

I'm copying David deGroot here as he is project lead for the study and has the documents you've requested.

The plan speaks to the strategies for creating a safe pedestrian environment. The main being reduced speeds and narrow crossings throughout, and in the specific case of St. George's, additional pedestrian activated crossing locations to address barrier-free standards.

This is the specific link for St. George's Sq concept:  
[http://guelph.ca/wp-content/uploads/ATT\\_3\\_Draft\\_Conceptual\\_Design\\_SGS.pdf](http://guelph.ca/wp-content/uploads/ATT_3_Draft_Conceptual_Design_SGS.pdf)

David -- could you follow-up on the other information?

Thanks  
IP

Ian Panabaker | Corporate Manager, Downtown Renewal T 519-822-1260 x 2475 E [ian.panabaker@guelph.ca](mailto:ian.panabaker@guelph.ca)

Are you interested in Urban Design?  
Attend the Guelph Urban Design Summit: Delivering Change on the Ground May 5th & 6th – [guelph.ca/urbandesignsummit](http://guelph.ca/urbandesignsummit)

-----Original Message-----

**From:** R.Catteau \_\_\_\_\_  
**Sent:** April 24, 2014 11:36 PM  
**To:** Ian Panabaker  
**Subject:** St. George circle

Hello:  
Is there a drawing of the traffic circle proposal with the outlines of what presently exists in St. George's square superimposed on it.

I'm told that, traffic circles are considered not pedestrian friendly, by some. How would this proposal accommodate the pedestrian traffic it encourages

Thank you for your time

Rob Catteau

Sent from my iPad

**Michelle Mercier**

---

**Subject:** FW: Monday meeting

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**From:** Hans Schepers  
**Sent:** June 10, 2014 3:57 PM  
**To:** David deGroot  
**Subject:** Re: Monday meeting

Thanks for answering my E-mail . I feel that tampering with the sunken area at the SW corner is counter to the idea. The tribune showed a picture of the finished conversion. What is missing is the location of the fountain. What is so wrong with the present situation? If Guelph likes to experiment with roundabouts it should start with five corners of Woolwich and Norfolk.

What I like to see is the fountain closer to the post office and the Bank of Montreal, surrounded by flower boxes and one old bus shelter for piano players in the summer month.

I have complained for years about the many bumps in the sidewalks mostly caused by the bricks sinking away. The bumps causing a pain in my shoulder when walking with my walker to Wyndham street. I heard stories of people falling because the sudden stop at a bump.

My wife would like to discuss this further here at home so I find it troublesome to be away for longer periods at a time, but I

----- Original Message -----

**From:** David.deGroot@guelph.ca

**To:**

**Sent:** Monday, June 09, 2014 4:37 PM

**Subject:** RE: Monday meeting

Thank you for your comments. I'm sorry that the article you read was unclear. I've attached the ad that was in the Guelph Tribune regarding meeting date and location.

The boards and presentation given on June 2 at City hall have now been posted to the City's website here for review:  
<http://guelph.ca/2014/05/downtown-guelph-open-house-streetscape-built-form-st-georges-square/>

The document that describes the rationale for the draft concept plan for St. George's Square can be found here:  
[http://guelph.ca/wp-content/uploads/ATT\\_3\\_Draft\\_Conceptual\\_Design\\_SGS.pdf](http://guelph.ca/wp-content/uploads/ATT_3_Draft_Conceptual_Design_SGS.pdf)

If you have any further questions, I'd be happy to have quick meeting.

I have forwarded your contact information to our administrative staff so that you can receive information directly from the City regarding this project.

**David de Groot, MCIP, RPP, MUDS** | Senior Urban Designer  
T 519-822-1260 x 2358 |  
E [David.deGroot@guelph.ca](mailto:David.deGroot@guelph.ca)

---

**From:** Hans Schepe  
**Sent:** June 4, 2014 1:49 PM  
**To:** Planning Division  
**Subject:** Monday meeting

Last night was again an unfulfilled promise by the City Hall. I am talking about the scheduled meeting and talk at St. George Square about the roundabout. The Mercury announced this meeting in the Saturday edition. Nobody showed up except me.

What was there, a few lines on the sidewalk to indicate the future road.

At the N-W corner it just missed the fountain. However at the S-W it cuts right thru the sunken area. This is a small area in Down Town where the parents with little kids can let them go on scooters, trikes or skateboard. the only place where you can get a hot dog, get a coffee from Capistrano and sit outside in the sun or under the shade of an umbrella. Also in summer there are entertainment groups telling stories, playing music and songs

At the East side the future road is skirting closer to shops but also will make the ramp into The Old Quebec Mall steeper, not very pleasant for seniors with wheelchairs or walkers nor for the parents pushing a stoller. It reduces the meeting area for bachelors on one end and disrupt Gusto's outdoor patio on the other end.

Since the meeting was a dud, I can imagine the round about will also be. City Hall has a habit of making unkept promises like a new library 12 years ago and we are waiting still, so let the round about idea age for the same length of time.

Hans Schepers

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## Michelle Mercier

---

**Subject:** FW: St. George's Square

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**From:** Martin Bosch  
**Sent:** June 2, 2014 10:27 PM  
**To:** Todd Salter; Ian Panabaker  
**Subject:** St. George's Square

Hi Todd and Ian:

The presentation of the redesign of downtown Guelph with information and comments capability was well done.

I do think that Marty Williams made a statement near the end of Q&A that should be the introducing statement. That is, most Guelph people think that the remake is the result of remake only and once again spending Guelph taxpayers money. The introduction should state that the aging infrastructure of downtown Guelph needs to be replaced resulting in the present streetscape of downtown Guelph and St. George's Square by necessity will be torn up. Since this is the case this is a perfect opportunity to rethink the streetscape that represents Guelph today can now become a reality. Thus you have retained outside assistance to plan for the new Guelph as evidence on Carden Street with the new City Hall.

I think you plan outlined for St. George's Square being the round-a-bout (should be called square-a-bout) is very good. That scheme versus others appears to be the final one selected. It probably is a two stage process for public input. That is, firstly the square-a-bout decision then secondly, followed up with how to include public art, seating style, canopy, trees, shrubs. Those aspects for the second part can be easily decided in the near future, given that the decision of the square-a-bout has set the stage for the infrastructure requirements and can proceed as scheduled.

You probably know where I am going with this. I was surprised that when we went to the square that it also included PARKING inside the square itself. That was never mentioned until I asked. When I asked others if they were aware of that, the response was the same as mine.

That is, today and all the years in the past no cars park in the square. Some close but on in front of e.g. Quebec Mall entrance. I am **TOTALLY OPPOSED TO ANY CARS/BUSES PARKED IN THE SQUARE ITSELF**. That would blight the whole view and vision of St. George's Square. There are plenty of parking possibilities just outside the square-a-bout. That is for bus and cars. I realize that for handicapped persons needing the medical centre in the Quebec Mall can disembark in a handicap reserved area next to the CIBC. I noticed that in the square you have four areas that cars/bus can park. **PLEASE ELIMINATE THOSE AREA AS SUCH**. Give St. George's Square the respect of no parking and a greater area of pleasure for the citizens of Guelph.

Martin Bosch

## Michelle Mercier

---

**Subject:** FW: St. Georges Square.

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**From:** Michael  
**Sent:** June 2, 2014 12:42 PM  
**To:** Michelle Mercier  
**Subject:** Re: St. Georges Square.

Thank you.

I like the design. My issue is the increasing costs to the taxpayer. Not this in particular, but Hydro, Water, many other increased costs with no increases in take home pay and pensions.

Mike

On Monday, June 2, 2014 8:46:04 AM, "[Michelle.Mercier@guelph.ca](mailto:Michelle.Mercier@guelph.ca)" <[Michelle.Mercier@guelph.ca](mailto:Michelle.Mercier@guelph.ca)> wrote:

Hi Michael

I am not sure why you are unable to download or print the map from the website however I have attached just that page to see if this works better for you.

---

**From:** Michael  
**Sent:** June 1, 2014 7:06 PM  
**To:** David deGroot  
**Subject:** St. Georges Square.

I, and several other folks have tried to download and/or print page 22 - the map of the proposed work. We wanted to do this in order to be prepared for tomorrow night's meeting on this.

We have not been able to do this.

I should let you know, I am not in favor of this idea/ It will no longer be a people place.

I look forward to the meeting tomorrow night.

Thanks

Mike Dougherty

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**Michelle Mercier**

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**Subject:** FW: St George's Square

---

**From:** steve baldamus \_\_\_\_\_  
**Sent:** July 16, 2014 10:44 PM  
**To:** David deGroot  
**Subject:** St George's Square

Thanks again for taking the time to meet with me.

I've been putting some thought into what i would like to see for the square keeping in mind the options that you presented as well as what i feel what the square and downtown area looks and feels like.

I know you are looking to make the square a destination point but i think you should look at not just the square but Wyndham street from Carden all the way to Woolwich.

Right now the square is actually 3 seperate areas each with its on unique look and feel. This is what gives the area a special feel to begin with.

Combining into one large generic area would just make it look the same as any other town square.

Guelph's square is different and i feel the city would lose part of it's character if you took that away.

So i dont want option 2 of the proposed plan.

Continuing along that line, the flattening of the area and putting in those random bricks also takes away from the squares current character.

So what is proposed in option 1 again would give the square a post modern look that really doesnt fit with the architecture and look that makes guelph unique.

So i've come up with a third option which you might find interesting.

Keep the t-intersection and mutiple tier levels of the square as is.

But take the cobblestone design from Carden St. and bring it all the way up Wyndham right to Woolwich through the square which would make the entire downtown stretch have the same look as market square. Also at intersection of Wyndham and Macdonell have the city logo done in bricks in the middle of intersection. Add trees and the same lights as market square again all the way along wyndham. I have an idea for some small fountains to add to the square(s) which would add to the ambience.

I am working on some drawings in between everything else that keeps me busy , i will email once i have them drawn up.

Regards

Steve Baldamus

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**Michelle Mercier**

---

**Subject:** FW: Draft Streetscape Manual

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**From:** Allan Dyer  
**Sent:** July 10, 2014 11:13 AM  
**To:** David deGroot  
**Cc:**  
**Subject:** Draft Streetscape Manual

David

I have been looking at the Draft Streetscape Manual.

Clearly, the proposal has a major impact on our lives and that of our tenants as our address is

I have just been reviewing the map on page 43 of the Streetscape Manual. Currently our lane way enters the intersection of Arthur St N and MacDonell St. With the new proposal, where would our laneway enter the street?

I respect the impact the proposal on the residents of Arthur St N and Grange St. However, we do not want to have a huge negative impact on our lives so their lives improve.

There is very little comment on the how the Wood's Development would impact traffic at this corner. This is a much larger volume in traffic than the Tricar Developments and it needs to be addressed.

I am hopeful that the discussion will be open and the proposed plans are still open to input and change.

Please keep us informed about all discussion regarding this proposal.

Regards  
Allan Dyer

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# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

Fabulous!

- I love that the design makes pedestrians "king" and cars the interlopers.

- a small concern regarding bike racks. The ones used on Camden St need to allow bicycles to fall. There have to be better designs than this.

- It would be good to know how much land is available for pedestrians with this plan vs. existing layout.

- Please use road treatment that doesn't add to the heat island effect that happened on Camden with the black stone work.

PLEASE RETURN THIS FORM TO:

Blair Scorgie  
Planner & Urban Designer  
BrookMcIlroy/

T: 416 504 5997 x.223  
F: 416 504 7712

51 Camden St. Suite 300  
Toronto, ON, M5V 1V2

Thank you for your participation.

# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

Why not ① Simply close down  
Quebec St. to Baker (Allows  
Access to Parking)

② Close off Wyndham  
to create a "Pedestrian" Mall where  
festivals can be held in summer.  
In winter open the roadways  
up to traffic & occasionally close  
for seasonal festivities - i.e. Christmas

St. Patrick's Day - Valentine's Day & other

Thank you for your participation.

MERCHANTS CAN THEN PARK  
AT THE PARKADES & OTHER LOCATIONS  
INSTEAD OF IN FRONT OF  
THEIR STORES

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*BrookMcIlroy*

# Streetscape Manual & Built Form Standards

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

• Like the trees, Need more trees.  
 • What about a tree in the middle of the square instead of just pavement?  
 • Like the narrower streets  
 • Like the cross in the square - A tree at the centre of the cross would be nice.  
 It could be a tall columnar tree.

Kit Houghton

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Thank you for your participation.



# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

For more than half of the year, our trees don't have leaves - what is planned, to make the centre of the square still attractive during this time. Evergreen trees?  
Fountain + statue in the centre?  
Some heaters/outdoor fire pits/flames within the centre? Lights in the trees?

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Thank you for your participation.



# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

- love the traffic circle!
- only way to make it safe is to put "yield to pedestrians" signs at every entry and exit point
  - ↳ if you think it doesn't work, check out the city of Savannah - they do it in each of the 21 squares!

- I'd love to see a fountain or statue in the center - I think it lacks focus

- more grass or plantings would be lovely

- will there be public bathrooms?  
- where is the bike parking?

- definitely more trees on Quebec!

- I think the cross of pavers is cross ditch it!

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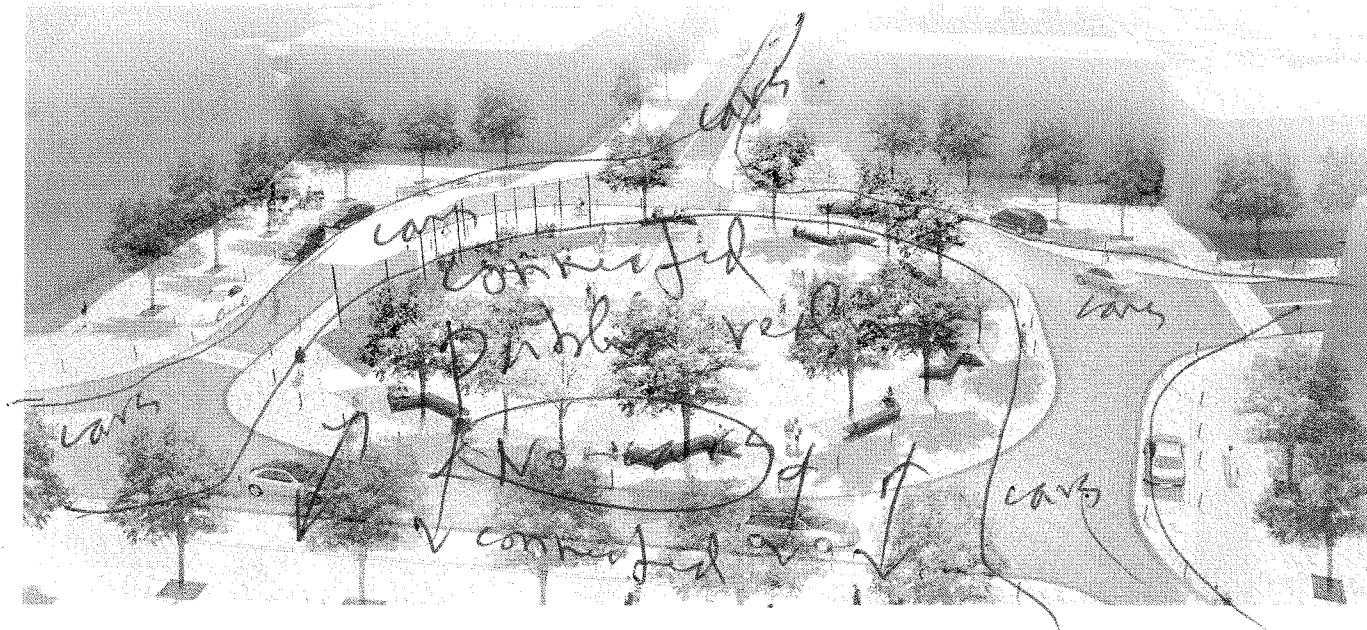
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Thank you for your participation.

# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

At the previous forum last Oct 1/13, two separate groups came up with basically the same idea - a tongue shaped pedestrian space that came out from ~~Dundas St~~ <sup>Queen St. Mall</sup> west and cars went around the west side.

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What we are seeing here is a traffic circle. Traffic circles solve traffic problems. We are trying to solve a human, pedestrian problem. A traffic circle is not the device for this. It ~~is~~ isolate the pedestrian in the middle - an island - not connected to the rest of downtown!

Thank you for your participation.

# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

Would like to see a more clearly defined parameter for maintaining existing street trees. Given the damage the expectancy of a newly planted tree is less than 8 years, any existing tree that is older should be given a far greater value than typical heritage tree evaluation.

I would like to see a performance measure for amount of canopy cover along a street as this would contribute greatly to the quality of the streetscape

Quebec Street - show a split section to show trees in the parking & bump out (page 27) on at least one side of street.

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Thank you for your participation.

# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

I DON'T SEE ANY REFERENCE TO SOLAR PAVING. WITH SO MUCH PAVING IN THE PLAN IS THIS NOT THE TIME TO USE THIS METHOD? IT ELIMINATES SNOW REMOVAL & HAVING TO PAINT IN LINES ON THE ROAD AS THE LINES WOULD BE LIT.

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Toronto, ON, M5V 1V2

Thank you for your participation.

# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

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What is - will be the cost of this. Mill  
Rates have increased 2-3% per year  
for several years. What guarantee is  
there of no increases in rates based on  
this project.

Thank you for your participation.



# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

- 1) I am opposed to the use of parallel parking on Macdonell & Wyndham
- 2) I am opposed to the trafficked circle in St. Georges Square
- 3) The entire plan show too much hard surfaces, especially in the square
- 4) Separated bike lanes should be provided on Macdonell & Wyndham
- 5) I like to mountable curbs
- 6) Parking needs to be provided offstreet in parking structures
- 7) Benches need to be located properly and with some tables for eating lunch
- 8) Public Washrooms that are accessible
- 9) Public Notice board & wayfinding

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Thank you for your participation.

# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

Square about is best way to go  
- NO Traffic lights  
- Could block off 2 sides  
for event use  
- need visible walkway into  
the island in a number of  
places  
- ht. of trees & width of drip  
could be an issue

PLEASE RETURN THIS FORM TO:

Blair Scorgie  
Planner & Urban Designer  
BrookMcIlroy/

T: 416 504 5997 x.223  
F: 416 504 7712

51 Camden St. Suite 300  
Toronto, ON, M5V 1V2

Thank you for your participation.



# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

Very concerned that the downtown  
business' will suffer  
- people will avoid them!  
- worried about safety of  
usually impaired!

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Thank you for your participation.



# City of Guelph Streetscape Manual & Built Form Standards

BrookMcIlroy/

Public Open House - June 2, 2014



## Comments

Please provide any comments that you have with regard to the City of Guelph Streetscape Manual & Built Form Standards, or tonight's Open House.

① I would like to see more green space and less paving materials. Trees in concrete do not have a very good success rate in Guelph. Gooder St + Wyndham St being examples of dead trees.

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Planner & Urban Designer  
BrookMcIlroy/

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Toronto, ON, M5V 1V2

traffic ② A roundabout in the centre of the circle seems inaccessible as you have to cross the street without the benefit of crossing lights. This is a safety issue.

③ Angled parking and cyclists do not need it. It is very stressful to ride on ~~the road~~ MacDonell and can be as one cannot see ~~the car~~ if there is a person in the car getting ready to back out. I would want angled parking, removed entirely from downtown.

④ A Bike Locker would be a good idea, near the transit hub.

Thank you for your participation.

We already have a considerable space in  
the downtown in front of City Hall  
It would be nice to have more green  
space in the downtown

Anna Shafiq

**Michelle Mercier**

---

**Subject:** FW: Downtown Guelph Open House: Streetscape, Built Form and St. George's Square

**From:** Patrick Sheridan  
**Sent:** June 27, 2014 10:04 AM  
**To:** David deGroot  
**Subject:** Re: Downtown Guelph Open House: Streetscape, Built Form and St. George's Square

Hi David,

Great to talk to you back on the 2nd. I've been connecting with other cycling advocates in KW and the feedback I get on sharrows is anywhere from lukewarm to 'deatharrows'. Here is Tritags vision for Uptown Waterloo <http://www.tritag.ca/bikeuptown/#pb1>. Tritag is a transportation advocacy group in Waterloo. <http://www.tritag.ca/about/> and promoting separated bike lanes in Uptown. I like the new alternative designs in this document from the City of Waterloo [http://www.waterloo.ca/en/contentresources/resources/living/PCC\\_4\\_Exhibits\\_2014-05-281.pdf](http://www.waterloo.ca/en/contentresources/resources/living/PCC_4_Exhibits_2014-05-281.pdf). This design could work in downtown Guelph and the raised separated bike lanes look so much better than paint and bollards.

This email is from me as a citizen and not from GCAT. Please keep me in the loop for any events around the downtown redevelopment.

Patrick

On Wed, Jun 11, 2014 at 4:03 PM, <[downtownplan@guelph.ca](mailto:downtownplan@guelph.ca)> wrote:

## **Downtown Guelph Open House: Streetscape, Built Form and St. George's Square**

Thank you to those participants who attended the Downtown Guelph Open House on June 2, 2014.

Information pertaining to the open house, including the presentation boards, is available on the City of Guelph website:

<http://guelph.ca/2014/05/downtown-guelph-open-house-streetscape-built-form-st-georges-square/>

This is a reminder to submit comments to [downtownplan@guelph.ca](mailto:downtownplan@guelph.ca) by June 28, 2014.

### **FOR MORE INFORMATION**

**David de Groot**  
Senior Urban Designer

**Michelle Mercier**

---

**Subject:** FW: Photographs of Uxbridge

---

**From:** Renann Isaacs  
**Sent:** July 5, 2014 4:07 PM  
**To:** Karen Farbridge  
**Cc:** Ian Panabaker; David deGroot  
**Subject:** Re: Photographs of Uxbridge

Dear Karen,

Another terrific place to look at is Port Perry. It is very close to Uxbridge and is much better known and beautifully done with large vintage photographs throughout of what the town and population of the town used to look like back in the day. I happened to be there last weekend with the artist Don Russell checking out different areas that might be of interest to paint. I wasn't able to take photos but you should be able to see images on line. Check them out and let me know what you think!

Thanks for taking the time,  
Renann

Sent from my iPhone

On Jul 4, 2014, at 1:21 PM, <[Karen.Farbridge@guelph.ca](mailto:Karen.Farbridge@guelph.ca)> wrote:

Thanks Renann.

I am sharing your photos with David deGroot and Ian Panabaker.

They are bringing to Council a Streetscape Manual, Built Form Standards and Conceptual Design for St. Georges Square.

<http://guelph.ca/city-hall/planning-building-zoning/community-design/urban-design/placemaking/>

**Karen Farbridge | Mayor**  
City of Guelph - the city that makes a difference

519-837-5643  
[mayor@guelph.ca](mailto:mayor@guelph.ca)

<image013.jpg> [like my page](#)

<image014.jpg> [follow me](#)

<image015.png> [subscribe to my blog](#)

<image007.jpg> [visit guelph.ca](#)

**[How can we help you?](#)**

Now you can use an easy online form to request a service or report a problem.

---

**From:** Renann Isaacs  
**Sent:** June 24, 2014 1:11 PM  
**To:** Karen Farbridge  
**Subject:** Photographs of Uxbridge

Dear Karen,

Thank you for allowing me the opportunity to send you photographs of Uxbridge. I visited our family property again this past weekend and am still astonished by the changes that have been made to the downtown.

I've left a message with the Uxbridge BIA (Business Improvement Area) Department and am waiting to hear back from them about how they inspired all of these small business owners to make the storefronts and signage so aesthetically consistent and pleasing.

Uxbridge was quite run down several years ago and is now looking pretty exceptional.

There is an incentive program in place that from what I gather is very generous but until I confirm it with them I am unable to give you full details.

Be back in touch shortly,

R

<image008.jpg>

<image009.jpg>

<image010.jpg>

<image011.jpg>

<image012.jpg>

Renann Isaacs

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This e-mail message (including attachments, if any) is intended for the use of the individual to whom it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender and erase this e-mail message immediately.

**City of Guelph Accessibility Advisory Committee (AAC) Concerns and Recommendations for the St. George's Square Concept Plan, Downtown Built Form Standards and the Downtown Streetscape Manuals – June 27, 2014**

Area Affected	AAC Concern/Recommendation
General	The AAC recommend that the FADM be part of the list of documents to be used in the detailed design as the FADM is a Council approved document that is expected to be used in all City building.
	Ensure that “rolled curbs” are not used in areas that pedestrians are expected to travel, including during events. This style of curb exists on Carden Street and is not only inaccessible but a hazard for many people with a disability (eye conditions, use of mobility devices, etc.)
	Refrain from using large or small masses of black or dark colored pavers. The pavers on Carden Street create a dangerous scenario for people who use service animals in that the animal’s feet become too hot and are therefore no longer to concentrate on their task of keeping their owner safe.
	The project will include at minimum 2 m wide brushed concrete accessible clear routes throughout the downtown on both sides of the street. That the manuals be update to reflect the location of the accessible route and the paver areas. A mix of pavers and grass will also be used.
	Ensure that AAC and support agency, such as CNIB, are consulted in the detailed design for several reasons, but to ensure that cues are available for service animals.
St. George's Square	Clearly mark all three APS locations
	Concerns about the design of the center of the square and safety of people with a disability including other users of the downtown, sight lines not being clear where pedestrians enter the roadway. Hoping that these will be top of mind.
	Are all of the pedestrian crossing shown required? At Wyndham St. there is a pedestrian crossing without an APS. Is the marked crossing without an APS needed?
	Request of changes/corrections have been acknowledged however the Committee are hoping to see them on the drawing such as: <ul style="list-style-type: none"> <li>• The incorrect labelling of APS locations</li> <li>• Show accessible parking</li> <li>• Show the three APS locations</li> <li>• Show accessible drop off area</li> <li>• Show bus stop at mall entrance</li> </ul>
	Show accessible parking locations in the square
	Show accessible drop off area in front of or near the mall entrance
	AAC supports a bus stop in front of IF Shoes AAC supports a bus stop at the front of the mall
Old Quebec Street Mall	Show the ramp at the mall entrance is constructed with a ramp that is maximum 1:20 (5%) and complies with the FADM. Ideal if stair were included as part of the ramp area
	Introduce idea of heating the ramp to ensure accessibility year-round
Douglas Street	Committee recommends at minimum one sidewalk, considered accessible pedestrian clearway with brushed concrete, on Douglas Street
Manual	Remove the backless bench as they don't meet the FADM

**Report to PBEE August 5, 2014  
Downtown Streetscape Manual, Built Form Standards  
and St. George's Square Concept**

**Attachment 5:  
Public and Stakeholder Engagement Undertaken**

- On March 6, 2013 Project for Public Spaces (PPS) and City staff ran a well-attended (approximately 60 participants) interactive public workshop, involving the public, stakeholders and members of Council. PPS also completed focussed sessions with staff and other stakeholders before and after this event.
- An interactive public workshop was completed for this project on June 27, 2013, looking at potential ideas regarding how the streets should function and how the adjacent built form should respond and work together with the public realm.
- On October 23, 2013 a separate public session was held regarding St. George's Square. Two concepts were developed based on the input received through the spring and summer for discussion. Approximately 50 people attended this session.
- In December 2013 and January 2014 a questionnaire regarding the redesign of St. George's Square concept plans was given by the DGBA to its members along Wyndham Street, Quebec Street, Quebec Street Mall and Douglas Street. Follow-up sessions with interested business were also held in January and March.
- On April 7th, the draft documents were presented to PBEE Committee.
- On June 2, 2014 an Open House for members of the public and stakeholders was held. Approximately 50 persons attended this event. This event included a tour of St. George's Square where the concept was painted out on the ground.
- On June 9th the documents were presented to Heritage Guelph. The Committee passed a motion endorsing the documents.
- On June 17th, the documents were presented to the Accessible Advisory Committee. Comments were received and incorporated in the document as appropriate.
- On June 18th, the documents were presented to the River Systems Advisory Committee.
- Staff met with members of Downtown Advisory Committee on June 26th and July 16, 2014. The Committee passed the following motion: That the DAC support the vision and principals and preferred design concept for St George's Square which reflects a consistency with Market Square.
- Staff met with Downtown developers to review the Built Form Standards on June 26th.
- Staff has also met with a number of other members of the public and stakeholders who have requested meetings with City staff.

# SUMMARY

## St. George's Square Survey

What do YOU want to see at St. George's square and downtown area.

1)	Flatten the square	4	Y/N	39
2)	Random pixelated grey shade bricks	10	Y/N	37
3)	Roundabout	7	Y/N	40
4)	Put back the Crown	28	Y/N	14
5)	Rebrick Wyndham with cobblestone style bricks	22	Y/N	14
6)	Add trees and lights similar to Market square	42	Y/N	5
7)	Fix brown bricks in between sidewalk squares	41	Y/N	6
8)	Paint city coat of arms at Wyndham / MacDonnell intersection	24	Y/N	23
9)	Paint poppy at Wyndham / Woolwich intersection	23	Y/N	22
10)	Paint Guelph Storm logo Quebec St. / Wyndham intersection	18	Y/N	22
11)	Add lights to walkway by post office and keep clean/washed	43	Y/N	5
12)	Add public washrooms in downtown core	46	Y/N	3
13)	Fix the façade of the A.B. Petrie building	39	Y/N	7
14)	More 3 stream waste containers in downtown	43	Y/N	4
15)	Add security cameras to downtown area	33	Y/N	14

Any other suggestions for planning board

First name and Last initial (or full name if you wish)



## Summary of suggested changes to downtown for planning board

People think there is a cross walk at Cork and Wyndham, confused by the bridge warning light. Should actually be a cross walk there.

Workfare program

Move OATC out of downtown

More banners instead of painting logos at intersections

The current square setup is what brought people to move here

Take traffic out of market square

Traffic lights are necessary if buses go thru downtown

More flowerpots , benches and awnings

Disabled, legally blind prefers the way it is, keep it consistent and easy to get around

Replace brown bricks with asphalt or concrete

Fountain must stay

Paint iron railings

Improve access and snow removal to bus shelters in winter

Speed up light changes at push button cross walks

No on street parking by the square

As little construction downtown as possible

Put concrete that simulates bricks on Wyndham , would last longer

Paint boards at A.B. Petrie building grey with black outline to look like windows

Multi levels give square texture and interest, not so boring

Birdbaths

Cigarette butt collection stands

Paint wheelchair cutouts at sidewalk edges with yellow lines

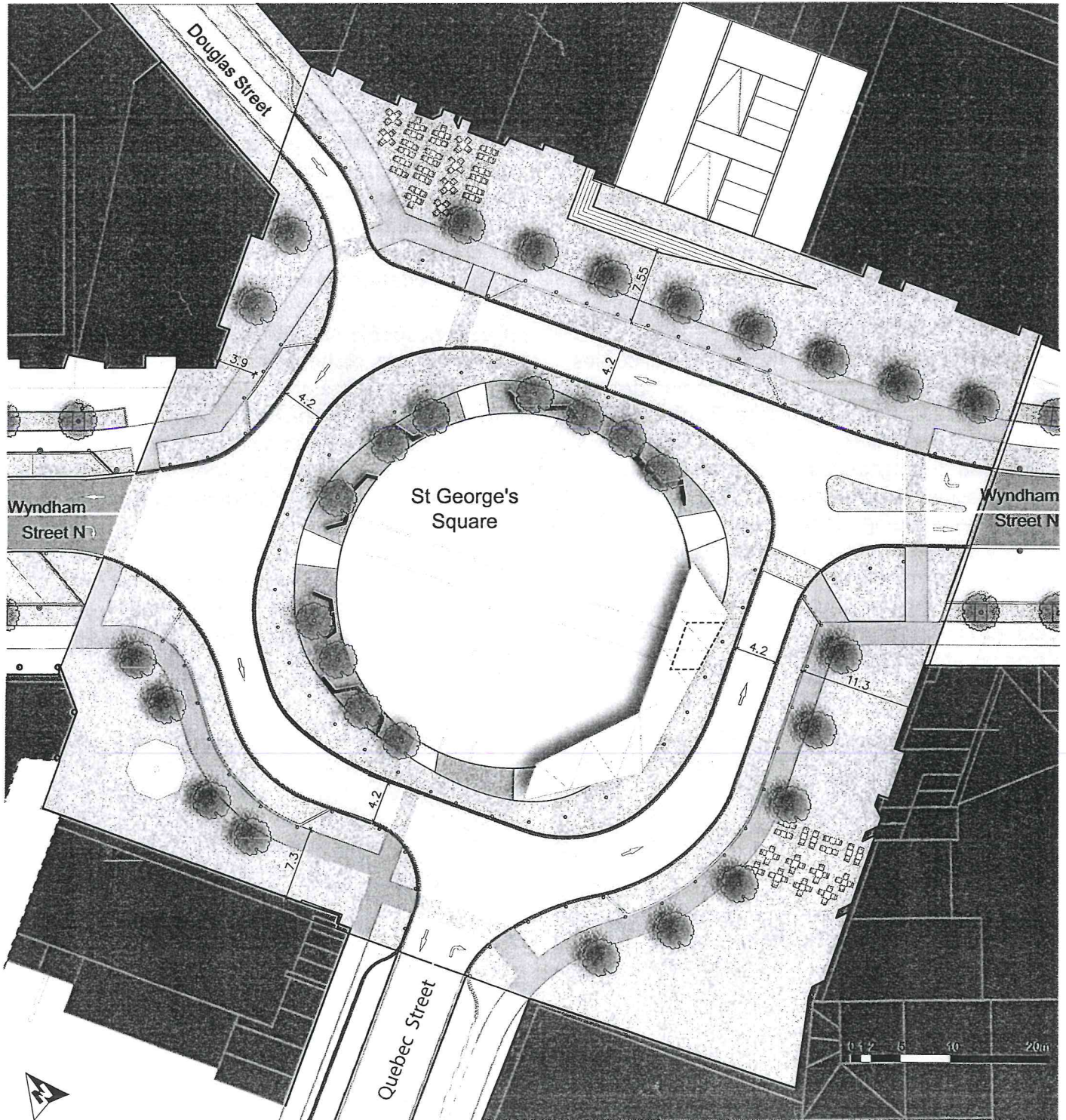
Turn Fountain street lot into multilevel GO parking

Bring back donation plaques for the family fountain

More police patrol and bylaw enforcement (littering, drinking in public, vagrancy)

Instead of a big empty square that no one will come to, sponsor more events like art on the street, local musicians at music square etc. This is what brings people to a place

REPORT TO COUNCIL  
BY DELEGATE  
STEVE BALDAMUS











# STAFF REPORT

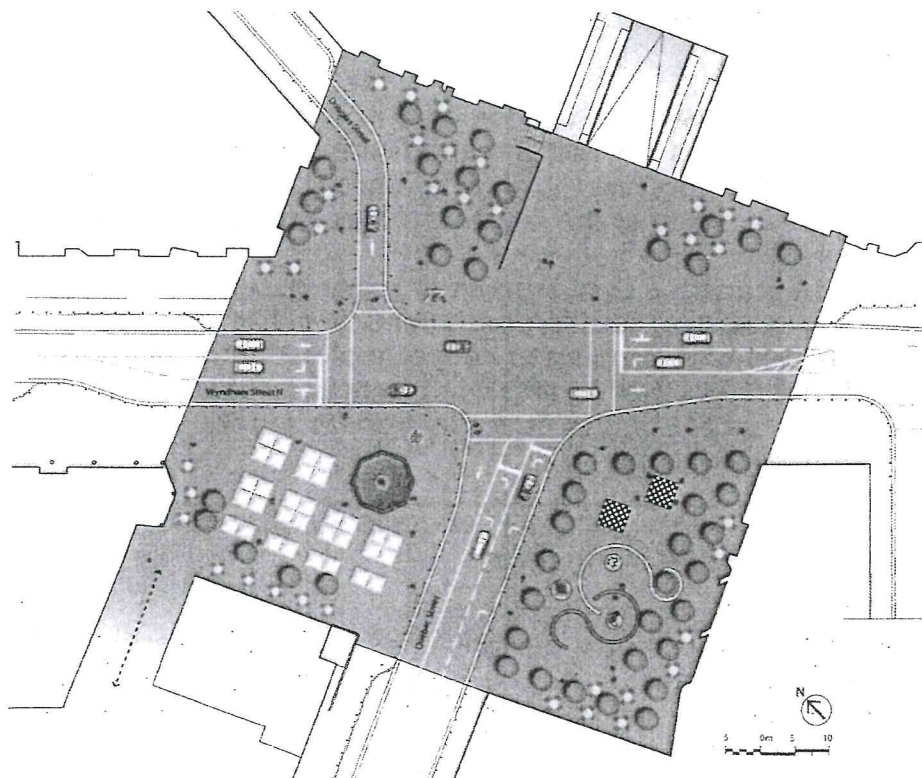
## Draft St. George's Square Concept (Attachment 3)

Recognizing that Wyndham Street and St. George's Square require reconstruction in the medium term in order to improve servicing to the Baker Street redevelopment and to replace aging infrastructure, a separate section for St. George's Square is provided. This section provides a draft concept for the redesign of St. George's Square. Key to this is how St. George's Square through reconstruction can help facilitate business activation and establish its premier role as the City's heart and economic engine.

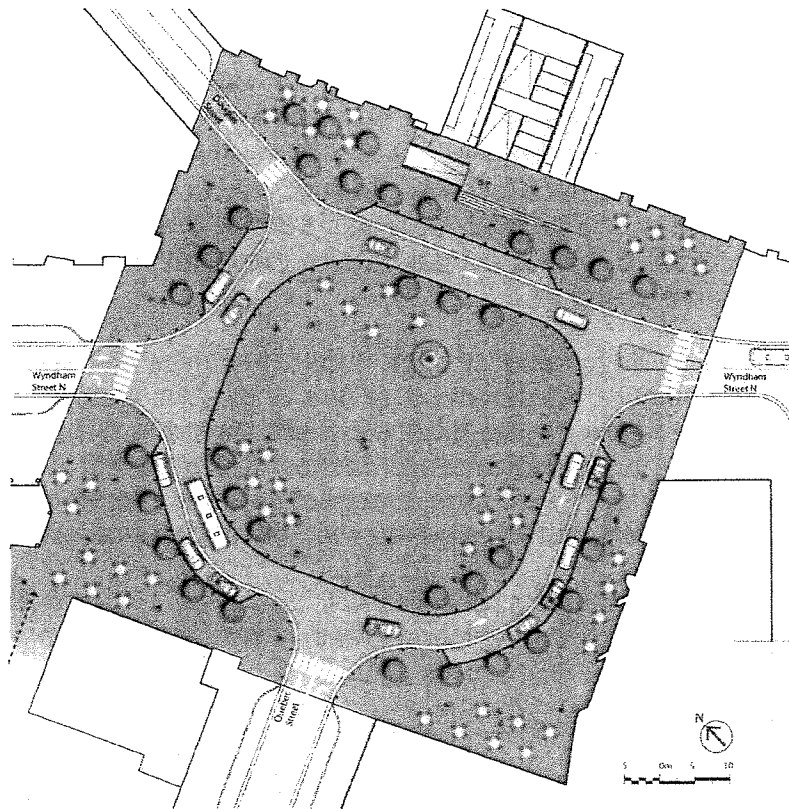
The draft concept attached was developed through public, business and stakeholder input and is attached. It is a further development of one of the two concepts shared with the public in the Fall (see below for the draft concepts shown in the Fall). The 'T' Option maintains the current road configuration and applies a Market Square/Carden Street treatment to the existing spaces. The second option creates a consolidated square in the middle with a one-way road around the central space.

Based on the public comments received, there was not consensus either from the businesses or public regarding which concept presented provided a more promising direction.

*Draft Concepts: Released Fall 2013*



**Option 1: "T"**  
intersection option  
(released in Fall 2013)



**Option 2: Centralized Square with one-way road around the outside (released in Fall 2013)**

After reviewing the comments received, the options were re-evaluated (see summary matrix in Attachment 1). As a result, a revised concept plan has been prepared based on Option 2 which continues to show a consolidated square surrounded by a one-way street. Some of the key advantages are summarized below:

- pushing daily activity and the right amount of space closer to the businesses;
- creating a more consolidated/flexible/programmable public space;
- emphasizing the intent of the square to be a central gathering place and its role as a hub that links together different places downtown; and,
- allowing for the reversal of Douglas Street in order to provide more routes into the central Downtown area.

When an early version of the concept was shared in the Fall some of the key issues from the business and public perspective included:

- opportunities for more on-street parking;
- concern regarding the potential creation of a centralized unactivated new space;
- Accessibility through the space;
- Opportunities for more green space.

More banners at key intersections, poppy and war related by the memorial. Guelph storm at quebec mall entrance, city logo or coat of arms at MacDonnell and Wyndham, wellington,elizabeth,woolwich intersection.

More flowerpots, benches , awnings, birdbaths and cigarette butt containers.

Speed up light changes at push button cross walks downtown. (2 minutes is way to long for light to change)

More police patrol and bylaw enforcement (littering,drinking in public,vagrancy, parking at bus stops, parking at corner of cork and wyndham by TD bank)

Get rid of those terrible brown bricks in between sidewalks now, safety hazard for walkers, strollers and wheelchairs. (replace with asphalt, or brown colored concrete)

Paint wheelchair cutouts at sidewalk edges with yellow lines. Or even go farther and paint all curbs yellow (as some already are) for visual contrast instead of those 3 shade random pixiallated bricks that are expensive.

People think there is a cross walk at cork and wyndham because of the flashing low bridge sign, confuses both cars and pedestrians. That should actually be a cross walk there. (looks like there used to be one there)

Workfare program for those on Ontario works, so much cleaning up could be done.

Move OATC out of downtown core. First thing people see getting off the buses or train. "welcome to guelph and our methadone clinic"

An improvement grant to the Appollo 11 restaraunt owners to paint the boards of the Petrie building grey with black window silhouette.

Sponsor downtown events like the Downtown Business association does, that is what will bring people downtown, not a fancy empty square with nothing to do.

## **NO ROUNDABOUT - ELECTRONIC PETITION**

Re: Downtown Streetscape Manual,  
Built Form Standards and St. George's Square Concept

The plans for the City of Guelph to tear up and flatten St. George's Square to provide for a roundabout is absolutely ludicrous, and will take Guelph back in time not forward as is required. The City's present plan is for 2 years in the future - it does not account for matters of the present. It's plan does not and will not bring people to downtown at the present.

HOWEVER, cleaning up the streets and making required repairs and replacements to roads and sidewalks will do just that. How can you ask the citizens of Guelph (old, young, abled and disabled) and visitors to come downtown to shop and enjoy the square when their sidewalks they traverse are in such bad condition (many safety problems).

For those who do venture forth, they enjoy the weekly markets, the movies and entertainment in the square and just to meet friends for coffee. The square is a great meeting place but will cease to be if a roundabout is done. Yes, much can be done to improve it, if they are the right ones.

Let us crawl before we run and make the square more amiable to everyone. NOW, not in 2 years or as so many plans go awry 5 or 10 years from now. Make downtown more pleasurable for everyone.

Guelph is known as the 'ROYAL CITY' ---- stop treating its citizens as peasants.

85 Neeve Street  
Guelph, Ontario

**38 Electronic Signatures received.**



# STAFF REPORT

TO Planning & Building, Engineering and Environment Committee

SERVICE AREA Planning, Building, Engineering and Environment

DATE August 5, 2014

**SUBJECT SIGN BY-LAW VARIANCES  
679 Southgate Drive**

REPORT NUMBER

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To advise Council of four (4) Sign By-law variance requests for 679 Southgate Drive.

### KEY FINDINGS

Table 1, Row 1 and 6 of Sign By-law Number (1996)-15245, as amended, restricts signage to the first storey of a building in a commercial zone.

Lovett Signs & Neon Inc. have submitted a sign variance application on behalf of the Grain Farmers of Ontario and Bayer Crop Science to permit four (4) signs to be located on the second storey of the building (one on each building face) at 679 Southgate Drive.

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The first storey of the building is comprised of glass panels which were not designed for attachment of a sign;
- The previous tenant obtained sign variances to permit two (2) signs on the second storey of the building in July of 2005 which have now been removed;
- The location of the signs on the building does not detract from the appearance of the building;
- The proposed signs comply with all other regulations.

### FINANCIAL IMPLICATIONS

N/A

### ACTION REQUIRED

To approve the requested Sign By-law variances for 679 Southgate Drive.

# STAFF REPORT

## RECOMMENDATION

1. That the report from Planning, Building, Engineering and Environment dated August 5, 2014, regarding sign by-law variances for 679 Southgate Drive, be received.
2. That the request for variances from the Sign By-law for 679 Southgate Drive to permit four (4) signs to be located on the second storey of the building (one on each building face), be approved.

## BACKGROUND

Lovett Signs & Neon Inc. had submitted a sign permit applications on behalf of the Grain Farmers of Ontario and Bayer Crop Science. Upon review of the applications, it was observed that each of the signs was proposed to be placed on the second storey of the building which is located in a Specialized Service Commercial Zone (SC.1-35). Table 1, Row 1 and 6 of Sign By-law Number (1996)-15245, as amended, restricts signage to the first storey of a building in a commercial zone. The sign permit applications were refused.

## REPORT

Lovett Signs & Neon Inc. has submitted a sign variance application for four(4) sign variances to permit four signs to be located on the second storey of the building (one on each building face) located at 679 Southgate Drive. The following is a summary of the reasons that have been supplied by the applicant in support of the variance requests:

- Aside from the top of the building, the building is covered with glass windows which would make installation of signage very difficult and aesthetically unappealing; and
- The signs would be more visible and fit the surrounding area if allowed to be placed above the second floor.

The requested variances are as follows:

	<b>By-law Requirements</b>	<b>Request</b>
Permitted Location on a Building or Structure	1 <sup>st</sup> storey on a building face fronting a public road allowance	2 <sup>nd</sup> storey on a building face fronting a public road allowance
Permitted Location on a Building or Structure	1 <sup>st</sup> storey on a building face fronting an adjacent property	2 <sup>nd</sup> storey on a building face fronting an adjacent property

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The first storey of the building is comprised of glass panels which were not designed for attachment of a sign;

# STAFF REPORT



- The previous tenant obtained sign variances to permit two (2) signs on the second storey of the building in July of 2005 which have now been removed;
- The location of the signs on the building does not detract from the appearance of the building;
- The proposed signs comply with all other regulations.

## **CORPORATE STRATEGIC PLAN:**

3.1- Ensure a well-designed, safe, inclusive, appealing and sustainable City

## **FINANCIAL IMPLICATIONS:**

N/A

## **DEPARTMENTAL CONSULTATION:**

N/A

## **COMMUNICATIONS:**

N/A

## **ATTACHMENTS**

Schedule A            Location Map  
Schedule B            Sign Variance Drawings

### **Prepared By:**

Bill Bond  
Senior By-Law Administrator  
Building Services  
519-837-5615, ext. 2382  
bill.bond@guelph.ca

### **Recommended By:**

Patrick Sheehy  
Program Manager - Zoning  
Building Services  
519-837-5615, ext. 2388  
patrick.sheehy@guelph.ca

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### **Approved By**

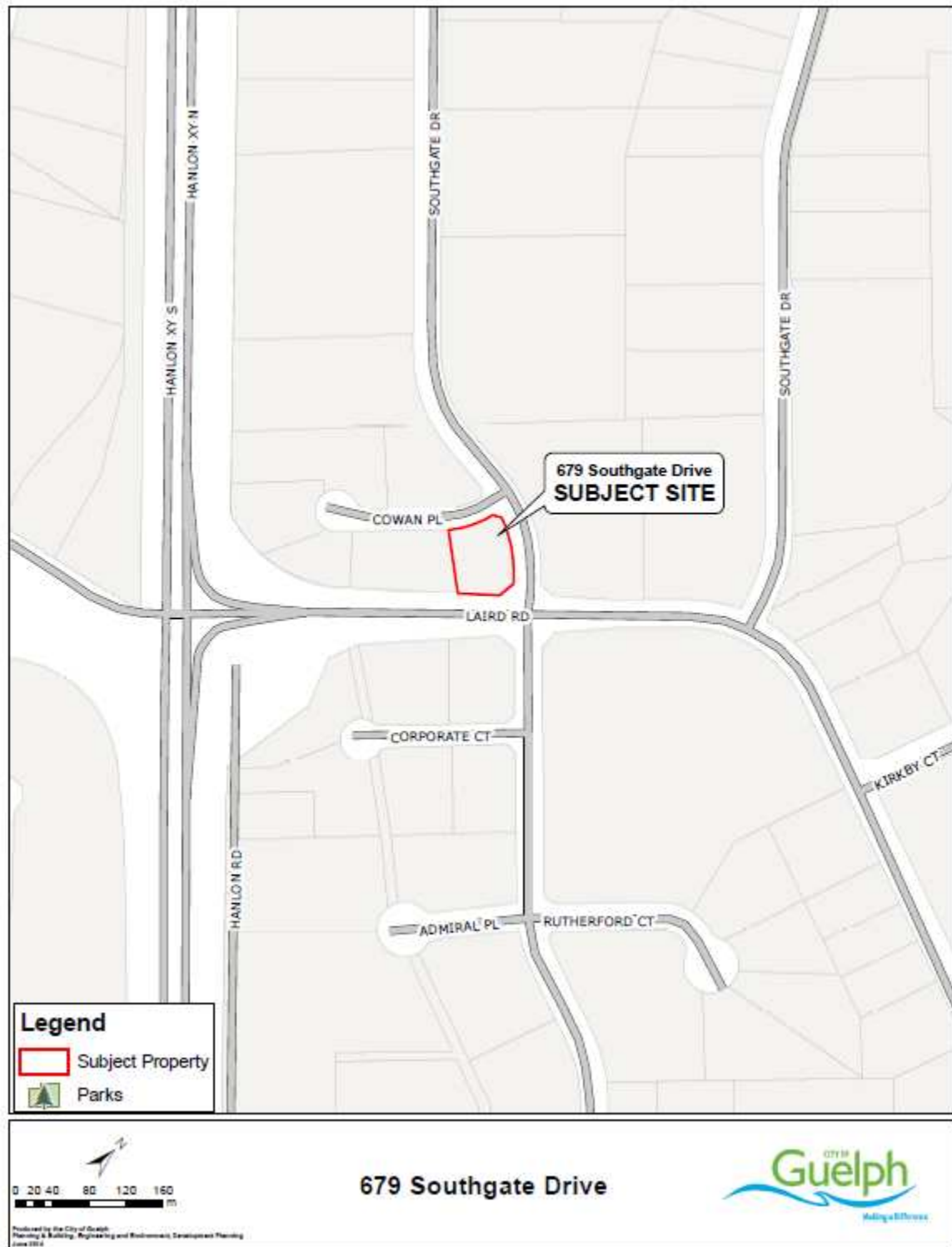
Bruce A. Poole  
Chief Building Official  
Building Services  
519-837-5615, ext. 2375  
bruce.poole@guelph.ca

---

### **Recommended By**

Janet L. Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering  
and Environment  
519-822-1260, ext. 2237  
janet.laird@guelph.ca

## SCHEDULE A- Location Map

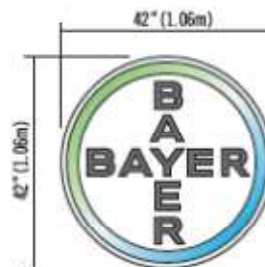


# STAFF REPORT

## SCHEDULE B- Sign Variance Drawings



- 1** NORTH EAST ELEVATION
- Signage Sq Footage: 12.25 sq ft / 1.13 sq m
  - Building Elevation Sq Footage: 3250 sq ft / 301.93 sq m
  - Signage % to Elevation: 0.37%
  - Weight: 80 lbs.



- 2** NORTH WEST ELEVATION
- Signage Sq Footage: 12.25 sq ft / 1.13 sq m
  - Building Elevation Sq Footage: 3250 sq ft / 301.93 sq m
  - Signage % to Elevation: 0.37%
  - Weight: 80 lbs.

## SCHEDULE B Continued – Sign Variance Drawings



**CONSENT OF  
THE COUNCIL INTERNAL AUDIT**

August 25, 2014

Her Worship the Mayor and  
Councillors of the City of Guelph.

Your Internal Auditor begs leave to present her THIRD CONSENT.

*If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Council Internal Audit Consent will be approved in one resolution.*

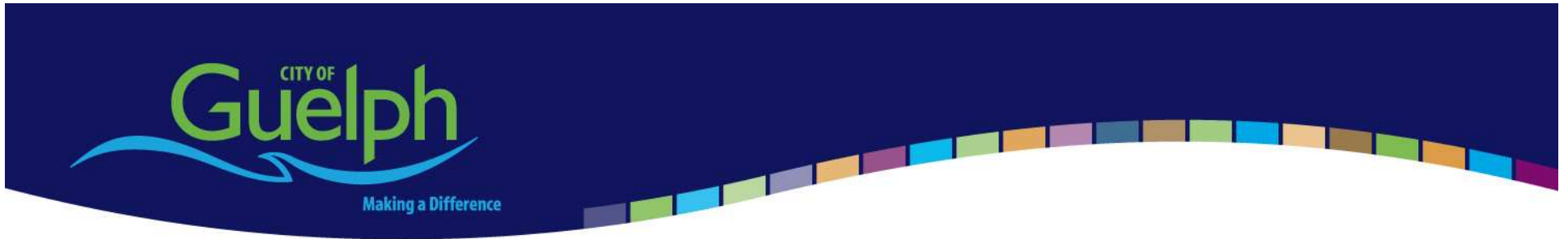
**IA-2014.6 Learning and Development Audit Report**

That the Council receive the Learning and Development Audit report.

**IA-2014.7 Learning and Development Audit Management's Response**

That the August 1, 2014 report titled "Learning and Development Management Response" be received for information.

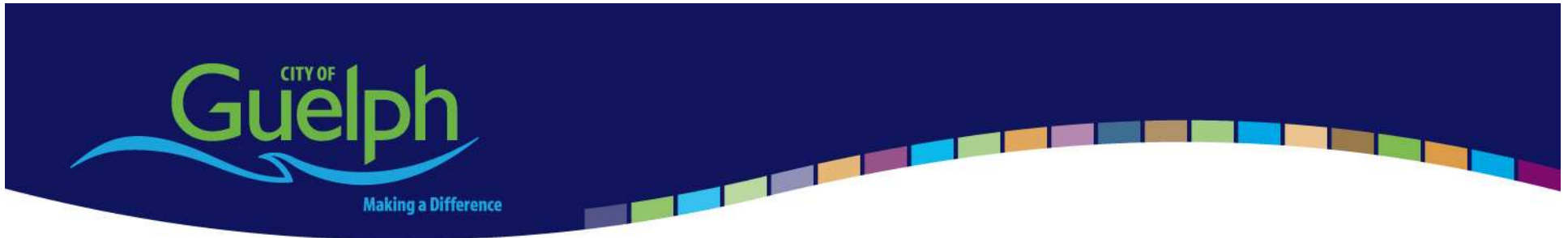
All of which is respectfully submitted.



# **Learning and Development Audit**

**Presented to Council August 25, 2014**

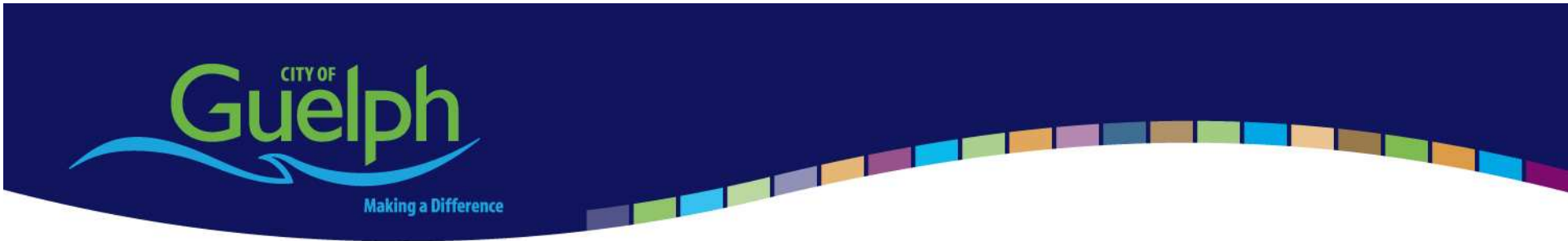




# Audit Objectives

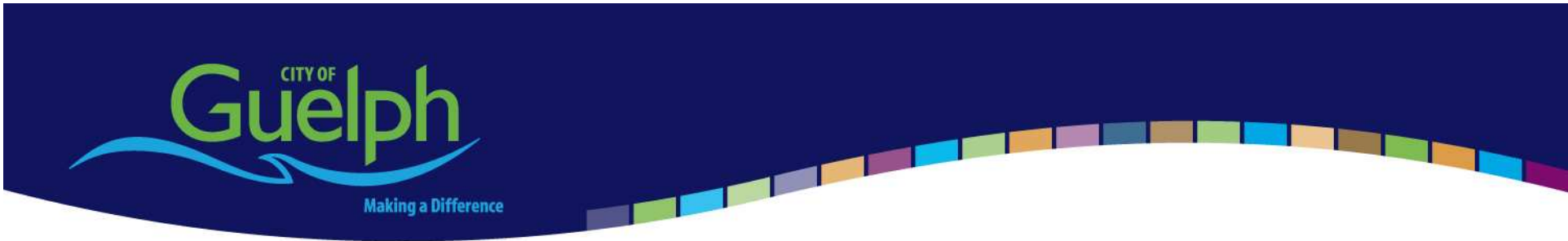
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- **Identify what the City is currently spending on all forms of Learning and Development**
- **Evaluate financial reporting and transparency of training dollars spent**
- **Identify best practices and benchmark the City with other organizations to determine what will be required for the City of Guelph to implement these practices**
- **Assess the effectiveness, accessibility and selection of learning and development opportunities for City staff**
- **Inform the ongoing development of a Corporate Learning and Development policy**



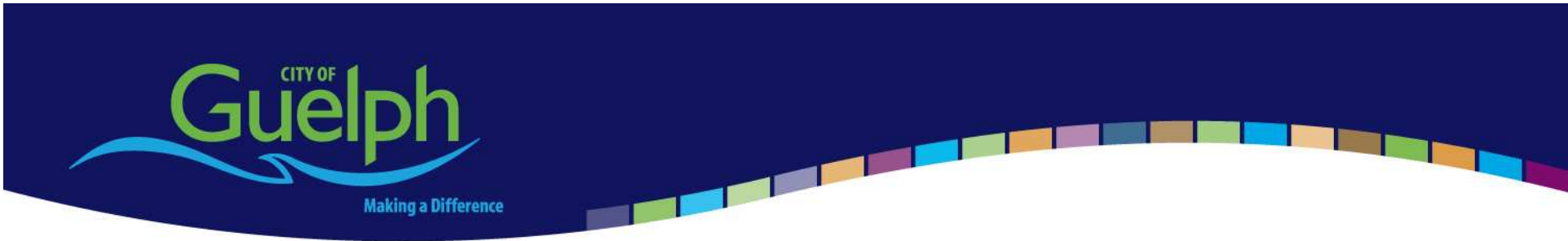
# Findings and Recommendations

FINDING	RECOMMENDATION
<b>1. Lack of a corporate L&amp;D policy providing governance and oversight including approval processes, documentation and reporting.</b>	<i>*We note that a new corporate Learning and Development Policy has been established and is ready for roll-out pending the completion of this audit. It is important that the new policy be reviewed by management to ensure that it addresses the issues identified through this audit wherever possible.</i>



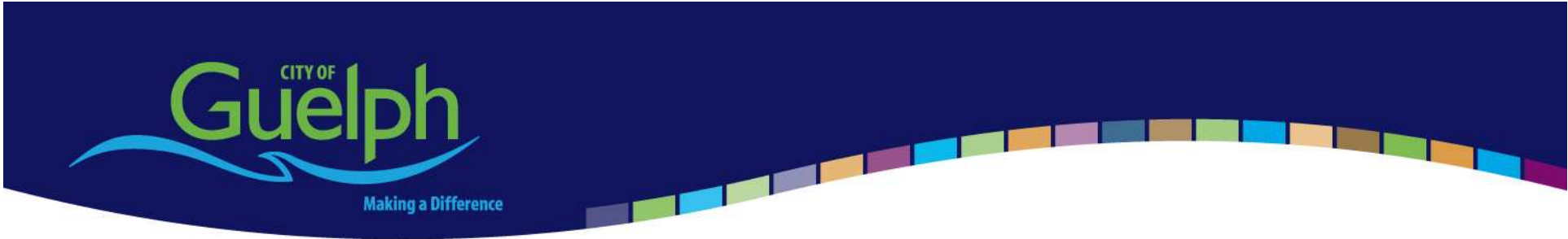
# Findings and Recommendations

FINDING	RECOMMENDATION
<b>2. Learning and Development (L&amp;D) budgets are viewed as “discretionary spending” rather than a mandatory commitment and are typically one of the first expenses to be curtailed when mitigating projected deficits.</b>	L&D budgets should be one of the last to be curtailed and only when deemed necessary by the Executive Team. The commitments made to staff and the proposed “Learning and Development Plan” for each department should be maintained.



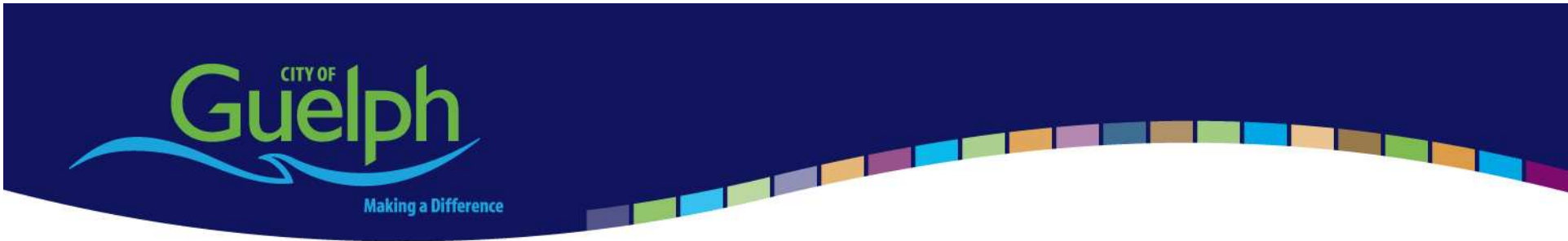
# Findings and Recommendations

FINDING	RECOMMENDATION
<b>3. Nearly 100% of all L&amp;D budget are underspent by an average of 30% annually.</b>	Management should ensure that their departmental L&D budgets are <i>realistic based on the needs of staff and the organization</i> and make the decision to either <i>reduce excess budget \$</i> <b>or</b> <i>commit to spending the budget based on their departmental L&amp;D plan</i> <b>or</b> <i>consider reallocating the excess budget (when there is a 5 year trend of underspend), to a corporate reserve fund for learning and development</i>



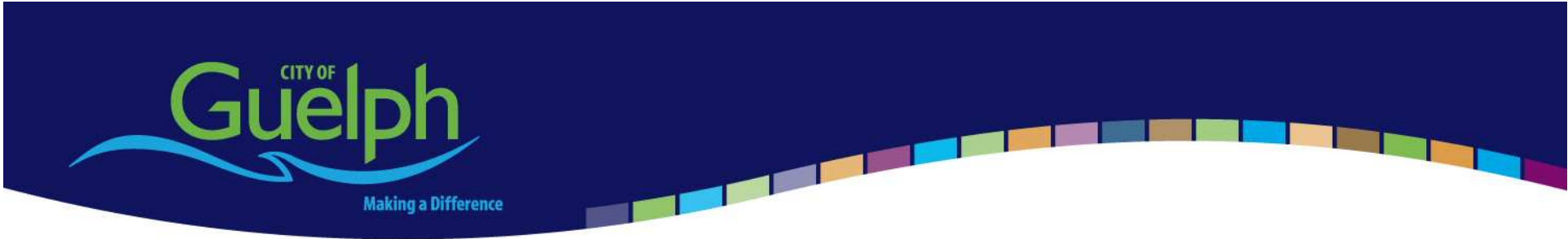
# Findings and Recommendations

FINDING	RECOMMENDATION
<b>4. Survey results indicate that <i>many</i> employees perceive little or no improvement in L&amp;D policies or processes since the 2012 Employee Engagement Focus group identified these same issues.</b>	Develop an L&D plan to address the concerns employees have expressed with respect to L&D and communicate these plans and actions across the organization.



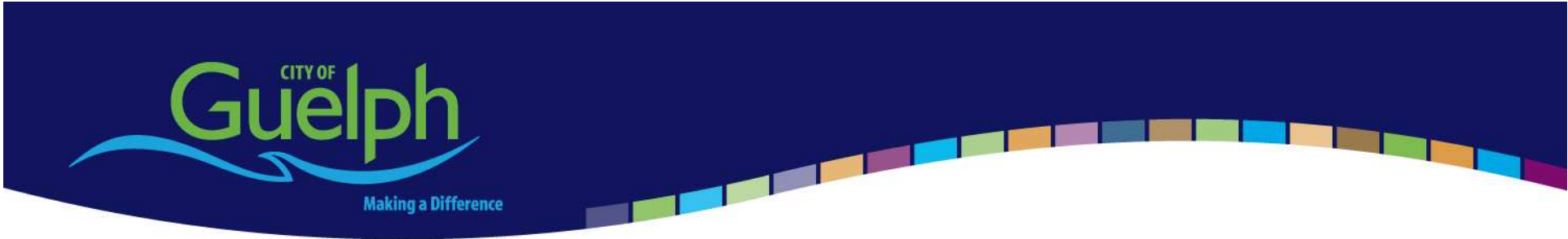
# Findings and Recommendations

FINDING	RECOMMENDATION
<p><b>5. The organization needs a more robust and formalized training process in specific areas.</b></p> <p><b>More than 85% of staff respondents identify that the training for <i>all corporate computer systems</i> such as RAC, WAM, CLASS, AMANDA, JDE, etc. and Office software programs such as Word, Excel and PowerPoint, Customer Service and Budgets is NOT meeting their needs.</b></p>	<p>a) Corporate and Human Resources (CHR) should address this significant deficiency by assigning responsibility for <u>all corporate software systems</u> training to one or more areas that should “own” and take responsibility for managing the training for those systems.</p> <p>A number of delivery options such as outsourcing, contracting, in-house, on-line or a combination of these should all be considered.</p>



# Findings and Recommendations

FINDING	RECOMMENDATION
<b>Finding # 5 continued</b>	<p>b) Systems training should be part of the onboarding process for all new employees with an established schedule and frequency <i>and should also be available</i> to existing employees on a regular and ongoing basis as requested.</p> <p>c) <u>Customer Service</u> and <u>Budget</u> training should be assigned to the appropriate department and delivered to employees that require it. A training program should be developed that ensures the new Customer Service Standards are understood and consistently delivered.</p>



# Findings and Recommendations

FINDING	RECOMMENDATION
<p><b>6. Without formal Corporate and Departmental L&amp;D plans it is difficult to accurately budget for L&amp;D to ensure that required skills and competencies are maintained within the Corporation.</b></p>	<p>Departments should develop an annual L&amp;D plan that aligns to the PDP process and ensures that budget funds are available to complete the plan. Management should be accountable for ensuring these plans are aligned with the needs of the organization and provide employees with core competencies necessary to prepare them for future opportunities at the City.</p>



## Findings and Recommendations

FINDING	RECOMMENDATION
<b>7. There are no performance indicators or means of measuring the effectiveness of training to validate that both the organization and the employee are receiving value.</b>	Training effectiveness (beyond attendance) should be evaluated through some form of employee feedback and KPIs should be established to measure the effectiveness of all types of learning and development.

## Conclusion

- **Overall outcome of the audit is positive** and confirms that the organization is managing Learning and Development very well in some respects.
- **Decentralized service structure appears to be effective**
- **Departments have consistently underspent their L&D budgets**
- **Lack of “ownership” with respect to corporate software systems**
- **Learning and Development policy will be a pivotal point** in addressing many of the audit findings

# STAFF REPORT



TO City Council

SERVICE AREA CAO Administration

DATE July 28, 2014

**SUBJECT Learning and Development Audit Report**

REPORT NUMBER CAO-A-1408

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To provide Council with the Internal Auditor's findings and recommendations of the Learning and Development audit.

### KEY FINDINGS

Learning and Development (L&D) encompassing all forms of training, is an essential component of today's "Learning Organization". The primary objective of this operational audit was to identify what the City is currently spending on L&D and to benchmark our existing programs and structure with other organizations in terms of best practices, effectiveness, accessibility and selection of L&D opportunities for City staff.

Our audit research confirmed that the current decentralized model of administering L&D is most common among our municipal comparators and is largely effective for the City.

While no major issues were identified in the service delivery structure for L&D, there are some significant gaps in specific forms of training that should be addressed.

### FINANCIAL IMPLICATIONS

There are costs associated with the findings and recommendations.

### ACTION REQUIRED

Council to receive the audit report.

## RECOMMENDATION

1. That the Council receive the Learning and Development Audit report.

## BACKGROUND

# STAFF REPORT



Learning and Development (L&D) encompassing all forms of training, is an essential component of today's "Learning Organization". In order to keep pace with the rapidly changing environment of technology, legislative requirements and best practices in business performance and customer service delivery, it is imperative that staff are equipped with the knowledge and tools to achieve optimum results for the organization.

The primary objective of this operational audit was to identify what the City is currently spending on L&D and to benchmark our existing programs and structure with other organizations in terms of best practices, effectiveness, accessibility and selection of L&D opportunities for City staff.

## REPORT

The Learning and Development Audit Report is attached in Appendix "A" of this report.

The scope established for this audit includes:

- Analysis of all Learning and Development costs (3 years historical, Budget vs. Actual).
- Compare size of budgets by department and number of employees.
- Classification of all related costs by type; i.e. Health and Safety, Legislated Training, Professional Development, etc.
- Evaluate existing system and other IT training; i.e. WAM, RAC, JDE, AMANDA, etc.
- Stakeholder evaluation of existing training programs
- Municipal Benchmarking

Our audit research confirmed that the current decentralized model of administering L&D is most common among our municipal comparators and is largely effective for the City. This means that each department establishes and controls its own L&D budget and training decisions. The Human Resources department takes complete responsibility for specific types of training such as Health and Safety, Tuition Reimbursement (LEAP program), Wellness and corporate training and development.

While no major issues were identified in the service delivery structure for L&D, there are some significant gaps in specific forms of training that should be addressed.

One of the issues of greatest concern for more than 85% of staff respondents is the lack of training in corporate software programs such as RAC, WAM, KRONOS, etc. as well as the lack of training in Customer Service, Budgets and Office software

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# STAFF REPORT

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programs. The current practice to obtain corporate software systems training leaves most employees on their own to arrange training with one of the “super users” in each respective area (Finance, Procurement, HR etc.) This is ineffective, inconsistent and relies on the willingness and availability of other staff to provide training that is not part of their function or responsibility.

We acknowledge that establishing formal training programs for these specific areas will require significant planning and resources. It may be most effective for the organization to establish a short-term committee or task force to get this work started and determine how best to approach the issue, timelines, deliverables and required resources.

The overall outcome of the audit is positive and confirms that the organization is managing Learning and Development very well in some respects. The decentralized service structure appears to be effective and a number of key training programs such as Health and Safety, soft skills, and onboarding are well-received by staff.

There are, however, a number of key issues identified through the audit that have corporate-wide impacts. Without a corporate L&D policy as reference, there is perceived inequality, inconsistency and a lack of transparency in the way training and development decisions are made.

The new Learning and Development policy will be a pivotal point in addressing many of the audit findings and recommendations and it is critical that this information be well communicated and understood across the organization.

## **CORPORATE STRATEGIC PLAN**

1.3 Organizational Excellence – Build robust systems, structures and frameworks aligned to strategy.

2.3 Innovation in Local Government – Ensure accountability, transparency and engagement.

## **DEPARTMENTAL CONSULTATION**

An online survey was distributed to all management within the organization and more than 130 staff responses were received in paper and online surveys.

## **COMMUNICATIONS**

N/A

# STAFF REPORT

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## ATTACHMENTS

Appendix "A" Auditor's Report – Learning and Development

**Report Author:** Loretta Alonzo, Internal Auditor

A handwritten signature in cursive script, appearing to read "Loretta Alonzo".

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### Recommended By

Loretta Alonzo

Internal Auditor

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CAO-A-1408 – Appendix "A"

**INTERNAL AUDIT REPORT**

**LEARNING AND DEVELOPMENT**

**FINAL**

**August 1, 2014**

**Prepared by:**

**Loretta Alonzo, Internal Auditor**

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## **EXECUTIVE SUMMARY**

### **Executive Summary - Key Findings and Recommendations**

Learning and Development (L&D) encompassing all forms of training, is an essential component of today's "Learning Organization". In order to keep pace with the rapidly changing environment of technology, legislative requirements and best practices in business performance and customer service delivery, it is imperative that staff are equipped with the knowledge and tools to achieve optimum results for the organization.

The primary objective of this operational audit was to identify what the City is currently spending on L&D and to benchmark our existing programs and structure with other organizations in terms of best practices, effectiveness, accessibility and selection of L&D opportunities for City staff.

Our audit research confirmed that the current decentralized model of administering L&D is most common among our municipal comparators and is largely effective for the City. This means that each department establishes and controls its own L&D budget and training decisions. The Human Resources department takes primary responsibility for specific types of training such as Health and Safety, Tuition Reimbursement, Wellness and corporate training and development.

While no major issues were identified in the service delivery structure for L&D, there are some significant gaps in specific forms of training that should be addressed.

Extensive stakeholder input was gathered for this audit and the results were highly consistent across the organization. Health and Safety training was highly rated by the majority of staff as was orientation, onboarding and soft skill training such as diversity, respectful workplace etc.

One of the issues of greatest concern for more than 85% of staff respondents is the lack of training in corporate software programs such as "RAC", "WAM", "KRONOS" "AMANDA", etc. as well as the lack of training in Customer Service, Budgets and Office software programs. The current practice to obtain corporate software systems training leaves most employees on their own to arrange training with one of the "super users" in each respective area (Finance, Procurement, HR etc.) This is ineffective, inconsistent and relies on the willingness and availability of other staff to provide training that is not part of their function or responsibility.

Financial analysis conducted for the audit identified that nearly 100% of L&D budgets are underspent year over year by an average of 30%. This often occurs when "discretionary" spending is curtailed to mitigate projected budget deficits.

In order to truly become a "Learning Organization" and support one of the City's strategic directions (*1.1 Engage employees through excellence in leadership*) the City will have to accept that Learning and Development plans and commitments are *not* discretionary and should be maintained.

Municipal benchmarking data was somewhat difficult to obtain, particularly for financial comparisons, as most organizations, like Guelph, have decentralized L&D budgets and are not able to provide financial data at the department level for the purpose of comparing our costs. Some of the comparisons used for the audit were taken from the HR Annual Report based on the Conference Board of Canada statistics.

We note that there is presently no corporate Learning and Development Policy and acknowledge that HR staff have established a new policy which they are ready to formally implement pending the completion of this audit. It is anticipated that the new policy will address many of the concerns expressed by staff in terms of equity, accessibility and effectiveness of training.

**The key findings and recommendations identified in the audit are summarized in Chart 1 on page 8 of this report.**

## **AUDIT OBJECTIVES**

The following objectives were established for this operational audit:

- Identify what the City is currently spending on all forms of Learning and Development
- Evaluate financial reporting and transparency of training dollars spent
- Identify best practices and benchmark the City with other organizations to determine what will be required for the City of Guelph to implement these practices
- Assess the effectiveness, accessibility and selection of learning and development opportunities for City staff
- Inform the ongoing development of a Corporate Learning and Development policy

## **SCOPE**

The scope established for this audit includes:

- Analysis of all Learning and Development costs (3 years historical, Budget vs. Actual).
- Compare size of budgets by department and number of employees.
- Classification of all related costs by type; i.e. Health and Safety, Legislated Training, Professional Development, etc.
- Evaluate existing system and other IT training; i.e. WAM, RAC, JDE, AMANDA, etc.
- Stakeholder evaluation of existing training programs
- Municipal Benchmarking

## **AUDIT TEAM**

- Loretta Alonzo, Internal Auditor
- Katherine Gray, Business Performance Specialist
- Adrian van Eck, Supervisor, Inspection Services

## **METHODOLOGY**

The following research and analysis was undertaken for this audit:

- Staff-Stakeholder interviews
  - Online survey (49 completed)
  - Paper survey (83 completed)
  - Personal interviews – Executive Team / DRLT (16 completed)
  - Standing Committee Chairs
  - Compliance Training staff (2)
  - Health and Safety staff (2)
  - Key Human Resources staff (6)
- Internal documentation review and analysis
  - Human Resources, Annual Reports – 2008-2013
- External Literature review
- Municipal Comparators – Benchmarking
- Financial Analysis (Object codes – 3400-3480)

## **CORPORATE OVERVIEW**

### **Current Environment**

Learning and development, encompassing all forms of training, is an essential component of today's "Learning Organization". In order to keep pace with the rapidly changing environment of technology, legislative requirements and best practices in business performance and customer service delivery, it is imperative that staff are equipped with the knowledge and tools to achieve optimum results for the organization.

The City of Guelph strives to ensure that the organization meets the needs of employees and the community by providing learning and development opportunities in a variety of forms. The benefits to the organization include:

- Employees who are continuously learning are better prepared to help the organization achieve its goals
- Learning and develop programs ensure staff are more engaged, productive and motivated
- Well trained staff require less supervision
- A skilled pool of employees are ready to replace others who leave

- Staff that engage in continuous learning are better able to meet the challenge of changes in the organization
- The City can attract and retain the best employees

Our audit research confirmed that the current decentralized model of administering L&D is most common among our municipal comparators and is largely effective for the City. This means that each department establishes and controls its own L&D budget and training decisions. The Human Resources department takes complete responsibility for specific types of training such as Health and Safety, Tuition Reimbursement (LEAP program), Wellness and corporate training and development.

While no major issues were identified in the service delivery structure for L&D, there are some significant gaps in specific forms of training that should be addressed.

Extensive stakeholder input was gathered for this audit and the results were highly consistent across the organization. Health and Safety training was highly rated by the majority of staff as was orientation, onboarding and soft skill training such as diversity, respectful workplace etc.

One of the issues of greatest concern for more than 85% of staff respondents is the lack of training in corporate software programs such as RAC, WAM, KRONOS, etc. as well as the lack of training in Customer Service, Budgets and Office software programs. The current practice to obtain corporate software systems training leaves most employees on their own to arrange training with one of the “super users” in each respective area (Finance, Procurement, HR etc.) This is ineffective, inconsistent and relies on the willingness and availability of other staff to provide training that is not part of their function or responsibility.

**Recommendation**

*The organization should address this significant deficiency by assigning responsibility for all corporate software systems training to one or more areas that should take responsibility for managing the training for those systems.*

We acknowledge that establishing formal training programs for these specific areas will require significant planning and resources. It may be most effective for the organization to establish a short-term committee or task force to get this work started and determine how best to approach the issue, timelines, deliverables and required resources.

Financial analysis conducted for the audit identified that nearly 100% of L&D budgets are underspent year over year by an average of 30%. This often occurs when “discretionary” spending is curtailed to mitigate projected budget deficits.

