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AGENDA

GUELPH CITY COUNCIL

April 16, 2007 – 7:00 p.m.

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

SPECIAL MEETING

"THAT Kathleen Farrelly be appointed to fill the vacancy of Ward 1 Councillor."

Declaration of Office to Kathleen Farrelly by Lois Giles, City Clerk

ADJOURNMENT

AGENDA

GUELPH CITY COUNCIL

April 16, 2007

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
- Confirmation of Minutes – March 26 and April 2, 2007 (Councillor Findlay)
  "THAT the minutes of the Council meeting held March 26th and April 2nd , 2007 and the minutes of the Council meeting held in Committee of the Whole on March 26th and April 2nd, 2007 be confirmed as recorded and without being read."

PRESENTATION

a) Cindy Richardson:- presentation on the Wellington-Dufferin-Guelph In Motion – Physical Activity Plan

b) Janette Loveys Smith:- Federation of Canadian Municipalities Guelph/Mozambique Partnership

REGULAR MEETING

DELEGATIONS

Resolution (Councillor Hofland)

"THAT persons desiring to address Council be permitted to do so at this time."
Delegations are limited to a maximum of five (5) minutes.

a) By-law to prohibit the use of killing traps within the City of Guelph (Clause 1 of the Finance, Administration & Corporate Services Committee Report):-
   - Representative of the Ontario Cattlemen's Association
   - Bill Murch on behalf of the Ministry of Natural Resources
   - Wayne Taylor on behalf of the Grand Fur Managers Council
   - Representative of the Ontario Sheep Marketing Agency

- Representative of the Wellington Federation of Agriculture
- Stewart Frerotte on behalf of the Ontario Fur Managers Federation
- Robert Gurney

COMMITTEE OF THE WHOLE

Resolution – Councillor Kovach

"THAT Council now go into Committee of the Whole to consider reports and correspondence."

REPORTS FROM COMMITTEES OF COUNCIL AND OTHER COMMITTEES

a) Community Development and Environmental Services Committee – 4th Report

"THAT the FOURTH REPORT of the Community Development and Environmental Services Committee be received and adopted."

b) Emergency Services, Community Services & Operations Committee – 3rd Report

"THAT the THIRD REPORT of the Emergency Services, Community Services & Operations Committee be received and adopted."

c) Finance, Administration and Corporate Services Committee – 3rd Report

"THAT the THIRD REPORT of the Finance, Administration and Corporate Services Committee be received and adopted."

d) Governance and Economic Development Committee – 3rd Report

"THAT the THIRD REPORT of the Governance and Economic Development Committee be received and adopted."

e) Committee of the Whole – 1st Report

"THAT the FIRST REPORT of the Committee of the Whole be received and adopted."

f) Land Ambulance Committee – 1st Report

"THAT the FIRST REPORT of the Land Ambulance Committee be received and adopted."

CONSENT AGENDA

A) Reports from Administrative Staff
B) Items for Direction of Council
C) Items for Information of Council

Resolution to adopt the Consent Agenda.

Resolution:- Committee rise with leave to sit again (Councillor Laidlaw)

"THAT the Committee rise with leave to sit again."

Resolution:- proceedings in Committee of the Whole (Councillor Piper)

"THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council."

SPECIAL RESOLUTIONS

BY-LAWS

Resolution:- First and Second Reading of By-laws. (Councillor Salisbury)

Verbal Resolution:- Council go into Committee of the Whole to consider the by-laws.

NOTE: When all by-laws have been considered, a member of Council should move "THAT the Committee rise and report the by-laws passed in Committee without amendment (or as amended).

Resolution:- Third Reading of By-laws. (Councillor Wettstein)

QUESTIONS

MAYOR'S ANNOUNCEMENTS

Please provide any announcements, to the Mayor in writing, by 12:00 noon on the day of the Council meeting.

NOTICE OF MOTION

ADJOURNMENT

Council Committee Room B
March 26, 2007 5:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein

Absent: Councillor Burcher and Vacancy

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. G. Hunt, Acting Director of Human Resources; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. R. MacKay, Manager of Recreation & Culture; Ms. T. Sinclair, Assistant City Solicitor; Mr. J. Stokes, Manager of Realty Services; Ms. T. Agnello, Deputy City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Laidlaw
Seconded by Councillor Kovach

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b), (c) and (e) of the Municipal Act, with respect to:

- personal matters about identifiable individuals;
- proposed or pending acquisition or disposition of land;
- litigation or potential litigation.

Carried

The meeting adjourned at 5:31 o'clock p.m.

……
Mayor

……..……..
Deputy Clerk

Council Committee Room B
March 26, 2007 5:32 p.m.

A meeting of Guelph City Council meeting in Committee of the Whole.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein

Absent: Vacancy

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. G. Hunt, Acting Director of Human Resources; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. R. MacKay, Manager of Recreation & Culture; Ms. T. Sinclair, Assistant City Solicitor; Mr. J. Stokes, Manager of Realty Services; Ms. T. Agnello, Deputy City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

1. Moved by Councillor Wettstein
Seconded by Councillor Findlay

Mrs. L.A. Giles
Ms. L.E. Payne

THAT staff be given direction with respect to a litigation matter.

Carried

2. Moved by Councillor Wettstein
Seconded by Councillor Findlay

Ms. L.E. Payne

THAT staff be given direction with respect to a proposed or pending acquisition of land.

Carried

3. Moved by Councillor Wettstein
Seconded by Councillor Findlay

Mr. D.A. Kennedy

THAT staff be given direction with respect to a potential litigation matter.

Carried

Councillor Burcher arrived at 6:05 p.m.

4. Moved by Councillor Laidlaw
Seconded by Councillor Kovach

Mayor Farbridge
Mr. L. Kotseff

THAT staff be given direction with respect to personal matters about identifiable individuals.

Carried

5. Moved by Councillor Laidlaw
Seconded by Councillor Kovach
THAT the "Procedure for Hiring Directors Who Report Directly to the CAO" be approved.

6. Moved in Amendment by Councillor Billings
Seconded by Councillor Salisbury
THAT Clause 4 be amended by adding following Director 'and/or on Councillor' and at the end of the clause adding 'as required'.

Carried

7. Moved by Councillor Laidlaw
Seconded by Councillor Kovach

REPORT

THAT the "Procedure for Hiring Directors Who Report Directly to the CAO" be approved as amended with Clause 4 reading as follows:
The short-listed candidates will be interviewed by a Search Team consisting of the Mayor, the Chair of the appropriate standing committee, the CAO, and the Director of Human Resources*. An independent person from the community and/or one additional Director and/or one Councillor may form part of the Search Team as required.

A recorded vote was requested which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Mayor Farbridge (10)

VOTING AGAINST: Councillor Billings (1)

The motion was carried.

8. Moved by Councillor Hofland
Seconded by Councillor Burcher

Mayor Farbridge
Mr. L. Kotseff

THAT staff be given direction with respect to personal matters about an identifiable individual.

Carried

9. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT staff be given direction with respect to a potential litigation matter.

The meeting recessed at 6:50 o'clock p.m.

……..
Mayor

……
Deputy Clerk

Council Chambers
March 26, 2007

Council reconvened in formal session at 7:00 p.m.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein

Absent: Vacancy

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. G. Hunt, Acting Director of Human Resources; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Mr. J. Riddell, Director of Community Design & Development Services; Mr. G. Dupuis, Manager of IT Services; Mr. S. Hannah, Manager of Development and Parks Planning; Mr. R. MacKay, Manager of Recreation & Culture; Ms. T. Sinclair, Assistant City Solicitor; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

The Mayor extended sympathies to the family of Councillor Laura Baily on her recent passing, and Council observed a minute of silence in remembrance of Councillor Baily.

There was no declaration of pecuniary interest.

1. Moved by Councillor Laidlaw
Seconded by Councillor Kovach
THAT the minutes of the Council meetings held on March 5, 2007 be amended to reflect Councillor Beard seconding motion # 3;

AND THAT the minutes of the Council meetings held on March 5, 2007 and the minutes of the Council meeting held in Committee of the Whole on March 5, 2007 be confirmed as amended and without being read.

Carried

2. Moved by Councillor Piper
Seconded by Councillor Findlay
THAT persons wishing to address Council be permitted to do so at this time.

Carried

REGULAR MEETING

DELEGATIONS

Pesticide Regulation

Zvonko Peteranac was present and expressed concern with the amount of chemicals found in everyday living and their effect on people. He urged Council to ban the use of all pesticides.

Susan Watson was present and advised that she was a member of the Healthy Landscapes Stakeholder Committee and was in support of the recommendation before Council to phase out the use of pesticides for cosmetic purposes. She advised that a number of municipalities have banned the use of such products. She suggested that a random survey of citizens be conducted to assess what the general population thinks regarding the use of pesticides. She further suggested that the City partnership with the Wellington-Dufferin-Guelph Health Unit.

Oxanna Adams advise she was a member of the Pesticide Stakeholder Committee and urged Council to support the recommendation relating to the phasing out of pesticide use. She suggested that there are a number of strong enforceable by-laws already in place in other municipalities and that the City could move quickly to have a by-law in place for the 2008 growing season. She further advised that she was in support of holding off fines until 2009 to allow for an educational program. She also suggested that people should be given the incentive to dispose of any pesticides at the household hazardous depot and receive a backyard composter.

Dr. Lori Hasulo was present and applauded the decision of Council to provide funding for an educational program relating to pesticides. She advised that research is showing that pesticides are a health risk to the community and that the effects of the use of these products are not fully known at this time. She requested that the draft by-law phase out the use of pesticides for cosmetic purposes.

Councillor Burcher presented Clause 8 of the SECOND REPORT of the Community Development & Environmental Services Committee.

3. Moved by Councillor Laidlaw
Seconded by Councillor Piper

Mr. D. McCaughan
Ms. L.E. Payne

THAT Council support the development of a by-law that would phase out the use of pesticides for non-essential purposes;

AND THAT staff report back with a by-law that would phase out the use of pesticides for non-essential purposes along with any necessary exemptions for the protection of health, research and the production of food and an implementation and enforcement plan.

Carried

Delegations continued

Development Priories Plan 2007

Susan Watson suggested that the information presented at a workshop illustrates that growth does not pay for itself and that taxpayers have to cover the shortfall in development charges. She expressed appreciation for staff proceeding with investigations on the financial impact of development. She requested that the City rein in greenfield development until the cost of development to the taxpayer is known.

Ben Bennett advised that the City has the opportunity to control the amount of new development and to encourage sustainable and good design. He expressed concern with the flexibility clause as developments could move forward without Council's approval. He suggested that any amendments to the timing of developments should come to Council for final approval.

Laura Murr advised that she is in support of the recommendation to reduce the number of units approved in the Development Priorities Plan. She suggested that the City should not be approving new development until the needs of the existing residents are dealt with. She advised that Council needs to know the cost to the taxpayers for development and expressed concern with the development charges shortfall. She further suggested that

the City does not have the water or wastewater capacity for additional development.

Jim Mottin on behalf of the Guelph Civic League thanked Council for the opportunity to participate in the planning process. He suggested that the City involve the various stakeholders into the future planning for the city. He advised that the Guelph Civic League supports the recommendation to reduce the number of approved units and hoped that this is moving away from a seven year to a three year supply of units. He expressed concern that the City is not moving quickly enough to reach their intensification targets. He further expressed concern that high density units are not being placed in the development priorities plan like low density units are.

Councillor Burcher presented Clause 2 of the SECOND REPORT of the Community Development & Environmental Services Committee.

4. Moved by Councillor Burcher
Seconded by Councillor Piper

WHEREAS Schedule 7 of the 2007 Development Priorities Plan shows the total potential lots created by draft and registered plans of subdivision for 2006 yields approximately a 7 year supply of lots;

NOW THEREFORE BE IT RESOLVED THAT Council approve the Development Priorities Plan with a reduction in the number of draft plan approved units to be considered in 2007 by 200, and that staff develop a list of draft plan approved developments for Council based on this reduced number;

AND THAT staff be directed to use the Development Priorities Plan to manage the timing of development within the City for the year 2007;

AND THAT staff be directed to use the standard for the DPP flexibility clause described in Community Design and Development Services Report 07-21 as amended to include the posting of a letter of credit in addition to the signing of the subdivision agreement ;

AND THAT amendments to the timing of development, as outlined by Schedule 2, 3 and 4 of the plan, be permitted only by Council approval, unless it can be shown that there is no impact on the capital budget and the dwelling unit targets for 2007 are not exceeded;

AND THAT staff be directed to include the recommended changes to the 2008 Development Priorities Plan, as identified in Community Design and Development Services Report 07-06, to respond to the Provincial Growth Plan for the Greater Golden Horseshoe.

5. Moved in Amendment by Councillor Laidlaw
Seconded by Councillor Burcher
THAT staff be directed to establish a policy that would work towards a three year supply of lots for 2008.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Bell, Burcher, Findlay, Hofland and Laidlaw (5)

VOTING AGAINST: Councillors Beard, Billings, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (7)

The motion was defeated.

Council requested that the second clause of the original recommendation be voted on separately.

6. Moved by Councillor Burcher
Seconded by Councillor Piper

Mr. J. Riddell

WHEREAS Schedule 7 of the 2007 Development Priorities Plan shows the total potential lots created by draft and registered plans of subdivision for 2006 yields approximately a 7 year supply of lots;

THAT staff be directed to use the Development Priorities Plan to manage the timing of development within the City for the year 2007;

AND THAT staff be directed to use the standard for the DPP flexibility clause described in Community Design and Development Services Report 07-21 as amended to include the posting of a letter of credit in addition to the signing of the subdivision agreement ;

AND THAT amendments to the timing of development, as outlined by Schedule 2, 3 and 4 of the plan, be permitted only by Council approval, unless it can be shown that there is no impact on the capital budget and the dwelling unit targets for 2007 are not exceeded;

AND THAT staff be directed to include the recommended changes to the 2008 Development Priorities Plan, as identified in Community Design and Development Services Report 07-06, to

respond to the Provincial Growth Plan for the Greater Golden Horseshoe.

Carried

7. Moved by Councillor Burcher
Seconded by Councillor Piper

Mr. J. Riddell

THAT Council approve the Development Priorities Plan with a reduction in the number of draft plan approved units to be considered in 2007 by 200, and that staff develop a list of draft plan approved developments for Council based on this reduced number.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Mayor Farbridge (10)

VOTING AGAINST: Councillors Billings and Wettstein (2)

The motion was carried.

Delegations continued

Special Resolution

Laura Murr was present and expressed support for Councillor Laidlaw's motion relating to the chairing of city boards, committees and commissions. She advised that limiting the Chair to four years would allow other members of the Committee to gain experience as Chair as the appointments evolve. She suggested that Council make the citizen appointments in open session and develop conflict of interest guidelines for citizens. She further suggested that citizen appointments to various boards, committees and commissions be limited to 2 four year consecutive terms.

8. Moved by Councillor Laidlaw
Seconded by Councillor Kovach

Mrs. L.A. Giles
Ms. L.E. Payne

THAT the citizen appointees who are appointed Chair of a City board or commission be limited to a maximum of 4 successive years as Chair, retroactive to January 2007.

Carried

9. Moved by Councillor Laidlaw
Seconded by Councillor Salisbury

Mrs. L.A. Giles
Ms. L.E. Payne

THAT the matter of citizen appointments to various boards, committees or commissions be referred to staff and the appropriate Standing Committee to review the appointment process.

Carried

10. Moved by Councillor Salisbury
Seconded by Councillor Hofland
THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

Councillor Burcher presented the balance of the SECOND REPORT of the Community Development & Environmental Committee

Sign By-law Variance for Guelph Hyundai at 785 Woodlawn Road West

Council requested that the two sections of the recommendation be voted on separately.

11. Moved by Councillor Burcher
Seconded by Councillor Billings
Mr. J. Riddell
Mr. B. Poole
THAT the request for variances from the Sign By-law for 785 Woodlawn Road West, to permit a freestanding sign to be situated 3 metres (9.84') from the front property line be refused.

Carried

12. Moved by Councillor Burcher
Seconded by Councillor Billings
Mr. J. Riddell
Mr. B. Poole
THAT the request to permit a freestanding sign to be situated 2 metres (6.56') from the side property line, and 9.63 metres (31.56') from a freestanding sign on a neighbouring property for Guelph Hyundai, be approved.

