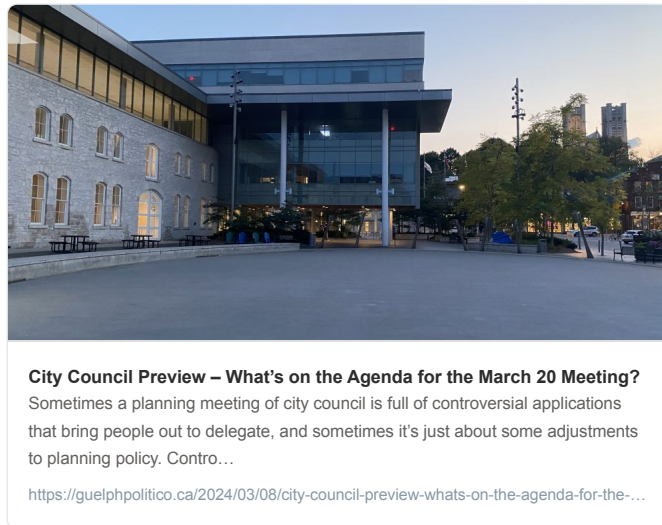




**Adam A. Donaldson** @adamadonaldson

Mar 20, 2024 · 55 tweets · [adamadonaldson/status/1770448368373789164](https://twitter.com/adamadonaldson/status/1770448368373789164)

Starting at 10 am, it's the month's city council planning meeting. This is what we're doing on the fairly brief agenda:



Mayor Guthrie has called the meeting to order.

First, there's an item to discuss in-camera: Acquisition of Property for New Paramedic Station. This falls under Section 239(2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board.

Council agrees to move into closed. See you in a bit.



Council is emerging from closed.

On Acquisition of Property for New Paramedic Station, Guthrie reports that council received "a lot of information" from staff and then they gave direction.

Here's the direction:

## Acquisition of Property for New Paramedic Station, 2024-137



1. That the Mayor and City Clerk be directed to execute the Agreement of Purchase and Sale for the acquisition of property, as included in the Acquisition of Property for New Paramedic Station closed report dated March 20th, 2024.

That motion is approved. We now take a 33-minute pause before proceeding with the rest of the meeting.

The open meeting is now officially getting underway!

Disclosure of Pecuniary Interest and General Nature Thereof? Nope.

One consent item, Recommendation Report - Development Fee Review. No one on council wants to pull it, so it goes to a vote and it's approved unanimously.

Next, Demolition Control By-law Review and we're going to get a presentation from Lucas Mollame, Policy Planner.

What is Demolition Control?

- Municipalities can designate a demolition control area.
- Residential Property and Dwelling Units cannot be demolished unless the municipality has issued a demolition permit.

Two Planning Act Definitions...

#1: "Dwelling Unit" means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals;

#2: "Residential Property" means a building that contains one or more dwelling units, but does not include subordinate or accessory buildings the use of which is incidental to the use of the main building.

In other words, it doesn't apply to accessory structures like sheds. Demo control hasn't changed that much since it went into effect in 1988.

6 Common Demolition Control Issues:

- Notice Requirements
- Ontario Heritage Act and Demolition
- Property Standards
- Demolition Control Conditions
- Private Tree Protection By-law
- Housing Stock

Issue #1: Notice Requirements

- City staff post a demolition application notice sign on the property.
- Demolition Control is not a Planning Act public process: only the owner can appeal a decision.
- Staff continue to recommend a staff-led approach to providing notice.

The one change here is that the number for the contractor or the property owner will be included in the notice.

#### Issue #2: Heritage Act and Demos

- If a property is listed or designated, then the OHA takes precedence.
- Council is the decision-making authority for listed or designated properties.
- Owners of properties listed must provide the City written notice of their intention to demolish.

#### Issue #3: Property Standards

- Property Standards and Demolition Control work together.
- By-law is enforced by Inspectors and the Property Standards Committee.
- Inspectors conduct site inspections & issue orders, where required.
- If orders are challenged, a meeting is held.