**Recommendation**

*L&D budgets should be one of the last to be curtailed.*

In order to truly become a “Learning Organization” and support one of the City’s strategic directions (1.1 Engage employees through excellence in leadership) the City will have to accept that Learning and Development plans and commitments are *not* discretionary and should be maintained.

A detailed summary of the issues that were identified by the majority of survey respondents is presented on page 12.

## **CORPORATE SUMMARY – KEY FINDINGS AND RECOMMENDATIONS**

Chart 1

FINDING	RECOMMENDATION
<p><b>1. Lack of a corporate L&amp;D policy providing governance and oversight including approval processes, documentation and reporting.</b></p>	<p><i>*We note that a new corporate Learning and Development Policy has been established and is ready for roll-out pending the completion of this audit. It is important that the new policy be reviewed by management to ensure that it addresses the issues identified through this audit wherever possible.</i></p>
<p><b>2. Learning and Development (L&amp;D) budgets are viewed as “discretionary spending” rather than a mandatory commitment and are typically one of the first expenses to be curtailed when mitigating projected deficits.</b></p>	<p>L&amp;D budgets should be one of the last to be curtailed and only when deemed necessary by the Executive Team. The commitments made to staff and the proposed “Learning and Development Plan” for each department should be maintained.</p>
<p><b>3. Nearly 100% of all L&amp;D budget are underspent by an average of 30% annually.</b></p>	<p>Management should ensure that their departmental L&amp;D budgets <i>are realistic based on the needs of staff and the organization</i> and make the decision to either <i>reduce excess budget \$</i> <b>or</b> <i>commit to spending the budget based on their departmental L&amp;D plan</i> <b>or</b> <i>consider reallocating the excess budget (when there is a 5 year trend of underspend), to a corporate reserve fund for learning and development</i></p>
<p><b>4. Survey results indicate that <i>many</i> employees perceive little or no improvement in L&amp;D policies or processes since the 2012 Employee Engagement Focus group identified these same issues.</b></p>	<p>Develop an L&amp;D plan to address the concerns employees have expressed with respect to L&amp;D and communicate these plans and actions across the organization.</p>
<p><b>(L&amp;D was NOT identified as one of the top 3 drivers following the Employee Engagement Survey and therefore no action plans were developed)</b></p>	<p>Management should ensure that where possible, the new policy addresses the key issues raised by the focus group in the last engagement survey as well as the audit survey findings.</p>
<p><b>5. The organization needs a more robust and formalized training process in specific areas.</b></p>	<p>a) Corporate and Human Resources (CHR) should address this significant deficiency by assigning responsibility for <u>all corporate software systems</u></p>

**More than 85% of staff respondents identify that the training for *all corporate computer systems* such as RAC, WAM, CLASS, AMANDA, JDE, etc. and Office software programs such as Word, Excel and PowerPoint, Customer Service and Budgets is NOT meeting their needs.**

training to one or more areas that should “own” and take responsibility for managing the training for those systems.

A number of delivery options such as outsourcing, contracting, in-house, on-line or a combination of these should all be considered.

- b) Systems training should be part of the onboarding process for all new employees with an established schedule and frequency *and should also be available* to existing employees on a regular and ongoing basis as requested.
- c) Customer Service and Budget training should be assigned to the appropriate department and delivered to employees that require it. A training program should be developed that ensures the new Customer Service Standards are understood and consistently delivered.

**6. Without formal Corporate and Departmental L&D plans it is difficult to accurately budget for L&D to ensure that required skills and competencies are maintained within the Corporation.**

Departments should develop an annual L&D plan that aligns to the PDP process and ensures that budget funds are available to complete the plan. Management should be accountable for ensuring these plans are aligned with the needs of the organization and provide employees with core competencies necessary to prepare them for future opportunities at the City.

**7. There are no performance indicators or means of measuring the effectiveness of training to validate that both the organization and the employee are receiving value.**

Training effectiveness (beyond attendance) should be evaluated through some form of employee feedback and KPIs should be established to measure the effectiveness of all types of learning and development.

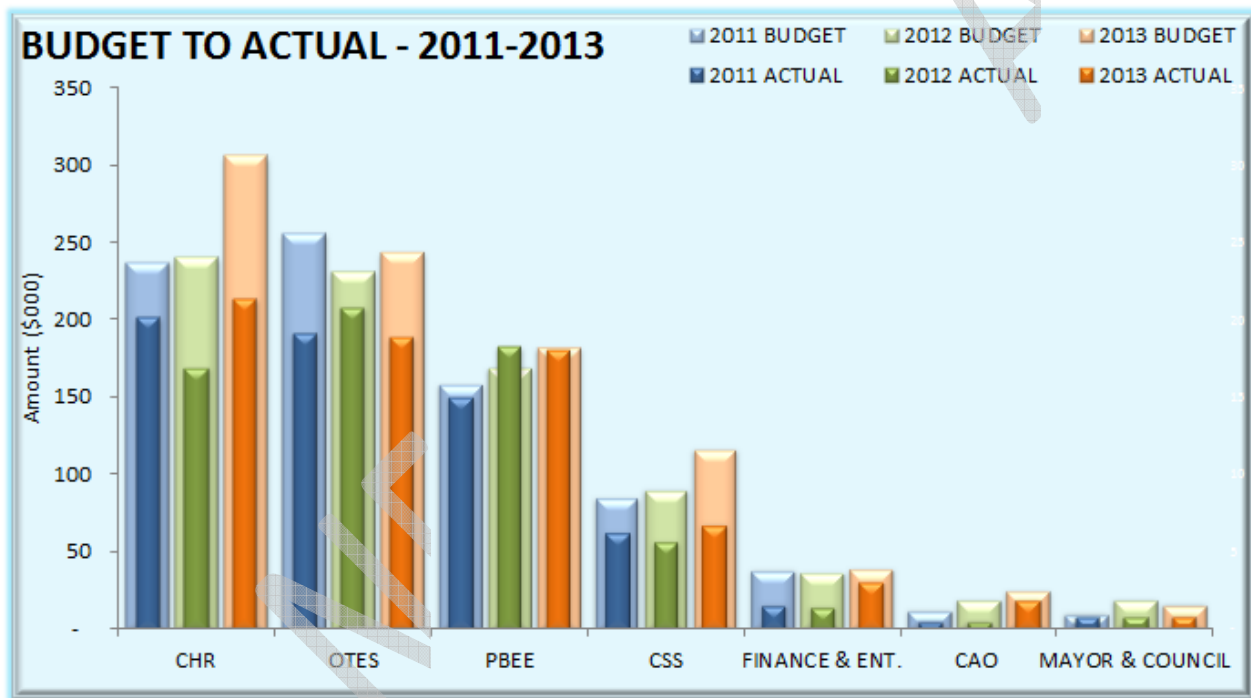


## CORPORATE FINANCIAL ANALYSIS

It is significant to note that almost 100% of L&D budgets are underspent by an average of 30% annually. There are a number of factors that impact actual spending but in recent years discretionary spending has often been curtailed or eliminated to mitigate projected deficits.

The total Budget compared to Actual costs for 2011-2013 are depicted in Chart 2 and Chart 3 below.

Chart 2



\*\* Note that the reported costs for CHR include 100% of expenses for management and executive training and development, Health and Safety training, Wellness, and Tuition Assistance (LEAP Program)

Chart 3

### **Recommendation**

*Management should ensure that their departmental L&D budgets are realistic based on the needs of staff and make the decision to either reduce excess budget \$ or commit to spending the budget based on their departmental L&D plan.*

BUDGET TO ACTUAL VARIANCE - BY SERVICE AREA - 2011-2013									
	2011		%	2012		%	2013		%
	BUDGET	ACTUAL	Underspent	BUDGET	ACTUAL	Underspent	BUDGET	ACTUAL	Underspent
CAO	12,720	5,825	-54%	19,220	5,578	-71%	25,220	19,617	-22%
MAYOR & COUNCIL	10,600	8,699	-18%	19,500	8,452	-57%	16,500	9,217	-44%
OTES	256,415	191,925	-25%	232,056	208,928	-10%	244,256	189,582	-22%
PBEE	158,960	150,701	-5%	169,508	183,401	8%	182,538	181,316	-1%
CSS	85,415	63,048	-26%	90,870	57,158	-37%	116,743	68,196	-42%
CHR	238,370	202,317	-15%	240,920	169,774	-30%	306,170	214,628	-30%
FINANCE & ENT.	38,895	16,410	-58%	36,734	15,069	-59%	39,289	30,777	-22%
<b>TOTALS</b>	<b>801,375</b>	<b>638,925</b>		<b>808,808</b>	<b>648,360</b>		<b>930,716</b>	<b>713,333</b>	

The actual costs by category (object code) for ALL service areas are shown in Chart 4 below. We note that costs have not increased significantly over the past 3 years.

Chart 4

LEARNING & DEVELOPMENT - ACTUAL COSTS BY CATEGORY (OBJECT CODES)					
	2011	2012	2013	OBJECT CODE	
Conference Registration	153,026	131,803	165,147	3405	
Train. Meals	5,132	4,601	6,274	3407	
Train. Mileage	1,250	881	342	3408	
Train. Fares	5,287	1,366	8,689	3409	
Train. Accomodation	2,186	1,693	1,593	3410	
Train. Supplies	8,729	19,309	11,476	3411	
Train. Registration	342,732	407,516	418,313	3412	
Management Train.	6,853	2,543	3,039	3414	
Employee Train.-Develop.	19,269	23,328	15,665	3480	
Health & Safety Train.	15,968	8,751	6,179	3480	
Manadatory Train.	7,304	7,925	8,737	3480	
Management Train.	24,134	7,695	25,497	3480	
Tuition Assist.	23,565	10,871	39,891	3480	
Wellness Expense	19,188	16,593	1,316	3480	
	<b>636,634</b>	<b>646,887</b>	<b>714,171</b>		

These figures cannot be compared to those reported in the HR Annual Report as the criteria used in the report is customized to standards set by the Conference Board of Canada for reporting these costs and does not include all of the object codes in the City's financial reporting system. It should also be noted that the recurring issue of data governance is evident in the lower level financial reporting due to the inaccurate use of object codes by users. The result is some inconsistencies in the financial data collected for this audit.



According to the HR Annual Report for 2013 the City is comparing training data against the following sectors; Federal, Provincial, Municipal, University, Hospital and School Board. While only 53 organizations responded to the survey in 2011 the total number reporting in 2013 was 115. Using the Conference Board of Canada benchmarking data, the cost of actual training per full time employee is summarized in **Chart 5** below:

<b>COST OF TRAINING PER FULL TIME EMPLOYEE</b>					
	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>Guelph (Actual) Cost per Full Time Employee</b>	\$694	\$476	\$536	\$579	\$593
<b>Guelph Budget</b>			\$649	\$655	\$754
<b>Conference Board of Canada</b>	\$986	\$986	\$688	\$688	\$705

While the City is setting realistic budgets that ensure a competitive and reasonable training allocation per employee, we are consistently lagging behind other employers in terms of *actual dollars spent per employee*. As stated in the HR Annual report, the City is competing for talent with other employers and may be unfavourably compared to those organizations as a result. More detailed analysis regarding L&D from the perspective of Guelph staff may be found in the "Stakeholder Interview and Survey" section of this report.

**Recommendation**

*Develop a plan to address the concerns employees have expressed with respect to L&D and communicate action plans across the organization.*

**STAKEHOLDER INTERVIEW AND SURVEY DATA**

Extensive input from staff was collected for this audit. In total, 132 paper and online surveys were completed and an additional 16 personal interviews were conducted.

The results were highly consistent across the organization and soundly confirm the results of the Employee Engagement Survey conducted in 2012. In their "Summary of Focus Group Findings", Aon Hewitt identified the following issues related to Learning and Development:

- ❖ Employees say policy prevents them from taking any training not directly related to their current role: this makes it difficult to develop new skills that could lead to a job change
- ❖ Employees believe supervisors and managers are inconsistent in approving training.....; there is confusion over the budget for training

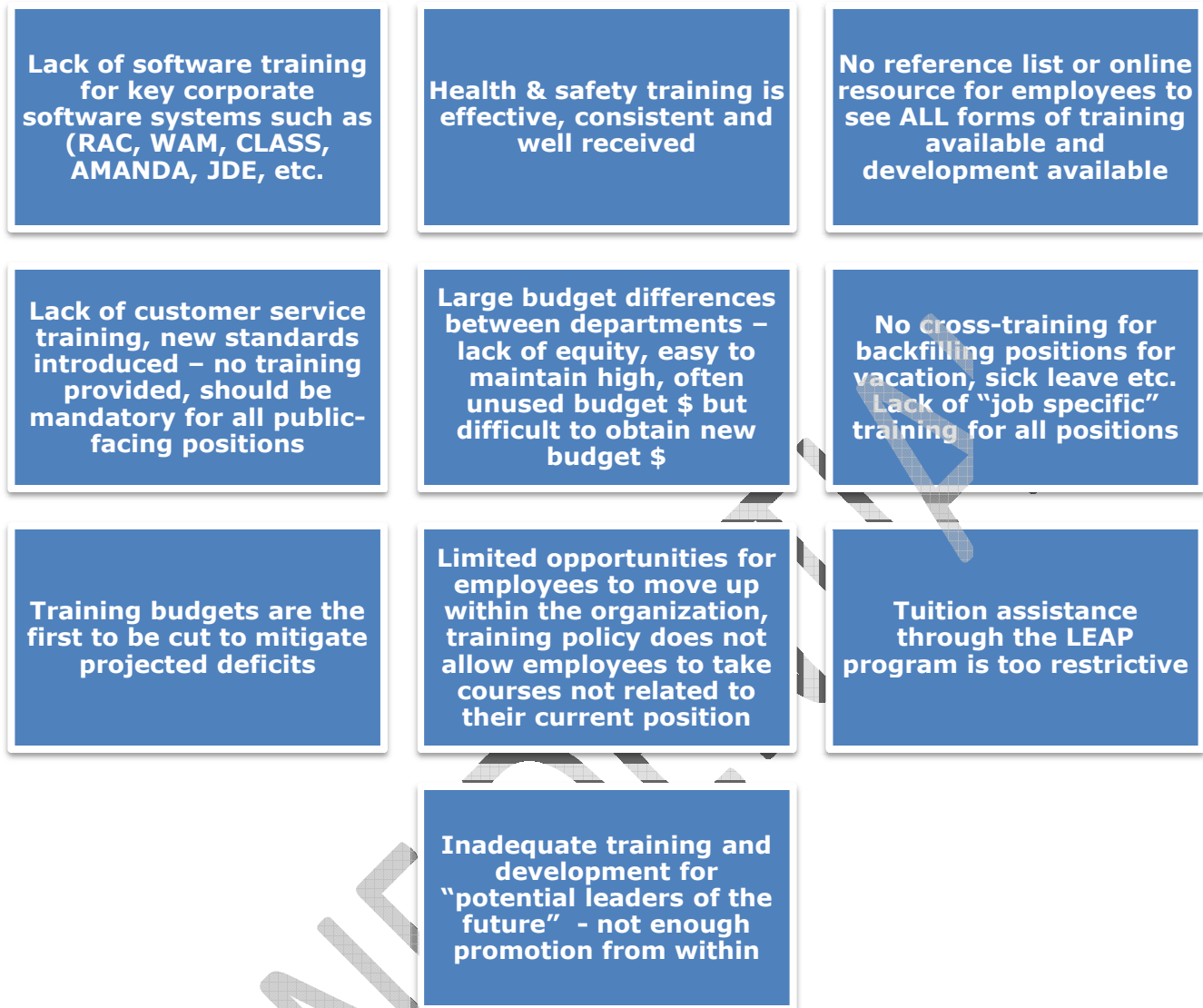
- ❖ Employees do not believe they have much of an opportunity to advance – and, in fact believe the systems in place actually are designed to limit their ability to advance

The survey results from this audit indicate that most employees see little or no improvement in this area and the audit confirms that no changes to corporate policy or processes have been made since the employee engagement results were received. There has been some improvements at the department level and we note that the Building Services has developed a very thorough training plan, training reference book and a robust training schedule for their staff. This model could be used for all departments to develop their L&D training plans (see Recommendation # 6, page 8).

In order for the responses to be fully understood, the complete raw data including open comments (not including names of respondents) will be provided to the auditee separately from this report.

The majority of employee responses identified these as the **top ten issues**.

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Employees also expressed their concern about these issues:

- No tracking and reporting system for training requirements – managers, supervisors have to identify when training is due and what is available
- New supervisors and managers not receiving adequate training on policies and procedures
- Difficult for many employees to pay for courses up front through LEAP program
- In-house training times not accessible for all employees, even mandatory training is not possible at times
- Professional development is department specific – no corporate direction to build staff skills
- Timing of training budget doesn't align with PDP process
- Lack of formal succession planning
- Need training in Council and Committee approval process and general procedures
- JDE reporting is inconsistent, out of date and inaccurate for training information and status; redundant efforts to provide one result (3 people entering the same information)

The audit survey asked employees to rate their satisfaction with specific types of training offered by the City. There are some significant gaps between the training employees feel they need and what the City is providing in some instances.

As stated previously the most notable training deficiency identified in the audit is related to corporate computer systems training (JDE, RAC, KRONOS, WAM, AMANDA, etc.), Budgets and Customer Service. Clearly the needs of the organization are not being met and staff are limited in their ability to fully utilize the available tools or deliver the highest quality service to their customers.

The results of three key survey questions are summarized in Chart 7 and 8 below:

Chart 7

Question 1: Rate the following types of training and development in terms of how they meet your needs and expectation:

	<b>Fully Meets My Needs</b>	<b>Somewhat Meets My Needs</b>	<b>Does Not Meet My Needs</b>	<b>Total Number of Responses</b>
Onboarding ( <i>recruitment and selection process</i> )	<b>40.0%</b>	<b>47.7%</b>	<b>12.3%</b>	<b>65</b>
Orientation	<b>31.8%</b>	<b>39.4%</b>	<b>28.8%</b>	<b>132</b>
Legislated or Regulatory Training ( <i>for professional certification or compliance</i> )	<b>36.5%</b>	<b>41.7%</b>	<b>21.9%</b>	<b>96</b>
Health and Safety	<b>41.1%</b>	<b>45.2%</b>	<b>13.7%</b>	<b>124</b>
Professional Development and Education	<b>21.4%</b>	<b>45.5%</b>	<b>33.0%</b>	<b>112</b>
Corporate leadership, Management and Supervisory Training	<b>22.1%</b>	<b>51.2%</b>	<b>26.7%</b>	<b>86</b>
Policy/Soft skill Training ( <i>respectful work place, diversity, etc.</i> )	<b>43.7%</b>	<b>42.0%</b>	<b>14.3%</b>	<b>119</b>
Organizational Development	<b>22.7%</b>	<b>45.5%</b>	<b>31.8%</b>	<b>110</b>
Computer Systems ( <i>RAC, JDE, WAM, KRONOS, GIS, AMANDA, etc.</i> )	<b>10.5%</b>	<b>38.1%</b>	<b>51.4%</b>	<b>105</b>
Customer Service Training	<b>21.4%</b>	<b>38.4%</b>	<b>40.2%</b>	<b>112</b>
Budget Training	<b>21.5%</b>	<b>24.6%</b>	<b>53.8%</b>	<b>65</b>
AVERAGE %	<b>28.4</b>	<b>41.7</b>	<b>29.8</b>	

Question 2: We asked staff to rate the current system for approving and accessing training and development funds:

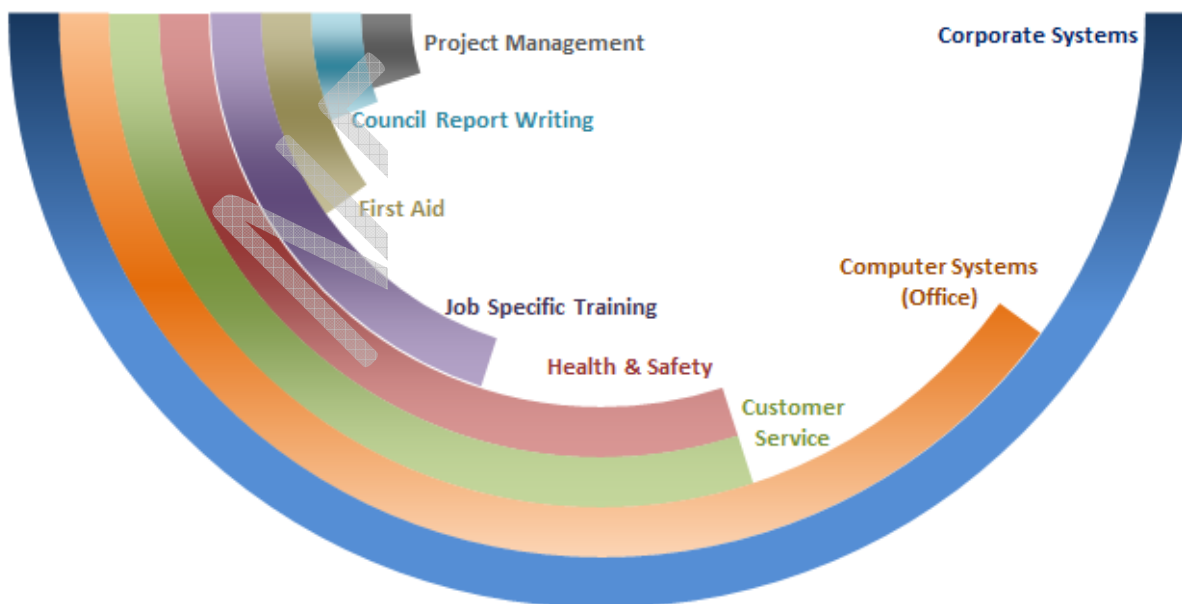
Total Responses:	119
Very Effective	15.1%
Somewhat Effective	50.4%
Not Effective	34.5%

Question 3: We also asked survey participants what additional learning and development opportunities they would like to see at the City of Guelph. Their responses are illustrated in Chart 8 below:

The top 3 requests for training are corporate software systems, office software and customer service.

Chart 8 Total Responses: 113

### Additional Training Identified



## BENCHMARKING

Municipal benchmarking data was somewhat difficult to obtain, particularly for financial comparisons, as most organizations, like Guelph, have decentralized L&D budgets and are

not able to provide financial data at the department level for the purpose of comparing our costs. Some of the comparisons used for the audit were taken from the HR Annual Report based on the Conference Board of Canada statistics.

The majority of municipalities surveyed operate on a “decentralized” basis where planning, funding and authorization for training and development activities takes place at both the department as well as the corporate level.

The *corporate* budget for learning and development (L&D) is most often directed towards cross-departmental training such as leadership or management training, orientation, corporate code of conduct, soft skills training such as respectful workplace and diversity, and health and safety training.

Only 2 municipalities (Kitchener and Kawartha Lakes) report a budget which is centralized through an L&D reserve or administered solely by the HR department. Within this centralized framework decision-making is made by departments for individual training but the HR department is responsible for the overall administration of the corporate program.

The municipal comparators that responded to our survey are limited which makes it difficult to draw conclusions from the data collected. The City of Vaughan conducted a broad survey on training and development in August 2013 and we have incorporated some of their data into our results. The findings are summarized as follows:

- ❖ Only 2 of 5 cities report having a formal Learning and Development policy
- ❖ None of the 5 cities surveyed have conducted a Learning and Development audit in the past 5 years. (Burlington, Hamilton, Peel Region, Toronto, Vaughan)
- ❖ None of the respondents were able to provide comparable financial data for Learning and Development costs as all are decentralized with expenditures being controlled at the department level only. Vaughan reported that 55% of municipalities were unable to report on these costs at the department level
- ❖ Computers systems training is most often provided by HR for Microsoft Office software (Word, Excel, PowerPoint) but other IT training is generally provided by the IT department. Training may be outsourced, carried out in the department or hosted by other subject matter experts in the organization
- ❖ L&D costs by organization were highly variable (\$50,000 to \$5 million) but as a percentage of total payroll these costs consistently ranged from .8% to 1%
- ❖ Average expenditure per employee ranges from \$70 to \$1000
- ❖ 72% of those surveyed split L&D budgets between Corporate and Departmental needs with only 28% allocating all L&D budgets to the departments

**Recommendation**

*Departments should develop an annual L&D plan that aligns to the PDP process and ensures that budget funds are available to complete the plan.*

The audit did not identify and department- specific issues or recommendations. As part of the financial analysis completed for the audit we have

examined the 3-year history of Budget to Actual by service area. Those results are depicted in the following charts 9-18.

## OPERATIONS, TRANSIT AND EMERGENCY SERVICES – FINANCIAL ANALYSIS

The following charts illustrate Actual to Budget 2011 - 2013

Chart 9

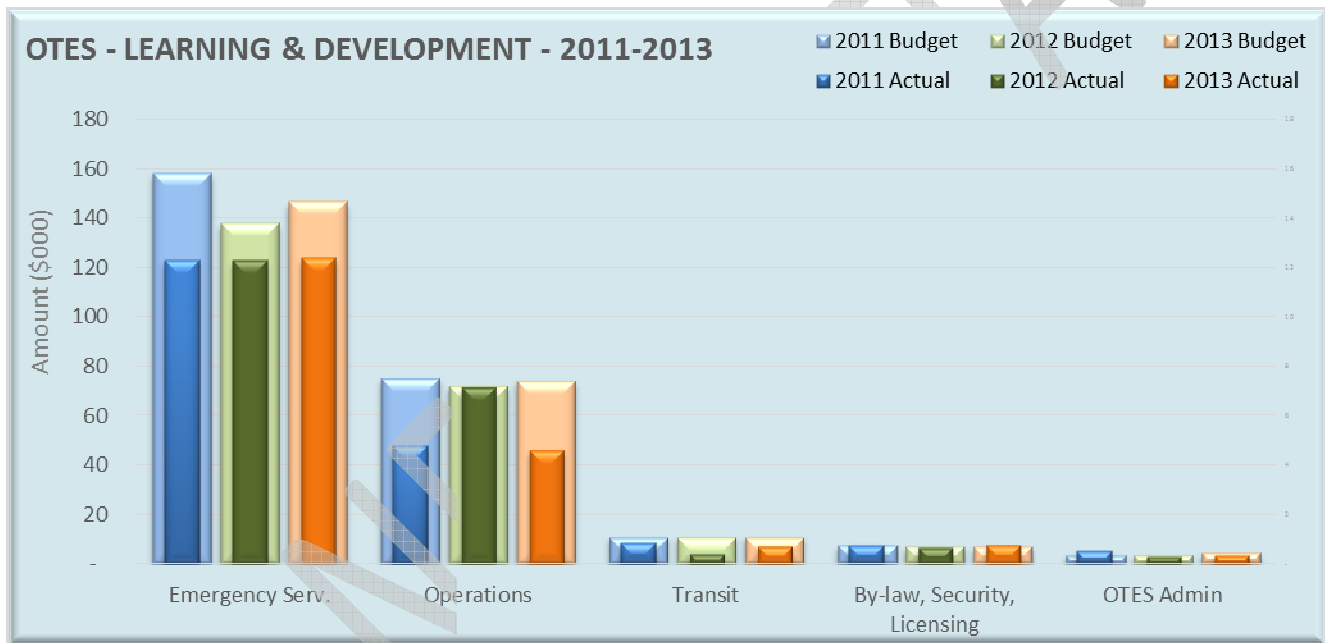


Chart 10

LEARNING & DEVELOPMENT COSTS - OTES							
	2011		2012		2013		2014
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET
OTES Admin	3,650	5,050	3,650	3,199	4,650	3,957	9,650
By-law, Security, Licensing	7,760	7,391	7,260	6,891	7,260	7,713	10,060
Transit	11,250	8,555	11,250	4,441	11,250	7,508	16,100
Operations	75,361	47,770	72,132	71,642	74,432	46,353	69,532
Emergency Serv.	158,394	123,159	137,764	122,755	146,664	124,051	136,044
<b>TOTALS</b>	<b>256,415</b>	<b>191,925</b>	<b>232,056</b>	<b>208,928</b>	<b>244,256</b>	<b>189,582</b>	<b>241,386</b>

# PLANNING, BUILDING, ENGINEERING AND ENVIRONMENT – FINANCIAL ANALYSIS

The following charts illustrate Actual to Budget 2011 - 2013

Chart 11

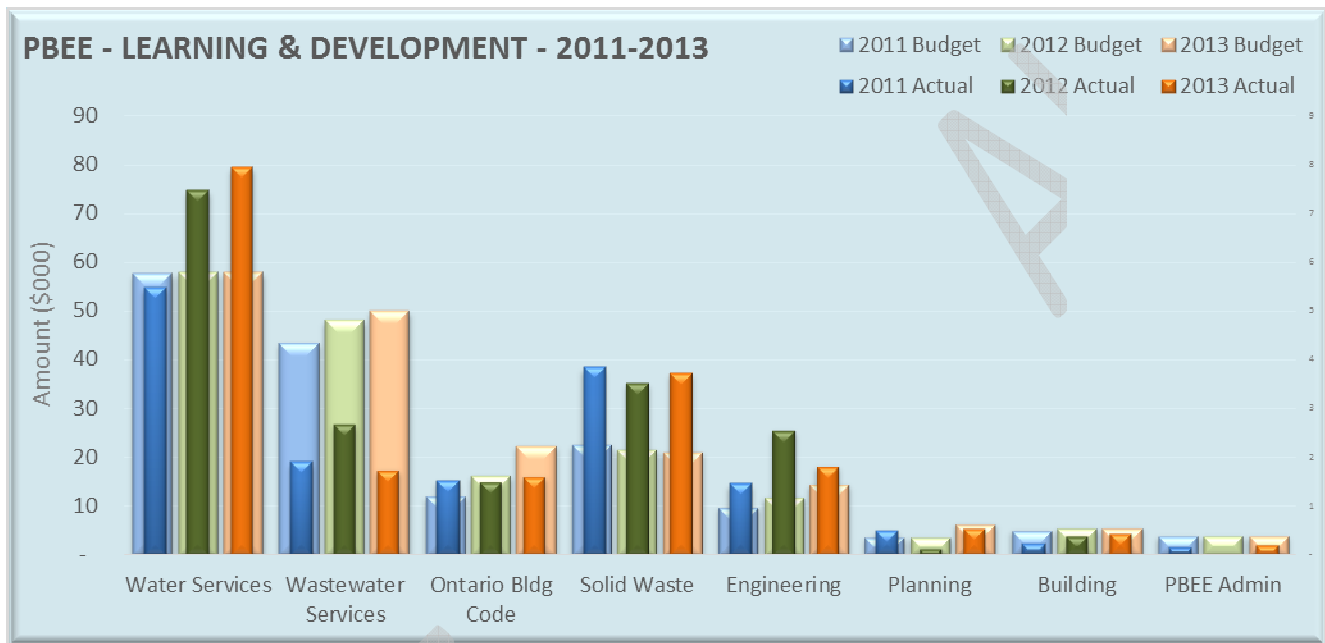


Chart 12

LEARNING & DEVELOPMENT COSTS - PBEE							
	2011		2012		2013		2014
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET
PBEE Admin	4,000	1,402	4,000	223	4,000	2,269	4,000
Planning	3,700	4,978	3,700	1,557	6,500	5,582	16,500
Water Services	57,800	54,929	58,000	74,865	58,000	79,569	66,000
Wastewater Services	43,600	19,002	48,198	26,900	50,098	17,537	52,598
Building	5,140	2,242	5,640	4,092	5,700	4,454	7,200
Engineering	9,970	14,546	11,970	25,542	14,540	18,330	20,100
Solid Waste	22,650	38,447	21,700	35,253	21,200	37,357	38,700
Ontario Bldg Code	12,100	15,155	16,300	14,969	22,500	16,218	24,200
<b>TOTALS</b>	<b>158,960</b>	<b>150,701</b>	<b>169,508</b>	<b>183,401</b>	<b>182,538</b>	<b>181,316</b>	<b>229,298</b>



## COMMUNITY AND SOCIAL SERVICES – FINANCIAL ANALYSIS

The following charts illustrate Actual to Budget 2011 - 2013

Chart 13

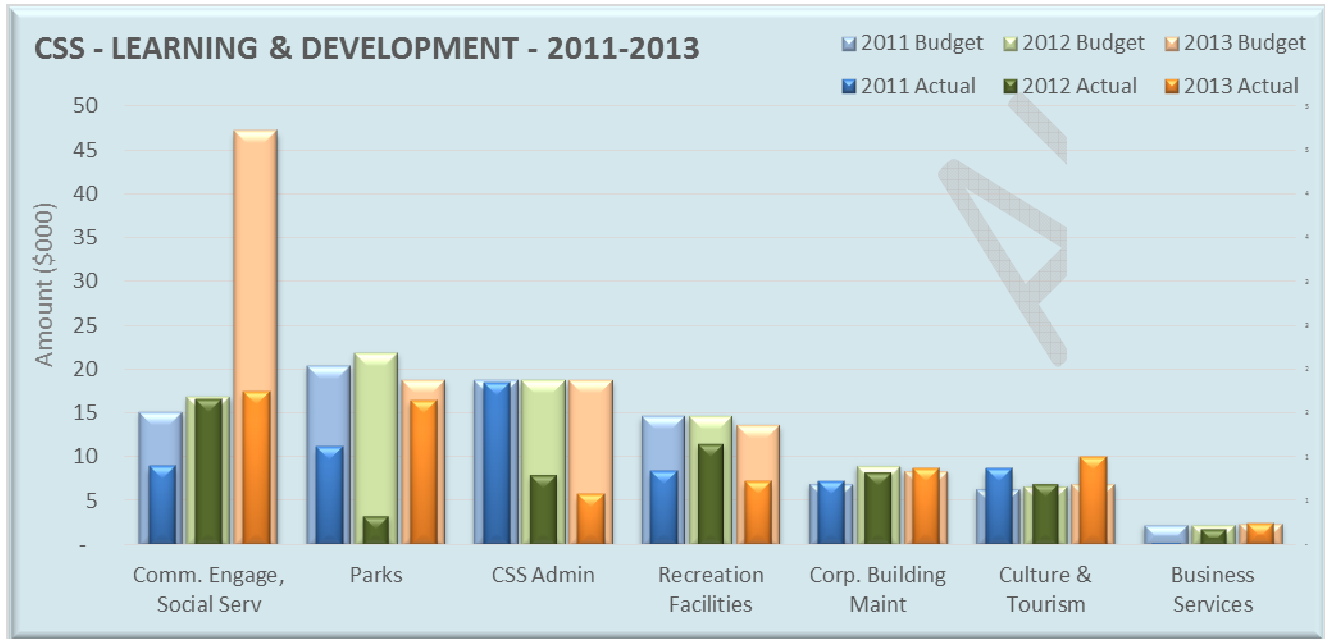


Chart 14

LEARNING & DEVELOPMENT COSTS - CSS							
	2011		2012		2013		2014
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET
CSS Admin	18,820	18,467	18,820	8,021	18,820	5,800	18,820
Recreation Facilities	14,740	8,393	14,740	11,605	13,740	7,204	13,840
Comm. Engage, Social Serv	15,296	8,959	17,012	16,684	47,185	17,506	7,435
Culture & Tourism	6,530	8,680	6,830	7,124	7,030	10,099	7,780
Corp. Building Maint	7,130	7,197	9,130	8,417	8,530	8,675	11,930
Business Services	2,360	206	2,360	1,961	2,560	2,433	2,560
Parks	20,539	11,146	21,978	3,346	18,878	16,479	19,778
<b>TOTALS</b>	<b>85,415</b>	<b>63,048</b>	<b>90,870</b>	<b>57,158</b>	<b>116,743</b>	<b>68,196</b>	<b>82,143</b>

# CORPORATE AND HUMAN RESOURCES – FINANCIAL ANALYSIS

The following charts illustrate Actual to Budget 2011 - 2013

Chart 15

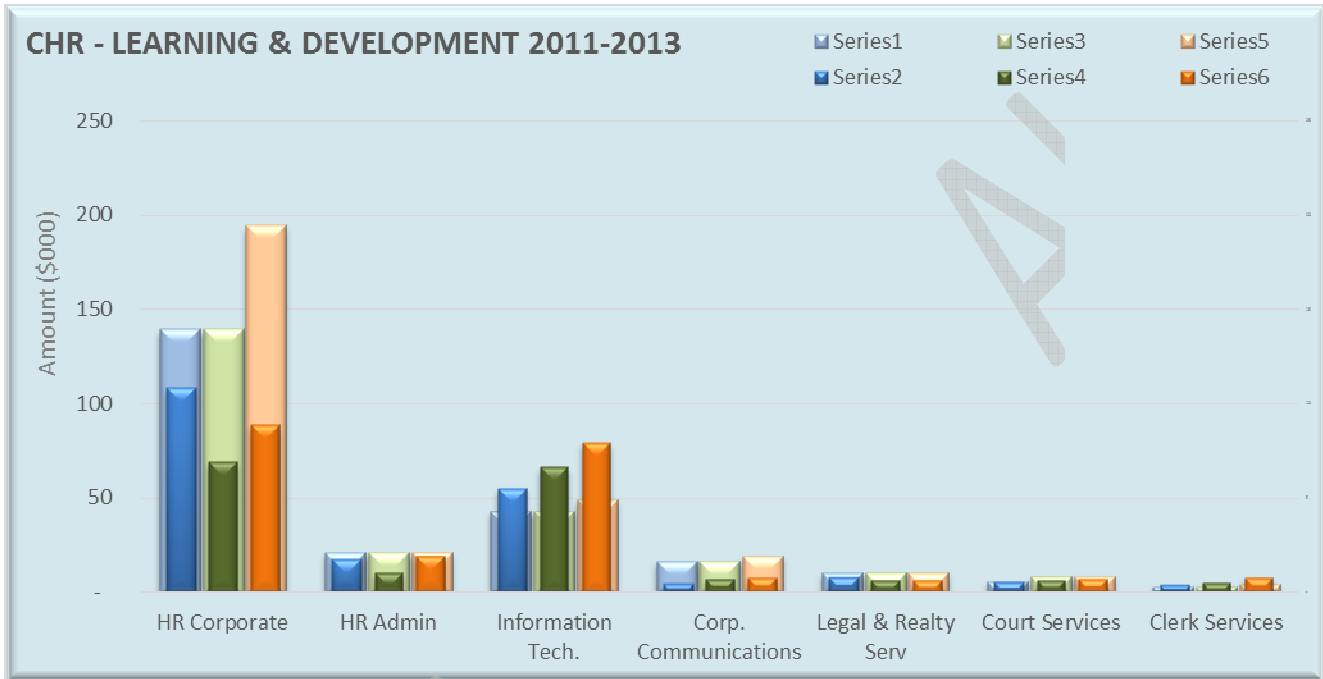


Chart 16

LEARNING & DEVELOPMENT COSTS - CHR							
	2011		2012		2013		2014
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET
HR Corporate	139,070	108,325	139,070	68,724	194,070	88,172	135,370
HR Admin	21,000	17,447	21,000	10,319	21,000	18,951	21,000
Information Tech.	42,910	55,157	42,910	66,069	48,910	78,998	51,910
Corp. Communications	16,340	4,334	16,340	7,256	19,140	7,642	20,700
Legal & Realty Serv	10,300	7,743	10,300	6,233	10,300	6,404	11,300
Court Services	5,750	5,541	8,300	6,311	8,550	6,643	9,940
Clerk Services	3,000	3,770	3,000	4,862	4,200	7,818	5,300
<b>TOTALS</b>	<b>238,370</b>	<b>202,317</b>	<b>240,920</b>	<b>169,774</b>	<b>306,170</b>	<b>214,628</b>	<b>255,520</b>

\*\* Note that the reported costs for HR Corporate include 100% of expenses for management and executive training and development, Health and Safety training, Wellness, and Tuition Assistance (LEAP Program)

## FINANCE AND ENTERPRISE – FINANCIAL ANALYSIS

The following charts illustrate Actual to Budget 2011 - 2013

Chart 17

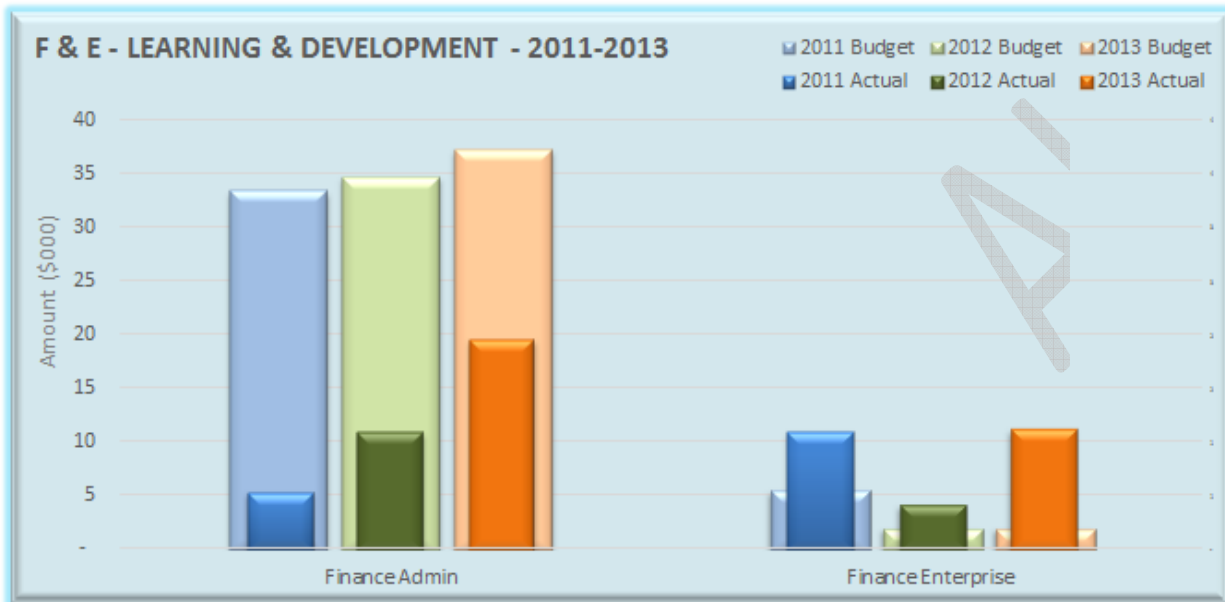


Chart 18

LEARNING & DEVELOPMENT COSTS - F & E							
	2011		2012		2013		2014
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET
Finance Admin	33,395	5,359	34,734	10,927	37,289	19,557	37,989
Finance Enterprise	5,500	11,051	2,000	4,142	2,000	11,220	6,600
<b>TOTALS</b>	<b>38,895</b>	<b>16,410</b>	<b>36,734</b>	<b>15,069</b>	<b>39,289</b>	<b>30,777</b>	<b>44,589</b>

## CONCLUSIONS

The overall outcome of the audit is positive and confirms that the organization is managing Learning and Development very well in some respects. The decentralized service structure appears to be effective and a number of key training programs such as Health and Safety, soft skills, and onboarding are well-received by staff.

There are, however, a number of key issues identified through the audit that have corporate-wide impacts. Without a corporate L&D policy as reference, there is perceived inequality, inconsistency and a lack of transparency in the way training and development decisions are made.

The lack of "ownership" with respect to corporate software systems and programs has been a long-standing issue without resolution. Our audit research indicates that this function traditionally resides in HR and there may be a partnership with IT Services to facilitate the training programs. The status quo is not serving either staff or the organization well and has resulted in reduced efficiency and productivity in some areas.

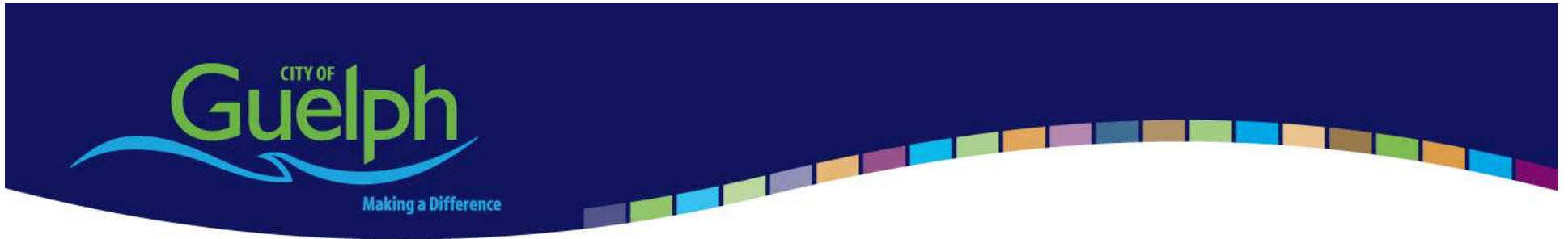
The fact that most departments have consistently underspent their L&D budgets suggests that not enough emphasis has been placed on employee development and this has contributed to low employee engagement results.

In order to create departmental L&D plans that link to the Performance Development Plan as well as budget planning, management should consider the approach that has been developed by Building Services. Their plan identifies the specific types of training required by all their staff as well as the level of proficiency required to perform their duties. They have also created a Training Guideline manual that provides staff with a full directory of available training courses and programs for every required skill or competency.

The new Learning and Development policy will be a pivotal point in addressing many of the audit findings and recommendations and it is critical that this information be well communicated and understood across the organization.

## **NEXT STEPS**

Management is requested to respond by August 1, 2014 in order for the complete audit package to be presented to Council on August 25, 2014. A template will be provided for management to complete their response.

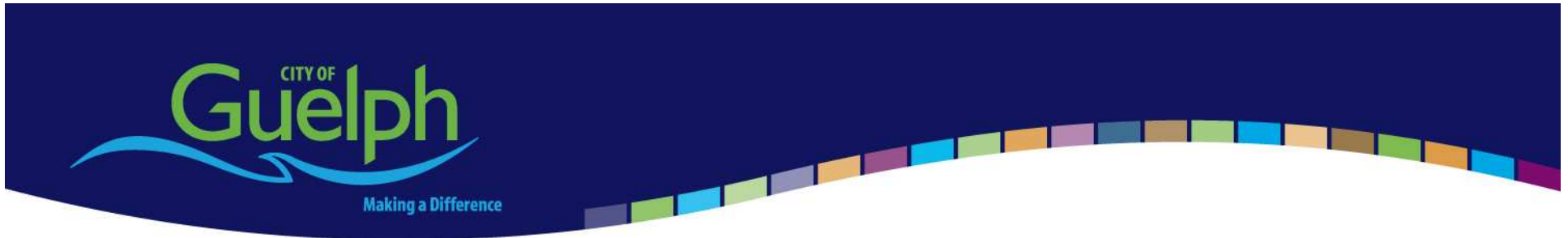


# **Learning & Development Audit**

## **Implementation Plan of Recommendations**

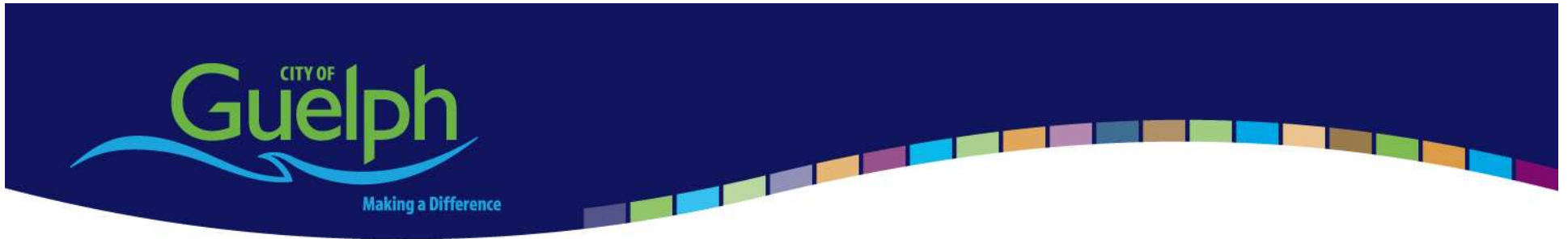
**Human Resources**

**August 25, 2014**



## **Audit Implementation Process**

- Set up working group with monthly progress meetings. Members include:
  - Executive Director
  - General Manager of Human Resources
  - Up to 3 other members yet to be selected
- Assess recommendations and review implementation
- Multi-year phased in approach with short-term quick hits in 2014, and possible funding submissions for future years.



## 9 Recommendations at a glance

Completed to date: **0**

To be completed by end of Q4, 2014: **3**

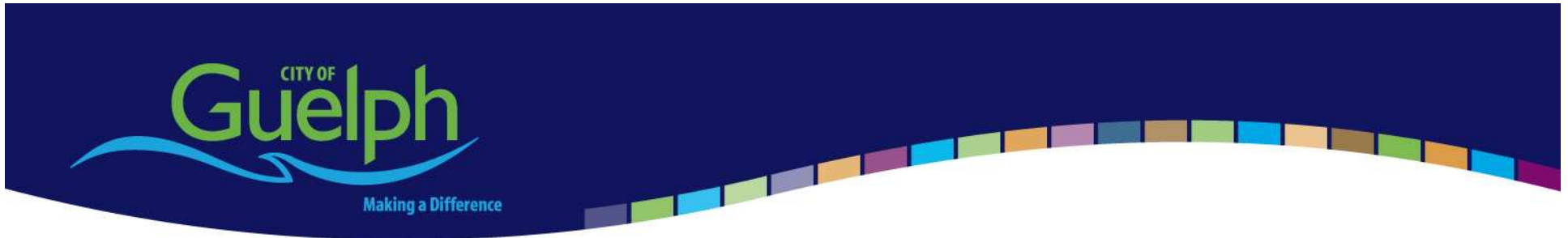
To be completed by end of Q1, 2015: **2**

To be completed by end of Q2, 2015: **1**

To be completed by end of Q3, 2015: **1**

To be completed by end of Q4, 2015: **1**

To be completed by end of Q3, 2015: **1**



### **Recommendation # 1:**

- **New corporate Learning and Development (L&D) Policy established and is ready for roll-out pending the completion of this audit**
- **It is important that the policy be reviewed by management to ensure that it addresses the issues identified through this audit wherever possible**

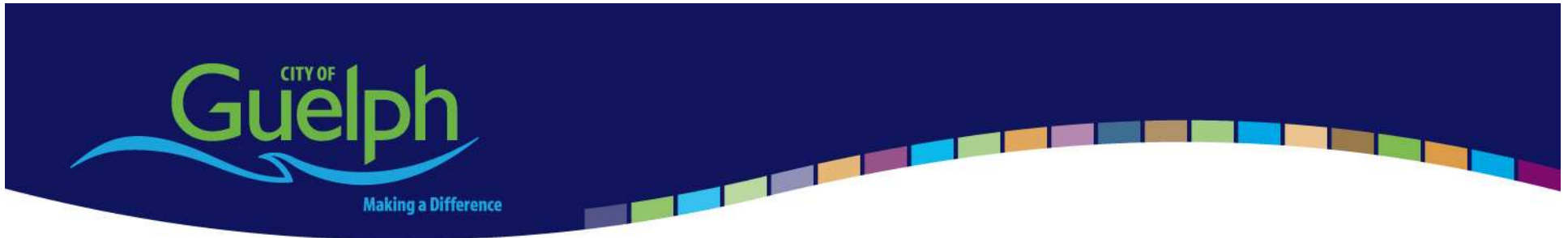
### **Response:**

- **Review draft L&D Policy to ensure audit findings and recommendations are addressed**
- **Policy to be reviewed and approved by Executive Team**

### **Status:**

**In process, expected completion date: Q4 2014**





### **Recommendation # 2:**

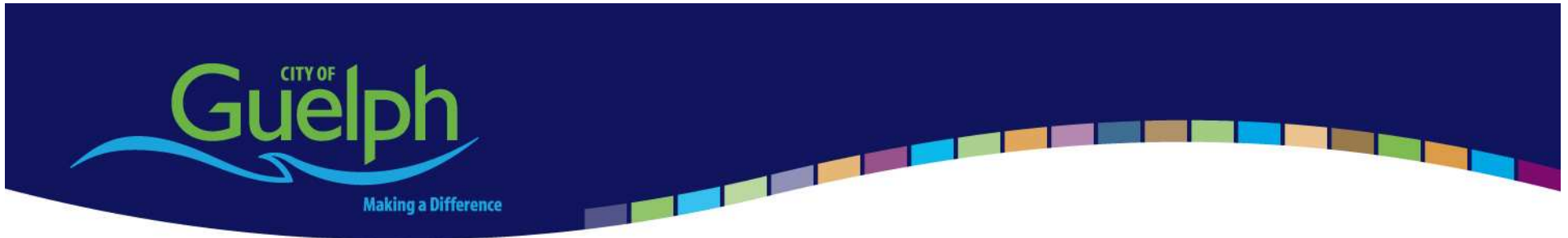
- **L&D budgets should be one of the last to be curtailed and only when deemed necessary by the Executive Team.**
- **The commitments made to staff and the proposed “Learning and Development Plan” for each department should be maintained.**

### **Response:**

- **Include statement in L&D policy to support audit finding. L & D budgets are essential.**
- **Refer policy to Executive Team for approval.**

### **Status:**

- **In process, expected completion date: Q4 2014**



### **Recommendation # 3:**

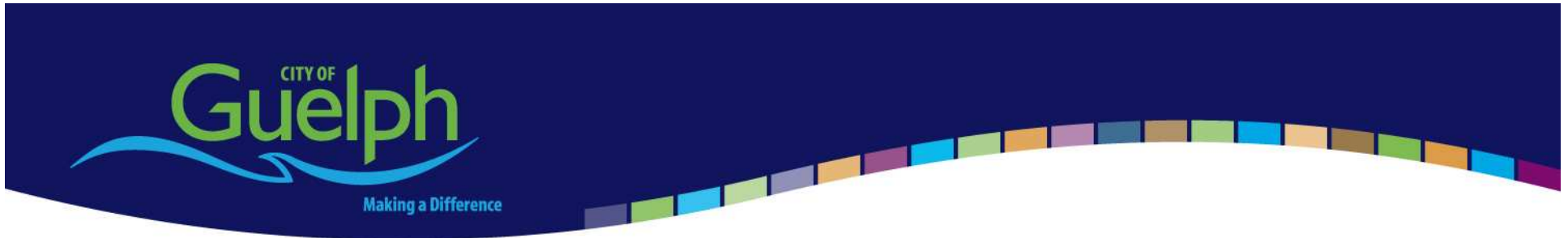
- **Management to ensure departmental L&D budgets are realistic based on needs**
- **Decision made to reduce excess budget or commit to spending budget based on their departmental L&D plan or consider reallocating excess budget (when there is a 5 year trend of underspend), to a corporate fund for L&D**

### **Response:**

- **To be referred to the Executive Team for the consideration of centralizing the Learning and Development budgets, to address key recommendations from the Organizational Assessment, Employee Engagement, and Leadership Contract.**

### **Status:**

**Target completion date expected: Q4 2015**



#### **Recommendation # 4:**

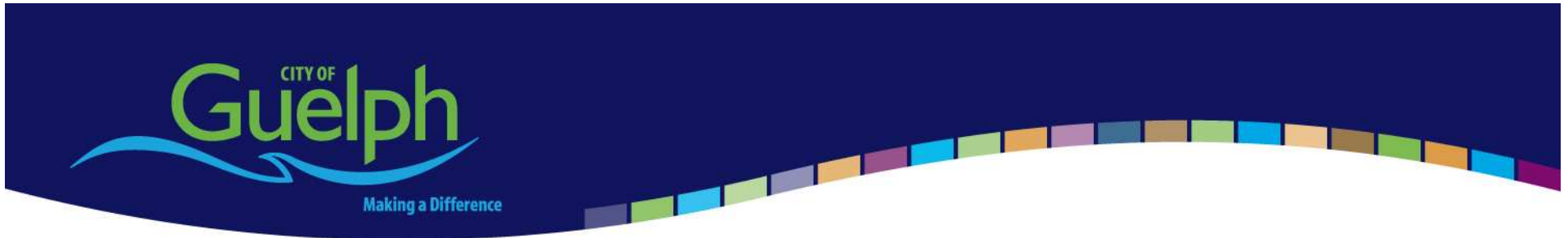
- **Develop L&D plan to address the concerns employees have expressed and communicate these plans and actions across the organization**
- **Management should ensure where possible, the new policy addresses the key issues raised by the focus group in the last engagement survey as well as audit survey findings**

#### **Response:**

- **Review L & D audit survey data and ensure findings are addressed in the Learning & Development Policy**

#### **Status:**

**In process. Expected completion date: Q4 2014**



### **Recommendation # 5:**

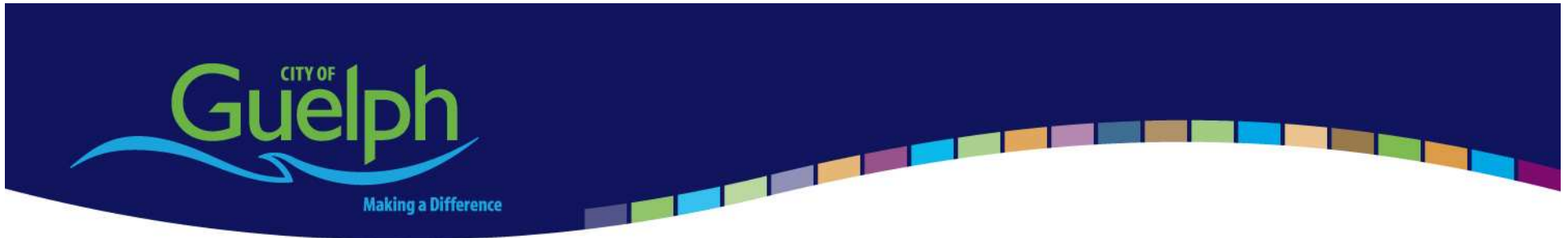
- **CHR should assign responsibility for corporate software systems training**
- **Delivery options such as outsourcing, contracting, in-house, on-line or a combination of these should all be considered**
- **Systems training should be part of the onboarding process for new employees**
- **Customer Service and Budget training should be assigned to appropriate department.**

### **Response:**

- **CHR will take on responsibility for overall coordination – 2015 budget submission**
- **HR to incorporate systems requirement training checklist for management**
- **HR in cooperation with Finance and CSS to assist in design and delivery options for Customer Service and Budget training**

### **Status:**

- (a) **Target completion date expected 2015**
- (b) **Target completion date expected Q2 2015**
- (c) **Target completion date expected 2015**



**Recommendation # 6:**

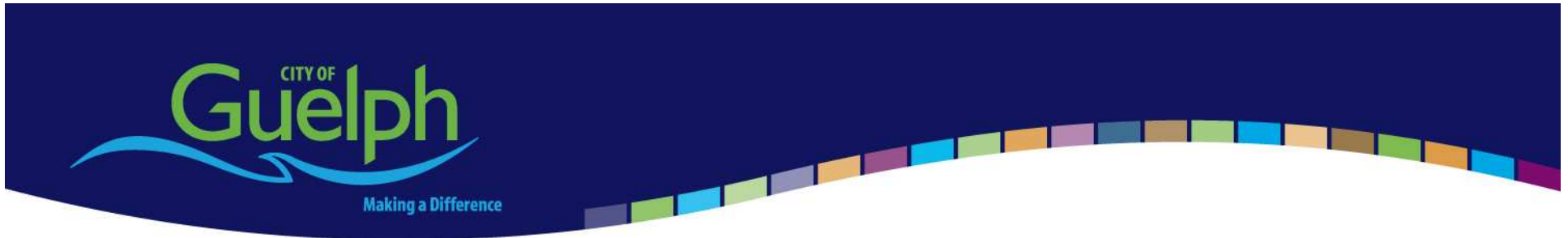
- **Departments should develop an annual L&D plan that aligns to PDP process and ensure that budget funds are available to complete the plan.**
- **Management should be accountable for ensuring plans are aligned with the needs of the organization and provide employees with core competencies necessary to prepare them for future opportunities at the City.**

**Response:**

- **HR will develop template and process (integrated with PDP process) for departments to document and communicate training needs by position/role in each department.**

**Status:**

**Target completion date expected: Q1 2015**



### **Recommendation # 7:**

- **Training effectiveness (beyond attendance) should be evaluated through some form of employee feedback and KPIs should be established to measure the effectiveness of all types of learning and development**

### **Response:**

- **(a) Review & refresh COGs Training Evaluation document**
- **Develop support materials for leaders and employees to reinforce learning and follow up after training courses**
- **Ensure upcoming Leadership Development with Knightsbridge includes training evaluation and support materials.**
- **(b) HR will also develop L&D KPI's to measure effectiveness**

### **Status:**

- **(a) Target completion date expected: Q1 2015**
- **(b) Target completion date expected: Q3 2015**

# Questions:

# STAFF REPORT



TO Council  
SERVICE AREA Corporate and Human Resources  
DATE August 25 2014  
**SUBJECT Learning and Development Audit Management's Response**  
REPORT NUMBER CHR-2014-59

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To provide management's response to the operational audit of the Learning and Development internal audit.

### KEY FINDINGS

Management agrees with all the recommendations

### FINANCIAL IMPLICATIONS

There are no implications to the 2014 approved budget. Some recommendations may have implications in future budget cycles.

### ACTION REQUIRED

Receive this report for information.

## RECOMMENDATION

That the August 1, 2014 report titled "Learning and Development Management Response" be received for information.

## BACKGROUND

On February 24, 2014, Council approved the 2014 Audit Committee work plan. Included in the work plan was the Learning and Development "value for money" audit.

Learning and Development (L&D) encompasses all forms of training, and is an essential component of today's "Learning Organization". In order to keep pace with the rapidly changing environment of technology, legislative requirements and best practices in business performance and customer service delivery, it is imperative that staff are equipped with the knowledge and tools to achieve optimum results for the organization.

## REPORT

The primary objective of the operational audit was to identify what the City is currently spending on L&D and to benchmark our existing programs and structure



# STAFF REPORT



with other organizations in terms of best practices, effectiveness, accessibility and selection of L&D opportunities for City staff.

The internal audit confirmed that the current decentralized model of administering L&D is most common among our municipal comparators and is largely effective for the City. This means that each department establishes and controls its own L&D budget and training decisions. Human Resources takes primary responsibility for specific types of training such as Health and Safety, Tuition Reimbursement, Wellness and corporate training and development.

While no major issues were identified in the service delivery structure for L&D, the internal audit set forth 7 recommendations, which management fully supports and agrees with.

Attached to this report titled "Summary of Management's Response" which summarizes the Learning and Development Audit findings, 7 recommendations, and management's general response.

## **CORPORATE STRATEGIC PLAN:**

Organizational Excellence

1.1 Engage employees through excellence in leadership

Innovation in Local Government

2.3 Ensure accountability, transparency and engagement

## **FINANCIAL IMPLICATIONS:**

There are no implications to the 2014 approved budget. Some recommendations may have implications in future budget cycles.

## **CONSULTATIONS:**

N/A

## **ATTACHMENTS:**

Att-1 "Summary of Management's Response".

## **Report Author**

David Godwaldt

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## **Approved By**

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Human Resources  
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E: [david.godwaldt@guelph.ca](mailto:david.godwaldt@guelph.ca)

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## **Recommended By**

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Executive Director,  
Corporate and Human Resources  
519-822-1260 ext. 2281  
E: [mark.amorosi@guelph.ca](mailto:mark.amorosi@guelph.ca)

**MANAGEMENT RESPONSE**

**IA-11 Learning and Development**

**Operational**

**30-Jul-14**

# Audit Finding	Audit Recommendation	Accept?	Management Response	Target Completion
<p><b>1</b> Lack of a corporate L&amp;D policy providing governance and oversight including approval processes, documentation and reporting.</p>	<p>We note that a new corporate Learning and Development Policy has been established and is ready for roll-out pending the completion of this audit. It is important that the new policy be reviewed by management to ensure that it addresses the issues identified through this audit wherever possible.</p>	<p>Agreed</p>	<p>Review draft Learning &amp; Development Policy to ensure that audit findings and recommendations are addressed within the Policy. Policy to be reviewed and approved by Executive Team.</p>	<p>Q 4 2014</p>
<p><b>2</b> Learning and Development (L&amp;D) budgets are viewed as “discretionary spending” rather than a mandatory commitment and are typically one of the first expenses to be curtailed when mitigating projected deficits.</p>	<p>L&amp;D budgets should be one of the last to be curtailed and only when deemed necessary by the Executive Team. The commitments made to staff and the proposed “Learning and Development Plan” for each department should be maintained.</p>	<p>Agreed</p>	<p>Include statement in Learning &amp; Development policy to support audit finding . Refer policy to Executive Team for approval. L &amp; D budgets are essential to the organizations development as identified in the org assess and employee engagement survey etc..</p>	<p>Q 4 2014</p>
<p><b>3</b> Nearly 100% of all L&amp;D budget are underspent by an average of 30% annually.</p>	<p>Management should ensure that their departmental L&amp;D budgets are realistic based on the needs of staff and the organization and make the decision to either reduce excess budget \$ or commit to spending the budget based on their departmental L&amp;D plan or consider reallocating the excess budget (when there is a 5 year trend of underspend), to a corporate fund for learning and development</p>	<p>Yes, Agreed in principle</p>	<p>To be referred to the Executive Team for the consideration of centralizing the learning and development budgets, to address key recommendations from the organizational assessment, employee engagement, leadership contract.</p>	<p>Q4 2015</p>
<p><b>4</b> Survey results indicate that many employees perceive little or no improvement in L&amp;D policies or processes since the 2012 Employee Engagement Survey focus group identified these same issues. □ □ (L&amp;D was NOT identified as one of the top 3 drivers following the Employee Engagement Survey and therefore no action plans were developed )</p>	<p>Develop an L&amp;D plan to address the concerns employees have expressed with respect to L&amp;D and communicate these plans and actions across the organization. □ □ Management should ensure that where possible, the new policy addresses the key issues raised by the focus group in the last engagement survey as well as the audit survey findings.</p>	<p>Agreed</p>	<p>Review L &amp; D audit survey data and ensure findings are addressed in the Learning &amp; Development Policy, where applicable.</p>	<p>Q 4 2014</p>

<p>5 The organization needs a more robust and formalized training process in specific areas. <input type="checkbox"/></p> <p><input type="checkbox"/> More than 85% of staff respondents identify that the training for all corporate computer systems such as RAC, WAM, CLASS, AMANDA, JDE, etc. and Office software programs such as Word, Excel and PowerPoint, Customer Service and Budgets is NOT meeting their needs.</p>	<p>a) <input type="checkbox"/> Corporate and Human Resources (CHR) should address this significant deficiency by assigning responsibility for all corporate software systems training to one or more areas that should “own” and take responsibility for managing the training for those systems. A number of delivery options such as outsourcing, contracting, in-house, on-line or a combination of these should all be considered. <input type="checkbox"/></p> <p>b) <input type="checkbox"/> Systems training should be part of the onboarding process for all new employees with an established schedule and frequency and should also be available to existing employees on a regular and ongoing basis as requested. <input type="checkbox"/></p> <p>c) <input type="checkbox"/> Customer Service and Budget training should be assigned to the appropriate department and delivered to employees that require it. A training program should be developed that ensures the new Customer Service Standards are understood and consistently delivered.</p>	<p>Agreed</p>	<p>CHR will take this responsibility and will have a phased in approach (a). preliminary assignment to be IT department who already co-ordinates system training - 2015 budget request to be developed (highlighting the audit recommendation) for sufficient funds to co-ordinate external resources to deliver training ie: Microsoft office.</p> <p>b) Agreed – Human Resources to incorporate systems requirement training checklist for management as part of Employee Orientation - Q2 2015</p> <p>c) Agreed – Human Resources will work with the Finance Department and Community Services to assist in the design and delivery options for Customer Service and Budget training – 2015</p>	<p>(a) - 2015 (b) Q2 2015 (c) 2015</p>
<p>6 Without formal Corporate and Departmental L&amp;D plans it is difficult to accurately budget for L&amp;D to ensure that required skills and competencies are maintained within the Corporation</p>	<p>Departments should develop an annual L&amp;D plan that aligns to the PDP process and ensures that budget funds are available to complete the plan. Management should be accountable for ensuring these plans are aligned with the needs of the organization and provide employees with core competencies necessary to prepare them for future opportunities at the City</p>	<p>Agreed</p>	<p>Phased in approach (a) HR will develop the template and process (integrated with PDP process) for departments to document and communicate training needs by position/role in each department for mandatory (i.e. legislated training including health and safety), corporate training (for things like Customer Service, Respectful Workplace, Budget etc.), IT related training (systems, Microsoft office), and role specific training (for professional development), Leadership training (orientation, foundational, focused, strategic). (b) Based on the outcome of management response # 3</p>	<p>Q1 2015</p>
<p>7 There are no performance indicators or means of measuring the effectiveness of training to validate that both the organization and the employee are receiving value.</p>	<p>Training effectiveness (beyond attendance) should be evaluated through some form of employee feedback and KPIs should be established to measure the effectiveness of all types of learning and development.</p>	<p>Agreed</p>	<p>(a) Review &amp; refresh COGs Training Evaluation document, ensure that all internal training courses use them and return sheets to the organizer of the training course. Develop support materials for Leaders and Employees to reinforce learning and follow up after training courses. Ensure upcoming Leader Development training with Knightsbridge includes training evaluation process and support materials. (b) HR will also develop L &amp; D KPI's to measure effectiveness.</p>	<p>(a) Q 1 2015 (b) Q3 2015</p>

**CONSENT AGENDA**

**August 25, 2014**

Her Worship the Mayor  
and  
Members of Guelph City Council.

**SUMMARY OF REPORTS:**

The following resolutions have been prepared to facilitate Council’s consideration of the 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. The item will be extracted and dealt with immediately. The balance of the Consent Agenda will be approved in one resolution.

**A REPORTS FROM ADMINISTRATIVE STAFF**

<b>REPORT</b>	<b>DIRECTION</b>
<p><b>CON-2014.39      DISPOSITION OF PERMANENT EASEMENTS TO HYDRO ONE NETWORKS INC.</b></p> <p>1. That the report (CHR-2014-54) entitled “Disposition of Permanent Easements to Hydro One Networks Inc.”, be received; and</p> <p>2. That the City Solicitor be directed to enter into agreements with Hydro One Networks Inc. for the grant of easements for the purposes of constructing and maintaining electrical equipment on the lands described as:</p> <ul style="list-style-type: none"><li>i) Part 1 on Reference Plan 61R-20363</li><li>ii) Part 1, 2, 3 and 4 on Reference Plan 61R-313</li><li>iii) Part 1 and 2 on Reference Plan 61R-20389</li><li>iv) Part 3 and 4 on Reference Plan 61R-20389</li><li>v) Part 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 on Reference Plan 61R-20391</li></ul> <p>subject to the terms and conditions of the easement agreements being satisfactory to the City Solicitor.</p>	Approve
<p><b>CON-2014.40      CULTURE AND TOURISM DEPARTMENT – ADVISORY COMMITTEES</b></p> <p>1. That the August 25, 2014 report entitled “Culture and Tourism Department – Advisory Committees”, be received; and</p> <p>2. That the Cultural Advisory Committee be dissolved and that the committee members be formally thanked for their service; and</p>	Approve

3. That a Public Art Advisory Committee and a Tourism Advisory Committee be established.

**CON-2014.41            2015 COUNCIL AND COMMITTEE MEETING SCHEDULE** Approve

1. That the 2015 Council and Committee meeting schedule, attached as Attachment 1, be approved.

**CON-2014.42            2014 MUNICIPAL ELECTION – AMENDMENT TO SPECIAL VOTING PROVISIONS** Approve

1. That report CHR-2014-56 dated August 25, 2014 regarding 2014 Municipal Election – Amendment to Special Voting Provisions be received.
2. That the attached by-law be brought forward for Council’s enactment.

**CON-2014.43            BY-LAWS FOR THE ELLIOTT LONG-TERM CARE RESIDENCE** Approve

1. That the attached by-law to “establish and maintain The Elliott Long-Term Care Residence” and the by-law to “delegate authority The Elliott to operate to The Elliott Long-Term Care Residence” be forwarded to Council for approval.

**CON-2104.44            PROPOSED DEMOLITION OF 85 UNIVERSITY AVENUE WEST, WARD 5** Approve

1. That Report 14-44 regarding the proposed demolition of a detached dwelling at 85 University Avenue West, legally described as Plan 583, Lot 6; City of Guelph, from Planning, Building, Engineering and Environment dated August 25, 2014, be received; and
2. That the proposed demolition of the detached dwelling at 85 University Avenue West be approved; and
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling; and
4. 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.

**CON-2014.45      5 ARTHUR STREET SOUTH – PROPOSED ZONING BY-LAW AMENDMENT (FILE: ZC1305), WARD 1**

Approve

1. That Report 14-38 regarding Official Plan and Zoning By-law Amendment applications by 5 Arthur Street Developments, 2278560 Ontario Inc., for approval of an Official Plan Amendment and Zoning By-law Amendment to permit the development of a six (6) phase mixed use, residential and commercial development for the property municipally known as 5 Arthur Street South, and legally described as Part of Grist Mill Lands, East side of Speed River, Plan 113 and Part Lot 76, and Lots 77, 78, 79, 80, 81 and 82, Plan 113, (as amended), designated as Parts 11, 12 and 13, Reference Plan 61R11955, together with an easement over Part 17, 61R11955 as in Instrument No. WC212993; Guelph and Part of Grist Mill Lands, Plan 113, East of River Speed, designated as Parts 14, 15 and 16, Reference Plan 61R11955; subject to an Easement as in Instrument No. RO682767; together with an Easement over Part 17, 61R11955 as in Instrument No. WC212993; City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 14-38 dated August 25, 2014.
2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 5 Arthur Street South.
3. That the CAO be authorized to approve a development agreement or related agreement(s) including terms described in Staff Report 14-38 pursuant to terms described in the staff report and subject to applicable policies and legislation, in consultation with the City Solicitor, Executive Director for Community and Social Services, the Executive Director Planning Building, Engineering & Environment and the Chief Financial Officer, for the period of September 12, 2014 through to December 1, 2014.

**CON-2014.46      ELSEGOOD COURT: PROPOSED STREET NAME CHANGE, WARD 6**

Approve

1. That Elsegood Court, as shown on Attachment 1 of Planning, Building, Engineering and Environment Report 14-43 be renamed to Phelan Court; and
2. That Council enact a By-law authorizing the name change of

Elsegood Court to Phelan Court.

**CON-2014.47      PROPOSED DEMOLITION OF 103 GRANGE STREET WEST, WARD 1**

Approve

1. That Report 14-48 regarding the proposed demolition of a detached dwelling at 103 Grange Street, legally described as Plan 298, Lot 9, Part Lot 8, 61R4686, Part 2, Part 3, from Planning, Building, Engineering and Environment dated August 25, 2014, be received; and
2. That the proposed demolition of the detached dwelling at 103 Grange Street be approved; and
3. That the applicant prepare and submit a Tree Inventory, Preservation and Compensation Plan in accordance with the Private Tree Protection By-law to the satisfaction of the General Manager of Planning Services prior to issuance of a demolition permit; and
4. That the applicant erect any required protective fencing recommended by the Tree Inventory, Preservation and Compensation Plan at one (1) metre from the dripline of any existing trees on the property or on adjacent properties prior to the commencement of demolition and maintain fencing during demolition and construction of the new dwelling; and
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.

**CON-2014.48      ISSUER OF LOTTERY LICENCES**

Approve

1. That the Council Report # OTES081433, Issuer of Lottery Licences, dated August 25, 2014, be received; and
2. That the administration and the issuance of Lottery Licences be delegated to the Manager of By-law, Compliance, Security and Licensing as set out in Council Report # OTES081433 dated August 25, 2014; and
3. That the Delegation By-law amendment (2014)-19792 as set out in Council Report #OTES081433 be approved.

attach.

# STAFF REPORT



TO City Council

SERVICE AREA Legal and Realty Services

DATE August 25, 2014

**SUBJECT Disposition of Permanent Easements to Hydro One Networks Inc.**

REPORT NUMBER CHR-2014-54

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To direct Staff to enter into and execute Easement Agreements for the disposition of permanent easements that are required for the reconstruction work contemplated by Hydro One Networks Inc. (HONI) in connection with the Guelph Area Transmission Refurbishment Project (GATR).

### KEY FINDINGS

Staff are in the final stages of negotiating the terms related to the disposition of permanent easements required by HONI. It is anticipated that those negotiations will be finalized in early September.

An appraisal has been prepared outlining the market values of the properties required by HONI for the permanent easements and details of the negotiations and proposed easement terms have been provided in a closed session report bearing the same name and report number.

### FINANCIAL IMPLICATIONS

Revenues, less costs incurred for appraisals and title searches, etc., will be deposited into the Capital Taxation Reserve.

### ACTION REQUIRED

1. That the report (CHR-2014-54) entitled "Disposition of Permanent Easements to Hydro One Networks Inc." be received;
2. That the permanent easements required for the purposes of constructing and maintaining electrical equipment on the lands described as:
  - i.) Part 1 on Reference Plan 61R-20363
  - ii.) Part 1, 2, 3 and 4 on Reference Plan 61R-313
  - iii.) Part 1 and 2 on Reference Plan 61R-20389
  - iv.) Part 3 and 4 on Reference Plan 61R-20389
  - v.) Part 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 on Reference Plan 61R-



# STAFF REPORT



20391

be granted by the City to Guelph Hydro Networks Inc. subject to the terms and conditions of the grant of easement being satisfactory to the City Solicitor.

## RECOMMENDATION

1. That the report (CHR-2014-54) entitled "Disposition of Permanent Easements to Hydro One Networks Inc." be received;
2. That the City Solicitor be directed to enter into agreements with Hydro One Networks Inc. for the grant of easements for the purposes of constructing and maintaining electrical equipment on the lands described as:
  - i.) Part 1 on Reference Plan 61R-20363
  - ii.) Part 1, 2, 3 and 4 on Reference Plan 61R-313
  - iii.) Part 1 and 2 on Reference Plan 61R-20389
  - iv.) Part 3 and 4 on Reference Plan 61R-20389
  - v.) Part 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 on Reference Plan 61R-20391

subject to the terms and conditions of the easement agreements being satisfactory to the City Solicitor.

## BACKGROUND

In 2009, Hydro One Networks Inc. (HONI) began a Class Environmental Assessment (EA) for the proposed Guelph Area Transmission Refurbishment (GATR) project that would see the refurbishment of parts of the aging high-voltage electricity infrastructure serving Guelph and the surrounding area.

The Class EA process was put on hold in 2010 when an initiative was launched by the Ontario Power Authority (OPA) to develop a broader regional plan for the Kitchener-Waterloo-Cambridge-Guelph area. The regional plan was developed in consultation with a working group made up of local utility partners, including Guelph Hydro.

In March 2012, the OPA advised HONI that the regional planning study had advanced sufficiently to confirm the need to proceed with the GATR project. It was determined that the refurbishment of the aging infrastructure was required to ensure an adequate supply of electricity to Guelph and surrounding area while improving the reliability of electricity service in the region. As result of the approval of the planning study various letters of support for the GATR project were provided to HONI by both the CEO of Guelph Hydro Inc. Barry Chuddy and the CAO of the City of Guelph Ann Pappert (Attachment 2).

# STAFF REPORT

In March of 2013, HONI filed an application with the Ontario Energy Board (OEB) for a "Leave to Construct" to upgrade the existing electrical infrastructure. The OEB responded in September of 2013 with a decision approving the proposed upgrades. Construction is anticipated to commence in the fall of 2014.