Carried

129 Elizabeth Street – Upcoming Ontario Municipal Board Hearing

13. Moved by Councillor Burcher
Seconded by Councillor Billings
Mr. J. Riddell
Ms. L.E. Payne
THAT Report #07-13 from the Community Design and Development Services, dated March 9, 2007 regarding an Ontario Municipal Board hearing for 129 Elizabeth Street be received;

AND THAT City Council authorizes appropriate City staff to attend the upcoming Ontario Municipal Board hearing to support the decision of the Committee of Adjustment to refuse Application A-152/06 for a minor variance at 129 Elizabeth Street.

Carried

New Park Master Plan – Eastview Community Phase 4 A Subdivision

14. Moved by Councillor Burcher
Seconded by Councillor Billings

Mr. J. Riddell
Mr. D. McCaughan

THAT the Community Design and Development Services Report 07-12, dated March 9, 2007, be received;

AND THAT the proposed master plan for Eastview Community phase 4 A subdivision park be approved;

AND THAT the park be named 'Summit Ridge Park';

AND THAT staff be directed to proceed with the implementation of the park master plan.

Carried

Waste Management Master Plan – Formation of Public Steering Committee

15. Moved by Councillor Burcher
Seconded by Councillor Billings

Dr. J. Laird

THAT Guelph City Council approve the formation of a Public Steering Committee for the Waste Management Master Plan consisting of:

- Mayor;
- Chair of the Community Development & Environmental Services Committee;
- two members from the Green Plan Steering Committee
- one member from the Guelph Chamber of Commerce
- one member from the University of Guelph
- two members at large from the community with waste management experience as an asset.

AND THAT the two community positions be advertised on the City Page in the Guelph Tribune;

AND THAT the names of all applicants come back to the Community Development & Environmental Services Committee for approval;

AND THAT staff report back to the Community Design & Environmental Services Committee with a workplan which makes provision for reporting on a quarterly basis for the proposed Public Steering Committee for the Waste Management Master Plan.

Carried

Organic Plant Commissioning Update

16. Moved by Councillor Burcher
Seconded by Councillor Billings

Dr. J. Laird

THAT the report of the Director of Environmental Services dated March 9, 2007 entitled Organic Plant Commissioning Update, be received;

AND THAT staff to report back to the Community Development & Environmental Services Committee with a work plan which makes provision for reporting on a quarterly basis;

AND THAT staff be directed to release a Request for Expression of Interest to explore options regarding proven processing technologies to divert wet waste from landfill and report back to Council and report back to the Community Development & Environmental Services Committee in May 2007;

AND THAT the City of Guelph engage the immediate and broader community in the process for the organic plant.

Carried

Healthy Landscapes Educational Program

17. Moved by Councillor Burcher
Seconded by Councillor Billings

Dr. J. Laird
Ms. L.E. Payne
Mr. D.A. Kennedy

THAT the proposed Healthy Landscape Education Program as outlined in the Community Development & Environmental Services Committee report Healthy Landscape Education Program dated March 9th, 2007 be adopted for implementation;

AND THAT staff report annually on the effectiveness of the Healthy Landscapes Education Program;

AND THAT the Healthy Landscape Technician position be part of Environmental Services staff complement and be charged wit the successful implementation and on going enhancement and development of the Healthy Landscape Education Program.

AND THAT staff report in June on the results of a random telephone survey designed to measure community attitudes towards pesticide use and its restrictions, to provide a benchmark for the Healthy Landscapes Education Program and potential by-law to and to provide information to assist with the ongoing development of the education program;

AND THAT staff report back on allocating a portion of the funds for Insight Guelph for the production and distribution of a lawn/garden care brochure focusing on lawn tips and promoting alternative techniques and practices that do not require the use of pesticides for 2007/2008.

Carried

Councillor Laidlaw presented the SECOND REPORT of the Emergency Services, Community Services & Operations Committee

Amendments to Accessibility Advisory Committee Terms of Reference

18. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

Ms. L.E. Payne
Mrs. L.A. Giles
Ms. L. Warren

THAT the Guelph Accessibility Advisory Committee's recommendation to amend the Terms of Reference of the Accessibility Advisory Committee effective November 2007 with the changes set out in attached Schedule 1, be approved.

Carried

City of Guelph Accessibility Plan (Ontarians with Disabilities Act 2001)

19. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

Ms. L.E. Payne
Ms. L. Warren

THAT the City of Guelph Accessibility Plan 2007 be approved and submitted to the Province of Ontario.

Carried

Amendment to Land Ambulance Service Agreement

20. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

Chief S. Armstrong

THAT the Mayor and Clerk be authorized to execute on behalf of the Corporation of the City of Guelph an amendment to the Approved Staffing Patterns, hours of operation in the Land Ambulance Agreement between the City and Royal City Ambulance Service Ltd.

Carried

Stevenson Street at Balsam Drive – Traffic Investigation

21. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

Mr. D. McCaughan

THAT an adult school crossing guard be posted at the intersection of Stevenson Street and Balsam Drive to assist children crossing Stevenson Street during school arrival and dismissal times;

AND THAT the Upper Grand District School Board be requested to restrict access to the Edward Johnson Public School parking lot during school arrival and dismissal times;

AND THAT City staff in consultation with the Upper Grand District School Board investigate options for relocating the existing school bus loading zone on Stevenson Street in front of Edward Johnson Public School.

Carried

Councillor Wettstein presented the SECOND REPORT of the Finance, Administration & Corporate Services Committee

Lottery Licensing Policy for Eligible Charitable/Non-Profit Organizations

22. Moved by Councillor Wettstein
Seconded by Councillor Bell

Mrs. L.E. Payne
Mrs. L.A. Giles

THAT lottery licences be issued to eligible charitable/non-profit organizations from the City of Guelph and the County of Wellington only for a one year trial period, and that staff report at the conclusion of this period to advise of any impacts to local organizations.

Carried

User Fee By-law

23. Moved by Councillor Wettstein
Seconded by Councillor Bell

Mr. D.A. Kennedy

THAT the User Fee By-law attached to the report dated March 7, 2007 be approved by Council.

Carried

Civic Administration Centre Complex Update Report

24. Moved by Councillor Wettstein
Seconded by Councillor Bell

Ms. L.E. Payne

THAT the report dated March 7, 2007 with respect to the Civic Administration Centre Complex Update, be received for information;

AND THAT staff provide monthly reports to the Finance, Administration & Corporate Services Committee modeled after Attachment #1 of the Civic Administration Centre Complex Update Report dated March 7, 2007, and include the following:

- number of change orders
- cost of the change orders
- status of the contingency fund.

AND THAT staff proceed with an open house on the type of uses/activities that the public would like to see in the Civic Administration Centre Complex civic square.

AND THAT a Civic Administration Centre Complex donor/fundraising committee be established.

Carried

Property Tax Deferral for Seniors and Homeowners on a Fixed Income

25. Moved by Councillor Wettstein
Seconded by Councillor Bell

Mr. D.A. Kennedy

THAT the report dated March 7, 2007 entitled "Property Tax Deferral for Seniors and Homeowners on a Fixed Income" be received for information.

Carried

Post Office Renovation Cost Sharing Agreement

26. Moved by Councillor Wettstein
Seconded by Councillor Bell

Mr. D.A. Kennedy

THAT the resolutions set out in Schedule "2" with respect to the cost sharing of renovations at 138 Wyndham St. (former Post Office) be approved.

Carried

Elliott Long Term Care Facility Designation

27. Moved by Councillor Wettstein
Seconded by Councillor Bell

THAT the City of Guelph seek to have the Ministry of Health and Long Term Care (MOHLTC) designate the Elliott Home for the Aged as the City of Guelph's Home for the Aged under Homes for the Aged and Rest Homes Act R.S.O. 1990.

28. Moved in Amendment by Councillor Billings
Seconded by Councillor Burcher

THAT Liz Sandals, MPP be requested to support this initiative in writing to the Minister of Health and Long Term Care.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

The motion was carried.

29. Moved by Councillor Wettstein
Seconded by Councillor Bell

Mr. D.A. Kennedy

THAT the City of Guelph seek to have the Ministry of Health and Long Term Care (MOHLTC) designate the Elliott Home for the Aged as the City of Guelph's Home for the Aged under Homes for the Aged and Rest Homes Act R.S.O. 1990.

AND THAT Liz Sandals, MPP be requested to support this initiative by forwarding a letter to the Minister of Health and Long Term Care.

Carried

Councillor Kovach presented the SECOND REPORT of the Governance & Economic Development Committee

New Land Ambulance Committee

30. Moved by Councillor Kovach
Seconded by Councillor Findlay

Chief S. Armstrong
Mrs. L.A. Giles
Mr. L. Kotseff
Mr. S. Wilson

THAT Council approve the principles for a new Land Ambulance committee as set out in Schedule "3" attached;

AND THAT an agreement for Land Ambulance service between the City and the County be developed;

AND THAT the Land Ambulance Committee address the nature and form of the reporting on land ambulance issues as a priority;

AND THAT the Land Ambulance Committee form a standing committee of Guelph City Council.

Carried

31. Moved by Councillor Wettstein
Seconded by Councillor Salisbury

THAT the Committee rise with leave to sit again.

Carried

32. Moved by Councillor Burcher
Seconded by Councillor Laidlaw

THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

BY-LAWS

33. Moved by Councillor Beard
Seconded by Councillor Hofland
THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2007)-18251 to (2007)-18261, inclusive.

Carried

The By-laws were read a first and second time at 9:38 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2007)-18251 to (2007)-18261, inclusive.

Mayor Farbridge in the Chair.

At 9:39 o'clock p.m., the Committee rose and reported By-laws Numbered (2007)-18251 to (2007)-18261, inclusive, passed in Committee without amendment.

34. Moved by Councillor Bell
Seconded by Councillor Findlay
THAT By-laws Numbered (2007)-18251 to (2007)-18261, inclusive, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 9:40 o'clock p.m.

QUESTIONS

In response to questions by Mayor Farbridge, the Chief Administrative Officer provided information relating to the review of short, medium and long term parking in the downtown area. He advised that staff and the representatives from the Downtown Board of Management will be coming forward with recommendations.

MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:

- Councillors Hofland and Laidlaw will be holding a Ward 3 meeting on April 18th, 2007 at 7 p.m. at St. Stanislaus School;
- the Chair of Office has been engraved with the names of the Mayors who have held office since 1967, and that former Mayor Norm Jary will be making a presentation to

the Guelph Museums Board on the history of the City's Chain of Office.

- Public Meeting to be held March 27, 2007 between the hours of 4 – 8 p.m. at the River Run Centre with respect to the public square in front of the Civic Administration Centre.

ADJOURNMENT

The meeting adjourned at 9:43 o'clock p.m.

Minutes read and confirmed April 16, 2007.

……..
Mayor

…….
Deputy Clerk

Council Committee Room B
March 26, 2007 9:45 p.m.

Council reconvened in Committee of the Whole.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein

Absent: Vacant

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Mr. G. Hunt, Acting Director of Human Resources; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Ms. T. Sinclair, Assistant City Solicitor; Ms. T. Agnello, Deputy City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Laidlaw
Seconded by Councillor Burcher

Mayor Farbridge
Mr. G. Hunt
Ms. L.E. Payne
Counc. G. Kovach

THAT the Mayor and staff be given direction with respect to a potential litigation matter.

Carried

The meeting adjourned at 10:15 o'clock p.m.

……..
Mayor

……
Deputy Clerk

1. Article 2.0; delete "the AAC" definition and replace with: ""the AAC" refers to The Accessibility Advisory Committee".

2. Article 4.0; modify the first sentence as follows: "The Accessibility Advisory Committee (AAC) shall report to City Council through the appropriate Standing Committee to Council on a no less than annual basis.".

3. Article 5.0; delete article and replace with:
   5.0 Membership
   Voting Members
   A maximum of 15 members consisting of:

   a) a majority of the members (minimum of seven (7)) shall be persons with disabilities. These Committee members shall be representative of gender, ethnicity and different types of visible and invisible disabilities noted in the "ODA 2001" such as persons with a physical (visual, speech, hearing, deaf, brain injury, use of a wheelchair or assistive device); cognitive (intellectual impairments); perceptual (learning disability) and mental health issues;
   b) a maximum of six (6) members who may not have a disability which could include:
      - One member of Municipal Council;
      - One member (parent) representing children or youth with disabilities under the age of 19; and
      - Four members at large, interested in issues related to persons with disabilities

   Quorum will consist of one half of the membership plus one member AND of those present, a majority must be persons with a disability.

   The total length of term for each Guelph AAC member will be up to ten (10) consecutive years beginning with a period of one year for the first appointment.

   The Guelph Accessibility Advisory Committee may form sub-committees and working groups as may be necessary to address specific issues. These sub-committees and working groups shall draw upon members from the Guelph Barrier Free Committees as well as outside resource members as deemed necessary. The Chair of a sub-committee and/or working group shall be a voting member of the Accessibility Advisory Committee.

Staff Support Group:

The City of Guelph Administrator of Disability Services will act as a City liaison to the AAC but will not be a voting member.

It is recommended that each City Service Area shall appoint a staff person who will represent their area on the Corporate Accessibility Steering Committee. The area representative will work within their service area to identify barriers and recommend solutions. The Administrator of Disability Services will act as the committee chair..

4. All references to "City of Guelph Accessibility Guidelines (GAG) to be deleted and replaced with "Wellington Accessibility Partnership 2005 Facility Accessibility Design Manual (FADM)".

RESOLUTIONS RE: 138 WYNDHAM STREET COST SHARING

"THAT the cost sharing of the renovations to 138 Wyndham Street in Guelph (former Post Office building) be based on the present actual cost sharing of Social Services administration costs with funding to be provided 75% by the City of Guelph and 25% by the County of Wellington" and

"THAT should part or all of the building be utilized for any other non cost-shared use within 15 years of completion of the renovations, the City's proportionate share of the costs of the renovations will be refunded to the City by the County less depreciation at the rate of 6.67% of the original proportionate share of costs per year, rounded to the nearest full year" and

"THAT in the event the County disposes of the property within 15 years of completion of the renovations for a price in excess of the County's cost of acquisition, the City's share of the costs of the renovations will be refunded to the City by the County less depreciation at the rate of 6.67% of the original costs per year, rounded to the nearest full year, to a maximum of 75% of the amount that the sale price is in excess of the County's cost of acquisition."

March 26, 2007
Schedule 3

COUNTY OF WELLINGTON

SCOTT WILSON
CHIEF ADMINISTRATIVE OFFICER
TEL: (519) 837-2600, EXT. 233
1-800-663-0750
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e-mail: scottw@county.wellington.on.ca

74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

February 14, 2007

To: Chair and Members of the Social Services Committee

From: Scott Wilson, CAO County of Wellington
Larry Kotseff, CAO City of Guelph

Subject: New Land Ambulance Committee

At its meeting of January 10th, 2007, the Joint Social Services Committee requested that staff report on how a new Land Ambulance Committee could function. The results of discussions between the Chief Administrative Officers of the County and the City are presented below for the Committee's consideration.

The principles are as follows.

A. Membership to be the same as the Joint Social Services Committee (4 Councillors from each the City and the County); meetings will immediately precede or follow the JSSC monthly meeting; meeting location will be at the County Administration Building. We can explore alternate meeting locations subsequent to the new committee forming.

B. City staff will prepare agendas and meeting minutes for the Land Ambulance Committee in consultation with the City's Director of Emergency Services and distribute same to City Councillors and the County Clerk.

C. The County Clerk will distribute agendas and minutes of the Committee to County Councillors on the Committee.

D. The Land Ambulance Committee will deal with reports and information on the agenda.

E. Any recommendations of the Committee will be forwarded to City Council for consideration and approval, and sent to County Council for information. If the Committee's recommendations are sent to another City or County Committee, they will be considered "for information only".

F. Resolutions of City Council arising from Committee recommendations will be forwarded to the County Clerk. Land Ambulance Committee recommendations not approved by City Council will be referred back to the Land Ambulance Committee for reconsideration.

G. All policy and significant operational matters will be brought forward to the Land Ambulance Committee by the Director of Emergency Services. County staff may forward agenda items to the Director of Emergency Services for inclusion on the agenda.

H. Policy recommendations on Ambulance administration (structure, personnel, housing, etc) will be made by the Committee. Implementation of Land Ambulance administration is the responsibility of the Director of Emergency Services.

I. Any agreement to be entered into by the City with a Land Ambulance Operator will be provided to the Land Ambulance Committee for input and recommendation to City Council.

J. Any proposals to change the level of Land Ambulance Services will be forwarded to the Committee for input and recommendation to City Council.

K. Regular financial updates and variance reports will be prepared by City staff and presented to the Land Ambulance Committee for information.

L. Operating and capital budgets related to the delivery of Land Ambulance services will be prepared and presented to the Land Ambulance Committee by City staff.