#### Issue #4: Demolition Control Conditions

- Conditions must conform to Planning Act.
- Can require the construction of the replacement building to be completed in two years or more.
- Applicant can apply to the City for relief from this condition or appeal to the OLT.

Staff and especially heritage staff continue to encourage developers to choose deconstruction over demolition as building costs rise and the desire to cut waste is acknowledged.

#### Issue #5: Private Tree Protection By-law

- The City of Guelph's Private Tree Protection By-law may apply to demolition applications.
- Staff review demolition permit applications to determine if a tree permit is needed.

#### Issue #6: Housing Stock

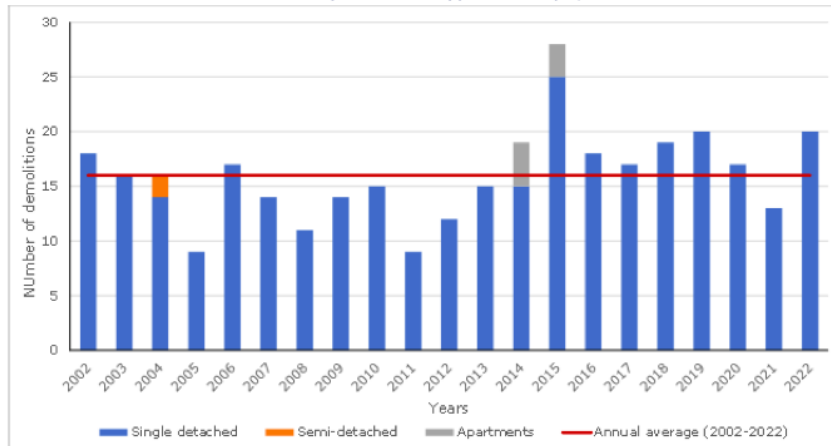
- Intent of Demolition Control is to prevent the premature loss of existing housing stock.
- City of Guelph wants to maintain a steady supply of housing, even during redevelopment.

Changes to the Planning Act means site plan is no longer required for 10 units or less. There used to be a requirement for a developer to present a plan if the demo involved at six units, but the Planning Act rules above all.

Historical demolition be structure type in Guelph:

# Issue #6: Housing Stock

Historic residential demolitions by structure type in Guelph, 2002-2022



Source: City of Guelph Planning, AMANDA permit tracking system, 2002-2022

## Updating the By-law

- New definitions for demolition and renovation;
  - A new condition requiring the preparation and submission of building permit plans for a new building;
  - Updating the offence charge to the maximum allowable;
- (cont'd)

- Include common exemptions for health and safety, capital works, etc.;
- Continue to delegate approval to the General Manager of Planning and Building Services.

## Recommendation:

1. That the Demolition Control Discussion Paper, as included in Attachment-1, be received.
2. That By-law 2024-20923, as shown in Report 2024-124, being a by-law to designate the entirety of the City of Guelph as a demolition control area, be approved.

There's one delegate for this item, and it's Susan Watson. She says she's glad to see an increase in fines for people that demo w/o a permit, but wants to make a point about demolished houses and vacant houses.

She notes that 16 houses are demo'ed annually, but does it make sense to allow demos w/o a vacancy tax. She can point to 16 houses in walking distance of City Hall that are vacant now. And what about demolition by neglect? Leave a house vacant and "let nature take its course."

Watson says she continues to be mystified about the blindspot about the cost of growth. There are cost savings when it comes not demolishing a house, and we need to have a public airing on the vacancy tax issue.

O'Rourke moves the staff recommendations, and Allt seconds.

Caron says she's glad this has come forward, but notes the new bylaw doesn't account for partial demos, it's all or nothing. Does this bylaw solve that? GM Planning Walkey says its

clear what's demo and what's not, and this definition is more strict than others. There's clarity.

Walkey says renovation means who can take down the four outside walls and the floor assembly, so it's not technically a demo.