## REPORT

HONI approached the City at the start of 2014 indicating their need to acquire, reconcile and expand easement rights in connection with the GATR project. A total of five easements are required from the City of Guelph. Location mapping for each easement is included as Attachment 1.

Below is a summary of the easement requirements:

### Permanent Easement Rights Required by HONI

Type of Interest	Description	Area	Comments
<b>(1) PIN 71271-0042</b>		520 m <sup>2</sup>	Expand Existing
Permanent Easement	Easement for Expansion	(0.13 acres)	Easement
<b>(2) PIN 71278-0273</b>		8134 m <sup>2</sup>	Acquire Easement
Permanent Easement	Easement for Expansion	(2.01 acres)	Rights
<b>(3) PIN 71278-0396</b>		2225 m <sup>2</sup>	Acquire Easement
Permanent Easement	Easement for Expansion	(0.55 Acres)	Rights
<b>(4) PIN 71258-0239</b>		243 m <sup>2</sup>	Reconciling Easement
Permanent Easement	Easement for Expansion	(0.06 Acres)	Rights
<b>(5) PIN 71488-0226</b>		12462 m <sup>2</sup>	Reconciling Easement
Permanent Easement	Easement for Expansion	(3.08 Acres)	Rights

Easement #1 (71271-0042), is located on the old Campbell Road road allowance between the Hanlon Expressway and Silvercreek Parkway North. It is an existing hydro easement that was registered to the property in March of 1966. The proposed upgrade to the existing hydro towers in this location requires the easement width to be widened by 520 m<sup>2</sup> to accommodate the upgrade to the new tower design.

Easement #2 (71278-0273), is located on a parcel of land adjacent to the proposed development at 35 & 40 Silvercreek Parkway South between the Hanlon Expressway and Silvercreek Parkway South. A portion of the most northerly section of the parcel is subject to a hydro easement that was registered to the property in September of 1954. This portion of the easement contemplated the hydro line extending in a south-westerly direction which would cross what is now the Hanlon Expressway, however, at some point the line was redesigned to extend further south across the subject parcel without the required easement rights ever being acquired. Hydro One, through the work contemplated in the GATR Project is now proposing to acquire the outstanding rights to the lands that are currently occupied which accounts for a total of 8,134m<sup>2</sup>.

# STAFF REPORT



Easement #3 (71278-0396), is located across the Hanlon Expressway adjacent to Castlebury Park. This easement is required for the existing hydro line that currently crosses the subject parcel and to which easement rights were never registered against title. Hydro One, through the work contemplated in the GATR Project is now proposing to acquire the outstanding rights to the lands that are currently occupied which accounts for a total of 2,225m<sup>2</sup>.

Easement #4 (71258-0239), is located on the southern tip of a drainage ditch that runs from Paisley Road and around Castlebury Park. The portion of the parcel subject to the proposed easement is 243m<sup>2</sup> and is subject to existing easement rights that were registered to the property in September of 1954. Restrictions in provisions of the existing easement prohibit Hydro One from relocating the location of the existing hydro tower locations within the easement lands. The reconciliation of the easement is required to allow Hydro One to proceed with their proposed upgrade of hydro infrastructure within this parcel.

Easement #5 (71488-0226), is located within the Wastewater treatment lands located at 530 Wellington Street. The proposed easement reconciliation is 12,462m<sup>2</sup> and is proposed within an area that is currently subject to easements that were registered to the property in July of 1954. Restrictions in provisions of the existing easement prohibit Hydro One from relocating the location of the existing hydro tower locations within the easement lands. The reconciliation of the easement is required to allow Hydro One to proceed with their proposed upgrade of hydro infrastructure within this parcel.

Various Departments have been circulated regarding HONI's proposed infrastructure improvement project and it has been determined that none of the lands subject to this report are required by the City. A vast majority of the land requirements to be encumbered by the proposed easements are currently in use by HONI and those parcels that are required for expansion of existing easements may only impact existing or proposed recreational trails. As part of the negotiation process, Realty Staff will ensure that all rights related to all existing or proposed recreational trails within the easement lands be preserved and protected.

## **CORPORATE STRATEGIC PLAN**

- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City.

## **DEPARTMENTAL CONSULTATION**

Staff from Engineering, Parks and Recreation, Public Works, Planning and Wastewater Services have been consulted on this matter.

# STAFF REPORT



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## FINANCIAL IMPLICATIONS

Revenues, less costs incurred for appraisals and title searches, etc., will be deposited into the Capital Taxation Reserve.

## COMMUNICATIONS

No communications required.

## ATTACHMENTS

- ATTACHMENT 1 - Location Mapping
- ATTACHMENT 2 - Letters of Support

## Report Author

Greg Bernardi  
Realty and Planning Specialist – Legal and Realty Services

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### Recommended By

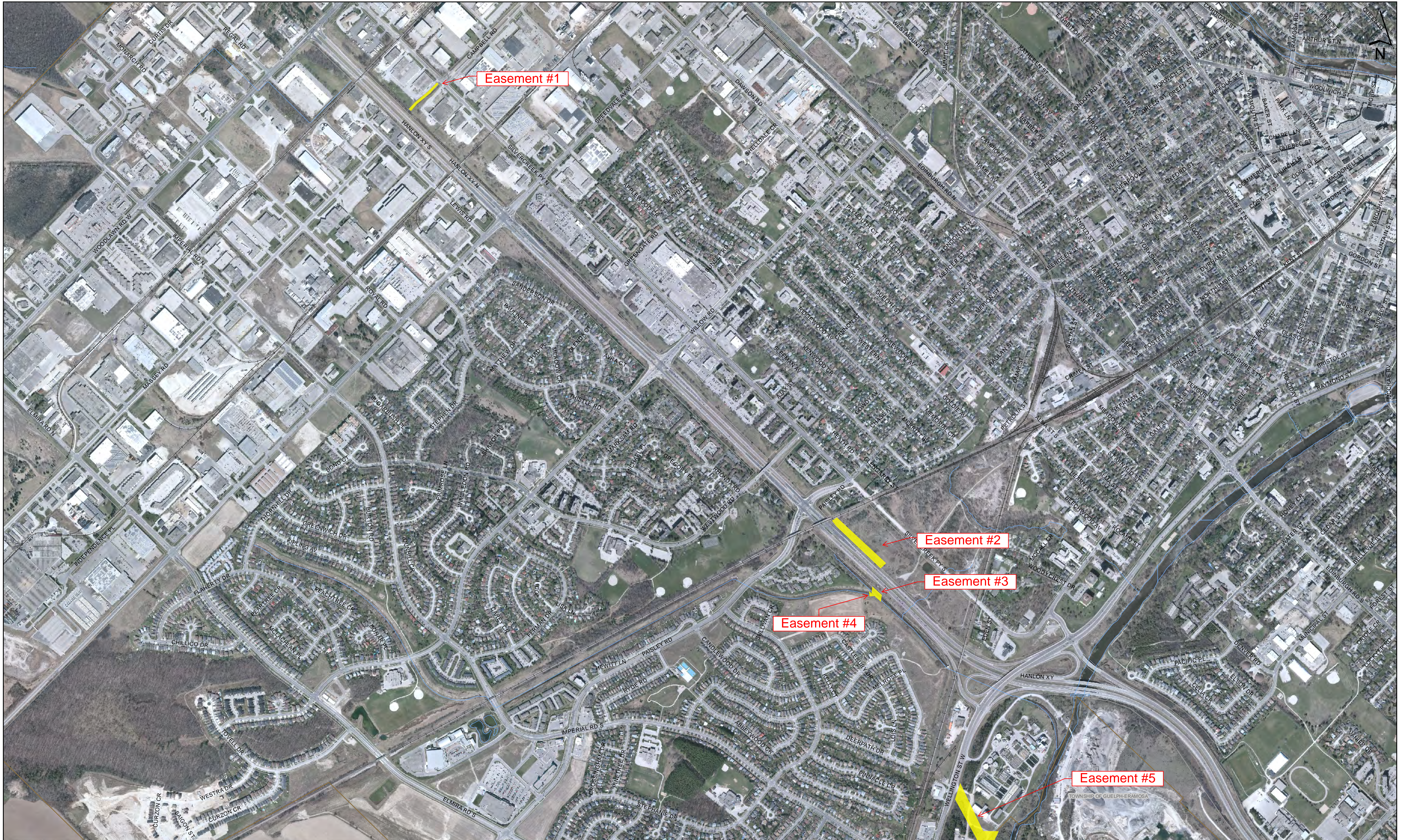
Donna Jaques  
City Solicitor/General Manager  
519-822-1260 Ext. 2288  
[Donna.jaques@guelph.ca](mailto:Donna.jaques@guelph.ca)

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### Approved By

Mark Amorosi  
Executive Director, Corporate and Human  
Resources  
519-822-1260 Ext. 2281  
[Mark.amorosi@guelph.ca](mailto:Mark.amorosi@guelph.ca)





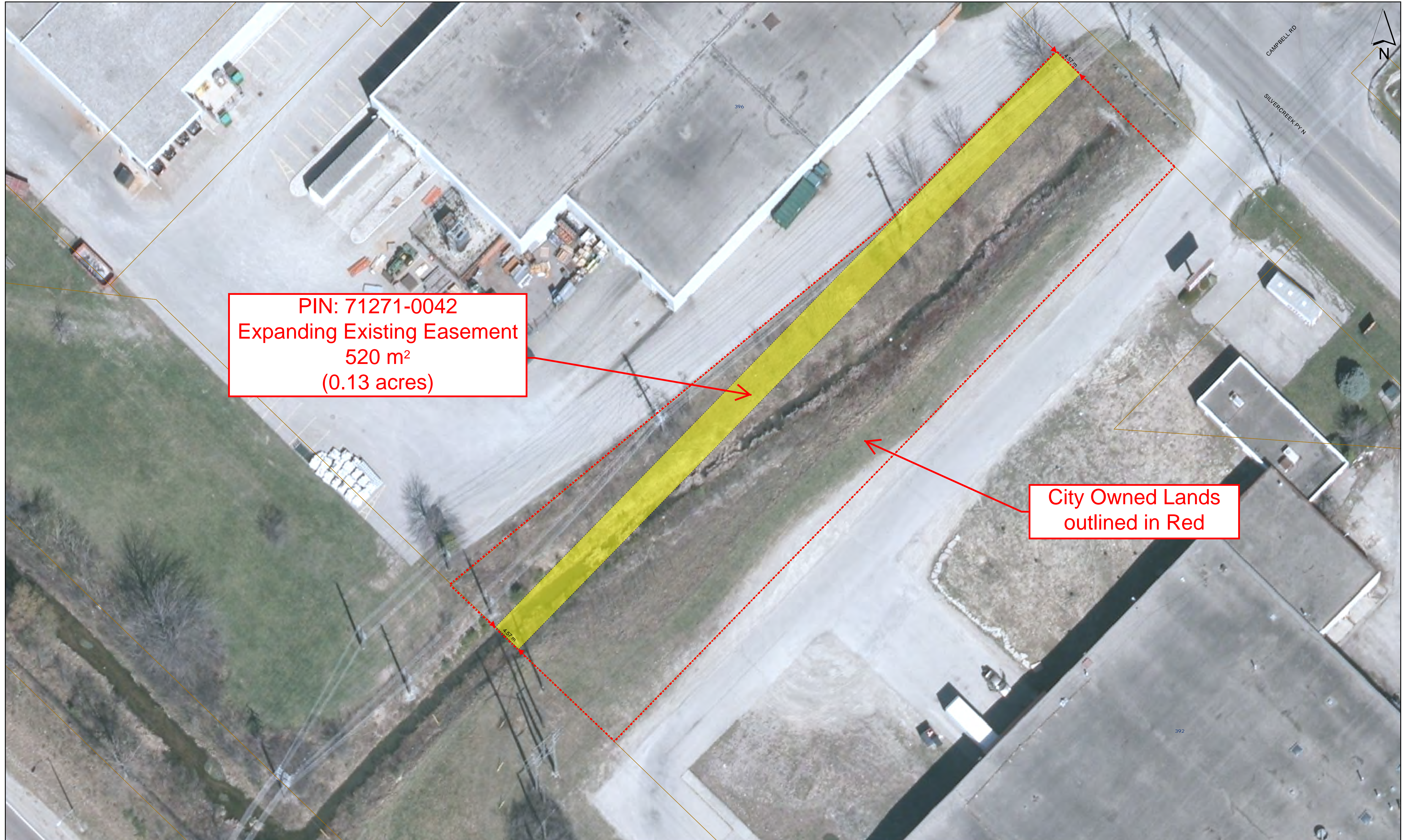
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 Projection: UTM Zone 17

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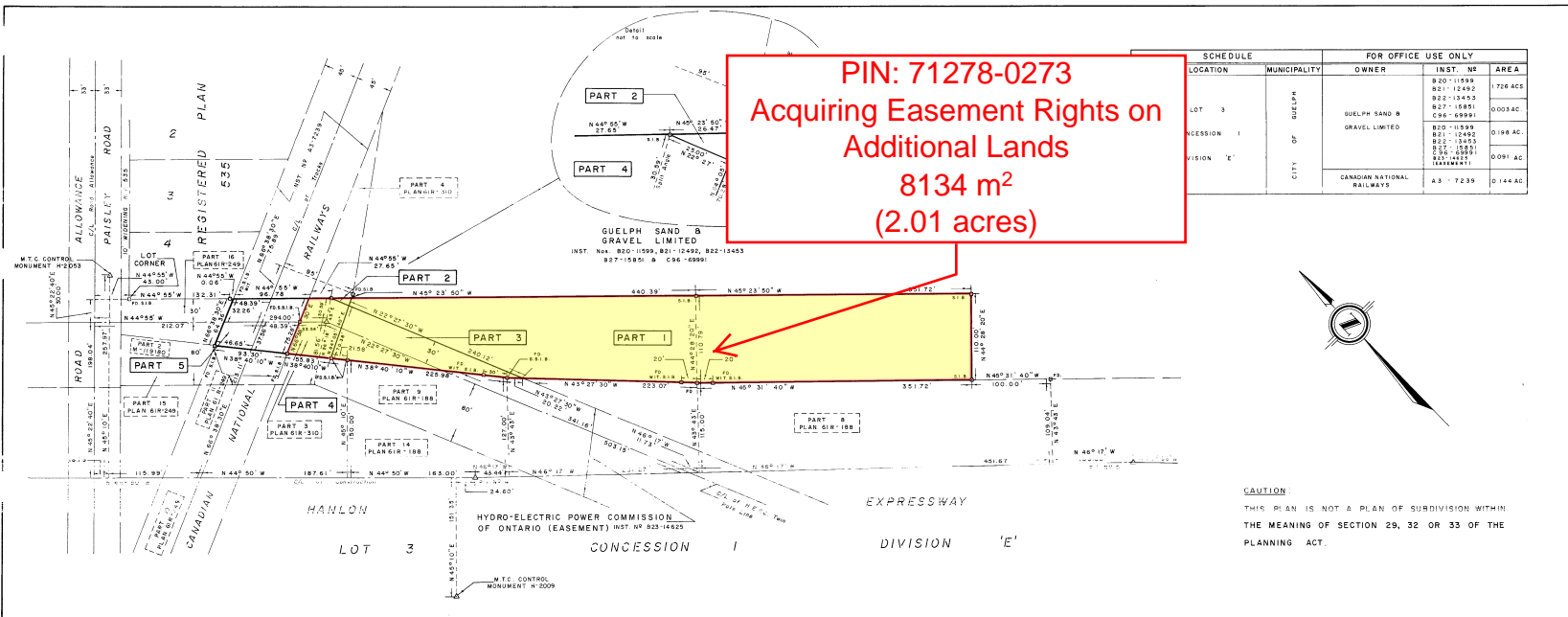




**PIN: 71271-0042**  
**Expanding Existing Easement**  
**520 m<sup>2</sup>**  
**(0.13 acres)**

**City Owned Lands**  
**outlined in Red**





SCHEDULE		FOR OFFICE USE ONLY		
LOCATION	MUNICIPALITY	OWNER	INST. NO.	AREA
LOT 3	GUELPH	GUELPH SAND &	B20-11599	1.726 AC.
		GRAVEL LIMITED	B21-12492	0.003 AC.
CONCESSION I DIVISION 'E'	GUELPH	GUELPH SAND &	B22-12492	0.198 AC.
		GRAVEL LIMITED	B27-15851	0.091 AC.
		CANADIAN NATIONAL RAILWAYS	A3-7239	0.144 AC.

WE REQUIRE THIS PLAN TO BE DEPOSITED UNDER PART 25 OF THE REGISTRY ACT.

RECEIVED AND DEPOSITED AS  
**PLAN 61R 331**

DATED January 3, 1973 DATED January 8, 1973

*Norman Jones*  
MAYOR

*Paul H. Armstrong*  
REGISTRAR FOR THE REGISTRY  
DIVISION OF WELLINGTON SOUTH.

*J. G. Hall*  
CLERK

REFERENCE PLAN  
IN THE  
CITY OF GUELPH  
COUNTY OF WELLINGTON  
SCALE: 1 INCH = 60 FEET  
1972

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT:  
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE REGISTRY ACT AND THE REGULATIONS MADE THEREUNDER.  
2. THE SURVEY WAS COMPLETED ON THE 17th DAY OF NOVEMBER 1972.

DECEMBER 18, 1972

*W. F. Robinson*  
Ontario Land Surveyor

ALL MARKING LINES HAVE BEEN VERIFIED.  
BEARINGS ARE ASTROMONIC AND DERIVED FROM CONTROL SURVEY MONUMENTS OF THE ONTARIO COORDINATE SYSTEM, LINE 10 CENTRAL MERIDIAN 75° 50' WEST LONGITUDE, AS SHOWN ON THIS PLAN.

— S.I.S. INDICATES A 1" SQ x 4" LONG STANDARD IRON BAR.  
— S.S.I.B. INDICATES A 1" SQ x 2" LONG STANDARD IRON BAR.

**CAUTION:**  
THIS PLAN IS NOT A PLAN OF SUBDIVISION WITHIN THE MEANING OF SECTION 29, 32 OR 33 OF THE PLANNING ACT.

FOR OFFICE USE ONLY

W.D. 109-68-08-03

DRAWN BY: **BLACK, SHOEMAKER & ROBINSON LIMITED**  
ONTARIO LAND SURVEYORS  
351 SPEEDVALE AVE. W. GUELPH, ONTARIO  
Phone: 822-4031

P-4087-40

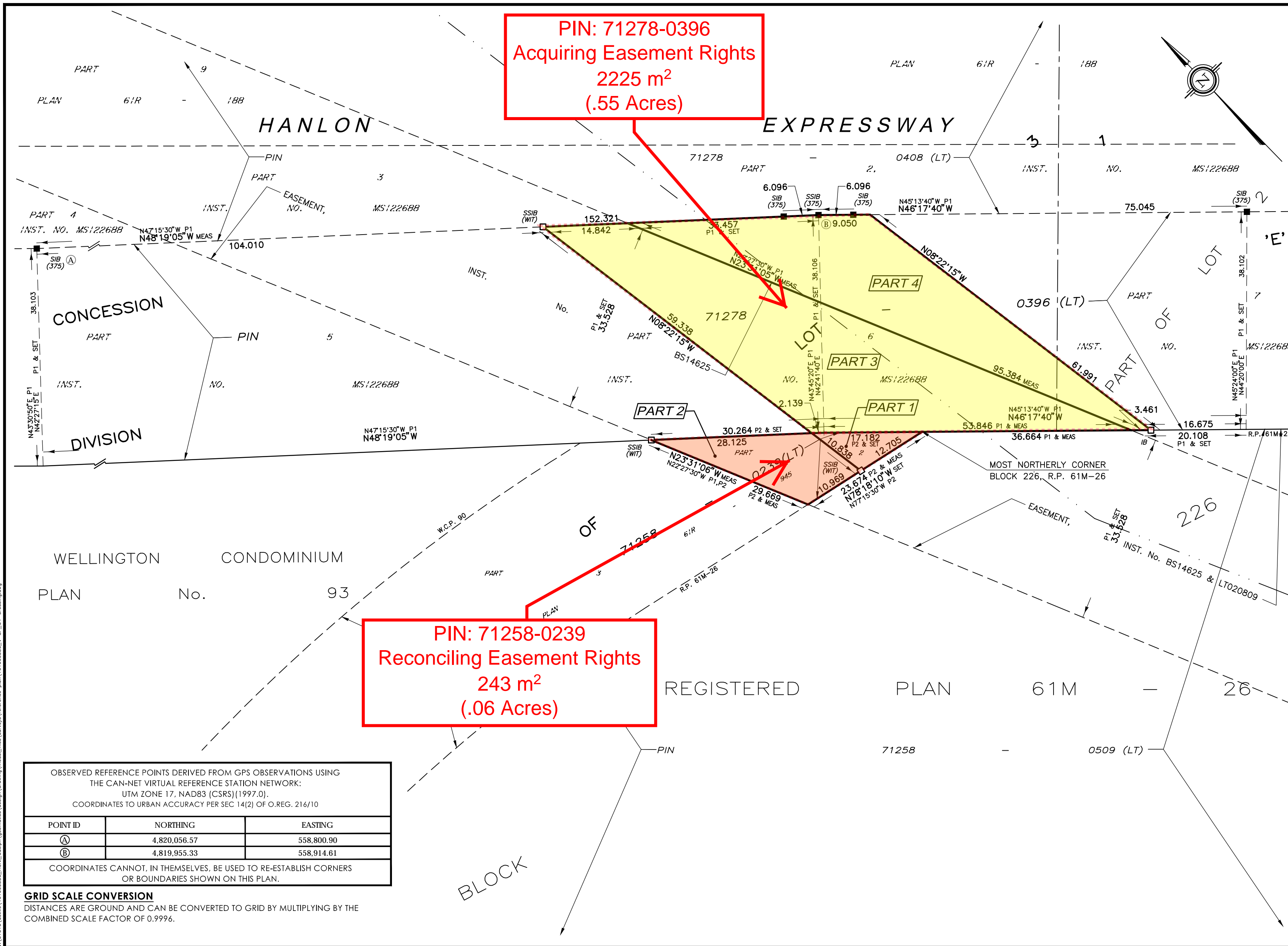
SEAL DRAFTING BY: **N. C. PESTILL LIMITED** 1/72 1/17





**PIN: 71278-0273**  
**Acquiring Easement Rights on**  
**Additional Lands**  
**8134 m<sup>2</sup>**  
**(2.01 acres)**





PIN: 71278-0396  
Acquiring Easement Rights  
2225 m<sup>2</sup>  
(.55 Acres)

PIN: 71258-0239  
Reconciling Easement Rights  
243 m<sup>2</sup>  
(.06 Acres)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

**PLAN 61R-** \_\_\_\_\_  
RECEIVED AND DEPOSITED

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WELLINGTON (61).

SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA
1			PIN 71258-0239(LT)	65.72 a
2	PART OF LOT 3	CONCESSION 1, DIVISION 'E'	PIN 71258-0396(LT)	230.9 a
3			PIN 71258-0396(LT)	1316.88 a
4				907.54 a

PARTS 1 & 2 COMPRISES A PART OF PIN 71258-0239(LT)  
 PARTS 3 & 4 COMPRISES A PART OF PIN 71258-0396(LT)  
 PARTS 1, 2 & 3 ARE SUBJECT TO EASEMENT, INST. NO. BS14625

**PLAN OF SURVEY of**  
**PART OF LOT 3**  
**CONCESSION 1, DIVISION 'E'**  
**CITY OF GUEPLH**  
 COUNTY OF WELLINGTON

Scale 1:500

**Stantec Geomatics Ltd.**

**METRIC CONVERSION**  
 DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**BEARING NOTE**  
 BEARINGS ARE UTM GRID, DERIVED FROM SIMULTANEOUS GPS OBSERVATIONS FROM MONUMENT A TO B, SHOWN HEREON, HAVING A BEARING OF N48°19'05"W REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (1997.0).

**LEGEND**

■	DENOTES	FOUND MONUMENTS
□	"	SET MONUMENTS
IB	"	IRON BAR
SIB	"	STANDARD IRON BAR
SSIB	"	SHORT STANDARD IRON BAR
WIT	"	WITNESS
PIN	"	PROPERTY IDENTIFICATION NUMBER
MEAS	"	MEASURED
STANTEC	"	STANTEC GEOMATICS LTD.
375	"	BLACK, SHOEMAKER, ROBINSON & DONALDSON LTD.
P1	"	INST. No. MS122688
P2	"	PLAN 61R-945
R.P.	"	REGISTERED PLAN

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE DAY OF , 2014.

DATE: \_\_\_\_\_

BRIAN CAMPBELL  
ONTARIO LAND SURVEYOR

**Stantec Geomatics Ltd.**  
 ONTARIO LAND SURVEYORS  
 49 FREDERICK STREET  
 KITCHENER, ONTARIO, N2H 6M7  
 TEL. (519)579-4410 FAX. (519)579-8664  
 stantec.com

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET VIRTUAL REFERENCE STATION NETWORK:  
 UTM ZONE 17, NAD83 (CSRS)(1997.0).  
 COORDINATES TO URBAN ACCURACY PER SEC 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
Ⓐ	4,820,056.57	558,800.90
Ⓑ	4,819,955.33	558,914.61

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

**GRID SCALE CONVERSION**  
 DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996.

V:\0161R\61R-945\161660386-1001-Geomatics\geomatics\design\drawing\mcsd\files\survey\reference\pin\161660386-10-SP-04-Crossing.dwg







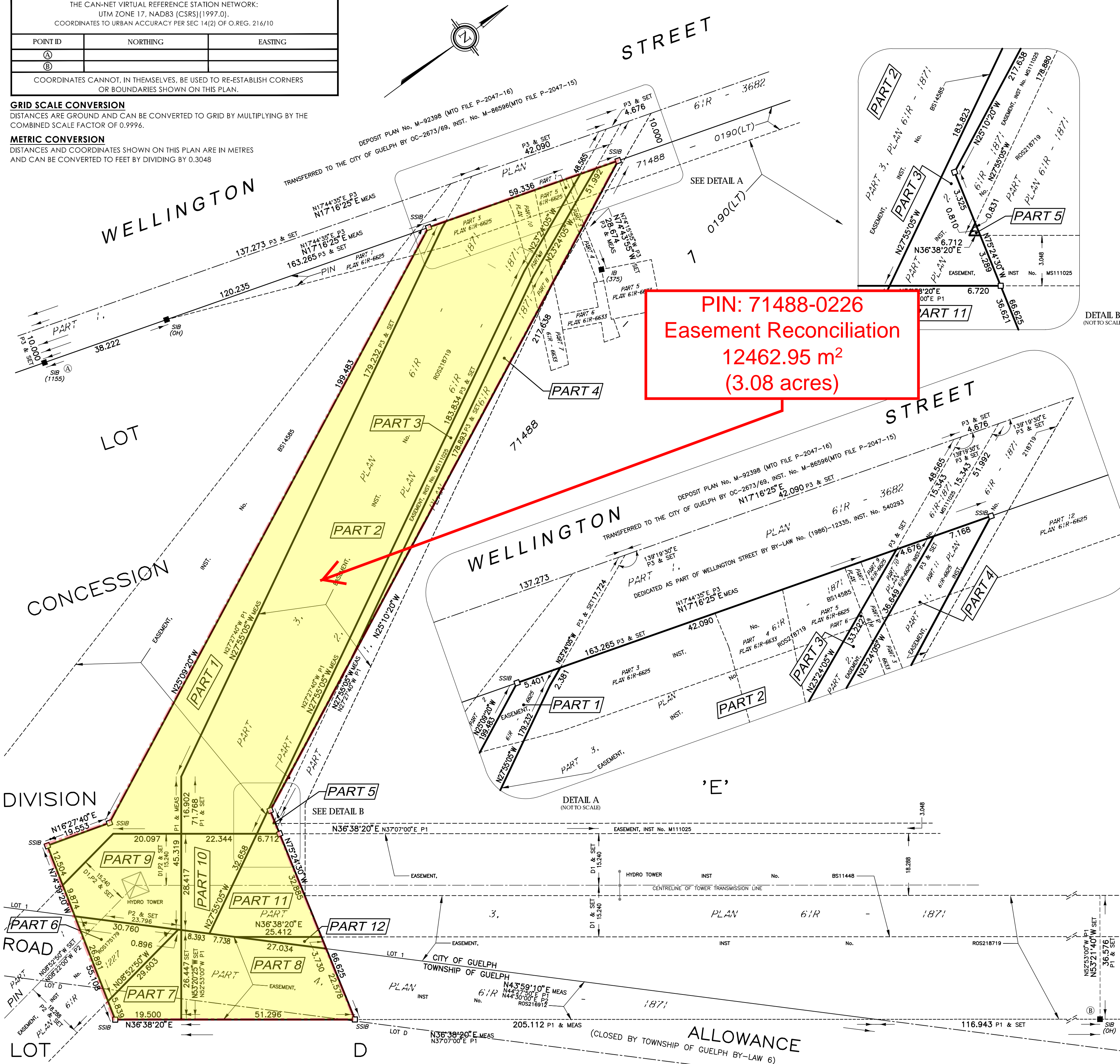
OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET VIRTUAL REFERENCE STATION NETWORK: UTM ZONE 17, NAD83 (CSRS) (1997.0). COORDINATES TO URBAN ACCURACY PER SEC 14(2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
A		
B		

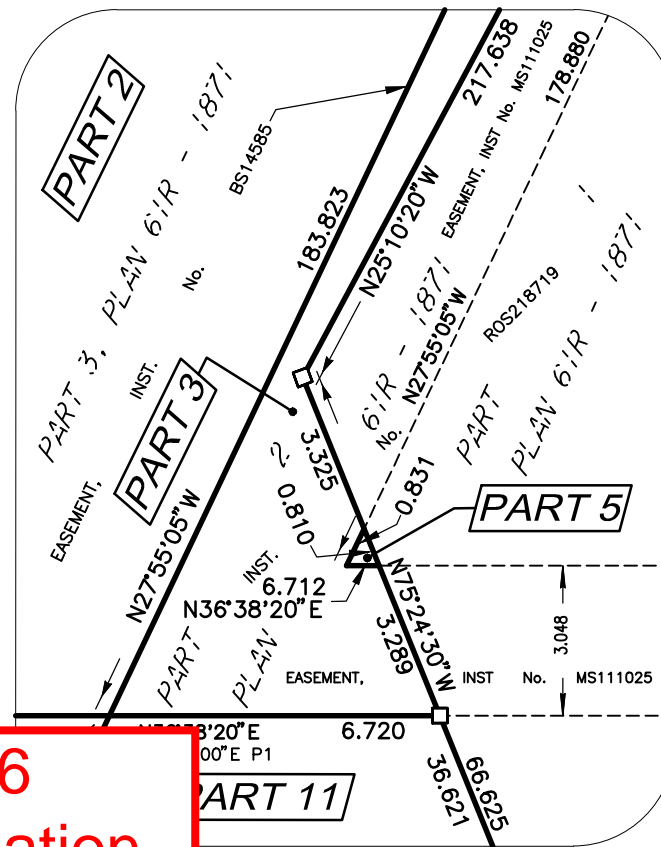
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

**GRID SCALE CONVERSION**  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9996.

**METRIC CONVERSION**  
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



**PIN: 71488-0226**  
**Easement Reconciliation**  
**12462.95 m<sup>2</sup>**  
**(3.08 acres)**



DETAIL B  
(NOT TO SCALE)

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

**PLAN 61R-** \_\_\_\_\_

RECEIVED AND DEPOSITED

DATE: \_\_\_\_\_ DATE: \_\_\_\_\_

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WELLINGTON (61).

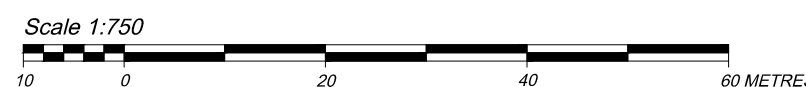
SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA
1	PART OF LOT 1	CONCESSION 1	PIN 71488-0226(LT)	1914.29 a
2				5656.93 a
3				605.04 a
4				582.56 a
5				0.24 a
6	PART OF ROAD ALLOWANCE	CONCESSION 1	PIN 71488-0226(LT)	362.98 a
7				349.55 a
8	PART OF LOT 1	CONCESSION 1	PIN 71488-0226(LT)	1102.87 a
9				786.71 a
10				447.76 a
11				609.67 a
12				43.93 a

PARTS 1 TO 12 COMPRISES A PART OF PIN 71488-0226(LT)  
 PARTS 1, 9 & 10 ARE SUBJECT TO INST. No. BS14585  
 PART 2 IS SUBJECT TO INST. No.s BS14585 & ROS218719  
 PART 3 IS SUBJECT TO INST. No.s ROS218719 & MS11025  
 PARTS 4 & 5 ARE SUBJECT TO INST. No. ROS218719  
 PART 6 IS SUBJECT TO INST. No. ROS175179  
 PART 7 IS SUBJECT TO INST. No. ROS216912

PLAN OF SURVEY of  
**PART OF LOT 1**  
**CONCESSION 1, DIVISION 'E'**  
 (GEOGRAPHIC TOWNSHIP OF GUELPH)  
**CITY OF GUELPH**  
 COUNTY OF WELLINGTON

AND

**PART OF LOT D**  
**CONCESSION 1, DIVISION 'E'**  
 AND  
**PART THE ROAD ALLOWANCE BETWEEN**  
**LOTS 1 & D (CLOSED BY TOWNSHIP OF GUELPH BY-LAW 6)**  
**TOWNSHIP OF GUELPH**  
 COUNTY OF WELLINGTON



**Stantec Geomatics Ltd.**  
**BEARING NOTE**  
 BEARINGS ARE UTM GRID, DERIVED FROM SIMULTANEOUS GPS OBSERVATIONS FROM MONUMENT A TO B, SHOWN HEREON, HAVING A BEARING OF N64°48'25"E REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (1997.0).

**LEGEND**

■	DENOTES	FOUND MONUMENTS
□		SET MONUMENTS
IB		IRON BAR
SSIB		STANDARD IRON BAR
SSIB		SHORT STANDARD IRON BAR
WIT		WITNESS
PIN		PROPERTY IDENTIFICATION NUMBER
MEAS		MEASURED
STANTEC		STANTEC GEOMATICS LTD.
375		BLACK, SHOEMAKER, ROBINSON & DONALDSON LTD.
P1		PLAN 61R-1871
P2		PLAN 61R-1227
P3		PLAN 61R-6633
D1		INST. No. BS11448

**SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE DAY OF . 2014.

DATE \_\_\_\_\_ BRIAN CAMPBELL  
 ONTARIO LAND SURVEYOR

**Stantec Geomatics Ltd.**  
 ONTARIO LAND SURVEYORS  
 49 FREDERICK STREET  
 KITCHENER, ONTARIO, N2H 6M7  
 TEL. (519)579-4410 FAX. (519)579-8664  
 stantec.com

**Stantec**





**PIN: 71488-0226**  
**Easement Reconciliation**  
**12462.95 m<sup>2</sup>**  
**(3.08 acres)**



July 27, 2012

RECEIVED

AUG 14 2012

Mr. Mike Penstone  
Vice President of Transmission Projects Development, Hydro One  
Hydro One Networks Inc.  
483 Bay Street  
Toronto, ON M5G 2P5

Dear Sir:

**Re: Hydro One's Guelph Area Transmission Refurbishment Project  
("GATR")**

I have been advised that Guelph Hydro and other local utilities, including Hydro One, participated in a joint planning study sponsored by the Ontario Power Authority (OPA) called the "Guelph Area Transmission Refurbishment Project ("GATR")". This study identified various system constraints and reliability concerns, and looked at the future need for expansion of transmission facilities to allow growth in the region and an acceptable level of system reliability compared to other areas of the Province.

This project will address the urgent need for additional supply to the City of Guelph while still maintaining a high reliability of supply. We share these fundamental goals through the substantial progress we have already made toward the local generation targets in Guelph's Community Energy Initiative.

To that end, the City of Guelph fully supports this project as proposed by Hydro One and recommends that the project proceed as soon as possible.

Yours truly,



**Ann Pappert**  
Chief Administrative Officer

T 519-837-5602  
F 519-822-8277  
E [administration@guelph.ca](mailto:administration@guelph.ca)

cc: B. Chuddy, Chief Executive Officer, Guelph Hydro Inc.  
K. Marouf, Chief Operations Officer, Guelph Hydro Electric Systems Inc.  
J. Urisk, Board Chair, Guelph Hydro Inc.

AP/sp

**City Hall**  
1 Carden St  
Guelph, ON  
Canada  
N1H 3A1

T 519-822-1260  
TTY 519-826-9771

[guelph.ca](http://guelph.ca)



**Barry Chuddy**  
Chief Executive Officer

395 Southgate Drive  
Guelph, ON N1G 4Y1  
519.837.4727 Fax 519.836.1055  
bchuddy@guelphhydro.com  
www.guelphhydro.com

July 16, 2012

Mr. Mike Penstone  
Vice President of Transmission Projects Development, Hydro One  
Hydro One Networks Inc.  
483 Bay Street  
Toronto, Ontario  
M5G 2P5

Dear Sir,

**Re: Hydro One's Guelph Area Transmission Refurbishment Project ("GATR")**

Guelph Hydro and other local utilities, including Hydro One, participated in a joint planning study sponsored by the Ontario Power Authority (OPA) called the "Guelph Area Transmission Refurbishment Project ("GATR)". This study identified various system constraints and reliability concerns, and looked at the future need for expansion of transmission facilities to allow growth in the region and an acceptable level of system reliability compared to other areas of the Province.

As a result of the inputs to the Study, Hydro One completed a thorough analysis of all options and the information provided was endorsed by all participating LDCs. Further, this project will address the urgent need for additional supply to the City of Guelph while still maintaining a high reliability of supply. To that end, Guelph Hydro fully supports this project as proposed by Hydro One and recommends that the project proceed as soon as possible.

Sincerely,

A handwritten signature in blue ink, appearing to read "Barry", with a large, sweeping flourish extending upwards and to the right.

Barry Chuddy  
Chief Executive Officer  
Guelph Hydro Inc.

:km

cc: K.Marouf

# STAFF REPORT



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TO City Council

SERVICE AREA Community and Social Services  
Culture and Tourism

DATE August 25, 2014

**SUBJECT Culture and Tourism Department – Advisory Committees**

REPORT NUMBER CSS-CT-1434

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## **EXECUTIVE SUMMARY**

### **PURPOSE OF REPORT**

To request dissolution of the Cultural Advisory Committee, and to establish a Public Art Advisory Committee and a Tourism Advisory Committee, based on the attached terms of reference, in the fall of 2014 as part of the annual committee appointment process.

### **KEY FINDINGS**

As we near the end of this term of Council, a review of our current advisory committees within Culture and Tourism resulted in staff bringing forward the recommendation that the current Cultural Advisory Committee be dissolved, and that Council establish a Public Art Advisory Committee in its place to better reflect the primary focus of the committee's previous work and to make provision for staff to give attention to further developing the relationship with Guelph Arts Council through the newly signed Community Benefit Agreement.

Based on the results of the Tourism Operational Review, staff also recommend that a Tourism Advisory Committee be established to work with staff on vetting the recommendations brought forward as part of that review and advising on their implementation.

### **FINANCIAL IMPLICATIONS**

There are no financial implications.

### **ACTION REQUIRED**

Receive the staff report, dissolve the Cultural Advisory Committee, and establish a Public Art Advisory Committee and a Tourism Advisory Committee.

## **RECOMMENDATION**

1. THAT the August 25, 2014 report entitled "Culture and Tourism Department – Advisory Committees" be received



# STAFF REPORT

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2. THAT the Cultural Advisory Committee be dissolved and that the committee members be formally thanked for their service
  
3. THAT a Public Art Advisory Committee and a Tourism Advisory Committee be established.

## **BACKGROUND**

### Cultural Advisory Committee

In April 2011, Council established a Cultural Advisory Committee. This committee grew out of the dissolution of the River Run Centre Advisory Committee, and was established at a time when there was a need for a transition to greater integration of cultural planning within Community and Social Services. In particular, there was a need for a focused effort to develop a public art policy and process, and launch the cultural mapping project.

Since that time, staff have established a Community Benefit Agreement with Guelph Arts Council (GAC) that defines the role of GAC as the primary community liaison with City staff and Council on matters of arts advocacy, and mandates GAC to be the City's liaison to support the ongoing development, growth, engagement and promotion of the arts and culture in Guelph.

### Tourism Advisory Committee

In June 2014, Council received the 21 recommendations contained within the Tourism Operational Review, and directed staff to establish a Tourism Industry Stakeholder Advisory Committee. The remaining recommendations were referred to staff and the advisory committee to review and determine how best to proceed with their implementation.

## **REPORT**

### Cultural Advisory Committee – to be dissolved

Now that the Community Benefit Agreement with Guelph Arts Council has been finalized and the current Cultural Advisory Committee has completed its transitional function, staff feel that it is time to focus on working with Guelph Arts Council to further develop its role as the liaison with City staff and Council on matters related to arts and culture within the community. Accordingly, it is the recommendation of staff that the current Cultural Advisory Committee be dissolved and that oversight of our public art policy and processes – which is currently an important and active function of a subcommittee – be maintained through the establishment of a new Public Art Advisory Committee.

### Public Art Advisory Committee – to be established

As per the attached terms of reference, staff recommend a committee of seven community appointees. The goals and objectives for the committee are to provide advice on the implementation of the Public Art Policy; review proposed scope and terms of reference for each new public art project; ensure application of established procedures and guidelines for each selection process; provide advice and

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# STAFF REPORT

recommendations to staff on proposed gifts, donations and bequests to the City; advise on the development and implementation of maintenance for the art collection and for accessioning and de-accessioning of works associated with the Public Art Policy; and review the City's Public Art Operations Manual and Public Art Plan for placing works within the public domain.

## Tourism Advisory Committee – to be established

As per the attached terms of reference, staff recommend a committee of nine community appointees, representing each of the following tourism sectors: Accommodation, Food & Beverage, Attractions, Transportation, Culture & Events, Outdoor/ Recreation, Sport, Retail, Conference Services.

The goals and objectives for the committee are to advise on the implementation of the recommendations of the 2014 Tourism Operational Review and to provide advice and recommendations to Council and staff that support the growth and development of tourism in Guelph.

## **CORPORATE STRATEGIC PLAN**

### Organizational Excellence

1.2 Develop collaborative work teams and apply whole systems thinking to deliver creative solutions

### City Building

3.3 Strengthen citizen and stakeholder engagement and communication

## **FINANCIAL IMPLICATIONS**

There are no financial implications.

## **DEPARTMENTAL CONSULTATION**

City Clerk's Office – Council Committees

## **COMMUNICATIONS**

N/A

## **ATTACHMENTS**

ATT-1 Tourism Advisory Committee Terms of Reference  
ATT-2 Public Art Advisory Committee Terms of Reference

### **Prepared By:**

Stacey Dunnigan  
Supervisor, Tourism Services

Ella Pauls  
Manager, Cultural Development

# STAFF REPORT

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**Approved By**

Colleen Clack  
General Manager,  
Culture and Tourism  
519-822-1260 ext. 2588  
colleen.clack@guelph.ca



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**Recommended By**

Mario Petricevic  
Acting Executive Director  
Community and Social Services  
519-822-1260 ext. 2668  
mario.petricevic@guelph.ca

**Advisory Committee Name:** Tourism Advisory Committee

**Parent Standing Committee:** Community and Social Services Committee

**Number of Members:** Nine (9) public appointees. One (1) each from the following sectors of the Guelph tourism industry:

- |                     |                        |
|---------------------|------------------------|
| 1. Accommodation    | 6. Outdoor/ Recreation |
| 2. Food & Beverage  | 7. Sport               |
| 3. Attractions      | 8. Retail              |
| 4. Transportation   | 9. Conference Services |
| 5. Culture & Events |                        |

A minimum of 6 sectors must be represented in the appointments to the committee at any given time.

**Date of Formation:** November 2014

**Expiration Date:** N/A

**Staff Liaison Support Position:** Supervisor of Tourism Services

**Service Area/Department:** Culture and Tourism/Community and Social Services

**Meeting Frequency:** The Committee will meet a minimum of four times during the year. Additional meetings may be called to address specific project requirements.

**Applicable Legislation/By-Law:** N/A

**Link to Corporate Strategic Plan:** City Building – 3 .3 Strengthen citizen and stakeholder engagement and communications.

**Frequency of Reporting to Council:** Annually

**Mandate:** The Tourism Advisory Committee will provide strategic input and advice to Council and Staff on matters pertaining to destination development and tourism service delivery in the City of Guelph, as guided by the 2014 Tourism Operational Review.

**Goals/Objectives:**

- Advise on the implementation of the recommendations of the 2014 Tourism Operational Review;
- Provide advice and recommendations to Council and Staff on matters affecting the tourism industry.

**Special Skills required for members:** Committee members shall have professional and/or volunteer experience related to at least one of the following disciplines: tourism destination development and management, marketing, advertising and promotion, market research, entrepreneurship, small business, and cultural development. Members must be residents of Guelph and shall demonstrate a significant knowledge of Guelph and its tourism industry.

**Budget:** N/A

**Advisory Committee Name:** Public Art Advisory Committee

**Parent Standing Committee:** Community and Social Services Committee

**Number of Members:** Seven (7) public appointees

**Date of Formation:** November 2014

**Expiration Date:** N/A

**Staff Liaison Support Position:** Arts and Culture Program Officer

**Service Area/Department:** Culture and Tourism/Community and Social Services

**Meeting Frequency:** The Committee will meet a minimum of three times during the year. Additional meetings may be called to address specific project requirements.

**Applicable Legislation/By-Law:** Public Art Policy

**Link to Corporate Strategic Plan:** City Building – 3 .1 Ensure a well designed, safe, inclusive, appealing and sustainable City

**Frequency of Reporting to Council:** Annually

**Mandate:** The Public Art Advisory Committee will provide strategic input and advice to Council and Staff on matters pertaining to public art in the City of Guelph.

**Goals/Objectives:**

- Advise on the implementation of the Public Art Policy;
- Review proposed project scope and terms of reference for each new public art project;
- Ensure application of established procedures and guidelines for each selection process;
- Advise and promote communication and outreach of the policy to the community;
- Advise and recommend to staff on proposed gifts, donations and bequests to the City in accordance with established guidelines;
- Advise on the development and implementation of maintenance for the art collection and for accessioning and de-accessioning of works associated with the Public Art Policy;
- Review the City's Public Art Operations Manual and Public Art Plan for placing works within the public domain.

**Special Skills required for members:** Committee members shall have professional experience related to at least one of the following disciplines: urban planning or developing, landscape architecture, architecture, visual, literary or performing arts, art history, art administration or education, curating, visual arts consulting, civil engineering, art reviewing/writing, or heritage research and planning. The members shall be residents of Guelph and shall demonstrate a significant knowledge of arts and culture.

**Budget:** N/A

# STAFF REPORT



TO Council

SERVICE AREA Corporate & Human Resources

DATE August 25, 2014

**SUBJECT 2015 Council and Committee Meeting Schedule**

REPORT NUMBER CHR-2014-55

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To approve the 2105 Council and Committee meeting schedule.

### KEY FINDINGS

The meeting schedule is based on past practice with the exceptions that the Governance Committee meetings are being scheduled monthly, and the 2015 budget meetings have been included in the meeting schedule.

### FINANCIAL IMPLICATIONS

None

### ACTION REQUIRED

To approve the 2015 Council and Committee meeting schedule

## RECOMMENDATION

1. That the 2015 Council and Committee meeting schedule, attached as Attachment 1, be approved.

## BACKGROUND

Pursuant to the City of Guelph Procedural By-law, Council is required to establish an annual Council and Committee meeting schedule by way of Council Resolution.

## REPORT

To support the legislative process for City Council, it is recommended that Council approve a regular meeting schedule. As per past practice, the proposed schedule references meetings of Council and Standing Committees of Council from January to December 2015.

# STAFF REPORT



For the first time we are including dates for the 2015 Council budget meetings.

A detailed report with Council Budget meeting dates for the 2016 Budget will be provided later in 2015. Generally, the typical budget schedule in a year which is not following an election year is as follows:

- Presentation of the Tax Supported Capital Budget & Forecast – early October
- Presentation of the Non-Tax Supported Operating & Capital Budgets & Public Delegations – late October
- Approval of Non-Tax Supported Operating & Capital Budgets – early November
- Presentation of Tax Supported Operating Budgets – early November
- Presentation of Local Boards & Shared Services Budgets – mid-November
- Public Delegations – late November
- Council Deliberations & Approval of the Tax Supported Operating & Capital Budgets (incl Local Boards & Shared Services) – early December

The following principles guided the development of the proposed schedule:

- Continuation of the practice of publishing agendas two weeks prior to the targeted meeting.
- Standing Committee meetings are generally scheduled during the first two weeks of each month.
- No regular Council or Standing committee meetings have been scheduled for the month of January or August, which are the winter and summer recess periods and subsequently the July and December meeting schedules have been condensed.
- The January schedule of meetings includes three Council Budget meetings.
- Maintaining (with the exception of months preceding recess) a week between Planning Council and Regular Council which continues to allow Council's ability to consider time sensitive matters.
- Where there are no other special meetings already scheduled, allowing for two special Council Meeting Placeholders per month. The exceptions are for the months of January, February, June, July, August and December. In February and June one placeholder has been used for a Budget meeting and Council as Shareholder of GMHI meeting, respectively.
- A Nominating Committee meeting is scheduled for Monday November 9 at 5p.m. for the annual appointment of members to the Standing Committees.
- Governance Committee meetings have been scheduled monthly.
- Audit Committee meetings will be held bi-monthly.

## **Council Meetings**

- Regular Council is scheduled to meet 7 p.m. on the 4<sup>th</sup> Monday of the month, except July and December where Council will meet on the 3<sup>rd</sup> Monday. This will allow for a condensed full schedule of meetings to accommodate the summer and winter recesses. Closed meetings will be scheduled immediately prior to regular council meetings.

# STAFF REPORT



- Planning Council is scheduled to meet on the 2<sup>nd</sup> Monday of the month except for October due to the Thanksgiving Holiday they will meet on the 2<sup>nd</sup> Tuesday, and in December they will meet on the 1<sup>st</sup> Monday to accommodate the winter holidays. Closed meetings will be scheduled immediately prior to these meetings if required.
- The 2015 Budget meetings have been scheduled in January, February and March.

## **Monthly Standing Committee Meetings**

- Community & Social Services Committee (CSS) is generally scheduled to meet at 5 p.m. on the 2<sup>nd</sup> Tuesday of the month except in July where they will meet on the 2<sup>nd</sup> Thursday and the months of September and October when they will meet on the 2<sup>nd</sup> Wednesday.
- Corporate Administration, Finance & Enterprise Committee (CAFE) is generally scheduled to meet at 5:30 p.m. on the 1<sup>st</sup> Monday of the month except for the months of April, September and December when they will meet on the 1<sup>st</sup> Tuesday.
- Governance Committee (GOV) is generally scheduled to meet at 3 p.m. on the 1<sup>st</sup> Tuesday of the month except for April when they will meet on the 2<sup>nd</sup> Wednesday and September and December when they will meet on the 2<sup>nd</sup> Tuesday.
- Operations, Transit & Emergency Services Committee (OTES) is generally scheduled to meet at 5 p.m. on the 1<sup>st</sup> Tuesday of the month except for the month of April when they will meet on the 2<sup>nd</sup> Wednesday, and the months of September and December when they will meet on the 2<sup>nd</sup> Tuesday.
- Planning & Building, Engineering and Environment Committee (PBEE) is generally scheduled to meet at 2 p.m. on the 1<sup>st</sup> Monday of the month except for April, September and December when they will meet on the 1<sup>st</sup> Tuesday.

## **BI-Monthly Standing Committee Meetings**

- Audit Committee (AUD) is scheduled to meet at 4 p.m. on the 1<sup>st</sup> Thursday of February, September and November, the 3<sup>rd</sup> Wednesday of April, and the 2<sup>nd</sup> Wednesday of June.

## **CORPORATE STRATEGIC PLAN**

Supports the three strategic focus areas through the facilitation of the Council decision making process.

## **DEPARTMENTAL CONSULTATION**

Consultation of various Board schedules to which members of Council are appointed, in order to prevent meeting conflicts.

Coordination of Council and Committee schedule with the 2015 Council Budget meetings schedule with staff in the Finance and Enterprise department.



# STAFF REPORT



The proposed 2015 Council and Committee Meeting Schedule has been reviewed and supported by the Executive Team.

## **FINANCIAL IMPLICATIONS**

None

## **COMMUNICATIONS**

The final 2015 Council and Committee Meeting Schedule will be forwarded to the media, internal and community stakeholders, and published on the City's website.

## **ATTACHMENTS**

ATT-1          2015 Council and Committee Meeting Schedule

### **Report Author**

Joyce Sweeney  
Council Committee Co-ordinator

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### **Approved By**

Stephen O'Brien  
City Clerk  
519-822-1260 ext. 5644  
Stephen.O'Brien@guelph.ca

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### **Recommended By**

Mark Amorosi  
Executive Director, Corporate & Human  
Resources  
519-822-1260 ext. 2281  
Mark.Amorosi@guelph.ca

# 2015 COUNCIL AND COMMITTEE MEETING SCHEDULE



**AUD** - Audit Committee

**CSS** - Community & Social Services

**GOV** - Governance Committee

**CAFES** - Corporate Administration, Finance & Enterprise Committee

**OTES** - Operations, Transit & Emergency Services Committee

**PBEE** - Planning & Building, Engineering & Environment Committee

JANUARY					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
			1 New Year's Day	2	3 4
5	6	7	8	9	10 11
12	13	14	15	16	17 18
19	20	21 Council- Budget (6:00 pm) Presentation of Non-Tax Supported Budgets	22	23	24 25
26 Council -Budget (6:00 pm) Presentation of Tax Supported Capital Budget/Public Delegations	27	28 Council- Budget (6:00 pm) Approval of Non-Tax Supported Budgets	29	30	31

FEBRUARY					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1
2 PBEE (2:00 pm) CAFE (5:30 pm)	3 GOV (3:00 pm) OTES (5:00 pm)	4	5 AUD (4:00 pm)	6	7 8
9 Council Planning (7:00 pm)	10 CSS (5:00 pm)	11	12	13	14 15
16 Family Day	17	18 Council Placeholder (6:00 pm)	19	20	21 22
23 Council (7:00 pm)	24	25 Council- Budget (6:00 pm) Presentation of Tax Supported Operating Budget	26 Council- Budget (6:00 pm) Presentation of Local Boards & Shared Services	27	28

# 2015 COUNCIL AND COMMITTEE MEETING SCHEDULE



**AUD** - Audit Committee

**CSS** - Community & Social Services

**GOV** - Governance Committee

**CAFES** - Corporate Administration, Finance & Enterprise Committee

**OTES** - Operations, Transit & Emergency Services Committee

**PBEE** - Planning & Building, Engineering & Environment Committee

MARCH					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1
2 PBEE (2:00 pm) CAFE (5:30 pm)	3 GOV (3:00 pm) OTES (5:00 pm)	4	5 Council- Budget (6:00 pm) Delegations	6	7 8
9 Council Planning (7:00 pm)	10 CSS (5:00 pm)	11 Council – Budget Night (6:00 pm)	12 Council – Budget Night continuation if required (6:00 pm)	13	14 15
16	17	18 March Break	19	20	21 22
23 Council (7:00 pm)	24	25 Council Placeholder (6:00 pm)	26	27	28 29
30 Council Placeholder (6:00 pm)	31				

APRIL					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
		1	2	3 Good Friday	4 5 Easter
6 Easter Monday	7 PBEE (2:00 pm) CAFE (5:30 pm)	8 GOV (3:00 pm) OTES (5:00 pm)	9	10	11 12
13 Council Planning (7:00 pm)	14 CSS (5:00 pm)	15 AUD (4:00 pm)	16	17	18 19
20 Council Placeholder (6:00 pm)	21	22 Council Placeholder (6:00 pm)	23	24	25 26
27 Council (7:00 pm)	28	29	30		

# 2015 COUNCIL AND COMMITTEE MEETING SCHEDULE



**AUD** - Audit Committee

**CSS** - Community & Social Services

**GOV** - Governance Committee

**CAFES** - Corporate Administration, Finance & Enterprise Committee

**OTES** - Operations, Transit & Emergency Services Committee

**PBEE** - Planning & Building, Engineering & Environment Committee

MAY					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
				1	2 3
4 PBEE (2:00 pm) CAFE (5:30 pm)	5 GOV (3:00 pm) OTES (5:00 pm)	6	7	8	9 10
11 Council Planning (7:00 pm)	12 CSS (5:00 pm)	13	14	15	16 17
18 Victoria Day	19	20 Council Placeholder (6:00 pm)	21	22	23 24
25 Council (7:00 pm)	26	27 Council Placeholder (6:00 pm)	28	29	30 31

June					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
1 PBEE (2:00 pm) CAFE (5:30 pm)	2 GOV (3:00 pm) OTES (5:00 pm)	3	4	5 FCM Conference	6 7
8 FCM Conference	9 CSS (5:00 pm)	10 AUD (4:00 pm)	11	12	13 14
15 Council Placeholder (6:00 pm)	16	17	18	19	20 21
22 Council (7:00 pm)	23	24	25	26	27 28
29 Council Placeholder (6:00 pm)	30				

# 2015 COUNCIL AND COMMITTEE MEETING SCHEDULE



**AUD** - Audit Committee

**CSS** - Community & Social Services

**GOV** - Governance Committee

**CAFES** - Corporate Administration, Finance & Enterprise Committee

**OTES** - Operations, Transit & Emergency Services Committee

**PBEE** - Planning & Building, Engineering & Environment Committee

JULY					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
		1 Canada Day	2	3	4 5
6 PBEE (2:00 pm) CAFE (5:30 pm)	7 GOV (3:00 pm) OTES (5:00 pm)	8	9 CSS (5:00 pm)	10	11 12
13 Council Planning (7:00 pm)	14 Council Placeholder (6:00 pm)	15	16	17	18 19
20 Council (7:00 pm)	21	22	23	24	25 26
27	28	29	30	31	

AUGUST					
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1 2
3 John Galt Day / Civic Holiday	4	5	6	7	8 9
10	11	12	13	14	15 16 AMO Conference
17	18	19	20	21	22 23 AMO Conference (dates to be confirmed)
24	25	26	27	28	29 30
31					

# 2015 COUNCIL AND COMMITTEE MEETING SCHEDULE



**AUD** - Audit Committee  
**CSS** - Community & Social Services  
**GOV** - Governance Committee

**CAFES** - Corporate Administration, Finance & Enterprise Committee  
**OTES** - Operations, Transit & Emergency Services Committee  
**PBEE** - Planning & Building, Engineering & Environment Committee

## SEPTEMBER

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
	1 PBEE (2:00 pm) CAFE (5:30 pm)	2	3 AUD (4:00 pm)	4	5 6
7 Labour Day	8 GOV (3:00 pm) OTES (5:00 pm)	9 CSS (5:00 pm)	10	11	12 13
14 Council Planning (7:00 pm)	15	16	17	18	19 20
21 Council Placeholder (6:00 pm)	22	23 Council Placeholder (6:00 pm)	24	25	26 27
28 Council (7:00 pm)	29	30			

## OCTOBER

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
			1	2	3 4
5 PBEE (2:00 pm) CAFE (5:30 pm)	6 GOV (3:00 pm) OTES (5:00 pm)	7	8	9	10 11
12 Thanksgiving Day	13 Council Planning (7:00 pm)	14 CSS (5:00 pm)	15	16	17 18
19 Council Place Holder (6:00 pm)	20	21 Council Placeholder (6:00 pm)	22	23	24 25
26 Council (7:00 pm)	27	28	29	30	31

# 2015 COUNCIL AND COMMITTEE MEETING SCHEDULE



**AUD** - Audit Committee  
**CSS** - Community & Social Services  
**GOV** - Governance Committee

**CAFES** - Corporate Administration, Finance & Enterprise Committee  
**OTES** - Operations, Transit & Emergency Services Committee  
**PBEE** - Planning & Building, Engineering & Environment Committee

## NOVEMBER

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
					1
2 PBEE (2:00 pm) CAFE (5:30 pm)	3 GOV (3:00 pm) OTES (5:00 pm)	4	5 AUD (4:00 pm)	6	7 8
9 Striking Committee (5:00 pm potentially) Council Planning (7:00 pm)	10 CSS (5:00)	11 Remembrance Day	12	13	14 15
16 Council Placeholder (6:00 pm)	17	18	19	20	21 22
23 Council (7:00 pm)	24	25	26	27	28 29
30 Council Placeholder (6:00 pm)					

## DECEMBER

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday Sunday
	1 PBEE (2:00 pm) CAFE (5:30 pm)	2	3 Council Placeholder (6:00 pm)	4	5 6
7 Council Planning (7:00 pm)	8 GOV (3:00 pm) OTES (5:00 pm)	9 CSS (5:00 pm)	10	11	12 13
14 Council (7:00 pm)	15	16	17	18	19 20
21	22	23	24	25 Christmas Day	26 Boxing Day 27
28	29	30			

# STAFF REPORT



TO City Council

SERVICE AREA Corporate and Human Resources, City Clerk's Office

DATE August 25, 2014

**SUBJECT 2014 Municipal Election – Amendment to Special Voting Provisions**

REPORT NUMBER CHR-2014-56

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To advise council of an additional retirement home that requires a voting location on election as required by the *Municipal Elections Act*.

### KEY FINDINGS

The *Municipal Elections Act* requires that institutions and retirement homes as defined in the Act have polling locations on election day. On April 28, 2014 Council passed a by-law designating the times at which voting will take place on election day. A new institution has been identified which requires that the by law be amended to add it and the voting times.

### FINANCIAL IMPLICATIONS

There are no financial implications.

### ACTION REQUIRED

Council to approve the recommendation to direct that a by-law be drafted for enactment.

## RECOMMENDATION

1. That report CHR-2014-56 dated August 25, 2014 regarding 2014 Municipal Election – Amendment to Special Voting Provisions be received.
2. That the attached by-law be brought forward for Council's enactment.

## REPORT

By-law 2014-19787 being a by-law to provide for reduced hours of voting and Special Voting provisions on Election Day was passed on April 28, 2014. This by-law included the times during which voting on Election Day would occur at institutions and retirement homes as required and defined in the *Municipal Elections Act*.



# STAFF REPORT

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Since that time, the Clerk's office has discovered that a new retirement home has been built at 32 Bayberry Drive, known as Village of Arbour Trails. For this reason, an amending by-law to add this address to the list of institutions and retirement homes where voting locations will be placed on Election Day and detail the voting times, is recommended to be brought forward to Council for approval.

As this retirement home is new, we are working with MPAC to include it on the voters list as it currently does not have an assessment roll number.

## **CORPORATE STRATEGIC PLAN**

By facilitating the electoral process, this report supports strategic direction 3.3 to strengthen citizen and stakeholder engagement.

## **DEPARTMENTAL CONSULTATION**

Departmental consultation is not applicable since this the management of the Municipal Election is an operational process managed by the City Clerk as the Returning Officer for the municipal election pursuant to the *Municipal Elections Act*.

## **COMMUNICATIONS**

The city's election website contains details regarding the 2014 municipal election. Information is also disseminated in accordance with the election communications plan.

## **ATTACHMENTS**

ATT-1 Attachment 1 draft amending bylaw to Bylaw

Tina Agnello  
**Report Author**

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**Approved By**  
Stephen O'Brien  
City Clerk &  
Electoral Returning Officer  
519 822 1260 x 5644  
stephen.obrien@guelph.ca

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**Recommended By**  
Mark Amorosi  
Executive Director  
Corporate and Human Resources  
519 822 1260 x 2281  
mark.amorosi@guelph.ca

## THE CORPORATION OF THE CITY OF GUELPH

### By-law Number (2014)-XXXXX

A by-law to amend By-law Number (2014)-19739, a by-law to provide for early voting and reduced hours of voting in institutions and retirement homes on voting day.

WHEREAS Section 45(7) of the Municipal Elections Act, S.O. 1996 requires the voting places be located in institutions and retirement homes as defined in the Act;

AND WHEREAS Section 46(3) of the aforesaid Act provides that a municipal council may pass a by-law with respect to reduced voting hours in voting places in retirement homes or those institutions as defined in Section 45(7) of the said Act;

### **NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:**

1. THAT the voting places shown in Schedule "A" of By-law Number (2014)-19739 be amended to include:

Village of Arbour Trails	Ward 5	6:00pm to 8:00pm
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**PASSED this TWENTY-FIFTH day of AUGUST, 2014.**

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**KAREN FARBRIDGE – MAYOR**

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**STEPHEN O'BRIEN – CITY CLERK**

# STAFF REPORT



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TO City Council

SERVICE AREA Community and Social Services  
Community Engagement and Social Services

DATE August 25, 2014

**SUBJECT By-laws for The Elliott Long-Term Care Residence**

REPORT NUMBER CSS-CESS-1435

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## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To request Council direction for two by-laws for The Elliott Long-Term Care Residence be approved

### KEY FINDINGS

In March 2014, City Council approved a strategy, developed in partnership with The Elliott, which outlined the process for and implications of seeking the Minister of Health and Long-Term Care's approval for the City to operate The Elliott Long-Term Care Residence as its municipal home.

The strategy included two draft by-laws. One by-law is required in order to meet Ministry of Health and Long-Term Care requirements and the second, to delegate the City's authority to operate a long-term care facility to The Elliott's Board of Trustees. The content of these two by-laws was approved by Council as part of the approval of the strategy.

The City received approval from the Minister of Health and Long-Term Care for The Elliott Long-Term Care Residence to operate as the City's municipal long-term care home on July 31, 2014. The Minister's approval requires the City to pass and enact the draft by-laws.

Minor adjustments to the wording in both by-laws are required for increased clarity. These changes do not materially change the originally approved content. Both by-laws, with the amended wording, are being brought forward to Council for enactment on August 25, 2014.

### FINANCIAL IMPLICATIONS

Based on an assessment of The Elliott's 2014 budget and forecasted 2015 through 2016 budgets, the total projected cost to the City of supporting The Elliott's long-term care operations (operating and capital) is expected to be in the range of \$1.2 million annually.

# STAFF REPORT

For 2014, the City's budgeted cost to support Wellington Terrace is \$1.25 million and the forecasted amount for 2015 is \$1.3 million. The funding obligations to Wellington Terrace will end once the approval of The Elliott Long-Term Care Residence takes effect. The Wellington Terrace funding will be re-allocated to The Elliott's long-term care operations.

## **ACTION REQUIRED**

Provide Council direction for the two by-laws for The Elliott Long-Term Care Residence be approved

## **RECOMMENDATION**

1. THAT the attached by-law to "establish and maintain The Elliott Long-Term Care Residence" and the by-law to "delegate authority to The Elliott to operate The Elliott Long-Term Care Residence" be forwarded to Council for approval.

## **BACKGROUND**

The City of Guelph is legally required to be involved in the provision of residential long-term care home services. In partnership with The Elliott, the City developed a strategy which outlined the process for and implications of seeking the Minister's approval for the City to operate The Elliott Long-Term Care Residence as its municipal home. The strategy addressed the requirements of the *Long-Term Care Homes Act, 2007 (LTCHA)*, related legislation(s) and key stakeholders, including the Ministry of Health and Long-Term Care, The Elliott and the City.

The strategy also included two draft by-laws required in order for the City to meet legislative requirements. A by-law is required which confirms that the City will be establishing and maintaining a long-term care home by taking over the operation of The Elliott's Long-Term Care Residence. The second by-law delegates the City's authority to operate a long-term care facility to The Elliott's Board of Trustees.

On March 31, 2014, City Council approved Council Report #CON-2014.20: Strategy for the Municipal Approval of The Elliott Long-Term Care Residence to change the City's approved municipal home from Wellington Terrace (owned and operated by Wellington County) to The Elliott. At that time, Council directed staff "to implement the strategy and have The Elliott Long-Term Care Residence approved by the Minister of Health and Long-Term Care as the City of Guelph's municipal home."

## **REPORT**

On July 31, 2014, the City received approval from the Minister of Health and Long-Term Care for The Elliott Long-Term Care Residence to operate as the City's municipal long-term care home (ATT-1), effective February 1, 2015. That means

# STAFF REPORT



that the City's Purchase of Service agreement with Wellington County for the operation of Wellington Terrace will end as of January 31, 2015 and The Elliott Long-Term Care Residence will become the City's municipal home as of February 1, 2015.

The Minister's approval requires the City to pass a by-law confirming that the City will be establishing and maintaining a long-term care home by taking over the operation of The Elliott's Long-Term Care Residence (ATT-2).

A second by-law is also proposed which delegates the City's authority to operate a long-term care facility to The Elliott's Board of Trustees (ATT-3). This delegation of authority by-law:

- Establishes the Community and Social Services (CSS) Committee as the Committee of Management, a requirement under the *LTCHA*
- Delegates decision-making authority to the Committee of Management
- Delegates the City's authority to provide, manage and operate a long-term care home to The Elliott, subject to the limitation that the City retains ultimate responsibility to fulfill its obligations
- Requires The Elliott to provide all necessary accommodations, equipment, supplies, employees and labour to operate the long-term care home in accordance with MOHTLC requirements
- Establishes reporting requirements from The Elliott's Board of Trustees to the Committee of Management
- Defines funding obligations of both the City and The Elliott
- Delegates authority to the Executive Director of Community and Social Services to enter into and amend a Services Agreement between the City and The Elliott
- Delegates authority to enter into agreements with WWLHIN and MOHLTC, to the Executive Director, the authority which may then be delegated to City staff or to the Board of Trustees or the Administrator of the home

Draft versions of both by-laws were provided to Council as part of the strategy. The content of both by-laws were approved in principle on March 31, 2014. Minor adjustments to the wording in both by-laws are required for increased clarity and to satisfy Ministry requirements. These changes do not materially change the originally approved content. Report attachments (ATT-2 and ATT-3) include the redline changes.

Now that the Minister's approval has been received, the by-laws must be passed and enacted by Council. Both by-laws, with the amended wording, are being brought forward to Council for enactment on August 25, 2014.

# STAFF REPORT



## **CORPORATE STRATEGIC PLAN**

### Organizational Excellence

- 1.1 Develop collaborative work team and apply whole systems thinking to deliver creative solutions
- 1.2 Build robust systems, structures and frameworks aligned to strategy

### Innovation in Local Government

- 2.1 Build an adaptive environment, for government innovation to ensure fiscal and service sustainability
- 2.3 Ensure accountability, transparency and engagement

## **DEPARTMENTAL CONSULTATION**

The following departments were consulted and reviewed the report:

- Legal Services, Corporate and Human Resources
- City Clerk's Office, Corporate and Human Resources
- Financial Reporting and Accounting, Finance and Enterprise Services
- Community Engagement and Social Services, Community and Social Services

## **COMMUNICATIONS**

Key community and government stakeholders have been advised of this project.

Discussions have taken place with:

- The Honourable Liz Sandals, Minister of Education, MPP Guelph
- Ministry of Health and Long-Term Care staff
- Waterloo-Wellington Local Health Integration Network staff
- The Elliott Board of Trustees
- The County of Wellington

City and The Elliott staff are working with the Communications department to develop an integrated communications plan. This plan will be used for The Elliott residents and their families and city residents.

## **ATTACHMENTS**

- ATT-1 Letter of approval from Ministry of Health and Long-Term Care
- ATT-2 Draft by-law to establish and maintain The Elliott
- ATT-3 Draft by-law to delegate authority to The Elliott

## **Report Author**

Karen Kawakami  
Social Services Program and Policy Liaison

# STAFF REPORT



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**Approved By**

Barbara Powell  
General Manager, Community  
Engagement and Social Services  
519-822-1260 ext. 2675  
[Barbara.powell@guelph.ca](mailto:Barbara.powell@guelph.ca)

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**Recommended By**

Mario Petricevic  
Acting Executive Director,  
Community and Social Services  
519-822-1260 ext. 2668  
[mario.petricevic@guelph.ca](mailto:mario.petricevic@guelph.ca)

**Ministry of Health  
and Long-Term Care**

Health System Accountability and  
Performance Division  
Performance Improvement and  
Compliance Branch

1075 Bay Street, 11<sup>th</sup> Floor  
Toronto ON M5S 2B1

Telephone: 416-326-1933  
Facsimile: 416-327-7603

**Ministère de la Santé  
et des Soins de longue durée**

Division de la responsabilisation et de la  
performance du système de santé  
Direction de l'amélioration de la  
performance et de la conformité

1075, rue Bay, 11<sup>e</sup> étage  
Toronto ON M5S 2B1

Téléphone: 416-326-1933  
Télécopieur: 416-327-7603



**JUL 31 2014**

**By e-Mail and Courier**

Ms. Ann Pappert  
Chief Administrative Officer  
City of Guelph  
1 Carden Street  
Guelph ON N1E 4Y3

Dear Ms. Pappert:

**Re: The Elliott Long Term Care Residence in Guelph (Home # M633)  
New Long-Term Care Home Approval # M633-A01 for 85 Beds**

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Please find enclosed a new Long-Term Care Home Approval granted to the Corporation of the City of Guelph (the "Operator") by the Minister of Health and Long-Term Care for the operation of 85 beds at The Elliott Long Term Care Residence (formerly known as The Elliott Community) in Guelph, Ontario (the "Home"). The approval is effective on February 1, 2015 and conditional on The Elliott surrendering its licence in respect of The Elliott Community prior to that date. In this regard, The Elliott must deliver a duly executed letter confirming the surrender of its licence together with a copy of its current licence to my office, to the attention of Edith Petes, Licensing Program Coordinator.

You are required to ensure that the Approval is posted in the Home and communicated to residents of the Home pursuant to section 79 of the *Long-Term Care Homes Act, 2007* (the "Act") and clause 225(1)[2] of Ontario Regulation 79/10 (the "Regulation").

Prior to the Operator commencing operation of the Home under this new Approval, an approval of the Home and its equipment must be obtained from the Director under the Act in accordance with s. 305(1) of the Regulation. Ministry staff will be in touch with you to confirm the required process for this approval, taking into consideration that the Home is already in operation as a long-term care home under the Act.

The Ministry of Health and Long-Term Care advises all long-term care home operators that the failure to comply with any condition of a licence or approval (as set out in the licence or approval or deemed to be applicable under the Act or the Regulation) constitutes grounds that may result in the making of an order by the Director or an inspector under Part IX of the Act.

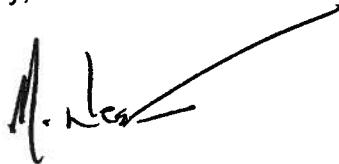


Ms. Ann Pappert – New LTCH Approval for The Elliott Long Term Care Residence

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Thank you for your co-operation in working with ministry staff to complete this process. If you have any questions regarding your Approval, please contact Edith Petes at [Edith.Petes@ontario.ca](mailto:Edith.Petes@ontario.ca) (416-326-1933).

Sincerely,



*per*

Nancy Lytle  
Director, Performance Improvement and Compliance Branch  
Director under the *Long-Term Care Homes Act, 2007*

Enclosure

- c:
- Karen Farbridge, Mayor, City of Guelph
  - John Schitka, Chair, The Elliott Board of Trustees
  - Barbara Powell, General Manager of Community Engagement, City of Guelph
  - Trevor Lee, Administrator, The Elliott Long Term Care Residence
  - Karen Kawakami, Social Services Policy and Program Liaison, City of Guelph
  - Bruce Lauckner, CEO, Waterloo Wellington Local Health Integration Network
  - Kevin Mercer, CEO, Waterloo Wellington Community Care Access Centre
  - Dr. Eric Hoskins, Minister of Health and Long-Term Care
  - Kathryn McCulloch, Director, LHIN Liaison Branch, Ministry of Health and Long-Term Care (MOHLTC)
  - Chandike Tennakoon, Finance Manager, Financial Management Branch, MOHLTC
  - Margaret Allore, Manager (A), Licensing and LTC Programs Unit, Performance Improvement and Compliance Branch (PICB), MOHLTC
  - Joyce Feng, Senior Financial Analyst, Financial Management Branch, MOHLTC
  - Kim Leuszler, Manager, London Service Area Office, PICB, MOHLTC
  - Michael Orr, Senior Counsel, Legal Services Branch, MOHLTC
  - Meriel Stuart, Program Manager (A), Payment Accountability & Stakeholder Services, Health Services Branch, MOHLTC
  - Violet Newman, Statistics Officer, Health Data Branch, MOHLTC
  - Jennifer Hamilton, Administrative Assistant, Sudbury Service Area Office
  - Edith Petes, Licensing Program Coordinator, PICB, MOHLTC
  - Anna Prete, Licensing Program Coordinator, PICB, MOHLTC

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2014) –

A by-law to establish and maintain The Elliott Long-Term Care Residence as the City of Guelph’s Long-Term Care Home

**WHEREAS:**

- 1. WHEREAS** The City of Guelph is required to establish and maintain a long-term care home pursuant to s.119 of the *Long-Term Care Homes Act, 2007*, S.O. 2007 c. 8 (the “Act”);
- 2. AND WHEREAS** Pursuant to s.130 of the *Act*, the City of Guelph requires the approval of the Minister, as defined in the *Act* (the “Minister”), in order to establish a long-term care home pursuant to the *Act*;
- 3. AND WHEREAS** The Elliott, a local board of the City of Guelph, operates a long-term care home, called The Elliott Long-Term **Care** Residence, located at 165 Metcalfe Street within the geographic limits of the City of Guelph, which home has 85 beds;
- 4. AND WHEREAS** The City of Guelph wishes to establish and maintain The Elliott Long-Term **Care** Residence as its long-term care home; and,
- 5. AND WHEREAS** The Elliott, through its Board of Trustees, has approved the City of Guelph establishing and maintaining The Elliott Long-Term Care Residence as the City of Guelph’s long-term care home;

**AND WHEREAS this by-law is subject to ministerial approval and this approval was granted on July 31, 2014;**

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:**

1. ~~Subject to the approval of the Minister, That~~ the City of Guelph ~~is hereby authorized to~~ establish and maintain The Elliott Long-Term Care Residence, which has 85 beds, as the City of Guelph’s long-term care home under the *Act*.
2. This By-law shall come into force and effect on the day it is passed.

PASSED this ~~31<sup>st</sup>~~ **25<sup>th</sup>** day of ~~March~~ **August**, 2014

**Original Signed by:**

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**Karen Farbridge - Mayor**

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~~Blair Labelle~~ **Stephen O'Brien - City  
Clerk**

**THE CORPORATION OF THE CITY OF GUELPH**

**By-law Number (2014) –**

A by-law to delegate authority to The Elliott to operate The Elliott Long-Term Care Residence as the City of Guelph's Long-Term Care Home

WHEREAS the City is required under the Long-Term Care Home Act ("LTCHA") to provide long-term care services as approved by the Minister of Health and Long-Term Care ("the Minister");

AND WHEREAS the Minister has approved the City fulfilling its obligations under the LTCHA through the establishment and maintenance of the existing long-term care home operated by The Elliott, a local board of the City of Guelph, subject to certain conditions, including the passing of a by-law delegating the provision of long-term care services by the City to The Elliott;

AND WHEREAS the City wishes to establish the long-term care home operated by The Elliott as the City's long-term care home and to create a Committee of Management to oversee the long-term care home operations and to delegate certain responsibilities and obligations relating to the provision of long-term care services to The Elliott and the Committee of Management;

AND WHEREAS Section 23.1 of the Municipal Act permits the delegation of Council's powers and duties under the LTCHA to The Elliott, subject to the rules in section 23.1;

NOW THEREFORE the Council of the Corporation of the City of Guelph enacts as follows:

**FUNDAMENTAL PRINCIPLE**

1. The fundamental principle to be applied in the interpretation of this By-law and anything required or permitted under this By-law or the LTCHA is that a long-term care home is primarily the home of its residents and is to be operated so that it is a place where they may live with dignity and in security, safety and comfort and have their physical, psychological, social, spiritual and cultural needs adequately met.