In addition, a new agreement between the City and the County respecting land ambulance services should be put in place as soon as possible. (The current agreement's term ran from January 1, 2001 to December 31, 2005.) The new agreement will address funding and any additional clauses deemed necessary to address the arrangement between the County and the City. It will also address the County's role in agreements entered into by the City and a Land Ambulance Operator.

Recommendations:

That the principles outlined in this report form the operating basis for the new Land Ambulance Committee;

That staff move forward to develop an agreement between the City and the County regarding land ambulance services for the Committee's consideration; and

That the Land Ambulance Committee addresses the nature and form of reporting on land ambulance issues as a priority.

Respectfully,

Scott Wilson
CAO

Larry Kotseff
CAO

Council Committee Room B
April 2, 2007 6:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein

Absent: Councillors Laidlaw, Salisbury, and Vacancy

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Mr. J. Riddell, Director of Community Design and Development Services; Mr. C. Manley, Manager of Policy Planning & Urban Design; Mr. P. Kraehling, Senior Policy Planner, Ms. T. Sinclair, Assistant City Solicitor; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

1. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (c) of the Municipal Act, with respect to:

- Potential acquisition or disposition of land

Carried

The meeting adjourned at 6:32 o'clock p.m.

……
Mayor

……..……..
Deputy Clerk

Council Committee Room B
April 2, 2007 6:33 p.m.

A meeting of Guelph City Council meeting in Committee of the Whole.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein

Absent: Vacancy

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Mr. J. Riddell, Director of Community Design and Development Services; Mr. C. Manley, Manager of Policy Planning & Urban Design; Mr. P. Kraehling, Senior Policy Planner, Ms. T. Sinclair, Assistant City Solicitor; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

Mr. C. Manley, Manager of Policy Planning and Urban Design provided information with respect to the potential acquisition of property.

1. Moved by Councillor Burcher
Seconded by Councillor Billings

Ms. L.E. Payne
Mr. D.A. Kennedy
Mr. J. Riddell

THAT staff be given direction with respect to the potential acquisition of property.

Carried

The meeting adjourned at 6:38 o'clock p.m.

……..
Mayor

……
Deputy Clerk

Council Chambers
April 2, 2007

Council reconvened in formal session at 7:00 p.m.

Present: Mayor Farbridge, Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein

Absent: Vacancy

Staff Present: Mr. L. Kotseff, Chief Administrative Officer; Mr. D.A. Kennedy, Director of Finance/City Treasurer; Mr. J. Riddell, Director of Community Design and Development Services; Mr. R. Henry, City Engineer; Mr. C. Manley, Manager of Policy Planning & Urban Design; Mr. S. Hannah, Manager of Development & Parks Planning; Mr. P. Kraehling, Senior Policy Planner, Ms. T. Sinclair, Assistant City Solicitor; Mr. A. Hearne, Senior Development Planner; Ms. M. Castellan, Senior Development Planner; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

PLANNING PUBLIC MEETING

Mayor Farbridge announced that in accordance with The Planning Act, Council was now in a public meeting for the purpose of informing the public of various planning matters. The Mayor asked if there were any delegations in attendance with respect to planning matters listed on the agenda.

Mayor Farbridge welcomed City Engineer, Rick Henry and Mr. Riddell provided the introduction.

500 VICTORIA ROAD NORTH – Proposed Zoning By-law Amendment to permit a specialized Retirement Residential Facility (ZC0614) – Ward 2

Mr. A. Hearne, Senior Development Planner provided information regarding the proposed application for the development of a specialized Retirement Residential Facility. He advised that the property is underutilized and has been declared by the Upper Grand District School Board as surplus property and they are pursuing the severance and sale of the northerly part of their property. He also advised that the applicant is preparing to submit associated applications for consent for severance through the Committee of Adjustment and for preliminary site plan approval through the Guelph Site Plan Review Committee. He stated that the proposal includes 118 one and two bedroom private retirement suites or rooms located in the main 3-storey building and 6 self-contained two bedroom dwelling units within 3 separate semi-detached cottages located to the rear of the building. He also advised that the application meets the intent of City goals and objectives outlined in the Official Plan, and that it will be compatible with the adjoining land uses.

In response to comments from Councillors, he assured that environmental issues including vegetation and water supply are being addressed and that staff will ensure this is a viable project.

DELEGATIONS

Mr. Dan Roach of Currey Brandaw Architects, on behalf of the applicant was present and responded to comments from the Councillors with respect to vegetation, snow removal and compatibility. He assured the Councillors that their company has a reputation for quality landscaping and property management.

Ms. S. Ross, a homeowner in the vicinity raised the concern that she had not received information that she was told would be forthcoming from the Board of Education and requested that she be provided with information and answers to her questions. Staff responded that they would get her contact information and ensure she received the appropriate information and answers she requested.

1. Moved by Councillor Burcher
Seconded by Councillor Findlay

Mr. Dan Roach
Mr. J. Riddell
Ms. L.E. Payne
Dr. J. Laird
Mr. D.A. Kennedy
Mr. D. McCaughan

THAT Report 07-24 regarding the rezoning of lands at 500Victoria Road North from Community Design and Development Services dated April 2, 2007, be received;

AND THAT the application by Colson & Colson Construction Co. c/o Curry Brandaw Architects, Salem,

Chief S. Armstrong

Oregon, authorized by the Upper Grand District School Board, for approval of a Zoning By-law Amendment (File ZC0614) from the Institutional (I.1) Zone to a Specialized R.4A (General Apartment) Zone, applying to the northerly part of lands municipally known as 500 Victoria Road North, City of Guelph, to permit a Specialized Retirement Residential Facility, be approved, in accordance with the regulations and conditions outlined in Schedule 1 attached.

Carried

30-34 ARKELL ROAD – Proposed Zoning By-law Amendment (ZC0612) to permit a small scale townhouse development – Ward 6

Ms. M. Castellan, Senior Development Planner provided information regarding the proposed application for the development of a 12 unit cluster townhouse development located at 30-34 Arkell Road. She outlined the proposed specialized regulations:

- Front Yard Setback: 4.5 metres where 6 metres is required
- Rear Yard Setback: 6.5 metres where 7.5 metres is required
- Side Yard Setback: 3 metres where one-half the building height is required.
- Specialized regulations also required to permit windows to habitable rooms facing onto the side and rear yards with less than a 7.5 metre setback and to permit parking within 3 metres of a lot line

She also advised that some flexibility for the site has been provided to include an “apartment building” that would be a maximum of 5 storeys consisting of no more than 30-40 units.

In response to comments from Councillors, she also confirmed that the Engineering Department has reviewed the application and they are in support of this application.

The applicant Mr. J. Laws on behalf of Michael Watt was present in support of the application and to answer any questions with respect to this matter.

2. Moved by Councillor Kovach
Seconded by Councillor Findlay

Mr. J. Laws
Mr. J. Riddell
Ms. L.E. Payne
Mr. D.A. Kennedy
Dr. J. Laird
Mr. D. McCaughan
Chief S. Armstrong

THAT Report 07-30 regarding a Zoning By-law Amendment for property municipally known as 30-34 Arkell Road from Community Design and Development Services dated April 2, 2007 be received;

AND THAT the application by Van Harten Surveying Inc. on behalf of Michael Watt for a Zoning By-law amendment from the R.1B (Residential Single Detached) Zone to a new Specialized R.3A (Cluster Townshouse) Zone affecting property municipally known as 30-34 Arkell road and legally described as Part of Lot 6, Concession 8 and Lot 1, Registered Plan 514, City of Guelph, be approved, in accordance with the regulations and conditions set out in Schedule 2 attached.

Carried

3. Moved by Councillor Hofland
Seconded by Councillor Beard

THAT persons wishing to address Council be permitted to do so at this time.

Carried

DELEGATIONS

YORK DISTRICT PREFERRED LAND USE STUDY PROCESS

Mr. John Milne suggested that the City focus on utilizing the lands for environmentally-focused projects. He proposed the Correctional Centre property be developed as "The Ontario Environmental Research and Development Centre" which could become a concentration of industry, facilities and institutions with a focus on specialized environmental industries, support services, government institutions. He also proposed that the section designated as "Institutional" in the "Preferred York District Land Use Plan" be established as "The Ontario Environmental Exhibition" which could have indoor/outdoor exhibits/trade shows that would act as a total educational resource, and tourist attraction. He stated that the University has helped pave the way for this type of project and hopes the City will pursue this type of endeavour and allow Guelph to become a nationally recognized Environmental Capital of Canada.

4. Moved by Councillor Burcher
Seconded by Councillor Billings

Mr. J. Riddell

THAT the "York District Preferred Land Use Scenario" be received and used as the basis for the development of a final land use strategy for the York District lands;

AND THAT the York District Study Phase 3 workplan be endorsed as presented in Schedule 3 of Community Development & Environmental Services Report No. 07-25.

AND THAT the area defined as "lands south of Stone Road" be recognized as a "Specialized Area".

Carried

5. Moved by Councillor Billings
Seconded by Councillor Burcher

THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

THIRD REPORT OF THE COMMUNITY DESIGN AND ENVIRONMENTAL SERVICES COMMITTEE

6. Moved by Councillor Burcher
Seconded by Councillor Billings

Mr. J. Riddell
Mr. D. A. Kennedy
Dr. J. Laird
Ms. L.E. Payne
Mr. D. McCaughan
Chief S. Armstrong

THAT Guelph City Council advise the County of Wellington and the Upper Grand District School Board of its support for the use of the Mountford School land for affordable ownership housing consistent with the submission by Options for Homes pertaining to County of Wellington Project CW2007-007-Mountford School site, dated February 22, 2007 subject to any required refinement of the development concept through the statutory development application approval process;

AND THAT the City enter into necessary agreements with the Upper Grand District School Board and Options for Homes to act as an intermediary to facilitate the transfer of the land from the School Board to Options for Homes to implement the affordable housing proposal and that the Mayor and Clerk be authorized to enter into such agreements as are necessary for this purpose;

AND THAT the City of Guelph provide financial assistance for 22 units of the overall housing site that will receive subsidy from the Canada-Ontario Affordable Housing Ownership Program in the form of a grant from the City's Affordable Housing Reserve that will off-set City development fees and charges subject to the terms set out in Report 07-34;

AND THAT the acquisition of the land, and the development of the affordable housing project is contingent upon successful development approvals being obtained and that staff report back to the Committee with respect to the financing of the project including parkland and the issue of replenishing reserves

Carried

7. Moved by Councillor Burcher
Seconded by Councillor Billings
THAT the Committee rise with leave to sit again.

Carried

8. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

SPECIAL RESOLUTION

9. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
Ms. L.A. Giles
Ms. L.E. Payne
THAT one Ward 1 Councillor position is hereby declared vacant.

AND THAT the City Clerk be directed to contact Kathleen Farrelly to determine if she would consent to the appointment to this vacant position.

Carried

MAYOR'S ANNOUNCEMENTS

Mayor Farbridge announced there have been some changes taking place within the Community Design and Development Services Department which will streamline processes and proved more timely service and asked Mr. Riddell to explain the changes. Mr. Riddell explained that the department has established Functional Teams to:

- provide excellent customer service for the public and City departments;
- increase the Service Area's profile within the Corporation and the Community
- improve cohesion, integration and cooperation amongst the various disciplines in the Service Area

He also advised that greater detail was available on the City's website.

ADJOURNMENT

The meeting adjourned at 7:43 o'clock p.m.

……
Mayor

…….
Deputy Clerk

Recommended Rezoning – Uses, Regulations and Conditions

Proposed Zoning By-law Amendment (File ZC0614) from the Institutional (I.1) Zone to a Specialized R.4A (General Apartment) Zone, applying to lands legally described as Broken Front Lot E, Division F, formerly in the Township of Guelph, being the northerly part of lands municipally known as 500 Victoria Road North, City of Guelph, in accordance with the following uses, regulations and conditions:

Specialized R.4A-__ Zone

"Permitted Uses

-Apartment Building
-Retirement Residential Facility providing accommodation in the form of suites, rooms and dwelling units within a maximum 3 storey apartment building form and a semi-detached building form.
-Nursing Home
-Home for the Aged
-Maisonette
-Accessory Uses in accordance with Section 4.23
-Home Occupation in accordance with Section 4.19.

Regulations

All R.4A Zone regulations, with the following exceptions and additions:

-Maximum building height of 3 storeys for any main buildings in lieu of Table 5.4.2 Row 10 which allows 8 storeys in height.

-Minimum rear yard of 7.5 metres for all buildings and structures in lieu of Table 5.4.2 Row 9 and Section 4.5.1.2 which allows accessory buildings within 0.6 metres of any lot line.

-Minimum Distance between Buildings of 9 metres for semi-detached buildings in lieu of 15 metres which is meant to apply to apartment buildings.

Conditions

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, building elevations, grading, drainage, and servicing for the said lands, to the satisfaction of the Director of Planning and Development Services, prior to the issuance of the building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.

2. The owner shall pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law, 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 issuance of a building permit, at the rate in effect at the time of issuance of the building permit.

3. Prior to the issuance of site plan approval, the owner shall pay to the City the owner's share of the actual cost, as determined by the City Engineer, of constructing the existing municipal services on Victoria Road across the frontage of the lands including sanitary sewer, storm sewer and watermain.

4. The owner shall pay its share, as determined by the City Engineer, of the actual cost of reconstructing and widening Victoria Road to a 4-lane urban section including asphalt pavement, granular base, curb and gutter, storm sewer with catchbasins and concrete sidewalk across the entire Upper Grand District School Board frontage and furthermore, prior to the issuance of site plan approval, the owner shall pay to the City its share of the estimated cost as determined by the City Engineer.

5. The owner shall pay the actual cost of constructing and installing any service laterals required and furthermore, prior to issuance of site plan approval, the owner shall pay to the City the estimate cost of the service laterals, as determined by the City Engineer.

6. The Owner shall pay to the City cash-in-lieu of parkland dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the issuance of site plan approval for the lands.

7. The owner shall complete a tree and hedgerow inventory and conservation plan in accordance with the City of Guelph Tree By-law (1986)-12229, satisfactory to the Director of Community Design and Development Services, prior to any grading or construction on the site and prior to the issuance of site plan approval for the lands. The owner shall include detailed plans of the proposed removal, pruning and replacement of vegetation to the perimeter hedgerows including a perimeter fencing plan with particular attention to protecting neighbouring property owners privacy and maximizing the retention of existing trees and shrubs, to the satisfaction of the Director of Community Design and Development Services. Further, the owner shall time the grading of the lands and vegetation removal to occur outside of the breeding season for birds (May 1 to July 30, 2007), to avoid the destruction of nesting habitat during breeding season.

8. Prior to the issuance of site plan approval for the lands, the owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.

9. The owner shall grade, develop and maintain 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 City Engineer. Furthermore the owner 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 built as it was approved by the City and that it is functioning properly.

10. 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 within the project, with such payment based on a cost of one handbook per residential household, as determined by the City.

11. The Owner shall meet all the requirements of Guelph Hydro including the relocation of existing hydro services and the installation of new hydro services and shall enter into any agreements required by Guelph Hydro in order to fully service the said lands with hydro facilities to the satisfaction of Guelph Hydro, prior to the issuance of site plan approval for the lands.

12. The Owner shall enter into a servicing agreement with Bell Canada providing for the installation and payment of underground utility services for the development on the said lands, prior to the issuance of site plan approval for the lands.

13. That prior to the issuance of site plan approval, the owner shall enter into an Agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above."

Proposed Zoning By-law Amendment
Regulations and Conditions

The property affected by this Zoning By-law Amendment is municipally known as 30-34 Arkell Road and legally described as Part of Lot 6, Concession 8 and Lot 1, Registered Plan 514, City of Guelph.

The following zoning is proposed:

Specialized R.3A-? (Cluster Townhouse) Zone

Regulations

Permitted Uses

In addition to the Uses listed in Section 5.3.1 of Zoning By-law (1995) – 14864, as amended, the following Use shall also be permitted:

- Apartment Building

Regulations

Apartment Buildings shall be in accordance with the R.4A regulations of Section 5.4.1 of Zoning By-law (1995)-14864, as amended, with the following exception:

Maximum Building Height

The maximum Building Height shall be 5 Storeys.

All Townhouse dwellings shall be in accordance with Section 5.3.1 of Zoning By-law (1995) – 14864, as amended, with the following exceptions:

Minimum Front Yard

The minimum Front Yard Setback shall be 4.5 metres.

Minimum Side and Rear Yards

The minimum Side Yard shall be 3 metres.
The minimum Rear Yard shall be 6.5 metres.