Caron asks about demo by neglect, no fine for that right? Is this coming with Property Standards review? Walkey says "Stay tuned" updates coming to P.S. in July that may address those concerns.

Allt asks if asking about a vacancy tax is in scope for this conversation, and Guthrie says no. Allt says never mind on the questions then.

O'Rourke asks if there's a tool for a demo like the Royal Brock hotel. The whole building demolished, multiple OLT ruling that let them proceed, and yet it's still empty. What do we do about purgatory developments?

Mollame says there's no mandate to provide conditions through Demo Control, even if a non-residential building is being converted to residential. Other tools? Walkey says nothing they're aware of at this time.

Downer asks about "may be imposed" wording, is it "Will" or is it "May"? Mollame says use of "may" is to account for potential exemptions, like if the building is considered unsafe and has to come down at once, or in the case of building the Hanlon interchange at Stone West.

Downer asks if there's any consideration for annual inspection of vacant properties. It's kind of a property standards issue. Walkey says Demo Control is before council today, Standards changes will give more insight. Heritage, Bylaw & Fire apparently have a list they keep on.

Klassen asks if council can mandate recycling of materials. Mollame says no. But are there other tools? Walkey says she can look into that a report back.

Klassen asks where \$50k fine comes from and how many demos w/o permits? Mollame says it's the Planning Act, and the City has never levied current \$20k charge.

Guthrie asks if there's ever been an incentive to divert waste/recycle? Holmes says that staff can take that back and work with solid waste staff, could develop future info report.

Guthrie says that he does agree with the demolition by neglect issue, asks about July report. Clack-Bush says it's an update to Property Standards Bylaw about heritage properties. GM of Operations Godfrey says that they're looking at Standards beyond that & co-ordinating w/staff.

Guthrie says that there's probably a lot of agreement with council that there are a lot of issues with neglect of certain properties, and believes there's something warranted in the class of a registry or a fine. Doesn't think City should pay for individual neglect.

Guthrie asks if staff need some direction from council to look at that. Godfrey says on vacant properties not heritage, there is a bylaw schedule review and the one for vacant properties is in 2027.

Godfrey says they have the tools and are looking right now at how to improve compliance. If council wants to give them direction, they can do that. Guthrie says there's a reality that

properties are in such disrepair there's a health & safety issue. It's a problem.

Guthrie says he wants to light a fire under property owners and make sure the onus is put on them to make sure everything's buttoned up. Godfrey says it may be better to wait until July for any further direction.

Clack-Bush says they want to make sure that they're using the tools that they already have, so they will bring the full report in July and council will be able to see if there's still a gap.

Recommendations approved unanimously.

Bylaws of the week pass unanimously (though there was an administrative boo-boo in the wording of one of the bylaws.)

- \*7.1 By-law Number (2024) - 20908**

A by-law to amend By-law Number (2004)-17606 being a by-law to designate portions of the property municipally known as 40 Spring Street and legally described as Part Lot 10, Concession 1, Division "F" (Guelph Township), (as described in Instrument No. MS104221); City of Guelph, as being of cultural heritage value and interest.
- \*7.2 By-law Number (2024) - 20919**

A By-law to establish a tariff of fees for the processing and approval of development applications pursuant to the Planning Act, RSO 1990, c P.13, as amended, and to repeal and replace By-law number (2022)- 20750, as amended.
- \*7.3 By-law Number (2024) - 20923**

A by-law to designate the City of Guelph as an area subject to demolition control in accordance with Section 33 of The Planning Act, 1990 and to repeal By-law Number (1988) - 12922.
- \*7.4 By-Law Number (2024) - 20928**

A By-law to impose user fees or charges for services or activities relating to Public Services, Infrastructure, Development and Enterprise Services, Corporate Services and the Office of the Chief Administrative Officer.
- \*7.5 By-law Number (2024) - 20929**

A by-law to confirm the proceedings of a meeting of Guelph City Council held March 20, 2024.

Nothing further, so that's a wrap for this meeting!



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