**DEFINITIONS:**

2. In this by-law,
  - (a) "Administrator" means the administrator of The Elliott Long-Term Care Residence required under section 70 of the LTCHA, as appointed by the Board of Trustees of The Elliott and approved by the Committee of Management;

## CSS-CESS-1435 ATT-3

- (b) “Board of Trustees” means the Board of Trustees of The Elliott;
- (c) “Committee of Management” means the Committee of Management of The Elliott Long-Term Care Residence, the body required to be created pursuant to section 132 of the LTCHA;
- (d) “Council” means the Council of the Corporation of the City of Guelph;
- (e) “CSS Committee” means the Community and Social Services Committee of the Council of the City of Guelph;
- (f) “Delegated Authority” means the delegation of rights and obligations set out in section 10 of this by-law;
- (g) “LTCHA” means the *Long-Term Care Homes Act, 2007, S.O. 2007, c.8*;
- (h) “Long-Term Care Services Agreement” means the agreement between the City and The Elliott described in section 11;
- (i) “Ministry” means the Ministry of Health and Long-Term Care;
- (j) “Services” means the operation of a long-term care home and related services, but does not include the operation of a retirement or life lease residence;
- (k) “The Elliott” means the corporation established by *The Elliott Act, 2002, S.O. 2002, c. Pr7 – Bill Pr9*, being a local board of the City of Guelph; and,
- (l) “The Elliott Long-Term Care Residence” means the 85 bed long-term care home operated by The Elliott.

### **COMMITTEE OF MANAGEMENT**

3. Pursuant to section 132 of the LTCHA, the City hereby creates the Committee of Management of The Elliott Long-Term Care Residence.
4. The Committee of Management shall be composed of all the members of the CSS Committee and the City hereby appoints the members of the CSS Committee of the Council of the City of Guelph as the members of the Committee of Management. Any changes in the composition of the members of the CSS Committee shall also be changes to the composition of the Committee of Management.
5. The term of each member of the Committee of Management shall be the term of each member’s appointment to the CSS Committee.
6. Every member of the Committee of Management shall,

## CSS-CESS-1435 ATT-3

- (a) Exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances; and,
  - (b) Take such measures as necessary to ensure that **the City and** The Elliott manages and operates The Elliott Long-Term Care Residence in compliance with all requirements under the LTCHA.
7. The Committee of Management is authorized to make the decisions and give the directions necessary to fulfill the duty of care set out in section 6.
8. The Committee of Management shall hold a meeting at least once each quarter in each annual year, the timing of such meetings to be determined by the Committee of Management in consultation with the Board of Trustees.
9. The Committee of Management shall comply with all laws, regulations, by-laws, policies and procedures required as a Committee of Council, except where there is any contradiction between a by-law, policy or procedure of Council and this by-law, the provisions of this by-law shall apply.
10. The Chair of the Committee of Management shall be the Chair of the CSS Committee or such other member of the Committee of Management designated by the Chair of the CSS Committee.
11. Notice and materials for all meetings of the Committee of Management shall be communicated in the same manner as for meetings of the CSS Committee, except that the Board of Trustees shall also be provided all notices and materials.
12. The Committee of Management shall provide information reports to Council as required and at least semi-annually. One of these reports shall include The Elliott's Annual Report required in section 18.

### **DELEGATION TO THE ELLIOTT**

13. The City hereby delegates to The Elliott ~~its rights, responsibilities and obligations~~ **the authority** to provide, manage and operate a long-term care home, subject to the limits, procedural requirements and conditions that would apply to the operation and provision of the services if the City rendered the services directly and subject to the obligations of the Committee of Management in Section 6. **Notwithstanding this delegation, and in accordance with s.23.1 of the *Municipal Act*, the City retains the ultimate responsibility for fulfilling its obligations relating to the operation of The Elliott Long-Term Care Residence pursuant to the approval issued by the Ministry.**
14. The Elliott shall provide all necessary accommodations, equipment, supplies, employees and labour to operate the long-term care home and provide the Services to the satisfaction of the City and the Ministry, in accordance with the Long-Term Care Services Agreement to be entered into between the City and The Elliott, as may be amended from time to time.
15. The Elliott shall follow the rules, procedures and policies established by *The Elliott Act*, the *Municipal Act* and the City for all matters relating to the governance of The Elliott and the provision of

Services. Except as required by the Ministry or the LTCHA, The Elliott will be responsible for directing the operations of the Services, including such matters as the entering into of all contracts relating to providing the Services and contracting with all employees required to provide the Services.

16. The Elliott shall provide the Services subject to any terms, conditions or limits imposed on it by the LTCHA, the Ministry and the *Municipal Act* and in accordance with the fundamental principle set out in section 1 of this By-law.

#### **REPORTING REQUIREMENTS**

17. The Board of Trustees shall submit quarterly reports on the operations of the Services to the Committee of Management. Such reports shall include, but not limited to the following broad categories of information, which information shall be more particularly defined in the Long-Term Care Home Services Agreement:

- (a) All material information on operations related to the Services;
- (b) Financial reports relating to provision of the Services;
- (c) Disclosure of any conflicts of interest of any Board of Trustee member or employee of The Elliott who is providing Services;
- (d) Any risk of potential litigation or other claim or of any complaints to the Ministry or another regulatory body;
- (e) Any inspections by the Ministry and the outcome of such inspections;
- (f) A summary of the issues the Board of Trustees is addressing which relate to The Elliott Long-Term Care Residence;
- (g) Information required pursuant to the Long-Term Care Services Agreement; and,
- (h) Any other matters which, in the opinion of the Chair of the Board of Trustees, require direction from or a decision of the Committee of Management.

18. The Elliott shall provide an Annual Report to the Committee of Management prior to June 30th of each year containing the information required pursuant to the Long-Term Care Services Agreement and any information required by the Committee of Management.

19. The Committee of Management shall provide the Annual Report to Council for information within 30 days of receipt.

#### **BUDGET**

## CSS-CESS-1435 ATT-3

20. The Board of Trustees shall prepare and present its budget of its estimated revenues and expenditures for the operation of the Services for the next fiscal year, by the date and in such form and detail as required by the Treasurer of the City.
21. Council may approve the budget in whole or in part and may amend the budget.

### **AUDITOR**

22. The auditor of The Elliott appointed by the Board of Trustees pursuant to The Elliott Act shall issue an audit opinion of The Elliott's Financial Statements to the Board of Trustees annually. The Board of Trustees shall provide the auditor's report to the Committee of Management within 30 days of receipt of same and not later than June 30th of each year. The Committee of Management may require the auditor to attend at a meeting of the Committee of Management to present the report and to provide such additional information required by the Committee of Management.

### **FUNDING**

23. All funding received by the City from the Ministry for the provision of the Services shall be transferred to The Elliott for the operation of the Services, subject to the provisions of the Long-Term Care Services Agreement.
24. All funding approved by Council for the provision of long-term care services by The Elliott shall be transferred to the Elliott in accordance with the provisions of the Long-Term Care Services Agreement.

### **REVOCAATION**

25. Revocation of this Bylaw in accordance with section 23.1 of the *Municipal Act*, may be restricted by the requirements under Part VIII of the LTCHA.

### **AGREEMENTS**

26. The Executive Director of Community and Social Services is authorized to enter into a Long-Term Care Services Agreement with The Elliott which provides for those matters set out in section 14 and such other matters as determined by the Executive Director of Community and Social Services, in consultation with the Waterloo Wellington Local Health Integration Network, the City Finance Department and Legal Services, are necessary to properly effect this delegation of authority. The Executive Director shall have the authority to enter into agreements amending the terms of the Long-Term Care Services Agreement as required.
27. The Executive Director of Community and Social Services is authorized to enter into any agreements required by the Waterloo Wellington Local Health Integration Network or the Ministry relating to the City's provision of long-term care services on terms and conditions satisfactory to the Executive Director of Community and Social Services, the Treasurer and the City Solicitor and in consultation



CSS-CESS-1435 ATT-3

with The Elliott. The Executive Director of Community and Social Services may delegate this authority to another City employee or to the Board of Trustees, at his/her discretion.

28. This By-law shall come into force and effect upon an enacting by-law being passed

PASSED this ~~31st~~ 25<sup>th</sup> day of ~~March~~ August, 2014

**Original Signed by:**

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**Karen Farbridge - Mayor**

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~~Blair-Labelle~~ **Stephen O'Brien - City Clerk**

# STAFF REPORT



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TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE August 25, 2014

**SUBJECT Proposed Demolition of 85 University Avenue West  
Ward 5**

REPORT NUMBER 14-44

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## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To provide background and a staff recommendation related to a request for demolition approval of a single detached dwelling.

### KEY FINDINGS

An existing single detached dwelling is proposed to be replaced with one (1) new single detached dwelling, resulting in no net loss of residential dwelling units.

### FINANCIAL IMPLICATIONS

None.

### ACTION REQUIRED

Council is being asked to approve the demolition request.

## RECOMMENDATION

1. That Report 14-44 regarding the proposed demolition of a detached dwelling at 85 University Avenue West, legally described as Plan 583, Lot 6; City of Guelph, from Planning, Building, Engineering and Environment dated August 25, 2014, be received;
2. That the proposed demolition of the detached dwelling at 85 University Avenue West be approved;
3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwelling;
4. 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.

# STAFF REPORT



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## BACKGROUND

An application to demolish a detached dwelling at 85 University Avenue West was received on June 16, 2014 by Planning, Building, Engineering and Environment.

The subject property is located to the west of Caledonia Street and north of College Avenue West. The subject property is zoned R.1B (Residential Single Detached), which permits single detached dwellings, accessory apartments, bed and breakfast establishments, day care centres, group homes, home occupation and lodging house Type 1. The applicant is requesting to demolish the existing dwelling on the subject property and subsequently construct a new detached dwelling (see location map and site photos on Attachments 1 and 2).

## REPORT

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.

The proposed replacement dwelling is a two (2) storey detached dwelling. Conceptual elevations showing what the new dwelling may look like is attached (see Attachment 3).

### Cultural Heritage

The subject property is not designated under the *Ontario Heritage Act* and is not listed in the City of Guelph's *Municipal Register of Cultural Heritage Properties* under Section 27 of the *Ontario Heritage Act*. The subject property has not been identified as a built heritage resource in the City's Couling Building Inventory. Therefore, Heritage Planning staff has no objection to the proposed demolition.

### Tree Protection

The subject property is less than 0.2 hectares in size and, therefore is not regulated by the Private Tree Protection By-law. It is staff's preference to maintain and protect the urban forest and canopy where possible. As such, the owner is encouraged to preserve any trees. If trees are to be retained, a tree protection zone (TPZ) will need to be established where protective tree hoarding would be installed to protect the trees. Staff are recommending that the owner erect protective hoarding around any trees that may be impacted by the demolition prior to any demolition activities and maintain the hoarding throughout the construction of the new dwelling.

The approval of the demolition application is recommended as the existing dwelling is not a significant cultural heritage resource, and is proposed to be replaced with a new detached dwelling. Therefore, there will be no overall loss of residential capacity proposed as a result of this application.

# STAFF REPORT



Finally, it is strongly recommended that the applicant contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment, regarding the proper salvage and disposal of the demolition materials.

## **CORPORATE STRATEGIC PLAN**

**City Building – Strategic Directions 3.1:** Ensure a well-designed, safe, inclusive, appealing and sustainable City.

## **FINANCIAL IMPLICATIONS**

N/A

## **DEPARTMENTAL CONSULTATION**

The City's Senior Heritage Planner and Environmental Development Planner were consulted regarding the proposed demolition permit.

## **COMMUNICATIONS**

A sign was posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information.

## **ATTACHMENTS**

Attachment 1 - Location Map

Attachment 2 - Site Photos

Attachment 3 - Proposed Concept for Replacement Dwelling

### **Prepared By:**

Randy Harris  
Administrator of  
Planning Technical Services

### **Approved By:**

Sylvia Kirkwood  
Manager of Development Planning

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### **Approved By:**

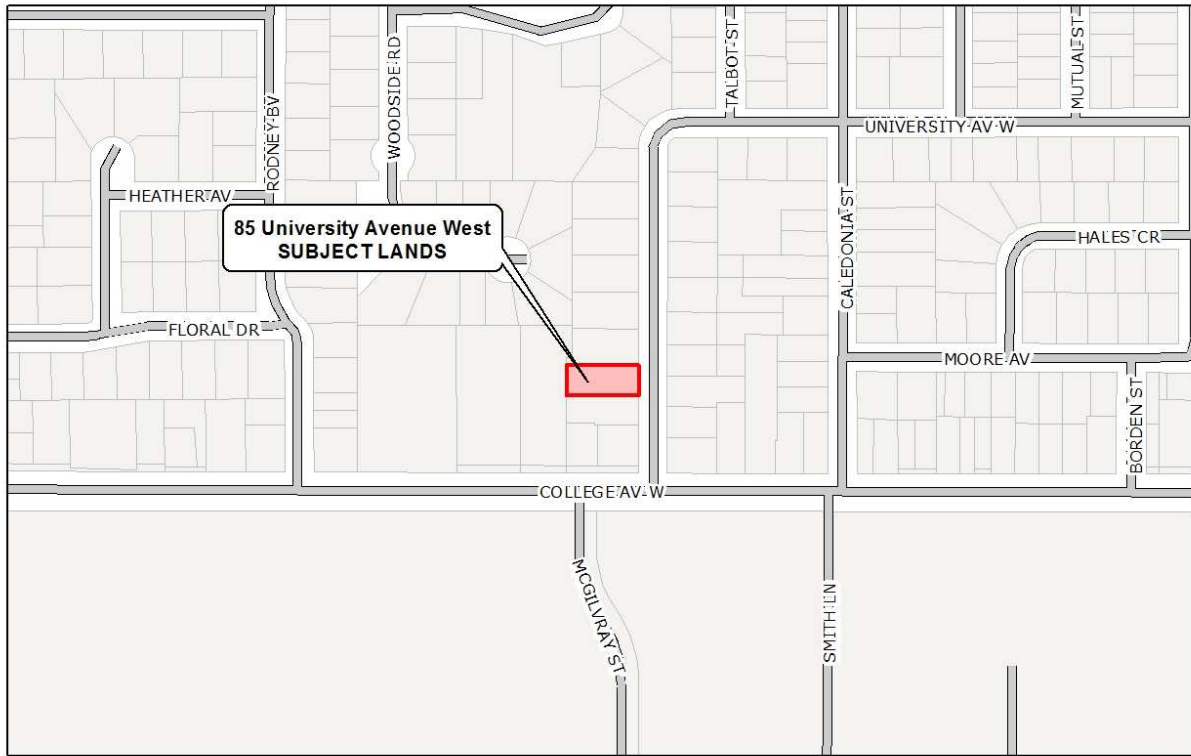
Todd Salter  
General Manager  
Planning Services  
519-822-1260 ext. 2395  
todd.salter@guelph.ca

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### **Recommended By**

Janet L. Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering  
and Environment  
519-822-1260 ext. 2237  
janet.laird@guelph.ca

## ATTACHMENT 1 – Location Map





# STAFF REPORT

## ATTACHMENT 2 – Site Photos

### Aerial Photograph



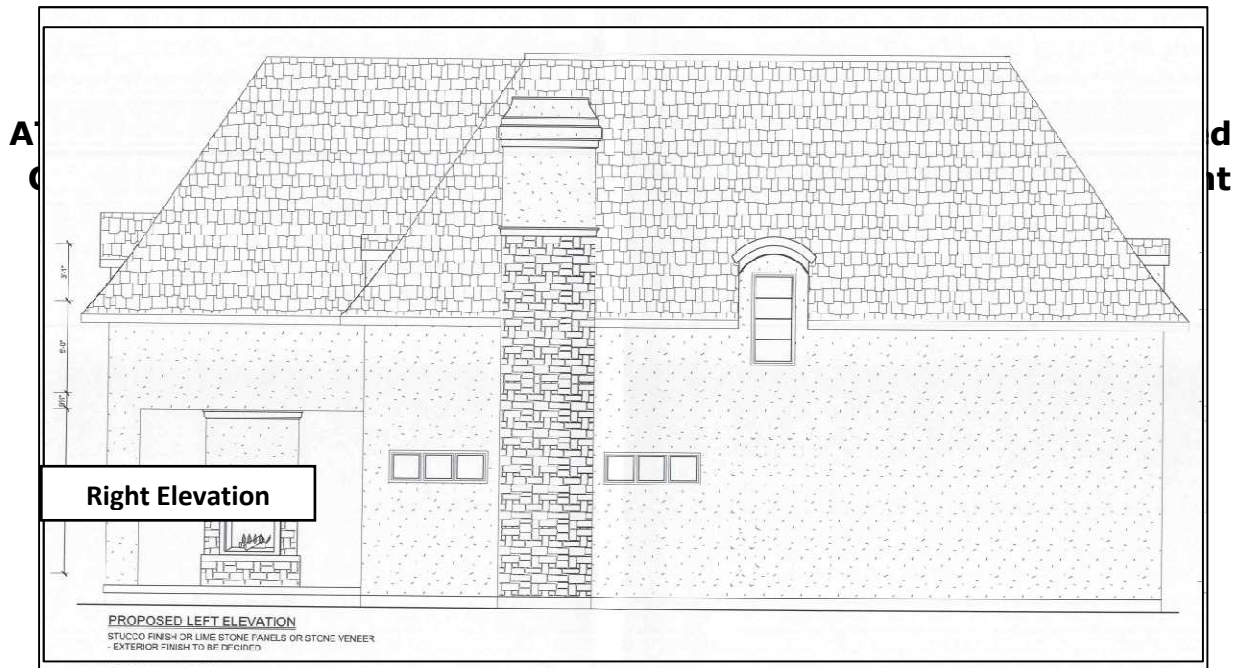
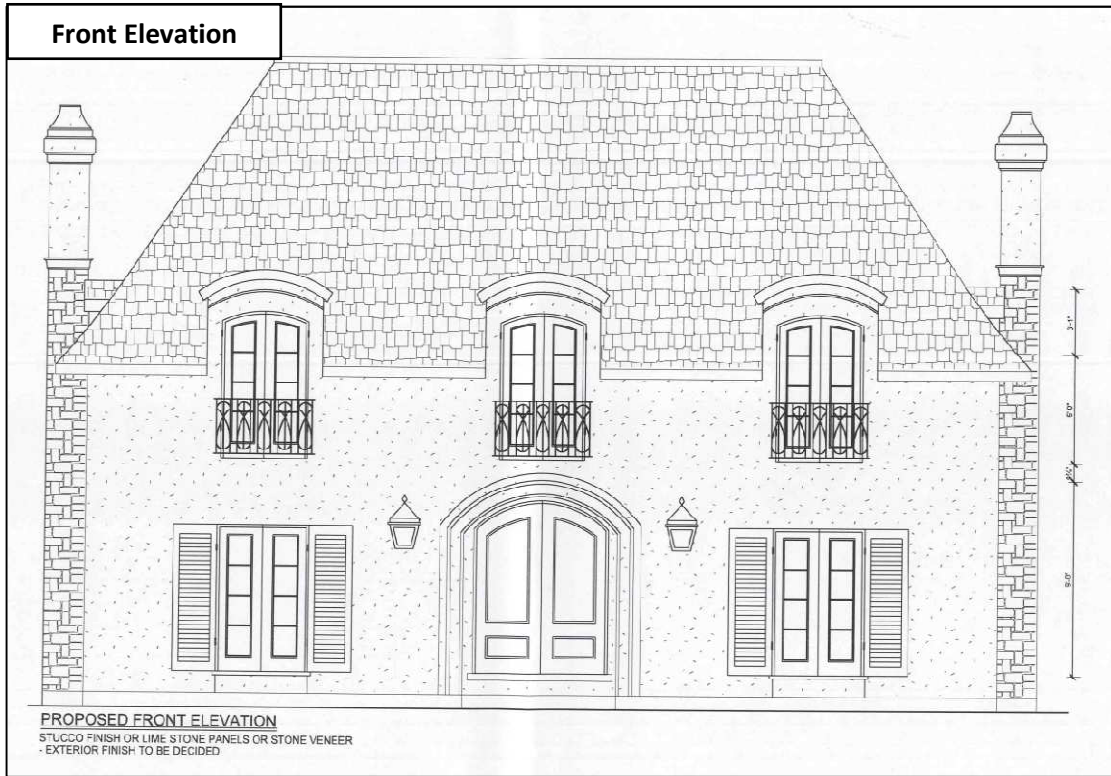
# STAFF REPORT

## Photos of 85 University Avenue West



(Photos taken by R. Harris, June 2014)

# STAFF REPORT





# STAFF REPORT



(Concept elevations submitted with demolition permit application)

# STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE August 25, 2014

**SUBJECT 5 Arthur Street South – Proposed Zoning By-law  
Amendment  
(File: ZC1305)  
Ward 1**

REPORT NUMBER 14-38

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

This report provides a staff recommendation for the property at 5 Arthur Street South to approve a Zoning By-law Amendment application to rezone the subject property to a specialized residential apartment zone to permit the development of a six (6) phase mixed use development with 685 residential units, 2,193 square metres of commercial space and a 4,100 square metre existing vacant heritage building proposed to be redeveloped into a mixed use building.

### KEY FINDINGS

Planning staff support the proposed rezoning subject to the regulations and conditions in Attachment 2, including holding provisions to ensure the development does not proceed until all technical issues have been addressed. The applicant originally applied for an associated Official Plan Amendment (OPA) (File: OP1302); which is no longer technically required with the Ontario Municipal Board (OMB) approval of OPA #42, the Natural Heritage Strategy policies and OPA#43 the Downtown Secondary Plan, and this file will be closed.

### FINANCIAL IMPLICATIONS

#### Estimated Taxation

This is a multi-phased high density mixed use development that if built today would generate an estimated total of \$2,633,000 in City taxes per year.

Phase #1 represents an estimated \$492,225 in City taxes per year based on 133 residential apartment units.

#### Estimated Development Charges

If all phases were built today, the project would generate \$7,446,000 in Development Charges. This number includes the reduction for the large industrial building recently demolished to enable remediation of the site.



# STAFF REPORT

## **ACTION REQUIRED**

Council is being asked to approve the Zoning By-law Amendment with holding provisions for the subject lands in accordance with the regulations and conditions in Attachment 2.

## **RECOMMENDATION**

1. That Report 14-38 regarding Official Plan and Zoning By-law Amendment applications by 5 Arthur Street Developments, 2278560 Ontario Inc., for approval of an Official Plan Amendment and Zoning By-law Amendment to permit the development of a six (6) phase mixed use, residential and commercial development for the property municipally known as 5 Arthur Street South, and legally described as Part of Grist Mill Lands, East side of Speed River, Plan 113 and Part Lot 76, and Lots 77, 78, 79, 80, 81 and 82, Plan 113, (as amended), designated as Parts 11, 12 and 13, Reference Plan 61R11955, together with an easement over Part 17, 61R11955 as in Instrument No. WC212993; Guelph and Part of Grist Mill Lands, Plan 113, East of River Speed, designated as Parts 14, 15 and 16, Reference Plan 61R11955; subject to an Easement as in Instrument No. RO682767; together with an Easement over Part 17, 61R11955 as in Instrument No. WC212993; City of Guelph, be approved in accordance with the zoning regulations and conditions outlined in Attachment 2 of Planning, Building, Engineering and Environment Report 14-38 dated August 25, 2014.
2. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed Zoning By-law Amendment affecting 5 Arthur Street South.
3. That the CAO be authorized to approve a development agreement or related agreement(s) including terms described in Staff Report 14-38 pursuant to terms described in the staff report and subject to applicable policies and legislation, in consultation with the City Solicitor, Executive Director for Community and Social Services, the Executive Director Planning Building, Engineering & Environment and the Chief Financial Officer, for the period of September 12, 2014 through to December 1, 2014.

## **BACKGROUND**

Applications for an Official Plan and a Zoning By-law Amendment have been received for the property municipally known as 5 Arthur Street South from 5 Arthur Street Developments, 2278560 Ontario Inc. The applications would permit the development of a mixed use high density residential development, with 650-750 dwelling units together with a range of potential commercial uses.

The application was deemed complete on May 29, 2013. The statutory Public Meeting was held on July 8, 2013. Report 13-35 from Planning, Building,

# STAFF REPORT



Engineering and Environment provided background information related to the proposed Official Plan and Zoning By-law amendment applications.

## **Location**

The subject site is 3.26 hectares in size and is located on the west side of Arthur Street South, between Macdonnell Street and Cross Street, and bounded by the Speed River to the west (See location map in Attachment 1). The site is vacant; most of the former buildings used for manufacturing have been removed with the exception of the oldest buildings close to the river on the northern half of the site, together with a remnant wall of another building running along the river. Adjacent uses include a variety of single detached dwellings to the east, a low-rise apartment building and single detached residential to the south, the Speed River to the West and the CN rail line to the North. The Guelph Junction rail line also runs through the northern half of the site.

## **Existing Official Plan Land Use Designation and Policies**

The Official Plan land use designation and policies applicable to the subject site are contained in the Downtown Secondary Plan policies (OPA #43). On June 18, 2013, the Ontario Municipal Board ruled that OPA #43 is in full force and effect as of the date of Council adoption (May 28, 2012) with the exception of specific portions that have been identified as being under appeal. It is noted that the subject site is not subject to any appeals.

Within the Downtown Secondary Plan, the northerly portion of the site is designated as Mixed Use 1 and the southerly portion of the site is designated as Residential 2, the mapping and policies associated with these designations are included in Attachment 3 of this report. In addition to these standard policies, the Downtown Secondary Plan also contains specific policies for the redevelopment of 5 Arthur Street which are also included in Attachment 3.

The applicants also requested an Official Plan Amendment to reduce the required 30 metre buffer from the River to 15 metres. However, the Ontario Municipal Board ruled that OPA #42, the Natural Heritage Strategy policies, is in full force and effect as of June 4, 2014, with the exception of site specific portions that remain under appeal. The policies in OPA #42 replace the policy that the applicants have applied to amend and now provide for the requested relief, therefore no Official Plan amendment is technically required now and the file shall be closed.

## **Existing Zoning**

The majority of the subject site was rezoned in the late 1990s to the R.4B (H2) Zone, a high density apartment Zone with holding provisions, while the area immediately adjacent to the river on the easterly side of the site is zoned FL (Floodplain) and a small portion at the southerly end of the site is zoned P.2 (H2) Neighbourhood Park with the same holding conditions as the R.4B portion of the site. The R.4B Zone permits only apartment buildings with associated accessory uses and home occupations. The holding provisions are a series of conditions

# STAFF REPORT



related to the development of the site in keeping with an earlier development proposal that was subject to OMB approved Minutes of Settlement in 1997.

A zoning map of the site together with the R.4B, P.2 and FL standard zoning regulations, as well as the (H2) holding conditions are included in Attachment 4.

## REPORT

### **Description of the Proposed Official Plan Amendment**

Initially this application included several Official Plan Amendments because the Downtown Secondary Plan policies were not in force and effect at the time of application. Following the approval of the Downtown Secondary Plan policies, only one Official Plan policy amendment was required.

The applicant is requesting the following site specific amendment to the Official Plan policy:

- Amend Policy 6.9.1.2 of the Official Plan to permit development to be set back a distance of 15 metres from the Speed River instead of the 30 metre requirement;

Staff note that this policy is now rescinded because OPA #42, the City's Natural Heritage Strategy (NHS) has been approved at the Ontario Municipal Board and replaced with new policies that determine appropriate setback from the River. An official plan amendment is no longer required under the new NHS policies.

The applicant had also initially requested an Official Plan Amendment to alter their parkland dedication requirements, however upon review it was determined that the OPA was not required as the issue was actually related to the City's Parkland Dedication By-law and the applicants rescinded this OPA request.

### **Description of Proposed Zoning Bylaw Amendment**

The applicant originally requested to rezone the R.4B (H2) and P.2 (H2) portions of the subject property to two specialized R.4B Zones which would permit both the standard high density apartment buildings together with commercial uses on portions of the site. The requested site specific zoning proposed included the following key specialized provisions:

- Additional permitted uses, including residential uses such as stacked and cluster townhouses and live/work units and a range of commercial, retail, service commercial and community uses (see Attachment 6 for the full list of uses proposed)
- Density measured at a maximum of 2.0 FSI
- Reduced Common Amenity Area and Minimum Landscaped Open Space Requirements
- Maximum Building Floorplate Sizes
- Reduced Minimum Building and Underground Parking Setbacks from streets and the river, together with additional building setbacks after the sixth storey
- Building heights ranging 4-14 storeys, as shown in Attachment 6

# STAFF REPORT

- Redefined regulations for distance between buildings
- Reduced off-street parking requirements and additional bicycle parking requirements
- Addition of a bonusing provision in accordance with the Downtown Secondary Plan and a severability provision which enables the site to continue to be zoned as whole if it is severed in the future.

The zoning by-law regulations have gone through several iterations before the version recommended in Attachment 2, but the actual changes to the zoning regulations are minor and therefore in keeping with Section 34(17) of the Planning Act, staff recommend that no further public notice is necessary.

The recommended zoning for the site contains a specialized parent zone (R.4B-X (H)) with regulations for the entire site, together with six subzones (R.4B-X.1, R.4B-X.2), with specialized regulations for each phase of the development. The parent zone contains holding provisions that need to be addressed prior to any development occurring on the site. These holding provisions include:

- Completion of the structural assessment of the riverside retaining wall;
- Completion of the Environmental Implementation Report;
- Completion of the Urban Design Master Plan;
- A development agreement between the City and the developer that outlines the rights and responsibilities related to the Riverwalk and publicly accessible portions of the site, including parkland dedication requirements, easements, responsibilities for design and construction, and future maintenance and liability; and
- That the developer pay the estimated cost of frontage fees associated with the first phase of the development.

The subzones for each phase also contain Holding provisions associated with each specific phase of development. Phase 1 zoning (R.4B-X.1) does not contain any holding provisions as they are covered off in the parent zone. Phases 2-6, all contain holding provisions to ensure that adequate municipal services are available for that phase of development and requiring the developer to pay any outstanding frontage fees for the remainder of the site. Phases 2-5 all also have a holding provision requiring the completion of an Urban Design Brief that confirms the proposed development is in keeping with the approved Urban Design Master Plan. Phase 5 also has two additional holding provisions. The first provision requires that Phase 5 meets any requirements from CN rail for adjacent development and second, that if needed, the developer will provide a land dedication to the City for intersection improvements at Elizabeth Street and Arthur Street.

The area of the site along the river (approximately 15 metres wide the length of the site) remains unchanged in the FL (Floodplain) Zone.

## **Proposed Development**

The applicant's proposed site concept plan, phasing plan and building elevations for the first phase building are shown in Attachments 5, 6 and 7.

# STAFF REPORT



The applicant is proposing a mixed use development that includes high density residential uses (a total of approximately 685 dwelling units) together with a range of commercial uses. The applicant proposes five buildings to be developed in five phases across the length of the site, together with the sixth phase, which is the existing vacant heritage building that is proposed to be redeveloped. The following table explains how the development breaks down by phase.

Table 1: Development as Proposed by Phase

Phase	Max Building Height	Building Uses	Number of Units
1	10 storeys	Residential	119 apartment units and 14 townhouse units
2	11 storeys	Residential	121 apartment units and 12 townhouse units
3	12 storeys	Residential	122 apartment units and 13 townhouse units
4	14 storeys	Mixed Use: Residential and Commercial	128 apartment units and 1500m <sup>2</sup> of commercial floor space
5	14 storeys	Mixed Use: Residential and Commercial	156 apartment units and 680m <sup>2</sup> of commercial floor space
6	As exists (heritage)	Mixed Use: Residential and Commercial	A total of 4100m <sup>2</sup> of space, actual uses to be determined

The middle three buildings on the site, south of the heritage building, are proposed for solely residential use, and are apartment buildings with townhouse units fronting onto Arthur Street on the east side and onto the riverside on the west side. These buildings, from north to south are proposed to be the first three phases of development and these three phases (Buildings #1-3) would be joined by a shared underground parking garage and joined podium buildings. Rooftop amenity area is proposed on top of the third storey of the podiums between Buildings #1 and #2 and between Buildings #2 and #3. The main vehicular route and access to underground parking for these three buildings is through an entrance on the north side of the Phase #1 Building, off of Arthur Street into the first building. One main lobby is proposed in the Phase #1 Building that would also serve as main access to the second and third buildings, though they would also have separate smaller access points. The Phase #1 Building is proposed to be 10 storeys in height and contain 133 units, consisting of 119 apartment units and 14 townhouse units that are attached to the main building on the Arthur Street and the river side.



# STAFF REPORT



The Phase #2 Building, in the centre of the site is proposed to be 11 storeys and also contains 133 dwelling units. The Phase #3 Building is proposed to be 12 storeys and contains 135 dwelling units.

The most southerly building fronting on Cross Street (Phase #4 Building) and the most northerly building, at Macdonnell Street and Arthur Street (Phase #5 Building) are both proposed to have a retail commercial component on the ground floor together with above ground structured parking with residential apartment units above. The Phase #4 Building is proposed to be 14 storeys high with 1509 square metres of commercial space and 128 dwelling units. The Phase #5 Building is also proposed to be 14 storeys high and contain 680 square metres of commercial space together with 156 apartment units.

The existing vacant heritage building is proposed to be retained and redeveloped as a mixed use building, with the potential for both residential and commercial uses, though the final mix of uses has not yet been determined. The area between the heritage building and Arthur Street is proposed to be an open plaza together with surface parking meant to serve the heritage building.

Immediately along the river, on the floodplain lands, a public walkway, referred to as "the Riverwalk" is proposed that would lead from Neeve Street to the retained heritage buildings, and around the heritage building to a proposed City trail along the Guelph Junction Railway line. In lieu of outright public ownership of these lands, staff recommend taking an easement for public access. This resolves concern regarding the responsibilities of the Certificate of Property Use on the site yet still permits regular public use of these areas. Staff further recommend, through a holding provision, a development agreement between the City and developer outlining the specific lands and the roles and responsibilities related to the development and long term use of these lands.

The City has also retained a Peer Review Architect, Mr. Ralph Giannone of Giannone Petricone Associates Inc. to assist in the review of the proposed development. The report prepared by Ralph Giannone is referred to in the Staff Planning Analysis (Attachment 9) and included as Attachment 10.

## **Revisions to the Application**

During the review of the application, the applicants decided to modify the site layout by removing the internal street, together with centering the apartment buildings in Phases #1-3 and adding townhouses to both the Arthur Street side and river side, in lieu of a separate townhouse block along Arthur Street. This change was submitted to the City in February 2014, together with revised studies to support the revisions. The Zoning and Official Plan amendments and scale of development stayed essentially the same, so in lieu of a second statutory public meeting, City staff held an open house on March 5, 2014 to inform the public about the changes. This conforms with Section 34(17) of the Planning Act which allows Council to decide whether the zoning modifications require further public notice.

# STAFF REPORT

Following the layout change, the City initiated a peer review architect process and a number of revisions to the design of the site have been made. These include:

- Altering the massing of the Phase #4 Building in the demonstration plan to bring the floorplate sizes and setbacks into conformance with the Downtown Secondary Plan requirements
- Providing stairs from the townhouse units on the Phase #1 Building to the Riverwalk, together with terraces along the parking structure wall;
- Other minor building design refinements, including modifications to the top of the Phase #1 Building including improved building articulation and better grade relationships.

Similarly, several of the specialized zoning regulations requested were altered slightly to accommodate some of the key changes. The applicant has worked with staff to reconfigure the zoning categories proposed on site to match the proposed phases of development.

## **Staff Planning Analysis**

The staff review and planning analysis of these applications is provided in Attachment 9. The analysis addresses all relevant technical and planning considerations including the issues and questions raised by Council and members of the public at the Statutory Public Meeting held on July 8<sup>th</sup>, 2013. The issues addressed relate to:

- Evaluation of the proposal's conformity to the Provincial Policy Statement;
- Evaluation of the proposal's conformity with Provincial Places to Grow Act;
- Evaluation of the proposal's conformity with the Official Plan;
- Evaluation of Environmental Impact potential;
- Review of the proposed zoning, including all specialized regulations requested;
- Review of the proposed Urban Design Master Plan, and specifically site design and building elevations, including any wind or shadow impacts;
- Review of how the development would be phased and constructed;
- Review of appropriate parkland dedication requirements;
- Compatibility with surrounding lands, including concern about height and types of commercial uses, role of the Heritage Building and adjacent rail lines;
- Community Energy Initiative considerations;
- Opportunities for Low Impact Development (LID) measures;
- Concern about traffic impacts;
- Concern about on-site parking requirements;
- Function and design of the Riverwalk area; City role in development of Riverwalk related infrastructure

## **Staff Recommendation**

Planning staff are satisfied that the Official Plan Amendment is no longer required and that the Zoning By-law Amendment application as recommended with holding

# STAFF REPORT



provisions is consistent with the Provincial Policy Statement and conforms to the Places to Grow Plan and the City's Growth Plan conformity amendment (OPA 39). In addition, the application to amend the zoning conforms to the objectives and policies of the Official Plan, which now incorporates the policies of the Downtown Secondary Plan (OPA 43) and the Natural Heritage Strategy (OPA 42). The revisions made to the application are considered minor and therefore staff recommend that no further public notice is required in accordance with Section 34(17) of the Planning Act. Planning staff are recommending that Council approve Zoning By-law Amendment subject to the conditions and regulations outlined in Attachment 2.

## **CORPORATE STRATEGIC PLAN**

**Strategic Direction 3.1:** Ensure a well-designed, safe, inclusive, appealing and sustainable City.

## **FINANCIAL IMPLICATIONS**

### **Estimated Taxation**

This is a multi-phased high density mixed use development that if built today would generate an estimated total of \$2,633,000 in City taxes per year.

Phase #1 represents an estimated \$492,225 in City taxes per year based on 133 residential apartment units.

### **Estimated Development Charges**

If all phases were built today, the project would generate \$7,446,000 in Development Charges. This number includes the reduction for the large industrial building recently demolished to enable remediation of the site.

**Note:** for the purposes of these estimates, Phase #6, the heritage building is calculated with a mixed use assumption, half commercial space and half residential apartment units. The actual mix of uses in this building is to be determined and could change over time.

### **Community Improvement Plan and DC Demolition Reduction Status**

For Council's background, the 5 Arthur Street site has been the subject of several Community Improvement Plan (CIP) approvals as well as a Development Charges (DC) Demolition Reduction agreement:

- July 2010: the Development Charges reduction on DC's payable at future building permits was recognized for the substantial industrial buildings that had to be removed to facilitate remediation. A DC Early Payment Agreement was entered into which allowed access to the building area demolished for up to 10 years from the time the agreement is signed, in lieu of the standard 48 months. This represents approximately \$3M in DC reduction. This agreement has subsequently been transferred to Fusion through the sale of the property.

# STAFF REPORT

- August 2010: Kilmer Brownfield Equity, the previous owner of the site, was awarded a \$3.4M Brownfield Tax-Increment Based Grant (TIBG) in support of the substantial site mitigation work to be undertaken. This grant does not get paid until Phase 1 of the property is redeveloped and creates new assessment for the City.
- February 2014: Fusion Homes was awarded a combined \$11.7M Brownfield and Downtown CIP Major Activation Grant (TIBG) towards the first three phases of the redevelopment of the property. The grant recognized the eligible costs under the programs related to additional brownfield site redevelopment requirements, structured parking premiums and other infrastructure renewals. These grants do not get paid until the property is redeveloped and each phase begins to create new assessment for the City.

## **DEPARTMENTAL CONSULTATION**

Written comments received from City departments, external agencies during the review of this application are summarized and included in Attachment 12. Comments from the public are summarized and included in Attachment 13.

## **COMMUNICATIONS**

The Notice of Complete Application and Public Meeting was mailed on June 3, 2013 to local boards and agencies, City service areas and property owners with 120 metres of the subject site for comments. The same notice was provided by signage on the site. The Notice of Public Meeting was advertised in the Guelph Tribune on June 6, 2013. Notice of the Public Open House held March 5, 2014 was provided in and by mail on February 19, 2014 and in the Guelph Tribune on February 27, 2014. Notice of the Decision Meeting was mailed to interested parties on August 5, 2014. Staff also note that prior to the application being submitted and during the process, the applicant held several public meetings and consulted with the executive members of The Ward Residents' Association.

Key dates for the public process regarding this planning application are included in Attachment 14.

## **ATTACHMENTS**

- Attachment 1 – Location Map
- Attachment 2 – Recommended Zoning Regulations and Conditions
- Attachment 3 – Existing Official Plan Land Use Designations and Policies
- Attachment 4 – Existing Zoning Details
- Attachment 5 – Proposed Development Concept
- Attachment 6 – Proposed Phasing Plan
- Attachment 7 – Building Elevations for Phase 1 Building
- Attachment 8 – Location of Heritage Buildings on Site
- Attachment 9 – Planning Staff Analysis
- Attachment 10 – Peer Review Architect Report
- Attachment 11 – Community Energy Initiative Commitment

# STAFF REPORT



Attachment 12 – Agency and Departmental Circulation Comments  
Attachment 13 – Public Comments  
Attachment 14 – Public Notification Summary

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## Attachment 1 Location Map



0 15 30 60 90 120 m

**5 Arthur Street South**

CITY OF **Guelph**  
Making a Difference

Produced by the City of Guelph  
Planning & Building, Engineering and Environment, Development Planning  
May 2013

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## Attachment 2 Recommended Zoning Regulations and Conditions

The property affected by the Zoning By-law Amendment application is municipally known as 5 Arthur Street South and legally described as Part of Grist Mill Lands, East side of Speed River, Plan 113 and Part Lot 76, and Lots 77, 78, 79, 80, 81 and 82, Plan 113, (as amended), designated as Parts 11, 12 and 13, Reference Plan 61R11955, together with an easement over Part 17, 61R11955 as in Instrument No. WC212993; Guelph and Part of Grist Mill Lands, Plan 113, East of River Speed, designated as Parts 14, 15 and 16, Reference Plan 61R11955; subject to an Easement as in Instrument No. RO682767; together with an Easement over Part 17, 61R11955 as in Instrument No. WC212993, City of Guelph.

### Zoning By-law Amendment

The following zoning is proposed:

1. By-law (1995) - 14864, as amended, is hereby further amended:

(x) By adding the following definition to Section 3 (Definitions)

**“Micro-brewery or Brew Pub”** means a **Place** used for the small scale and independent manufacturing of specialty or craft beer or wine produced for retail sale and consumption off-premises, or on-site consumption when located in combination with a permitted restaurant or tavern.

- 2.

(1) By adding to Section 5.4.3.2 – Restricted Defined R.4B Areas – Specialized R.4B Zones the following new sections and provisions:

5.4.3.2.X                      R.4B-X(H)  
5 Arthur Street South  
As shown on Defined Area Map Number 38 of Schedule  
“A” to this **By-law**.

The following definition that shall apply to the R.4B-X Zone

**“Community Services Facilities”** means a **Place** used for smaller-scaled community, institutional, cultural or recreational uses of either a public or private nature, including but not limited to uses such as a library branch, gallery or museum, educational or training centre, office of a government or a non-profit agency or corporation or a gymnasium or multi-purpose room(s) available for meetings, events and activities.

- 5.4.3.2.X.1 Permitted **Uses**:  
Despite Section 5.4.1.2, the following **Uses** shall be permitted:
- **Apartment Building**
  - A **Townhouse** or **Multiple Attached Dwelling** together with an **Apartment Building**
  - A **Home Occupation** in accordance with Section 4.19
- 5.4.3.2.X.2 Regulations  
In accordance with the provisions of Section 5.4.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions and additions:
- 5.4.3.2.X.2.1 Maximum Floor Space Index (FSI)  
Notwithstanding Table 5.4.2, Row 18, the maximum **Floor Space Index** (FSI) shall be 2.0. In addition, the FSI on individual portions of the 5 Arthur Street site may exceed the maximum permitted FSI, provided that the maximum FSI over the entirety of the 5 Arthur Street site is achieved. The calculation of Gross Floor Area and FSI will not include space within the basement of a building, within an underground, at-grade or above-grade parking structure or any floor area which does not have a clear floor to ceiling height of 2.15 metres. Floor space in the existing heritage building shall not be included in the calculation of FSI.
- 5.4.3.2.X.2.2 Front Yard  
For the purposes of this zone, the **Front Yard** shall be considered the Arthur Street frontage.
- 5.4.3.2.X.2.3 Minimum Distance Between **Buildings**  
Notwithstanding Section 5.4.2.2 and Table 5.4.2 the minimum distance between the **Building** face of one Apartment **Building** and the face of another Apartment **Building** shall be:
- |                                |      |
|--------------------------------|------|
| - At or below 6 <b>Storeys</b> | 18 m |
| - Above 6 <b>Storeys</b>       | 25 m |
- 5.4.3.2.X.2.3.1 Townhouse blocks shall be a minimum of 4.0 metres apart from one another
- 5.4.3.2.X.2.4 Angular Planes  
Despite Section 4.16, Angular Planes shall not apply to any **Building** or **Structure** on the **Lot**

5.4.3.2.X.2.5 Minimum Off-Street Parking:  
Notwithstanding Section 4.13 and Table 5.4.2 Row 14, the following minimum number of **Parking Spaces** shall be provided within an underground garage or an above-grade parking structure for the following uses:

Residents	1.0 per <b>Dwelling Unit</b>
Visitors	0.15 per <b>Dwelling Unit</b>
Non-Residential Uses	1.0 per 33 m <sup>2</sup> of <b>Gross Floor Area</b>

5.4.3.2.X.2.6 Bicycle Parking  
5.4.3.2.X.2.6.1 Bicycle Parking Shall be provided at the ratio of 0.65 bicycle parking spaces per **Dwelling Unit** on the **Lot** and 0.3 bicycle parking spaces per 100 square metres of non-residential **Gross Floor Area**.

5.4.3.2.X.2.6.2 Bicycle Parking may be provided for by a combination of racks at the surface, within a **Basement** or **Garage** of an **Apartment Building**, a secure parking area, room or enclosed container, or within a specially designed and designated spot provided within a storage locker.

5.4.3.2.X.2.7 The provisions of this By-law shall continue to apply collectively to the whole of the lands identified on Schedule “A” as R.4B-X, including any sub-zones (i.e. R.4B-X.1) despite any future severance, conveyance, dedication, taking, widening, partition or division for any purpose.

5.4.3.2.X.2.8 Holding Provision:  
Purpose:  
To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development.

- Conditions:
1. That a structural assessment of the existing retaining wall along the Speed River in accordance with the Terms of Reference provided to the developer be

completed and approved to the satisfaction of the General Manager/City Engineer.

2. That an Environmental Implementation Report be completed and approved to the satisfaction of the General Manager of Planning Services, as further outlined in condition #11 of the conditions of site plan approval in Attachment 2 of Council Report 14-38, dated August 25, 2014.
3. A Development Agreement will be entered into and registered on title regarding the proposed Riverwalk and publicly accessible portions of the site. The agreement will include, but not be limited to parkland dedication requirements, responsibility for the design and construction of publicly accessible areas of the site, a temporary trail along the river, easements, and further agreements regarding future maintenance and liability, to the satisfaction of the Executive Director of Community and Social Services.
4. That a final Urban Design Master Plan be completed and approved, to the satisfaction of the General Manager of Planning Services.
5. That the developer pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, the developer shall pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for the frontage associated with the first phase of development prior to the removal of this Holding Provision.

5.4.3.2.X.3

**R.4B-X.1**

5 Arthur Street South

As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**:



- 5.4.3.2.X.3.1 Additional Permitted **Use**, as part of a Commercial/ Residential Building:
- **Restaurant**
- 5.4.3.2.X.3.2 Regulations  
In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.1 **Zone**:
- 5.4.3.2.X.3.2.1 Additional Permitted Commercial **Use**  
A **Restaurant** shall be permitted on the ground floor of the **Building** and limited to 50 square metres of **Gross Floor Area**.
- 5.4.3.2.X.3.2.2 Minimum **Common Amenity Area**  
Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 600 m<sup>2</sup>
- 5.4.3.2.X.3.2.3 Minimum **Landscaped Open Space**  
Despite Table 5.4.2, Row 13, the minimum Landscaped Open Space shall be a total of 1800 m<sup>2</sup>
- 5.4.3.2.X.3.2.3.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**.
- 5.4.3.2.X.3.2.4 Maximum **Building** Floor Plate Area
- |                                  |                     |
|----------------------------------|---------------------|
| Above the 6 <sup>th</sup> Storey | 1200 m <sup>2</sup> |
| Above the 9 <sup>th</sup> Storey | 1000 m <sup>2</sup> |
- 5.4.3.2.X.3.2.5 Minimum Yards
- 5.4.3.2.X.3.2.5.1 Minimum **Front Yard**  
Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Front Yard** shall be:
- |   |       |
|---|-------|
| - From Arthur St to <b>Townhouse</b> front face | 2.5 m |
| - From Arthur St to raised walkway/patio        | 1.0 m |
- 5.4.3.2.X.3.2.5.2 Despite Section 4.7, all raised patios, walkways, ramps, retaining walls, planters are permitted to project into the required **Front Yard** between the main wall of the **Townhouses** and the front **Lot** line to a maximum distance of 1.5 metres, except that stairs and ramps may

have a minimum setback of 0.0 metres from the front **Lot** line

5.4.3.2.X.3.2.6 Setbacks

5.4.3.2.X.3.2.6.1 Underground Parking Setback

An underground parking structure is permitted to be setback 0 metres from a **Lot** line.

5.4.3.2. X.3.2.6.2 Setbacks of Upper **Storeys** of **Apartment Buildings**

The minimum setback for the tower portion of an **Apartment Building**, above 4 **Storeys** shall be:

From Arthur Street <b>Lot</b> Line:	12 metres
From the easterly edge of the FL Zone:	10 metres

5.4.3.2.X.3.2.7 **Building** Heights

Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the maximum **Building** Heights are:

For Podium/ <b>Townhouses</b>	4 storeys
For <b>Apartment Buildings</b>	10 storeys

5.4.3.2.X.4 **R.4B-X.2**

5 Arthur Street South

As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**:

5.4.3.2.X.4.1 Regulations

In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.1 **Zone**:

5.4.3.2.X.4.1.1 Minimum **Common Amenity Area**

Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 1000 m<sup>2</sup>

5.4.3.2. X.4.1.2 Minimum **Landscaped Open Space**

Despite Table 5.4.2, Row 13, the minimum **Landscaped Open Space** shall be a total of 1500 m<sup>2</sup>

- 5.4.3.2.X.4.1.2.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**.
- 5.4.3.2.X.4.1.3 Maximum Building Floor Plate Area  
Above the 6<sup>th</sup> Storey 1200 m<sup>2</sup>  
Above the 10<sup>th</sup> Storey 800 m<sup>2</sup>
- 5.4.3.2.X.4.1.4 Maximum Floor Plate Ratio Restriction  
Above 10<sup>th</sup> Storey Only 2.5:1.0
- 5.4.3.2.X.4.1.5 Minimum Yards
- 5.4.3.2. X.4.1.5.1 Minimum **Front Yard**  
Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Front Yard** shall be:  
- From Arthur St to **Townhouse** front face 2.5 m  
- From Arthur St to raised walkway/patio 1.0 m
- 5.4.3.2. X.4.1.5.2 Despite Section 4.7, all raised patios, walkways, ramps, retaining walls, planters are permitted to project into the required **Front Yard** between the main wall of the **Townhouses** and the front **Lot** line to a maximum distance of 1.5 metres, except that stairs and ramps may have a minimum setback of 0.0 metres from the front **Lot** line
- 5.4.3.2. X.4.1.6 Setbacks
- 5.4.3.2. X.4.1.6.1 Underground Parking Setback  
An underground parking structure is permitted to be setback 0 metres from a **Lot** line.
- 5.4.3.2. X.4.1.6.2 Setbacks of Upper **Storeys** of **Apartment Buildings**  
The minimum setback for the tower portion of an **Apartment Building**, above 4 **Storeys** shall be:  
From Arthur Street **Lot** Line: 12 metres  
From the easterly edge of the FL Zone: 10 metres
- 5.4.3.2.X.4.1.7 **Building** Heights  
Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the maximum **Building** Heights are:  
For Podium/**Townhouses** 4 storeys  
For **Apartment Buildings** 11 storeys

5.4.3.2.X.4.1.8

Holding Provision:

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development.

Conditions:

1. That the Owner prepare an Urban Design Brief confirming that this phase of development is consistent with the approved Urban Design Master Plan for the site, to the satisfaction of the General Manager of Planning Services. In addition, an architectural peer review for this phase is required to the satisfaction of the General Manager of Planning Services. The Owner may prepare one brief and complete a peer review that addresses one or more phases at a time, enabling the City to simultaneously lift the Holding Provision on multiple phases. Clearing of this condition may be done in advance of, or in conjunction with, submission of a Site Plan Approval application for each phase.
2. The owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.
3. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

5.4.3.2.X.5

R.4B-X.3

5 Arthur Street South

As shown on Defined Area Map Number 38 of Schedule “A” to this **By-law**:

- 5.4.3.2.X.5.1 Regulations  
In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.3 **Zone**:
- 5.4.3.2.X.5.1.1 Minimum **Common Amenity Area**  
Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 700 m<sup>2</sup>
- 5.4.3.2. X.5.1.2 Minimum **Landscaped Open Space**  
Despite Table 5.4.2, Row 13, the minimum **Landscaped Open Space** shall be a total of 1700 m<sup>2</sup>
- 5.4.3.2.X.5.1.2.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**.
- 5.4.3.2.X.5.1.3 Maximum Building Floor Plate Area

Above the 6 <sup>th</sup> Storey	1200 m <sup>2</sup>
Above the 10 <sup>th</sup> Storey	1000 m <sup>2</sup>
- 5.4.3.2.X.5.1.4 Maximum Floor Plate Ratio Restriction

Above 10 <sup>th</sup> Storey Only	1.5:1.0
------------------------------------	---------
- 5.4.3.2.X.5.1.5 Minimum Yards
- 5.4.3.2. X.5.1.5.1 Minimum **Front Yard**  
Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Front Yard** shall be:

From Arthur St to <b>Townhouse</b> front face	2.5 m
From Arthur St to raised walkway/patio	1.0 m
- 5.4.3.2. X.5.1.5.2 Despite Section 4.7, all raised patios, walkways, ramps, retaining walls, planters are permitted to project into the required **Front Yard** between the main wall of the **Townhouses** and the front **Lot** line to a maximum distance of 1.5 metres, except that stairs and ramps may have a minimum setback of 0.0 metres from the front **Lot** line
- 5.4.3.2. X.5.1.6 Setbacks



5.4.3.2. X.5.1.6.1 Underground Parking Setback

An underground parking structure is permitted to be setback 0 metres from a **Lot** line.

5.4.3.2. X.5.1.6.2 Setbacks of Upper **Storeys** of **Apartment Buildings**

The minimum setback for the tower portion of an **Apartment Building**, above 4 **Storeys** shall be:

From Arthur Street **Lot** Line: 12 metres

From the easterly edge of the FL Zone: 10 metres

5.4.3.2.X.5.1.7 **Building Heights**

Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the maximum **Building Heights** are:

For Podium/**Townhouses** 4 storeys

For **Apartment Buildings** 12 storeys

5.4.3.2.X.5.1.8 Holding Provision:

Purpose:

To ensure that development of the subject lands does not proceed until the following conditions have been met to the satisfaction of the City related to the subject development.

Condition:

1. That the Owner prepare an Urban Design Brief confirming that this phase of development is consistent with the approved Urban Design Master Plan for the site, to the satisfaction of the General Manager of Planning Services. In addition, an architectural peer review for this phase is required to the satisfaction of the General Manager of Planning Services. The Owner may prepare one brief and complete a peer review that addresses one or more phases at a time, enabling the City to simultaneously lift the Holding Provision on multiple phases. Clearing of this condition may be done in advance of, or in conjunction with, submission of a Site Plan Approval application for each phase.
2. The developer/owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.

3. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

5.4.3.2.X.6

R.4B-X.4

5 Arthur Street South

As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**.

5.4.3.2.X.6.1

Additional Permitted Uses, as part of a Commercial/  
Residential **Building**

- **Agricultural Produce Market**
- **Art Gallery**
- **Artisan Studio**
- **Bake Shop**
- **Boutique**
- **Community Services Facilities**
- **Convenience Store**
- **Dry Cleaning Outlet**
- **Financial Establishment**
- **Florist**
- **Home Occupation**
- **Laundry**
- **Medical Clinic**
- **Medical Office**
- **Office**
- **Parking Facility** (within structure only)
- **Personal Service Establishment**
- **Pharmacy**
- **Postal Service**

- **Print Shop**
- **Recreation Centre**
- **Restaurant**
- **Restaurant (take-out)**
- **Retail Establishment**

- 5.4.3.2.X.6.2 Regulations  
In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.4 **Zone**:
- 5.4.3.2.X.6.2.1 Additional Permitted Commercial Uses
- 5.4.3.2.X.6.2.1.1 Commercial **Uses** permitted in Section 5.4.3.2.X.8.1 shall be limited to a **Gross Floor Area** of 500 square metres in size.
- 5.4.3.2.X.6.2.1.2 Notwithstanding the permitted uses in 5.4.3.2.X.1 and 5.4.3.2.X.8.1, the ground floor of this **Building** shall contain a minimum of one commercial units fronting onto each of Arthur Street South, Cross Street, and the river.
- 5.4.3.2.X.6.2.2 Minimum **Common Amenity Area**  
Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 1500 m<sup>2</sup>
- 5.4.3.2.X.6.2.3 Minimum **Landscaped Open Space**  
Despite Table 5.4.2, Row 13, the minimum **Landscaped Open Space** shall be a total of 2000 m<sup>2</sup>
- 5.4.3.2.X.6.2.3.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**.
- 5.4.3.2.X.6.2.4 Maximum Building Floor Plate Area
- |                                  |                     |
|----------------------------------|---------------------|
| Above the 6 <sup>th</sup> Storey | 1200 m <sup>2</sup> |
| Above the 8 <sup>th</sup> Storey | 1000 m <sup>2</sup> |
- 5.4.3.2.X.6.2.5 Maximum Floor Plate Ratio Restriction
- |                                    |         |
|------------------------------------|---------|
| Above 10 <sup>th</sup> Storey Only | 1.5:1.0 |
|------------------------------------|---------|
- 5.4.3.2.X.6.2.6 Setbacks

- 5.4.3.2.X.6.2.6.1 **Front Yard Setback**  
Despite Section 4.24 and Table 5.4.2, Row 6, the 5-storey Building podium shall not encroach within an area on the property directly adjacent to the intersection of Arthur Street South and Cross Street, defined by connecting the following three points:
1. The point at the immediate southeast corner of the property and directly adjacent to the intersection of Arthur Street South and Cross Street;
  2. A point located approximately 40 metres from the intersection of Arthur Street South and Cross Street, measure northwest along the Arthur Street frontage;
  3. A point located approximately 25 metres from the intersection of Arthur Street South and Cross Street, measure northwest along the Cross Street frontage
- 5.4.3.2.X.6.2.6.2 **Exterior Side Yard Setback (Cross Street)**  
Despite Section 4.24 and Table 5.4.2, Row 6, the Building shall be setback a minimum of 2.5 metres from Cross Street.
- 5.4.3.2.X.6.2.6.3 **Underground Parking Setback**  
An underground parking structure is permitted to be setback 0 metres from a **Lot** line.
- 5.4.3.2. X.6.1.5.2 **Setbacks of Upper Storeys of Apartment Buildings**  
The minimum setback for the tower portion of an **Apartment Building**, above 5 **Storeys** shall be:
- |                                     |            |
|-------------------------------------|------------|
| From Arthur Street <b>Lot</b> Line: | 25 metres  |
| From Cross Street <b>Lot</b> Line:  | 5.5 metres |
| From Neeve Street <b>Lot</b> Line:  | 35 metres  |
- 5.4.3.2.X.6.1.6 **Building Heights**  
Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the maximum **Building** height is 14 storeys.
- 5.4.3.2.X.6.1.6.1 **Minimum Ground Floor Height**  
For ground floor non-residential units, the minimum floor-to-ceiling height shall be 4.5 metres.
- 5.4.3.2.X.6.1.7 **Holding Provision:**  
Purpose:  
To ensure that development of the subject lands does not

proceed until the following condition has been met to the satisfaction of the City related to the subject development.

Condition:

1. That the Owner prepare an Urban Design Brief confirming that this phase of development is consistent with the approved Urban Design Master Plan for the site, to the satisfaction of the General Manager of Planning Services. In addition, an architectural peer review for this phase is required to the satisfaction of the General Manager of Planning Services. The Owner may prepare one brief and complete a peer review that addresses one or more phases at a time, enabling the City to simultaneously lift the Holding Provision on multiple phases. Clearing of this condition may be done in advance of, or in conjunction with, submission of a Site Plan Approval application for each phase.
2. The developer/owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.
3. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

5.4.3.2.X.7

**R.4B-X.5**

5 Arthur Street South

As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**.

5.4.3.2.X.7.1

**Additional Permitted Uses**

- Office



5.4.3.2.X.7.1.1 Additional Permitted Uses, as part of Commercial/Residential **Building**

- **Agricultural Produce Market**
- **Art Gallery**
- **Artisan Studio**
- **Bake Shop**
- **Boutique**
- **Micro-Brewery or Brew Pub**
- **Commercial School**
- **Community Services Facilities**
- **Convenience Store**
- **Dry Cleaning Outlet**
- **Financial Establishment**
- **Florist**
- **Laundry**
- **Medical Clinic**
- **Medical Office**
- **Office**
- **Parking Facility** (within structure only)
- **Personal Service Establishment**
- **Pharmacy**
- **Postal Service**
- **Recreation Centre**
- **Restaurant**
- **Restaurant (take-out)**
- **Retail Establishment**
- **Tavern**

5.4.3.2.X.7.2 Regulations

In addition to the regulations in Sections 5.4.2 and 5.4.3.2.X.2, the following regulations shall apply to the R.4B-X.5 **Zone**:

5.4.3.2.X.7.2.1 Ground Floor Commercial **Uses**

Notwithstanding the permitted uses in 5.4.3.2.X.1 and 5.4.3.2.X.3.1, the ground floor of this **Building** shall contain at least one commercial **Use** fronting on to each of Arthur Street South and Elizabeth Street.

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- 5.4.3.2.X.7.2.2 Setbacks from Railways
- 5.4.3.2.X.7.2.2.1 The minimum separation of the residential portion of any **Building** from the CN Railway Right-of-Way, shall be 30 metres
- 5.4.3.2.X.7.2.2.2 The minimum separation of the residential portion of any **Building** from the Guelph Junction Railway Right-of-Way shall be 15 metres
- 5.4.3.2.X.7.2.3 Minimum **Common Amenity Area**  
Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum Common Amenity Area shall be a total of 500 m<sup>2</sup>
- 5.4.3.2.X.7.2.4 Minimum **Landscaped Open Space**  
Despite Table 5.4.2, Row 13, the minimum Landscaped Open Space shall be a total of 900 m<sup>2</sup>
- 5.4.3.2.X.7.2.4.1 Despite the definition in Section 3.1, **Landscaped Open Space** may include open space located either at grade or above a **Building** or **Structure**
- 5.4.3.2.X.7.2.5 Minimum Yards
- 5.4.3.2.X.7.2.5.1 Minimum **Front Yard** (Arthur St)  
Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Front Yard** shall be 3.0 metres
- 5.4.3.2.X.7.2.5.2 Minimum **Exterior Side Yard** (Elizabeth St)  
Despite Section 4.24 and Table 5.4.2, Row 6, the minimum **Exterior Side Yard** shall be 3.0 metres
- 5.4.3.2.X.7.2.6 Underground Parking Setback  
An underground parking structure is permitted to be setback 0 metres from a **Lot** line.
- 5.4.3.2.X.7.2.7 **Building Heights**  
Despite Table 5.4.2 Row 10 and Sections 4.16, 5.4.2.1 and Defined Area Map No. 68, the minimum Building height is 4 storeys and the maximum Building height is 14 storeys
- 5.4.3.2.X.7.2.7.1 Minimum Ground Floor Height  
For ground floor non-residential units, the minimum floor-to-ceiling height shall be 4.5 metres.
-

- 5.4.3.2.X.7.2.8     Maximum **Building** Floor Plate Area  
Above the 6<sup>th</sup> Storey     1200 m<sup>2</sup>  
Above the 8<sup>th</sup> Storey     1000 m<sup>2</sup>
- 5.4.3.2.X.7.2.9     Maximum Dimensional Floor Plate Ratio  
Above 4<sup>th</sup> Storey     2.2:1.0
- 5.4.3.2.X.7.2.10     Setbacks of Upper **Storeys** of **Apartment Buildings**  
The tower portion of an **Apartment Building** above a 4 **Storey** podium facing a **Public Street** or the Speed River shall be setback an additional 3.0 metres from the podium **Building** face.
- 5.4.3.2.X.7.2.11     Holding Provision:  
Purpose:  
To ensure that development of the subject lands does not proceed until the following condition has been met to the satisfaction of the City related to the subject development.
- Conditions:
1. That the Owner implement CN's principal main line requirements for adjacent development, including addressing the interface with the elevated CN mainline adjacent to this phase of development, to the satisfaction of CN or its assigns.
  2. The developer/owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.
  3. The developer/owner shall deed at no cost to the City, a land dedication as identified in the City of Guelph's Official Plan for future intersection improvements at Elizabeth Street and Arthur Street South that is free of all encumbrances and satisfactory to the City Solicitor.
  4. That the Owner prepare an Urban Design Brief confirming that this phase of development is consistent with the approved Urban Design Master Plan for the site, to the satisfaction of the General Manager of Planning Services. In addition, an architectural peer

review for this phase is required to the satisfaction of the General Manager of Planning Services. The Owner may prepare one brief and complete a peer review that addresses one or more phases at a time, enabling the City to simultaneously lift the Holding Provision on multiple phases. Clearing of this condition may be done in advance of, or in conjunction with, submission of a Site Plan Approval application for each phase.

5. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

5.4.3.2.X.8

R.4B-X.6

5 Arthur Street South

As shown on Defined Area Map Number 38 of Schedule "A" to this **By-law**:

5.4.3.2.X.8.1

Permitted **Uses**

The **Uses** listed in Section 5.4.3.2.X, together with the following **Uses**, shall be permitted within the existing heritage building, including within the portion of the building in FL (Floodway) Zone, subject to approval by the Grand River Conservation Authority:

- ***Agricultural Produce Market***
- ***Art Gallery***
- ***Artisan Studio***
- ***Bake Shop***
- ***Boutique***
- ***Micro-Brewery or Brew Pub***
- ***Commercial School***
- ***Community Services Facilities***

- **Convenience Store**
- **Dry Cleaning Outlet**
- **Financial Establishment**
- **Florist**
- **Laundry**
- **Medical Office**
- **Office**
- **Personal Service Establishment**
- **Pharmacy**
- **Postal Service**
- **Recreation Centre**
- **Restaurant**
- **Restaurant (take-out)**
- **Retail Establishment**
- **Tavern**

- 5.4.3.2.X.8.2 Regulations  
In addition to Sections 5.4.2, 12.2.1 and 12.2.2, and 5.4.3.2.X, the following regulations shall apply to the R.4B-X.6 Zone and the entire existing heritage building:
- 5.4.3.2.X.8.2.1 Minimum **Common Amenity Area**  
Despite Section 5.4.2.4.1 and Table 5.4.2, Row 12, the minimum **Common Amenity Area** shall be a total of 500 m<sup>2</sup>
- 5.4.3.2.X.8.2.2 Minimum **Landscaped Open Space**  
Despite Table 5.4.2, Row 13, the minimum **Landscaped Open Space** shall be a total of 1200 m<sup>2</sup>
- 5.4.3.2.X.8.2.3 Minimum Yards  
Despite Table 5.4.2 Row 6, Row 8 and Row 9, the minimum yards shall be as exists on the Date of Passing of this **By-law**.
- 5.4.3.2.X.8.2.4 **Building Heights**  
Despite Table 5.4.2 Row 10, the maximum **Building** heights shall be as exists on the Date of Passing of this **By-law**.
- 5.4.3.2.X.8.2.5 Minimum Distance Between **Buildings**



Despite Section 5.4.3.2.X.2.3, the minimum distance between the existing heritage **Building** and any other **Building** shall be 16 metres.

5.4.3.2.X.8.2.6 Minimum Off-Street Parking

5.4.3.2.X.8.2.6.1 Despite Section 5.4.3.2.X.2.5, a minimum of 30 **Parking Spaces** shall be provided for the users or residents of the existing heritage building within a surface parking lot between the existing building and Arthur Street South.

5.4.3.2.X.8.2.6.2 Despite Section 4.13.2.2, a Parking Area for resident and/or visitor parking spaces adjacent to the existing heritage building may be located within the **Front Yard** provided that the nearest parking spaces are set back a minimum of 3.0 metres from the Arthur Street South **Lot** line.

5.4.3.2.X.8.2.7 Holding Provision:

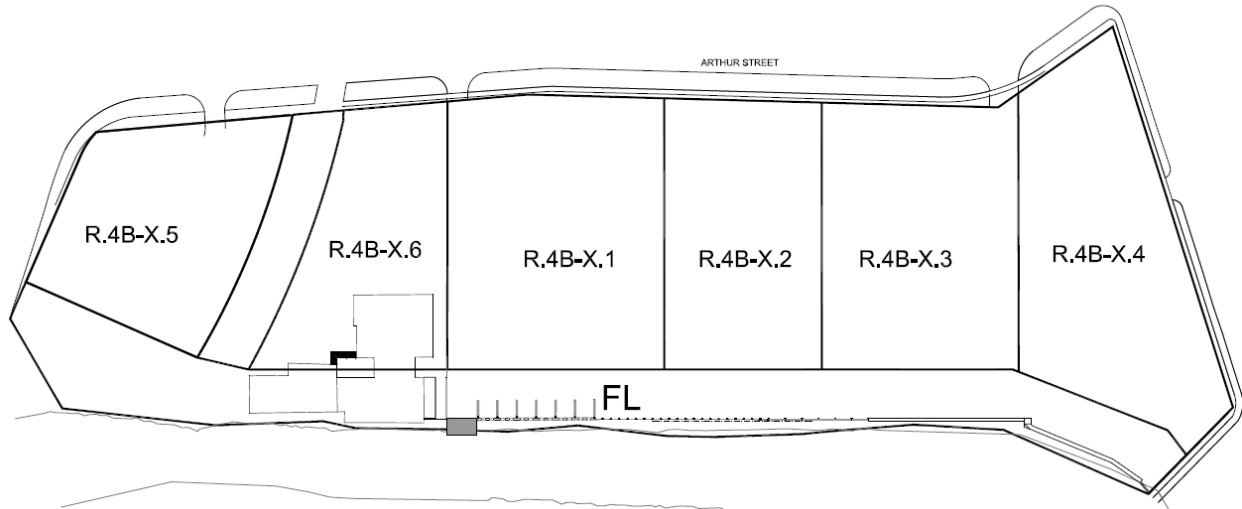
Purpose:

To ensure that development of the subject lands does not proceed until the following condition has been met to the satisfaction of the City related to the subject development.

Conditions:

1. The developer/owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.
2. That the owner pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands including road works, local sanitary sewer, storm sewer, watermain curb and gutter, catchbasins, sidewalks, streetscaping and street lighting as determined by the City Engineer. Furthermore, that the owner pay to the City their proportionate share of the estimated cost of the municipal services determined by the City Engineer for all remaining frontage prior to the removal of this Holding Provision.

## Recommended Zoning Map – R4B-X (H) Zone



Schedule A (Draft)  
Lands Subject to By-law 2014-XXX  
Building envelopes and other site information shown only  
for illustrative purposes for draft By-law review

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## Attachment 2 continued Recommended Conditions of Approval

### Conditions of Site Plan Approval

The following conditions are provided as information to Council and will be imposed through site plan approval for all phases of development unless noted otherwise. The phases of development referred to are based on the phasing plan shown in Attachment 6 of this report.

1. The Owner shall submit to the City, in accordance with Section 41 of the *Planning Act*, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, tree preservation, grading and drainage and servicing on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.
  - a. Further, the Owner commits and agrees that the details of the layout and design for the development of the subject lands shall be generally in conformance with the development concept plan and elevations for Phase 1, attached as Attachment 5 and Attachment 7 to the August 25, 2014 Planning, Building, Engineering and Environment Report Number 14-38.
  - b. That Heritage Guelph be circulated on all Site Plan Approval submissions for 5 Arthur Street South that may impact the property's identified heritage attributes.
  - c. That the develop agrees to consider options for including space to be made available for community uses, in the redevelopment of the heritage building (Phase #6), prior to Site Plan Approval for Phase #6.
2. The Owner shall implement the guidelines of the approved Urban Design Master Plan and approved Urban Design Brief as required for Phases 2 to 5, as updated in consultation with City staff, to the satisfaction of the General Manager of Planning Services to contribute to meeting the applicable principles, objectives and policies of the Downtown Secondary Plan.
3. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that each building on the subject site will be constructed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services and in accordance with the letter attached as Attachment 11 to Report 14-38 from Planning, Building, Engineering and Environment dated August 25, 2014.
4. That the Owner commits and agrees to provide one or more off-street parking

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spaces for shared use vehicles as part of a community carshare program in each phase of the development and shall consider accommodating additional spaces in each future phase, to the satisfaction of the General Manager/City Engineer.

5. That prior to site plan approval of each phase of development, the Owner must provide evidence of agreement to have the development serviced by the Galt District Energy System or, if the Owner is unable to incorporate district energy services in the development, they must provide evidence on how the development will contribute to the Guelph District Energy Strategic Plan or Community Energy Initiative, to the satisfaction of the Corporate Manager of Community Energy.
6. That for the remaining brick walls of heritage buildings 3 and 4 (as shown in Attachment 8 of Council Report 14-38, dated August 25, 2014), that are proposed to be removed, the proponent will submit to the satisfaction of the General Manager of Planning Services and Heritage Guelph, a representation plan prior to Site Plan Approval for Phase 1 of the development. The approved representation plan, showing how the walls of the former industrial buildings on the site would be acknowledged on the Riverwalk, will be incorporated into all site plan submissions as appropriate, to the satisfaction of the General Manager of Planning Services and Heritage Guelph.
7. That for heritage buildings 1 and 2 (as shown in Attachment 8 of Council Report 14-38, dated August 25, 2014), the proponent will submit to the satisfaction of Planning staff and Heritage Guelph a Cultural Heritage Conservation Plan (CHCP) to be completed in two stages:
  - a. CHCP Stage 1 will determine the heritage attributes of the property and guide stabilization, interim maintenance, and temporary uses of the heritage buildings 1 and 2 including measured elevation, plan and section drawings. CHCP Stage 1 to be completed prior to Site Plan Approval of Phase 1 of the redevelopment
  - b. CHCP Stage 2 will guide the proposed reuse, redevelopment and long-term maintenance of the heritage building complex and is to be completed prior to Site Plan Approval of Phase 4 of the development or the Heritage Phase (Phase 6) of the redevelopment, whichever comes first.
8. Prior to the issuance of site plan approval, written confirmation shall be received from the General Manager of Solid Waste Resources or his or her designate that the proposed development is in conformance with By-law (2011)-19199, known as the Waste Management By-law. Further, the Owner agrees and commits to employ a three-stream waste collection system with considerations and opportunities developed in their Waste Management Plan that would facilitate the transition to City collection at some point in the future.

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9. Prior to the issuance of site plan approval for the lands, the Owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future households and commercial units within the project, with such payment based on a cost of one handbook per residential household and commercial unit, as determined by the City.
10. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2014)-19692, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
11. That prior to any site alterations, tree removal or Site Plan approval an Environmental Implementation Report be completed and approved to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, addressing the following:
  - a. How all the conditions of development approval have been met;
  - b. How municipal infrastructure servicing and the protection of natural heritage features and their associated ecological functions have been addressed (including a street tree plan);
  - c. Any other special requirements that are required to protect the overall natural environment of the area;
  - d. How the Environmental Advisory Committee and River System Advisory Committee comments and motions of March 12 and March 19, 2014, respectively, have been addressed;
  - e. A summary of the Structural Analysis for the below grade retaining wall and applicable recommended mitigation measures which may arise as a result of the study;
  - f. A Stormwater Management Plan including details of Low Impact Development (including green roofs);
  - g. Grading, erosion and sediment control and dewatering plans;
  - h. A Salt Management Plan;
  - i. A summary of geotechnical requirements and soil management needs;
  - j. An analysis indicating how buildings will be designed to be bird-friendly;
  - k. Detailed design of the entire Floodway Zone (Riverwalk and Allan's Green);
  - l. Ecological enhancement details and plans;
  - m. Landscape Plans completed by a member of the Ontario Association of Landscape Architects;
  - n. Education and Stewardship materials; and
  - o. A baseline, during and post-construction monitoring plan;
  - p. Any recommendations for inclusion within the Declaration of



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- Condominium as it relates to the environment;
- q. That opportunities for public access down to the river from the riverwalk be explored.
12. Prior to site plan approval of each phase, the Developer shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the General Manager/City Engineer.
13. That the developer/owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
14. Prior to site plan approval for each phase and prior to any construction or grading on the lands, the Developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
15. Prior to site plan approval of Phase 1, the developer/owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports requested by the General Manager/City Engineer:
- a. a revised traffic impact and operations report covering all aspects of access and egress to the site and the effect of the development on the surrounding roads;
  - b. a servicing and stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility required;
  - c. a structural assessment of the existing retaining wall along the Speed River in accordance with the Terms of Reference provided to the developer/owner.
16. The developer/owner shall at their cost, address and be responsible for adhering to all the recommended measures that is contained in the plans, studies and reports outlined in the previous condition, subsections 15 a), 15 b) and 15 c) inclusive to the satisfaction of the General Manager/City Engineer. The City may have such report be peer reviewed and all associated costs with

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the peer review will be the responsibility of the developer/owner.