Despite Section 5.3.2.2.2, windows to Habitable Rooms shall be permitted to face onto the Side and Rear Yards.

Off-street Parking

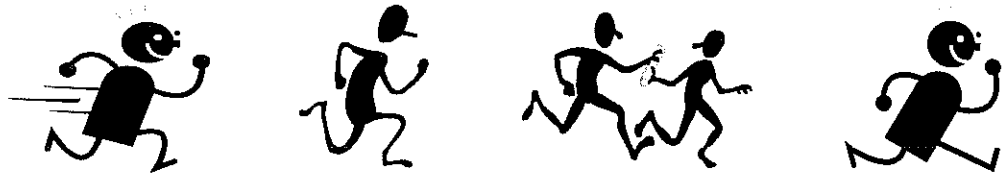
Despite Section 4.13.2.2, Parking Spaces located in the Side Yard may be located within 3 metres of the Lot Line.

Conditions

1. The owner shall pay to the City, the owner's share of the actual cost, as determined by the City Engineer, of constructing the existing municipal services on Arkell Road across the frontage of the lands including sanitary sewer, storm sewer, watermain, roadworks, sidewalk, curb and gutter, catchbasins and street lighting and the cost of the stormwater management outlet facility.
2. The owner shall pay to the City the actual cost of the existing service laterals to the property. In addition, the owner shall be responsible for the actual cost of abandoning and disconnecting at the watermain any existing water services that are not going to be used by the development, and furthermore, the owner shall pay to the City the estimated cost of abandoning and disconnecting the existing water services at the watermain as determined by the City Engineer.
3. The owner shall pay the actual cost of constructing and installing any service laterals as may be required for the new development, as determined by the City Engineer.
4. That any domestic wells and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.
5. The owner shall deed to the City, free of all encumbrance and satisfactory to the City Solicitor a 4.942 metre road widening across the frontage of 30 Arkell Road and a 1.895 metre road widening across the frontage of 34 Arkell Road.
6. The owner shall have a Professional Engineer design a grading plan and storm water management system for the site, satisfactory to the City Engineer.
7. The owner shall grade, develop and maintain 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 City Engineer. Furthermore the owner 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 built as it was approved by the City and that it is functioning properly.
8. That the owner pay to the City, as determined applicable by the City's Director of Finance/Treasurer, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2004)-17361, 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 issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
9. That the developer shall be responsible for paying cash-in-lieu of parkland for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof, prior to site plan approval.
10. Prior to site plan approval, the owner shall enter into an agreement with the City, registered on title, satisfactory to the City Solicitor, covering the conditions noted above.

Wellington-Dufferin-Guelph in *motion*

Background Document for Municipal Councils



in *motion*™
Physical Activity - do it for life!

Wellington-Dufferin-Guelph in *motion*
Backgrounder for Municipal Council Presentations

Background:

The Ministry of Health Promotion, Sport & Recreation Branch (formerly part of the Ministry of Tourism and Recreation) announced in 2005, a provincial strategy " Active 2010", to create a culture of physical activity and sport participation in Ontario.

To support the Active 2010 strategy the "Communities In Action Fund" (CIAF) was announced. These funds are made available annually for community groups and organizations, to increase physical activity, through collaborative efforts.

Together, the parks and recreation departments in Wellington County, led by the Town of Minto, received a grant to develop a physical activity plan. The Town of Mono led an application with the Town of Orangeville for Dufferin County and was successful in their grant request. Wellington-Dufferin-Guelph Public Health together with the Ministry of Health Promotion Sport and Recreation Branch Regional Advisor, provide on-going guidance and support.

While in the process of interviewing firms to develop a physical activity plan, information was made available about a unique health promotion project named **in *motion***. Upon further investigation it was decided that **in *motion*** was the appropriate model for Wellington County and Dufferin County. In the meantime, the City of Guelph, the University of Guelph and the YMCA-YWCA of Guelph expressed interest and readiness to participate in the planning, and have become partners in the project. A new regional collaborative has been formed called Wellington-Dufferin-Guelph or WDG **in *motion.***

This project is now being governed collaboratively by a management committee of representatives from the following organizations: Town of Minto, Town of Mono, Town of Orangeville, Township of Centre Wellington, City of Guelph, University of Guelph, YMCA-YWCA of Guelph, and Wellington-Dufferin-Guelph Public Health. Decisions are being made by consensus. A seconded staff from Wellington-Dufferin-Guelph Public Health provides facilitative support to the project 3 days per week.

Representatives from the Township of North Wellington, Town of Erin, Township of Puslinch, Township of Guelph Eramosa, and Mapleton Township will continue to provide input and local leadership to this initiative by participating on an action team that will develop and support a menu of actions municipalities, communities or neighbourhoods can take to increase the physical activity levels of their

residents and to encourage greater use of their facilities and resources. The City of Guelph is in the process of establishing a partnership to lead this initiative within the city. In addition, an action team is exploring a recognition program for all schools in the region to support them in their efforts to increase the physical activity levels of their students.

What is in *motion*?

in *motion* is a health promotion model developed by the Saskatoon Regional Health Authority and successfully implemented over the last eight years, resulting in a sustained increase in physical activity rates from 36% of the population to 50% who are active on a regular basis. The Wellington–Dufferin-Guelph regional collaborative purchased the rights to **in *motion*** to guide the planning process and to brand the initiative. **in *motion*** is now being adapted to our local region.

in *motion* offers a model for successful collaboration, the most powerful tool available to tackle the challenge of increasing physical activity rates across a region, along with specific strategies and tools to target the following groups: children and youth, older adults, workplaces, physicians (as educators), adults at risk of diabetes. In addition, **in *motion*** provides ready-made templates for conducting social marketing and education campaigns.

in *motion* has received national and international recognition for its' success in mobilizing large segments of the population. It is an innovative approach as no other policy changes nor mechanisms have made significant changes in the public's behaviour around physical activity.

Why Do We Need to be in *motion*?

Like most of the province, Wellington-Dufferin-Guelph (WDG) has an inactive population. 46% of males and 43% of females in WDG are inactive.[1] In addition, 54% of males and 44% of females are overweight or obese, in WDG. Less than ½ of the population 15 years of age and older in WDG gets sufficient activity in their leisure time to support optimal health.

The health risks associated with being overweight increases directly as weight increases. Obese people are 3 times more likely than people with healthy weights to have abnormal blood lipid levels, type 2 diabetes, gall bladder disease and breathing problems. They are also more likely to develop cancer, and have higher death rates from cancer.[2]

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[1] Sellske, P. & Heale, J., 2006 Wellington-Dufferin-Guelph Health Status Report, May 2006.

[2] World Health Organization, World Health Report 2002, available at www.who.int/whr/2002; and Calle E.E., et al., Overweight, obesity and mortality from cancer in a prospectively studied cohort of U.S. adults, *New England Joournal of Medicine*, 2003.

Our inactivity is a result of many environmental factors including the time spent in vehicles, in front of the computer, watching television and playing video games. Compared with the provincial data, a higher proportion of WDG residents spend two or more hours of their leisure time every day watching television or videos, using computers to surf the web or playing games. If the time spent traveling in cars and buses were included, the proportion would be even higher.[3]

Due to the increase in chronic diseases and the role that physical activity can play in improving health, initiatives addressing physical activity are urgently needed.

Progress

The WDG **in *motion*** founding partners knew that in order to be successful, ***in motion*** had to be a comprehensive health promotion strategy with four key components - building partnerships, targeted community strategies, measuring success, and community awareness building. These components form the basis of our strategic plan.

To date WDG **in *motion*** has completed the following steps:

- Vision and mission statement
- Goals and objectives
- Terms of reference for the Management Committee
- Organizational Structure
- Job Description for the coordinator, including deliverables
- Ethics review for the baseline survey
- Hiring of a firm to conduct the baseline survey
- A baseline survey will be conducted in April with the results expected by the end of May 2007
- Presentations to all municipal councils in Wellington County, Dufferin County and the City of Guelph underway (to be completed by May 2007)
- Initial 3-day consultation with Saskatoon **in *motion*** and subsequent visit scheduled for April 30 – May 4
- Purchasing of in motion website (www.in-motion.ca)
- Planning underway for launch of **in *motion***
- Communications and marketing plan being drafted.

[3] Seliske, P. & Heale, J., 2006 Wellington-Dufferin-Guelph Health Status Report, May 2006.

Long Term Implications:

To be successful in our efforts to create a culture of activity in our region, we are going to need the on-going support and involvement of many partners. These partners include: municipalities, especially through their parks and recreation departments or committees and their planning departments; organizations interested in the long term health of our residents, such as the YMCA-YWCA of Guelph; educational institutions, such as our schools boards and schools, the University of Guelph and Humber College; our Conservation Authorities and trail development organizations; and many more. Many of these organizations have already stepped-up to participate, offering staff or volunteer time, financial support, guidance, ideas and insight. We are continuing to request support from the Province of Ontario through the Ministry of Health Promotion CIAF grant. We also plan to engage the corporate sector to help us take this initiative to the next level in terms of public awareness. We will need on-going involvement and support from all partners. This may include asking for advice, a continuation of support from key staff or volunteers, or financial support. It will also be a request for action at the local level to help create an environment supportive of activity and to engage your residents to get **in *motion***.

Why Should Your Municipality Support This Effort?

An active population is a population that is healthier and uses our health system less, uses our parks, facilities, trails and local systems more, and cares about creating communities that support activity, which thrive economically over those that do not.

Low physical activity rates and rising obesity and diabetes rates are trends national and international in scope. Federal and provincial governments are taking responsibility to address these trends by developing and implementing strategies, such as ACTIVE 2010 and the new Ontario HEAL strategy (Healthy Eating, Active Living). The ultimate solution for this epidemic of inactivity in our culture is at home, where we live, work and play, in our communities. To achieve our vision that all citizens of Wellington, Dufferin and Guelph will integrate regular physical activity into the various facets of their daily lives, we need communities to support our efforts.

in *motion*™
Physical Activity - do it for life!

RECEIVED
APR 2007
CITY CLERK'S OFFICE

FACSIMILE TRANSMITTAL

Date: April 10, 2007

# of Pages 3

To: Lois Giles
City Clerk
City of Guelph

FAX # 519-763-1269

From: Stewart Frerotte
Ontario Fur Managers Federation
Southern Region Vice-President

Tel. 905-356-3784
FAX 905-356-4564

Subject: Proposed Trap Ban

Madam Clerk

I have been informed that at a forthcoming Council meeting presentations regarding a proposed ban on the use of killing type traps will be discussed. I would request that I be granted time during the discussion to speak before the Council.

I am the Vice-President of the Ontario Fur Managers Federation for the Southern Region of the Province of Ontario We are the organization that represents all of the licensed trappers in the Province. I would be prepared to advise the council of the pertinent regulations under the Fish and Wildlife Act that apply to trapping on both public land and private property. I would also be prepared to explain the proper use of body-gripping traps in order to avoid non-target catches. I have attached a summary of the presentation I would make in response to the recommendation of committee.

Would you please advise me of the time and date of the Council meeting, my FAX number is at the top of this page.

Respectfully submitted;

Stewart A. Frerotte

Response to Proposed Trap Ban
City of Guelph

Stewart A. Frerotte
Area Director
Southern Region Vice President
Ontario Fur Managers Federation

The Ontario Fur Managers Federation is the Provincial Association that represents the 6000+ licensed trappers in Ontario. We are responsible for licensing of the trappers and for Trapper Education under a business agreement with the Ministry of Natural Resources.

The Ministry of Natural Resources is responsible for the management of all fur bearers in the Province. Trapping is one of the tools that they use for the management of these furbearers and has legislated regulations under the Fish and Wildlife Act regarding the trapping of them.

Conibear style traps (killing traps) are one of the tools that trappers use in order to trap these animals. They are the primary tools used in the capture of Raccoons, Beaver, Muskrats, Possums, Skunks and Mink in Southern Ontario.

Raccoons, Skunks and Possums can also be captured in cage traps (live traps) but there are no viable live traps for the beaver, muskrats and mink. When live traps are used it is prohibited to move the animal, for release, more than **one** kilometer from the point of capture. This is to avoid moving disease vectors and to minimize the stress placed on the animal.

It is also unlawful for anyone other than licensed trappers, farmers on their own land and trap collectors to possess any body gripping trap. A body gripping trap is defined as a live restraining trap (i.e. foothold trap), a killing trap (i.e. conibear trap) and a snare. Snares are prohibited for use in Southern Ontario. Anyone may purchase and possess a cage trap (live trap).

When a home owner or business has a problem with a nuisance furbearer (raccoons, beaver, possums skunks or muskrats) they have several options open to them. If the problem animal is a raccoon, skunk or a possum they can purchase a live trap and capture the animal themselves. They are restricted to removing the animal one kilometer from the point of capture. They can hire a trapper to remove the animal. They can hire one of the Wildlife Control Companies to remove the animal.

The home owner and the Wildlife Control personnel are not authorized to euthanize the animal unless they hold a trapping license or a hunting license during the regulated season for these animals. One of the problems with release of the nuisance animal is that one kilometer is not very far and the animal can return to the point of capture and become a problem for the home owner again. If the animal does not return to the point of capture it can and usually becomes a problem for other persons near the point of release. Release of the animal outside of its home range also puts stress on the animal as it may be encroaching on the home range of other members of its species and must search for new food sources and dens. Unfortunately most home owners are not aware of the one kilometer restriction and frequently move the animal much further out into the countryside where they suffer greater stress and become a problem for farmers and home owners there.

It has been my experience that raccoons that have been caught in live traps on previous occasions have learned not to enter live traps and avoid them. In these cases the only viable method of capture is by use of a conibear type trap placed over their entry point. Foothold traps are prohibited for the capture of raccoons.

Home owners and businesses have a right to enjoy their premises without fear of animal damage or diseases. By restricting the use of all the tools that trappers can utilize in solving these sort of problems for property owners the City would be doing a disservice to the property owners. By banning killing type traps, trappers would not be able to catch problem beavers and muskrats as these are the traps used for these animals. Golf courses have problems with both of these aquatic animals causing damage to trees and the banks of their ponds. These animals cause tens of thousands of dollars damage to golf courses every year. In addition mouse and rat traps fall into this category and would also be banned.

During the fur trapping season a trapper wishing to trap on private land must have written permission from the land owner to trap. If the City has a problem with trappers setting traps on municipal property during the trapping seasons they only have to deny written permission.

Presentation
to
Mayor and Council
City of Guelph
April 16th, 2007

by
Grand Fur Managers Council
Re: Proposed Ban on traps within City of Guelph

Your Worship, members of Council

My name is Wayne Taylor, and my address is 32 Albany Court, Cambridge, Ontario
I am the President of the **Grand Fur Managers Council**, and am here representing our member trappers who reside in the Region of Waterloo, Hamilton, Wentworth, and Brant Counties, and Wellington County, which includes the City of Guelph.

First, I wish to indicate my appreciation of the opportunity to appear as a delegation tonight to speak in opposition to the recommendation from the Finance, Administration and Corporate Services Committee directing staff to draft a by-law banning the use of body-gripping and foot-hold traps within the city.

I would also like to indicate that as trappers, we too regret the incident that has happened and precipitated this discussion.

Recognize that trappers are trained, licensed, and highly regulated by Provincial legislation, and we have the right and privilege to trap. But **we also have the responsibility** to do so in an effective way based on our training, experience, and the regulations which govern trapping.

We have a responsibility to the farmer and landowner because of impacts of wildlife. We respond to calls from them when property is flooded, preventing them getting on the land to plant crops, or when crops or woodlots will be ruined from flooding. We respond to calls when livestock have been harassed, maimed or killed. In all cases, it costs them thousands of dollars in lost production or livestock, or property value, and in some instances may even result in the loss of their operation. We can also respond to calls from home owners who are experiencing the intrusion of a nuisance animal(s), such as raccoons and skunks, for a safety issue, property damage issue, or a potential health issue because of disease(s) being carried by the animal. Disease is a major concern with all wild animals.

Should the council pass a by-law that prohibits the use of traps used by trappers and regulated and controlled by the province, I ask you how the farmer will be able to rid his property of the beaver that builds a dam blocking a culvert or a stream causing his land to flood. Beaver dams and ponds can flood large areas of agricultural land and forest. They can wash out roads. Permanent flooding can kill crops and trees. When beavers cut trees, they can also create hazards if branches get hung up in other trees rather than fall to the ground.

