



## **Minutes of Guelph City Council**

**December 14, 2020, 6:00 p.m.  
Remote meeting live streamed  
on [guelph.ca/live](https://guelph.ca/live)**

**Council:**

Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor L. Caron  
Councillor C. Downer  
Councillor D. Gibson  
Councillor R. Goller  
Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. Salisbury  
Councillor M. MacKinnon  
Councillor D. O'Rourke

**Staff:**

S. Stewart, Chief Administrative Officer  
K. Dedman, Deputy Chief Administrative Officer,  
Infrastructure, Development and Enterprise Services  
C. Cooper, General Manager, Legal Realty and Court  
Services/City Solicitor  
A. Thornton, Associate Solicitor  
K. Walkey, General Manager, Planning and Building Services  
M. Aldunate, Manager, Policy Planning and Urban Design  
A. Watts, Program Manager, Comprehensive Zoning By-law  
Review  
S. Robinson, Senior Heritage Planner  
L. Sulatycki, Senior Policy Planner  
D. McMahon, Manager, Legislative Services / Deputy City  
Clerk  
L. Cline, Council and Committee Coordinator  
D. Tremblay, Council and Committee Coordinator

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**2. Call to Order - 7:15 p.m.**

Mayor Guthrie called the meeting to order. (7:15 p.m.)

**2.1 Disclosure of Pecuniary Interest**

There were no disclosures.

**3. Authority to move into closed meeting**

Moved By Councillor Allt

Seconded By Councillor Goller

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to sections 239 (2)(e) and (f) of the Municipal Act regarding litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Voting in Favour: (12): Mayor Guthrie, Councillor Allt, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Carried (12 to 0)

The following matters were considered:

**3.1 Declaration of Pecuniary Interest and General Nature Thereof**

**3.2 132 Clair Road West Local Planning Appeal Tribunal - Update, 2020-233**

**4. Open Meeting**

Mayor Guthrie called the meeting to order. (7:26 p.m.)

**4.1 Closed Meeting Summary**

Mayor Guthrie spoke regarding the matters discussed in closed session and identified the following:

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

There were none disclosed.

#### **132 Clair Road West Local Planning Appeal Tribunal - Update, 20020-233**

Council received information and direction was provided to staff.

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

There were no disclosures.

### **5. Items for Discussion**

#### **5.2 Decision Report - Additional Residential Unit Review: Planning Act Update OPA No. 72 Zoning By-Law Amendment File: OZS20-02, 2020-214**

Abby Watt, Program Manager, Comprehensive Zoning By-law Review summarized the Additional Residential Unit Review and Official Plan and Zoning By-law amendments.

The following delegates spoke:

Linda Davis, on behalf of McElderry Community

#### **Main Motion**

Moved By Councillor MacKinnon

Seconded By Councillor Gibson

1. That City-initiated Official Plan Amendment No. 72 be approved in accordance with Attachment 1 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.
2. That the City-initiated Additional Residential Dwelling Unit Zoning Bylaw Amendment (OZS20-02), be approved in accordance with Attachment 2 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.

#### **First Amendment**

Moved By Councillor Downer

Seconded By Councillor Hofland

Bedrooms in accessory unit

That section 4.15.1.6.3 be amended to "two bedrooms".

Voting in Favour: (7): Councillor Allt, Councillor Caron, Councillor Downer, Councillor Gordon, Councillor Hofland, Councillor Salisbury, and Councillor O'Rourke

Voting Against: (6): Mayor Guthrie, Councillor Bell, Councillor Billings, Councillor Gibson, Councillor Goller, and Councillor MacKinnon

Carried (7 to 6)

### **Second Amendment**

Moved By Councillor Downer

Seconded By Councillor Hofland

Height

4.15.1.7.4 The maximum Building Height shall be 5 metres, and shall not exceed the overall Building Height of the primary Dwelling.

4.15.1.7.4.1 Despite section 4.15.1.7.4, when an Additional Residential Dwelling Unit is located above a detached Garage, the maximum total Building Height shall be 6.1 metres, and shall not exceed the overall Building Height of the primary Dwelling.

Voting in Favour: (11): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, and Councillor O'Rourke

Voting Against: (2): Councillor Caron, and Councillor MacKinnon

Carried (11 to 2)

### **Main Motion as Amended**

Moved By Councillor MacKinnon

Seconded By Councillor Gibson

1. That City-initiated Official Plan Amendment No. 72 be approved in accordance with Attachment 1 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.
2. That the City-initiated Additional Residential Dwelling Unit Zoning Bylaw Amendment (OZS20-02), be approved in accordance with Attachment 2 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020, with the following amendments:

- i. Bedrooms in accessory unit

That section 4.15.1.6.3 be amended to "two bedrooms".

- ii. Height

4.15.1.7.4 The maximum Building Height shall be 5 metres, and shall not exceed the overall Building Height of the primary Dwelling.

4.15.1.7.4.1 Despite section 4.15.1.7.4, when an Additional Residential Dwelling Unit is located above a detached Garage, the maximum total Building Height shall be 6.1 metres, and shall not exceed the overall Building Height of the primary Dwelling.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Carried (13 to 0)

### **Suspending of Procedural By-law**

Moved By Councillor Allt

Seconded By Councillor Goller

That Section 5.8 of the Procedural By-law, Reconsideration of a Council Decision, be suspended to reconsider the Main Motion.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Carried (13 to 0)

The Chair ruled that the Main Motion be returned to the floor.