17. The developer shall be responsible for implementing any recommended improvements, repairs to, or replacements of any portion of the existing retaining wall along the Speed River prior to building permit issuance for Phase #1, and as identified in a site plan control agreement, registered on title, all to the satisfaction of the General Manager/City Engineer.
18. The developer/owner shall design and construct all works associated with the westbound turn lane on Elizabeth Street including any road widening requirements. Also the developer/owner shall design and construct all works associated with the traffic calming measures located within the Traffic Impact Study area. Furthermore the developer/owner shall pay to the City the estimated cost of all works associated with the design and construction of the westbound turn lane on Elizabeth Street and traffic calming measures located within the Traffic Impact Study area prior to site plan approval of Phase 1, as determined by the General Manager/City Engineer.
19. The developer/owner shall deed at no cost to the City, free of all encumbrances, any road widenings necessary to accommodate the westbound turn lane on Elizabeth Street prior to site plan approval of Phase 1.
20. The developer/owner shall pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands, including road works, local sanitary sewer, storm sewer, watermain, curb and gutter, catch basins, sidewalks and street lighting, as per Appendix E – Local Service Guidelines under the Development Charges By-law, and as determined by the General Manager/City Engineer.
21. Prior to site plan approval of Phase 1, the developer/owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
22. The developer/owner shall pay to the City the actual cost of constructing and installing any new service laterals required and furthermore, prior to site plan approval for each phase, the developer/owner shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
23. The Developer shall pay to the City the actual cost of removing any existing service laterals to the site that are not being used for the condominium development, consistent with the Sewer Relocation Agreement dated January 13, 2012, and furthermore, prior to site plan approval for each phase, the Developer shall pay to the City the estimated cost of removing the existing service laterals, as determined by the General Manager/City Engineer.

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24. The developer/owner shall pay to the City the actual cost of the removal and restoration of the boulevard where the existing accesses are located, prior to site plan approval for each phase and prior to any construction or grading on the lands, the developer/owner shall pay to the City the estimated cost as determined by the City Engineer.
25. The Developer shall pay to the City the actual cost of the construction of the new driveway accesses, curb cut including boulevard restoration, i.e. topsoil/sod within right-of-way allowance prior to site plan approval for each phase. Furthermore, prior to site plan approval for each phase, the Developer shall pay to the City the estimated cost of constructing the new driveway accesses, curb cut, including boulevard restoration, i.e. topsoil/sod within the right-of-way allowance as determined by the General Manager/City Engineer.
26. That the developer/owner makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
27. That all electrical services on the Lands are underground and the developer/owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
28. The developer/owner shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
29. Prior to the issuance of a building permit, any monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Developer shall submit a Well Record to the satisfaction of the General Manager/City Engineer.
30. The following warning clause shall be incorporated into a future site plan control agreement, offers to purchase and agreements of purchase and sale or lease of each dwelling unit within 300 metres of the railway right-of-way:  
  
"Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the

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vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

31. The Owner acknowledges and agrees that any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the CN Railway and be substantiated by a drainage report to the satisfaction of the Railway.
32. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that any fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have the sole responsibility for and shall maintain these measures to the satisfaction of CN.
33. The Owner shall enter into an Agreement with CN stipulating how CN’s concerns will be resolved and will pay CN’s reasonable costs in preparing and negotiating the agreement.
34. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
35. That prior to the issuance of site plan approval a detailed noise study be submitted and the recommendations of the study be integrated into the design of the building, particularly with respect to noise mitigation specifications for upgraded windows/cladding, outdoor amenity areas and air-conditioning requirements to the satisfaction of the General Manager of Planning Services.
36. The developer shall implement / incorporate the noise attenuation measures as recommended in the Environmental Noise Feasibility Assessment prepared by NOVAS ENVIROMENTAL dated April 12<sup>th</sup> 2013 in all buildings constructed. The proponent shall further submit prior to the issuance of site plan approval, a refined noise attenuation study completed by an Acoustical Consultant as recommended in the above mentioned NOVAS study for approval by the Guelph Junction Railway (GJR). The proponent shall be required to implement any additional noise attenuation measures recommended in the refined study.
37. The developer shall implement / incorporate the vibration attenuation measures as recommended in the Railway Vibration Analysis prepared by NOVAS ENVIROMENTAL dated April 12 2013 in all buildings constructed. The proponent shall further submit prior to the issuance of a building permit a refined vibration attenuation study completed by a qualified Professional Engineer for approval of the GJR. The proponent shall be required to

implement any additional vibration attenuation measures as recommended in the refined study prior to site plan approval.

38. The proponent shall prior to the issuance of site plan approval undertake to establish a clear railway site line as referenced in the MRC Safety Crossing Assessment dated April 12th 2013. The proponent further agrees to maintain the aforementioned railway safety site line and shall incorporate such restrictions into building and landscape plans. All proposed driveway locations shall be located to conform with Transport Canada CRRGCS Standards, to the satisfaction of the GJR.
39. The GJR will not accept any overland drainage from abutting properties and existing property line elevations are to be maintained.
40. The proponent shall prior of the issuance of a building permit for demolition, construction or excavation on lands immediately adjacent to the railway right of way submit a detailed plan of slope stabilization / shoring completed by a qualified Professional Engineer for approval of the GJR.
41. The proponent shall include the following Warning Clause in all Agreements of Purchase, sale or lease.

“Purchasers are advised that the Guelph Junction Railway or its assigns or successors in interest has or have a right of way within 300 metres from the land subject thereof. There may be alterations to or expansion of the rail facilities on such right of way in the future, including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling[s]. The Guelph Junction Railway will not be responsible for any complaints or claims arising from use of said facilities and / or operations on, over or under the aforesaid right of way.”
42. The proponent shall prior to the issuance of site plan approval erect and maintain a five foot high chain link fence along the north and south common property line shared with the GJR with the objective of restricting pedestrian access to GJR trackage. The fence shall extend and be tied into a physical feature that prohibits access along the river edge. Should this be on property not owned by the proponent they shall be responsible for acquiring the necessary approvals from the property owner to do so. This fence will remain until such time as the GJR is satisfied with the physical construction of the proposed pedestrian bridge / trail connection and at such time the GJR may at its sole discretion allow modifications to the fencing on the common south property line. The fence along the north common property line shall remain



permanently.

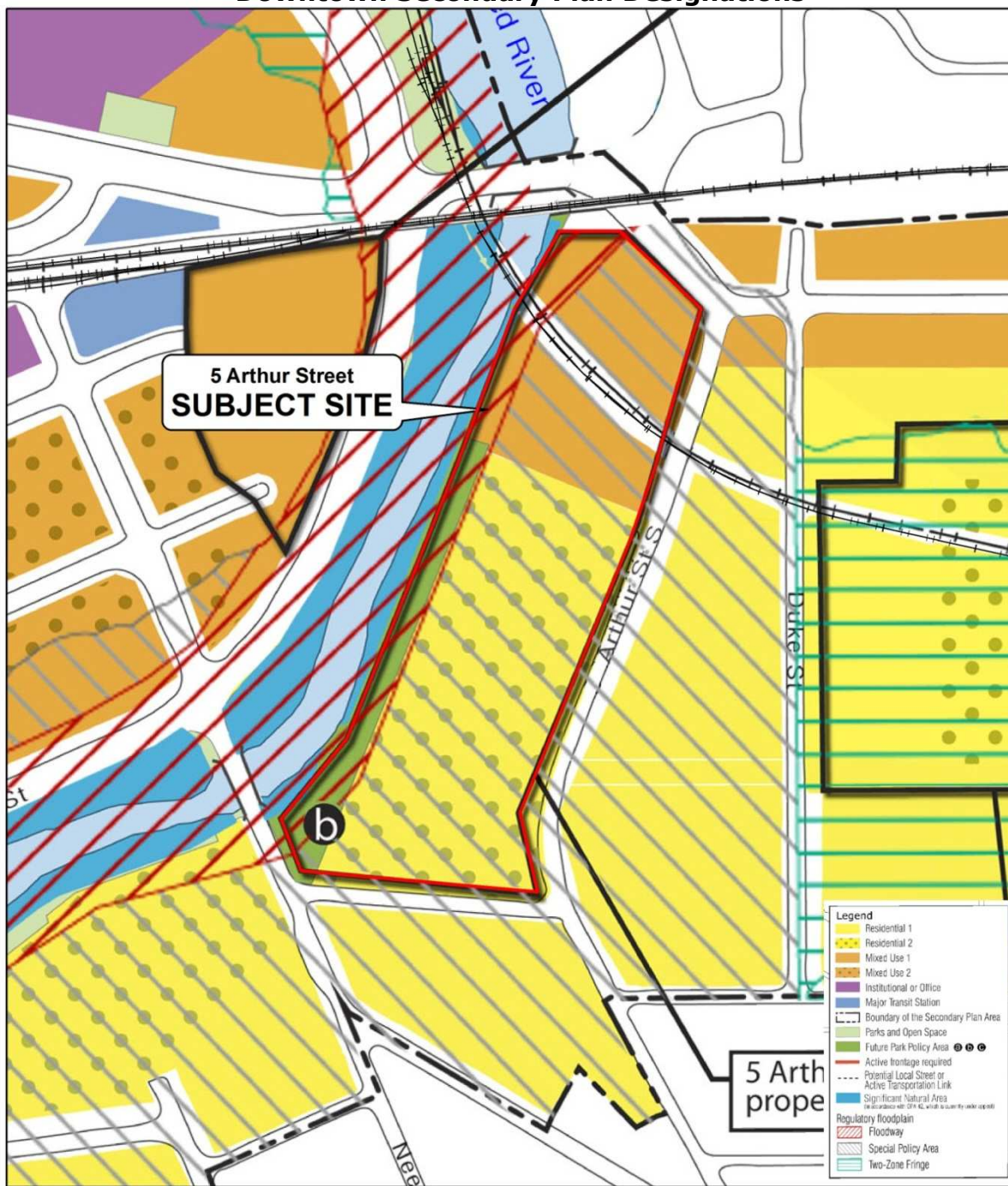
43. The Developer shall be responsible for the cost of design and development of the demarcation of all City owned lands in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warrantee period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the City with cash or letter of credit to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Executive Director of Community and Social Services.
44. The Developer shall be responsible for all costs and obligations arising from the assessment and pre-existing condition of the riverside retaining wall, including but not limited to: on-going maintenance, insurance, and conditions arising from the Certificate of Property Use.
45. The Developer shall be responsible for the cost of preparation of a 'Health and Safety Plan' and a 'Soil Management Plan' including submitting these plans for City approval to the satisfaction of the Executive Director of Community and Social Services prior to any site plan approvals.
46. The Developer shall be responsible for the cost of design and implementation of the Open Space Works and Restoration within the core green lands/ environmental corridor in accordance with the "Environmental Implementation Report" to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the Open Space works and restoration for the Public Open Space to the satisfaction of the Executive Director of Community and Social Services.
47. The Developer shall be responsible for the cost of the design of the River Walk and associated trail system on the subject property, to the City standards prior to any site plan approvals. This shall include identifying the trail system, detailed design as per the City's approved Urban Design Master Plan for the subject property and City standards including: layout, grading and drainage, planting, interpretative signage design and submitting drawings for City approval. The design is to be completed by a full member of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Executive Director of Community and Social Services, prior to site plan approvals.
48. The Developer shall be responsible for the costs and construction of the River Walk and associated trail system on the subject property to the City standards as per the UDMP and the City's approved detailed design; and as outlined in the development agreement. This shall include preparation of construction

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documentation, obtaining required permits, tendering process, implementation, and contract administration, up to the end of the 2 year warrantee period to be completed by a full member of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the City with cash or letter of credit to cover the City's estimate for the cost of the construction of the River Walk and associated trail system to the satisfaction of the Executive Director of Community and Social Services.

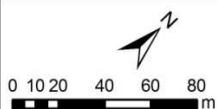
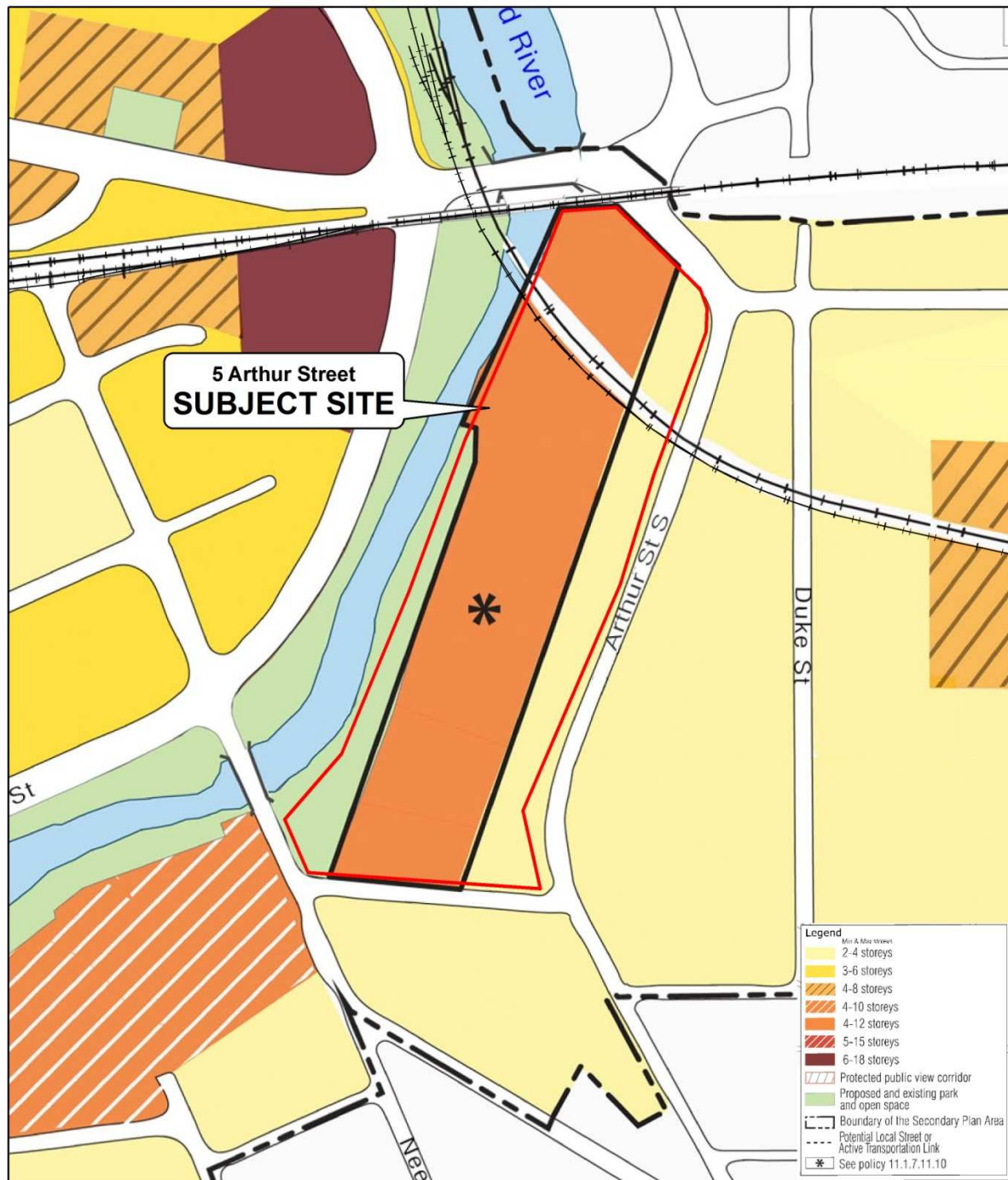
49. The Developer shall provide two easement types: a permanent surface easement for the River Walk; and Public Access Easements for (a) the associated public trail system (south and west of the existing Heritage Structures, from the Riverwalk to the Guelph Junction Railway Corridor), and (b) two east-west pedestrian routes to the Riverwalk from Arthur Street, in favour of the City, to the satisfaction of the Executive Director of Community and Social Services, prior to any site plan approvals.
50. Obligations for maintenance, insurance, environmental risk management measures and other obligations regarding the riverwalk will be included in a development agreement between the City and the developer, registered on title outline parks related easements and agreements, to the satisfaction of the Executive Director of Community and Social Services, prior to any site plan approvals.
51. Cash in-lieu of parkland conveyance (10%) is required for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007)-18225 or any successor thereof, Subject to the successful completion of items 49 & 50 above, the Developer may apply to Council to have the By-law provisions set aside.
52. The Developer shall provide Parks and Recreation with a digital file in AutoCAD - DWG format containing the following final approved information: parcel fabric, development layout and trail design, grades/contours and landscaping.
53. The developer agrees to provide the Upper Grand District School Board with a digital file of the site plan in either ARC/INFO export or DXF format containing parcel fabric and street network
54. That prior to site plan approval of each phase of development, the Owner shall enter into a site plan agreement with the City, registered on title, satisfactory to the City Solicitor, the General Manager of Planning Services and the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

## Attachment 3 Existing Official Plan Land Use Designations and Policies Downtown Secondary Plan Designations



### DOWNTOWN SECONDARY PLAN Land Use Plan 5 Arthur Street South

## Attachment 3(continued) Existing Official Plan Designations and Policies Downtown Secondary Plan – Building Heights



### DOWNTOWN SECONDARY PLAN Minimum and Maximum Building Heights 5 Arthur Street South



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## Attachment 3 (continued) Existing Official Plan Designations and Policies

### 2.4.5 *Built-up Area* and General Intensification

To ensure development proceeds in accordance with the objectives of Section 2.4.2 and to achieve the Growth Plan *intensification targets*, significant portions of new residential and employment growth will be accommodated within the *built-up areas* through *intensification*.

The *built-up area* is identified on Schedule 1B of this Plan. The *built-up area* has been delineated in accordance with Section 2.2.3.5 of the Growth Plan and is based on the limits of the developed urban area as it existed on June 16, 2006. The *built up area* will remain fixed in time for the purpose of measuring the *density* and *intensification targets* of the Growth Plan and the Official Plan.

2.4.5.1 Within the *built-up area* the following general intensification policies shall apply:

- a) By 2015 and for each year thereafter, a minimum of 40% of the City's annual residential development will occur within the City's *built-up area* as identified on Schedule 1B. Provision may be made for the fulfilment of this target sooner than 2015.
- b) The City will promote and facilitate *intensification* throughout the *built-up area*, and in particular within the *urban growth centre* (Downtown), the community mixed use nodes and the *intensification corridors* as identified on Schedule 1B "Growth Plan Elements".
- c) Vacant or underutilized lots, *greyfield*, and *brownfield sites* will be revitalized through the promotion of *infill development*, *redevelopment* and expansions or conversion of existing buildings.
- d) The City will plan and provide for a diverse and compatible mix of land uses, including residential and employment uses to support vibrant communities.
- e) A range and mix of housing will be planned, taking into account affordable housing needs and encouraging the creation of secondary suites throughout the *built-up area*.
- f) *Intensification* of areas will be encouraged to generally achieve higher densities than the surrounding areas while achieving an appropriate transition of built form to adjacent areas.
- g) The City will plan for high quality public open space with site design and urban design standards that create attractive and vibrant spaces.
- h) Development will support transit, walking, cycling for everyday activities.



- i) The City will identify the appropriate type and scale of development within *intensification areas* and facilitate *infill development* where appropriate.

## 2.4.6 Urban Growth Centre (Downtown Guelph)

The *Urban Growth Centre* is Downtown Guelph as identified on Schedule 1B. The precise boundary of the *Urban Growth Centre* will be clearly defined through a detailed secondary plan.

Downtown Guelph will continue to be a focal area for investment in office-related employment, commercial, recreational, cultural, entertainment, and institutional uses while attracting a significant share of the City's residential growth. The Downtown will be maintained and strengthened as the heart of the community and will be the preferred location for *major office* and institutional uses as well as major transit infrastructure including a major transit station.

2.4.6.1 Downtown Guelph will be planned and designed to:

- a) achieve a minimum density target of 150 people and jobs combined per hectare by 2031, which is measured across the entire Downtown;
- b) serve as a high density *major employment area* that will attract provincially and potentially nationally and internationally significant uses;
- c) provide for additional residential *development*, including *affordable housing*, *major offices*, commercial and appropriate institutional development in order to promote *live/work* opportunities and economic vitality in the Downtown;
- d) maintain, enhance and promote *cultural heritage resources*, the *natural heritage system*, unique streetscapes and landmarks within the Downtown;
- e) develop additional public *infrastructure* and services; public open space; and tourist, recreational, entertainment, and cultural facilities within the Downtown; and
- f) accommodate a major transit station and associated *multi modal* transportation facilities within the Downtown, which facilitates both inter and intra-city transit service.

## Natural Heritage System Policies

### 6A.1.1 General Policies

1. The City shall ensure the long term protection of the Natural Heritage System and associated *ecological* and *hydrologic functions*.
2. Each of the Natural Heritage System components is subject to specific policies as set out

in 6A.2, 6A.3 and 6A.4.

3. Significant Natural Areas, Natural Areas and Wildlife Crossings are designated based on the best available mapping, on Schedules 1 and 10.
4. The Natural Heritage System is identified on Schedules 1 and 10, and consists of Significant Natural Areas (including *Ecological Linkages*), Natural Areas, and Wildlife Crossings.
5. The individual components that make up Significant Natural Areas and Natural Areas are listed below and are illustrated on Schedules 10, and 10A through 10E. These schedules provide additional detail to assist in the interpretation of Schedules 1 and 10.

i) Significant Natural Areas include:

- a. Significant Areas of Natural and Scientific Interest (ANSI),
- b. Significant Habitat for Provincially Endangered and Threatened Species,
- c. Significant Wetlands,
- d. Surface Water Features and Fish Habitat,
- e. Significant Woodlands,
- f. Significant Valleylands,
- g. Significant Landform,
- h. Significant Wildlife Habitat (including *Ecological Linkages*),
- i. Restoration Areas, and
- j. Minimum or established buffers (where applicable).

ii) Natural Areas include:

- a. Other Wetlands,
- b. Cultural Woodlands
- c. Habitat of Significant Species, and
- d. Established buffers (where applicable).

## Adjacent Lands and Buffers

*Adjacent lands* are those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development or site alteration* would have a *negative impact* on the *natural heritage feature or area*. Generally, an Environmental Impact Study (EIS) or Environmental Assessment (EA) is required to assess potential impacts of the proposed activities, and recommend appropriate setbacks (i.e., *established buffers*) from the *natural heritage feature or area* within the *adjacent lands*, to ensure no *negative impacts*. The *minimum buffers*, where applicable, are identified to prevent damage and degradation to the *natural heritage features and areas* that are part of the Natural Heritage System. Requirements related to *minimum buffers*, where applicable, *established buffers* and *adjacent lands*, for all *natural heritage features and areas*, are identified on Table 6.1.

6. *Development* and *site alteration* on *adjacent lands*, within the *minimum* or *established buffers* are subject to the applicable Significant Natural Areas (Section 6A.2) and Natural Areas (Section 6A.3) policies.

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7. The final width of *established buffers* may be greater than the *minimum buffers* identified on Table 6.1 and shall be established through an *EIS* or *EA*, approved by the City and the Grand River Conservation Authority (GRCA) and/or the Ministry of Natural Resources (MNR) where applicable.
8. *Adjacent lands and buffers*, where applicable, shall be measured from the field-verified edge of an identified *natural heritage feature and area* (e.g. drip line of a *woodland*, boundary of a *wetland*).
9. With the exception of the uses permitted by this Plan, *established buffers* shall be actively or passively restored to, or maintained in a natural state in support of the *ecological* and/or *hydrologic functions* of the adjacent protected *natural heritage features and areas*.
10. *Minimum buffers* where appropriate (as identified on Table 6.1), and *established buffers* where approved, are incorporated into Significant Natural Areas and Natural Areas as identified on the Schedules of this Plan.
11. Notwithstanding 6A.1.1.9, *minimum buffers* have not been applied to lands containing existing *development* which may preclude achievement of the *minimum buffer* specified on Table 6.1. For any *redevelopment* of such lands, an *EIS* will be completed to the satisfaction of the City that evaluates the need for an *established buffer*, and determines an appropriate width where a *buffer* is required.

Table 6.1 *Minimum Buffers, Established Buffers and Adjacent Lands to natural heritage features and areas.*

<b>Natural Heritage Features and Areas</b>	<b>Width of <i>Minimum Buffers</i></b>	<b>Width of <i>Established Buffers</i></b>	<b>Width of <i>Adjacent Lands</i></b>
<i>Significant Areas of Natural and Scientific Interest (ANSIs)</i>	No <i>minimum buffer</i>	To be established through an <i>EIS</i> or <i>EA</i> in consultation with the MNR	50 m – 120 m
<i>Significant Habitat for Provincially Endangered and Threatened Species</i>	No <i>minimum buffer</i>	To be established through an <i>EIS</i> or <i>EA</i> in consultation with MNR	120 m
<i>Significant Wetlands</i> <i>i. Provincially Significant Wetlands</i>  <i>ii. Locally Significant Wetlands</i>	i. 30 m  ii. 15 m	To be established through an <i>EIS</i> or <i>EA</i>	i. 120 m  ii. 120 m
<i>Surface Water and Fish Habitat</i>	i. 30 m	To be established through an <i>EIS</i> or <i>EA</i>	i. 120 m

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i. Cold/cool water <i>fish habitat</i> ii. Warm water <i>fish habitat</i> , permanent and <i>intermittent streams</i> and undetermined <i>fish habitat</i>	ii. 15m		ii. 120 m
<i>Significant Woodlands</i>	10 m from the drip line	To be established through an <i>EIS</i> or <i>EA</i>	50 m
<i>Significant Valleylands</i>	No <i>minimum buffer</i>	To be established through an <i>EIS</i> or <i>EA</i>	50 m
<i>Significant Landform</i>	No <i>buffer</i> required	No <i>buffer</i> required	50 m
Significant Wildlife Habitat i. Deer Wintering Areas and Waterfowl Overwintering Areas ii. Significant Wildlife Habitat iii. <i>Ecological Linkages</i>	i. No <i>minimum buffer</i> ii. No <i>minimum buffer</i> iii. No <i>buffer</i> required.	i. To be established through an <i>EIS</i> or <i>EA</i> . ii. To be established through an <i>EIS</i> or <i>EA</i> iii. No <i>buffer</i> required.	i. 50 m ii. 50 m iii. 50 m
<i>Other Wetlands</i>	No <i>minimum buffer</i>	To be established through an <i>EIS</i> or <i>EA</i> and is required where all or part of the <i>feature</i> is to be protected.	30 m
<i>Cultural Woodlands</i>	No <i>minimum buffer</i>	To be established through an <i>EIS</i> or <i>EA</i> and is required where all or part of the <i>feature</i> is to be protected.	50 m
Potential Habitat for Significant Species (excluding provincially <i>Endangered</i> and <i>Threatened Species</i> )	No <i>minimum buffer</i>	To be established through an <i>EIS</i> or <i>EA</i> and is required where all or part of the <i>feature</i> is to be protected.	50 m

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## Study Requirements Within and Adjacent to Natural Heritage Features and Areas

12. The scope of the required *EIS* will depend on the scale and nature of the proposed *development* and/or *site alteration* and the specific *natural heritage features and areas* potentially impacted.
13. Within the *Built-Up Area* identified on Schedule 1, the study requirements on the *adjacent lands* may be reduced by the City under limited circumstances where existing *development* or *infrastructure* exists between the proposed *development* and the *natural heritage feature and area*.

### Special Policy Area (S.P.A.) Flood Plain

The "Provincial Policy Statement" generally prohibits development or redevelopment within the regulatory flood plain due to inherent dangers, such as loss of life, property damage and social disruption, should flooding occur. The "Policy Statement" does however, recognize there are special circumstances in historic communities where the general prohibition of new development/redevelopment is so onerous that it would degrade the community's vitality. Therefore, the "Provincial Policy" also makes provision for the designation of lands within the flood plain as a 'Special Policy Area.'

The 'Special Policy Area Flood Plain' area as generally designated on Schedule 1 and in more defined fashion denoted on Schedule 8 of this Plan illustrates a currently built-up portion of Guelph which is within the regulatory flood plain of the Speed and Eramosa Rivers. Development, redevelopment and rehabilitation of buildings and structures in this area is considered vital to the continued economic and social viability of the City. In addition, major relocation or complete acquisition by public authorities is not feasible. Strict enforcement of the "Provincial Policy Statement's" One Zone and Two Zone Flood Plain concepts in these areas would lead to the physical deterioration of the infrastructure and unnecessary hardship to the City.

7.14.4 Within the 'Special Policy Area (S.P.A.) Flood Plain', as generally designated on Schedule 1 and in more detailed fashion on Schedule 8 of this Plan, the City, the Grand River Conservation Authority and the Province of Ontario have agreed to accept a higher flood risk than would normally be acceptable. This higher flood risk permits the development of a limited amount of new buildings and structures on these lands in accordance with the following:

1. The permitted uses within the 'S.P.A. Flood Plain' are established by the land use designations shown on Schedule 8. In addition, policy 7.14.1 is applicable within the 'S.P.A. Flood Plain'.
2. Development/redevelopment is not permitted within the floodway.
3. Hotels and motels may be permitted in the applicable Schedule 8 land use designations of this Plan if the use can be floodproofed to the regulatory flood level and safe access can be provided.



4. Within the 'S.P.A. Flood Plain' land use designation, service stations, gas bars and other uses involving the manufacture, disposal, consumption or storage of chemical, flammable, explosive, toxic, corrosive or other dangerous materials shall not be permitted.

5. Within the 'S.P.A. Flood Plain' land use designation, parking facilities shall be designed to the satisfaction of the City and the Grand River Conservation Authority so as to minimize flood damage and potential flood flow interference.

6. The City's implementing Zoning By-law will outline specific use and building regulations for lands within the 'S.P.A. Flood Plain' land use designation.

7.14.5 Floodproofing shall be required for all forms of building activity within the 'S.P.A. Flood Plain' land use designation to the satisfaction of the City and the Grand River Conservation Authority. The following sub-policies will give guidance to the floodproofing requirements:

1. Any new building or structure shall be designed such that its structural integrity is maintained during a regulatory flood. In spite of the lower minimum levels specified by the policies of this subsection, every attempt should be made to floodproof buildings and structures to the regulatory flood level.

2. The various forms of floodproofing, as outlined in the "Implementation Guidelines of the Provincial Policy Statement on Flood Plain Planning" (October, 1988) may be used to achieve the necessary floodproofing requirements of this Plan.

3. The replacement of a building or structure on the footprint of a previous structure which has been destroyed or demolished by fire or natural causes will be permitted, provided the building or structure is not located within the floodway.

## **Downtown Secondary Plan Policies**

11.1.6 >

### **ENERGY, WATER AND THE NATURAL ENVIRONMENT**

Development in Downtown Guelph will help to achieve the city's goals for environmental sustainability by being compact and by encouraging walking and transit use. Further, residential and commercial buildings are major contributors to greenhouse gas emissions, so it is important that individual *developments* and servicing *infrastructure* promote energy efficiency as well as water conservation. There are also features of the natural environment that future *development* needs to respect and protect. Development must also be designed to reduce the impact of natural hazards. One of those features is the Speed River where *development* will be directed outside the *floodway* areas while permitting *development* within the Special Policy Area. In other portions of the Downtown, development near the Speed River is subject to the Two Zone flood plain policies. This section contains policies regarding these key facets of the environment.

### **Objectives**

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In addition to supporting the Principles, Objectives and Targets in Section 11.1.2, the intent of the policies below is to:

- a) Efficiently use existing *municipal services*, municipal facilities and utilities to support growth downtown.
- b) Maximize opportunities for renewable and alternative energy generation and delivery systems such as *district energy*.
- c) Promote site planning, architecture, landscape architecture and stormwater management that demonstrates best practices in environmental design.
- d) Increase the amount of *urban forest tree canopy cover* Downtown.
- e) Ensure the risks to human health and safety from flooding downtown are minimized.
- f) Promote *development* that mitigates and adapts to climate change.
- g) Protect habitat of threatened and endangered species.
- h) Promote the clean-up of brownfields Downtown.

## 11.1.7.2 General Built Form and Site Development Policies

### 11.1.7.2.1

Schedule D identifies building height ranges to be permitted within the Downtown Secondary Plan Area. In general, the predominant mid-rise built form of Downtown shall be maintained with taller buildings restricted to strategic locations, including gateways that act as anchors for key streets. Taller buildings in these locations will have minimal direct impacts to existing neighbourhoods and the historic core of Downtown, and they will be outside protected *public view* corridors. In the height ranges contained on Schedule D, the lower number represents the minimum height in storeys for buildings and the higher number represents the maximum permitted height in storeys. The maximum heights recognize the Church of Our Lady's status as a landmark and signature building; it is the general intent that no building Downtown should be taller than the elevation of the Church. Exemptions from minimum height requirements may be permitted for utility and other buildings accessory to the main use on a site.

### 11.1.7.2.2

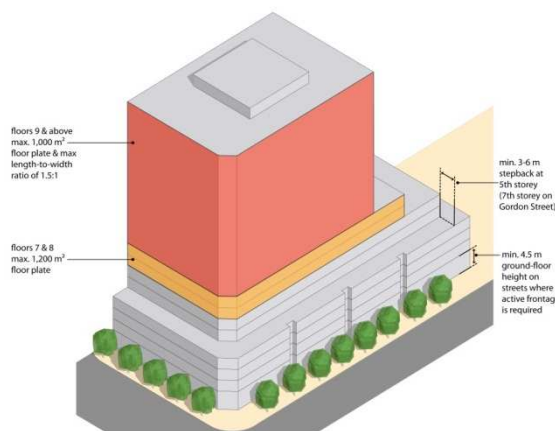
Notwithstanding Schedule D, the *Zoning By-law* may establish maximum building heights lower than those shown in order to maintain the protected long views to the Church of Our Lady, as generally identified in Schedule D. The *Zoning By-law* shall more precisely define the protected views and shall be amended, where appropriate, to reflect the location and scope of the views identified in Schedule D.

### 11.1.7.2.3

The following additional built form policies shall apply to all areas of Downtown:

- a) Generally, buildings shall be oriented towards and have their main entrance on a street or open space.
- b) Long buildings, generally those over 40 metres in length, shall break up the visual impact of their mass with evenly spaced vertical recesses or other architectural articulation and/or changes in material.

- c) Mechanical penthouses and elevator cores shall be screened and integrated into the design of buildings.
- d) Generally balconies shall be recessed and/or integrated into the design of the building facade. Exposed concrete balconies generally shall not be permitted.
- e) Residential pick-up and drop-off areas and lay-bys should be located on Secondary or Local Streets and/or Laneways, and not on Primary Streets.
- f) Front patios for ground-floor residential units, where appropriate, should be raised to provide for privacy and a transition between the public and private realms.
- g) All buildings downtown should be finished with high quality, enduring materials, such as stone, brick and glass. Glass should be transparent or tinted with a neutral colour. Materials that do not age well, including stucco, vinyl, exterior insulation finishing system (EIFS) and highly reflective glass, shall be strongly discouraged and may be limited through the implementation documents and by-laws.
- h) The massing and articulation of buildings taller than six storeys shall moderate their perceived mass and shadow impacts, provide appropriate transitions to areas with lower permitted heights, and contribute to a varied skyline in which the Church of Our Lady is most prominent. Generally, the maximum floorplate of any floor above the sixth storey, where permitted, shall be 1,200 square metres. Furthermore, the floorplates of floors above the eighth storey, where permitted, generally shall be a maximum of 1000 square metres and should not exceed a length to width ratio of 1.5:1.



#### 11.1.7.2.4

The following general policies respecting parking, loading and servicing shall apply to all areas of downtown:

- a) Vehicular entrances to parking and servicing areas generally be on Local Streets, Secondary Streets or Laneways and should be consolidated wherever possible to maximize and accentuate building frontages and front yards and minimize the number of curb cuts. Shared driveways between two properties shall be encouraged.
- b) Loading and service areas generally shall be located in the interior of a development block, at the rear of building, where possible. Enclosed loading and servicing areas shall be encouraged. Where loading and servicing is visible at the rear or side of a building, it shall be screened.

- c) Parking for apartment dwellings, including visitor parking, generally shall be located in underground or above-ground structures or surface parking lots at the rear of the building, unless other arrangements for off-site parking have been made to the City's satisfaction.
- d) Requirements for on-site parking for institutional, office and retail uses may be waived or reduced, subject to the Downtown Parking Strategy. Where parking for such uses is provided on site, it shall be located in underground or above-ground structures or surface parking lots at the rear of the building. However, new office or institutional buildings, with or without other uses on the ground floor, generally shall include at least one level of underground parking.
- e) Generally no parking shall be permitted between the front of a building and the street to help create pedestrian-oriented streetscapes.

#### 11.1.7.2.5

The following policies shall apply to above-grade parking structures:

- a) Parking structures should generally be accessed by motor vehicles from a Local Street, Secondary Street or Laneway and should be located in the middle of a block where possible, behind other uses fronting the street.
- b) Parking structures on a street shall generally contain active uses on the ground floor subject to technical considerations and the entire façade shall be designed to appear as fenestrated buildings, with a regular articulation of openings and materials that are consistent in type and quality with those of surrounding buildings.
- c) Vehicular entrances to above-grade or underground parking structures on public streets shall be integrated into the design of the building.
- d) Pedestrian entrances to parking structures shall be clearly identified and well lit.

#### 11.1.7.2.6

The use of the maximum Floor Space Index (FSI) to justify extra height, the use of the maximum height to justify extra density, or use of either of those regulations to deviate from the other built form policies of this plan will be deemed to meet neither the intent nor spirit of this plan.

### 11.1.7.3 Mixed Use 1 Areas

#### 11.1.7.3.1

Mixed Use 1 areas, as identified on Schedule C, are intended to accommodate a broad range of uses in a mix of highly compact *development* forms. *Development* within this designation shall contribute to the creation of a strong urban character and a high-quality, pedestrian-oriented environment. Active uses that enliven the street are encouraged to locate on the ground floor of buildings and, as per Policy 11.1.7.3.4, shall be required on key streets.

#### 11.1.7.3.2

The following uses may be permitted:

- a) retail and service uses, including restaurants and personal service uses;

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- b) multiple unit residential buildings, including apartments and townhouse dwellings;
- c) *live/work* uses;
- d) offices including medically related uses;
- e) entertainment and commercial recreation uses;
- f) community services and facilities;
- g) cultural, educational and institutional uses;
- h) public parking;
- i) hotels;
- j) parks, including urban squares; and,
- k) other employment uses that meet the intent of the principles, objectives and policies of the Downtown Secondary Plan and which are *compatible* with surrounding uses in regard to impacts such as noise, odour, loading, dust and vibration.

### 11.1.7.3.3

The minimum floor space index (FSI) in Mixed Use 1 areas shall generally be 1.5, except on properties fronting Elizabeth Street, where the minimum FSI shall generally be 1.0.

### 11.1.7.3.4

On key streets, active frontages will be achieved to reinforce the role of these streets or portions of streets as commercial, pedestrian-oriented, urban streetscapes. The following shall apply to *development* on properties where active frontage is required, as identified in Schedule C:

- a) Retail and service uses, including restaurants and personal service uses, or entertainment uses shall generally be required on the ground floors of all buildings at the street edge.
- b) Notwithstanding subsection 11.1.7.3.4 a), offices are also permitted on the ground floors of these properties; however, such uses shall be encouraged to locate in other locations Downtown to ensure Downtown's main streets maintain a strong retail character. The *Zoning By-law* may restrict the size of such new uses and/or their width along the street to ensure they do not detract significantly from the intended commercial function of the street.
- c) Buildings shall contribute to a continuous street wall that has a minimum height of 3 storeys, with infrequent and minimal gaps between buildings.
- d) The width of retail stores and the frequency of entrances shall contribute to a continuously active *public realm* and give the street wall a visual rhythm. The width of stores and restaurants may be limited through the *Zoning By-law* to ensure a rhythm of commercial entrances and avoid long distances between commercial entrances.
- e) Ground floor heights will generally be a minimum of approximately 4.5 metres floor to floor, and windows shall correspond appropriately to the height of ground floors. Generally, a large proportion of the street-facing ground floor wall of a new mixed-use building shall be glazed.

### 11.1.7.3.5

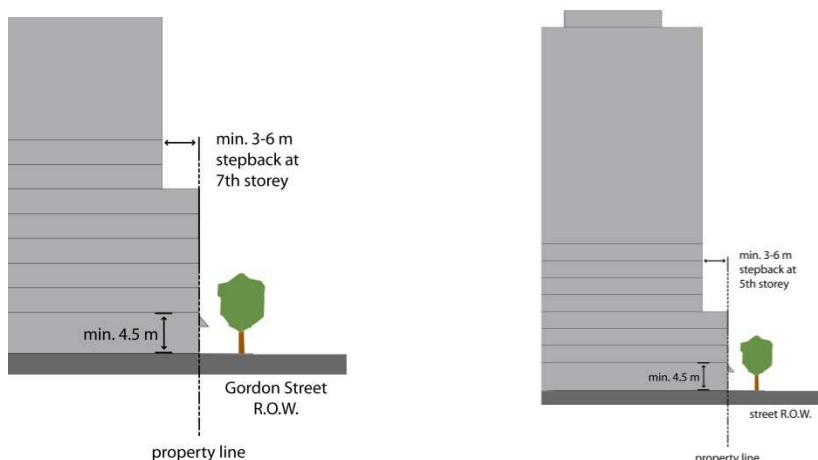
Generally buildings in Mixed Use 1 areas shall be built close to the front property line to help frame and



animate adjacent streets. The *Zoning By-law* shall establish maximum setbacks on streets where active frontages are required. On all other streets minimum and maximum setbacks shall be established. The *Zoning By-law* may include limited exceptions to the build-to lines and maximum setbacks while ensuring that a consistent streetwall is extended, maintained or established.

#### 11.1.7.3.6

To respect the historic character of Downtown and ensure a human-scale pedestrian realm, buildings taller than 4 storeys in Mixed Use 1 areas shall generally have a substantial stepback above the fourth storey generally in the range of 3-6 metres minimum from the front of the building fronting a public street or park, except on Gordon Street and Wellington Street, where a stepback of generally 3-6 metres minimum is required above the sixth storey.



#### 11.1.7.3.7

All buildings shall reflect their urban context and should have detailed and well articulated street level façades with high quality materials. Blank walls facing a street or public open space shall be avoided.

#### 11.1.7.3.8

Generally, entrances to non-residential uses shall be flush with the sidewalk, for ease of access and to maintain a strong relationship to the street.

#### 11.1.7.3.9

As identified on Schedule C, there are areas containing multiple properties west of the Speed River that represent significant opportunities for coordinated and integrated *redevelopment*: the Baker Street Property and the Wellington Street /Neeve Street Area. Each of these sites shall be developed based on comprehensive master plans for the site. Therefore, in addition to any other submissions required as part of a complete planning application for either of these two sites or any portion thereof, a detailed Urban Design Master Plan shall be prepared for the site by the applicant to the satisfaction of the City and in consultation with the community. The Urban Design Master Plan will be prepared in accordance with the policies of 11.1.8.5.

### 11.1.7.8 Residential 2 Areas

## 11.1.7.8.1

Residential 2 areas are those areas within Downtown where, based on the location, size and configuration of properties, high density forms of housing are appropriate. The following uses may be permitted:

- a) multiple unit residential buildings, including apartments and townhouse dwellings;
- b) *convenience commercial* uses with a gross floor area not greater than 500 square metres;
- c) artisan studios;
- d) small-scale offices with a gross floor area not greater than 500 square metres including medically related uses;
- e) *live/work* uses;
- f) community services and facilities; and
- g) parks, including urban squares.

## 11.1.7.8.2

The minimum floor space index (FSI) in Residential 2 areas shall generally be 1.0.

## 11.1.7.8.3

In addition to the general policies of Section 11.1 7.2 of the Downtown Secondary Plan, the following built form policies shall apply to *development* in Residential 2 areas:

- a) Buildings shall be massed to minimize as much as is practical the extent and duration of shadows on parks, adjacent residential uses, other public open space, private amenity space and retail streets in the spring, summer and fall.
- b) Where buildings greater than 6 storeys are permitted, the portion of a building above the sixth storey shall be substantially stepped back, generally greater than 3 metres from the edge of the building fronting a public street or park.
- c) All buildings should have detailed and well articulated street level façades with high quality materials. Blank walls facing a street or public open space shall be avoided.
- d) Apartment buildings shall generally be limited in length, generally to not more than 60 metres long, and blocks of townhouses shall generally not be more than 40 metres long.
- e) Where apartment buildings are greater than 4 storeys in Residential 2 Areas they shall generally incorporate 1-2 storey grade-related units (e.g. townhouses).

## 11.1.7.9 Open Space and Parks

### 11.1.7.9.1

Open Space and Parks shall be developed in accordance with the policies of Section 11.1.5.2 of the Downtown Secondary Plan. The following uses may be permitted:

- a) public and private recreational uses and facilities;
- b) parks;
- c) conservation lands;
- d) complementary uses, including cultural facilities.

## 11.1.7.9.2

Lands intended for open space and parks along the Speed River shall be subject to the policies of Section 11.1.6.4 and 11.1.7.10 of the Downtown Secondary Plan and the Natural Heritage System policies of the *Official Plan*.

## 11.1.7.11 Special Policies Applicable to St. Patrick's Ward Portion of the Planning Area

### 11.1.7.11.1

The area east of the Speed River includes a portion of the St. Patrick's Ward community ("The Ward") containing a mix of land uses including existing and former industrial lands. The Ward's unique, diverse and eclectic qualities result from its origin as a neighbourhood where places of employment and working-class houses existed side-by-side. The Ward is characterized by a mix of small lots, modest homes and historic industrial buildings, interspersed with neighbourhood-scale commercial and institutional buildings. Although the viability of neighborhood-scale shopping has declined recently, its legacy remains in both the architecture and memories of residents. In addition, its fine-grained pattern of narrow streets, angled streets, trails and laneways contribute to its walkability. Existing and former industrial sites are planned for *redevelopment* to both support growth objectives for Downtown and enhance The Ward as a neighbourhood. As land uses evolve, the character of The Ward's existing residential areas should be maintained.

### 11.1.7.11.2

As *redevelopment* adds more *compatible* uses and housing diversity to the neighbourhood, it should bring new public spaces, new connections for pedestrians, cyclists and vehicles, and other amenities. In considering *development* proposals in The Ward, the City shall have regard for the following overarching objectives for the community:

- a) relocate remaining heavy industrial uses;
- b) identify, conserve and re-use cultural heritage resources;
- c) clean-up contaminated sites;
- d) provide transitions to the general character of the low-rise areas of the community;
- e) ensure the use and form of *development* is *compatible* with its existing and planned surroundings;
- f) increase the quantity and quality of parkland and other public open spaces;
- g) improve connections through the neighbourhood, to the Downtown core, to the riverfront and along the riverfront for pedestrians and cyclists;
- h) minimize and mitigate traffic impacts from new *developments*; and
- i) ensure the community contains a mix of housing types, sizes and forms to accommodate households of all sizes and incomes.

### 11.1.7.11.3

As identified in Schedule C, there are two large sites within The Ward neighborhood that represent significant opportunities for *redevelopment*: the 5 Arthur Street property and the properties at 64 Duke Street and 92 Ferguson Street. Each of these sites shall be developed based on comprehensive Urban Design Master Plans. Therefore, in addition to any other submissions required as part of a complete

planning application, prior to the rezoning and/or site plan approval of either of these two sites or any portion thereof, an Urban Design Master Plan shall be prepared for the site by the applicant to the satisfaction of the City and in consultation with The Ward community as set out in Section 11.1.8.5.

#### 11.1.7.11.4

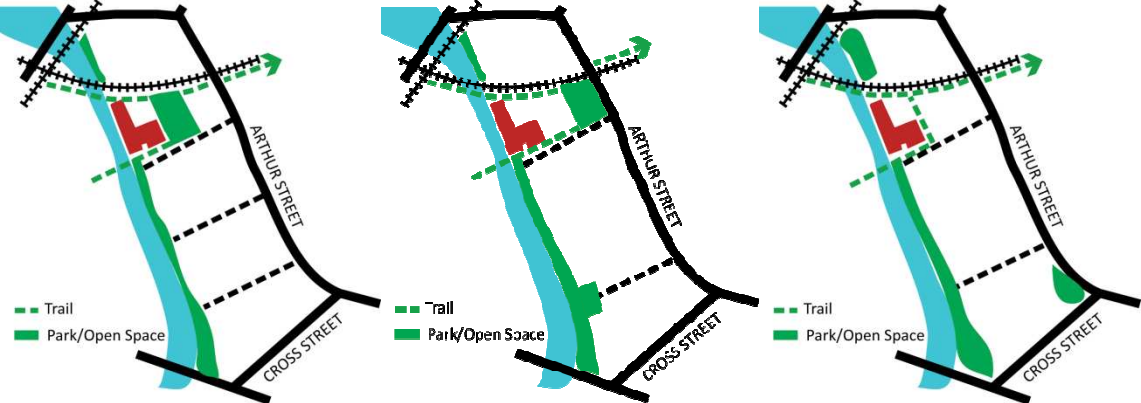
In addition to the provision of Section 11.1.8.5, the Urban Design Master Plan for the 5 Arthur Street property and subsequent *development* applications shall respond to the following principles:

- a) River's Edge Open Space – Create a substantial, functional and continuous public open space generally along the side of the river well connected to surrounding streets. The open space along the river may be composed of elements such as urban squares while providing for a continuous multi-use trail. It should encourage use by the public for a variety of appropriate uses. To this end, it should be configured to accommodate a range of park amenities and provide a sense of safety and comfort.
- b) Network of Connections – Establish a fine-grained network of publicly accessible open spaces and routes through the site, provide connections to the river, and allow for efficient pedestrian, bicycle and vehicular circulation. The plan should also create connections to the surrounding trails and open space system including anticipating a future pedestrian bridge adjacent to the Guelph Junction Railway bridge and another bridge across the river, generally aligned with a crossing of Wellington Street and connected to Arthur Street.
- c) Heritage Conservation and Interpretation – Reflect and respect the historic context of the neighbourhood. Conserve the historic stone building and other heritage resources on the site. Respect and complement the neighbourhood's heritage in the new built form. Interpret and respond to the previous industrial uses, for example, through public art or other interpretive elements.
- d) Public Views – Provide views through the site toward the river corridor and maintain key *public views*, including the view south along Arthur Street toward the Mill Lofts building. Take advantage of other desirable views, for example, views of the CN train bridge.
- e) Sensitive Built Form – New buildings should be massed and spaced to avoid a wall effect along the river and maintain sky views from public streets and open spaces as well as neighbouring properties. Buildings should vary in character, provide appropriate building breaks and articulation, step down to be compatible with existing nearby buildings and provide transition to the existing neighbourhood. Buildings should minimize shadow impacts on neighbouring properties.
- f) Pedestrian-Friendly Edges – Residential buildings should support the animation of surrounding streets and publicly-accessible open space by, for example, providing grade-related relationships where feasible such as many front doors and porches along public streets. Above-grade parking should be screened or concealed within the residential development. Surface parking should be limited and strategically located to minimize its visual impact. Waste, recycling and loading areas should also be internal to the site.

- g) Environmental Sustainability – *Development* should incorporate green energy strategies and other sustainable design features. The river corridor’s ecological health should be enhanced while also balancing the need for recreational uses and heritage conservation along the river’s edge.
  
- h) Housing Mix – *Development* should include a mix of unit types varying in size and affordability.

11.1.7.11.5

In addition to the provision of Section 11.1.8.5, the Urban Design Master Plan for the 5 Arthur Street property shall consider the arrangements of parks, open spaces, trails and publicly accessible routes. Three potential configurations are conceptually illustrated below however the actual configuration of the site’s *public realm* elements, such as trails, urban squares and other open spaces may differ from these options and may be refined further as the site proceeds through the *development* approvals process. However, in addition to the trail proposed adjacent to the railway tracks, a minimum of two publicly accessible east-west connections will be provided between Arthur Street and the river at a dimension that ensures appropriate pedestrian comfort along the connections.



11.1.7.11.6

The general built form and land use policies of the Downtown Secondary Plan shall apply the 5 Arthur Street and 64 Duke Street and 92 Ferguson Street properties. In addition, the distance between the facing walls of portions of buildings greater than 6 storeys, shall be a minimum of approximately 25 metres.

11.1.7.11.7

The *Zoning By-law* based on the Urban Design Master Plan shall establish a maximum gross floor space index (FSI) for the 5 Arthur Street property of up to 2.0 FSI . The calculation of gross FSI shall include lands to be dedicated for public uses but shall not include structured parking or the historic stone building to be retained including minor additions. The City may consider allowing individual parcels of *development* within the site to vary from the FSI minimum and maximum, provided the applicant



demonstrates to the City's satisfaction that the maximum and minimum gross FSI on the entirety of the 5 Arthur Street property will be achieved. In addition, density bonusing may be considered in accordance with section 11.1.8.4 of the Downtown Secondary Plan.

#### 11.1.7.11.8

Notwithstanding policy 11.1.7.3.2 of the Downtown Secondary Plan, the following uses shall not be permitted in the Mixed Use 1 areas identified on the 5 Arthur Street property:

- entertainment and large-scale commercial recreation uses; and
- hotels.

#### 11.1.7.11.9

Commercial uses on the 5 Arthur Street property south of the existing historic stone building shall generally be small in scale and oriented to the surrounding community.

#### 11.1.7.11.10

Schedule D shows two height categories for the 5 Arthur Street property: 2-4 storeys along Arthur Street and 4-12 storeys along the river. Unlike other sites in the Downtown, the 12-storey limit along the river is a general limit. The City acknowledges the need for some flexibility regarding maximum building heights on the site to allow for further detailed analysis and refinement through the Urban Design Master Plan. The intent of the Urban Design Master Plan, in addition to satisfying other policies of the Secondary Plan, will be to identify appropriate building heights that ensure built form *compatibility* with the surrounding neighbourhood, minimize and mitigate adverse shadow and view impacts, and contribute to an inviting and comfortable public realm within and adjacent to the site. Flexibility regarding height limits is intended to allow the maximum permitted density on the site to be achieved in a built form that responds appropriately to the conditions of the site and its surroundings while ensuring consistency with the other policies of this Plan and specifically the principles of Policy 11.1.7.11.4. Where it has been demonstrated through the Urban Design Master Plan to the City's satisfaction that the principles in Policy 11.1.7.11.4 have been met, limited additional height above 12 storeys may be permitted on appropriate portions of the site provided there is a variety of building heights along the river, on the site. Such exceptions for height will be implemented in the *Zoning By-law* and shall not require an amendment to the Secondary Plan nor shall they be subject to the bonusing.

### 11.1.8.4 Height and Density Bonusing

#### 11.1.8.4.1

For the areas with maximum height limits of 8 storeys, 10 storeys or 12 storeys as identified on Schedule D, the City may in a by-law permit a maximum of two (2) additional storeys of height above the identified maximum and/or additional density (i.e. FSI) where such *development* provides public benefits beyond what would otherwise be required by the Downtown Secondary Plan in accordance with the *Planning Act*, and provided the proposed increase:

- a) is consistent with the principles, objectives and policies of the Downtown Secondary Plan;
- b) is *compatible* with the surrounding area;
- c) provides community benefits consistent with the Downtown Secondary Plan above and beyond those that would otherwise be provided under the provisions of the *Planning Act*, *Development Charges Act*, or other statute; and
- d) provides community benefits consistent with the Downtown Secondary Plan that bear a reasonable planning relationship to the increase in height and/or density including, at a

minimum, having a geographic relationship to the development and addressing the planning issues associated with the development.

#### 11.1.8.4.2

Subject to 11.1.8.4.1, priority community benefits considered appropriate for the application of increased height and density in Downtown may include, but are not limited to:

- a) Contributions to riverfront parkland acquisition and development;
- b) The provision of public art;
- c) The provision of public parking;
- d) The provision of housing that is affordable to *low and moderate income households, special needs housing or social housing*;
- e) The adaptive re-use of cultural heritage resources within the Heritage Register;
- f) The provision of buildings that incorporate sustainable design features; and
- g) The provision of energy and/or water conservation measures that support the objectives of the Community Energy Plan.

#### 11.1.8.4.3

Increases to height and/or density shall only be considered where the proposed development can be accommodated by existing or improved infrastructure. Planning studies may be required to address infrastructure capacity for the proposed development and any impacts on the surrounding area.

#### 11.1.8.4.4

A by-law passed under Section 34 of the *Planning Act* is required to permit increases in height and/or density. The by-law shall set out the approved height and/or density and shall describe the community benefits which are being exchanged for the increases in height and/or density. The landowner may be required to enter into an agreement with the City that addresses the provision of community benefits. The agreement may be registered against the land to which it applies.

### 11.1.8.5 Urban Design Master Plans

#### 11.1.8.5.1

Where required in accordance with the policies of the Downtown Secondary Plan, the Urban Design Master Plan shall through text and diagrams provide a basis for reviewing and approving zoning by-law amendments and site plan applications and shall address the relevant policies of the Downtown Secondary Plan and the following additional items:

- a) location of public and/or private streets and laneways;
- b) location, size and configuration of parkland/open space on the site;
- c) location, uses and massing of buildings and their relationship to adjacent streets and open spaces;
- d) built form transitions to the surrounding community;
- e) shadow impacts;
- f) physical and visual connections to the immediate surroundings and broader downtown area;
- g) conceptual streetscape designs for internal streets and adjacent public streets to be improved;
- h) heritage attributes to be rehabilitated, conserved and retained in the proposed development;
- i) locations for heritage interpretation and/or public art;
- j) general location and lay-out of parking;

# STAFF REPORT

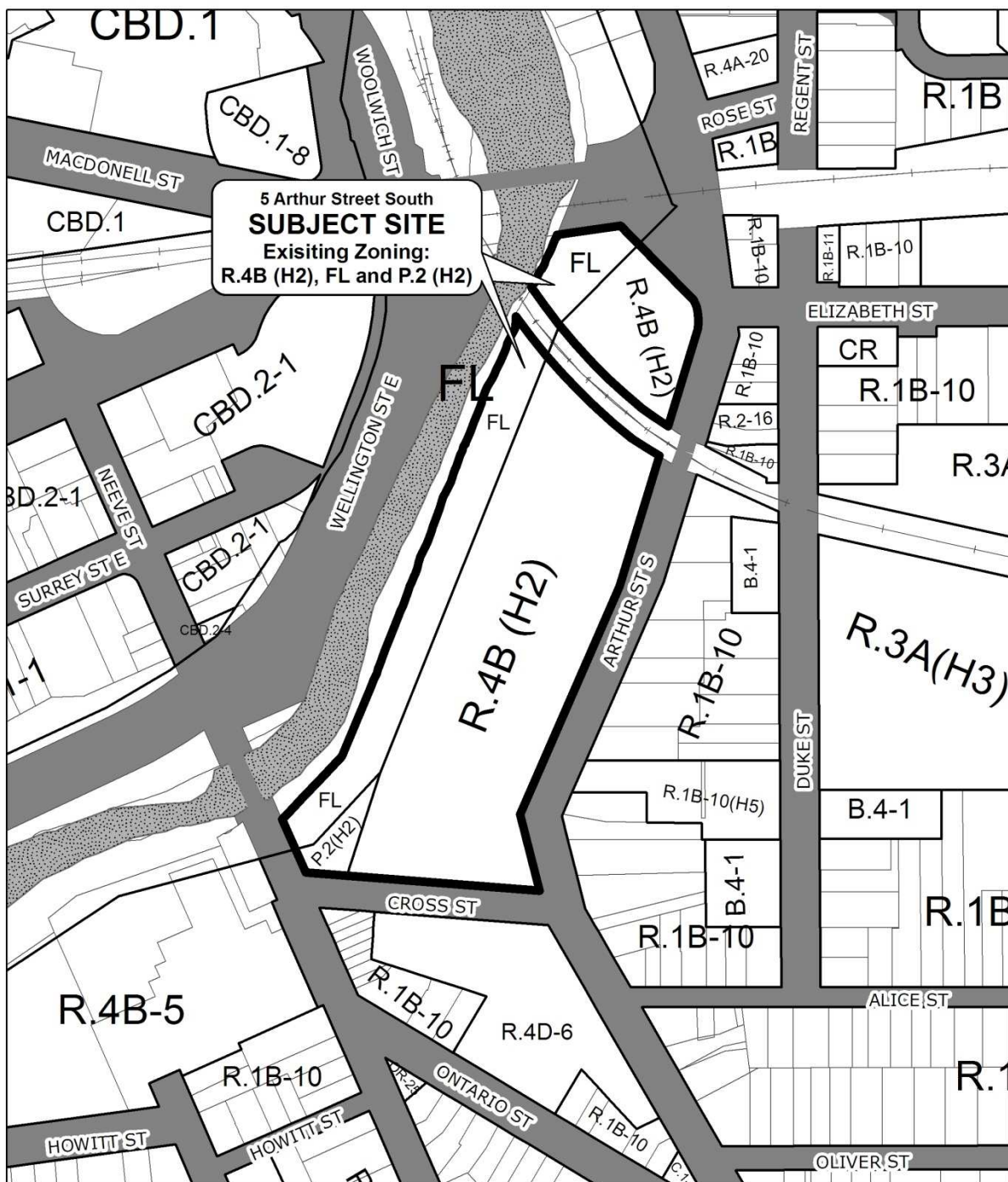
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- k) provision of affordable housing; and
- l) environmental features and elements that support the Community Energy Plan and the sustainability policies of the *Official Plan*.

## 11.1.8.5.2

Zoning by-law amendment and site plan applications, or any phases thereof, for properties subject to an Urban Design Master Plan shall demonstrate to the City's satisfaction that the proposed *development* is generally consistent with the applicable Urban Design Master Plan and will contribute to meeting the principles, objectives and applicable policies of the Downtown Secondary Plan. Urban Design Master Plans may be amended through future phases of development, provided the relevant policies of the Downtown Secondary Plan continue to be satisfied.

## Attachment 4 Existing Zoning Details





### 5 ARTHUR STREET SOUTH EXISTING ZONING



Produced by the City of Guelph  
Planning & Building, Engineering and Environment, Development Services  
May 2013

## Attachment 4 (continued) Existing Zoning Details

### 5.4 RESIDENTIAL APARTMENT (R.4) ZONES

#### 5.4.1 PERMITTED USES

The following are permitted *Uses* within the Residential *Apartment* R.4 *Zones*:

### Attachment 4 (continued)

#### Proposed Zoning Details

#### 5.4.1.1 R.4A - General Apartment Zone

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
- *Maisonette*
  
- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.

#### 5.4.1.2 R.4B - High Density Apartment Zone

- *Apartment Building*
- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.

#### 5.4.1.3 R.4C - Central Business District Apartment Zone

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
  
- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.
- 

#### 5.4.1.4 R.4D - Infill Apartment Zone

The R.4D *Zone* shall only be utilized within the boundaries indicated on Defined Area Map Number 66 of Schedule "A" of this *By-law*. The R.4D *Zone* shall permit the following:

- *Apartment Building*
- *Nursing Home*
- *Home for the Aged*
- *Retirement Residential Facility*
- *Maisonette*
- 
- *Accessory Uses* in accordance with Section 4.23
- *Home Occupation* in accordance with Section 4.19.



## ATTACHMENT 4 (continued) Existing Zoning Regulations – R.4B

### 5.4.2 REGULATIONS

Within the **Apartment R.4 Zones**, no land shall be **Used** and no **Building** or **Structure** shall be erected or **Used** except in conformity with the applicable regulations contained in Section 4 - General Provisions, the regulations set out in Table 5.4.2, and the following:

#### 5.4.2.1 Minimum Side Yard - R.4A and R.4B Zones

Despite Row 8 of Table 5.4.2, where windows of a **Habitable Room** face on a **Side Yard**, such **Side Yard** shall have a minimum width of not less than 7.5 metres.

#### 5.4.2.2 Minimum Distance Between Buildings- R.4A and R.4B Zones

Where two or more **Buildings** are located on any one **Lot**, the following regulations shall apply:

5.4.2.2.1 The distance between the face of one **Building** and the face of another **Building** either of which contains windows of **Habitable Rooms**, shall be one-half the total height of the two **Buildings**, and in no case less than 15 metres.

5.4.2.2.2 The distance between the faces of any two **Buildings** with no windows to **Habitable Rooms** shall be a minimum of 15 metres.

#### 5.4.2.3 Minimum Distance Between Buildings - R.4C and R.4D Zones

Where two or more **Buildings** are located on any one **Lot**, the following regulations shall apply:

5.4.2.3.1 The distance between the faces of two **Buildings** which contain windows of **Habitable Rooms** shall be one-half the **Building Height** to a maximum of 30 metres and a minimum of 5 metres.

5.4.2.3.2 The distance between the faces of any two **Buildings** with no windows to **Habitable Rooms** shall be a minimum of 5 metres.

#### 5.4.2.4 Minimum Common Amenity Area

5.4.2.4.1 An amount not less than 30 m<sup>2</sup> per dwelling unit for each unit up to 20. For each additional dwelling unit, not less than 20 m<sup>2</sup> of **Common Amenity Area** shall be provided and aggregated into areas of not less than 50 m<sup>2</sup>.

5.4.2.4.2 **Amenity Areas** shall be designed and located so that the length does not exceed 4 times the width.

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## ATTACHMENT 4 (continued) Existing Zoning Regulations – R.4B

- 5.4.2.4.3 A **Common Amenity Area** shall be located in any **Yard** other than the required **Front Yard** or required **Exterior Side Yard**.
- 5.4.2.4.4 **Landscaped Open Space** areas, **Building** roof tops, patios, and above ground decks may be included as part of the **Common Amenity Area** if recreational facilities are provided and maintained (e.g. swimming pools, tennis courts, lounges, and landscaped areas).
- 5.4.2.5 Additional **Building** Regulations - R.4B Zone
- 5.4.2.5.1 Despite Row 10 of Table 5.4.2, properties **Zoned** R.4B or specialized R.4B as defined by this **By-law** within the "Older Built-Up Area Outside the CBD" as indicated on Defined Area Map Number 68 shall have a maximum **Building Height** of 6 **Storeys** and shall be in accordance with Sections 4.16 and 4.18.
- 5.4.2.5.2 Properties **Zoned** R.4B or specialized R.4B as defined by this **By-law** within the "Older Built-Up Area Outside the CBD" as indicated on Defined Area Map Number 68 shall use the R.4C **Zone** regulations as specified in Table 5.4.2 for the following: minimum **Front** and **Exterior Side Yard**, minimum **Side Yard**, minimum **Rear Yard**, minimum distance between **Buildings**, minimum **Common Amenity Area**, minimum **Landscaped Open Space**, and **Floor Space Index** (F.S.I.).

## ATTACHMENT 4 (continued) Existing Zoning Regulations – R.4B

TABLE 5.4.2 - REGULATIONS GOVERNING R.4 ZONES

Row 1	Residential Type	General <i>Apartment</i>	High Density <i>Apartment</i>	Central Business District <i>Apartment</i>	Infill <i>Apartment</i>
2	<b>Zones</b>	R.4A	R.4B	R.4C	R.4D
3	Minimum <i>Lot Area</i>	650 m <sup>2</sup>			
4	Minimum <i>Lot Frontage</i>	15 metres			
5	Maximum Density (units/ha)	100	150	200	100
6	Minimum <i>Front and Exterior Side Yard</i>	6 metres and as set out in Section 4.24.		3 metres and in accordance with Section 4.24.	
7	Maximum <i>Front and Exterior Side Yard</i>	-----		6 metres	
8	Minimum <i>Side Yard</i>	Equal to one-half the <i>Building Height</i> but not less than 3 metres and in accordance with Section 5.4.2.1.		Equal to one-half the <i>Building Height</i> but in no case less than 3 metres, except where adjacent to any other R.4, Commercial, Industrial or Institutional <i>Zone</i> . In these circumstances, a minimum of 3 metres is required.	
9	Minimum <i>Rear Yard</i>	Equal to 20% of the <i>Lot Depth</i> or one-half the <i>Building Height</i> , whichever is greater, but in no case less than 7.5 metres.		Equal to 20% of the <i>Lot Depth</i> or one-half the <i>Building Height</i> , whichever is greater, but in no case less than 7.5 metres, except where adjacent to Commercial, Industrial or Institutional <i>Zones</i> . In these circumstances, a minimum of 7.5 metres is required.	
10	Maximum <i>Building Height</i>	8 <i>Storeys</i> and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.	10 <i>Storeys</i> and in accordance with Sections 4.16, 4.18, 5.4.2.5 and Defined Area Map No. 68.	6 <i>Storeys</i> and in accordance with Sections 4.16, 4.18, 6.3.2.3 and Defined Area Map No. 68.	4 <i>Storeys</i> and in accordance with Sections 4.16, 4.18 and Defined Area Map No. 68.
11	Minimum Distance Between <i>Buildings</i>	See Section 5.4.2.2.		See Section 5.4.2.3.	
12	Minimum <i>Common Amenity Area</i>	See Section 5.4.2.4.		None required.	
13	Minimum <i>Landscaped Open Space</i>	20% of the <i>Lot Area</i> for <i>Building Heights</i> from 1 - 4 <i>Storeys</i> and 40% of the <i>Lot Area</i> for <i>Buildings</i> from 5 - 10 <i>Storeys</i> .		The <i>Front Yard</i> of any <i>Lot</i> , excepting the <i>Driveway</i> , shall be landscaped. In addition, no parking shall be permitted within this <i>Landscaped Open Space</i> .	
14	<i>Off-Street</i> Parking	In accordance with Section 4.13.			
15	<i>Buffer Strips</i>	Where an R.4 <i>Zone</i> abuts any other Residential <i>Zone</i> or any Institutional, Park, Wetland, or Urban Reserve <i>Zone</i> , a <i>Buffer Strip</i> shall be developed.			
16	Accessory <i>Buildings</i> or <i>Structures</i>	In accordance with Section 4.5.			
17	Garbage, Refuse Storage and Composters	In accordance with Section 4.9.			
18	<i>Floor Space Index</i> (F.S.I.)	1	1.5	2	2
19	Fences	In accordance with Section 4.20.			

## ATTACHMENT 4 (continued) Existing Zoning Regulations – P.2

Permitted Uses:

### 9.1.2 Neighbourhood Park (P.2) **Zone**

#### **Conservation Area**

Informal Play Area

**Municipal Parkland** or recreation area

Outdoor skating rink

#### **Outdoor Sportsfield Facilities**

Picnic areas (consisting of a maximum of 4 tables)

Play Equipment

Public washroom

#### **Recreation Trail**

Wading pool and/or water spray

**TABLE 9.2 - REGULATIONS GOVERNING THE P.2, P.3, P.4 AND P.5 ZONES**

Row 1	Park Zones	Neighbourhood (P.2) Park	Community (P.3) Park	Regional (P.4) Park	Commercial Recreation (P.5) Park
2	Minimum Lot Area	----			1,200 m <sup>2</sup>
3	Minimum Lot Frontage	50 metres. Despite this minimum, a <b>Lot Frontage</b> calculation formula of 1 metre of frontage for every 100 m <sup>2</sup> of park space is required.			30 metres
4	Minimum Side and Rear Yard	7.5 metres.			
5	Minimum Front Yard	6 metres from the <b>Street Line</b> and as set out in Section 4.24.			
6	Off-Street Parking	In accordance with Section 4.13 and the following:  Off-Street parking shall be a minimum of 7.5 metres from the <b>Street Line</b> .			In accordance with Section 4.13.
7	Off-Street Loading	In accordance with Section 4.14.			
8	Accessory Buildings or Structures	In accordance with Section 4.5.			
9	Fences	In accordance with Section 4.20. Despite the preceding, Sections 4.20.2 and 4.20.3 shall not apply to fence screens associated with <b>Outdoor Sportsfield Facilities</b> .			

**ATTACHMENT 4 (continued)**  
**Existing Zoning Regulations – FL Excerpts**

12.2 **FLOODWAY (FL) ZONE**

The **Floodway (FL) Zone** applies to **Floodway** lands within the **City**. No permanent **Structures** or **Buildings** are permitted in this **Zone**. The following permitted **Uses** are intended to provide for **Development** of low impact recreational facilities which have limited **Structures** and **Buildings** and require locations within or adjacent to the Speed and Eramosa Rivers.

12.2.1 **Permitted Uses**

The following are permitted **Uses** within the **Floodway (FL) Zone**:

**Conservation Area**

**Flood Control Facility**

ambulance service

**Outdoor Sportsfield Facilities** (approved by the Grand River Conservation Authority)

Picnic Area (no limit on number of tables)

**Recreation Trail**

**Wildlife Management Area**

12.2.2 **Regulations**

12.2.2.1 No **Buildings** or **Structures** or placement of fill is permitted within the **Floodway (FL) Zone** except when associated with **Flood** or erosion control measures approved by the Grand River Conservation Authority.

12.2.2.1.1 Notwithstanding Section 12.2.2.1, **Buildings** or **Structures** associated with a municipal sewage treatment facility shall be permitted within the **Floodway (FL) Zone** subject to the approval of the Grand River Conservation Authority.

12.2.2.2 Any expansion, reconstruction, or extension of any existing **Use** shall be subject to the “Fill, Construction and Alteration to Waterways” regulations of the Grand River Conservation Authority, and in consultation with the Ministry of Natural Resources.

12.2.2.3 **Buildings** and **Structures** within the **Floodway (FL) Zone** which existed legally prior to the passage of this **By-law** shall be deemed legal non-conforming.



## ATTACHMENT 4 (continued) Existing Zoning Regulations – FL Excerpts

### 12.4 REGULATIONS FOR LANDS WITHIN THE SPECIAL POLICY AREA (S.P.A.)<sup>2</sup>

Despite Section 4.2, no lands which have a shading pattern indicating Special Policy Area on the Defined Area Maps shall be **Used** and no **Building** or **Structure** shall be erected, located or **Used** thereon except in accordance with the regulations prescribed in this **By-law** for the **Zone** in which such lands are located and the regulations prescribed below:

#### 12.4.1 Restricted Uses

12.4.1.1 **Development** or **Redevelopment** is not permitted within the **Hydraulic Floodway**.

12.4.1.2 **Hotels** may be permitted if the **Use** can be **Floodproofed** to the **Regulatory Flood** level and **Safe Access** can be provided.

12.4.1.3 Within the S.P.A., **Vehicle Service Stations**, **Vehicle Gas Bars** and other **Uses** involving the **Manufacture**, disposal, consumption or storage of chemical, flammable, explosive, toxic, corrosive or other dangerous materials shall not be permitted.

12.4.1.4 Within the S.P.A., **Parking Facilities** shall be designed to the satisfaction of the **City** and the Grand River Conservation Authority.

#### 12.4.2 General Floodproofing Requirements

**Floodproofing** shall be required for all forms of **Building** activity within the S.P.A. to the satisfaction of the **City** and the Grand River Conservation Authority.

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<sup>2</sup> Anyone who proposes to undertake the development or redevelopment of lands which are shaded on the Defined Area Zoning Maps is reminded that the approval of the Grand River Conservation Authority pursuant to regulations made under the Conservation Authorities Act, R.S.O. 1990, Chapter C.27, or any successor thereof, may be required in addition to any requirements of this by law.

## ATTACHMENT 4(continued) Existing Zoning Regulations – FL Excerpts

- 12.4.2.1 Any new **Building** or **Structure** shall be designed such that its structural integrity is maintained during a **Regulatory Flood**.
- 12.4.2.2 All forms of **Floodproofing**, as outlined in the “Implementation Guidelines of the Provincial Policy Statement on Flood Plain Planning”, may be **Used** to achieve the necessary **Floodproofing** requirements of this **By-law**.
- 12.4.3 **Floodproofing Requirements for Residential Uses**
- The following regulations apply to the **Renovation** of, intensification of, **Conversion** to, and **Development** or **Redevelopment** of residential **Uses**..
- 12.4.3.1 **Renovation** of existing residential **Buildings** shall be permitted provided any new **Habitable Floor Space** is not lower than the elevation of the existing ground floor level.
- 12.4.3.2 Residential intensification, comprising the **Building** of a new **Single Detached, Semi-Detached** or **Duplex Dwelling** on an existing vacant **Lot**, or adding an additional unit to an existing **Single Detached, Semi-Detached**, or **Duplex Dwelling** or the creation of a new **Lot** for a **Single Detached, Semi-Detached**, or **Duplex Dwelling**, shall be permitted provided that the new **Building** or **Structure** is **Floodproofed** to an elevation no lower than 1 metre below the **Regulatory Flood** level; and
- 12.4.3.2.1 the **Habitable Floor Space** is constructed to an elevation equal to, or greater than the elevation of at least one of the adjacent **Buildings** but in no case lower than 1 metre below the **Regulatory Flood** level;
- 12.4.3.2.2 basements will only be permitted in instances where the elevation of the basement floor is greater than the elevation of 1 metre below the **Regulatory Flood** level. In instances where this basement floor level elevation cannot be achieved, a crawl space of a maximum height of 1.2 metres may be permitted to facilitate servicing;
- 12.4.3.2.3 mechanical, electrical and heating equipment will be located no lower than 1 metre below the **Regulatory Flood** level; and
- 12.4.3.2.4 access is available to an elevation no lower than 1 metre below the **Safe Access** level.
- 12.4.3.3 **Conversion** of a non-residential **Building** to a residential **Use** will be permitted provided the **Building** is **Floodproofed** to an elevation no lower than 1 metre below the **Regulatory Flood** level; and

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## ATTACHMENT 4 (continued) Existing Zoning Regulations – FL Excerpts

- 12.4.3.3.1 the **Habitable Floor Space** elevation of any new residential unit is located at an elevation no lower than 1 metre below the **Regulatory Flood** level;
- 12.4.3.3.2 mechanical, electrical and heating equipment will be located no lower than 1 metre below the **Regulatory Flood** level; and
- 12.4.3.3.3 access is available to the site at an elevation no lower than 1 metre below the **Safe Access** level.
- 12.4.3.4 **Development** and **Redevelopment** of new Residential Units shall be permitted provided that the new **Building** and related **Structures** are **Floodproofed** to the **Regulatory Flood** level; and
- 12.4.3.4.1 the **Habitable Floor Space** of any new residential unit is constructed to an elevation equal to or greater than the **Regulatory Flood** level;
- 12.4.3.4.2 windows, doors and other **Building** openings for any new residential unit will be located above the **Regulatory Flood** level;
- 12.4.3.4.3 mechanical, electrical and heating equipment for any new residential unit will be located above the **Regulatory Flood** level;
- 12.4.3.4.4 access is available to the site at an elevation no lower than 1 metre below the **Safe Access** level; and
- 12.4.3.4.5 unenclosed **Parking Facilities** shall be located at or above an elevation of the **100 Year Flood** level. Enclosed facilities shall be **Floodproofed** to the **Regulatory Flood** level.
- 12.4.4 **Floodproofing Requirements for Non-Residential Uses**
- In addition to the requirements of Section 12.4.2, the **Renovation** of, **Conversion** to, and **Development** and **Redevelopment** of non-residential **Uses** shall be permitted provided that:
- 12.4.4.1 the **Building** or **Structure** is **Floodproofed** to a minimum elevation no lower than 1 metre below the **Regulatory Flood** level;
- 12.4.4.2 The minimum elevation of any floor area is at or above the **100 Year** level.



## ATTACHMENT 4 (continued) Existing Zoning Regulations – (H2) Conditions

### 2.9.1(ii) (H2) 5 Arthur Street South (Defined Area Map #38)

#### Purpose:

To ensure that high density apartment and parkland development does not occur until the completion of certain conditions to the satisfaction of the *City*.