How will the City deal with the disease carrying raccoon in the apartment garbage bins in downtown Guelph? Nuisance animal control services may only legally trap and release within 1 km of where the animal is captured. This is not a solution. Live trapping and release only puts the problem onto other landowners, not to mention it doesn't solve the health risks of diseases. I would like to remind everyone of the young boy in Toronto who recently died of raccoon roundworm.

Should the City ban foot hold traps, how will the landowner be able to control the fox that is killing dozens of chickens every night, or the coyote population that is killing his livestock; or eyeing up his pet poodle; or harassing his children as they are walking in a rural area? More complaints are received every year by the Ministry of Natural Resources over these situations than fatalities involving traps set by licensed trappers!

You need to know that you cannot live trap muskrats, or effectively live trap beaver. You cannot live trap fox or coyotes. Ours is a unique relationship with the farmer and property owner, and because of our particular skills, **we have a responsibility** to respond to and work cooperatively with them.

And **in order to meet those responsibilities** in an effective and efficient manner, we need to have the ability to use all the tools available to our profession, which includes body-grip and foot-hold traps. Different situations may require one or more approaches to capture the animal that is causing the destruction, predation or be carrying a disease. Without the ability to use these tools, we will not be able to respond effectively to the requests of your citizens, who also I might add, have a right to protect their property.

In your deliberations tonight, I'd request that you keep all this information in mind.

In conclusion, I am confident that your careful and balanced evaluation and deliberation of the facts and reasoned information presented by trappers, the Ontario Fur Managers Federation, the Ministry of Natural Resources and those organizations representing interests whose members will be affected by your action this evening, will result in a decision that maintains our ability as trappers to respond effectively for the citizens of your community.

Once again, I thank you for the opportunity to appear before you this evening.

130 Malcolm Road • Guelph • ON N1K 1B1
Tel: 519 836-0043
Fax: 519 8362531
www.ontariosheep.org

April 11, 2007

Attn: Mayor Farbridge
Re: Proposed By-Law to Ban Trapping in the City of Guelph By-Law

Please accept this submission on behalf of the Ontario Sheep Marketing Agency (OSMA) in regards to the proposed by-law to ban trapping in the City of Guelph. The OSMA is a producer-operated organization, which represents all aspects of the sheep, lamb and wool industry in the Province of Ontario. The OSMA represents 4200 sheep producers in Ontario, and 175 in the county of Wellington. It was established to encourage, promote and represent the industry. OSMA's activities work to improve the marketing of sheep, lamb and wool through producer education, promotional campaigns, consumer education and public awareness.

This submission addresses concerns only from a farming perspective. Our reasons for opposing the proposed by-law to ban trapping are as follows:

- City of Guelph boundaries and bordering municipalities include areas of active farming (both crop & livestock)

- Predation by coyotes is a serious issue for livestock producers.
  - Compensation payments of $623,906.92, were made by the province of Ontario for the calendar year 2005 for 3597 head of livestock killed and injured by coyotes & wolves
  - Predation occurs mainly in the spring, summer and autumn months
  - Trapping enables targeted removal of problem predators rather than indiscriminant removal
  - Trapping is one of the few legal means livestock producers have to deal with predating coyotes.

- A ban on trapping will result in increased population of coyotes in the region
  - Resulting in increased livestock predation
  - Also resulting in increased predation on pets, since coyotes are very opportunistic hunters

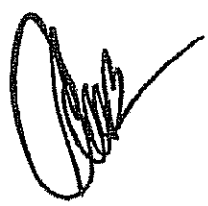
- Although managing other nuisance wildlife (namely raccoons, skunks, and beaver) is also a concern to the farming community, we leave the issues surrounding those to be addressed by Ontario Fur Managers' Federation, and support their position on those issues.

We strongly oppose a ban on trapping as it will negatively impact our producers' livelihood. We encourage the council of the City of Guelph to consider all of the consequences of such a ban.

Attached are a number of useful documents that show both the number of livestock kills in Ontario by coyotes or wolves, and the number of sheep and lamb kills by coyotes and wolves in Wellington County.

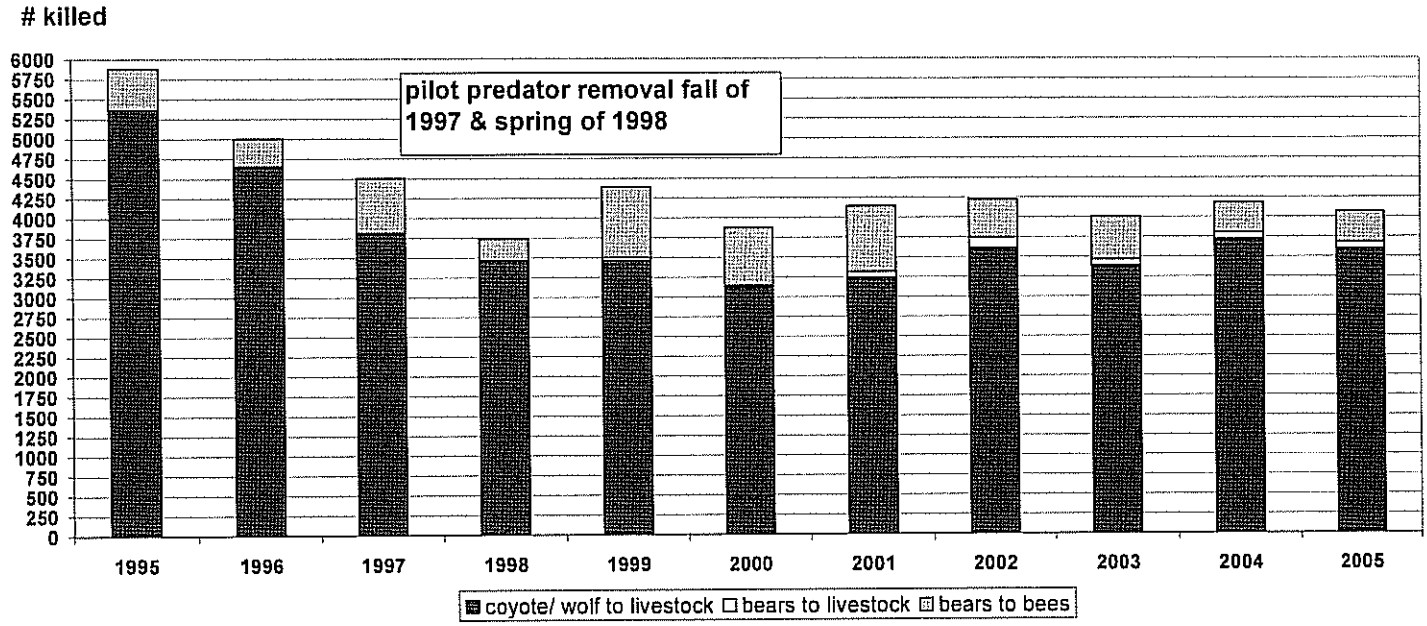
A representative from OSMA will be attending the April 16th Council meeting to further address these concerns, and to answer any questions you may have.

Best Regards,



Allan Burn
Chair

Ontario Predation Stats 1995-2005



Ontario Predation Compensation Statistics 1995-2005

Calendar Year	Coyote/wolf damage to Livestock	
	Number Killed / Injured	Compensation
1995	5365	$ 766,999.43
1996	4644	$ 757,867.00
1997	3803	$ 643,799.20
1998	3456	$ 573,147.33
1999	3468	$ 527,489.64
2000	3121	$ 568,621.86
2001	3241	$ 592,084.65
2002	3605	$ 662,083.75
2003	3389	$ 547,778.98
2004	3717	$ 605,757.24
2005	3597	$ 623,906.92
Total	41406	$6,869,536.00

Prepared by: Robin Chandra, OMAFRA

Wellington County Compensation for Sheep and Lamb Kills, 2005

Kill Date	Species	Number Killed	Compensation	Predator
22-Mar-05	LAMB	4	$159.50	COYOTE
11-Apr-05	EWE	1	$200.00	COYOTE
22-Apr-05	EWE	1	$147.50	COYOTE
10-May-05	EWE	1	$175.00	COYOTE
03-Jun-05	EWE	1	$175.00	COYOTE
10-Jun-05	EWE	1	$200.00	COYOTE
11-Jun-05	LAMB	1	$140.00	COYOTE
14-Jun-05	EWE	1	$190.00	COYOTE
19-Jun-05	LAMB	1	$100.00	COYOTE
25-Jun-05	LAMB	2	$175.00	COYOTE
04-Jul-05	EWE	1	$200.00	COYOTE
11-Jul-05	LAMB	2	$170.00	COYOTE
18-Jul-05	LAMB	2	$300.00	COYOTE
18-Jul-05	SHEEP	1	$200.00	COYOTE
02-Aug-05	EWE	1	$200.00	COYOTE
22-Aug-05	LAMB	1	$150.00	COYOTE
13-Sep-05	LAMB	1	$125.00	COYOTE
15-Oct-05	EWE	1	$200.00	COYOTE
01-Nov-05	LAMB	1	$100.00	COYOTE
02-Nov-05	LAMB	1	$52.75	WOLF
02-Nov-05	SHEEP	2	$260.00	COYOTE
		Total: **28**	Total: **$3,619.75**	

Ministry of Natural Resources

Ministère des Richesses naturelles

Guelph District
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Telephone: (519) 826-4955
Facsimile: (519) 826-4929

Ontario

April 11, 2007

City of Guelph,
59 Carden Street,
Guelph, ON,
N1H 3A1

Attention: Mayor Farbridge and Members of Guelph Council

Subject: The Recommendation by the Finance, Administration and Corporate Services Committee 'That Staff be Directed to Prepare a By-law that would Prohibit the Use of Killing Traps within the City of Guelph'.

The City of Guelph's Finance, Administration and Corporate Services Committee is asking City Council to considerate a recommendation that reads 'That Staff be Directed to Prepare a By-law that would Prohibit the Use of Killing Traps Within the City of Guelph'.

The Ontario Ministry of Natural Resources would encourage Guelph City Council to amend the recommendation so that it reads "That Staff be directed to prepare a by-law in consultation with the Ontario Ministry of Natural Resources and other appropriate organizations and agencies that would further control the use of humane quick kill body gripping traps within the City of Guelph. Based on further study, this control could include the prohibition of such traps within the city under prescribed circumstances.'

There are several reasons we are suggesting this change to current recommendation.

The first is that we believe there is still some question of whether or not a municipal by-law is the appropriate mechanism to use when applying additional controls on trapping since this activity is a provincial responsibility addressed by the Fish and Wildlife Conservation Act, its regulations, policies and procedures.

In this regards the Ministry has referred the matter to its Legal Services Branch for a legal opinion. Although we do not have this legal opinion to share with you at the time this letter was written, we hope to have it for your council meeting on April 16.

The second reason is that the Ministry believes that the current direction being considered by the City of Guelph – a prohibition of killing traps within the city - is too broad and simplistic when it comes to dealing with an activity as important and complex as trapping. The Ministry is afraid that such a ban will result in other significant and

costly problems for the City and its residents when it comes to addressing problem wildlife situations.

With respect to this second point, the Ministry would like to provide you with the following information:

Public safety

- Trapping is a well regulated activity within Ontario under the Fish and Wildlife Conservation Act.
- The Act and its regulations, policies and procedures prescribes the training and responsible behaviour by the licensed trapper and the property owner.
- A key aspect to public safety is that the trappers must obtain the written permission from the landowner before they can set any type of trap on private property. (Unauthorized access or trespass is addressed under The Trespass to Property Act.)
- The MNR also works very closely with the Ontario Fur Managers Association and the Ontario Society for the Prevention of Cruelty of Animals to encourage ethical and responsible trapping behaviour.

Wildlife Population Management and Problem Wildlife Control

- Licensed trappers perform an important role in regulating populations of furbearing mammals that may otherwise increase in numbers and become problematic for both animal populations and human values and property.
- There are times when disease such as rabies and raccoon roundworm within a wildlife population poses a threat to humans. Trapping has proven to be an important method of prevention and control. (Please note that live traps are employed in the Ministry's Point Infection Control Program that is brought into play when there is an outbreak of rabies in raccoon and skunk populations. Captured animal are humanely euthanized when found within two kilometres of confirmed cases of rabies.)
- In Southern Ontario the only wildlife species that are trapped using quick kill body gripping traps are raccoon, possum, beaver and muskrat. The first two can also be trapped using different forms of live traps. The latter two, beaver and muskrat, require a body gripping trap known as a conibear and these are deployed in what is known as 'water sets'.
- Licensed trappers can use ways to 'dog proof' quick kill body gripping traps on land or in the water that are largely effective.

Trapping and the Protection of Property

- Trappers, who spend more time on the land than most people, describe

themselves as the "eyes and the ears of the land". They are often the first to note changes in species abundance and health which might indicate disease, climate impacts, etc.

- The annual mandatory harvest record of trapper harvests assists MNR in monitoring changes in the abundance of fur species (there is some 58 years of fur harvest data available) as well as non-game/non-fur species by trappers participating in the many wildlife research surveys and studies conducted by MNR.
- MNR maintains agreements with trappers' councils across Ontario. The purpose of these agreements is to resolve wildlife problems in an efficient and responsible manner.
- The Fish and Wildlife Conservation Act permits property owners or their agents to harass, capture or kill wildlife in the protection of their property subject to the controls outlined in the Act and regulations.
- At this point we should emphasis that there are many different ways to harass wildlife to prevent them from becoming a problem to the property owner.
- However there are instances where because of health concerns the difficulty in catching wildlife such as beaver by any other means action needs to be taken that involves the humane killing of wildlife.
- On one hand the Act recognizes the legitimate concerns of property owners including the urban resident with a family of raccoons in their attic or a skunk under their deck.
- On the other it places the necessary controls on how these activities are carried out to ensure the humane treatment of wildlife, good conservation and wildlife management practices and most importantly the safety of landowners and others.
- The release of trapped animals is also regulated by the FWCA in order to prevent the spread of disease. The Act requires that the animal is release in close proximity of where it was capture and into a suitable habitat to ensure it is done in a humane fashion that gives the animal some chance at survival. They can not be released onto private property without the landowner's permission.
- Consideration must also be given to ensure that the release of trap wildlife does not cause problems for other landowners including the City or another municipality such as the Townships of Guelph-Eramosa and Puslinch.
- There are times when the individual who is experiencing a problem wildlife situation wants the animal or animals killed to prevent any further difficulties. Since the City of Guelph already has 'a no discharge of firearms' bylaw in place, preventing the use of quick kill body gripping traps could conceivably cause the person to look for another way to kill wildlife. Although the use of poisons is not permitted under the Fish and Wildlife Conservation Act, it is conceivable that an individual could use either commercially purchased poisons or ones made up from commonly available products. Should this take place, it would pose considerable risks to wildlife, domestic animals and humans.

Who can trap in and outside an Urban Area

A property owner can either carry out wildlife control on their property or use an agent on his or her behalf. Section 133 of the legislation identifies the following agents:

- Licensed trappers
- Employees or agents of a member of the Ontario Society for the Prevention of Cruelty to Animals under the OSPCA Act.
- Members of a landowner's immediate family acting on behalf of the landowner on the landowner's own land.
- Persons whose business is primarily the business of removing wildlife if they live capture and immediately release it in close proximity if is capable of being released.
- Municipal employees or agents of a municipality who have specific responsibilities related to wildlife control.

The Importance of Trapping to Landowners, Communities and the Province

- There were 182 trappers active in the RM of Waterloo and the Counties of Wellington and Brant management areas in the 2005-06 season.
- Of these trappers, 65 have given their permission to the MNR to release their names to members of the public seeking to resolve nuisance fur/small game problems.
- A number of trappers are engaged as partners in MNR's Community Fish and Wildlife Improvement Program and are active members in their communities.
- Trappers are important allies to MNR enforcement staff as well as in search and rescue efforts.
- The Ministry is only aware of a few municipalities in Ontario that have seen the need to implement some additional form of trapping control and these were not recent occurrences. (We have given the City's legal department the information that we have.)
- We are aware of jurisdictions that have banned a type of trapping. The State of Massachusetts banned the trapping of beaver and within four years had to reverse its position because of problems caused when there weren't any controls on the beaver population.

In conclusion

The City of Guelph is a rapidly growing urban area. This expansion into rural areas within the city's boundaries, like many parts of Ontario, is affecting wildlife habitat often putting people and wildlife in closer contact. Some wildlife like raccoons, coyotes and skunks adapt to the urban and urban/rural fringe whereas others like blue birds do not and the species declines.

It is evident that the city's growth includes an appreciation for natural resource values – trees, water, wildlife, etc. – as indicated by the variety of natural and green areas along its two rivers and its park system. (See also Appendix 1 of the City's Official Plan) However this appreciation must be balanced with the need to take responsibility for these natural features. The city and its residents are the stewards.