### **Third Amendment**

Moved By Councillor Caron

Seconded By Councillor Gordon

Size

4.15.1.7.1 The Additional Residence Dwelling Unit shall not exceed 45% of the Total Net Floor Area of the primary Building, or a maximum of 56 square metres in Floor Area, whichever is less.

Voting in Favour: (5): Councillor Allt, Councillor Caron, Councillor Downer, Councillor Gordon, and Councillor Hofland

Voting Against: (8): Mayor Guthrie, Councillor Bell, Councillor Billings, Councillor Gibson, Councillor Goller, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Defeated (5 to 8)

#### **Fourth Amendment**

Moved By Councillor Caron

Seconded By Councillor Gordon

Setback

4.15.1.7.8 The Additional Residence Dwelling Unit is a separate Building on a Lot shall have a minimum 3 metre Side and Rear Yard Setback.

Voting in Favour: (4): Councillor Caron, Councillor Downer, Councillor Gordon, and Councillor Hofland

Voting Against: (9): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Gibson, Councillor Goller, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Defeated (4 to 9)

#### **Main as Amended**

Moved By Councillor MacKinnon

Seconded By Councillor Gibson

1. That City-initiated Official Plan Amendment No. 72 be approved in accordance with Attachment 1 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020.
2. That the City-initiated Additional Residential Dwelling Unit Zoning Bylaw Amendment (OZS20-02), be approved in accordance with Attachment 2 of the Decision Report, Additional Residential Unit Review: Planning Act Update, dated December 14, 2020, with the following amendments:
  - i. Bedrooms in accessory unit  
That section 4.15.1.6.3 be amended to "two bedrooms".

ii. Height

4.15.1.7.4 The maximum Building Height shall be 5 metres, and shall not exceed the overall Building Height of the primary Dwelling.

4.15.1.7.4.1 Despite section 4.15.1.7.4, when an Additional Residential Dwelling Unit is located above a detached Garage, the maximum total Building Height shall be 6.1 metres, and shall not exceed the overall Building Height of the primary Dwelling.

Voting in Favour: (8): Mayor Guthrie, Councillor Bell, Councillor Billings, Councillor Gibson, Councillor Goller, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Voting Against: (5): Councillor Allt, Councillor Caron, Councillor Downer, Councillor Gordon, and Councillor Hofland

Carried (8 to 5)

**New Motion**

Moved By Councillor Downer

Seconded By Councillor Caron

That the issue of tree protection and preservation with the creation of Additional Residential Dwelling Units be referred to the Private Tree Bylaw Review in 2022.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Carried (13 to 0)

**New Motion**

Moved By Councillor Downer

Seconded By Councillor O'Rourke

1. That staff report back in 2021 on the effectiveness of the recommended alternative approach to the Rental Housing Licensing Program as described in Report 14-29, dated August 5, 2014, Rental Housing Licensing Recommended Approach; and
2. That the Report directly respond to the issues identified in Report 13-32, July 15, 2013, Rental Housing Licensing Cost/Benefit Analysis.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Carried (13 to 0)

**5.1 264 Crawley Road - Notice of Intention to Designate under section 29, Part IV of the Ontario Heritage Act, 2020-227**

Stephen Robinson, Senior Heritage Planner provided a summary of the property at 264 Crawley Road and the Notice of Intention to Designate under section 29, Part IV of the Ontario Heritage Act.

The following delegates spoke:

Eileen Costello

The following delegates did not speak:

Susan Ratcliffe

Moved By Councillor Caron

Seconded By Councillor Allt

1. That the City Clerk be authorized to publish and serve notice of intention to designate 264 Crawley Road pursuant to section 29, Part IV of the Ontario Heritage Act.
2. That the designation bylaw be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

Voting in Favour: (9): Councillor Allt, Councillor Bell, Councillor Caron, Councillor Downer, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Voting Against: (4): Mayor Guthrie, Councillor Billings, Councillor Gibson, and Councillor Goller

Carried (9 to 4)

**New Motion**

Moved By Councillor Caron

Seconded By Councillor Goller



That the city work with the property owner to explore future residential or compatible use, which may include Specialized Zoning to expand the range of permitted uses, and/or allow the installation of septic services to service the property.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Carried (13 to 0)

## **6. By-laws**

Moved By Councillor Gibson  
Seconded By Councillor Hofland

That by-law numbers (2020)-20554 to (2020)-20558, as amended are hereby passed.

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Carried (13 to 0)

## **7. Mayor's Announcements**

Mayor Guthrie provided holiday greetings to Council and staff.

## **8. Adjournment**

Moved By Councillor Downer  
Seconded By Councillor Billings

That the meeting be adjourned. (10:54 p.m.)

Voting in Favour: (13): Mayor Guthrie, Councillor Allt, Councillor Bell, Councillor Billings, Councillor Caron, Councillor Downer, Councillor Gibson, Councillor Goller, Councillor Gordon, Councillor Hofland, Councillor Salisbury, Councillor MacKinnon, and Councillor O'Rourke

Carried (13 to 0)

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Mayor Guthrie

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Dylan McMahon - Deputy City Clerk