#### Interim Uses:

*Manufacturing, Tradesperson's Shop, Warehousing and Repair Service.*

Prior to the removal of the holding symbol "H", the owner shall complete the following conditions to the satisfaction of the *City*:

#### 1. Infrastructure Study

An infrastructure Study satisfactory to the *City* must be completed to assess the impacts of this proposal. The Study will assess the traffic impacts of this proposal with respect to road, sidewalk and signal requirements and will evaluate sewer and water system demands and capacities along with the structural condition of the existing services. It will also recommend works required to provide adequate infrastructure necessary for the development and make recommendations with respect to the phasing and financing of the required work.

#### 2. Decommissioning

The owner will be required to complete the decommissioning of the lands in accordance with the Ministry of the Environment and Energy's "Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended from time to time, or any successor thereto.

#### 3. Noise and Vibration Study

The owner will be required to conduct a Noise and Vibration Study as provided for in the Official Plan for the City of Guelph for the lands adjacent to the CN lines and a similar study as it relates to the Guelph Junction Railway lands provided the said lands have not been officially abandoned for railway purposes.

#### 4. Heritage Resources

The owner agrees to negotiate reasonably with Guelph LACAC, the City of Guelph, and the Grand River Conservation Authority to determine what portions of the exterior of the existing limestone buildings, as shown on "Illustration of Heritage Building, 5 Arthur Street South" Section 2.9.1 (ii), are of historical or architectural significance and should be retained, and

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## ATTACHMENT 4 (continued) Existing Zoning Regulations – (H2) Conditions

to further review and determine to what uses those said portions of the existing limestone building should be put as part of the redevelopment of the property and whether further zoning amendments to permit additional **Uses** may be desirable.

The owner further agrees that for a period of one year from the Ontario Municipal Board endorsement of the executed Minutes of Settlement or until a successful settlement as set out above has been negotiated, whichever occurs first, the owner will not demolish or materially alter the exterior portions of the **Building** and agrees to maintain the said exterior portions of the existing **Building** in a safe and secure condition.

### 5. Site Plan

The owner shall submit to the **City**, in accordance with Section 41 of The Planning Act, R.S.O. 1990 c.P.13, as amended from time to time or any successor thereof, a fully detailed site plan (complete with the **Building** elevations) to the satisfaction of the Director of Planning and Business Development, the Director of Works, the Director of Community Services, and the Grand River Conservation Authority and the owner shall enter into a satisfactory Site Plan Agreement with the **City**, which Agreement shall include, in addition to the usual Site Plan matters, the following conditions:

- a) The owner will be responsible for the cost of all road improvements and traffic control devices recommended by the Infrastructure Study, which are attributable to this development.
- b) The owner will be required to provide road widenings to accommodate the road improvements recommended by the Infrastructure Study, which are attributable to this development.
- c) The owner will be responsible for the cost of all improvements required to the municipal services identified by the Infrastructure Study, which are attributable to this development.
- d) The owner will be responsible for the cost of all service laterals required.
- e) The owner will be required to have a Professional Engineer design a grading plan and storm water management system for the site incorporating a control flow weir and a connection to the storm sewer, satisfactory to the Director of Works.
- f) The owner will be required to grade, develop and maintain the site including the storm water management facilities designed by a



## ATTACHMENT 4 (continued) Existing Zoning Regulations – (H2) Conditions

Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the Director of Works.

Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the **City** that he or she supervised the construction of the storm water management system and that the storm water management system was built as it was approved by the **City** and that it is functioning properly.

- g) The owner will be required to fence the property line between the sites and the Guelph Junction Railway lands with eighteen hundred (1800mm) millimetre black vinyl coated chain link **Fence** unless the lands have been officially abandoned by the Guelph Junction Railway for railway purposes, in which case the property shall be demarcated in accordance with the **City's** Property Demarcation Policy.
- h) The owner shall provide a road widening of approximately 1.5 metres in width across the frontage of Elizabeth Street as indicated as Part 22 on the proposed reference plan submitted by the owner.
- i) The owner will be required to pay the cost to reconstruct the deteriorated sections of the curb and gutter and sidewalk along the property's frontage along Cross Street, Arthur Street and Elizabeth Street to the satisfaction of the Director of Works.
- j) The owner will be required to provide six (6m) metre wide easements for each of the storm and sanitary sewers located on the property.
- k) The owner will be required to remove the existing industrial railway siding where it crosses Arthur Street.
- l) The owner shall obtain permission for any additional railway crossings proposed from the Guelph Junction Railway and any other agencies with authority.
- m) The owner shall meet all requirements of the Special Policy Area of the Official Plan.
- n) The owner will be required to incorporate noise and vibration attenuation measures in the development in accordance with the recommendations contained in the required Noise and Vibration Study.

## ATTACHMENT 4 (continued) Existing Zoning Regulations – (H2) Conditions

- o) The owner will be required to pay development charges to the **City** in accordance with Development Charges By-law (1994)-14553, as amended from time to time, or any successor thereof, prior to the issuance of a building permit, at the rate in effect at the time of the issuance of a building permit.
  - p) The **City** will, for a period of two (2) years after the passage of the by-law removing the holding symbol (H), reserve water supply and sewage treatment plant capacity for the lands, equivalent to the volume of the current industrial **Use** (as of January 6, 1997). If the owner has not applied for a building permit for residential development on the lands within two (2) years following the removal of the holding symbol (H), water supply and sewage treatment capacity will then be made available on the same basis as for other projects in the **City**.
  - q) The owner shall construct a sidewalk along the frontage of Arthur Street from Elizabeth Street to Cross Street, including sufficient boulevard. To do this the owner may be required to provide a widening across the frontage of this property. The widened street line shall be located 4.5 metres behind the back of the existing curb in order to provide a 2 metre wide boulevard and a 1.5 metre wide sidewalk located one metre from the street line.
  - r) The owner shall meet all requirements of Guelph Hydro, including the provision of easements and agreements with Guelph Hydro, in order to provide the subject property with hydro services to the satisfaction of Guelph Hydro.
6. Deed to the **City**  
The owner shall make arrangements satisfactory to the **City** providing for a quit claim deed to the **City**, for the portion of the said lands under the Speed River.
7. Parkland Dedication  
The owner shall make arrangements satisfactory to the **City** providing for a deed to the **City** for land for a public walk from the lands known municipally as 5 Arthur Street South, to be constructed by the Owner and maintained by the **City**.

The owner agrees that the location of the said public walk shall be satisfactory to the Director of Community Services and extend from the Speed River to a point at least fifteen (15m) metres from the top of the bank, and shall contain a minimum of 0.662 hectares, excluding the limestone **Building**, which shall be part of the parkland dedication to the **City** in accordance with By-law (1989)-13410, as amended from time to

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## ATTACHMENT 4 (continued) Existing Zoning Regulations – (H2) Conditions

time or any successor thereof for the properties known municipally as 5 Arthur Street South.

The owner further agrees to construct an eight (8) foot wide asphalt walk and to grade, topsoil, sod and demarcate the park block at the owner's expense, according to the Recreation & Park's Parkland Development Specifications and the **City's** Property Demarcation Policy to the satisfaction of the Director of Community Services, prior to the occupancy of any future development or redevelopment on the said lands.

8. Phasing

The owner shall enter into agreement(s) respecting phasing of the development of the said lands to the satisfaction of the **City**.

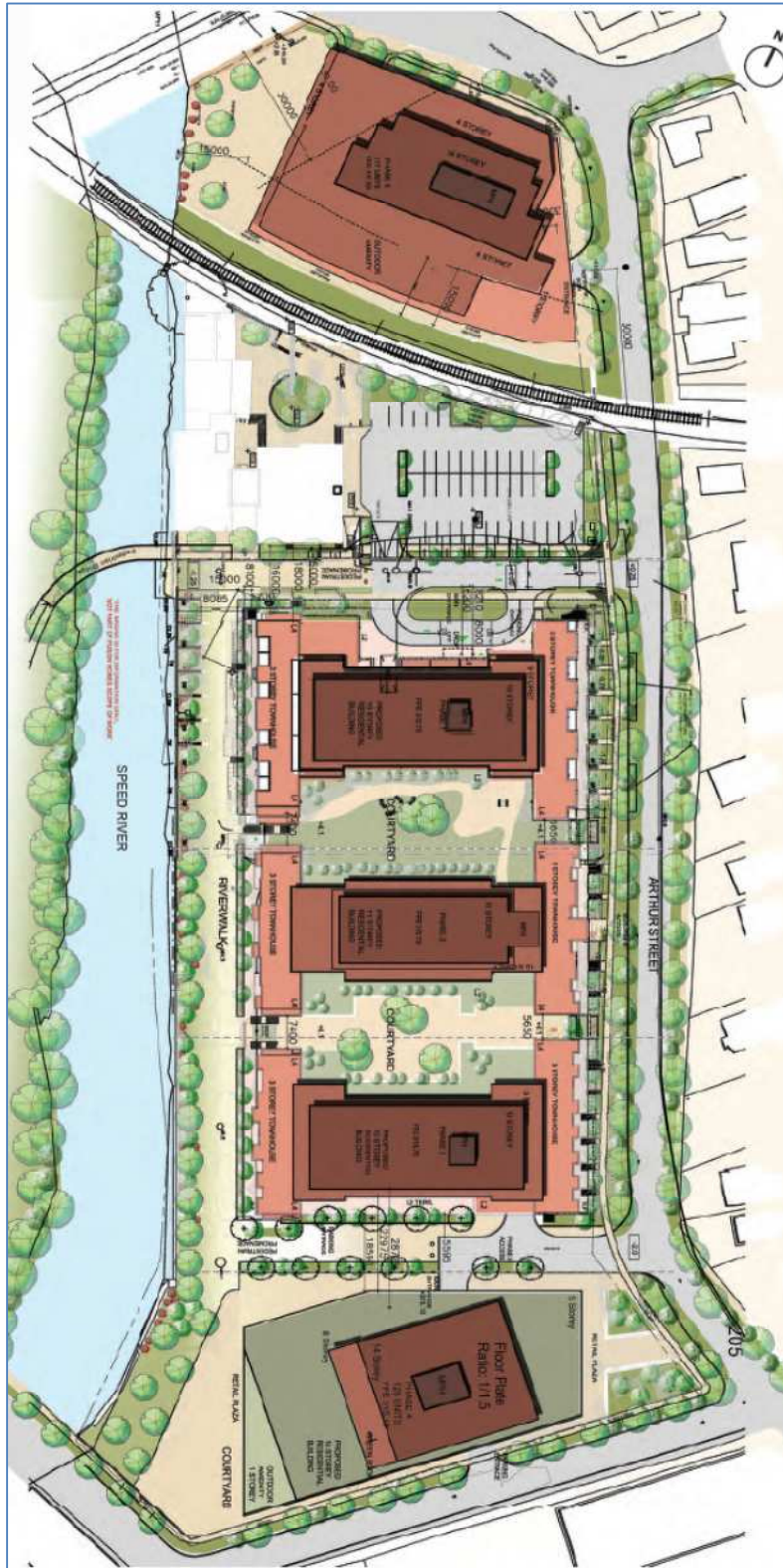
9. Agency Circulation and Information Meeting

An application to remove the holding symbol (H) shall be circulated for comment and review to such persons, public bodies, and agencies as the **City** considers appropriate.

Prior to the removal of the holding symbol (H) and after a Site Plan has been provided to the **City** in accordance with Clause 1, a public Information Meeting of Council shall be held with notice given to such persons, public bodies and agencies as the **City** considers appropriate.



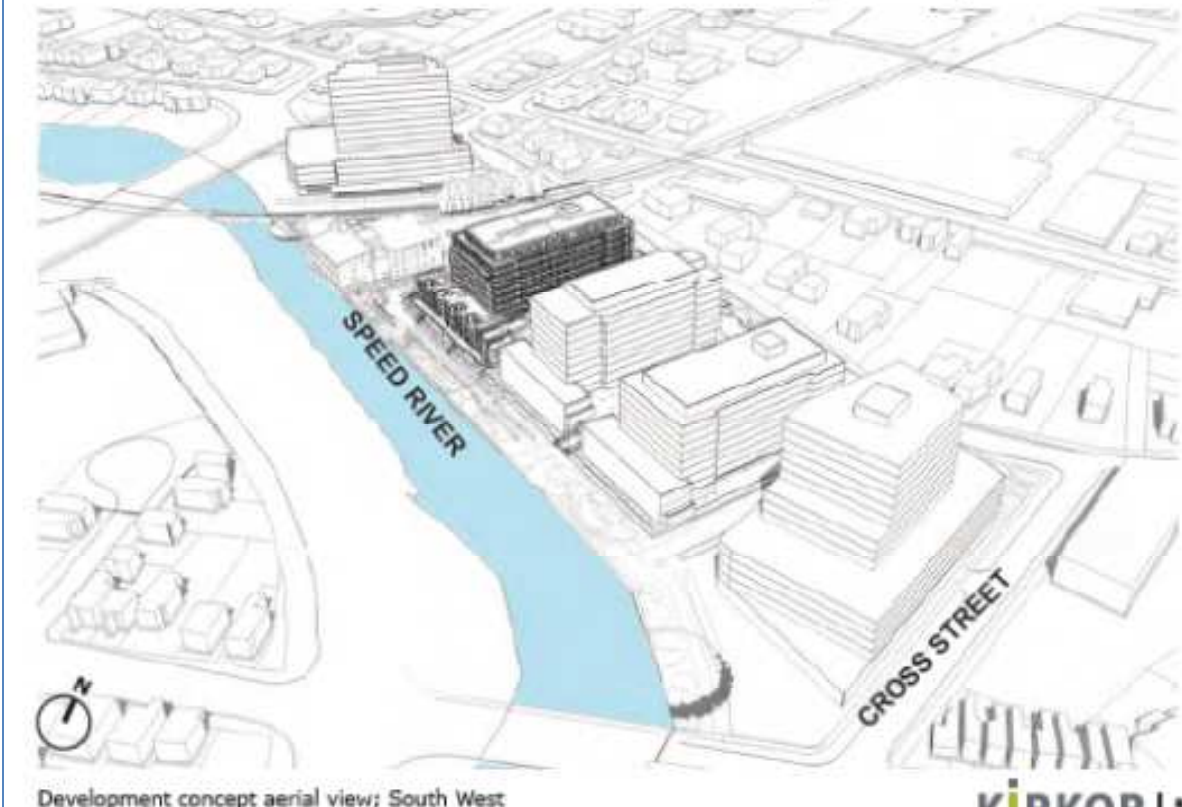
## Attachment 5 Proposed Development Concept Plan



## Attachment 5 (continued) Proposed Development Concept



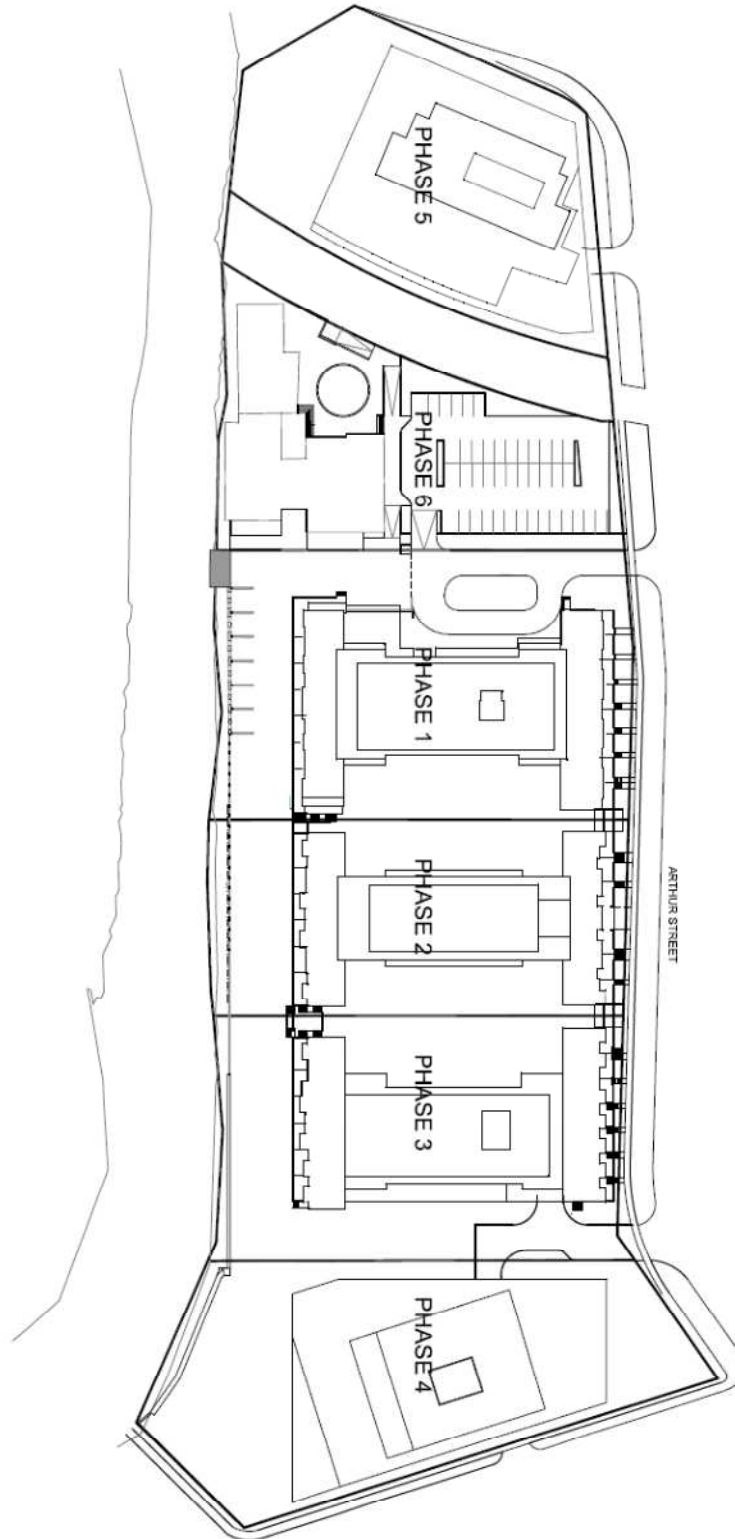
Development concept aerial view; North E



Development concept aerial view; South West



## Attachment 6 Proposed Phasing Plan for Development



**Attachment 7**  
**Proposed Building Elevations – Phase #1**  
**View towards Building #1 from River**



**Attachment 7  
Proposed Building Elevations (continued)  
View of Building #1 from Arthur Street South**



**Attachment 7  
Proposed Building Elevations (continued)  
View of the Front Face (North Side) of Building #1**





## Attachment 8

### Location of Heritage Buildings on Site



2. Map of identified heritage buildings on subject site.  
(Source: ERA Architects)



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## Attachment 9

### Planning Staff Analysis

#### **Provincial Policy Statement and Places to Grow**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Key objectives of the PPS include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The PPS provides a vision for land use planning that focuses growth within settlement areas, and encourages an efficient use of land, resources and public investment in infrastructure. A mix of land uses are encouraged to provide choice and diversity and a variety of transportation modes are promoted to facilitate pedestrian movement and less reliance on the automobile, with public transit encouraged as a means of creating sustainable, livable and healthy communities.

The application to permit the development of a six phase mixed use development with high density residential apartment units and ground level commercial uses is consistent with the PPS. The proposed development represents a compact form of development within the City's settlement area and offers a mix of land uses at a higher density that will allow for the efficient use of land, infrastructure and public service facilities.

Policy 1.4.3 of the PPS states that planning authorities shall provide for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This includes permitting and facilitating all forms of residential intensification, and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of alternative transportation modes and public transit in areas where it exists or is to be developed. The proposal represents residential and commercial intensification supporting growth and vitality of the downtown, providing high density residential development in the downtown area of the City on a site that has adequate infrastructure to support the proposed development. The proposed development will utilize existing street infrastructure, improve pedestrian infrastructure with the development of the Riverwalk area and is within walking distance to the Guelph Central Station, an inter-modal transit station, to support both existing and planned public transit.

Policy 1.1.3.4 of the PPS states that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety. The proposed zoning by-law amendment includes site specific regulations to facilitate intensification and redevelopment in a compact and efficient form.

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The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a framework for managing growth in the Greater Golden Horseshoe, including:

- directing growth to built-up area where capacity exists to best accommodate population and employment growth; and
- promoting transit supportive densities and a healthy mix of residential and employment uses.

The Growth Plan provides an overall general target for intensification. Specifically, by the year 2015, a minimum of 40% of all residential growth will be within the built-up area. In addition, the Growth Plan encourages the development of compact, vibrant and complete communities with a diverse mix of land uses and a range and mix of employment and housing types.

The Growth Plan designates Downtown Guelph, including this site, as an Urban Growth Centre that is recognized as a key focus for infill development and intensification. Further, the Urban Growth Centre should be planned to accommodate a significant share of future population and employment growth.

The subject site is within the City's Built-Up Area, and more specifically within the City's Urban Growth Centre. The proposed development will contribute towards meeting density targets, as well as achieving the broad goal of accommodating a significant share of population growth within an identified intensification area. The proposed development would introduce a mix of land uses to the site and the introduction of additional density makes efficient use of existing infrastructure and supports public transit.

Based on the above summary of policies, the proposed Official Plan and Zoning By-law amendment application is consistent with the PPS and conforms to the Growth Plan for the Greater Golden Horseshoe.

## **Conformity with the Official Plan**

### *Background*

The Official Plan land use designation and policies applicable to the subject site are contained in the Downtown Secondary Plan policies (OPA #43). Initially, this application requested several Official Plan Amendments, because it was submitted prior to the Downtown Secondary Plan being fully in force and effect.

On June 18, 2013, the Ontario Municipal Board ruled that OPA #43 is in full force and effect as of the date of Council adoption (May 28, 2012) with the exception of specific portions that have been identified as being under appeal. It is noted that the subject site is not subject to any appeals.

The applicants also requested an Official Plan Amendment to reduce the required 30 metre buffer from the river to 15 metres (OP Policy 6.9.5.1). However, the Ontario

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Municipal Board ruled that OPA #42, the Natural Heritage Strategy policies, is in full force and effect as of June 4, 2014, with the exception of site specific portions that remain under appeal. The policies in OPA #42 replace the policy that the applicants have requested the amendment on, so no amendment is technically required now. Further information is provided below in the Natural Heritage section of this planning analysis.

The applicant also requested an Official Plan amendment in their original application to reduce the parkland dedication requirement for the site from 10% to 5%. Further discussion with the application determined that this amendment was unnecessary, as the by-law that would need to be amended in this case was the City's Parkland Dedication by-law. The applicant subsequently rescinded this request and has worked with staff to resolve this issue.

## **Growth Management Strategy**

Official Plan Amendment 39 was adopted by Council in 2009 to bring the Official Plan in conformity with the planning framework of the Growth Plan and incorporates the key growth principles from the City's Local Growth Management Strategy. The objectives and policies contained in Section 2.4 of the Official Plan (Growth Management Strategy) aim to build a compact, vibrant and complete community by directing a significant amount of planned growth to locations within the built-up area. Intensification throughout the built-up area, and in particular within the Urban Growth Centre, will be promoted and facilitated by the City. Generally within the built-up area, vacant or underutilized lots will be revitalized through the promotion of infill development, redevelopment and expansions or conversions of existing buildings. By the year 2015 and each year after, a minimum of 40% of residential development will occur in the built-up area.

The proposed development is located within the City's built-up area and the urban growth centre and proposes to redevelop a vacant underutilized lot. The development proposes a density of approximately 389 persons and jobs per hectare. This density will assist in achieving the minimum density target of 150 persons and jobs combined per hectare, as measured across the entire Urban Growth Centre (Downtown). It is noted that there are several downtown sites that will not meet this minimum target and it is unlikely that they can be intensified significantly due to the heritage character of existing buildings and areas. As a result, additional density needs to be achieved on a site specific basis in appropriate locations in order to contribute to reaching the minimum target for the entire Downtown area. The development proposed on the subject site represents the opportunity to accommodate additional residential density in an appropriate location. This residential development, in combination with ground floor commercial uses in some phases of the development that will create new employment opportunities, will all contribute to the growth targets set out for downtown.

The City's Growth Management Strategy also includes policies that direct the City to plan for high quality public open space with site design and urban design standards

# STAFF REPORT

that create attractive and vibrant spaces. Further, infill development is to be facilitated where appropriate. The proposed development represents high quality urban design with specific site design standards that will improve the existing streetscape and pedestrian realm along this section of Arthur Street South, as well as creating a high quality urban park space and trail with the development of the Riverwalk, running along the west side of the site along the River from Neeve Street, around the existing heritage building to a future pedestrian bridge along the Guelph Junction Railway bridge.

The subject site is within the downtown's major transit station area, being within a 10-15 minute walk from Guelph Central Station, the City's multi-modal transit terminal. The proposed development also supports the Major Transit Area policies within the Official Plan (Section 2.4.7) by achieving increased residential and employment densities that support the viability of existing and planned transit infrastructure and service. The proposed site design has also been developed to accommodate an active transportation link along the riverwalk area that would connect with a City public trail and pedestrian bridge alongside the Guelph Junction Railway to better connect the site to the rest of downtown. A second pedestrian bridge is proposed in the future, south of the heritage building, to bring people across the river and Wellington Street East to allow pedestrians to more directly access the Guelph Central Station from the south end of the site. The subject site's location within the Downtown and its proximity to the City's multi-modal transit terminal, makes it ideal for supporting transit, walking and cycling for many everyday activities.

## **Downtown Secondary Plan (DSP)**

The Downtown Secondary Plan (DSP) constitutes a part of the Official Plan that is now in full force and effect as of the Council adoption date of May 28, 2012, with the exception of specific portions that have been identified as being under appeal. The subject site is not subject to any appeals, therefore the Official Plan land use designation and policies applicable to the subject site are contained in the Downtown Secondary Plan (OPA 43). The following section provides staff's analysis of the application within the context of the relevant policies of the Downtown Secondary Plan. The most relevant policies are summarized then addressed by theme.

The Vision and Principles established for the Downtown promote a place where people live, work, shop, dine, enjoy culture and be entertained. Taller building heights are strategically located at the periphery of the historic Downtown core where they contribute positively to the Downtown while minimizing direct impacts to the historic core or surrounding neighbourhoods. New buildings are encouraged to respect and complement the materials of surrounding historically significant buildings and to enhance the public realm throughout the Downtown area. Accommodating a significant share of population growth downtown is an important objective to increase economic vitality and create a vibrant place to live.

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DSP Section 11.1.6 describes the City's policies for downtown development related to Energy, Water and the Natural Environment to meet the City's broader environmental sustainability goals. The specific objectives of this section include the following:

- a) Efficiently use existing *municipal services*, municipal facilities and utilities to support growth downtown.
- b) Maximize opportunities for renewable and alternative energy generation and delivery systems such as *district energy*.
- c) Promote site planning, architecture, landscape architecture and stormwater management that demonstrates best practices in environmental design.
- d) Increase the amount of *urban forest tree canopy cover* Downtown.
- e) Ensure the risks to human health and safety from flooding downtown are minimized.
- f) Promote *development* that mitigates and adapts to climate change.
- g) Protect habitat of threatened and endangered species.
- h) Promote the clean-up of brownfields Downtown.

Within the Downtown Secondary Plan, the northerly portion of the site is designated as 'Mixed Use 1' and the southerly portion of the site is designated as 'Residential 2', together with an overlay showing the portion of the floodway on site (an approximately 15 metres wide strip along the Speed river and the rest of the site covered by a Special Policy Area overlay. The Special Policy Area designation recognizes existing development within the floodplain and provides opportunity for infill where flood hazards are not aggravated. The mapping and policies associated with these designations are included in Attachment 3 of this report. In addition to the policies within these designations, the Downtown Secondary Plan also contains specific policies for the redevelopment of 5 Arthur Street which are also included in Attachment 3 and all are summarized and assessed below. There are a number of overlapping policies related to built form, compatibility and massing; these policies have been addressed by topic area below.

The Downtown Secondary Plan also includes a height map for new development downtown. The site is identified in two height categories, 2-4 storeys along Arthur Street and 4-12 storeys along the river, with an asterisk noting an additional policy applies to the site (Policy 11.1.7.11.10) which provides flexibility in heights for this site, provided it satisfies the other policies of the DSP and compatibility with the neighbourhood and the requirements of policy 11.1.7.11.4, specific to the site, as proven through the Urban Design Master Plan.

There are also a number of General Built Form policies within the DSP that are applicable to the entire downtown area, as follows:

- buildings should be oriented towards and have their main entrance on a street or open space;
- the visual impact of long buildings should be broken up with vertical recesses or other architectural articulation;



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- mechanical penthouses should be screened and integrated into the building design;
- balconies should be recessed or integrated into the design of the building façade;
- residential pick-up and drop-off areas should be located on secondary or local streets where possible;
- buildings should be finished with high quality, enduring materials such as stone, brick or glass; and
- the massing and articulation of buildings taller than 6 storeys shall moderate their perceived mass and shadow impacts, provide appropriate transitions to areas with lower permitted heights and contribute to a varied skyline in which Church of Our Lady is most prominent. Generally floorplates shall be 1200 square metres above the sixth storey and 1000 square metres above the eighth storey. The length to width ratio of the building should not exceed 1.5:1.

There are also general policies respecting parking, loading and servicing that apply to all downtown areas of downtown (Section 11.1.7.2.4), stating that vehicular entrances to parking and servicing areas should generally be located on local streets, secondary streets or laneways to maximize and accentuate building frontages. Enclosed loading and servicing areas are also encouraged. There are also specific policies for above-grade parking structures (11.1.7.2.5) requiring access from a local street, active uses on the ground floor and be well articulated and designed to fit into the surrounding context.

The 'Residential 2' designation is applied to the southerly portion of the site (Phases 1-4) and is meant high density residential, which can be combined with commercial uses limited in scale (to 500 sq m), subject to the following additional policies (11.1.7.8.3):

- a) Buildings shall be massed to minimize as much as is practical the extent and duration of shadows on parks, adjacent residential uses, other public open space, private amenity space and retail streets in the spring, summer and fall.
- b) Where buildings greater than 6 storeys are permitted, the portion of a building above the sixth storey shall be substantially stepped back, generally greater than 3 metres from the edge of the building fronting a public street or park.
- c) All buildings should have detailed and well articulated street level façades with high quality materials. Blank walls facing a street or public open space shall be avoided.
- d) Apartment buildings shall generally be limited in length, generally to not more than 60 metres long, and blocks of townhouses shall generally not be more than 40 metres long.
- e) Where apartment buildings are greater than 4 storeys in Residential 2 Areas they shall generally incorporate 1-2 storey grade-related units (e.g. townhouses).

The Mixed Use 1 designation applies to the northerly portion of the site, or Phases 5 and 6 of the development. These lands are intended to accommodate a broad range of uses in a mix of highly compact *development* forms. *Development* within this designation shall contribute to the creation of a strong urban character and a high-quality, pedestrian-oriented environment, subject on this site to the following policies (11.1.7.3.5 - 11.1.7.3.8):

- Generally buildings in Mixed Use 1 areas shall be built close to the front property line to help frame and animate adjacent streets. The *Zoning By-law* shall establish maximum setbacks on streets where active frontages are required. On all other streets minimum and maximum setbacks shall be established. The *Zoning By-law* may include limited exceptions to the build-to lines and maximum setbacks while ensuring that a consistent streetwall is extended, maintained or established.
- To respect the historic character of Downtown and ensure a human-scale pedestrian realm, buildings taller than 4 storeys in Mixed Use 1 areas shall generally have a substantial stepback above the fourth storey generally in the range of 3-6 metres minimum from the front of the building fronting a public street or park, except on Gordon Street and Wellington Street, where a stepback of generally 3-6 metres minimum is required above the sixth storey.
- All buildings shall reflect their urban context and should have detailed and well articulated street level façades with high quality materials. Blank walls facing a street or public open space shall be avoided.
- Generally, entrances to non-residential uses shall be flush with the sidewalk, for ease of access and to maintain a strong relationship to the street.

DSP Principles for the Ward (11.1.7.11.2):

- a. relocate remaining heavy industrial uses;
- b) identify, conserve and re-use cultural heritage resources;
- c) clean-up contaminated sites;
- d) provide transitions to the general character of the low-rise areas of the community;
- e) ensure the use and form of *development* is *compatible* with its existing and planned surroundings;
- f) increase the quantity and quality of parkland and other public open spaces;
- g) improve connections through the neighbourhood, to the Downtown core, to the riverfront and along the riverfront for pedestrians and cyclists;
- h) minimize and mitigate traffic impacts from new *developments*; and
- i) ensure the community contains a mix of housing types, sizes and forms to accommodate households of all sizes and incomes.

Site Specific Principles in the DSP (11.1.7.11.4) – meant to be incorporated into the Urban Design Master Plan and Development Applications

- a) River's Edge Open Space– Create a substantial, functional and continuous public open space generally along the side of the river well connected to surrounding streets. The open space along the river may be composed of elements such as urban squares while providing for a continuous multi-use trail. It should encourage use by the public for a variety of appropriate uses. To this end, it should be configured to accommodate a range of park amenities and provide a sense of safety and comfort.
- b) Create a substantial, functional and continuous public open space generally along the side of the river well connected to surrounding streets. The open space along the river may be composed of elements such as urban squares while providing for a continuous multi-use trail. It should encourage use by the public for a variety of appropriate uses. To this end, it should be configured to accommodate a range of park amenities and provide a sense of safety and comfort.
- c) Network of Connections – Establish a fine-grained network of publicly accessible open spaces and routes through the site, provide connections to the river, and allow for efficient pedestrian, bicycle and vehicular circulation. The plan should also create connections to the surrounding trails and open space system including anticipating a future pedestrian bridge adjacent to the Guelph Junction Railway bridge and another bridge across the river, generally aligned with a crossing of Wellington Street and connected to Arthur Street.
- d) Heritage Conservation and Interpretation – Reflect and respect the historic context of the neighbourhood. Conserve the historic stone building and other heritage resources on the site. Respect and complement the neighbourhood's heritage in the new built form. Interpret and respond to the previous industrial uses, for example, through public art or other interpretive elements.
- e) Public Views – Provide views through the site toward the river corridor and maintain key *public views*, including the view south along Arthur Street toward the Mill Lofts building. Take advantage of other desirable views, for example, views of the CN train bridge.
- f) Sensitive Built Form – New buildings should be massed and spaced to avoid a wall effect along the river and maintain sky views from public streets and open spaces as well as neighbouring properties. Buildings should vary in character, provide appropriate building breaks and articulation, step down to be compatible with existing nearby buildings and provide transition to the existing neighbourhood. Buildings should minimize shadow impacts on neighbouring properties.
- g) Pedestrian-Friendly Edges – Residential buildings should support the animation of surrounding streets and publicly-accessible open space by, for example, providing grade-related relationships where feasible such as many front doors and porches along public streets. Above-grade parking should be screened or concealed within the residential development. Surface parking should be limited and strategically located to minimize its

- visual impact. Waste, recycling and loading areas should also be internal to the site.
- h) Environmental Sustainability – *Development* should incorporate green energy strategies and other sustainable design features. The river corridor’s ecological health should be enhanced while also balancing the need for recreational uses and heritage conservation along the river’s edge.
  - i) Housing Mix – *Development* should include a mix of unit types varying in size and affordability.

### Downtown Secondary Plan (DSP) Conformity

Overall, the proposed development at 5 Arthur Street South is in keeping with the Vision and Principles of the DSP, together with its broader objectives noted above.

The mixed-use development will provide a mix of high-density residential units. It will also provide a place for people to work and play with commercial components in three of the six phases of development proposed, as well as publicly accessible open spaces including the riverwalk, an urban park and part of the City’s trail network along the river.

This development further meets the broader objectives by remediating and reusing an existing brownfield site, it will be an efficient use of land as well as existing and planned road and service infrastructure.

The site also has been planned comprehensively, with consideration for architecture and landscape architecture within the site’s Urban Design Master Plan (UDMP) and a preliminary stormwater management plan supported by the City.

The development is out of the floodway and respects the identified flood elevations and Special Policy Area requirements for the site to limit risks. It will also increase our urban forest tree canopy, as the site is virtually vacant now and trees are proposed to be planted along the riverwalk area as well as along Arthur Street if possible (to be determined when Arthur Street is reconstructed). The developer has agreed to several energy and water conserving measures within the development (see Attachment 10) to limit climate change impact.

At this time, the only broader DSP objective not met is that the developer has not yet agreed to incorporate district energy, now available downtown, citing concerns about cost and timing for Phase 1 of the development. The developer is currently having the site assessed by Envida Community Energy to better understand the actual costs involved and should consider opportunities for district energy in all phases in order to both reduce environmental impact and ensure efficient use of available City infrastructure.

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## DSP Land Use Designation Conformity

Generally the proposed development, by phase conforms to the policies of the DSP. The Urban Design Master Plan, once it is approved (see discussion later in this report) will be implemented to ensure the proposed plan is further refined at the site plan stage while continuing to conform to the requirements of the DSP. The development as proposed meets the policies of the DSP following the removal of an industrial use, the clean-up of a contaminated site and it proposed to conserve and re-use existing heritage resources. It will also lead to better pedestrian and cycling connections and quality open spaces with the development of the riverwalk area together with future pedestrian bridges proposed from the site across the Speed River.

Pedestrian-friendly edges to the development have been created by fronting commercial retail units on the end phases (Phases 4 and 5) and in Phases 1 to 3 by bringing townhouses with front doors onto Arthur Street and townhouses with access onto patios overlooking the riverwalk area. The development contains a mix of townhouse and apartment units in a variety of sizes together with smaller-scale commercial units meant to serve the needs of new and existing residents.

The architecture and urban design of the proposed buildings will incorporate high quality material finishes, including brick, pre-cast concrete with punched windows, and transparent window wall/spandrel systems. It will not incorporate materials such as stucco, vinyl, exterior insulation finishing systems (EIFS) or highly reflective glazing. These guidelines are included in the UDMP for the site and will be required through the peer review of each phase of the development.

Conformity to the land use designations and site specific policies of the DSP are discussed below by phase of development (See Attachment 6 for phasing map):

### *Phase 1*

The proposed main pedestrian building entrance for Phase 1 faces north onto a private road between Phase 1 and the heritage building phase. This main entrance is meant to serve as the main lobby entrance and lobby for Phases 1-3, that will be joined when completed. The main entrance to the parking garage as well as loading areas are also integrated into this building face. All the parking for this phase is concealed and internal to the building, at and below grade. The private lane that is used to access the front face of the building will also serve as one of the public pedestrian accesses and public view corridors to the riverwalk. A small café or coffee shop is proposed in this building's main lobby, primarily intended for building residents.

Three storey high townhouses front onto both Arthur Street and the Riverwalk and act as the podium for the centre apartment building that is 10 storeys high. The townhouses provide a transition from the apartment building to Arthur St and to the Riverwalk. In total, 134 residential units are proposed, with 15 townhouses and 119 apartment units with a range of sizes.



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Staff and the peer review architect have worked with the applicant through the review of this application to refine both the apartment and townhouse facades. The townhouses have been improved by adding bay windows on some of the riverside units and additional windows on the ends of the townhouses that face north against the heritage building.

The developer has also improved the grade relationship between the townhouse units along the riverwalk, which sit approximately 2 metres higher than the riverwalk, by adding stepped planters and stairs to the front terraces on these units that overlook the riverwalk, reducing the impact of the wall.

The apartment building proposed in phase 1 has been refined through the peer review process. Staff were concerned that the building did not meet the length to width ratio of 1:1.5 recommended in the DSP, as the building was proposed to be longer and have greater visual impact. Through peer review, the architects refined the building by adding more glazing to the eighth and ninth floors to reduce the visual impact of the building, especially on the westerly or river side of the building. Staff and the peer review architect are satisfied with the proposed building elevations at this stage and further refinements of detailed design elements are expected through the site plan review process.

## *Phase 2*

The Phase 2 building is located immediately south of the Phase 1 building and is connected to both Phase 1 and Phase 3 at the building podium level. This phase also has townhouse units fronting on both Arthur Street and the riverwalk. The apartment tower is proposed to be 11 storeys high in this phase and in total this phase contains 133 units.

From a downtown secondary plan conformity perspective, this phase of the development generally acts as an extension of the Phase 1 building, in that the main entrance for this building, for both vehicles and pedestrians, is found in phase 1, though there are secondary pedestrian entrances to this phase for residents on both Arthur Street and along the riverwalk.

The design of Phase 2 of the development will be important, so that the building works well with the surrounding phases but also looks different enough to provide some diversity to the look of the overall development. For this reason, staff have proposed that Phases 2-5 of the development each have a holding condition on the zoning requiring that an Urban Design Brief is prepared outlining how each phase of the development meets the Urban Design Master Plan and that each phase completes an architectural peer review.

Between the apartment towers on Phases 1 and 2, and between Phases 2 and 3, are raised courtyards that provide both private and common amenity areas for residents of those buildings. These area are raised, sitting on top of the broader podium for parking and other amenities and meant exclusively for the use of

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residents of the building and will not be publicly accessible. These areas, as shown in the site concept and UDMP will be landscaped and be able to be accessed by residents from within the building or from the riverwalk.

## *Phase 3*

The third phase of development is proposed to be 12 storeys and 135 dwelling units. This building is connected to Phase 2 and shares the parking garage and main entrance and loading areas with Phases 1 and 2. Phase 3 also provides a back and secondary entrance and exit from the parking garage further south onto Arthur Street South. It also has secondary entrances to the building for residents on both Arthur Street and the Riverwalk.

Similar to Phase 2, urban design and building architecture will be important to developing the character of both the individual building in Phase 3 and the overall site, so a holding condition has been put in the zoning requiring proven conformity with the UDMP and an architectural peer review.

## *Phase 4*

Phase 4 of the development is a mixed use building. Commercial units are required at grade along Cross as well as along the easterly facade, against the private parkette at the corner of Cross Street and Arthur Street South, and along the westerly facade, where a patio is proposed for a potential restaurant overlooking the riverwalk. A total of approximately 1500 square metres of commercial space is proposed. Parking is proposed to be internal at grade and above grade parking is proposed on floor 2-5, screened and integrated into the building design. The building then steps back to a tower containing 128 apartment units, up to a total of 14 storeys in height. This building is setback further from Arthur Street South, so that the public view south down Arthur Street to the historic Mill Loft building is preserved. The area at the corner of Arthur Street and Cross Street is proposed to be a small parkette held in private ownership by the future condominium corporation for this Phase. The tower portion of the building is aligned with the parking area for the Mill Lofts across Cross Street, to limit privacy impacts.

## *Phase 5*

The Phase 5 building is the most northerly building on the site, adjacent to the intersections of Macdonell Street/Elizabeth Street and Elizabeth Street/Arthur Street South. This building is also proposed to be a mixed use building, with 680 square meters of commercial space proposed on the ground floor of the building, together with internal parking and parking on floors 2 -4 of the building incorporated into the building design. A setback tower is proposed starting on floor 5, up to 14 storeys high in total, with 156 apartment units proposed.

This building generally meets DSP policies for the building form and function. It is in the Mixed Use 1 designation and can provide both commercial and residential uses. The tower portion of the building is longer than recommended in the DSP (2.2:1

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length to width ratio proposed, versus 1.5:1 ratio recommended in the DSP) but the site is very constrained because of setbacks required from the CN railway.

Apart from the holding provisions required for urban design, the same as the previous phases, there are additional conditions required for this phase related to the railway tracks surrounding it, both the GJR and CN rail lines. To ensure compatibility, additional setbacks are required from the railways and noise and vibration measures must be given consideration for this phase.

## *Phase 6*

Phase 6 of the development contains the heritage buildings along the river, just south of the Guelph Junction Railway. This area is called phase 6, but no specific timing has been identified and it could proceed at any time. The applicants do not have a redevelopment plan yet for the building but would like a mixed use building with the potential for both residential and commercial units. This phase meets the objectives of the DSP and the Mixed Use 1 designation by conserving built heritage resources, and reusing the buildings for a potential mix of commercial and residential uses. This phase will also have an important pedestrian connection, between the riverwalk and the planned City trail along the Guelph Junction Railway. It will also contain a privately owned publicly accessible space between the heritage buildings and Arthur Street South that will serve as parking for the building as well as the potential to be community space that can accommodate community events and markets. Further information about the heritage conservation aspects of this phase are found below in the heritage section.

## *Riverwalk*

The riverwalk will meet a number of the objectives of the downtown Secondary Plan for this site. It is proposed to function as both an improved natural corridor for the river and a multipurpose trail and urban park space for the public. The riverwalk will be an open space, approximately 15 metres wide running from Neeve Street at Cross Street north along the river to the on-site heritage buildings. It will be further connected to the surrounding neighbourhood via public access easements over the two internal roads within the development from Arthur Street to the east and around the heritage buildings to the City trail and proposed pedestrian bridge along the Guelph Junction Railway. A second bridge from the riverwalk across the river just south of the heritage buildings is also proposed as a future City project at a time to be determined.

The riverwalk is bordered by townhouses within the development to the east, which create a better grade relationship with the riverwalk than the initial proposal with the apartment towers and parking garage wall. The townhouses are still raised above the riverwalk, but terraced landscaping and stairs between the riverwalk and private patio areas reduce the impact of the height difference. The townhouse units fronting on the riverwalk provide close residential overlook ("eyes on the riverwalk") for a better sense of safety and comfort for pedestrians using the riverwalk.

The riverwalk will also respect and complement the neighbourhood's heritage with new built form. While the existing industrial heritage wall along the riverwalk is proposed to be removed, salvaged brick is proposed to be reused as part of an art installation in the first phase of development within the riverwalk that represents the former wall and its row of window bays.

The riverwalk was initially envisaged as being fully within public ownership but is now proposed to remain in private ownership because of the complexities associated with dividing up the land because of its Certificate of Property Use (CPU) from the Ministry of the Environment related to previous industrial contamination of the site. Essentially the riverside retaining wall is required to be maintained in perpetuity to ensure contaminated soils on the rest of the site are unable to leach into the Speed River. In order to meet the public access objectives of the Downtown Secondary Plan, the City instead will hold a surface easement and a public access easement to allow public use of the lands. The lands will be owned by the future condominium corporations and accessible to the public. Further discussion of the riverwalk ownership and agreements is found below.

### **Urban Design Master Plan**

An Urban Design Master Plan (UDMP) was submitted by the applicant through consultation with planning staff, based on the requirements outlined in Section 11.1.7.3.9 of the DSP (see Attachment 3). The purpose of the Urban Design Master Plan is to provide a basis for reviewing the zoning by-law amendment and site plan applications and to address the relevant policies of the DSP, specifically as it relates to the subject site. Elements of the Urban Design Master Plan include:

- the location of private streets and laneways and public access across the site;
- the location, uses and massing of buildings and their relationship to adjacent streets and open spaces;
- built form transitions to the surrounding community;
- shadow impacts;
- the physical and visual connections to the immediate surroundings;
- the potential locations for heritage interpretation and/or public art; and
- the role and function of the riverwalk as a public space

The Urban Design Master Plan has been through multiple revisions and the current version, at the time of writing this report, is not yet complete. Staff are generally satisfied with the guidelines proposed in the May, 2014 draft of the Urban Design Master Plan, which was sufficient to support the zoning proposed, but still required some technical refinements to ensure that the report and diagrams were accurate. Staff continue to work with the applicant to finalize the Urban Design Master Plan. Because of its importance in setting out the vision for the site, staff have included its completion in the Holding provisions on the overall zoning for the site. As outlined in Condition 2 in Attachment 2, it is recommended that the guidelines of the Master Plan be utilized together with the Urban Design Brief required in future phases 2 to 5, as part of the site plan review process to implement the principles,

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objectives and applicable policies of the DSP. These guidelines will address building placement and the open space elements to ensure buildings are designed to be compatible with the surrounding neighbourhood and support pedestrian movement through the site, both from the ward and to the rest of downtown.

Staff have also included Holding provisions on the zoning of Phases #2 to #5 of the development that require the applicant to complete an Urban Design Brief, which outlines how that phase of development addresses the Urban Design Master Plan, as well as requires a peer review by an architect. These provisions will address building placement, form and the open space elements to ensure buildings are designed to be compatible with the surrounding neighbourhood and support pedestrian movement through the site, both from the ward and to the rest of downtown.

## **Environmental Review**

This application was reviewed under the current Official Plan (December 2012 Consolidation), including its environmental policies, as OPA#42, which contains the City's new natural heritage policies was approved by Council on June 27, 2010 but was subsequently appealed to the Ontario Municipal Board.

The site is directly adjacent to the Speed River, which under the current OP is designated as Core Greenlands (Natural Hazards) and includes elements of Non-Core Greenlands such as fish habitat as well as environmental corridor functions. When development is proposed on lands adjacent to fish habitat and/or environmental corridors, the current OP required that an Environmental Impact Study (EIS) be undertaken to demonstrate no negative impacts to the features or their functions (policies 6.7.2 and 6.8.4.2). At the time of application the development proposal also needed relief from Official Plan policies 6.9.5.1 (a) and 6.9.1.2 which required a 30 metre buffer from the river edge. The applicants applied for an Official Plan Amendment to permit a site specific 15 metre buffer instead.

The OMB recently ruled that OPA #42 is in full force and effect as of June 4, 2014. OPA #42 does not identify any portion of this site as a component within the Natural Heritage System due to its current developed state. On adjacent lands, the Speed River is identified as Significant Natural Area in OPA 42 based on it providing Fish Habitat, Waterfowl Overwintering Habitat as well as being included within Undeveloped Portions of the Regulatory Floodplain. The policies of OPA #42 also require an Environmental Impact Study to be undertaken to demonstrate that the proposed development does not impact the Significant Natural Area.

Related environmental concerns were raised by the public about this development, including:

- That the 15 metre setback was inadequate;
- Could the river be naturalized, the river corridor enhanced and greenspace encouraged;
- that the riverwalk area should not be fully hard-scaped or sodded;



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- that invasive vines should not be planted along riverwalk to hide parking;
- that flood controls be adequate;
- that opportunities for low-impact development be included.

The applicants submitted an EIS, which was reviewed by staff, the Grand River Conservation Authority, the Environmental Advisory Committee (EAC) and the River Systems Advisory Committee (RSAC).

The EIS provided a rationale for the reduced setback of development from the river to 15 metres based on the existing condition as a former industrial site and the requirements of the Certificate of Property Use (CPU). The CPU, issued by the Ministry of Environment for the site, has ordered the maintenance of the existing riverside retaining wall in perpetuity as a risk management measure to prevent the migration of contaminants to the river, which precludes the opportunity of reinstating a natural river bank in this location. It precludes the ability for the interface of the site with the Speed River to be changed from its current channelized state to being rehabilitated to a more naturalized channel bank and riparian zone. In addition the conservation of the heritage building adjacent to the river further limits any river's edge reconfiguration opportunities. The EIS further concluded that there are no negative impacts to the natural heritage features or functions and particularly to the integrity of the environmental corridor function associated with the Speed River. In contrast the report highlights an enhancement opportunity by restoring the 15 metre area to accommodate both natural corridor functions and a public trail and open space.

The Environmental Impact Study (EIS) has been accepted by City staff, the Environmental Advisory Committee (EAC), the River Systems Advisory Committee (RSAC) and the Grand River Conservation Authority (GRCA), subject to the completion of an Environmental Implementation Report (EIR) which demonstrates that mitigation measures, habitat enhancements, public trail elements and urban design elements can be achieved within the 15 metre setback to the river. The EIR condition has been included as a Holding provision on the overall zoning to ensure it is completed before development can proceed and that its findings can be incorporated into detailed site design.

Staff further request that Low-Impact Development (LID) measures be included where possible, earlier versions of the development showed two green roofs that would be excellent LID measures, and should be further considered at the site plan approval stage. Staff also recommend that the EIR address the opportunity to create an area along the riverwalk where people can walk down to the water's edge.

GRCA is supportive of the proposal provided that the floodway is maintained free of development and the heritage building, which is within the floodway can be reused but not expanded further within the floodway. GRCA permits will be required for work done in the floodway and buildings will have to be designed to adhere to

requirements that prohibit residential development under certain elevations to ensure safety of future residents.

EAC provided further recommendations on the proposed development (see Attachment 10 for motion), including:

- Consideration of preferred uses, environmental function areas and species in the 15 metre riverwalk (i.e. canopy trees, pollinator species, educational signage);
- That no development be permitted in the 15 metre wide floodway;
- That a structural assessment of the riverside retaining wall be provided.

RSAC also provided further recommendations and comments (see Attachment 10 for motion), including:

- Consideration of preferred uses, environmental function areas and species in the 15 metre riverwalk (i.e. canopy trees, pollinator species, educational signage);
- That a structural assessment of the riverside retaining wall be provided;
- That public access to the river be considered in 2 or more locations;
- Encourage the pedestrian bridge connection(s) to occur as soon as feasible;
- Support for large canopy trees along the Riverwalk;
- Request that enhancement of riparian vegetation buffer function be explored as the future of the retaining wall is determined;
- That 10% parkland dedication be required and that it occur along the river frontage;
- Concern about the massing and angular plane in development phases 4 and 5, and indicated interest in reviewing at the preliminary site plan stage;
- Encourage reducing the minimum number of required parking spaces per unit.

## **Brownfield**

A risk assessment was undertaken for the subject lands to establish any threats that the existing contaminants from the historic land uses, posed to the future users of the site. The assessment identified the appropriate Risk Management Measures (RMM) that need to be implemented in order to ensure that the property was suitable for the proposed land uses. As such, the Ministry of the Environment reviewed the assessment and concluded that it was done in accordance with the O. Reg. 153/04 as amended and issued a Certificate of Property Use (CPU) for the described lands.

The CPU issued by the MOE as well as the RMM has identified for the property owner the need for ongoing inspection, monitoring and maintenance of the existing retaining wall that is a barrier to the impacted soils found on-site.

Considering that the public will have access to the lands on a proposed surface easement, in the area known as the Riverwalk, staff have recommended that the developer be required to submit to the City a structural assessment of the existing

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retaining wall along the Speed River, as a holding provision to ensure that this work takes place prior to any development of the site. Staff further recommend that the developer be responsible for adhering to all the recommended measures contained in the structural assessment. In the long term, the wall will be the responsibility of the future condominium owners/condominium corporations so staff require these measures to provide a better understanding of the structural soundness and the future maintenance requirements to better ensure the sustainability of the future condominium ownership of the wall.

## **Heritage**

The property currently contains two joined buildings (referred to as Buildings 1 & 2) and the remnant westerly wall of two other buildings (Buildings 3 & 4) which runs alongside the river, all from the previous industrial uses of the site. Attachment 8 of this report shows the location of these heritage buildings.

The applicant has proposed to remove the remnant wall of Buildings 3 & 4 which is located where the riverwalk is proposed. The wall is brick, but the interior side of the wall is in poor condition as the interior brick was not meant to be exposed to the weather. The applicant has proposed to remove the wall, but salvage and reuse the brick on site where possible. The applicant has also proposed a representative "shadow wall", a metal art installation showing the row of window openings that run along the existing wall from Buildings 3 & 4.

These proposals, together with the overall development proposal have been reviewed by Heritage Guelph. Heritage Guelph supports the plan to remove the remnant wall from Buildings 3 & 4 and asked that a plan of the entire riverwalk area be submitted that showed how the "shadow wall" or other representative measures would reflect the length and window openings of the wall from Buildings 3 & 4.

For Buildings 1 & 2, Heritage Guelph supports the reuse of the buildings for mixed commercial, residential, institutional and community uses, though they do not support any expansion of the building at this time, save and except replacing a central tower roof feature on Building #2 that has been removed. Heritage Guelph has also requested a two-part Cultural Heritage Conservation Plan for the buildings. The first phase of the plan would determine the existing heritage attributes of the buildings and guide its stabilization, interim maintenance and temporary uses while the developer is determining a use for the building. The second stage would guide the proposed reuse, redevelopment and long-term maintenance of the heritage buildings. The first phase is due prior to site plan approval of phase 1 development, to ensure the buildings are being properly maintained in their interim state and the second phase is required prior to the site plan approval of phase 4 of the development, though is encouraged to occur sooner if possible so the heritage buildings do not remain vacant, with the potential for further degradation.

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Heritage Guelph also notes that following the completion of both parts of the Cultural Heritage Conservation Plan, they intend to recommend to Council that an intention to designate these buildings be published under Part IV of the Ontario Heritage Act.

## Riverwalk and Parkland Dedication

Generally the community has been supportive of the riverwalk area serving a park, trail and open space function for the site and the broader neighbourhood. Concerns were raised regarding what functions the riverwalk could play (i.e. was it a place for community gardens or an amphitheatre), how it would be designed and that examples to date had only been related to walkways along large bodies of water, instead of the relatively small Speed River.

- Policy 11.1.4.4.5:  
It is the City's objective to provide a continuous active transportation trail interrupted only by streets, along the west side of the river's edge between Royal City Park and Goldie's Mill Park, and on the east side of the river, south of the Guelph Junction Railway. To this end, the City shall acquire land for such purposes through the dedication of parkland at the time of *development*, *public easements* or other methods of acquisition including outright purchase. In addition or alternatively, the City may incorporate portions of the trail within street right of ways.
- Policy 11.1.7.11.4.a):  
River's Edge Open Space – Create a substantial, functional and continuous public open space generally along the side of the river well connected to surrounding streets. The open space along the river may be composed of elements such as urban squares while providing for a continuous multi-use trail. It should encourage use by the public for a variety of appropriate uses. To this end, it should be configured to accommodate a range of park amenities and provide a sense of safety and comfort.

## *Function of the Riverwalk*

The Riverwalk will serve as an alternative transportation network, open space and urban park along the river as well as environmental enhancement and natural hazard (floodplain) functions. Pedestrians will be able to access the Riverwalk from:

- Neeve Street in the south;
- Via pedestrian connections through the site from Arthur Street to the east, there is a connection north of Phase #1 of the development and between Phases #3 and #4;
- From a future pedestrian bridge across the Speed River, twinned with the GJR bridge, south of the GJR tracks (then east and south of the heritage buildings on site to connect with the Riverwalk)
- From a future pedestrian bridge across the Speed River, on the Riverwalk, south of the heritage buildings.

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## *Ownership of the Riverwalk*

The Riverwalk is proposed to remain in private ownership, with the City acquiring surface easements for public access to the riverwalk and other pedestrian access routes. Currently owned by the applicant, the riverwalk is anticipated to be owned by future condominium corporation(s) that will own the proposed buildings on site.

Staff have recommended easements versus outright public ownership of the riverwalk lands because of the Certificate of Property Use (CPU) on the site. As noted earlier, in the Brownfields section of this report, the CPU sets out what can be done with the site and how it must be maintained. One of the key facets of the CPU, is that the existing riverside retaining wall must be maintained in perpetuity to ensure that no remaining contaminants on site are able to leach into the river. Because the Riverwalk and developable portions of the site are both required to adhere to the CPU and need to be maintained and planned together to ensure the site functions properly as a remediated brownfield, staff support taking a surface easement on the riverwalk for public access. The public will have the same access rights as if the City owned these lands and the City and the future condominium will have clearer understanding of rights and responsibilities around maintenance of the site in accordance with the CPU.

Because the ultimate ownership of the riverwalk and the riverside retaining wall will be future condominium corporations and their future residents, staff want to ensure that the developer completes a structural assessment of the retaining wall to determine its condition and that the applicant does any necessary repairs to the retaining wall prior to development commencing. For this reason, staff have included a holding provision in the parent R.4B-X zoning for the site requiring the completion and approval of this report prior to lifting the holding provision and a condition of the site plan agreement (Condition 17 in Attachment 2) requiring any work needed on the wall to be completed.

## *Parkland Dedication*

The applicants originally requested an Official Plan Amendment to reduce the requirement for Parkland Dedication for the site from 10% to 5%. This request stems from the City's Parkland Dedication By-law, which states that properties downtown, which is identified as between the streets of Wellington, Gordon, Norfolk and Woolwich Streets (the area formerly defined as the Central Business District (CBD)) only have to pay 5% of a property's value as cash-in-lieu of parkland dedication while in the rest of the City, 10% is required. This site, 5 Arthur Street, falls in the 10% category, but it is part of the new larger downtown, identified in the Downtown Secondary Plan. Because this requirement is in the Parkland Dedication By-law, and not the Official Plan itself, the applicants agreed to rescind this requested amendment and instead work with Parks staff to determine a solution.

The applicant has had several discussions with staff regarding the ownership of the Riverwalk, the amount of land in question and how the Riverwalk area will be



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developed. Generally the developer and staff have agreed that easements are the preferred method of public access to the Riverwalk, and that the City will have a role in the maintenance and insurance of the Riverwalk area, since it will be for public use. In terms of the amount of land, the Riverwalk area, together with additional easements for public access from Arthur Street and around the heritage buildings is slightly more than ten percent of the site area, so meets what would be a standard requirement in under the parkland dedication by-law.

Both staff and the developer have agreed that the Riverwalk should be developed in phases, in conjunction with the adjacent phase of development and that following Phase 1 of development, a temporary trail will be put in place along the river along Phases 2 to 4 (to Neeve Street) so people can access the site prior to the full Riverwalk construction.

The details of the obligations of the City and Developer, as well as future condominium corporations for the design, construction, maintenance, insurance, and other obligations still need to be finalized. Staff have recommended that these details be determined and included in a development agreement registered on title. This condition has been placed in the holding provision on the parent R.4B-X zone to ensure that agreement on these items is finalized prior to development occurring on the site.

## **Related Public Infrastructure**

Concerns were raised regarding how planned City infrastructure projects would interface with the proposed development, including the planned replacement of the existing sanitary sewers on Arthur Street and on the site, the development of the public trail within the Guelph Junction Railway right-of-way and the pedestrian bridges across the river, as well as a study of the river corridor through the downtown.

### *Arthur Street Upgrades*

The City has recently completed a Class Environmental Assessment (EA) to evaluate and provide alternatives for the existing trunk sanitary sewers located within Arthur Street South, crossing the Speed River as well as along the banks of the Speed. It has been concluded that the trunk sewer is to be relocated within the municipal rights-of-ways surrounding the proposed site and will therefore eliminate the need for the sanitary sewers located within the subject lands. The completion of the first phase of residential units is projected for the autumn of 2016 which may coincide with the projected reconstruction of the infrastructure improvements on Arthur Street South, Cross Street and Neeve Street. The Functional Servicing Report has suggested that should the right-of-way reconstruction be delayed, Phase 1 as proposed could be accommodated utilizing the existing infrastructure. Infrastructure staff has confirmed that adequate water pressure, during both the peak hourly and average day demand scenario, as well as sanitary capacity is available for the first phase of development as proposed.

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Prior to permitting a development proposal for future phases (beyond Phase 1), the City will need to be satisfied that there are available municipal services (water pressure/volume and sanitary sewer capacity) to accommodate the development needs. For this reason, staff have recommended a holding condition be placed on Phases 2-6 that requires adequate servicing be available prior to development.

Also, the relocation of the existing services that currently bisect the subject lands will be undertaken by the City during the proposed reconstruction of Arthur Street South, Cross Street and Neeve Street, in accordance with a Sewer Relocation Agreement registered on title dated January 13, 2012. The applicant will be responsible for the proportionate share of the reconstruction of the road and services across the frontage of Arthur Street South, Cross Street and Neeve Street in keeping with this agreement. A holding provision has been placed on the parent zone requiring this frontage fee be paid for Phase 1 of the development and a holding provision has been placed on subsequent phases of development requiring that any remaining frontage fees be paid prior to the development of any future phase.

#### *City Trail, Pedestrian Bridges & River Corridor Study*

Other City Capital projects related to this project are the City Trail proposed alongside the Guelph Junction Railway, together with a pedestrian bridge across the Speed River alongside the GJR bridge. The GJR bridge is proposed to be replaced in 2017. At the same time, a pedestrian bridge is proposed to be attached to the rail bridge to provide safe access across the river for trail users.

A second pedestrian bridge has been identified to cross the Speed River south of the heritage buildings on the 5 Arthur site. No timelines have been determined yet for the design and construction of this second bridge.

Also, a study of the river corridor through downtown has been identified as needed and is part of the Parks/Community Services proposed capital budget in 2016.

#### **Traffic**

The applicant submitted a Traffic Impact Study in support of their application to assess the traffic impact of the proposed development, which was revised and resubmitted in June 2014. Public discussion about traffic concerns was related to the need for area intersection improvements, concern about cut-through traffic into the St. Patrick's Ward neighbourhood, and existing or past controversial traffic calming measures.

The increase in traffic due to the proposed development, as well as the general growth in future traffic from other approved and potential developments in the area were analyzed to determine the impact on traffic and the need for any road or traffic control improvements

The intersection of Arthur Street South and Elizabeth Street was identified as a traffic concern and has been identified in the City of Guelph's Official Plan for improvement which could require a land dedication from the applicant. At this time,

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an exact land dedication cannot be specified as the intersection design is preliminary and conceptual only. This land dedication will be required as a condition for Phase 5 of the development, so that the traffic infrastructure can be improved to accommodate the future growth.

Staff has also identified and recommend several modifications to the existing traffic infrastructure in order to accommodate this development. These modifications include:

- The addition of a 40 metre long westbound left turn lane on Elizabeth Street; With this left turn lane, through traffic including buses will less likely be blocked by turning vehicles and drivers in this westbound left turn lane will have better sightlines to detect opposing traffic and pedestrian crossing. Staff note that a concept plan prepared by the developer shows the redesign fitting within the existing road right of way, so no widening is likely needed, but this will have to be confirmed at the time of detailed design;
- Improved pedestrian connectivity via a sidewalk along the west side of the Arthur Street South should be provided to complete a pedestrian network in this area;
- The implementation of traffic calming measures within the study area. The traffic consultant will be required to identify the locations and the developer will be responsible for the cost to design and construct the most effective types of traffic calming measures within the study area based on the experience built over the last two decades.

Neighbourhood residents have raised concerns about controversial traffic calming measures in the neighbourhood in the past. During the past twenty years, there have been a number of traffic calming initiatives conducted by the City to deal with traffic concerns within St. Patrick's neighbourhood. The main concerns raised by the public over the years have focused on the speed and volume of traffic short-cutting through the neighbourhood, as well as problems associated with mixed land uses in the area, such as heavy truck traffic travelling on local residential streets to access businesses located within the neighbourhood.

A number of public consultation initiatives were undertaken over the years within the St. Patrick's ward since mid-1990s. In 1997, staff developed a traffic calming plan for the neighbourhood based on public input. The plan was presented to City Council in September 1998 however due to low resident support (7%) the traffic calming plan was not implemented. Further public consultations occurred through the St. Patrick's Ward Community Improvement Plan process shortly thereafter, and included a consultant report recommending implementation of the traffic calming proposal initially developed by City staff in 1998. The report was received by City Council and no action was taken at the time to implement traffic calming measures in St. Patrick's ward. In 2002 staff were once again directed by City Council to undertake a public consultation process to consider traffic calming measures for four specific streets: Alice, Ontario, Neeve and Toronto Streets. Then shortly thereafter in 2003, a number of all-way stop controls were installed at key

locations within the neighbourhood as interim traffic calming measures until a proper public consultation process could be undertaken. Following some further public consultations with City staff in the mid-2000's, City Council approved in 2008 to keep the interim all-way stop controls in place permanently. Finally, in 2008 following some additional public consultation with residents of Ontario Street, the City installed a road narrowing on Ontario Street at Wood Street. This device was funded through monies obtained as part of an OMB decision involving expansion of the Owens Corning plant located on York Road at Ontario Street, where up to \$17,000 was allocated for implementation of traffic calming measures on Ontario Street. This particular traffic calming device has received mixed opinions from local residents, with some in support and others opposed. However despite some opposition, the road narrowing on Ontario Street remains in place.

Development of the St. Patrick's neighbourhood has evolved over the past twenty years, including the addition of some residential development and the closures of the W.C. Woods plant and Tytler Public School. As a result some of the traffic concerns of the past have disappeared. For example, truck traffic concerns associated with the W.C. Woods plant no longer exists. It has also been staff's experience that support for traffic calming measures within the neighbourhood has changed over the years, with some residents voicing their disapproval of such devices for their street. Lastly, knowledge surrounding the use and effectiveness of traffic calming devices has evolved over the past twenty years, and future consideration of traffic calming devices within this neighbourhood should be based on devices proven to effectively reduce vehicle operating speeds and improve road safety.

Following review of history of traffic concerns in the Ward and the Traffic Impact Study, staff have recommended that the developer be responsible for the cost of design and construction of a left turn lane from Elizabeth to Arthur Street South and for any traffic calming measures needed in an identified study area around the site, to the satisfaction of the City Engineer.

### **Review of the Proposed Zoning and Specialized Regulations**

The zoning recommended in Attachment 2 requires a number of specialized regulations to be included. Through the approval of the DSP, there are a number of different objectives to be fulfilled on the site and a denser form of development contemplated for the subject site than what the current zoning would allow. The recommended zoning bylaw amendment includes the following specialized zoning regulations required in order to implement the built form policies of the DSP. Concern was raised by the public about zoning regulations requested permitting additional commercial uses, reduced setbacks, reduced common amenity area and parking reductions.

#### *Permitted Uses*

Some concern was raised by the public about allowing commercial uses in the Buildings in Phases #4, #5, and #6. Staff support smaller neighbourhood scale

# STAFF REPORT

commercial uses in the Phase #4 building, limited in size to 500 square metres per unit. Residential uses are not permitted on the ground floor of the Phase #4 building because of flood concerns, so commercial units will animate the street and provide local shops and services that can be easily accessed by the surrounding neighbourhood. Concern was also raised about the types of commercial units permitted being local or chain retail operations. Staff note that the City through the Zoning By-law controls use, but does not control who or which company ends up running a business in a specific location as long as it conforms to the use and associated regulations. Phase #5 and Phase #6 also permit a range of commercial retail and service uses to occur, where individual unit sizes are not regulated provided that parking can be accommodated.

## *Building Heights*

In keeping with the DSP, building heights are as previously described and shown in the draft Urban Design Master Plan. The UDMP considers compatibility of these buildings with the surrounding neighbourhood and potential for shadow impacts.

The zoning imposes the following maximum building heights:

- Phase 1: 10 storeys
- Phase 2: 11 storeys
- Phase 3: 12 storeys
- Phase 4: 14 storeys
- Phase 5: 14 storeys
- Phase 6: The existing height of the heritage buildings.

## *Floor Space Index/Gross Floor Area*

Specialized definitions were initially requested by the applicant but were proven unnecessary by staff and not supported. A specialized regulation is included for Floor Space Index for the site permitted at 2.0, in keeping with the policies included with the DSP.

## *Setbacks, Common Amenity Area and Landscaped Open Space*

Specialized regulations have been recommended in the zoning to permit reduced requirements for building setbacks, common amenity areas and landscaped open space (as shown in Attachment 2). Staff support these regulations based on review of the proposed site concepts in the draft Urban Design Master Plan and the policies in the DSP.

## *Parking*

Public concerns were raised about the proposed parking requirements. Some residents were concerned around providing too little parking on site, and not enough visitor parking, leading to overuse of on-street parking in the area, as well as concern about too much parking being provided, which would encourage more driving and less alternative transportation use.



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Originally, the applicants proposed a reduced residential parking ratio of a minimum of 0.75 of a space per unit with 0.1 of a space per unit reserved for visitor parking. The standard requirement for apartment buildings in the City is 1.5 spaces per unit for the first 20 units, then 1.25 per unit for any after 20.

Following review and discussion with the City, the applicant changed the residential parking ratio for Phases 1 to 5, to a minimum of 1 space per dwelling unit plus 0.15 of a space per unit for visitor parking. Staff are satisfied that this minimum requirement is adequate given the proximity to the downtown core and the transit terminal. For the Phase 1 building, at this time the applicants are proposing 171 parking spaces for the 134 residential units proposed. Under the zoning they would be required to provide 154 (134 spaces for residents and 20 for visitors).

Staff have also required that one parking space in the Phase 1 Building be reserved for a community carshare use (Condition 4 in Attachment 2) so that residents will have the option to join the carshare and have a vehicle available for use. Future phases of development will also consider reserving space for carshare parking at the time of site plan review.

For non-residential uses (the commercial mixed use areas in Phases #4 and #5) the proposed requirement is a minimum of 1 parking space per 33 square metres of Gross Floor Area. Staff are satisfied that this standard is appropriate for the proposed small scale commercial uses, given the urban context. It is anticipated that many customers of the commercial establishments will be local residents, from the new development or the surrounding neighbourhood. The sites will also be well serviced by alternative transportation methods with the trail along the river for bikes and pedestrians and the proximity of transit.

The heritage building (Phase 6) has its own specific parking regulations, different from phases 1 to 5 of the proposed development. Because the heritage building is set at the back of this portion of the site and cannot accommodate underground parking, the only area available for parking is the surface area in front of the building. Staff support surface parking here given the unique situation. A parking structure would not be supported in front of the heritage building as it would block the views to and from the heritage building. The conceptual site plan shows that approximately 40 parking spaces could be provided, dependent on the final layout. Staff have required that a minimum of 30 parking spaces be provided for the use of the heritage building. This provides some flexibility in the final parking area design. Staff also note that it may be possible to provide additional parking for the heritage building in adjacent phases of the development if necessary.

Specific regulations have also been included for the provision of bicycle parking. The zoning will require that 0.65 bicycle spaces per dwelling unit and 0.3 spaces for each 100 square metres of non-residential Gross Floor Area. For the phase 1 building, 119 indoor bicycle parking spaces are proposed.

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## *Severability Provision*

The “severability provision” is a regulation that permits the site setbacks established when the site is a whole property, to be kept the same following any land division or severances of the property. In this case, use of the severability provision is appropriate because the approximate locations of all buildings have been finalized and the future buildings will eventually be separate properties with condominium ownership.

## *Bonusing*

The applicants included a bonusing provision in their zoning request, asking for general permission for bonusing to be permitted on site. Bonusing is already enabled by the Downtown Secondary Plan generally, however, the applicants do not have detailed information yet as to what the additional amount of density would be compared to a proposed community benefit. The location and amount of additional density needs to be reviewed through a public process and weighed against specifics of a proposed community benefit for bonusing to be properly evaluated. Staff do not support adding any zoning permissions for bonusing until the details can be discussed and suggest that the applicants submit a separate zoning amendment to deal with bonusing when the details are known.

## *Floodway Zone*

The proposed Zoning By-law has requested two exceptions within the Floodway Zone: one for the area containing a portion of the existing built heritage resource and the other to permit encroachment of a portion of Phase 5 of the development within the floodway. The second exception, to allow new development within the Floodway is not supported by the GRCA, as expressed by their letter dated March 27, 2014, nor by Environmental Planning staff. To accommodate these comments, the applicant has redesigned the building to keep it out of the floodway.

The retention and re-use of the existing building within the floodway is supported by both the GRCA and staff in order to retain the built heritage resource. It should be clear however that support is provided only for the retention and re-use and not for new development, intensification nor replacement of the building if it was destroyed.

Furthermore, the proposed use of a day care facility within the existing built heritage resource is not supported by the GRCA or City staff. Provincial and City policies do not support day cares, or similar institutional uses, within floodways due to the threat to safe evacuation during an emergency as a result of flooding.

## **Community Energy Initiative Considerations**

The applicant has submitted information outlining additional energy efficiency initiatives that are proposed in association with the construction of the proposed building for Phase #1 (see Attachment 10). Condition #3 has been included in Attachment 2 to ensure that the owner does submit written confirmation that the proposed building is constructed to a standard that implements energy efficiency in support of the Community Energy Initiative.

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## *District Energy*

An outcome of the broader Community Energy Initiative, the Guelph District Energy Strategic Plan (GDESP) sets out a vision for Guelph as a prosperous, cleaner and healthier community powered by a secure, reliable, affordable and sustainable district energy system. At the center of the plan and key to achieving the objectives in the Community Energy Initiative is the downtown Galt District Energy System. The Galt District Energy System is in close proximity to the 5 Arthur Street South development and available to provide cogenerated heating and cooling to the site.

The developer has been involved in ongoing discussions with Envida Community Energy regarding the potential for incorporation of District Energy in the development. At this time, the developer has agreed to review the potential for district energy into the Phase 1 building, but has not yet agreed to use district energy and has designed the building with individual heating and cooling units in each dwelling unit.

Staff strongly support the developer using the local district energy system, as it would be both a more efficient use of available City infrastructure and an effective way to support the CEI and reduce greenhouse gas emissions generated by the development. The City's Corporate Manager of Community Energy has recommended a condition of site plan approval that the developer must agree to use district energy to service the agreement or if unable to incorporate district energy, then the developer must provide evidence that the development will contribute to the GDESP or CEI in other ways (Condition #5 in Attachment 2).

## **Site Design Issues**

Public discussion at the public meeting also raised issues about the proposed site design, including concern about wind or shadow impacts, underground hydro, garbage removal, lighting, antennas and satellite dishes.

## *Underground Hydro*

There is a policy in the Downtown Secondary Plan (11.1.5.1.6) that utilities should be buried or located in rear yards or areas where they are not visible from the street to provide a cleaner and more cohesive looking streetscape. The applicants have agreed to bury the hydro and other services on site to better enhance the streetscape.

Staff note that on Arthur Street currently there are above ground hydro services, so hydro will only be buried on the 5 Arthur property itself, not on the street. However, on the street, the hydro poles are proposed to be replaced and upgraded, at the cost of the developer, to provide adequate service to the site.

Should the City wish to place hydro underground on Arthur Street, in accordance with the Downtown Streetscape Manual, the City should pursue this within the design and redevelopment of Arthur Street scheduled to occur in 2015-2016 together with the trunk sewer replacement.

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## *Garbage/Recycling*

Garbage and recycling will be addressed within the building with a pick-up area being provided at the southerly end of the building adjacent to the entrance to the parking garage. Waste and recycling would be stored within the building at all times.

The three stream waste collection system would be accommodated within the proposed building in accordance with the City's Waste Collection By-law. Through the site plan approval process, a waste management plan is also required to be prepared and submitted to the City's Solid Waste Department for approval. Condition 4 in Attachment 2 outlines the requirement to address all details of waste sorting and collection in accordance with the City's Waste Collection By-law prior to site plan approval. This includes the requirement to explore opportunities to facilitate a transition to City waste collection at some point in the future. Although private waste collection would be initially proposed for the proposed development, a number of possibilities do exist for transitioning to total or partial City waste collection in the future.

## *Lighting, Antennas, Satellite Dishes*

A detailed lighting plan will be submitted and reviewed through the site plan approval process to ensure that there are no adverse lighting impacts from the proposed development on surrounding lands. In addition, the applicant has indicated that the condominium declaration would ensure that no antennas, satellite dishes and similar structures could be erected on the building.

## Attachment 10 Peer Review Architect Report

**Giannone Petricone Associates**

**Giannone Petricone Associates Inc. Architects  
Peer Review Report - 5 Arthur Street, Guelph, ON  
Second Review: June 06, 2014**

The firm of Giannone Petricone Associates was asked by the City of Guelph to provide services in the form of Peer Review Architect for a mixed use, high-density residential multi-phase development comprising of several buildings located at 5 Arthur Street, Guelph, Ontario.

For the second formal review, it is acknowledged that the applicant Fusion Homes, through their architect, Kirkor Architects & Planners, have made attempts to incorporate many of the comments raised in the first review. The applicant's willingness to deal with subtle changes important to the urban design is also acknowledged.