Human-wildlife conflicts result when the actions of humans or wildlife have an adverse impact on the other. These conflicts vary according to geography, land-use patterns, human behaviour, and the habitat and behaviour of wildlife species.

Trapping is a legitimate tool in the management of Ontario's wildlife populations and for landowners dealing with problem wildlife. It needs to be considered in the ongoing development of strategies to prevent and manage a wide range of human-wildlife conflicts in the province. These strategies are the foundation on which we can build community based solutions.

The Ministry would like to stress that it is important to keep available as many options as possible when it comes to addressing the dynamics and changes in wildlife populations. Who knows what climate change will bring about with respect to wildlife diseases or if a truck servicing one of the city's businesses will inadvertently transport a raccoon carrying the rabies virus.

Therefore the City is requested to take very careful consideration of all the consequences of any action it considers taking with respect to trapping. This is important in the management of City owned lands as well as to the residents of Guelph and in the surrounding municipalities.

The Ministry is prepared to work with the City and organizations like the Humane Society of Guelph in the further study of this activity within the City's limits. In addition to providing advice, we are also prepared to help in the development of educational materials that property owners and residents can use to avoid problems with wildlife.

Thank you for your time and consideration.

Bill Murch, Communications Specialist
Ministry of Natural Resources
One Stone Road West
Guelph, Ontario, N1G 4Y2
Telephone: (519) 826-4926
Fax: (519) 826-4929
bill.murch@ontario.ca

REPORT OF THE COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES COMMITTEE

April 16, 2007

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

Your Community Development and Environmental Services Committee beg leave to present their FOURTH REPORT as recommended at its meeting of April 5, 2007.

CLAUSE 1. THAT the request in the petition to establish an entrance from Waterloo Avenue to Essex Street be refused at this time.

AND THAT staff be directed to work with the tenants and owners on Essex Street and Waterloo Avenue on the issues of parking and signage.

CLAUSE 2. THAT the City of Guelph requests the Government of Ontario to issue a legally binding regulation requiring the phase-out of coal burning at the Nanticoke Generating Station by 2009.

CLAUSE 3. THAT Guelph City Council approve the formation of a Public Advisory Committee for the Wastewater Treatment Master Plan, as outlined in the report of the Director of Environmental Services dated April 5, 2007;

AND THAT staff report back to the Community Design and Environmental Services Committee with a workplan which makes provision for reporting on a quarterly basis for the proposed Public Advisory Committee for the Wastewater Treatment Master Plan.

AND THAT the Public Advisory Committee composition be changed to include two members from the Community at Large.

CLAUSE 4. THAT the Community Design and Development Services Report 07-29, dated April 5, 2007, regarding Transportation Demand Management, be received;

AND THAT staff be authorized to undertake consultations with School Boards and other stakeholders to identify specific initiatives in regard to Child-Friendly transportation planning, promoting non-auto school travel, and endorsing a Child-Friendly Charter for Guelph and report back on their findings;

AND THAT staff be requested to report back by the June meeting on how the Transportation Demand Management will be coordinated internally at a corporate level.

CLAUSE 5. THAT the Community Design and Development Services Report 07-28 dated April 4, 2007 regarding a trail in the vicinity of the Wastewater Treatment Plant be received;

AND THAT staff be directed to proceed with finalizing a license agreement with the Guelph Hiking Trail Club Inc. for the 2007 establishment and ongoing maintenance of a trail on City lands in the vicinity of the Wastewater Treatment Plant;

AND THAT the Mayor and Clerk be authorized to sign the license agreement;

AND THAT funding for the development of a trail in the vicinity of the Wastewater Treatment Plant be supported as set out in the Community Design and Development Services Report 07-28, dated April 4, 2007.

AND THAT staff be directed to look at the feasibility of a pedestrian bridge on the East side of the Hanlon, including costs and potential community partnerships and that this item be considered in the 2008 budget process.

CLAUSE 6. THAT Council authorizes the Mayor and Clerk to enter into an Amending Agreement for property at 579 Stone Road East.

CLAUSE 7. THAT the information report with respect to the Waterworks' Combined Annual and Summary Report for 2006 be received;

AND THAT staff be directed to forward this report to the Community Design and Environmental Services Committee the first year of each new term.

All of which is respectfully submitted.

Councillor Lise Burcher, Chair
Community Development & Environmental Services Committee

City of Guelph

Report: 07- 22

COMMUNITY DESIGN & DEVELOPMENT SERVICES

TO: Community Development & Environmental Services Committee

DATE: 2007/03/09

SUBJECT: **PETITION TO ESTABLISH ENTRANCE FROM WATERLOO AVENUE TO ESSEX STREET**

RECOMMENDATION:

"THAT the request in the petition to establish an entrance from Waterloo Avenue to Essex Street, BE REFUSED."

BACKGROUND:

A petition to establish an entrance from Waterloo Avenue to Essex Street has been received in the Mayor's Office. The petition contained signatures from ten area businesses and citizens. A copy of the petition is attached as Attachment A.

REPORT:

Essex Street is a primarily residential urban street. Prior to construction in 2006, there was a one-way southbound entrance at the Gordon Street and Waterloo Avenue intersection.

Issues

The Essex Street entrance at the Gordon Street and Waterloo Avenue intersection was recommended for closure as part of the 2003 Gordon Street / Norfolk Street Class Environmental Assessment (EA) and this was presented to the public at a Public Information Centre (PIC) on April 24, 2003. Two of the petitioners, Wilson's Service Centre and Mr. Haji of Supreme Car Wash, were on the direct mailing list for the study. Notice was also provided in the Guelph Tribune. Only one comment regarding Essex Street was received and it was in favour of the proposed closure.

Two PICs were also held during the detailed design phase: on January 25, 2006 and on July 5, 2006. Notice of the meetings was provided in the Guelph Tribune and also hand-delivered to all Essex Street addresses between Gordon Street and Dublin Street, an area which includes numerous petitioners as shown in Attachment B. No comments regarding the Essex Street closure were received.

The closure of Essex Street includes the creation of additional green space at the reconfigured Gordon Street and Waterloo Avenue intersection, and is attached as Attachment C. Access to Essex Street will be retained via Dublin Street.

The access requested by the petition would be at the location indicated in Attachment C. It is about 30 metres from the intersection and does not meet minimum distance guidelines.

Implications

Construction of the entrance requested in the petition would be in contradiction of the accepted 2003 Class EA recommendations which indicate that this entrance should be closed. Additional engineering and capital costs would be incurred to design and build the requested entrance.

Conclusions

The requested entrance would serve no useful traffic circulation function since current traffic volumes are very small and access via Dublin Street is already available. The requested entrance could present safety concerns because the location does not meet minimum distance guidelines between entrances. Also, its construction would cause additional costs to be incurred. As such, it is recommended that the request in the petition be refused.

CORPORATE STRATEGIC PLAN:

4. To Enhance Community Wellness
   - Safety of drivers, cyclists and pedestrians will be improved

6. To Have Exemplary Management Practices
   - Opportunity to comment was provided in accordance with established best practices

ATTACHMENTS

Attachment A	Petition
Attachment B	Area Map
Attachment C	Reconfigured Essex Street without access to Waterloo

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Recommended By:
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Acting City Engineer
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Recommended By:
James N. Riddell
Director of Community Design & Development Services
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jim.riddell@guelph.ca

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

T:\ENGINEER\Engineering Council\2007

ATTACHMENT 'A'
PETITION

RECEIVED
City of Guelph
DEC 11 2006
Office of the Mayor

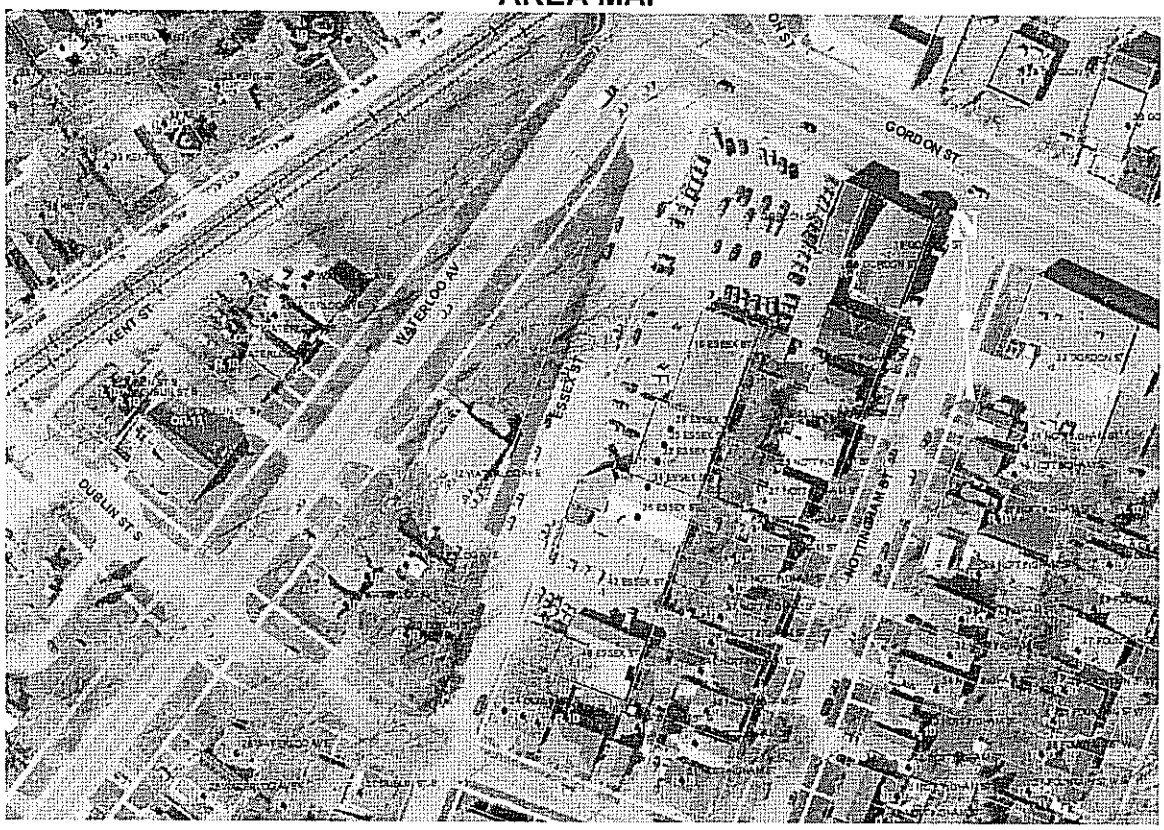
PETITION

We, the undersigned Businesses, Owners, Operators, and Landlords, petition the City of Guelph to establish an entrance from Waterloo Avenue to Essex Street, in order that our property and business values are maintained. We also urge the City to maintain access to Essex Street during the construction period.

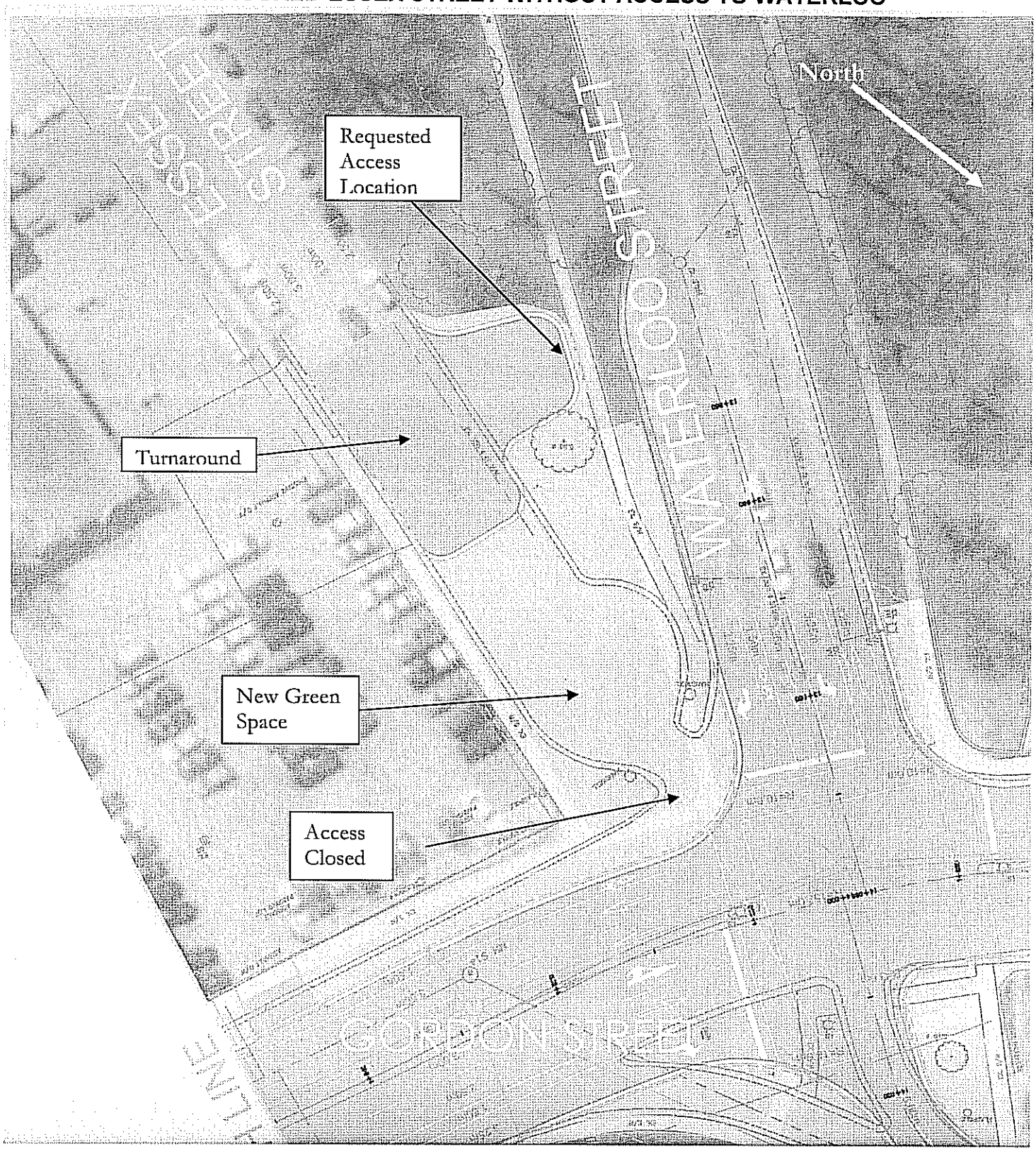
- Graphic Services — for deposit only to the credit of G•R•A•P•H•I•C SERVICES (a division of 855227 Ontario Inc.)
- Peter Berhick — AGENT
- Wilson's Service Centre
- Audio Access — Gary E Chapman
- Wellington Chiropractic
- Guelph Import Service — GUELPH IMPORT SERVICE 42 Essex Street Guelph, Ontario N1H 3K8 Tel: 519-836-6032
- Emery & Best Dawson
- Schickedanz - Ray Trajata – 905–695–1953
- Downtown Car Wash — SUPREME CAR WASH 20 WOOLWICH STREET GUELPH, ON N1H 3T9 Tel: 837-3931 — 988081 ONT
- ICON PHOTOGRAPHY INC

cc Mayor & Councillors
Ike Umar Eng.
Jim Riddoll
Larry Kotseff

ATTACHMENT 'B'
AREA MAP



ATTACHMENT 'C'
RECONFIGURED ESSEX STREET WITHOUT ACCESS TO WATERLOO



ONTARIO
CLEAN AIR
ALLIANCE

March 12, 2007

RECEIVED
City of Guelph
MAR 15 2007
Office of the Mayor

Mayor Karen Farbridge
City Hall
59 Carden Street
Toronto N1H 3A1

Dear Mayor Farbridge:

Re: Nanticoke coal-fired power plant

I am writing to request Guelph City Council to pass the following resolution:

"The City of Guelph requests the Government of Ontario to issue a legally binding regulation requiring the phase-out of coal burning at the Nanticoke Generating Station by 2009."

I am enclosing for your information 25 copies of:

1. our pamphlet, *Nanticoke: Canada's No. 1 air polluter;* and
2. our fact sheet, *Nanticoke: The air pollution giant on our doorstep.*

I would also like to request the opportunity to make an oral deputation to City Council and/or one of its committees on this issue.