Following our First Review report, dated February 2, 2014, a meeting was held at the Fusion Homes offices with the City of Guelph on April 15, 2014. The applicant presented a revised "Urban Design Master Plan" document on April 15, 2014. A subsequent meeting was held on May 9, 2014 at the City of Guelph where further revised documents were submitted for review as follows:

- Site Plan Approval drawings dated February 26, 2014
- Landscape drawing set dated May 16, 2014
- Urban Design Master Plan document dated May 2014
- Addendum document "Revision in Phase 1 Based on Urban Design Brief Comments on April 15, 2014" dated May 14, 2014



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## Attachment 10 Peer Review Architect Report Cont'd

Giannone Petricone Associates Inc. Architects

Peer Review Report – 5 Arthur Street, Guelph, ON

Second Review: May 27, 2014

### Second Review

As stated above, this meeting allowed for a discussion around the changes and progress that the applicant had made following the first review. As well, many questions of clarification were dealt with during our meeting. It must be stated that the documentation provided by the applicant was thorough and comprehensive. Further to this the applicant provided much assistance in understanding the resultant design.

The following commentary results from review of all documents provided (listed above) and from a discussion with City of Guelph staff and the applicant:

#### 1. Grade Relationships

- 1.1 The applicant has responded to the request to scale down the stairs from the private courtyards to the Riverwalk, by reducing the width of the stair, as well as adding stepped planters and sloped landscaping. The corner townhouses flanking the stairs are now terraced, as was suggested by our First Review report, and this is seen as a step towards a positive resolution.
- 1.2 We are generally in support of the addition of 2 more staircases on the Phase 1 Riverside townhouses to the Riverwalk, however the execution can be further refined through the site plan approval application. It may be beneficial to have the stairs shift between the units so that four (4) of the units can share the staircases. The staircases could also be oriented parallel to the Riverwalk to minimize encroachment onto the public area.
- 1.3 A strip of planting (sod) has been added to the north side of the Phase 1 tower between the drop-off and the parking lot surfaces to improve the public pedestrian connection between Arthur Street and the Riverwalk.
- 1.4 The addition of raised planters alternating in height that step in and out along the Riverwalk is appreciated as it adds interest and breaks up the monotony of the solid wall running along public face of the path.

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## Attachment 10 Peer Review Architect Report Cont'd

Giannone Petricone Associates Inc. Architects

Peer Review Report - 5 Arthur Street, Guelph, ON

Second Review: May 27, 2014

### 2. Building Design

- 2.1 Town house massing: The applicant has added bay windows onto the Riverside townhouses, which we believe to be a successful strategy towards creating a more modulated and varied façade. The revised sidewalls of the townhouses facing the heritage buildings show an increase in fenestration which is an improvement over the previous blank wall representation.
- 2.2 The Phase 1 tower massing: an effort has been made by applicant to diminish the bulk of the building. The increase in glazing at the 8<sup>th</sup> and 9<sup>th</sup> storey on the Riverwalk side decreases the appearance of some of the mass. The mass could be further diminished by breaking up the continuous balcony on the north side of the 10<sup>th</sup> storey into 3 separate, private balconies. The same strategy can also be applied to the 9<sup>th</sup> story by breaking up the continuous balconies on the east and west into 3 separate, private balconies on each side as this will help lighten the building's appearance.
- 2.3 Phase 2 and 3 tower massing: it is understood that the applicant intends for the Phase 2 and 3 towers to not be identical but to appear as "brother and sister" to the Phase 1 building. Based on the site plan submitted (p.37, the Urban Design Master Plan May, 2014) it is our opinion that the massing is heading in the right direction. The Phase 2 tower appears to be without hips, and overall thinner with its penthouse level stepped back farther than the adjacent towers. It is encouraged that the Phase 3 tower also displays this level of variation from the Phase 1 tower.
- 2.4 Phase 4 building massing: As requested, the applicant has shifted and angled the northwest corner massing of the podium towards the south, opening up the public access to the River. The tower massing has been improved through conforming to the 1.5:1 length-width prescribed by the Urban Design Masterplan document.

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## Attachment 10 Peer Review Architect Report Cont'd

Giannone Petricone Associates Inc. Architects  
Peer Review Report – 5 Arthur Street, Guelph, ON

Second Review: May 27, 2014

As the project becomes more refined, it is crucial to the skyline of the city of Guelph that the materials and building massing continue to contribute towards creating 5 towers with varied architectural articulation, as per the Urban Design Guidelines.

We believe that the project has improved, and the applicant has made an effort to address the many of the comments made in the First Review report. We look forward to seeing how the project develops.

## Attachment 11 Community Energy Initiative Commitment

### 5 Arthur Street South - Features of Proposed Development that Support Guelph's Community Energy Initiative (February 6, 2014)

#### Sustainable Sites (Location and Property)

Urban Development	Development is more sustainable in that it is located within the boundary of an existing urban area on land that is fully serviced, utilizes existing infrastructure, hard and soft services and various amenities and that avoids unnecessary consumption of agricultural or rural land.
Downtown Core Location	Development in a downtown core location is more sustainable as it is within convenient walking or cycling distance of a range of commercial and service uses, employment, community services, parks and leisure activities, reducing the need to drive and air pollution.
Mixed Use Development	Development will be mixed use in nature and include a broad range of residential uses, commercial uses and other amenities, such as parks and trails. Mixed use development is beneficial by enabling the creation of a more efficient, complete and healthy community.
Density and Built Form	The proposed development involves creation of a greater number and diversity of higher density built forms that are more compact in nature and that make more efficient use of land. Such built forms also enable incorporation of more efficient systems that reduce energy consumption.
Brownfield Redevelopment	The proposed development benefits by remediation of this former brownfield site next to the Speed River and by improving current conditions. The retention and rehabilitation of existing buildings reduces the volume of waste going to the landfill and energy expenditures and inputs needed to produce additional building materials.
Transportation	The proposed development provides alternative options for transportation with a network of local roads, access to sidewalks and trails for walking and cycling and higher order transit. The downtown location enables residents to avoid or reduce the cost and impact of driving by the proximity to jobs, shops, services, recreation and leisure. Ample bicycle storage is provided for residents and visitors on site.

## Building Design, Systems and Materials

Building Type	Phase 1 to 3: Each phase consists of a 10 to 12 storey residential mid-rise with a 3 to 4 storey TH base at the east and west ends and one story garden unit at the north and south ends of the block. Phase 4 and 5: Each phase consists of a 12 to 14 storey residential building with a 4 to 5 storey podium and retail at grade.
Building Orientation and Layout	Buildings are oriented on an east-west axis. They are slender in form to maximize the distance between buildings and visual/ pedestrian access towards the riverfront from Arthur Street. In Phase 5, the riverside portion of the building is bent to maximize views towards Speed River.
Building Longevity	Buildings will be constructed of durable materials, such as stone, local masonry, concrete, glass and metal. Building envelope will be properly sealed and vented to avoid condensation and leakage into building interiors.
Exterior Walls and Glazing	The buildings are designed with less than 50% vision glazing. With the use of masonry wall and proper insulation, energy loss will be minimized.
Light and Ventilation	The increase in distance between buildings maximizes natural light into the units. Operable windows/ sliding doors will be provided for each room along building envelope for natural ventilation.
Mechanical and Electrical Systems and Metering	Individual heating and cooling unit and hot water tank are provided for each suite. Central mechanical plant is eliminated. At least 25% energy reduction relative to the consumption of the reference building designed to the Model National Energy Code for Buildings (MNECB). HVAC units within suite will be high-efficient if gas-fired equipment is used.
Building Materials	Buildings will be constructed of durable materials, such as stone, masonry, concrete and metal. <ol style="list-style-type: none"> <li>1. Low VOC interior finishes.</li> <li>2. Renewable materials and products such as bamboo may be used.</li> <li>3. Potential use of certified wood.</li> </ol>
Origin of Building Materials (Local/Regional)	Local masonry will be a predominate material used on the buildings (structure & aesthetics)
Fixtures and Appliances	Energy Star appliance and water efficient fixtures.



Recycling and Waste Collection	There is an indoor garbage/ recycle collection area dedicated to each building phase.
Recycling of Construction Waste	Materials will be properly sorted and recycled before leaving the site.

## Landscaping and Site Design

Exterior Design	15m Public river walk is intended for public access.
Landscape Design	The landscape design provides numerous connections to nature and the great outdoors. Grade related townhouse patios animate the streetscapes and river's edge. Two private patios provide outdoor amenity for the new residents.
Public Open Space	Open and permeable streets connect the surrounding neighbourhood to the river's edge. A riverside walk unfolds the river's beauty for the full length of the new community.
Existing and Proposed Trees	An existing Norway maple hanging over the river's edge will be preserved and supplemented with a new crop of shade trees that increase in density towards the south.
Site Lighting	Light pollution reduction: no lights are projected outside of site boundary. Automatic interior lighting control systems will be used
Amenity/Green Roofs	There are semi-private outdoor amenity courtyards between Phase 1 and 2 and between Phase 2 and 3.
Other Sustainable Landscaping and Site Design Measures	Use of high albedo surface materials and shade for at least 50% of site non-roof hardscape. Except for the Heritage site, no surface parking is in the design. As for Urban Heat Island reduction, all parking spaces are structured.

## Water Efficiency

Water Efficient Building/System Designs	Water efficient fixtures to reduce water consumption on site.
Water Efficient Landscaping Design and Materials	Water efficient plants will be utilized. Plants will be self-sufficient of the irrigation system after the first two years.
Stormwater Management Approach and LID's	Stormwater quality measures will be implemented to remove 80% of total suspended solids on an annual loading basis. In this regard oil/grit separators will be installed to treat larger paved driveways and parking lots. With respect to LIDs, a bio-retention swale will be constructed along the river walk to provide treatment of runoff by filtering stormwater through a bio-retention

# STAFF REPORT

	soil mixture.
Erosion and Sediment Control	An erosion and sediment control plan will be prepared to illustrate the required measures to be implemented during construction in accordance with the requirements of the City and Conservation Authority. The plan will include details, construction staging notes as well as inspection and maintenance notes.

## **Innovation and Design**

Modelling/Auditing	Energy Modeller to calculate the reduction in energy consumption for the project based on current design.
Accreditation/Certification	Kirkor Architects have several LEED professionals on staff: Matthew VanGilst, Bonnie Chan, Steve Kirshenblatt.
Education/Interpretation	Education programs/panels to explain the history of the site and sustainable measures in the new building design along River walk .

# STAFF REPORT



## Attachment 12 Circulation Comments - Agency

<u>RESPONDENT</u>	<u>NO OBJECTION OR COMMENT</u>	<u>CONDITIONAL SUPPORT</u>	<u>ISSUES/CONCERNS</u>
Planning/Urban Design		✓	Subject to conditions in Attachment 2 - see attached correspondence
Environmental Planning		✓	Subject to conditions in Attachment 2 - see attached correspondence
Engineering		✓	Subject to conditions in Attachment 2 - see attached correspondence
Park Planning & Development		✓	Subject to conditions in Attachment 2 - see attached correspondence
Heritage Planning		✓	Subject to conditions in Attachment 2 - see attached correspondence
Environmental Advisory Committee (EAC)		✓	Subject to conditions in Attachment 2 - Resolution included in Environmental Planning comments
River Systems Advisory Committee (RSAC)		✓	Subject to conditions in Attachment 2 - Resolution included in Environmental Planning comments
Guelph Hydro		✓	Subject to conditions in Attachment 2
Grand River Conservation Authority		✓	Subject to conditions in Attachment 2
Upper Grand District School Board		✓	Subject to conditions in Attachment 2
Wellington-Guelph Housing Committee		✓	Subject to consideration for affordable housing opportunities
CN Rail		✓	Subject to conditions in Attachment 2
Zoning	✓		
Guelph Fire / Emergency Services	✓		
Guelph Police	✓		
Union Gas	✓		
Guelph and Wellington Development Association	✓		Support application – see attached correspondence

## INTERNAL MEMO



DATE June 19, 2014

TO **Katie Nasswetter, Sr. Development Planner**

FROM David de Groot

DIVISION Planning and Building Services

DEPARTMENT Planning, Engineering & Environmental Services

**SUBJECT Urban Design Comments for 5 Arthur Street (2278560 Ontario Inc.): Zoning By-law Amendment Application**

Urban Design Staff have the following comments on the revised Urban Design Master Plan (UDMP) dated May, 2014 and revised by letter dated June 10, 2014. The UDMP is a critical document that will be used to guide future site plan applications and future phases, as well as providing support for the proposed Zoning By-law. Staff notes that the author has changed and the development concept of the Urban Design Master Plan has been revised since the first submission of the Urban Design Master Plan by the applicant. This is the third review of the revised Master Plan.

The second peer review architect report dated June 6, 2014 based on the second meeting held on May 9, 2014 outlines a number of the key urban design issues. Key issues addressed through this process have been around:

1. Grade relationships, including how the building meets the Riverwalk, and Arthur Street, as well as how the internal east-west streets are addressed.
2. Building Design around massing. More shaping of the building has occurred to ensure the building steps down to the River and the top is more sculpted. As well as ensuring that variety is achieved in the first three phases by way of a master plan.
3. Ensuring the demonstration plan reflects the City's Secondary Plan policies around built form (e.g. floorplates and setbacks).

### **Comments on Urban Design Masterplan (UDMP)**

The UDMP has been refined in order to reflect a number of the previous comments made by staff and the peer review architect. Staff thank the applicant for making these changes. The following changes are required to the Master Plan prior to re-zoning:

- The Site and Context (pg.10): Please add back in the general requirements of the Downtown Secondary Plan which limit floorplates and length/width ratio: "Generally, the maximum floorplate of any floor above the sixth storey shall be 1200 square metres. Floor plates of floors above the eighth storey generally shall be a maximum of 1000 square metres and should not exceed a length to width ratio of 1.5:1."
- Development Concept—River Walk (pg 15): As previously noted, please revise the guideline as follows:  
"—To ensure that there are 'eyes on the river walk' and there is a positive relationship between the townhouses and the river walk, planters will be provided to soften the required wall. Stairs will be provided for direct access to the townhouse units from the river walk. Any stairs will generally be located outside the river walk

Katie Nasswetter, Sr. Development Planner

June 19, 2013

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with limited encroachment permitted in the floodway. The wall will also be 'crenulated' in order to provide visual interest."

- Development Concept (pg. 19): Please add a guideline regarding burying hydro lines adjacent to the development.
- Development Concept (pg. 22): Amend the diagram to show conceptual setbacks after floors 6 and 8. Add back in the guideline recognizing the policies in the Secondary Plan which limit floorplates and length to width ratios: "Generally, the maximum floorplate of any floor about the sixth storey shall be 1200 square metres. Floor plates of floors above the eighth storey generally shall be a maximum of 1000 square metres and should not exceed a length to width ratio of 1.5:1."
- Development Concept Cross sections (pgs 23-29): On each cross-section please add the following note: "Stepbacks will be provided as per the guidelines and Zoning By-law."

## **Zoning By-Law**

- The approved Zoning By-law needs to reflect the Downtown Secondary Plan policies around built form. Specifically, stepbacks and building floorplate restrictions.
- This being said, the Downtown Secondary Plan allows for some flexibility in the built form policies of the Downtown Secondary Plan (11.1.8.1.4). Based on this policy, for Phase 1, staff is supportive of a floorplate size of 1200m for floor 9 (rather than 1000m) and the length to width ratio greater than 1.5 to 1 for floors 9 and 10 based on a maximum height of 10 storeys. This support is based on the refinements to the building design for Phase 1 which remove the 'super grid' in order to lighten the massing, and the provision of a visual step-back above floor 7 facing the river.
- For Phase 2, based on refinement of the design through an Urban Design Brief as part of a holding provision staff is supportive of the following Zoning Approach:
  - A length to width ratio greater than 1.5 to 1 for floors 9-11
  - Floorplates above 10 storeys limited to 750 sq m.
  - A maximum height of 11 storeys
- For Phase 3, based on refinement of the design through an Urban Design Brief as part of a holding provision staff is supportive of the following Zoning Approach:
  - A length to width ratio greater than 1.5 to 1 for floors 9-10
  - Floorplates above 9 storeys (rather than 8) limited to 1000 sq m.
  - A maximum height of 12 storeys



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- Based on the above a holding provision for phases 2, 3, 4 and 5 should be included for the submission and approval of an Urban Design Brief that describes how this phase of development meets the Urban Design Master Plan for the site and the completion of an architectural peer review process.
- Based on these provisions and the UDMP, staff feel that the planning process will create appropriate variety and interest in building design and massing through the full build-out of this project.

### **Site Plan Process**

Refinement to the design of the first phase will be required through the site plan process around:

- Ensuring the building will be sculpted to provide the visual effect of stepping down towards the river as shown in the revised renderings circulated May 15, 2014.
- Further sculpting of the top of the building by refining the approach to balcony design as outlined by the peer review architect report dated June 6, 2014.
- Provision of an Urban Design Brief summarizing compliance to the UDMP.
- Provision of a concept plan for the River Walk.
- Stairs connecting the townhouses to the river walk should be predominantly outside the 15m river walk and subject to the GRCA regulations.

### **Conclusions:**

- The Urban Design Master Plan should be revised based on the above comments.
- The approved Zoning By-law needs to reflect the Downtown Secondary Plan policies around built form. Specifically, setbacks and building floorplate restrictions with except where noted above. In addition a holding provision should be included for Phases 2, 3, 4 and 5 around the submission of an Urban Design Brief and peer review architect proposal. An urban design should also be submitted with the site plan application for the phase containing the heritage building.
- Further detailed comments will be provided as part of the site plan process.

Prepared By:

#### **David de Groot**

Senior Urban Designer  
519.822.1260 ext. 2358  
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# STAFF REPORT



## INTERNAL MEMO



DATE May 30, 2014

TO **Katie Nasswetter, Senior Development Planner**

FROM Adèle Labbé, Environmental Planner - Development

DIVISION Planning, Building, Engineering and Environment

DEPARTMENT Planning Services

**SUBJECT 5 Arthur Street South Proposed ZBA and OPA dated February 14, 2014**

Hi Katie,

After being involved in reviewing the application (OP1302/ZC1305) for an Official Plan Amendment and Zoning By-law Amendment at 5 Arthur Street South since the winter of 2012, I am pleased to provide my final comments and recommendations as it relates to the proposal submitted on February 14, 2014. Note that should substantial changes be made to the application following the date noted above, additional comments and recommendations may be provided from an environmental perspective.

Chronology of review undertaken:

- Proposed Environmental Impact Study Terms of Reference submitted by Stantec Consulting Ltd., dated March 5, 2013
- Comments provided on March 14, 2013 in response to a proposed Scoped Environmental Impact Study (EIS) Terms of Reference (ToR);
- Staff Report for Environmental Advisory Committee provided March 3, 2013 in response to the proposed Scoped EIS ToR;
- Staff Report for River System Advisory Committee provided March 13, 2013, in response to the proposed Scoped EIS ToR;
- **A complete application was received on June 3, 2013 to develop 5 Arthur Street;**
- Environmental Planning comments were provided on June 28, 2013 in response to the complete application including a Scoped EIS dated April 2013;
- Internal Memorandum prepared on October 31, 2013 in response to the Tacoma Structural Integrity Assessment;
- A revised Scoped EIS was submitted and dated September 2013 in response to staff comments;
- Staff Report prepared for the Environmental Advisory Committee dated October 9<sup>th</sup>, 2013;
- Staff Report prepared for the River System Advisory Committee December 4<sup>th</sup>, 2014;
- City Response prepared on February 12, 2014 to address a motion passed by RSAC on December 4<sup>th</sup>, 2014.
- **On February 14, 2014 a revised complete application was submitted to the City for review.**
- A Staff Report was prepared for the Environmental Advisory Committee on March 12, 2014;
- Staff prepared a presentation for the River System Advisory Committee March 19, 2014 meeting.

Below I've outlined any outstanding comments and/or concerns as well as recommendations

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moving forward. I have also included in Attachments 1 and 2 the motions carried by the Environmental Advisory Committee (EAC) and the River Systems Advisory Committee (RSAC), respectively, as it relates to this file. Attachment 3 includes the City's response to the December 4<sup>th</sup> motion carried by RSAC.

## Proposed Development

The applicant proposes redevelopment of the former W.C. Woods Factory and existing brownfield site located at 5 Arthur St. S. The development proposed is mixed use consisting of 6 phases. The development includes approximately 650-750 residential units arranged within buildings and townhouses and underground parking, as well some commercial units are included within phases 4 and 5 on the ground floor. The existing building on site is a built heritage resource that is proposed to be re-used as part of the development but is not proposed to include any residential units. A publicly accessible trail along the river within the Floodway Zone is also proposed and referred to as the riverwalk.

## **Final Comments (Feb 2014 submission):**

### Riverwalk Revised Rendering (March 2014):

- The Riverwalk Rendering that is attached to the Active Development Files website is misleading. It doesn't adequately represent the site even at a conceptual level. Particularly striking is the lack of a retaining wall separating the riverwalk from the river.

### Functional Servicing Report (Rev. April 2014):

- The most recent Functional Servicing Report does not include green roof technology as a recommended Low Impact Development feature for the site. The Urban Design Master Plan and artistic renderings for the site have included green roofs on two of the 6 buildings since early concepts were circulated. Staff strongly recommend that green roofs continue to be planned for the site for at least 2 of the 6 buildings. It is important to consider this type of technology at this time to ensure they are feasible at the site plan stage.
- The most recent Functional Servicing Report continues to illustrate development within the Floodway Zone which is not permitted. See attached redline. The Allan Dam spillway should be incorporated in plans to help depict the Floodway Zone line which will be measured from the edge of the spillway.

### Urban Design Master Plan by Kirkor (May 2014):

- P. 32 illustrates the Emergency Vehicular Access within the 15m wide floodway. The concept of locating an emergency access route (as required by the OBC) in this location is not supported by the Environmental Planner, the River Systems Advisory Committee or the Environmental Advisory Committee. Vehicular access for maintenance and/or emergencies is supported by means of removable bollards, as previously discussed. Should emergency vehicular access be required, an additional 3m should be provided above and beyond the 15m setback.
- A goal of the UDMP should be to avoid unnecessary infrastructure within the riverwalk.
- The Urban Design Master Plan does not reference the Environmental Impact Study recommendations or acknowledge the need for an Environmental Implementation Report. The most appropriate section to reference the EIS and EIR is likely section



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3.1.10 Sustainability. In this section add the following goals and objectives under "Environmental Sustainability":

- Protect and enhance Guelph's Natural Heritage System and its ecological functions through the implementation of recommendations from the Environmental Impact Study (ex. Bird-friendly building design, etc.) and Environmental Implementation Report.

**Policy Analysis in Response to Request for an Official Plan Amendment:**

Existing Land Use Designations, Zoning and Study Requirements:

Within the current Official Plan (December 2012 Consolidation), a 15 m swath directly adjacent the river is designated as Core Greenlands and the balance of the site is designated as Special Policy Area / Floodplain (see attached Figure 1). Currently, the 15 m swath adjacent the river on site is zoned Floodway (FL) and Residential Apartment with a holding provision [R.4B (H2)].

The Special Policy Area designation recognizes existing development within the floodplain and provides opportunity for infill where flood hazards are not aggravated. The Grand River Conservation Authority, through a Memorandum of Understanding, provides the City with technical expertise to review the proposal as it relates to flood hazards.

The Core Greenlands designation is based on the Floodway function (Natural Hazards) where areas are recognized as having greater sensitivity and significance. This is primarily due to the risks associated with the flooding depths and velocities, in this case. Development is prohibited in the Floodway.

The site is directly adjacent to the Speed River, which is designated as Core Greenlands (Natural Hazards) and includes elements of Non-Core Greenlands such as fish habitat as well as environmental corridor functions. When development is proposed on lands adjacent to fish habitat and/or environmental corridors, an EIS must be undertaken to demonstrate no negative impacts to the features or their functions (policies 6.7.2 and 6.8.4.2).

Having Regard for OPA 42:

The City's Natural Heritage Strategy and OPA 42 (currently under appeal) does not identify any portion of this site as a component within the NHS due to its current developed state (See attached Figure 2) . On adjacent lands, the Speed River is identified as Significant Natural Area in OPA 42 based on it providing Fish Habitat, Waterfowl Overwintering Habitat as well as being included within Undeveloped Portions of the Regulatory Floodplain. The policies of OPA 42 would require an Environmental Impact Study to be undertaken to demonstrate that the proposed development does not impact the Significant Natural Area.

Request for Official Plan Amendment:

The proposal seeks relief from the December 2012 Consolidated Official Plan policy 6.9.5.1 (a) where it reads:

*In spite of 6.9.1.2 (b) in instances where a development proposal is within or on adjacent lands to the Speed and Eramosa Rivers' environmental corridor, the City will require development to be set back the greater of: (a) 30 metres from the river edge; or (b) where there is a steep slope adjacent to the river; 15 m from the top of slope.*

Policy 6.9.1.2 reads:

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*The City will promote the protection and maintenance of all rivers, streams and creeks as environmental corridors. (a) Land within the area of influence of streams and rivers should, where possible, be retained as, or rehabilitated to enhance its function as an environmental corridor. (b) Generally, the City will require development to be set back a minimum of 10 metres from the top of stream bank, or 30 metres from the stream edge whichever is greater. This area is to be used as a riparian buffer.*

These policies are found within Section 6.9 Environmental Corridors and Ecological Linkages of the current consolidated Official Plan (December 2012 consolidation). This portion of the City's Official Plan defines Environmental Corridors as:

*Linear biophysical features usually associated with river, stream and creek valleylands that provide essential links for plant and animal species and often serve as buffers to riverine ecosystem.*

At this site, the natural form of the Speed River valley slope and river's edge have been subject to historic anthropogenic alterations and development. An existing retaining wall and building wall are congruent with the river's edge in this location. Under the current Official Plan policy framework a 30 metre development setback from the river edge is required. It is this policy from which the proponent seeks an Official Plan Amendment to allow development to occur within 30 m of the stream/river edge and no closer than 15 metres.

#### Analysis:

The reaches of the Speed River adjacent to the site support species of reptiles (turtle) and amphibians (frogs and toads), several aerial insectivores and other bird species, bats, waterfowl, fish and other aquatic organisms at some point throughout their life cycles. Fish and wildlife depend on this area as habitat for breeding, foraging and feeding, refuge habitat during winter months as well as a corridor to move through the city to and fro the downstream confluence of the Speed & Eramosa Rivers and the Guelph Lake area. The Speed River in this location is managed as a coolwater fishery.

The environmental corridor functions in their existing condition are currently limited. Primarily, functions occur adjacent the river wall due to the use of the site as a factory including buildings at the river's edge for over a century. Furthermore, the existing Allan Mill Dam which is recognized as a barrier to upstream fish movement, further limits the corridor functions within these reaches relative to fish. Limited use of the site area adjacent the river is acknowledged, particularly since the closure of industrial operations. The EIS confirms that the corridor functions in this area serve downstream fish movement and urban wildlife movement including raccoons, skunks, bats and birds, etc. throughout the City.

Contrary to information in the EIS, staff interpretation of the City's Official Plan is that it does recognize the existing developed nature of the Speed River valley. For example, policy 6.9.5 "promotes the future naturalization and environmental enhancement of the Speed and Eramosa river valleys in effort to improve the river's water quality and fish habitat, prevent bank and steep slope erosion as well as provide the filtration of stormwater" (Official Plan Consolidated December 2012). This same policy further directs development to be located 30 metres from the river's edge or 15 m from the top of slope.



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The objectives of the policies of section 6.9 are to promote the retention, maintenance and enhancement of environmental corridors and ecological linkages. Furthermore, the general policies indicate that the City encourages the incorporation of environmental corridors into a development proposal's design to enhance social and environmental qualities of the landscape.

Official Plan objectives as it relates to the area adjacent the river can also be found in the City's Open Space policies. For example, section 7.12 includes several goals applicable to the site including, but not limited, to:

- *to develop a continuous linear open space system connecting diverse natural, cultural and recreational land uses within the City and with links to surrounding municipalities; and*
- *to assist in protecting areas comprising of natural heritage features and cultural heritage resources.*

City staff recognizes the site as a good location for infill development and equally recognizes the importance of the land within the area of influence of the Speed River for its existing and potential function as an environmental corridor and as part of the linked Open Space system. As such, in addition to ensuring protection of the river for the long-term, the proposed development at 5 Arthur Street South has been encouraged to enhance the environmental corridor functions that have been impaired for the last century through the design of the riverwalk.

The rationale provided for the reduced setback from 30 m to 15 m is based on the principle that the CPU has ordered the maintenance of the existing river wall in perpetuity as a risk management measure which precludes the opportunity of reinstating a natural river bank in this location. It precludes the ability for the interface of the site with the Speed River to be changed from its current channelized state to being rehabilitated to a more naturalized channel bank and riparian zone. In addition the conservation of the built heritage resource will retain one building directly along the river's edge for a portion of the site.

Further, the rationale rests upon the EIS investigations and analyses which conclude that there are no negative impacts to the natural heritage features or functions and particularly to the integrity of the environmental corridor function associated with the Speed River. In contrast the report highlights an enhancement opportunity by restoring the 15 m area to accommodate corridor functions and a public trail.

Conclusion:

An increase in setback to new development over the existing condition will provide opportunity for an enhancement of environmental corridor functions for urban wildlife. The EIS has demonstrated that with mitigation the proposal does protect the adjacent natural heritage features and their ecological functions for the long-term. City staff do not object to a reduction in setback of 15 m, provided the space can accommodate fish habitat and environmental corridor enhancements as recommended in the EIS, a public trail system and meet the objectives of the Urban Design Master Plan.

**Proposed Zoning Bylaw Amendment:**

Floodway Zone:

The proposed Zoning By-law has requested two exceptions within the Floodway Zone: one

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for the area containing a portion of the existing built heritage resource and the other to permit encroachment of a portion of new development within the floodway. The second exception, to allow new development within the Floodway is not supported by the GRCA, as expressed by their letter dated March 27, 2014, nor by Environmental Planning staff.

The retention and re-use of the existing building within the floodway is supported by both the GRCA and staff in order to retain the built heritage resource. It should be clear however that support is provided only for the retention and re-use and not for new development, intensification nor replacement of the building if it was destroyed.

Furthermore, the proposed use of a day care facility within the existing built heritage resource is not supported by the GRCA or City staff. Provincial and City policies do not support day cares, or similar institutional uses, within floodways due to the threat to safe evacuation during an emergency as a result of flooding.

#### Residential Zone R.4B-X:

Environmental Planning staff recommend a Holding Provision be included on the proposed residential zoning to allow for:

- The completion of a Structural Assessment for the existing below grade retaining wall, which is congruent with the river bank, and results provided to City staff for review.
- The completion of an Environmental Implementation Report which demonstrates that mitigation measures, habitat enhancements, public trail elements and urban design elements can be achieved within the 15 m setback to the river.

#### **Ownership of the Riverwalk:**

Environmental Planning staff support the Riverwalk being in public ownership through land dedication provided that a Structural Assessment by a Professional Engineer is undertaken for the existing below grade retaining wall and that the overall condition of the retaining wall at the time of transfer includes a life expectancy of at least 75 years. This would allow the City to prepare financially to care for the wall, which is a requirement of the Certificate of Property Use as it relates to containing contaminated soils. It would also meet the OP policy objectives of Section 5 which includes protecting residents from unsafe living conditions and property damage caused by natural hazards such as flooding.

Staff are also supportive of an easement in the City's favor for the area to allow for public access as this meets the intent of the linked Open Space System policies in section 7.12. Both options are consistent with policy 7.12.6 (a) of the current Official Plan.

#### **Final Recommendations and Conditions:**

1. Environmental Planning staff recommend that the reduced development setback of 15 m from 30 m, to be measured from the Speed River's edge, be conditionally supported. It is recommend that a Condition of Approval include the requirement to undertake an Environmental Implementation Report (EIR) to provide design details and confirm that the recommendations of the Scoped Environmental Impact Study as well as the objectives of the Urban Design Master Plan can be accommodated within a 15 m width. It should be noted that should it be found through the EIR that

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not all items can be addressed and incorporated; there may be the need for minor refinements in terms of additional space added to the 15 m. As such, I would recommend a Holding Provision be added to the proposed residential zone R.4B-X to ensure this final item can be appropriately addressed.

2. That prior to any site alterations, tree removal or Site Plan approval:  
An Environmental Implementation Report (EIR) is to be provided to the satisfaction of the General Manager of Planning Services. The EIR will include the following:
  - a) How all the conditions of development approval have been met;
  - b) How municipal infrastructure servicing and the protection of natural heritage features and their associated ecological functions have been addressed (including a street tree plan);
  - c) Any other special requirements that are required to protect the overall natural environment of the area;
  - d) How the Environmental Advisory Committee and River System Advisory Committee comments and motions of March 12 and March 19, 2014, respectively, have been addressed;
  - e) A summary of the Structural Analysis for the below grade retaining wall and applicable recommended mitigation measures which may arise as a result of the study;
  - f) A Stormwater Management Plan including details of Low Impact Development (including green roofs);
  - g) Grading, erosion and sediment control and dewatering plans;
  - h) A Salt Management Plan;
  - i) A summary of geotechnical requirements and soil management needs;
  - j) An analysis indicating how buildings will be designed to be bird-friendly;
  - k) Detailed design of the entire Floodway Zone (Riverwalk and Allan's Green);
  - l) Ecological enhancement details and plans;
  - m) Landscape Plans completed by a member of the Ontario Association of Landscape Architects;
  - n) Education and Stewardship materials; and
  - o) A baseline, during and post-construction monitoring plan;
  - p) Any recommendations for inclusion within the Declaration of Condominium as it relates to the environment;
  
3. That prior to any site alterations, tree removal or Site Plan approval:  
A Structural Assessment, and its terms of reference, of the existing below grade retaining wall including under flood conditions be undertaken to the satisfaction of the City.

Regards,



**Adèle Labbé**

Environmental Planner – Development



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## Attachment 1: Environmental Advisory Committee Motions

Motion carried on March 12, 2014

- “1. THAT the conceptual plan for the “riverwalk” include the following zones, in general:
- Minimum 8 m zone adjacent to riverwall to be designed as an environmental corridor and naturalization/enhancement zone. This zone should include canopy trees, pollinator species, any proposed enhancement such as bird boxes or bat boxes, etc., educational signage as well as some “look out” zones.
  - 3 m trail connection;
  - 4m zone to separate the public and private realm. This zone should include vegetation and educational signage.
2. THAT the conceptual plan for the “riverwalk” include:
- Canopy trees with adequate soil;
  - Pollinator species;
  - Recommendations from the EIS such as: bird/bat boxes, nesting structures, educational signage, etc. ;and
  - Look out areas to provide the public a view of the river.
3. THAT the Preliminary Grading Plan (Fig-3) and Preliminary Servicing Plan (Fig-4) be revised to illustrate the 15m setback from the riverwall, not the property line.
4. THAT all documents are revised to show no development within the FL zone, and to be consistent with each other.
5. THAT an EIR be provided for the site and include detailed mitigation measures and detailed enhancement plans based on a detailed design which includes any work required for the existing riverwall/retaining wall as well as the riverwalk design.”

Motion carried on October 9<sup>th</sup>, 2013

- “THAT
- a) It be demonstrated that the development will not negatively impact fish habitat for the long term;
  - b) It be demonstrated that the corridor enhancements and public trail can be accommodated within the proposed setback;
  - c) The potential/proposed use for the existing heritage building is clarified;
  - d) An assessment of the structural integrity of the river wall under flood conditions by a professional engineer is provided.”

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## Attachment 2: River System Advisory Committee Motions

Motion carried March 19, 2014

“That RSAC support the application for redevelopment at 5 Arthur Street made by Fusion Homes with the following conditions:

- That the conceptual plan for the “Riverwalk” include the following zones, in general:
  - Minimum 8 m zone adjacent to Riverwall to be designed as an environmental corridor and naturalization/enhancement zone and including: canopy trees with adequate soil volumes and measures (i.e., root guards, soil technology), pollinator species, any proposed enhancement such as bird boxes or bat boxes, educational signage, etc.;
  - 3 m trail connection including look out areas for the public to view the river;
  - 4m zone to separate the public and private realm.
  - If an emergency access route is required through the Riverwalk, extend the width to 18 metres.
- That the recommendations from the Structural Assessment of the existing below grade retaining wall be implemented by the developer;
- That the detailed design of the Riverwalk include further and detailed consideration for public access to the river in 2 or more locations;
- That the City encourage the pedestrian bridge connection (s) to occur as soon as feasible;
- That City comments from Parks, Engineering and Planning staff are addressed to their satisfaction;
- That an EIR be prepared by the developer in conjunction with the detailed design of the Riverwalk;
- That RSAC supports large canopy trees along the Riverwalk;
- That RSAC recommends City Staff exploring enhancement of riparian vegetation buffer function, as future of the retaining wall is determined;
- That RSAC support 10% parkland dedication and it occur along the river frontage;
- That RSAC has a concern about the massing and angular plane in phases 4 and 5, and would like them to come back for review at the preliminary site plan stage;
- That RSAC encourage staff to look at reducing the minimum number of required parking spaces per unit.”

Motion carried on December 4<sup>th</sup>, 2013

“The River Systems Advisory Committee recommends that the City include in its budget resources for a public realm transportation plan for the Arthur-MacDonnell-Wellington-Neeve development area that addresses in a comprehensive manner:

- Pedestrian movement and bridges;
- River system trails and crossings;
- Non-functional bridge infrastructure;
- Railway interplay; and
- The future of Allan’s Mill Pond Dam

with consideration of multi-seasonal maintenance and in consideration for the natural environment.”

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# STAFF REPORT



## MEMO



FILE: 16.131.001

**TO:** Katie Nasswetter, Senior Development Planner  
**FROM:** Development Engineering  
**DEPARTMENT:** Engineering Services  
**DATE:** June 25, 2014  
**SUBJECT:** 5 Arthur Street South – Official Plan and Zoning By-law Amendment – (OP1302/ZC1305)

The application is for an Official Plan Amendment and a Zoning By-Law Amendment for the subject properties. Engineering Services have reviewed the Traffic Impact Study, the Functional Servicing Report and the Environmental Impact Statement submitted in support of this application. We provide the following comments:

### 1 (a) Road Infrastructure

The developer of the subject lands has identified six potential phases of construction and development. Phases one (1) thru four (4) and phase six (6) are located on the west side of Arthur Street South with frontage onto both Cross Street and Neeve Street and is bordered by the Speed River to the west and the Guelph Junction Railway to the north. Currently Arthur Street South is a two (2) lane local road with curb & gutter and sidewalks on only the east side. Cross Street is a two (2) lane local road with curb & gutter and sidewalks on both sides of the street. Neeve Street is also a two (2) lane local road and bridge over the Speed River complete with curb & gutter and sidewalks on both sides of the road. Phase five (5) land parcel is located north of the Guelph Junction Railway and is at the intersection of Arthur Street South and Elizabeth Street.

The intersection of Arthur Street South and Elizabeth Street has been identified in the City of Guelph's Official Plan for improvement which will require a land dedication from the applicant. At this time, an exact land dedication cannot be specified as the intersection design is preliminary and conceptual only. This land dedication will be required as a condition for future phases beyond Phase 1, so that the traffic infrastructure can be improved to accommodate the future growth.

### 1 (b) Traffic Study: Access and Parking

City staff has reviewed the report entitled "Woods Property 5 Arthur Street Updated Traffic Impact Study" that was prepared by Paradigm Transportations Limited in May 2014. Based on the review of this study, we offer the following transportation comments.

The development site will accommodate a mix of 700 condominium units, 21 townhouses, about 11,150 square feet of office space and 32,090 square feet of commercial space. The site will be built out and occupied by 2025 through six phases. The vehicular access to the site is provided by one driveway on Arthur Street about 30m north of the GJR railway tracks, two driveways on Arthur Street south of the railway tracks, and one driveway on Cross Street. An internal road connection will link all driveways to the south of the railway tracks.

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Planning & Building, Engineering and Environment

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## MEMO



A total of about 378 and 669 vehicular trips are expected to be generated by the development during the AM and PM peak hours respectively, taking into account the trip reduction due to mode shift to transit and active transportation. This trip reduction is considered conservative given the proximity to the City's transit hub, downtown shopping area, and the mix land-use feature. No additional trip reduction is assumed for internal trip synergy and pass-by trips related to the proposed commercial land use. Future total traffic projections are a combination of site trips, background traffic growth and trips contributed by other planned developments.

After review of the TIS staff has identified and recommend several modifications to the existing traffic infrastructure in order to accommodate this development. These modifications include the following;

- The addition of a 40 metre long westbound turn lane on Elizabeth Street;
- Traffic calming measures within the study area;
- Pedestrian connectivity.

The implications of these modifications are summarized below;

- The T-intersection at Elizabeth Street and Arthur Street South is currently under a stop control on Arthur Street South allowing free flow traffic along Elizabeth Street. The study recommends keeping the stop control and adding a 40 metre westbound left turn lane on Elizabeth Street upon the completion of Phase 1 by 2015 horizon year. With this left turn lane, through traffic including buses will less likely be blocked by turning vehicles and drivers in this westbound left turn lane will have better sightlines to detect opposing traffic and pedestrian crossing. The inclusion of this left turn lane should be designed in the context of reconfiguration of Macdonell/Elizabeth/Arthur intersection as proposed in the "Downtown Guelph Streetscape Manual and Built Form Standards." The developer will responsible for the actual cost of design and reconstruction of this intersection as well as any land acquisitions that may be necessary.
- The development is of significant size and will generate trips within an existing residential area. The majority of these trips will be distributed to Wellington Street, Woolwich Street and Elizabeth Street as these roads offer direct and convenient road connections between major origins and destinations. A small proportion of traffic will travel through local roads to reach York Road. This is consistent with the trip distribution in the "Ward One Community Improvement Plan – Traffic Impact Study" prepared by Paradigm in 2001. These trips mainly originate from/destine to Hwy 7 and Victoria Road south of York Road. Following the Ward One Study, City has undertaken several initiatives involving public consultations with the area residents with regard to the short-cutting traffic and speeding issues. Some traffic calming measures have been in place. Among the traffic calming measures suggested in "Ward One Community Improvement Plan – Traffic Impact Study", the traffic consultant should identify the locations and construct the most effective types of traffic calming measures within the study area based on the experience built over the last two decades. The costs associated with constructing the traffic calming measures are the responsibility of the developer.

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- A sidewalk along the west side of the Arthur Street South should be provided to complete a pedestrian network in this area. The developer/owner will be responsible for the cost associated with constructing and designing a sidewalk on the west side of Arthur Street South.

### 2. Municipal Services

The following is the municipal infrastructure presently located within the Arthur Street South right of way:

- 225mm sanitary sewer;
- 250mm increasing to a 1200mm storm sewer;
- 200mm watermain.

Within the subject lands the following City-owned infrastructure currently bisects the site:

- 250mm and 375mm sanitary sewer;
- 1200mm storm sewer.

Both on-site sanitary sewers were reconstructing in 2011/2012 in support of the building demolition and foundation removal. A Sewer Relocation Agreement for this reconstruction was presented to Council and registered on title on November 15, 2013.

The City has recently completed a Class Environmental Assessment (EA) to evaluate and provide alternatives for the existing trunk sanitary sewers located within Arthur Street South, crossing the Speed River as well as along the banks of the Speed. It has been concluded that the trunk sewer is to be relocated within the municipal rights-of-ways surrounding the proposed site and will therefore eliminate the need for the sanitary sewers located within the subject lands. The completion of the first phase of residential units is projected for the autumn of 2016 which may coincide with the projected reconstruction of the infrastructure improvements on Arthur Street South, Cross Street and Neeve Street. The Functional Servicing Report has suggested that should the right-of-way reconstruction be delayed, Phase 1 as proposed could be accommodated utilizing the existing infrastructure. Infrastructure staff has confirmed that adequate water pressure, during both the peak hourly and average day demand scenario, as well as sanitary capacity is available for the first phase of development as proposed.

Prior to permitting a development proposal for future phases (beyond Phase 1), the City is to be satisfied that there are available municipal services (water pressure/volume and sanitary sewer capacity) to accommodate the development needs.

### 3. Storm Water Management

A Stormwater management report was submitted as part of the site plan application and was reviewed and comments provided to the developer. The report required amendments to reflect the updates. The cost of all the stormwater management works and quality controls will be the responsibility of the developer. A revised site

## MEMO

servicing plan as well as a grading and drainage plan will also have to be submitted for review and approval as part of the site plan application.

#### 4. Roadworks and Services Relocation

The relocation of the existing services that currently bisect the subject lands will be undertaken by the City during the proposed reconstruction of Arthur Street South, Cross Street and Neeve Street. The applicant will be responsible for the proportionate share of the reconstruction of the road and municipal sewers across the frontage of Arthur Street South, Cross Street and Neeve Street exclusive of any commitments that have been previously identified in the executed Sewer Relocation Agreement (January 13<sup>th</sup>, 2012) that is registered on title.

#### 5. Environmental

A risk assessment was undertaken for the subject lands to establish any threats that the existing contaminants from the historic land uses, posed to the future users of the site. The assessment identified the appropriate Risk Management Measures (RMM) that need to be implemented in order to ensure that the property was suitable for the proposed land uses. As such, the Ministry of the Environment reviewed the assessment and concluded that it was done in accordance with the O. Reg. 153/04 as amended and issued a Certificate of Property Use (CPU) for the described lands.

The CPU issued by the MOE as well as the RMM has identified for the property owner the need for ongoing inspection, monitoring and maintenance of the existing retaining wall that is a barrier to the impacted soils found on-site.

Considering that the public will access the lands on a proposed surface easement, in the area known as the Riverwalk, the Developer shall complete the following to ensure that the lands are suitable for the intended use:

- a) Submit to the City prior to site plan approval for Phase 1, a structural assessment of the existing retaining wall along the Speed River in accordance with the Terms of Reference provided to the applicant, to the satisfaction of the General Manager/City Engineer.
- b) The Developer shall at their cost, address and be responsible for adhering to all the recommended measures that is contained in the structural assessment, to the satisfaction of the General Manager/City Engineer. The City may have such report be peer reviewed and all associated costs with the peer review will be the responsibility of the developer/owner.

#### 6. Conditions to be met prior to lifting of Holding (H) Designation

The Official Plan states that municipal services must be adequate to accommodate the development proposals. As such, it will be a requirement of this development application that there be a Holding designation (H) for any development of the lands beyond Phase 1 (134 Units). Prior to removal of the Holding designation for Phases 2 thru 6, the following condition must be satisfied:

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1. The developer/owner shall obtain the approval of the City with respect to the availability of adequate water supply, sewage capacity and sewage treatment capacity, prior to the site plan approval for each phase of the development.

Prior to removal of the Holding Designation for Phases 5 only, the following condition must be satisfied:

1. The developer/owner shall deed at no cost to the City, a land dedication as identified in the City of Guelph's Official Plan for future intersection improvements at Elizabeth Street and Arthur Street South that is free of all encumbrances and satisfactory to the City Solicitor.

### 7. Recommended conditions of Approval

We recommend the following conditions be imposed for the approval of this proposed Official Plan & Zone Change Amendment:

1. The Developer shall submit to the City, in accordance with Section 41 of The Planning Act, a fully detailed site plan for each phase, indicating the location of the building, landscaping, parking, circulation, access, lighting, grading and drainage on the said lands to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, and furthermore the Developer agrees to develop the said lands in accordance with the approved plan.
2. Prior to site plan approval of each phase, the Developer shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the General Manager/City Engineer.
3. That the developer/owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the General Manager/City Engineer. Furthermore, the Developer shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
4. Prior to site plan approval for each phase and prior to any construction or grading on the lands, the Developer shall construct, install and maintain erosion and sediment control facilities, satisfactory to the General Manager/City Engineer, in accordance with a plan that has been submitted to and approved by the General Manager/City Engineer.
5. Prior to site plan approval of Phase 1, the developer/owner shall provide to the City, to the satisfaction of the General Manager/City Engineer, any of the following studies, plans and reports that may be requested by the General Manager/City Engineer:
  - i. a revised traffic impact and operations report covering all aspects of access and egress to the site and the effect of the development on the surrounding roads;

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- ii. a servicing and stormwater management report certified by a Professional Engineer in accordance with the City's Guidelines and the latest edition of the Ministry of the Environment's "Stormwater Management Practices Planning and Design Manual" which addresses the quantity and quality of stormwater discharge from the site together with a monitoring and maintenance program for the stormwater management facility required;
  - iii. a structural assessment of the existing retaining wall along the Speed River in accordance with the Terms of Reference provided to the developer/owner.
6. The developer/owner shall at their cost, address and be responsible for adhering to all the recommended measures that is contained in the plans, studies and reports outlined in subsections 5 i), 5 ii) and 5 iii) inclusive to the satisfaction of the General Manager/City Engineer. The City may have such report be peer reviewed and all associated costs with the peer review will be the responsibility of the developer/owner.
7. The developer/owner shall design and construct all works associated with the westbound turn lane on Elizabeth Street including any road widening requirements. Also the developer/owner shall design and construct all works associated with the traffic calming measures located within the Traffic Impact Study area. Furthermore the developer/owner shall pay to the City the estimated cost of all works associated with the design and construction of the westbound turn lane on Elizabeth Street and traffic calming measures located within the Traffic Impact Study area prior to site plan approval of Phase 1, as determined by the General Manager/City Engineer.
8. The developer/owner shall deed at no cost to the City, free of all encumbrances, any road widenings necessary to accommodate the westbound turn lane on Elizabeth Street prior to site plan approval of Phase 1.
9. The developer/owner shall pay to the City, their proportionate share of the actual cost of constructing municipal services on Arthur Street South, Cross Street and Neeve Street across the frontage of the lands, including road works, local sanitary sewer, storm sewer, watermain, curb and gutter, catch basins, sidewalks and street lighting as determined by the General Manager/City Engineer, prior to site plan approval of Phase 1.
10. Prior to site plan approval of Phase 1, the developer/owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
11. The developer/owner shall pay to the City the actual cost of constructing and installing any new service laterals required and furthermore, prior to site plan approval for each phase, the developer/owner shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
12. The Developer shall pay to the City the actual cost of removing any existing service laterals that are not being used for the condominium development and furthermore, prior to site plan approval for each

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## MEMO

- phase, the Developer shall pay to the City the estimated cost of removing the existing service laterals, as determined by the General Manager/City Engineer.
13. The developer/owner shall pay to the City the actual cost of the construction of the new access and the required curb cut, prior to site plan approval for each phase and prior to any construction or grading on the lands, the developer/owner shall pay to the City the estimated cost as determined by the City Engineer.
  14. The developer/owner shall pay to the City the actual cost of the removal and restoration of the boulevard where the existing accesses are located, prior to site plan approval for each phase and prior to any construction or grading on the lands, the developer/owner shall pay to the City the estimated cost as determined by the City Engineer.
  15. The Developer shall pay to the City the actual cost of the construction of the new driveway accesses, curb cut including boulevard restoration, i.e. topsoil/sod within right-of-way allowance prior to site plan approval for each phase. Furthermore, prior to site plan approval for each phase, the Developer shall pay to the City the estimated cost of constructing the new driveway accesses, curb cut, including boulevard restoration, i.e. topsoil/sod within the right-of-way allowance as determined by the General Manager/City Engineer.
  16. That the developer/owner makes satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
  17. That all electrical services to the lands are underground and the developer/owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
  18. The developer/owner shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
  19. Prior to the issuance of a building permit, any monitoring wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Developer shall submit a Well Record to the satisfaction of the General Manager/City Engineer.
  20. That prior to site plan approval, the developer/owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor and the General Manager/City Engineer, covering the conditions noted above.

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# STAFF REPORT

## MEMO



Mary Angelo, P. Eng.  
Acting Manager, Transportation and  
Development Engineering



Michelle Thalen, C.Tech  
Development Technologist

# STAFF REPORT



## INTERNAL MEMO



DATE June 25, 2014

TO **Katie Nasswetter**

FROM Jyoti Pathak  
CC Karen Sabzali  
DIVISION Parks and Open Space-Planning and Development  
DEPARTMENT Parks and Recreation  
SERVICE AREA Community and Social Services

**SUBJECT 5 Arthur Street South -Proposed Official Plan and Zoning By-law Amendment (OP1302/ZC1305)**

Parks have reviewed the documents listed below in support of an Official Plan and Zoning Bylaw amendment application for 5 Arthur Street dated February, 2014.

- Urban Design Master Plan, prepared by Kirkor Architects & Planners, dated January 2014;
- Draft Functional Servicing Report, prepared by Valdor Engineering Inc, dated January 2014;
- Second Addendum Letter to the Planning Justification Report, prepared by The Planning Partnership, dated February 6, 2014;
- Draft Zoning By-law, prepared by The Planning Partnership, dated February 6, 2014;
- Environmental Noise Feasibility Assessment (Draft Version 2.2), prepared by Novus Environmental, dated February 7, 2014;
- Scoped Environmental Impact Study Addendum, prepared by Stantec Consulting, dated February 3, 2014;
- Urban Design Master Plan Review Letter, prepared by Stantec Consulting, dated February 5,2014;
- Urban Design Master Plan Support Letter, prepared by Valdor Engineering Inc., dated February 10, 2014;
- Revised Urban Design Master Plan Review Letter, prepared by E.R.A. Architects Inc., dated February 7, 2014.
- Certificate of Property Use
- Recreation Trail on Guelph Junction Railway – Risk Assessment/ Safety Audit

The proponent has made an application for a Zoning By-law Amendment as well as an Official Plan Amendment. The application is to amend the Official Plan policies to permit a reduced setback of development from the river (policy 6.9.5.1 which requires a 30 m setback from the river's edge), a range of non-residential uses, permit a site density of 2.0 FSI, and **a reduced parkland dedication requirement of 5 %**. As well, the application proposes to rezone the portion of the property which is currently zoned R.4B (H2) to a specialized high density residential zone to permit both apartment and multiple residential development including live/work units, together with a range of commercial, retail, service and community service uses.

The current proposal includes a River Walk along the river within flood plain. The site is currently designated as Core Greenlands (Natural Hazard and Significant Environmental Corridor) along the 15 metre swath adjacent to the river and Special Policy Area/ Floodplain



on the balance of the lands. The site is currently zoned as Floodway (FL) along the 15 metre swath adjacent to the river.

**Proposed Official Plan Amendment:**

For this site, parkland dedication is a requirement under City's Parkland Dedication Bylaw sections 209-3. (b)(iv) and 209-4 (iv). Parkland Dedication for this property is set at 10%.

**Proposed Zoning By-law Amendment:**

Parks Planning and Development has no objection to rezoning of the subject property from current zoning of R.4B (H2) to specialized high density residential R.4B-? zones and FL zones if the following conditions are fulfilled:

**Conditions of Site Plan/ Development approval:**

1. The Developer shall be responsible for the cost of design and development of the **demarcation** of all City owned lands in accordance with the City of Guelph Property Demarcation Policy. This shall include the submission of drawings and the administration of the construction contract up to the end of the warranty period completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the City with **cash or letter of credit** to cover the City approved estimate for the cost of development of the demarcation for the City lands to the satisfaction of the Executive Director of Community and Social Services. (Parks Planning & Development)
2. The Developer shall be responsible for the assessment of the existing **River Retaining Wall** on subject property. This shall include a structural assessment, projected life cycle, and expected yearly maintenance costs prior to any site plan approvals.
3. The Developer shall be responsible for all costs and obligations arising from the assessment and pre-existing condition of the wall, including but not limited to: on-going maintenance, insurance, and conditions arising from the Certificate of Property Use.
4. The Developer shall be responsible for the cost of preparation of a 'Health and Safety Plan' and a 'Soil Management Plan' including submitting these plans for City approval to the satisfaction of the Executive Director of Community and Social Services prior to any site plan approvals.
5. The developer shall ensure City approval of the "Environmental Implementation Report" prior to any site plan approvals.
6. The Developer shall be responsible for the cost of design and implementation of the **Open Space Works and Restoration** within the **core green lands/ environmental corridor** in accordance with the "Environmental Implementation Report" to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the City with **cash or letter of credit** to cover the City's estimate for the cost of the Open Space works and restoration for the Public Open Space to the satisfaction of the Executive Director of Community and Social Services.



7. The Developer shall be responsible for the cost of the **design** of the **River Walk** and **associated trail system** on the subject property, to the City standards prior to any site plan approvals. This shall include identifying the trail system, detailed design as per the City's approved **Urban Design Master Plan** for the subject property and **City standards** including: layout, grading and drainage, planting, interpretative signage design and submitting drawings for City approval. The design is to be completed by a full member of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Executive Director of Community and Social Services.
8. The Developer shall be responsible for the **costs and construction** of the **River Walk** and **associated trail system** on the subject property to the City standards as per the UDMP and the City's approved detailed design. This shall include preparation of construction documentation, obtaining required permits, tendering process, implementation, and contract administration, up to the end of the 2 year warrantee period to be completed by a full member of Ontario Association of Landscape Architects (OALA) to the satisfaction of the Executive Director of Community and Social Services. The Developer shall provide the City with **cash or letter of credit** to cover the City's estimate for the cost of the construction of the River Walk and associated trail system to the satisfaction of the Executive Director of Community and Social Services.
9. The Developer shall provide a **permanent surface easement** for the **River Walk**, and **Public Access Easement** for the **associated public trail system as shown on the schedule 1**, (south and west of existing Heritage Structures, from the River Walk to the Guelph Junction Railway Corridor) in favour of the City to the satisfaction of the Executive Director of Community and Social Services prior to any site plan approvals.
10. Obligations for maintenance, insurance, environmental risk management measures and other obligations regarding the riverwalk will be included in the ~~statutory condominium documents between the City and condominium~~ **parks portion of the development agreement**
11. **Cash in-lieu of parkland conveyance (10%)** is required for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, By-Law (2007)-18225 or any successor thereof Subject to the successful completion of items 8 & 9 above, the Developer may apply to the to the Executive Director of Community and Social Services to have the By-provisions set aside.
12. The Developer shall provide Parks and Recreation with a digital file in AutoCAD - DWG format containing the following final approved information: parcel fabric, development layout and trail design, grades/contours and landscaping. (Parks Planning & Development)

**Summary:**

The above comments represent Parks Planning & Development's review of the proposed Official Plan and zoning bylaw amendments on the subject property to permit the proposed development.

Based on the current information provided, Parks Planning supports the proposed development subject to the conditions outlined above.

# STAFF REPORT

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Page 4 of 4

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Please call me if you have any questions.

Regards,

Jyoti Pathak, Parks Planner

# STAFF REPORT



## INTERNAL MEMO



DATE June 25, 2014  
TO **Katie Nasswetter**  
FROM Stephen Robinson, Senior Heritage Planner  
DIVISION Planning, Building, Engineering & Environment  
DEPARTMENT Policy Planning  
  
SUBJECT **5 Arthur Street -Proposed Official Plan and Zoning By-law  
Amendment (OP1302/ZC1305)**

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Katie,

I have reviewed the following document:

- Urban Design Master Plan* by KIRKOR Architects & Planners dated May 2014;

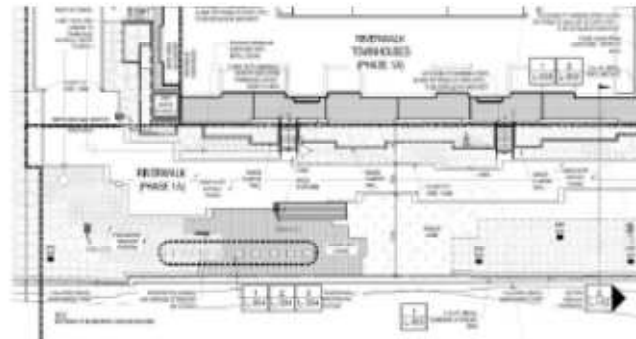
I have the following comments, some of which (in bold) are still outstanding from my comments from previous comments:

- Page 2**
  - Indicate all photo/illustration sources and give appropriate credits – throughout document**
  - What does “Page Credit” mean?**
- Page 6**
  - Indicate all photo/illustration sources and give appropriate credits**
- Page 18**
  - View of Church of Our Lady is no longer obstructed by gravel pile – retake photo and replace**
  - View 4. This looks south only**
- Page 22**
  - Typo – “Speedy River”. Cute but incorrect.**
- 27 and 28**
  - River Walk (typical built form)**
    - Retaining wall from river to grade does not appear to be the correct height**
    - Where and how is the original heritage brick wall being “represented” in these section drawings?**
- Page 46**
  - Not clear when the development of the heritage building parking area, the River Walk and the heritage buildings will be developed.**

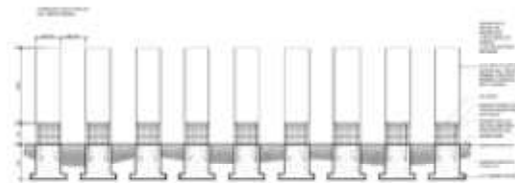
# STAFF REPORT

## Riverwalk design and proposed shadow wall

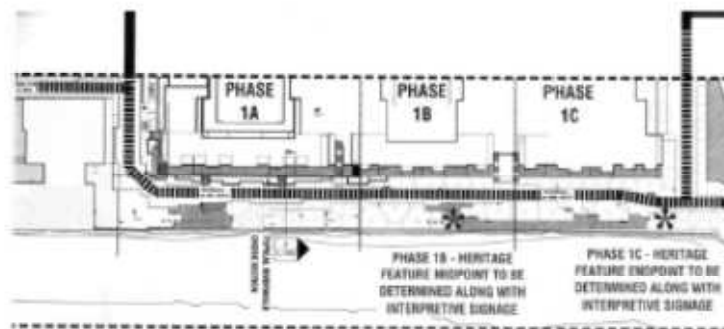
According to details in Landscape Plan drawing (L-100), Riverwalk – All Phases Conceptual (L-102) and Shadow Wall Details (L-304) from the second submission in the Phase 1 Site Plan application (18 June 2014), the proponent intends to "incorporate brick salvaged from the dismantled heritage brick wall in a "representation" of the former heritage wall - what the proponent refers to as a "Public Art Shadow Wall".



1.1 SHADOWWALL - CONCEPT IMAGE



1.2 SHADOWWALL - FRONT ELEVATION



The original 33 window openings will be represented arch-top openings created in oxidized metal standing on a masonry seat. Heritage Planning staff and Heritage Guelph have indicated a preference for the shadow wall design to portray the original length of the brick wall. This may have been achieved by the proponent's proposal to create nine metal window arches in Phase 1 and an additional three metal window arches placed within Phase 1B where the original heritage brick wall stood. The effect could be described as creating bookends to stand for both ends of the original heritage brick wall and the viewer would



imagine the window openings between.

According to Heritage Guelph's recommendations from their 13 January 2014 meeting:

- Heritage brick wall representation plan [shadow wall] for the entire River Walk area must be approved by the City before Site Plan Approval of Phase 1 of the development

Heritage Planning staff recommends that the following recommendations, from the 13 January 2014 meeting of Heritage Guelph, be added as conditions of approval for proposed Official Plan and Zoning By-law Amendment (OP1302/ZC1305) to be carried out in the Site Plan Approval process as described below:

- That for heritage buildings 1 and 2, the proponent will submit to the satisfaction of Planning staff and Heritage Guelph a Cultural Heritage Conservation Plan (CHCP) to be completed in two stages:
  - CHCP Stage 1 will determine the heritage attributes of the property and guide stabilization, interim maintenance, and temporary uses of the heritage buildings 1 and 2 including measured elevation, plan and section drawings. CHCP Stage 1 to be completed prior to Site Plan Approval of Phase 1 of the redevelopment
  - CHCP Stage 2 will guide the proposed reuse, redevelopment and long-term maintenance of the heritage building complex and is to be completed prior to Site Plan Approval of Phase 4 or the Heritage Phase of the redevelopment, whichever comes first.
- That for the remaining brick walls of heritage buildings 3 and 4, the proponent will submit to the satisfaction of Planning staff and Heritage Guelph a representation plan prior to Site Plan Approval for any riverwalk portion of the site.
- That Heritage Guelph be circulated on all Site Plan Approval submissions for 5 Arthur Street South that may impact the property's identified heritage attributes.
- THAT Heritage Guelph supports a mix of uses including commercial, residential, institutional or community uses for the heritage buildings and encourages the timely development of the heritage buildings 1 and 2.
- THAT at this time and with the information available to date, Heritage Guelph does not support the addition of extra floor levels to heritage buildings 1 and 2, with the exception of the reconstruction of the original central tower form of heritage building 2.
- THAT Heritage Guelph encourages the reconstruction of the original central tower form of heritage building 2 based on historic photographs or other documentary evidence.
- THAT Heritage Guelph identifies to Planning Staff that a sufficient number of parking spaces needs to be accommodated within the development for the intended use of the heritage building complex to ensure its long-term viability.
- THAT working with the owner, following the completion of the Cultural



# STAFF REPORT



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Heritage Conservation Plan Stage 2 for heritage buildings 1 and 2, Heritage Guelph intends to recommend to City Council that an intention to designate these buildings be published under Part IV of the Ontario Heritage Act.

A copy of the adopted Minutes of the 13 January 2014 meeting of Heritage Guelph are attached.

# STAFF REPORT

Excerpt of Heritage Guelph Minutes – January 13, 2014:

**Item 5.1  
5 Arthur St South**

Delegations: Larry Kotseff, Heather Scrannage (Fusion Homes)

Stephen Robinson presented Planning staff's revised recommendation regarding conditions and comments for the proponent's re-zoning application as it affects the heritage elements of the property. The Committee had discussions on the parking clause and the timing of the heritage phase. Stephen clarified that the parking around the heritage building is designated for the use of the heritage building. Committee members noted that they still have concerns on the timing of the heritage phase and that they are concerned that the building will be neglected if it is not being used.

Moved by Martin Bosch and seconded by Susan Ratcliffe,

**"THAT Heritage Guelph supports approval of Zoning By-law Amendment ZC1305 and Official Plan Amendment OPI302 for 5 Arthur Street South subject to the conditions below:**

1. For heritage buildings 1 and 2, the proponent will submit to the satisfaction of Planning staff and Heritage Guelph a Cultural Heritage Conservation Plan (CHCP) to be completed in two stages:
  - CHCP Stage 1 will determine the heritage attributes of the property and guide stabilization, interim maintenance, and temporary uses of the heritage buildings 1 and 2 including measured elevation, plan and section drawings. CHCP Stage 1 to be completed prior to Site Plan Approval of Phase 1 of the redevelopment
  - CHCP Stage 2 will guide the proposed reuse, redevelopment and long-term maintenance of the heritage building complex and is to be completed prior to Site Plan Approval of Phase 4 or the Heritage Phase of the redevelopment, whichever comes first.
2. For the remaining brick walls of heritage buildings 3 and 4, the proponent will submit to the satisfaction of Planning staff and Heritage Guelph a representation plan prior to Site Plan Approval for any riverwalk portion of the site.
3. That Heritage Guelph be circulated on all Site Plan Approval submissions for 5 Arthur Street South that may impact the property's identified heritage attributes.

**THAT Heritage Guelph supports a mix of uses including commercial, residential, institutional or community uses for the heritage buildings and encourages the timely development of the heritage buildings 1 and 2; and**

**THAT at this time and with the information available to date, Heritage Guelph does not support the addition of extra floor levels to heritage buildings 1 and 2, with the exception of the reconstruction of the original central tower form of heritage building 2; and**

**THAT Heritage Guelph encourages the reconstruction of the original central tower form of heritage building 2 based on historic photographs or other documentary evidence; and**

# STAFF REPORT

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THAT Heritage Guelph identifies to Planning Staff that a sufficient number of parking spaces needs to be accommodated within the development for the intended use of the heritage building complex to ensure its long-term viability; and

THAT working with the owner, following the completion of the Cultural Heritage Conservation Plan Stage 2 for heritage buildings 1 and 2, Heritage Guelph intends to recommend to City Council that an intention to designate these buildings be published under Part IV of the Ontario Heritage Act.”

CARRIED

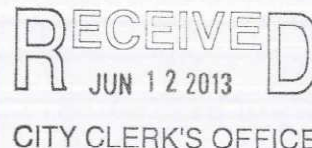
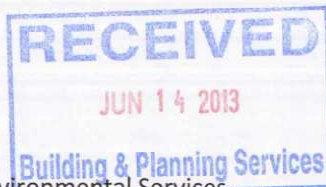
# STAFF REPORT



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Fax: 519-822-4963  
Email: mwittemund@guelphhydro.com  
www.guelphhydro.com

June 10, 2013

Mr. Blair Labelle  
City Clerk  
City of Guelph  
Planning, Engineering and Environmental Services  
1 Carden Street  
Guelph, ON N1H 3A1



Dear Sir:


**Re: 5 Arthur Street South (File No. OP1302/ZC1305)**

We would like to submit the following comments concerning this application:

1. The Hydro service for this property will be underground.
2. A minimum distance of 3.0 metres must be maintained between any dwelling units and pad-mounted transformers.
3. A minimum distance of 1.5 metres must be maintained between any driveways and distribution poles, guy wires and anchors, or pad-mounted transformers. Any relocation required will be at the developer's expense.
4. Hydro supply for this development will be from Arthur Street South.
5. A blanket easement will be required for this development to provide service corridors and space for transformers and equipment.

Sincerely,

GUELPH HYDRO ELECTRIC SYSTEMS INC.

  
Michael Wittemund, P.Eng.  
Director of Engineering

MW/gc



# STAFF REPORT



400 Clyde Road, P.O. Box 729, Cambridge, ON N1R 5W6  
Phone: 519-621-2761 Toll free: 866-900-4722 www.grandriver.ca

**PLAN REVIEW REPORT TO:** City of Guelph  
Katie Nassetter, Senior Development Planner

**DATE:** March 27, 2014  
**GRCA FILE:** Guelph/2013/ZC/C

**YOUR FILE:** OP1302 & ZC1305

**RE:** Application for Official Plan and Zoning By-law Amendment  
5 Arthur Street South, City of Guelph  
WC Woods Property, 2278560 Ontario Inc.

## GRCA COMMENT:

The Grand River Conservation Authority has no objection to the proposed Official Plan and Zoning By-law Amendment application subject to the comments below being addressed prior to final approval.

We have reviewed the revised submission for the proposed mixed used development, received by GRCA on February 20, 2014 and we offer the following comments:

The Special Policy Area (SPA) limit across the site is 15 metres from the surveyed river's edge. The 15 metres between the river edge and SPA limit is within the floodway of the Speed River where new development is prohibited in accordance with the approved SPA policies within the City's Official Plan. The draft Zoning By-law provided with this revised submission proposes two exception zones within the floodway: one for the area containing a portion of the existing heritage building; the other to permit the encroachment of a portion of the new development into the floodway. We suggest that the floodway exception zone pertaining to the new development be removed to prevent new development within the floodway zone.

As previously noted, we have no objection in principle to the retention and re-use of the existing building within the floodway in order to retain the building's existing urban form and significance as a cultural heritage resource. We suggest that for the portion of the building in the floodway the proposed zoning only permit its retention and re-use and not permit the potential for new development, intensification, or its replacement if destroyed. The by-law also identifies residential as a permitted use within the existing heritage building. Considering a portion of the building is within the floodway, all residential uses within the existing building need to be above the regulatory flood level and should be outside of the portion located within the floodway.

The submitted zoning also lists day cares as a use permitted in the proposed development. The GRCA does not support this use within the proposed development. The Provincial Policy Statement, GRCA



# STAFF REPORT

policies, and the City's Official Plan policies do not permit day cares or similar institutional uses within the floodplain where there is a threat to the safe evacuation of the young during an emergency as a result of flooding or the failure of floodproofing measures.

We believe that subject to addressing the comments concerning the proposed zoning by-law, and subject to further details being provided through the detailed design process, the development could conform to the policies developed for the Guelph Special Policy Area.

Should you have any questions or require further information, please contact me at 519-621-2763 ext. 2320.

Yours truly,



Jason Wagler, MCIP, RPP  
Resource Planner  
Grand River Conservation Authority

\* *These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.*

cc. 2278560 Ontario Inc  
Stantec  
Valdor Engineering  
Kirkor Architects & Planners  
The Planning Partnership

# STAFF REPORT



## UPPER GRAND DISTRICT SCHOOL BOARD

500 Victoria Road North, Guelph, Ontario N1E 6K2

Phone: (519) 822-4420 Fax: (519) 826-9534

**Martha C. Rogers**  
Director of Education

March 13, 2014

PLN: 14-17

File Code: R14

Sent by: Email & Mail

Katie Nasswetter  
Planning, Building, Engineering and Environment  
City of Guelph  
1 Carden St.  
Guelph, ON N1H 3A1

Dear Ms. Nasswetter:

**Re: Notice of Revised Application (OP1302 /ZC1305)  
5 Arthur St. South**

Planning staff at the Upper Grand District School Board has received and reviewed the above noted revised application dated February 14, 2014. Consistent with our letter dated July 30, 2013, Planning Staff **does not object** to the proposal subject to the following conditions:

- Education Development Charges shall be collected prior to the issuance of a building permit;
- The developer agrees to provide the Upper Grand District School Board with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing parcel fabric and street network; and
- That adequate sidewalks, lighting and snow removal is provided within the subdivision to allow children to walk safely to school or to a congregated bus stop.

Furthermore, please note that given this development has a private road access, Service de transport de Wellington-Dufferin Student Transportation Services does not run school buses on private roadways and therefore potential students who qualify for busing will be required to meet the bus off site at a congregated pick-up point.

Thank you for the opportunity to provide comments on this application. Should you require additional information, please feel free to contact me at (519) 822-4420 x824.

Thank you,

Heather Imm, BES, MCIP, RPP  
Senior Planner

# STAFF REPORT



Wellington-Guelph Housing Committee  
c/o Wellington-Dufferin-Guelph Public Health  
503 Imperial Road, Guelph, ON, N1H 6T9

July 3, 2013

Guelph City Clerk  
1 Carden Street  
Guelph, ON  
N1H 3A1

Dear Mayor and Members of Council:

I am writing to you as Chair of the Wellington & Guelph Housing Committee, a non-partisan broad-based community group advocating for adequate and affordable housing for low and modest income individuals and families.

The application to amend the City Official Plan and Zoning By-Law at 5 Arthur Street South for mixed use, high-density residential apartments is an important opportunity to increase the supply of rental housing in Guelph. Also, it presents an opportunity for the City of Guelph to further its affordable housing objectives by requesting a portion of the units be affordable by offering such incentives as bonusing, deferment of development charges and/or a reduction of parkland dedication requirements.

As you are aware, average incomes have not kept pace with housing costs across Canada. There is a growing demand for rental housing and many communities, including Guelph, do not have an adequate supply. As of the fall of 2012 the vacancy rate in Guelph was 1.4% indicating a tight rental market (CMHC Rental Market Report). For a modest or low-income household, finding an affordable unit in good repair in the private market is a near impossible task. Based on demographic changes such as an increase in senior and non-senior one-person households there is a need for smaller apartment units such as studios and one-bedroom units. Mobility friendly and accessible units in the affordable range are also very hard to find in the private rental market.

Not only would this development increase rental housing, our Committee recommends that the City work with the Developer to create a portion of the units at lower than average market rent accessible to modest and low-income households. For example, given the proximity of the site to downtown this development could provide much needed housing for households working in jobs such as retail or food services.

Thank you for your consideration of these preliminary comments and we look forward to further input regarding the proposed Arthur Street development.

Sincerely,



Suzanne Swanton  
Chair, Wellington-Guelph Housing Committee

## Attachment 13 Comments from the Public

<b><u>RESPONDENT</u></b>	<b><u>KEY ISSUES/CONCERNS</u></b> (*see attached summary correspondence)
The Ward Residents' Association (Executive Members): Maria Pezzano, William Sleeth, Thomas Brenndorfer, Linda Murphy, Gisela Gazzola)	Concerns with the blank building wall along the Riverwalk, funding for associated City capital projects, Arthur streetscape and neighbourhood transition*
Allen Dyer and Linda Reith	Concern about parking reduction, traffic increase in neighbourhood, encourage removal of remnant heritage wall*
Riverwalk Condominiums	Concern about height of Phase 4, traffic, parking and Riverwalk*
Lorraine Pagnan and Fred Thoonen	Concerns with increased traffic in Ward 1, heritage retention*
Bonnie Edwards	Concern about requested density and regulation reductions and parkland dedication*
Emily Simpson	Visual impact of Phase 4 Building, amount of park and green space on site*
Nancy McLarty (Allan's Mill Pond Neighbourhood Traffic and Parking Working Group)	Neighbourhood traffic concerns, encourage pedestrian and cycling movement*
Stan Kozak	Concern about automobile impact, encourage alternative transportation and limit parking, building massing for Phases 4 & 5, and adequacy of river setback *
Yvette Tendick	Concern about automobile dependency, encourage parking reduction and increased parkland*

## 5 Arthur Street Urban Design Master Plan – Fusion Homes

### The Ward Residents Association comments:

The re-development of the 5 Arthur Street site is a significant opportunity, perhaps the last such opportunity that Guelph may have to create a new and wonderful urban public place along the Speed River in concert with a supporting development. All of the existing modern urban developments along the river have turned their back and have not been successful in the integration of the public realm with the development. This new public space and its relationship to Downtown Guelph are too important to not succeed. The proposal to create a new linear public space along the river with a one or two storey concrete wall along one side for most of its length represents a failure to create a vibrant and successful public place. We urge Fusion Homes to revise their plans.

Our detailed comments presented in this report include the following key issues:

1. The proposed isolation of the riverside walk and public open space from the adjacent residential development effectively diminishing its viability as a successful public place.
2. The importance of the pedestrian bridges over the Speed River, connecting the new residential development and the riverside walk to downtown Guelph and ensuring these are considered in detail as part of the urban design master plan.
3. The Arthur Street streetscape and the importance of considering both sides of the street in creating an effective transition from the existing neighbourhood to the proposed development.

Maria Pezzano, Chair

April 26, 2013

Thomas Brenndorfer

Linda Murphy

William Sleeth

Gisela Gazzola



# STAFF REPORT

Mayor Karen Farbridge, Councillor Jim J. Furfaro, Councillor Bob Bell, Councillor Ian Findlay

I have reviewed the proposal for the above site and am in agreement with the overall proposal.

I have some concerns with the following areas:

· One of the Zoning By-Law amendments focuses on reduced parking requirements. I do not agree with any reduction in parking. Insufficient parking for visitor parking is the norm with these large developments. They generally provide parking for their tenants (i.e. chargeable parking) and limited parking to visitors and guests. I regularly visit a friend in an apartment on Neeve St. and have to park on the Cross Street. With 700 units in the new development, that will mean a lot of people will be like me and it will put a lot of pressure on the surrounding area streets. With 2 events centres in the area, the pressure for parking during these times will be very high.

- How many parking places are being provide for visitor parking?
- How is this number calculated?
- Will overnight parking for visitors be provided?

· With the development, traffic will increase at the Macdonell St., Elizabeth St. and Arthur St. N. corner and the Macdonell St. and Wellington St corner. The current level of traffic leads to frustration during the rush hours. This frustration is reflected in increased horn usage, loud motors sounds, loud music, tire noise and poor driving habits. Although the study indicates that the intersection will physically handle the traffic, the frustration and noise levels are not addressed. It is clear that traffic noise will increase with the increased traffic. We live on the Macdonell St., Elizabeth St. and Arthur St. N. corner and this is a major concern to our enjoyment of the area. This is an greater concern in the summer when we spend more time outside.