Yours sincerely,

Jack Gibbons
Chair

625 Church Street, Suite 402 Toronto, Ontario M4Y 2G1
Tel: 416-926-1907 ext. 240 • Fax: 416-926-1601
info@cleanairalliance.org • www.cleanairalliance.org • www.electricitychoices.org

Nanticoke: The air pollution giant on our doorstep

The Nanticoke Generating Station, located on the north shore of Lake Erie is the largest coal-fired power plant in North America and Canada's No. 1 air polluter.

According to the Ontario Medical Association (OMA), air pollution is "a public health crisis" in Ontario. The OMA says that air pollution kills over 5,900 people per year in Ontario and costs our economy over $7.8 billion per year in health care costs, lost work time and other quantifiable expenses.

- Nanticoke is Canada's single largest source of greenhouse gas emissions that cause climate change, which threatens our health, our environment and our future.
- Nanticoke is Ontario's single largest source of smog-causing nitrogen oxides emissions.
- Nanticoke is Ontario's single largest source of airborne mercury emissions. Mercury is a neurotoxin that can cross the placental and blood-brain barrier and cause pre-natal harm. It has also been linked to developmental and behavioural problems in children.
- Nanticoke is southern Ontario's single largest source of sulphur dioxide emissions. Sulphur dioxide can lead to the creation of small particulate matter, which can be inhaled deep in our lungs and cause asthma attacks, heart disease, lung disease, strokes and death.
- Nanticoke produces as much pollution as 3.3 million cars.
- Nanticoke alone kills approximately 430 people per year in Ontario.

Phase-out indefinitely delayed

On June 13, 2006, in response to pressure from the Association of Major Power Consumers in Ontario (e.g., Imperial Oil, PetroCanada, St. Marys Cement), Premier McGuinty broke his promise to phase-out coal-burning at Nanticoke by 2009. The Premier then asked the Ontario Power Authority (OPA) to propose a new phase-out date. The OPA, in turn, recommended continuing to burn coal until at least 2014 and has stated that it may be needed after that if nuclear plants are not back in service or major new transmission line projects are not completed.

We simply cannot live with the pollution and climate-change impacts of Nanticoke for another decade or more. We must take action today to reduce the number of smog days and the growing impact of climate change in order to decrease the risk to our health and our environment created by poor air quality and unchecked global warming.

A better solution

Fortunately, there is a straightforward solution that will deliver significant air-quality benefits today and set the stage for the development of a clean, green electricity system in a generation. By directing Ontario Power Generation (OPG) to convert Nanticoke's boilers from dirty coal to cleaner burning natural gas, we can slash Nanticoke's emissions of noxious smog builders and greenhouse gases and eliminate its emissions of toxins like mercury and lead.

Ontario's short to mid-term electricity need is for peaking power on hot summer days. A retrofitted Nanticoke plant could help fill this gap with cleaner climate-responsible power. Meanwhile, the province's current supply of baseload power from Nanticoke will be more than offset by new water power and high-efficiency natural gas-fired power plants currently under development. In the longer term, improving the province's electricity productivity (GDP per kWh), significantly increasing our use of combined heat and power generation and recycled industrial waste heat, and developing a wide array of renewable pow-

er sources — solar, geothermal, small hydro, wind, biomass, etc. — can cleanly and efficiently address the province's electricity needs.

Phasing-out coal burning at Nanticoke will also provide Ontario with approximately one-third of the total greenhouse gas emission reductions the entire province needs to achieve compliance with its Kyoto Protocol target for 2010.

A cost-effective solution for cleaner air

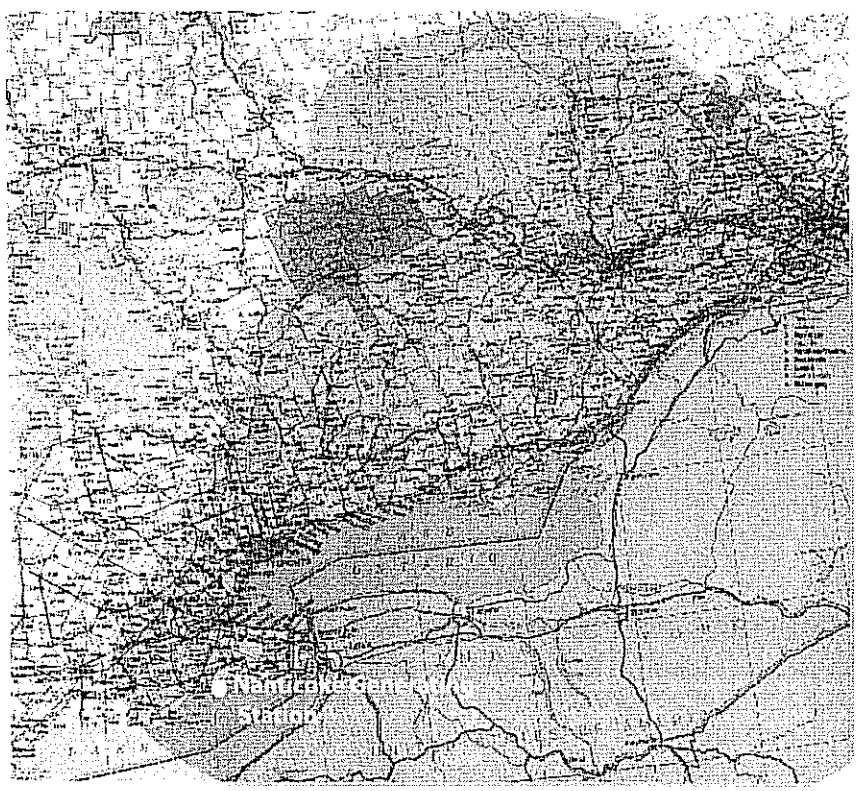
According to the OPA, the capital cost of a Nanticoke conversion would be $540 to $750 million, which is at least $1.2 billion *cheaper* than the $1.9 billion cost of installing end-of-pipe pollution controls. Such controls would provide inferior emission results compared to converting to gas, and will not reduce Nanticoke's enormous greenhouse gas emissions by a single tonne. Meanwhile, the natural gas demand and cost impact of converting Nanticoke would be negligible as the plant would only be used to meet peak demand on the hottest summer days.

In 2001, Ontario's former Minister of the Environment, Elizabeth Witmer, issued a legally binding regulation that required OPG to phase-out coal-burning at the Lakeview Generating Station in Mississauga by April 30, 2005. As a result, coal burning at Lakeview ceased in April 2005 with no unforeseen delays. The Ontario Clean Air Alliance is now asking the Government of Ontario to promulgate a legally binding regulation that will require OPG to phase-out coal-burning at Nanticoke in 2009.

More informtion

For more on how we can end coal burning at Nanticoke, please see our *Phasing Out Coal: 2006 Progress Report* and *An End to Dirty Power* report on our website at www.cleanairalliance.org.

Fig. 1 — Primary fall-out area for air pollutants from the Nanticoke Generating Station



The thousands of tonnes of sulphur dioxide (SO_2) and nitrogen oxides – prime components of smog and deadly small particulate matter – released by the giant Nanticoke Generating Station, are carried across Southern Ontario and Quebec and can travel as far as the East Coast.

Meanwhile, harmful emissions of mercury from Nanticoke lead to contamination of fish in Lake Ontario and other water bodies, while acid rain generated by Nanticoke's SO_2 emissions harms all sorts of plant life – including urban forests.

Worst of all, Nanticoke is Canada's No. 1 emitter of greenhouse gases, making it the country's leading contributor to dangerous climate change. For cities, climate change promises more heat-related deaths and illnesses and damage from erratic and increasingly deadly weather patterns.

Ontario Clean Air Alliance, Suite 402, 625 Church St., Toronto, ON M4Y 2G1
contact@cleanairalliance.org 416-926-1907 x245

Thanks to the Laidlaw Foundation and the Toronto Atmospheric Fund for their financial support.

City of Guelph

ENVIRONMENTAL SERVICES

Report:

TO: Community Development & Environmental Services Committee

DATE: April 5, 2007

SUBJECT: **WASTEWATER TREATMENT MASTER PLAN - FORMATION OF PUBLIC ADVISORY COMMITTEE**

RECOMMENDATION:

"THAT Guelph City Council approve the formation of a Public Advisory Committee for the Wastewater Treatment Master Plan, as outlined in the report of the Director of Environmental Services dated April 5, 2007."

BACKGROUND:

The Wastewater Treatment Master Plan process was initiated in November 2006 and is scheduled to be complete by the fourth quarter of 2008. The Wastewater Treatment Master Plan is intended to identify the firm treatment and servicing capacity of the existing infrastructure and treatment process systems and identify additional treatment and servicing requirements for the 50 year planning horizon (i.e. to 2054). The Master Plan will be integrated into the City's Growth Management Strategy.

One of the tasks in the Master Plan study is the public consultation process, which will follow the Schedule B Class Environmental Assessment process. It is recommended that a Wastewater Treatment Master Plan Public Advisory Committee (PAC) be established with broad representation from stakeholders to provide support and advice to the Master Plan project team.

REPORT:

The Public Advisory Committee (PAC) will be responsible for providing advice and feedback to the Wastewater Treatment Master Plan project team at key milestones over the course of the study, including feedback on the following Master Plan components:

- The problem statement;
- Key issues and context for the Master Plan decision process;

- Wastewater Treatment service alternatives;
- Class EA evaluation methodology and decision criteria;
- Consultation activities and results;
- Related Master Plan issues and items as identified through the study.

The membership of the PAC will include representatives from the following sectors:

Community Sector:	Suggested Organization:	# Rep's:
Business/Industry	Sleeman Breweries Chamber of Commerce	1 1
Development	Guelph Home Builders Association or Guelph Developers Association	1
Academia	University of Guelph	1
Agriculture	Federation of Agriculture or Christian Farmers Association	1
Environment	Green Plan Steering Committee	2
Community at Large	By application through Council process	1
City Council Representation	Guelph City Council	1
Committee Chair	To be determined	1

If Council approves the formation of a Public Advisory Committee for the Wastewater Treatment Master Plan, the next step will be to issue a Notice of Project Commencement. This Notice will also include invitation for applications to PAC for one representative from the community at large. All other community sectors will be directly contacted by City staff. Following the formation of the PAC, the work plan for the Wastewater Treatment Master Plan includes the provision for four Public Advisory Committee meetings (refer to outline provided in Appendix "A").

CORPORATE STRATEGIC PLAN:

1.5.1 Develop and implement a local growth management strategy to achieve a healthy community;

5.3 Engage the residential, industrial, commercial and institutional communities in best practices for resource management and environmental protection;

5.4 Evaluate and implement proven and leading-edge environmental technologies and programs;

6.3 Implement an effective strategic and business planning process.

FINANCIAL IMPLICATIONS:
N/A

DEPARTMENTAL CONSULTATION:
N/A

COMMUNICATIONS:
N/A

ATTACHMENTS:
Appendix "A" - Wastewater Treatment Master Plan Public Advisory Committee meeting outline.

Prepared By:
Cameron Walsh, CET
Manager, Wastewater Services

Recommended By:
Janet L. Laird, Ph.D.
Director, Environmental Services

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

APPENDIX "A"

Wastewater Treatment Master Plan
Public Advisory Committee Meetings
~ Draft Outline ~

The Work Plan for the WWMP includes the provision for four (4) Public Advisory Committee (PAC) meetings.

PAC Meeting:	Purpose:
#1	To provide a project introduction, present the study process and identify key issues.
#2	Presentation of existing and future conditions and discussion of alternatives, evaluation process and impacts of consultation efforts to date.
#3	Presentation of evaluation outcomes and discussion of recommended Master Plan components
#4	Discuss draft report.

* * * * *

City of Guelph

Report: 07-29

COMMUNITY DESIGN AND DEVELOPMENT SERVICES

TO: Community Development and Environmental Services

DATE: April 5, 2007

SUBJECT: **TRANSPORTATION DEMAND MANAGEMENT**

RECOMMENDATION:

"THAT the Community Design and Development Services Report 07-29, dated April 5, 2007, be received;

AND THAT staff be authorized to undertake consultations with School Boards and other stakeholders to identify specific initiatives in regard to Child-Friendly transportation planning, promoting non-auto school travel, and endorsing a Child-Friendly Charter for Guelph and report back on their findings."

REPORT

The 2005 Guelph-Wellington Transportation Study (GWTS), addressing the 20-year (2001-2021) transportation needs of Guelph and the adjacent areas of Wellington County, recommends the implementation of a Transportation Demand Management program in Guelph.

As outlined in the GWTS, Transportation Demand Management (TDM) is the "collective description for the policies and practical steps that are undertaken to discourage single occupancy car use and encourage ridesharing and alternative modes such as walking, cycling and transit." TDM could also be viewed "as the transportation equivalent of energy conservation in the energy sector, water conservation in the water sector, and waste reduction programs in solid waste management."

In Guelph, single-occupancy vehicles account for 53% of all-day trips, 13% drive with passengers, and 17% travel as auto passengers. Alternative modes such as walking, cycling, transit and taxis account for the remaining 17% of all-day trips.

The GWTS emphasis on TDM is primarily focused on reducing single-occupancy car use which is the heavily used mode of travel for home-based travel to work during peak periods. The University of Guelph provides an excellent TDM success story in Guelph and the TDM measures implemented by the University have reduced the single-occupancy usage to 35% in the core areas of the Campus. Walking and Cycling account for 35% and Transit accounts for 23% modal share, compared with 9% and 6% in the City as a whole. Restricted long-term parking supply, encouragement to walking and

cycling, and a transit pass program for students are the main TDM measures that are used by the University.

Since 2006, the City has been providing discounted transit passes to City employees. As part of developing a citywide TDM program, we have been trying to encourage other employers in Guelph to adopt similar practices in their own organizations. Staff have begun consultations with the Guelph Chamber of Commerce and representatives of industries and institutions to establish a TDM Committee as a forum to promote and facilitate the implementation of TDM measures. These organizations are interested in adopting TDM measures that will encourage their employees to use alternative modes of travel.

In addition, staff are also focusing on daily travel that is not between home and work. Of the total daily trips in Guelph 74% are not work related, and encouraging alternative modes for these trips will have positive effects for the environment and a healthy community. Within the non-work trips 20% are identified as school trips, equally shared by school students aged 11-17 and university students.

Guelph has a reasonably high proportion (45%) of children, in the 11-17 age category, who walk to school. Of the rest, 21% are driven by car, 19% use school bus, and 10% use local transit. The growing trend in Ontario indicates an increasing number of children being driven to school and for other recreational activities. Between 1986 and 2001 the number of children, between ages 11 and 15, traveling by car as auto-passengers has increased by 83%. However, according to a recent survey of school children by the Centre for Sustainable Transportation, 75% of the children expressed a desire to walk or cycle.

There are a number of programs in Ontario and Canada that promote children walking and cycling to school rather than being driven by car. The Westvale Public School in Kitchener runs a very successful "Walking School Bus" program involving older students walking with younger students to school from homes that are within a 15-minute walking distance radius. The adoption of similar initiatives in Guelph was discussed at a recent workshop on "Child-and-Youth-Friendly Land-use and Transport Planning Guidelines" organized by City staff and sponsored by the Centre for Sustainable Transportation.

The workshop was attended by five Councillors, representatives from the School Boards and staff from different City Departments. There was general interest in the City adopting the Guidelines for Child-friendly transportation planning, undertaking alternative school travel initiatives, and endorsing a Child Friendly Charter for Guelph.

These are positive transportation planning initiatives that are consistent with Guelph's Transportation Strategy principles and policies adopted in 2001 and the Official Plan policies. Staff are requesting Council direction to identify specific initiatives in consultation with the School Boards and other stakeholders and make recommendations to Council for approval.

In addition, staff would like to inform Council that there is need for a full-time TDM Coordinator in the Community Design and Development Services Department. At present, TDM activities are being coordinated by a part-time employee who is a University student. The Guelph-Wellington Transportation Study identified the need for a TDM Coordinator to successfully implement and maintain a TDM program in Guelph.

The need for such a staff member in municipalities is also endorsed by the Child-and-Youth-Friendly Land-use and Transportation Planning Guidelines. Many municipalities, large and small, have hired full-time TDM Coordinators with impressive results. It is expected that the expansion to include a TDM Coordinator will be a priority from the Department's perspective during the 2008 budget deliberations.