The River House development and the proposed development on the Marsh Tire site will also increase traffic pressure on the area. These developments were not included in the study. A wider study of traffic flow is important to the area.

- What work has been done with the proposed development to move traffic flow away from these busy intersections?
  - To reduce traffic on the two busy intersections, the city should install “No Left Turn” signs (during morning and evening rush hour) on Arthur St. S. at Elizabeth St. corner.
- What can be done to reduce traffic noise?

· I noticed in the traffic study that traffic flow in and out of phase 5 will be limited (Only right hand entry and right exit from that phase.)

- Due to this concern, the size of the phase 5 area should be reduced. Other areas of the proposal may be increased to balance this reduction.

# STAFF REPORT



· The yellow brick wall does not enhance the area. I would highly recommend that the wall be removed or the size of it be reduced to a minimum.

Thank you for your consideration of these concerns

Allan Dyer and Linda Reith

16 Arthur St N, Unit 101

Guelph, Ontario

N1E 4T8

519.546.2188

# STAFF REPORT



RiverWalk Condominiums  
Wellington Condominium Corporation #90  
83 Neeve Street, Guelph, Ont. N1E 5R9

July 24, 2013



Mayor Karen Farbridge,  
Councillors Furfaro, Bell, Findlay, Hellemond, Laidlaw, Hofland, Kovach, Guthrie, Burcher, Piper,  
Dennis, Wettstein,  
K. Nasswetter, Senior Development Planner,  
DTAH- Joe Lobko and Megan Torza  
Fusion – Lee Piccoli  
TWRA – Maria Pezzano

Re: plans for 5 Arthur Street South

Everyone,

In response to the Council Planning Meeting of July 5 and the Urban Design Master Plan downloaded from Fusion Homes, the owners/residents of 83 Neeve Street have concerns.

1. The Height of the tower planned for Cross Street

Ours is a 3 storey, converted stone factory on Neeve Street facing the proposed development. There are 2 taller buildings behind ours (the Victor Davis Building and a Seniors Residence) both of which are set well back from the street and do not intrude on the streetscape. Further along Neeve Street from the corner of Cross Street, there are a series of joined 2-storey townhouses (possibly of heritage value). The Mill Lofts buildings at the other end of Cross Street are 3 storeys high and the homes along Arthur are bungalows or 2-storeys. We appreciate that much concern has been taken along Arthur Street to step-down the proposed building heights and maintain a residential streetscape. We believe the same consideration must be given to Cross Street. We do not want a 14 storey colossus springing up from the sidewalk and dwarfing all other buildings in sight. There needs to be some set-back from the street and the height needs to be confined to 4-5 storeys. It is suggested that the units lost from this alternative plan could easily and more appropriately be added to the building at the north end of the property where there is no neighbourhood streetscape similar to the south end and where there are already plans for 2 highrise condominium buildings on either side of the railway tracks. Keep the tallest towers together.

# STAFF REPORT

## 2. Traffic

No matter how often you say the population of this new 5 Arthur Street development is going to be attracted to the site because of access to nearby public transit, there will still be hundreds and hundreds of automobiles added to the traffic in the area each day. Neeve Street is a fairly busy street leading to Wellington and, at peak traffic times, can be backed up to and beyond the Cross Street intersection waiting for a traffic light change. This development has the potential to create chaos where traffic is trying to move from Arthur onto Elizabeth or from Cross onto Neeve onto Wellington. Cross Street at least needs to be widened and that affects the design of the building on Cross Street. Think of it as an opportunity to come up with a design more in keeping with the current streetscape.

## 3. Parking

The streets in the area are now parked solid with people walking to jobs in the downtown area. If 650-750 units are built, we're looking at a population increase of around 1000 minimum. Most of those people are going to own cars. Yes, it would be nice to think they are all environmentally aware and want to walk, bike or take transit everywhere they go, but it is more likely that the people who can afford to live in these new buildings will *each* own a car which needs to be parked even if they take the GO train to work. And heaven help us if people have visitors who arrive by auto. Where is the parking for the proposed commercial aspect mentioned for the base of the Cross Street building? Parking is a major, major concern.

## 4. Riverwalk

We would like to echo the opinions raised by several at the July 8 Planning Meeting that the public riverwalk area as presented in the plan has too much hard surface and is not user friendly unless you belong to an inline skating group. The river walk behind our building is mostly a grassy area and is well used by dog-walkers, joggers and folks out for a stroll, toddlers playing, ball catching and frisbee throwing, bench sitting and a general appreciation of trees, green grass and cool shade on a hot summer day. Views of the river are constant all along the walkway and it is well used in all seasons.

Much of what DTAH/Fusion is proposing is very encouraging. A lot will depend on the quality of the architecture of the buildings and the quality of materials and workmanship but the potential is here for Fusion to create an exciting addition to our neighbourhood. We are thankful for the opportunity to input the planning and for being kept so well informed along the way. We look forward, with some trepidation, to the future.

Thank you for your consideration,

Sylvia Tarlin, Glen Tarlin, Joe Colasanti, Barbara Harry-Becker, Ed Becker, Eric Poisson, Dawn Elsley,  
Jolen Downham, Jane Dawkins.

Dawn Elsley

Jolen Downham

Sylvia Tarlin

Eric Poisson

Barbara Harry-Becker

Glen Tarlin

Joe Colasanti

Jane Dawkins

# STAFF REPORT

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We have the following comments to make regarding 5 Arthur Street:

We are not in favour of the planned turning lanes at Wellington and Neeve. The Sir John A MacDonald Neighbourhood Association were instrumental in having the wider sidewalk made on the bridge during its time of reconstruction. The engineer wanted a wider road but we felt a wider sidewalk was a more sustainable and pedestrian friendly alternative, since many pedestrians use this route everyday. There would be no need to add these extra turning lanes if the city would "Just deal with the cut through traffic in the Ward". It is a well know fact that short cutting has been an ongoing issue in our neighbourhood since at least 1992.

We have concerns that there is no mention of the recommendations from the Ward One Community Improvement Plan Traffic Impact Study by Paradigm Transportation Solutions adopted by Council in 2001-2003, which states; "The area is limited in its traffic capacity by various constraints, that include narrow streets, many with on street parking." "There is also an ongoing concern in some of the residential neighbourhoods, with respect to traffic infiltration, which is believed to be caused by vehicles shortcutting from York Road.", and, "Given the projected growth in travel demands, the neighbourhood traffic issues are expected to continue and worsen in the future. The redevelopment of existing industrial uses will reduce conflicts associated with truck traffic on residential streets. However, the volume of traffic in the area will increase and traffic speeds and resulting safety issues will remain or grow."

The traffic consultants have projected between 650-780 residential units, almost double to what was initially planned for the site in 1996, plus a commercial mixture. "The site is to occur in 5 phases and to be built out by 2025. Based on ITE trip generation rates, the estimated trip reductions and overall general shift towards more sustainable modes of transportation the site is estimated to have a net generation of approximately 350 trips during the AM peak hour and approximately 499 vehicle trips during the PM peak hour." Although it would be great to see such "trip reductions and a shift towards more sustainable modes of transportation", I think it is unfair and unrealistic to accept these ITE trips. The time line is only eight years off and people like and demand their cars. Therefore more must be required of the developer and the CITY ENGINEERS to make the neighbourhood more walkable and pedestrian friendly and this is not done by increasing density and adding turning lanes at Elizabeth/Arthur and Wellington/Neeve. This is done by acknowledging the issues already occurring in the neighbourhood, fixing the skewed intersections, diverting cut through traffic, etc.

In the consultants "Future Total Traffic Conditions" it states "that during the year 2020 horizon the Arthur Street South approach to Elizabeth will start to approach capacity." It is expected that the northbound traffic on Arthur Street South will seek alternative means to exit the study area via Cross Street and Neeve Street to avoid the increase delays". Nothing again is mentioned about the affect of this development on Ontario Street. This is a no brainer considering again that both Arthur Street and Neeve street meet Ontario Street and that it is a direct route York Road.

Our next biggest concern is preservation of the heritage portions of the site that are to be retained, which includes partial walls along the river and the stone building, formerly the Allan's distillery. The plan for the brick wall to be incorporated along the River Walk seems to have disappeared from the plan. This was identified as a heritage structure from the very beginning of this process. We can



# STAFF REPORT

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understand that the whole wall may not be incorporated but there needs to be retention of portions of the wall along the River Walk. We are very concerned that nothing concrete has been identified by the consultants or a staging in for the heritage limestone structure. The intact limestone structure must be given first staging on the site along with the planned high-rise. If heritage buildings don't have a planned use we lose them! It is therefore imperative that the development of the site must have the limestone heritage structure staged in. It just seems to be left hanging to be dealt with later. I am sure that Council does not want another Wilson Farmhouse on their hands.

Thank-you all for taking the time to read our comments.

We have also included the previous comments that we sent Fusion Homes back in March 2013.

Regards,  
Lorraine Pagnan and Fred Thoonen

July 3, 2013

## RESPONSE TO “COMPLETE & PUBLIC MEETING NOTICE”

### “5 Arthur Street South (File: OP13002/ZC1305)”

I have chosen to live in Guelph for over thirty years because the City of Guelph has shown itself to be an innovative and environmentally concerned planner. I have lived in downtown Guelph, first behind the Church of Our Lady and now in the Mill Lofts, because I enjoy the culture of the downtown neighbourhoods and their family friendly green spaces. Most of the proposed changes in the Proposal for 5 Arthur Street South do not appear consistent with these our city’s strengths.

The Proposal suggests that about 700 residential units be allowed on the site. This likely means 1400 people—ONE PERCENT of the city’s population within two or three square blocks! The neighbourhood does not have the service amenities to support this huge influx. This number of residential units also means bringing about 1400 vehicles into a neighbourhood already tight for street parking.

Please consider the merits of the following concerns. I would love to continue to live at Cross and Arthur in Guelph the Good; not at Jane and Finch in Toronto the Terrible.

#### Proposed Official Plan Amendments

- To permit a reduced setback....

The City of Calgary has been chided for its lack of preparedness for flooding. Surely with the changes in water levels and storm patterns we will be seeing with global warning, we should be even **more** careful of planning in a flood plan than our old official plan suggests. **Increase** the setback and develop more trails along the riverbank.

- To permit a greater number and size of commercial uses...

The neighbourhood is in great need of small grocery stores, bakeries and delicatessens. The site is ideal for galleries, specialty shops and cafes. We do not need recycling yards, used car lots or discount stores. Office space for lawyers, doctors, accounts and real estate agents would be appropriate use.

- To permit a mixed used development ... FSI of 2.0...

Please see the Appendix for my concerns regarding an FSI of 2.0 for the site as a whole. Especially given possible later severance of parts of the site, the method for calculating the FSI must be made extremely clear.

- To reduce...for Parkland Dedication

The amount of green space on the site will determine whether the project becomes an asset to the neighbourhood and to the city in its mixed use capacity. Not only do we need **more** designated parkland, we need to use as much of the remaining space as possible between and around the buildings for play areas, community vegetables gardens, walking and sitting areas and sidewalk restaurants.

## Proposed Zoning By-Law Amendment

- Reduced common amenity area and Landscaped Open Space Requirements

These should both be **increased** to make the project people friendly. Let some of the low-rise housing become medium-rise but do not cramp the buildings. People need green space and good direct lighting through their windows.

- Reduced Front and Side Yard Setbacks

For the sake of green space and play space, these setbacks should be **increased**.

- Increased building heights on part of the site.

Please see the Appendix for consideration of FSI and heights for the “high-rise” buildings.

- Addition of ... minimum distances between buildings

Yes, make specific regulations for **large** minimum distances.

- Removal of ... angle plane...

Consider state of the art planning for flood control when determining the contours of the site. Perhaps a dike between the riverbank and developed land would make angling the site toward Arthur easy. Also, see my comments on parking next.

- Reduced parking requirements

This is **absurd**. The neighbourhood does not have room for any more vehicles parking on its streets. Every residential unit should have, without exception, two designated spaces. All parking should be under the buildings or under parkland and gardens. Even the parking that is close to the heritage building should be

underground—put a splash pool and a children’s grassy play area on top. There is too little area for people and trees to waste it on vehicles.

- Addition of specific bicycle parking requirements.

Each residential building that does not have dedicated garages, should have an ample bicycle locker in its under-building parking area. Bicycle racks should be situated close to all commercial use buildings.

- Addition of bonusing and severability provisions.

Again, please consult the Appendix below. If there is a possibility that the site may ever be severed, those division boundaries should be drawn **now**. In this way, all of the rules and regulations presently under discussion may be applied to the individual sub-sites as seems appropriate for the location of that sub-site.

## Summary

- regulate plenty of open space, public space, green space
- put all parking below buildings or parkland
- consider the issue of varied FSI before dealing with severance

## And a Make a Green Plan Worthy of Guelph

While moving earth, protecting against floods, drilling and digging foundations, leveling for roadways and appropriately angling the site, take the opportunity to

**INSTALL GEOTHERMAL HEATING AND COOLING FOR THE WHOLE PROJECT.**

Become the future that Canadian cities want to see!

Sincerely,

Bonnie Edwards

# STAFF REPORT



Good afternoon,

I hope this email finds you well.

Thank you for mailing notice of the Open House and Public Meeting to take place on March 5th re: development of the 5 Arthur St S site. I appreciate the attached information, as well.

## **First Concern - Existing Mill Loft Building facing Cross St / End Units to be blocked by Phase 4 Building Construction:**

I reside in the Mill Lofts building, in an end unit facing Cross St, and the 5 Arthur St S site. I attended one of the initial public forums, as ideas were forming regarding the proposed condos/commercial areas etc.

At that time, I would have been facing a parking lot.

I learned at the Public Meeting held on July 8, 2013 that instead, I'll be facing a 5 storey mixed apartment/commercial use building (Phase 4).

I live on the 3rd floor, with large windows facing Cross St.

When Phase 4 is complete, I'll be facing a 5 storey building, with a Minimum Front Yard space of 2.0 meters facing Cross St.

I will have no privacy, and no view.

I am concerned this will drastically decrease my property's value.

And, I'm a private person. I don't want to be looking into someone's window, or have them looking into mine.

This is so upsetting!!!! :(

Is this negotiable?

Can the proposed building in Phase 4 on the south end of the property facing Cross St not be designed so the Mill Loft building is facing open space, such as Park space, or parking, as opposed to the side of a building? I can't imagine potential buyers on the 5 Arthur St site will want to be facing the Mill Loft building either, since our windows are so large.

## **2nd Concern - Park Space Dedication & Walking Trail by the River:**

In the literature provided by mail, I see only one reference to Parkland for a walking trail has also been proposed.

In the Public Meeting on July 8th, 2013 the proposal was to reduce the amount of land identified for Parkland Dedication to 5%, from the existing by-law requiring 10%.



# STAFF REPORT



Guelph is a GREEN city - a leader in recycling and environmentally-friendly approaches. We walk dogs. Many of us use walking as our primary mode of transportation, since downtown services are relatively connected.

Providing trails through the site, accessible to the surrounding community, is key towards inclusion.

And creating a safe walking trail by the river can only be good for the health and vibrancy of the downtown core.

If we want people using the services, they need to be accessible to everyone.

Thank you for reviewing my concerns.  
I'd like them to be discussed by Council.

Emily Simpson  
Mill Lofts Resident  
26 Ontario St, Unit 303

PS. I'm also the resident that had 2 windows shattered by a large bolt during the demolition of the Woods Inc building. Fortunately I wasn't home; however, the bolt shattered the windows where I usually work on my computer. And it landed on my bed. It was November, and my window remained unfixed with open holes for 2 weeks. This hasn't been a positive experience for me so far.

# STAFF REPORT

Hi Katie,

I am a member of the Alan's Mill Pond Neighbourhood Traffic and Parking Working Group.

We meet recently to discuss the project at 5 Arthur Street also known as File ZC1305/OP1302.

I have summarized our discussions and consequent recommendations as follows:

Overall we **STRONGLY** feel the planning associated with the development at 5 Arthur Street South should be to **MAXIMIZE** the **PEDESTRIAN** mode and diminish the vehicular mode of movement.

The 5 Arthur St S traffic study already notes **EXCESSIVE** loading of traffic in this area **AND** this study did **NOT** take into account the two high density Tricar developments.

Accordingly, we recommend that:

1. The parking allotment per unit be minimized to encourage pedestrian and cycling transport.
2. Development approval not to exceed capacity of the neighbouring transportation infrastructure including:
  - a) intersections', at both ends of the MacDonnell Bridge, ability to handle anticipated traffic loads generated from this site and the two other high density Tricar developments,
  - b) neighbouring streets' (Arthur St N, Arthur St S, Cross St) ability to handle increased traffic loads from this site and the two other high density Tricar developments.
3. Intersection redesign at both ends of MacDonnell bridge to ensure ease of pedestrian movement. We note that planned pedestrian/bike bridges will direct increased numbers to the MacDonnell/Wellington intersection.
4. Cost for intersection improvements accrue to the developments being approved for this area.

Thank-you for your attention to this.

We look forward to hearing the follow-up to our recommendations.

Nancy McLarty,  
Member, Allan's Mill Pond Neighbourhood Traffic and Parking Working Group

# STAFF REPORT



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## Comments on the Updated Development Proposal for 5 Arthur St South

March 14, 2014

### To: Planning Department

City of Guelph

Attention: [katie.nasswetter@guelph.ca](mailto:katie.nasswetter@guelph.ca)

### From: Stan Kozak

Resident - 52 Arthur St N  
519 836-4186  
skozak@sentex.ca

### Background

The current design for the 5 Arthur St S development proposal presented by Kirkor Architects and Planners recently in a public meeting shows considerable improvement over earlier versions. This is another example of how authentic public involvement in the planning process leads to a better product for the proponent and eventually better for the community as well. On close examination it is evident though that this process needs to continue and that further changes in the proposal are required.

### Issues

This development proposal and current zoning for the site promote automobile use as the dominant mode of transportation. This leads to unacceptable impacts on the design and the eventual transportation patterns that will result. As this area will become that part of the city with the highest density, it is extremely important that automobile use curtailment guide planning and design.

### Recommendations

#### Parking

Measures should be taken to reduce car ownership in the continuing redesign of this site. These should include:

- minimization of the parking allotment per unit
- planning for and modifying building design, site design and affected intersections for active transport

- separating purchase of residential units from parking spaces in the sale of the first building so that it can be demonstrated that the parking ratio allocated is not required. Cost for parking spaces has been noted to be as high as \$40,000 per spot. Approval of development of this site should support those eventual residents who wish to use public and active transit. Requiring them to purchase a parking spot when they do not wish to use one is a severe deterrent to this growing segment of the population. In addition, experience with some Toronto condo sales has indicated that when purchasers have this choice the number of parking spots needed is greatly less than anticipated.
- Ensuring that car co-operative parking allocation and bike parking at rates consistent with City active transport goals are included in every multi-residential building.

## **Urban Design Changes to PH 4 and 5**

- Modifications presented by Kirkor to the centre three blocks have vastly improved the urban design. This approach needs to be applied to the buildings at each end of the development (PH 4 and PH5). Massing of these buildings as presented is grotesque. The massing nature of these buildings as currently presented results from the planned domination of automobile use by eventual residents. Kirkor has been successful in providing a preferred option to the wall effect on the river walk. They should be charged with addressing the massing effect of the 5 and 4 storey podiums of the buildings identified.

## **Park Allotment**

Park space planned for the site is inadequate in the current design and the 10% target should be required.

## **Function of the River Setback**

- Current design plans show a 15 meter setback from the river. Considering the multiplicity of uses that this area will be required to address, a 15 m set back is inadequate.
- Park space allocation to achieve 10% is best located by adding to the currently designated river walk area allowing the site to better meet the many demands placed on it.

# STAFF REPORT



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## Comments on the Updated Development Proposal for 5 Arthur St South

March 16, 2014

**To: Planning Department**

City of Guelph

Attention: [katie.nasswetter@guelph.ca](mailto:katie.nasswetter@guelph.ca)

**From: Yvette Tendick**

Resident – 175 Huron Street

519 780-2462

[yvelep@hotmail.com](mailto:yvelep@hotmail.com)

**Dear Ms. Nasswetter,**

I am pleased that Kirkor Architects and planners are listening and making changes due to public input on the former Woods site. The end product will be better for the developer and the community alike.

However, there is still some aspects of the development that need to be reconsidered.

Remember that a long term goal for the city is to reduce auto dependence. The short term goal is to reduce congestion in this part of the city. This important goal can be achieved through careful design that benefits all prospective buyers of the homes in this location.

For example, if there is a minimization of the parking allotment per unit, the costs per unit for the developer and the buyer will be lessened. Fewer spots can be accompanied with one or two Car Share spots, as well as a safe location to store bikes.

If the purchase of the residential units is separate from the parking spaces, then people can choose whether or not they actually want one or two parking spots (or none). When the cost of the parking



# STAFF REPORT

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spot is taken into account (it can be as high as \$40,000 per spot, if I understand correctly) some buyers may choose public and active transit over owning a car. Buyers should be given a choice and not automatically have to pay extra for parking that they don't want or need.

The parking spots that are saved through this process would allow for more parkland. 10% parkland should be a minimum requirement. Some of this parkland should be added to the river walk which will surely become extremely popular in this newly designed community.

Thank you for considering this,

Yvette Tendick

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## Attachment 14 Public Notification Summary

May 17, 2013	Official Plan and Zoning By-law Amendment Application received by the City of Guelph
May 29, 2013	Applications deemed to be complete
June 3, 2013	Notice of Complete Application and Public Meeting Notice mailed to prescribed agencies and surrounding property owners within 120 metres of the subject site
June 6, 2013	Notice of Public Meeting advertised in the Guelph Tribune for the Statutory Public Meeting
July 8, 2013	Statutory Public Meeting
February 19, 2014	Notice of Revised Application and Public Open House mailed to prescribed agencies and surrounding property owners within 120 metres of the subject site
August 5, 2014	Notice of Decision Meeting mailed to persons providing comments or attendees at the public meeting who signed in and requested further notice
August 25, 2014	City Council Meeting to consider staff recommendation

# STAFF REPORT



TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE August 25, 2014

**SUBJECT Elsegood Court: Proposed Street Name Change  
Ward 6**

REPORT NUMBER 14-43

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To provide a recommendation on a request to change the name of Elsegood Court in the Hanlon Creek Business Park to Phelan Court.

### KEY FINDINGS

The Phelan family has requested to have a street renamed after them in the Hanlon Creek Business Park where they once had land holdings.

The renaming of the street is generally consistent with the City's street naming protocols and there are no major concerns with the request.

### FINANCIAL IMPLICATIONS

Any costs associated with publishing required notification(s) and signage changes are to be at the Phelan family's expense.

### ACTION REQUIRED

Council is being asked to approve the renaming of Elsegood Court to Phelan Court, and pass a by-law to legally authorize such changes.

## RECOMMENDATION

1. That Elsegood Court, as shown on Attachment 1 of Planning, Building, Engineering and Environment Report 14-43 be renamed to Phelan Court.
2. That Council enact a By-law authorizing the name change of Elsegood Court to Phelan Court.

## BACKGROUND

Elsegood Court was constructed within the Hanlon Creek Business Park subdivision in 2012 as part of Registered Plan 61M176 (See Attachment 1 – Location Map). Since construction of Elsegood Court, the Phelan Family has requested to rename a public highway (street) within the development after their family. The Phelan family once had significant land holdings prior to the development of the Hanlon Creek

# STAFF REPORT



Business Park subdivision (See Attachment 2). Currently, no buildings have been constructed on the current Elsegood Court.

Prior to registration of plan 61M176, a public highway existed within the Hanlon Creek Business Park lands known as Phelan Drive, and ran directly parallel to the Hanlon Expressway (See Attachment 3). Phelan Drive as a public highway was closed by by-law (2010)-19052 and has since been completely removed as part of the Hanlon Creek Business Park subdivision construction.

## REPORT

Elsegood Court is currently within the original limits of the Phelan Farmstead (See Attachment 2). Elsegood Court was named to recognize World War I veteran Thomas A. Elsegood.

### Street Naming Policy Summary

In 2000, the City implemented a policy that 75% of all new street names constructed in the City be named after:

- Guelph residents who gave their lives in defense of Canada, including World War I, World War II, and the Korean Conflict;
- Those persons who died while in the service of the City of Guelph (e.g.: municipal, fire, police); and
- Those persons who made significant contributions to the history of the City of Guelph and/or the Townships of Puslinch and Guelph/Eramosa.

The remaining 25% of street names are comprised of recommendations from the public or development proponents which do not meet the criteria listed above. In order to simplify the categorization of received street name requests, staff sort the names into the following categories:

1. **VETERAN STREET NAMES** – World War I (1914-1918); Deceased
2. **VETERAN STREET NAMES** – World War II (1939-1945); Deceased
3. **VETERAN STREET NAMES** – Korean Conflict (1950-1953); Deceased
4. **CITY** – EMPLOYEES WHO DIED WHILE IN SERVICE TO THE CITY
5. **CITY** – PERSONS WHO MADE SIGNIFICANT CONTRIBUTIONS TO THE HISTORY OF THE CITY
6. **MAYORS** – FORMER CITY OF GUELPH MAYORS
7. **REQUESTED** – STREET NAMES OF SURVIVING WAR VETERANS AND PUBLIC REQUESTS

Based on the request received from the Phelan Family, the request would fit into category 5 above. Street name requests involving persons who made significant contributions to the history of the City of Guelph and Puslinch and Guelph/Eramosa Townships are reviewed with respect to their historical background by Planning staff. A brief history on the Phelan Family's significance and contributions to the City of Guelph is provided later in this report.

# STAFF REPORT

A future public highway (street) in honour of Thomas A. Elsegood will be named in the last phase of the Hanlon Creek Business Park. A potential location has been identified (See Attachment 4). Staff have consulted with the Royal Canadian Legion – Colonel John McCrae Memorial Branch regarding the proposed name change and relocating a public highway named after Thomas A. Elsegood to a future phase of the Hanlon Creek Business Park. The Royal Canadian Legion has indicated to staff they find the proposal acceptable (see Attachment 5).

Staff have also consulted with Emergency Services regarding the name change who have no concerns (See Attachment 6). Staff are also satisfied that Phelan Court does not share any phonetic similarities with any other existing street within the City of Guelph.

## Phelan Family

The Phelan family began farming in the area shortly after James Phelan purchased the land from The Crown in the early 1830's. For over 180 years, they operated a successful grain farm up until the lands were purchased for the development of the Hanlon Creek Business Park. In addition to their contributions as founding members of the farming community, the Phelan family were also building members of The Church of Our Lady (great grandfather Patrick Phelan's name is inscribed in the stain glass near the front entrance of the church), and also great contributors and supporters of the Wellington Catholic District School Board (Mary Phelan was recognized in 1975 by the Catholic School Board for her dedication and contribution – the only lay person to have a Catholic school named after her).

The Phelan name is currently recognized at existing City assets as well as other locations in the City (see Attachment 7). In the 2013 *Municipal Property and Building Commemorative Naming Annual Report* (Report 13-60) presented to the Planning, Building, Engineering and Environment (PBEE) Committee on November 5, 2013, a total of two (2) City assets were considered to be named after the Phelan Family. The two assets under consideration for renaming to commemorate the Phelan Family were within the Hanlon Creek Business Park development, and included a wetland and woodland.

In this report, the Commemorative Naming Policy Committee (Naming Committee) recommended naming the provincially significant wetland (PSW) to the Phelan Wetland Conservation area as the original Phelan Farmstead was close to the PSW in question. Conversely, the Naming Committee recommended against naming the woodland to the Phelan Heritage Grove as they were recommending naming the PSW after the family and also because there are other locations around the City that have been named after or have scribed recognition of the family affixed to them. However, PBEE Committee approved both name changes on November 5, 2013, and this was subsequently authorized by Council on November 25, 2013.

To date, the following locations and assets in the City have been named after the Phelan Family:



# STAFF REPORT



Name/Location	Year Named/Adorned
Phelan Conservation Area	2013
Phelan Heritage Grove	2013
Mary Phelan Catholic School	1975
Church of our Lady has name inscribed on stained glass window	

The draft plan of subdivision (23T-03501) for the Hanlon Creek Business Park recognizes that there was a former street known as Phelan Drive that ran parallel to the Hanlon Expressway (see Attachment 3). The draft plan signed by the Phelan Family indicated that this road was to be closed. Upon registration of this phase of the subdivision in plan 61M176, Phelan Drive was closed by By-law No. (2010)-19052 and through instrument WC295162. The Phelan family subsequently expressed concern with the loss of the road name and requested the City to rename a public highway (street) within the development after their family.

Overall, staff are supportive of the proposed public highway name change request as a street named after World War I Veteran Thomas A. Elsegood will not be lost and will be utilized in a future phase of the Hanlon Creek Business Park subdivision. Further, the Phelan Court name will be applied to where the former land holdings of the Phelan Family were located. Emergency Services staff and the local branch of the Royal Canadian Legion have no concerns with the request. Finally, staff are of the opinion that the request is consistent with the City's street naming policy.

## **CORPORATE STRATEGIC PLAN**

**Strategic Direction 3.1:** Ensure a well-designed, safe, inclusive, appealing and sustainable City.

## **COMMUNICATIONS**

Notification was published for two (2) consecutive weeks in local print media regarding the proposed street name change, consistent with the requirements of the *Municipal Act*.

Planning staff have consulted with Emergency Services staff and Legal and Realty Services staff regarding the name change.

## **FINANCIAL IMPLICATIONS**

As requestors of the public highway name change, staff are recommending that hard costs associated with the name change are to be at the Phelan family's expense.

## **ATTACHMENTS**

- Attachment 1 – Location Map
- Attachment 2 – Hanlon Creek Business Park Historic Ownership Map
- Attachment 3 – Former Phelan Drive Location
- Attachment 4 – Relocated Elsegood Court: Potential Locations

# STAFF REPORT



Attachment 5 – Correspondence from Royal Canadian Legion  
Attachment 6 – Correspondence from Emergency Services  
Attachment 7 – Existing Locations Named After Phelan Family

**Report Author**

Michael Witmer  
Development & Urban Design Planner

**Approved By**

Sylvia Kirkwood  
Manager of Development Planning

A handwritten signature in black ink, appearing to read "Todd Salter".

**Approved By**

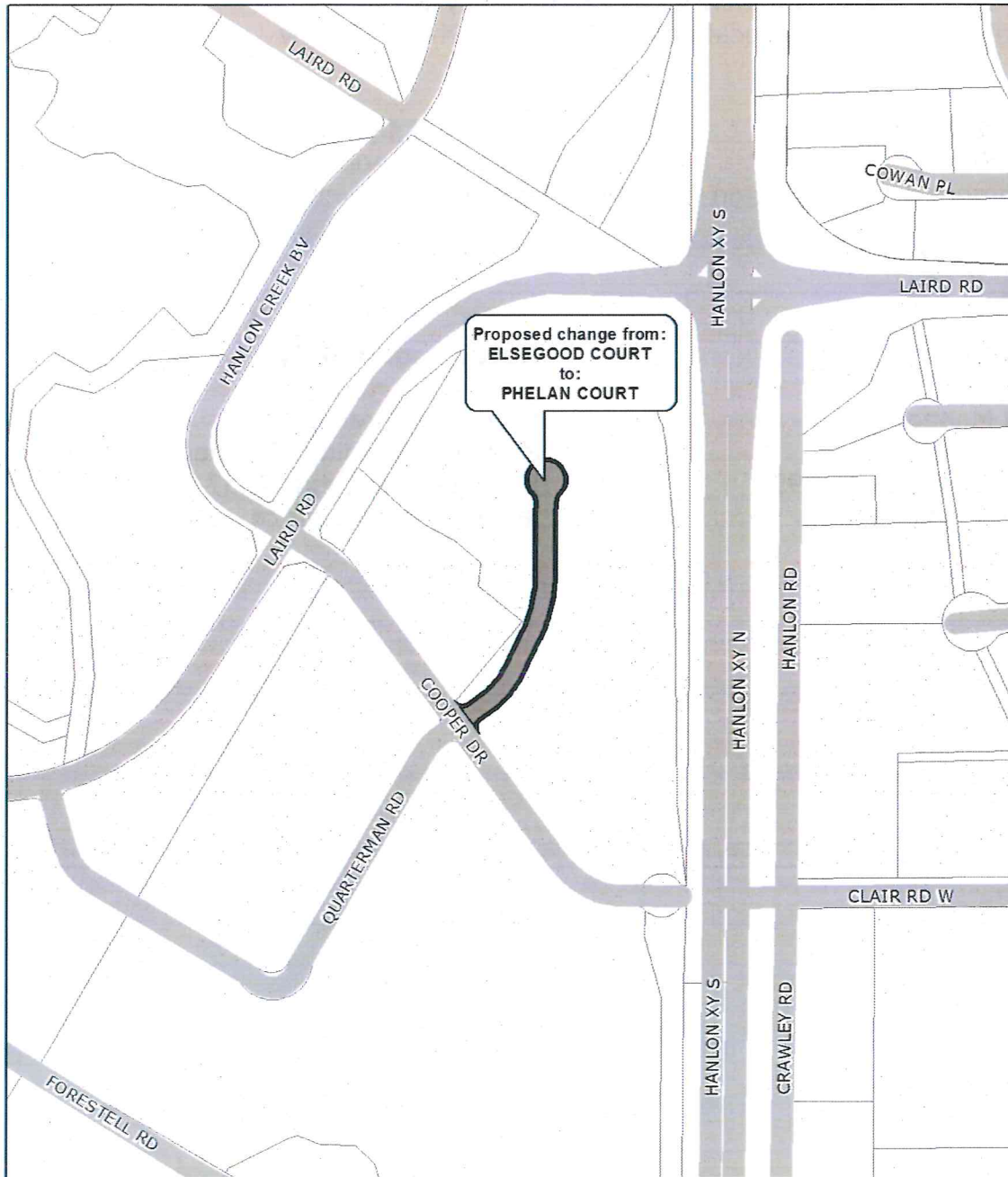
Todd Salter  
General Manager  
Planning Services  
519.822.1260, ext. 2395  
todd.salter@guelph.ca

A handwritten signature in black ink, appearing to read "Janet L. Laird".

**Recommended By**

Janet L. Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering and Environment  
519.822.1260, ext. 2237  
janet.laird@guelph.ca


## ATTACHMENT 1 – Location Map



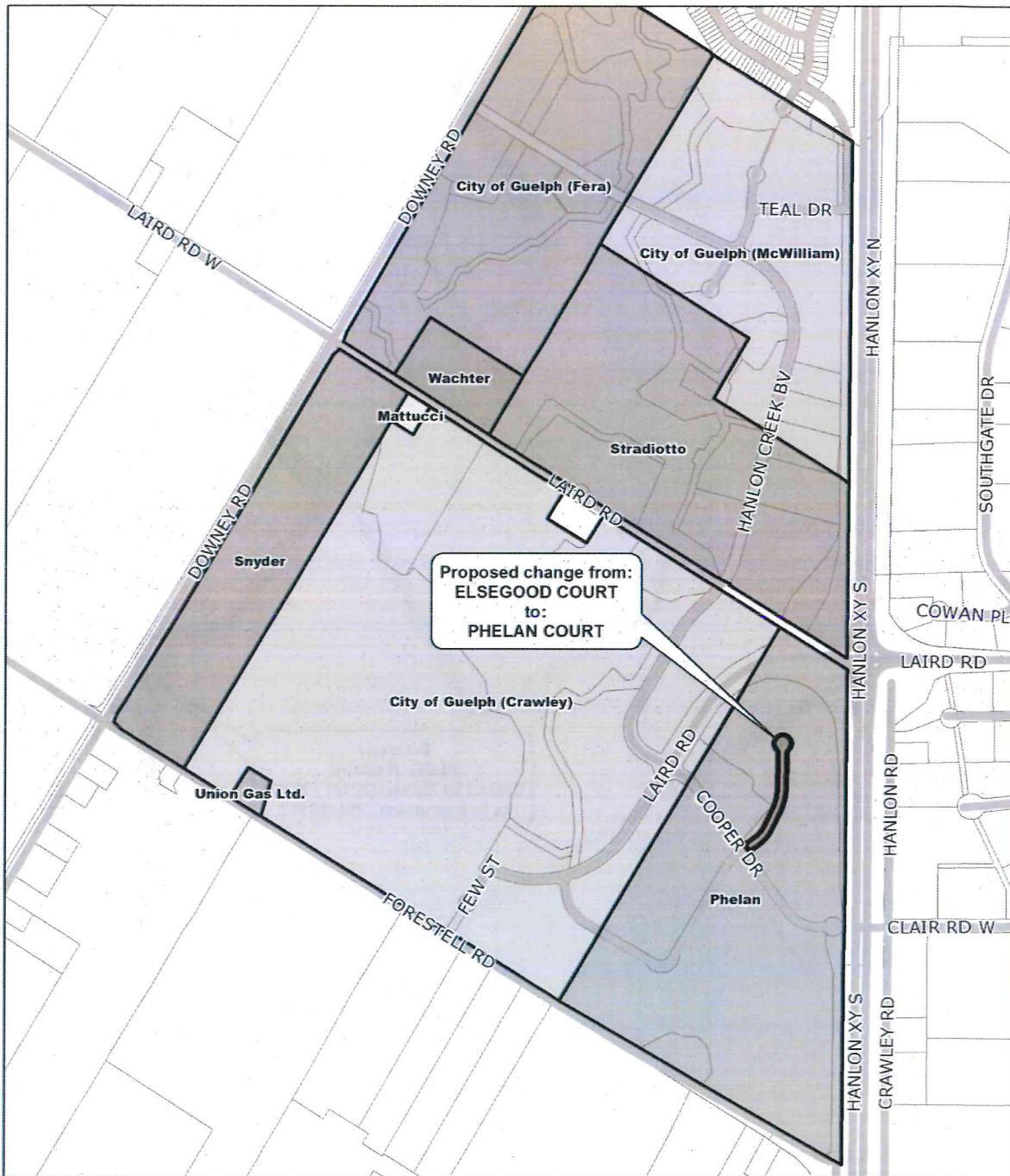
0 30 60 120 180 240 m

Produced by the City of Guelph  
Planning, Building, Engineering and Environment Development Planning  
July 2014

**PROPOSED STREET NAME CHANGE**  
Elsegood Court to Phelan Court



## ATTACHMENT 2 – Hanlon Creek Business Park Historic Ownership Map



**PROPOSED STREET NAME CHANGE**  
Elsegood Court to Phelan Court  
**HISTORIC OWNERSHIP MAP**

0 65 130 260 390 520

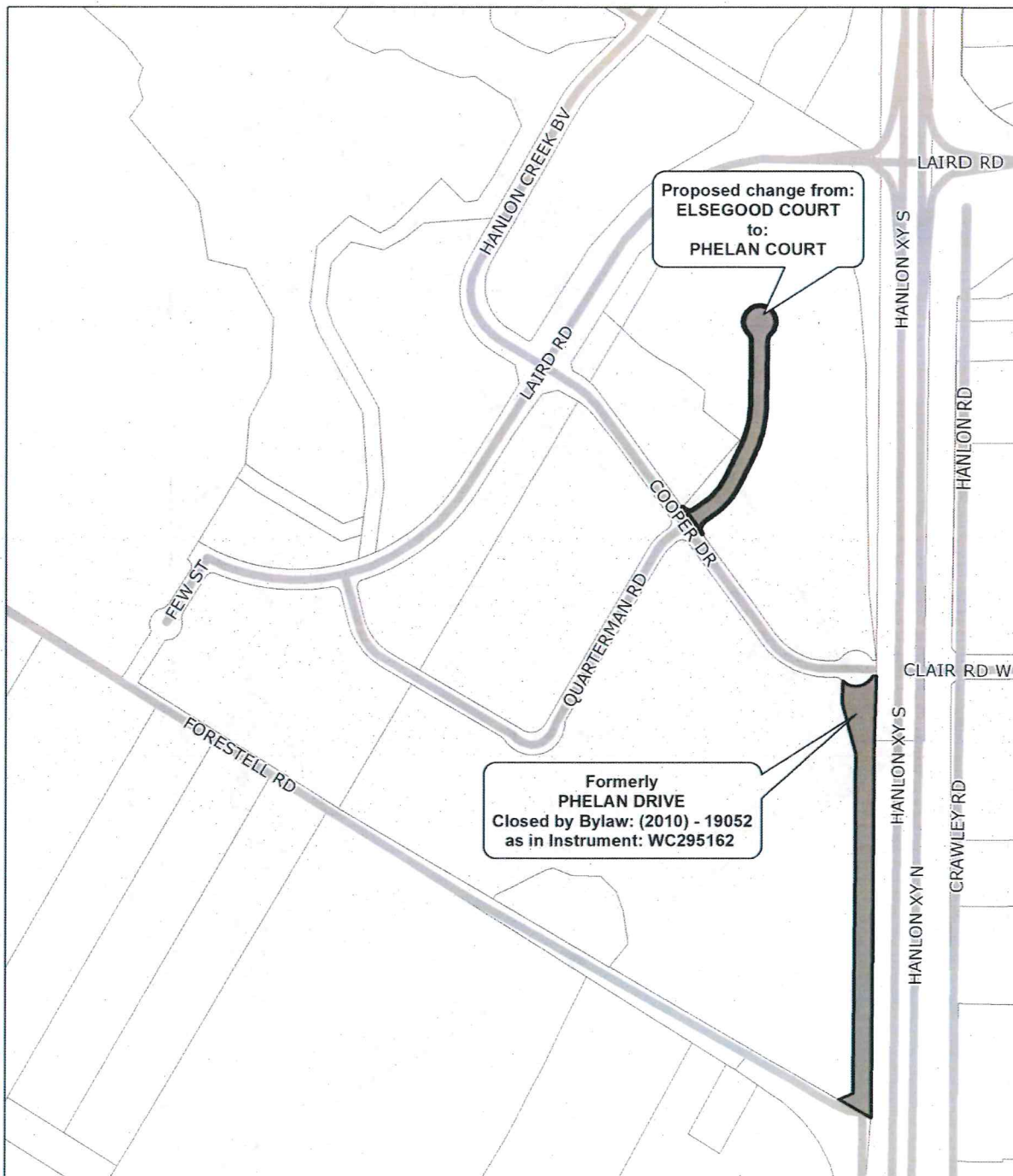
Produced by the City of Guelph  
Planning, Building, Engineering and Environment, Development Planning  
August 2014

CITY OF  
**Guelph**  
Making a Difference



# STAFF REPORT

## ATTACHMENT 3 – Former Phelan Drive Location



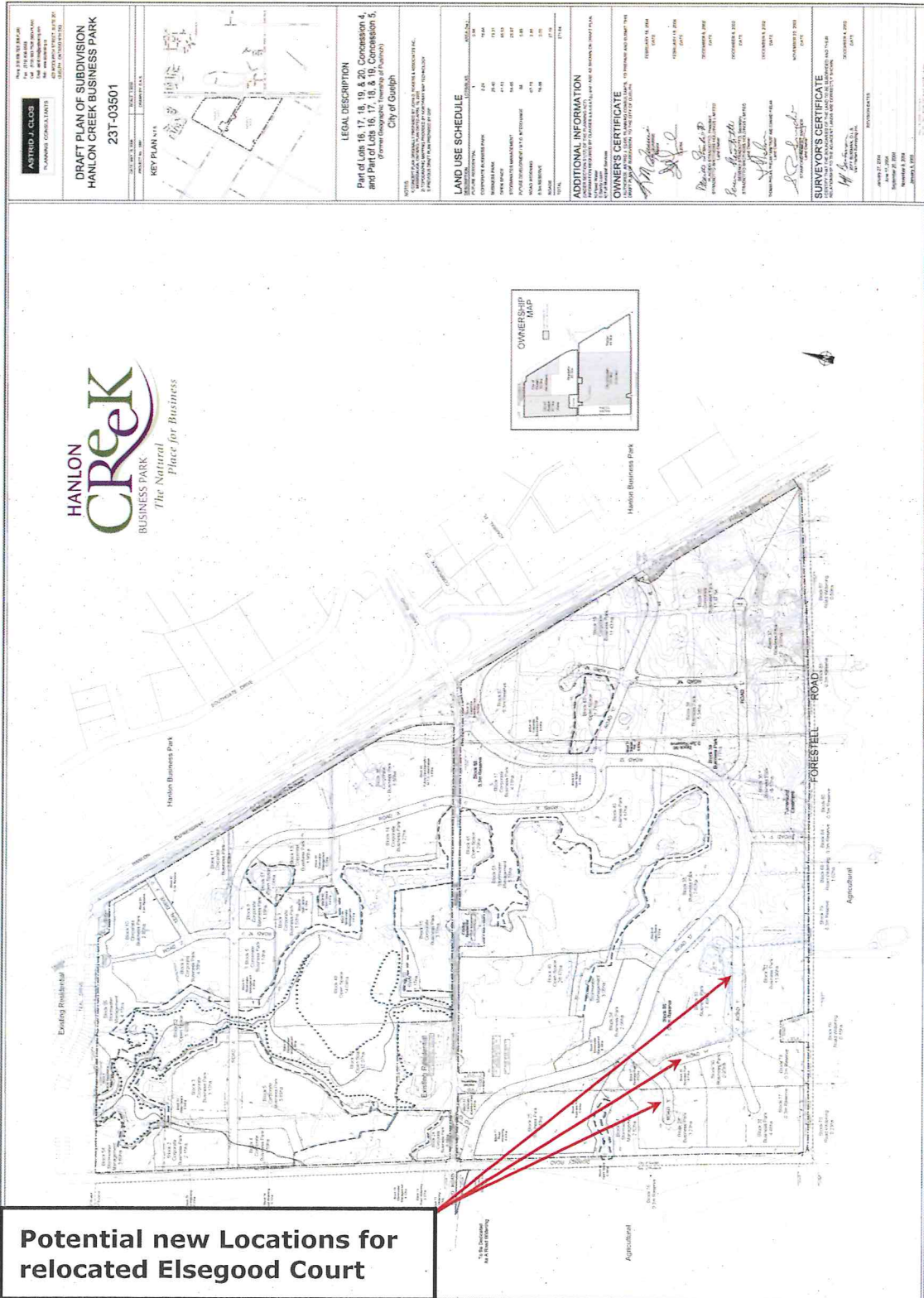
**PROPOSED STREET NAME CHANGE**  
**Elsegood Court to Phelan Court**  
**FORMER PHELAN DRIVE**

Produced by the City of Guelph  
Planning, Building, Engineering and Environment, Development Planning  
August 2014



# STAFF REPORT

## ATTACHMENT 4 – Relocated Elsegood Court: Potential Locations



# STAFF REPORT

## ATTACHMENT 5 – Royal Canadian Legion Correspondence



RECEIVED

JUN 09 2014

PBEE

The Royal Canadian Legion  
Colonel John McCrae Memorial Branch 234  
57 Watson Parkway South  
Guelph, On. N1L 1E3

Tel: 519-822-1565  
Fax: 519-822-1567

Email: [guelphlegion@gmail.com](mailto:guelphlegion@gmail.com)

May 30, 2014

Sylvia Kirkwood, MCIP, RPP  
Manager, Development Planning  
City of Guelph Ontario  
1 Carden Street N1H 3A1

Ms. Kirkwood,

I am directed by R.C.L., Branch 234, Guelph President Doug Dolby to inform you that the decision regarding "Hanlon Creek Business Park-Future Road Network" as reported in your email to the Legion Branch on May 27, 2014 is quite acceptable to the Legion.

Kindest Personal Regards,

*William Clatworthy*  
William Clatworthy, Secretary

# STAFF REPORT

## ATTACHMENT 6 – Emergency Services Correspondence



July 18, 2014

Planning, Building, Engineering and Environment  
City of Guelph  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attention: Michael Witmer

**RE: Proposed name change of Elsegood Court to Phaelan Court**

Please be advised that this department has reviewed documentation has no concerns on the proposed name change of Elsegood Court to Phaelan Court.

Yours truly,

A handwritten signature in black ink, appearing to read "Kim Hodgson".

Kim Hodgson  
Chief Fire Prevention Officer  
Emergency Services / Fire Department  
P 519-824-6590 x 2133  
E kim.hodgson@guelph.ca

**Emergency Services  
Fire Department**

50 Wyndham St S  
Guelph, ON  
Canada  
N1H 4E1

T 519-824-6590  
F 519-824-2147  
E fire@guelph.ca

[guelph.ca](http://guelph.ca)

# STAFF REPORT

## ATTACHMENT 6 (continued) – Emergency Services Correspondence



August 7<sup>th</sup> 2014

Planning, Building, Engineering and Environment  
City of Guelph  
1 Carden Street  
Guelph, Ontario  
N1H 3A1

Attention : Michael Witmer

Re: Proposed street name change of Elsegood Court to Phelan Court

Please be advised that the Guelph Police Service has no issues with the changing of Elsegood Court to Phelan Court.

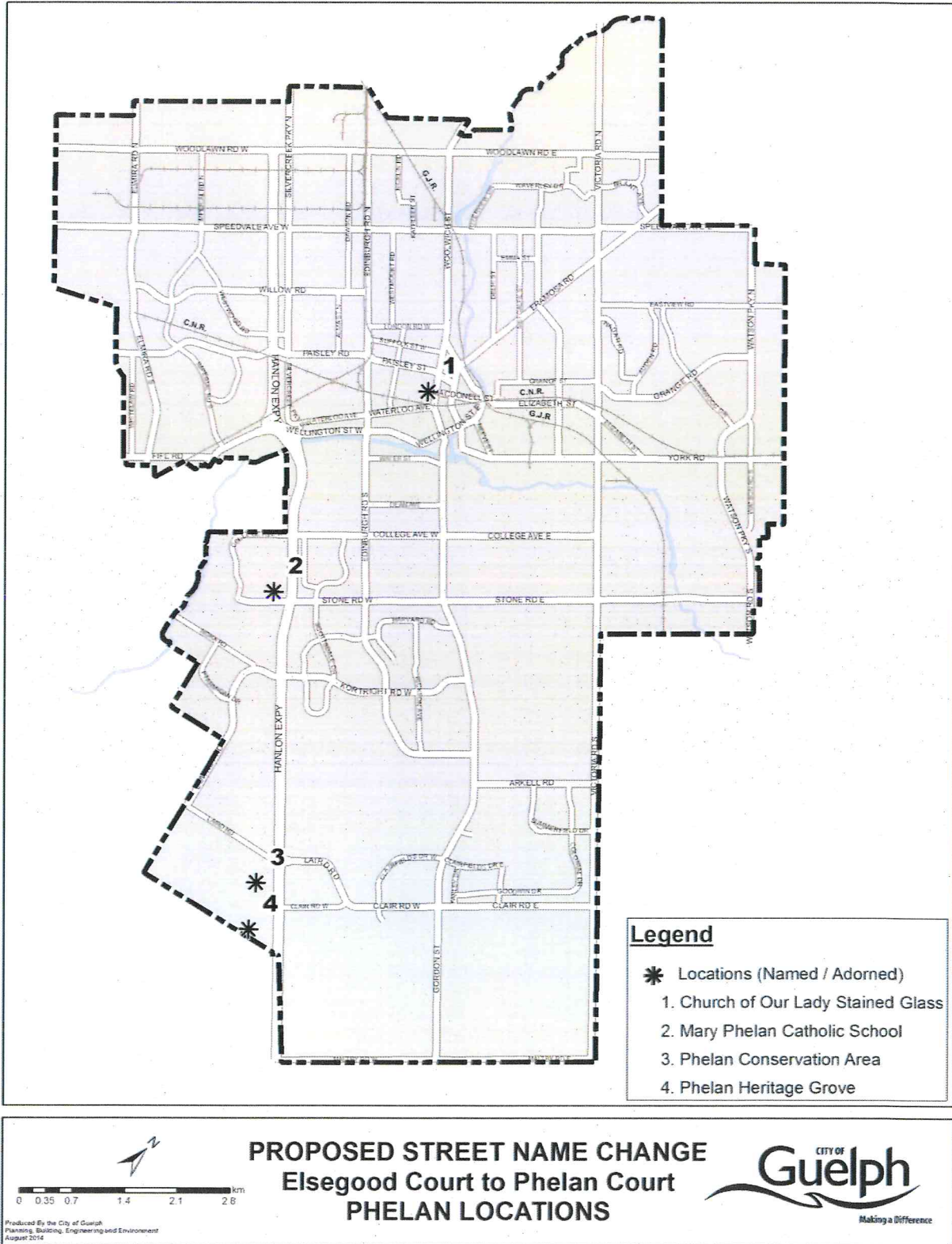
Respectfully,

Sgt. Steve Gill  
Guelph Police Service  
Communications Centre  
519-824-1212 Ext. 7279  
Sgill@guelphpolice.ca



# STAFF REPORT

## ATTACHMENT 7 – Existing Locations Named After Phelan Family





# STAFF REPORT



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TO City Council

SERVICE AREA Planning, Building, Engineering and Environment

DATE August 25, 2014

**SUBJECT Proposed Demolition of 103 Grange Street  
Ward 1**

REPORT NUMBER 14-48

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## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To provide background and a staff recommendation related to a request for demolition approval of a single detached dwelling.

### KEY FINDINGS

An existing single detached dwelling is proposed to be replaced with two (2) new detached dwellings, resulting in a net gain of one (1) residential dwelling unit.

### FINANCIAL IMPLICATIONS

None.

### ACTION REQUIRED

Council is being asked to approve the demolition request.

## RECOMMENDATION

1. That Report 14-48 regarding the proposed demolition of a detached dwelling at 103 Grange Street, legally described as Plan 298, Lot 9, Part Lot 8, 61R4686, Part 2, Part 3, from Planning, Building, Engineering and Environment dated August 25, 2014, be received;
2. That the proposed demolition of the detached dwelling at 103 Grange Street be approved;
3. That the applicant prepare and submit a Tree Inventory, Preservation and Compensation Plan in accordance with the Private Tree Protection By-law to the satisfaction of the General Manager of Planning Services prior to issuance of a demolition permit;
4. That the applicant erect any required protective fencing recommended by the Tree Inventory, Preservation and Compensation Plan at one (1) metre from the dripline of any existing trees on the property or on adjacent properties prior to

# STAFF REPORT



commencement of demolition and maintain fencing during demolition and construction of the new dwelling; and

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.

## BACKGROUND

An application to demolish a detached dwelling at 103 Grange Street was received on May 27, 2014 by Planning, Building, Engineering and Environment. An existing detached garage is also included in this demolition request.

The subject property is within an older, low-rise residential block generally bound by Grange Street to the north, Stevenson Street North to the east, Grove Street to the south and Clara Street to the west. St. Georges Park is located further to the east and a CN Rail line further to the south (See Attachment 1). The subject property is zoned R.1B (Residential Single Detached), which permits single detached dwellings, accessory apartments, bed and breakfast establishments, day care centres, group homes, home occupation and lodging house Type 1.

The applicant is requesting to demolish the existing dwelling on the subject property (See Attachment 2) and construct two (2) new single detached dwellings (See Attachment 3). The applicant applied to the Committee of Adjustment in March of 2014 for consent to sever the subject property into an additional lot, and also for related minor variances to support the redevelopment of two (2) new dwellings (Applications B-9/14, A-25/14, A-26/14). The Committee of Adjustment conditionally approved the consent and minor variance applications at their hearing on April 10, 2014.

## REPORT

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.

The applicant is proposing to construct two (2) new single detached dwellings. A site plan for the subject property and a conceptual drawing for Lot 2 has been provided to staff to demonstrate what this dwelling may look like (see Attachment 3). A conceptual drawing for the dwelling on Lot 1 has not been developed to date. The site plan shows conceptual building envelopes of the two new dwellings, and was provided as supplementary information to the Committee of Adjustment with the consent and minor variance applications in March 2014.

# STAFF REPORT



At the Committee of Adjustment's April 10, 2014 hearing, in addition to the consent (B-9/14), the following minor variances (A-25/14, A-26/14) were conditionally approved:

## Severed Parcel Variances (A-25/14)

- Request to permit a lot frontage of 12.2 metres (40 feet) when the Zoning By-law requires a minimum lot frontage of 15 metres (49.21 feet);
- Request to permit right and left side yard setbacks of 1.2 metres (3.93 feet) when the Zoning By-law requires that a minimum side yard of 1.5 metres (4.92 feet);

## Retained Parcel Variances (A-26/14)

- Request to permit a lot frontage of 9.64 metres (31.62 feet) when the Zoning By-law requires a minimum lot frontage of 15 metres (49.21 feet).

It was a collective condition of approval of the above minor variances and consent application that the existing dwelling and detached garage be completely demolished and removed from the site prior to the deeds being endorsed for the new lot as the dwelling straddled the lot line. Further, it was also a condition of approval that elevations and a final site plan for the replacement dwellings be reviewed and approved by the General Manager of Planning Services prior to the issuance of any building permits to ensure that they fit within and respect the character of the established built up residential neighbourhood.

## Cultural Heritage

The subject property is not designated under the *Ontario Heritage Act* and is not listed in the City of Guelph's *Municipal Register of Cultural Heritage Properties* under Section 27 of the *Ontario Heritage Act*. The subject property has not been identified as a built heritage resource in the City's Couling Building Inventory. Therefore, Heritage Planning staff has no objection to the proposed demolition.

## Tree Protection

The subject property is greater than 0.2 hectares in size and, therefore is regulated by the Private Tree Protection By-law. A Tree Inventory, Preservation and Compensation Plan is required to be submitted prior to issuance of the demolition permit. This will identify all trees on the subject property, shared boundary trees, and any other trees in the area that may be affected by demolition activities. Any recommendations required in the Tree Inventory, Preservation and Compensation Plan must be adhered to during demolition activities and during subsequent construction of the replacement dwellings, including the erection of tree protection hoarding and signage. Further, the applicant is required to obtain a permit to injure or destroy trees. The applicant should contact the City's Environmental Planner in Planning Services to coordinate the recommended tree protection and compensation measures and to obtain necessary Tree By-law permit.

The approval of the demolition application is recommended as the existing dwelling is not a significant cultural heritage resource, and is proposed to be replaced with

# STAFF REPORT



two (2) new single detached dwellings. Further, adequate tree protection and compensation will be required to be undertaken by the proponent prior to the issuance of any permits. Therefore, there will be a net gain of one (1) dwelling unit as a result of the request. In staff's opinion, the demolition request is consistent with the City's Demolition Control By-law.

Finally, it is strongly recommended that the applicant contact the General Manager of Solid Waste Resources, within Planning, Building, Engineering and Environment, regarding the proper salvage and disposal of the demolition materials.

## **CORPORATE STRATEGIC PLAN**

**City Building – Strategic Directions 3.1:** Ensure a well designed, safe, inclusive, appealing and sustainable City.

## **FINANCIAL IMPLICATIONS**

N/A

## **DEPARTMENTAL CONSULTATION**

The City's Senior Heritage Planner and the Environmental Development Planner were consulted regarding the proposed demolition permit.

## **COMMUNICATIONS**

A sign was posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information.

## **ATTACHMENTS**

Attachment 1 - Location Map

Attachment 2 - Site Photos

Attachment 3 - Proposed Concept for Replacement Dwellings on Lot 2

### **Prepared By:**

Michael Witmer  
Development & Urban Design Planner

### **Approved By:**

Sylvia Kirkwood  
Manager of Development Planning

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### **Approved By:**

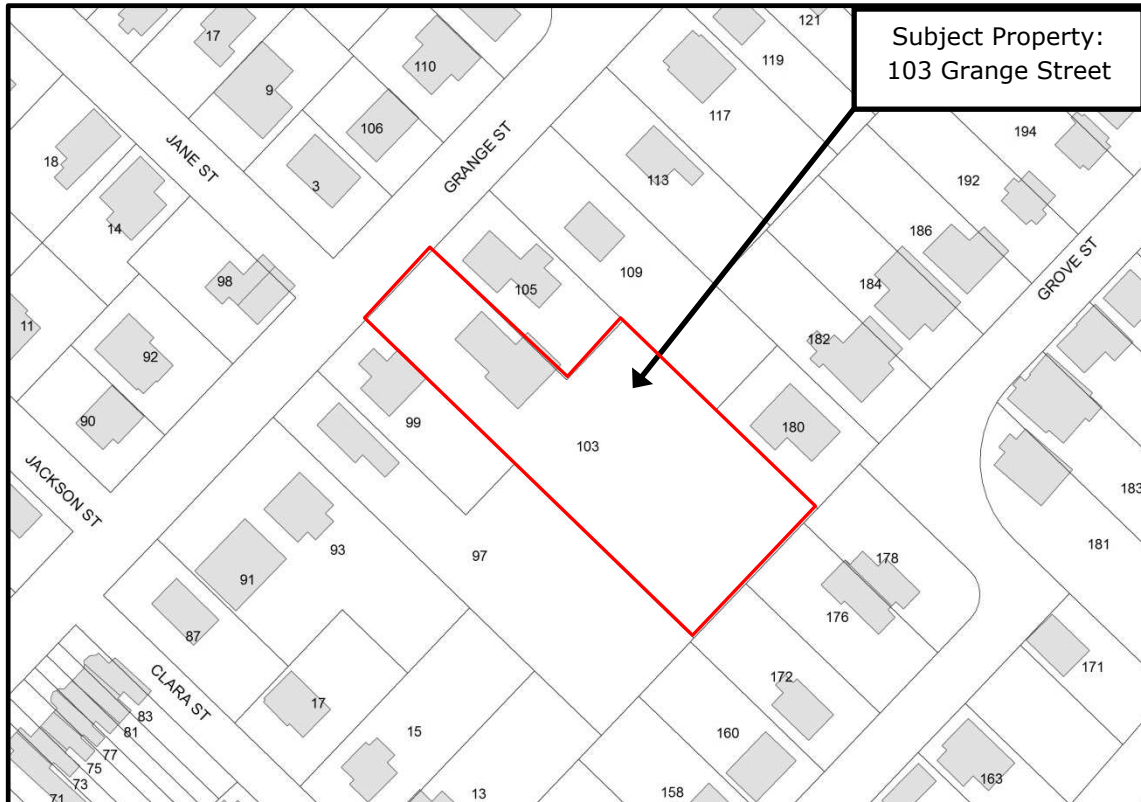
Todd Salter  
General Manager  
Planning Services  
519-822-1260 ext. 2395  
todd.salter@guelph.ca

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### **Recommended By**

Janet L. Laird, Ph.D.  
Executive Director  
Planning, Building, Engineering  
and Environment  
519-822-1260 ext. 2237  
janet.laird@guelph.ca

## ATTACHMENT 1 – Location Map





# STAFF REPORT

## ATTACHMENT 2 – Site Photos

### Aerial Photograph



# STAFF REPORT

## ATTACHMENT 2 (continued) – Site Photos

### Photo of 103 Grange Street



(Photo taken by M. Witmer, April 8, 2014)

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**ATTACHMENT 3 – Proposed Concept for**

**Replacement Dwellings**

**LOT 1**

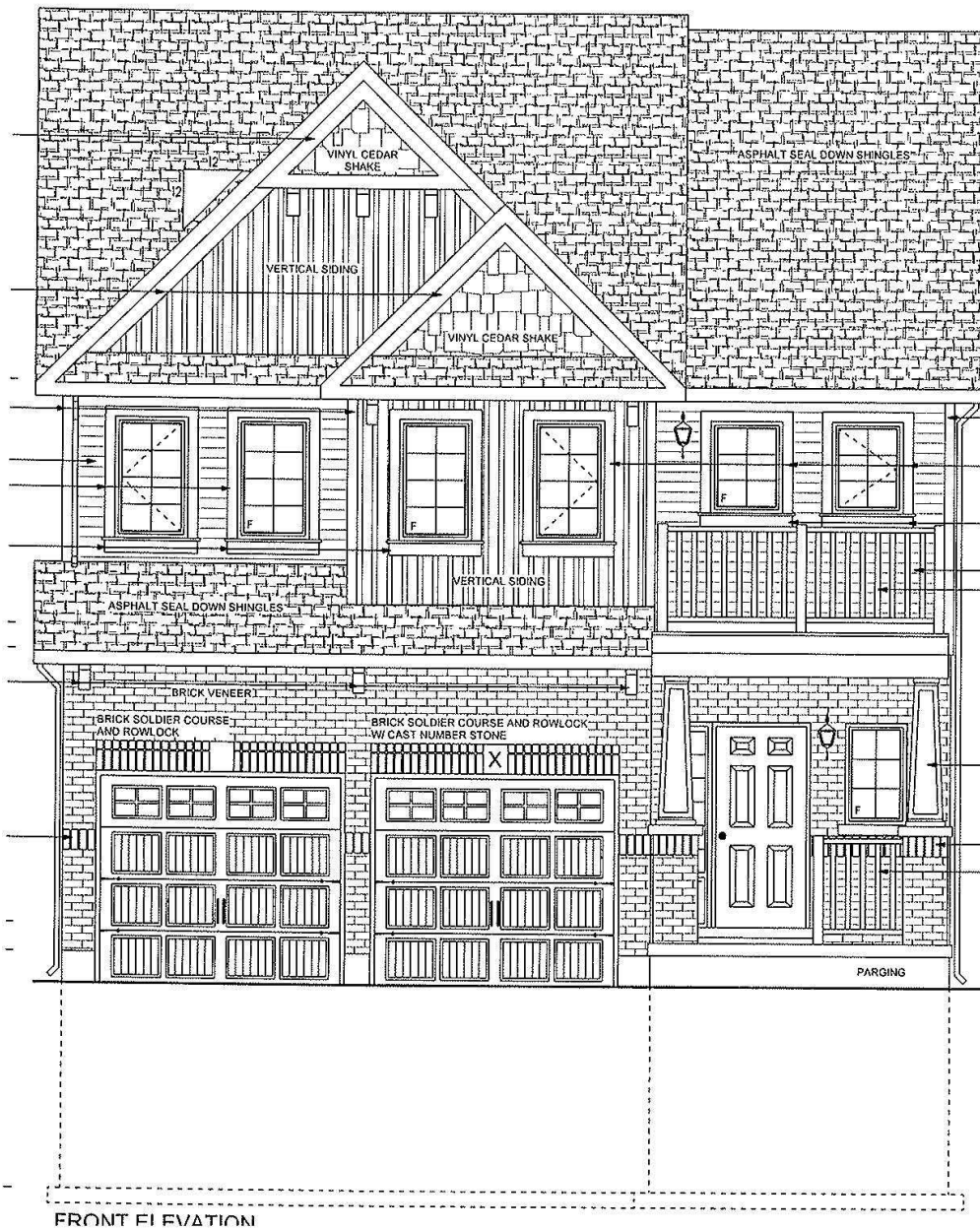
*IMAGE NOT AVAILABLE FROM APPLICANT*



# STAFF REPORT

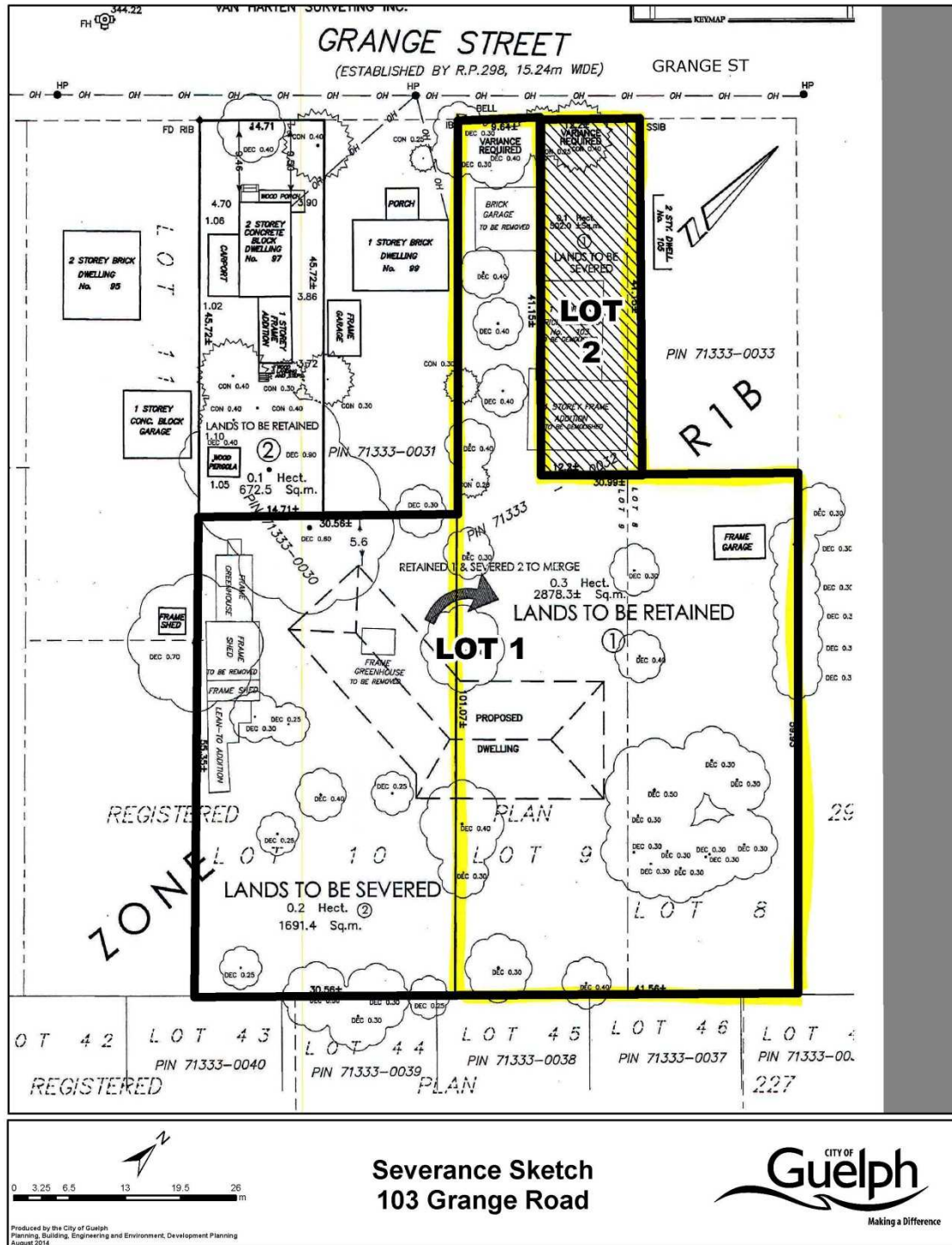
## ATTACHMENT 3 (continued) – Proposed Concept for Replacement Dwellings

### LOT 2



(concept front elevation provided by applicant)

## ATTACHMENT 3 (continued) – Proposed Concept for Replacement Dwellings





# STAFF REPORT



TO City Council

SERVICE AREA Operations, Transit & Emergency Services

DATE August 25, 2014

**SUBJECT Issuer of Lottery Licences**

REPORT NUMBER OTES081433

## EXECUTIVE SUMMARY

### PURPOSE OF REPORT

To present to City Council an amendment to the City's Delegation By-law, delegating the authority to issue Lottery Licences to the Manager of Bylaw Compliance, Security and Licensing (Issuer of Licences) and to amend Lottery Licensing Bylaw (1994)-14650.

### KEY FINDINGS

On April 2, 2012 to create efficiencies, the Licensing Division was transferred from the City Clerk's Office to the Bylaw Compliance, Security and Licensing Department.

An amendment to transfer authority to issue Lottery Licences to the Manager of Bylaw Compliance, Security and Licensing remains outstanding.

### FINANCIAL IMPLICATIONS

There is no financial impact associated with this report.

### ACTION REQUIRED

To receive staff's report and to approve an amendment to the City's Delegation By-law and amend Lottery Licensing Bylaw (1994)-14650

## RECOMMENDATION

1. That the Council Report # OTES081433 Issuer of Lottery Licences dated August 25, 2014 be received.
2. That the administration and the issuance of Lottery Licences be delegated to the Manager of Bylaw, Compliance, Security and Licensing as set out in Council Report # OTES081433 dated August 25, 2014.

# STAFF REPORT

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3. That the Delegation By-law amendment (2014)-19792 as set out in Council Report # OTES081433 be approved.

## **BACKGROUND**

On April 2, 2012 the Licensing Division was transferred from the City Clerk's Office to the Bylaw Compliance & Security Department. This move was done to create efficiencies as well as remedy an existing conflict between the Clerk's authority in relation to business licensing administration and the associated appeals process. With the transfer of this division the Manager of Bylaw Compliance, Security and Licensing assumed the role of supervising responsibilities relating to Business Licensing, Group Home Registration and Lottery Licensing administration.

While all administrative responsibilities of licensing moved from the Clerk's Department to Bylaw Compliance, Security and Licensing Department, the signing authority for lottery licences was not updated.

## **REPORT**

To address the lottery licence administration deficiency, staff are recommending City Council approve Bylaw amendment (2014)-19792 (ATT-1). This Bylaw amendment is an administrative amendment to update the Delegation of Authority Bylaw (2013)-19529 and to amend Lottery Licensing Bylaw (1994)-14650.

With this Bylaw amendment the transfer of the Licensing Division to the Bylaw Compliance, Security and Licensing Department will be finalized and the Manager of Bylaw Compliance, Security and Licensing will have the authority to issue Lottery Licenses similar to the position's current authority to issue Business Licences and Group Home Registrations.

In addition to delegated authority to staff we will commit to report on an annual basis when this authority has been exercised.

## **CORPORATE STRATEGIC PLAN**

This report supports the following goals in the strategic plan:

- 2.3 Ensure accountability transparency and engagement

## **DEPARTMENTAL CONSULTATION**

City Clerk's Department

## **FINANCIAL IMPLICATIONS**

There is no financial impact associated with this report.

# STAFF REPORT

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## ATTACHMENTS

ATT-1- By-law (2014)- 19792

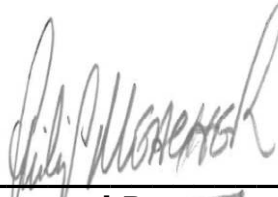
**Report Author:** Jennifer Jacobi  
Licensing Coordinator



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**Recommended By**

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Bylaw Compliance, Security &  
Licensing  
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**Approved By**

Phil Meagher  
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Operations, Transit and Emergency Services  
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**THE CORPORATION OF THE CITY OF GUELPH**

**By-law Number (2014) – 19792**

A By-law to amend By-law (2013)-19529, being a By-law to delegate authority pursuant to the Municipal Act, and to amend By-law Number (1994)-14650, being a By-law respecting the licensing of Lotteries conducted within the City of Guelph.

WHEREAS section 23.1(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes a municipality to delegate its powers and duties subject to certain restrictions;

AND WHEREAS the Council of The Corporation of the City of Guelph has deemed that certain routine administrative and legislative powers are of a minor nature, and the delegation of these powers would contribute to the efficient management of the City while still adhering to the principles of accountability and transparency;

AND WHEREAS the City of Guelph passed By-law Number (1994)-14650, being a By-law respecting the licensing of Lotteries conducted within the City of Guelph, on July 18, 1994;

AND WHEREAS Council deems it expedient and efficient to delegate the authority for the issuance of Lottery Licenses, pursuant to the delegation of Authority by-law;

**THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:**

1. That By-law Number (2013)-19529 is amended by adding Schedule “AA” as attached hereto as Attachment 1.
2. That By-law Number (1994)-14650 be amended as follows:
  - a) all references to the “Clerk” be deleted and replaced with “Manager of By-law Compliance, Security and Licensing”
  - b). the definition of “Clerk” be deleted and replaced with “Manager of By-law Compliance, Security and Licensing”.
3. This by-law shall come into force and take effect on August 25, 2014.

**PASSED this TWENTY-FIFTH day of AUGUST, 2014.**

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**KAREN FARBRIDGE – MAYOR**

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**STEPHEN O'BRIEN – CITY CLERK**

**DRAFT**



Schedule "A" to By-law Number (2014) – 19792  
Being new Schedule "AA" to By-law Number (2013)-19529

**DELEGATION OF AUTHORITY TO delegate the authority for the Issuance of Lottery Licenses**

<b>Power to be Delegated</b>	Authority to Issue Lottery Licences.
<b>Reasons in Support of Delegation</b>	<ul style="list-style-type: none"><li>○ Contributes to the efficient management of the City of Guelph.</li><li>○ Provides comprehensive customer service to Licensees.</li><li>○ Meets the need to respond to issues in a timely fashion.</li><li>○ Maintains accountability through conditions, limitations and reporting requirements.</li><li>○ Minor in nature.</li><li>○ Supports the City's Corporate Strategic Plan.</li></ul>
<b>Delegate(s)</b>	The following staff or their successors thereof: <ul style="list-style-type: none"><li>○ Chief Administrative Officer (CAO)</li><li>○ Executive Director, Operations, Transit and Emergency Services,</li><li>○ Manager, Bylaw Compliance, Security and Licensing</li><li>○ A person who is appointed by the CAO or selected from time to time by the Executive Director, Operations, Transit and Emergency Services to act in their stead.</li></ul>
<b>Council to Retain Power Conditions and Limitations</b>	Not Applicable
<b>Review or Appeal Reporting Requirements</b>	Annual information report to Council on Lottery licences issued.

- **BYLAWS** -

- **August 25, 2014** -

<p>By-law Number (2014)-19789 A by-law to amend By-law Number (2014)-19739, a by-law to provide for early voting and reduced hours of voting in institutions and retirement homes on voting day. (add Village of Arbour Trails).</p>	<p>To include Village of Arbour Trails as a voting location.</p>
<p>By-law Number (2014)-19790 A By-law to authorize the execution of release of an Assumption Agreement with respect to property described as Lot 12, Plan 797, City of Guelph. (16 Fair Road)</p>	<p>To authorize the execution of an Assumption Agreement. (16 Fair Road)</p>
<p>By-law Number (2014)-19791 A By-law to authorize the execution of release of a Development Agreement with respect to property described as Lot 12, Plan 797, City of Guelph. (16 Fair Road)</p>	<p>To authorize the execution of a Development Agreement. (16 Fair Road)</p>
<p>By-law Number (2014)-19792 A By-law to amend By-law (2013)-19529, being a By-law to delegate authority pursuant to the municipal act, and to repeal By-law Number (1994)-14650, being a By-law respecting the licensing of Lotteries conducted within the City of Guelph.</p>	<p>To amend the delegated authority by-law with respect to the issuing of lottery licenses within the City of Guelph.</p>
<p>By-law Number (2014)-19793 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 known municipally as 5 Arthur Street South and legally described as legally described as Part of Grist Mill Lands, East side of Speed</p>	<p>To amend the City's Zoning By-law. (File: ZC1305) 5 Arthur Street S.0</p>

<p>River, Plan 113 and Part Lot 76, and Lots 77, 78, 79, 80, 81 and 82, Plan 113, (as amended), designated as Parts 11, 12 and 13, Reference Plan 61R11955, together with an easement over Part 17, 61R11955 as in Instrument No. WC212993; Guelph and Part of Grist Mill Lands, Plan 113, East of River Speed, designated as Parts 14, 15 and 16, Reference Plan 61R11955; subject to an Easement as in Instrument No. RO682767; together with an Easement over Part 17, 61R11955 as in Instrument No. WC212993; City of Guelph. (ZC1305) - 5 Arthur Street S.)</p>	
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