CORPORATE STRATEGIC PLAN:

1. To Manage Growth in a Balanced Sustainable Manner
   - Ensure the City's infrastructure is appropriate for current and anticipated growth
   - Work with neighbouring municipalities and all levels of government on policy and direction

FINANCIAL IMPLICATIONS:

N/A

Prepared By:
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Transportation Planning Engineer
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rajan.philips@guelph.ca

Recommended By:
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Director of Community Design &
Development Services
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jim.riddell@guelph.ca

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

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Transportation Demand Management

Community Development and
Environmental Services Committee

April 5, 2007

Background – Transportation Policy

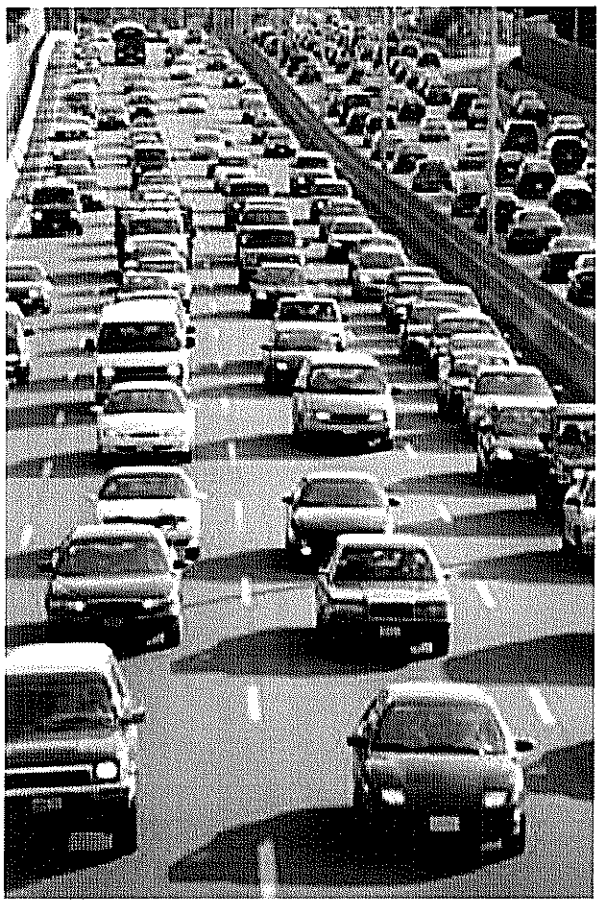
- Guelph Transportation Strategy – 2001
- Guelph-Wellington Transportation Study – 2005
- Guelph Official Plan 2006 Consolidation – Transportation Policies

Transportation Demand Management - TDM

- Minimize demand for single-occupancy-vehicle (sov) use
- Promote alternative mode use – walking, cycling, transit
- Focus on both home-work and non-home-work trips
- Minimize gap between policy/program and practice

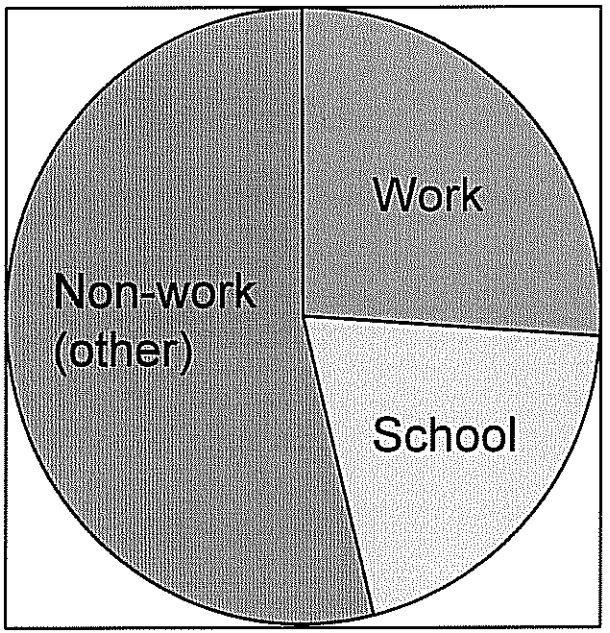
Modal shares in Guelph

- 53% all-day trips are in single-occupant vehicles
- 13% drive with passengers
- 17% travel as passengers
- Remaining 17% are by walking, cycling, transit or taxi.
- 25% of trips either begin or end outside Guelph; 43% of them are work trips



Work and Non-Work Trips

- Work Trips: 26%
- Non-work trips: 74%
- School trips: 20% (10% university, 10% ages 11-17)
- Encouraging other modes for non-work trips will improve the environment and health



TDM Success Story: University of Guelph

- University is a local TDM success story
- Main measures:
  - Restricted long-term parking supply
  - Encouragement for walking and cycling
  - Transit pass program

Mode	UG Core Area	City-wide
SOV	35%	53%
Walk/cycle	35%	9%
Transit	23%	6%

TDM Initiatives / Needs

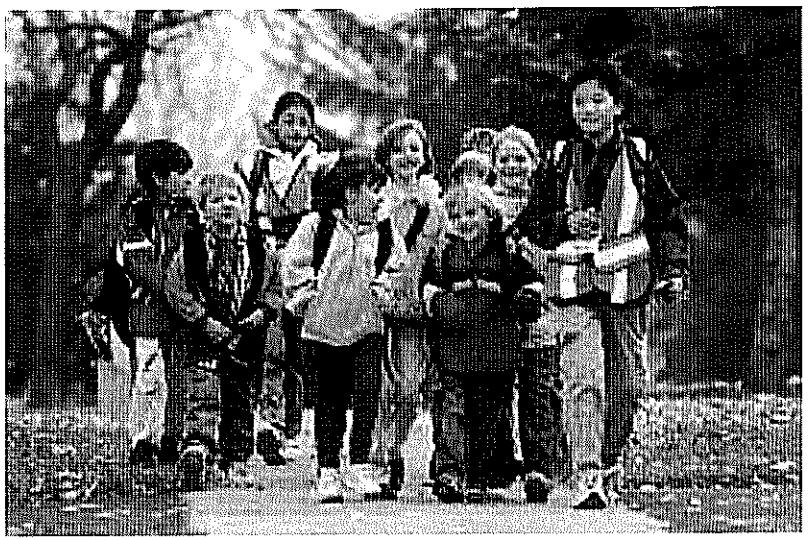
- Discounted transit pass to City employees
- City of Guelph Staff Travel Survey to identify TDM potentials
- Consultations and workshops with Chamber of Commerce and employers to encourage implementation of TDM
- Workshop on “Child- and Youth-friendly Land Use and Transport Planning Guidelines”
- 2007 Community Events
- Need for TDM Coordinator

Children and TDM in Guelph

- Children (ages 11-17) going to school:
  - 45% walk
  - 21% are driven
  - 19% use the school bus
  - 10% use transit
- Increasing proportion of travel as auto-passengers
  - Travel as passengers increased 83% among Canadian children 11-15 years old between 1986 and 2001
- However, 75% of children want to walk or cycle (Centre for Sustainable Transportation survey)

Programs Promoting Children Walking and Cycling to School

- "Walking School Bus"
- Guidelines for child-friendly transportation planning
- Guelph Child-Friendly Charter



A "walking school bus"
(Westvale Public School, Kitchener)
(photo courtesy of The Record)

Next Steps

- Consultations with School Boards and Stakeholders and report to Council on:
  - Child-friendly transportation planning
  - Promote non-auto school travel
  - Child-Friendly Charter

City of Guelph

Report: 7-28

COMMUNITY DESIGN & DEVELOPMENT SERVICES

TO: Community Development & Environmental Services Committee

DATE: 2007/4/5

SUBJECT: **TRAIL - WASTEWATER TREATMENT PLANT/ HANLON EXPRESSWAY**

RECOMMENDATION:

THAT the Community Design and Development Services Report 7-28 dated April 4, 2007 regarding a trail in the vicinity of the Wastewater Treatment Plant be received.

AND THAT staff be directed to proceed with finalizing a license agreement with the Guelph Hiking Trail Club Inc. for the 2007 establishment and ongoing maintenance of a trail on City lands in the vicinity of the Wastewater Treatment Plant.

AND THAT the Mayor and Clerk be authorized to sign the license agreement.

AND THAT funding for the development of a trail in the vicinity of the Wastewater Treatment Plant be supported as set out in the Community Design and Development Services Report 7-28 dated April 4 2007.

BACKGROUND:

During consideration of the 2007 Capital Budget, Council passed the following resolution:

> "THAT the trails master plan project in year 2010 in the amount of $60,000 be referred to the appropriate Standing Committee for consideration of a trail connection under the Hanlon Expressway Overpass".

The trail contemplated is in the vicinity of the Wastewater Treatment Plant and Hanlon/Wellington Expressway interchange, and is of particular interest to The Guelph Hiking Trail Club (Appendix 1). The Club creates and maintains trails in local rural areas, typically unsurfaced routes mainly for hiking use, secured by agreements with landowners and covered by the Club's liability insurance. In the 1970's the Club established such a trail from Guelph to Cambridge starting in Silvercreek Park near the Hanlon Expressway/Wellington intersection through the Wastewater Treatment Plant lands. The building of the Hanlon/Wellington interchange removed the trail structure in the area, and despite the Club's efforts over the years, this trail connection has not been re-established. The current Club trail starts at a location near Fife Road and has neither parking nor safe connections to City trails ("Existing GHTC Trail"; Appendix 1).

REPORT:

Recently the Club requested permission to clear and maintain a new trail through the City Wastewater Treatment Plant lands. The route extends from the westerly Plant boundary along the north shore of the Speed River to Silvercreek Park to re-establish the lost trail link. The Club also requested that a route from this trail to the Imperial/ Wellington intersection be developed to connect the trail to the City's West End ("Proposed Trail"; Appendix 1).

Staff are supportive of the project, as the requested trail route is identified in the Guelph Trail Master Plan for development in 2005-2010, and a trailhead for the hike to Cambridge would be safely located, have off-street parking and a link to existing City trails. Also City policy encourages partnerships with community groups for provision of recreational items. Unfortunately, the trail route crosses a busy quarry access road, under the Hanlon Expressway, steep slopes etc. and requires City-landowner agreements and capital funding for some staff-recommended safety improvements. No funding is currently identified in the 2007 capital budget for any trail development in this area, and unfortunately the agreements and safety improvements required to establish the entire trail route cannot be completed prior to the Club-requested deadline of spring 2007 for trail clearing.

However, staff believe that it would be beneficial for the City to allow the Club to proceed with a portion of the proposed trail in spring 2007 which extends from the westerly Wastewater boundary to the Guelph Humane Society ("Phase 1" on Appendix 1). A simple temporary trailhead with signage and parking on a grass area would be established as a vehicular-only trail access point. This work would be done mostly by the Club entirely on City lands, and would not require agreements or safety improvements. This trail would also not present a security risk, as the current Wastewater Facility is fenced and secure. Staff also propose a future project funded in 2007 – 2008 which would include the agreements and safety work, and installing a large portion of the trail to City standards ("Phase 2" on Appendix 1). The Club has indicated that it agrees with this staged approach,

and that it would be interested in providing trail clearing and maintenance for any trail sections which will not be built to full City standards at that time. The estimate for the Phase 1 work is $3000, and for the Phase 2 work is $132,000, which can both be achieved by internal reallocations as set out in the Financial Implications section of the report.

Staff are developing a license agreement with the Club which would include the following important terms and conditions:

- Phase 1 trail: 1.2 metre wide vegetation clearing and all trail maintenance by the Club including grass cutting at temporary trailhead near Humane Society
- Trail to be openly available for the Club members, invitees, and to the general public
- Club agrees to indemnify the City against all claims related to the use of the trail
- Club to carry $5M liability insurance
- Agreement to be contingent on environmental and other approvals for the trail building work
- Address any concerns raised by City departments and Humane Society
- Agreement to allow for expansion of the licensed facilities, if desired in future by the City and the Club

CORPORATE STRATEGIC PLAN:

To Enhance Community Wellness

FINANCIAL IMPLICATIONS:

No net additional funding requirement is being requested by this proposal. All is to be achieved by internal reallocations and changes to project timings.

Required funding:	Spring 2007:	$ 3,000
	Future trail work 2007 - 2008:	$ 132,000

Existing funding: Capital forecast 2010 RP0008 "Wastewater Treatment Plant" $ 60,000.

In response to the Council motion, staff recommend bringing forward this 2010 funding into 2008, and compensate by delaying the proposed capital project "Hanlon Creek Picnic Shelter" RP0111 in the same amount of $ 60,000 from 2008 to 2010.

Furthermore, staff recommend that project RP0250 "Pergola Property" $75,000 – approved but unspent in 2006 - be reallocated to this project forthwith in order to fund proposed 2007 expenditures. The capital project RP0250 "Pergola Property"

$75,000 will be delayed until 2009 where it currently appears in the capital forecast.

DEPARTMENTAL CONSULTATION:

Wastewater Services
Budget Services
Realty Services

ATTACHMENTS:

Appendix 1: Trail Routes

Prepared By:
Helen White
Park Planner
x 2298
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Recommended By:
Scott Hannah
Manager of Development
and Parks Planning
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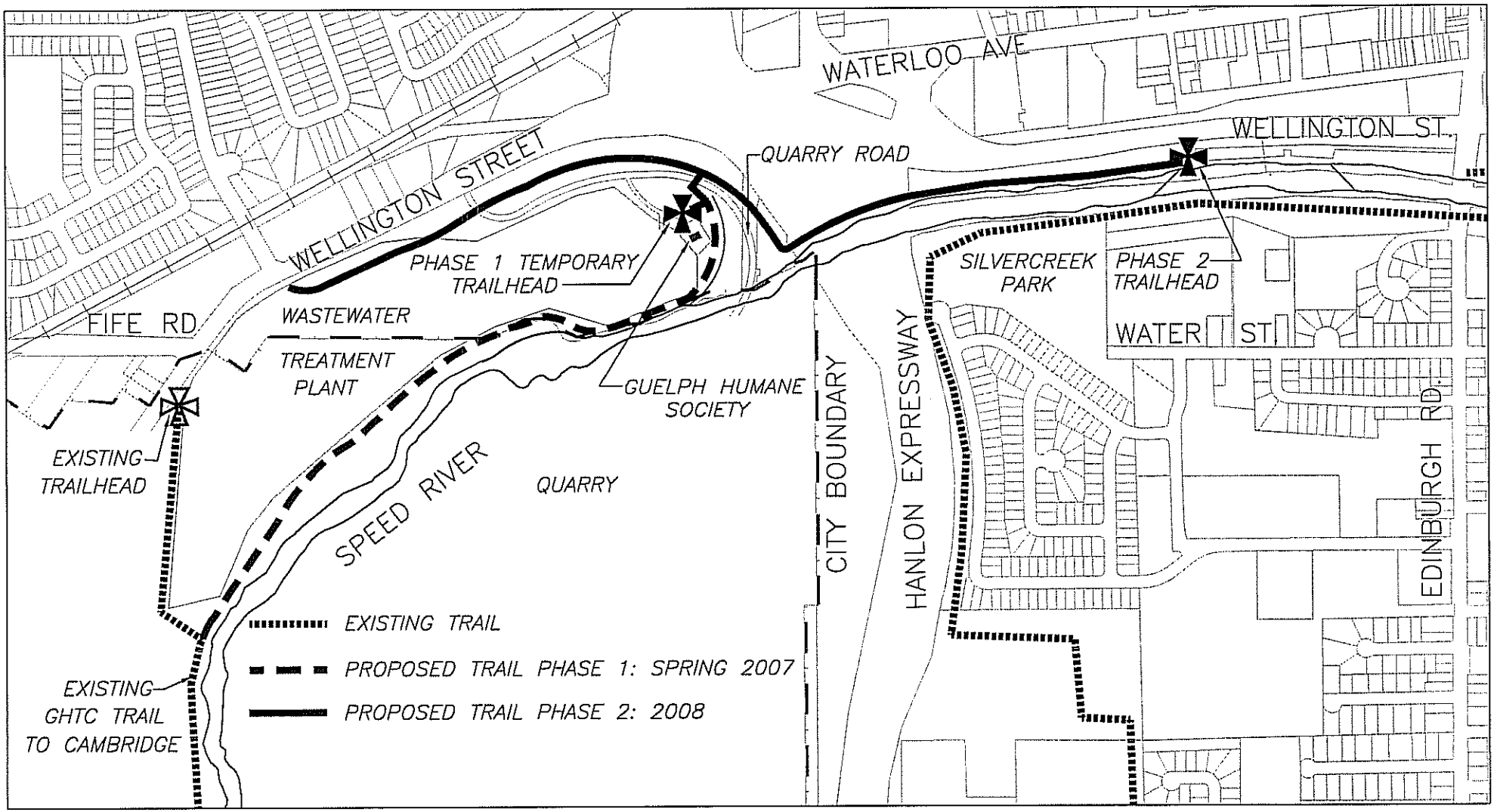
Recommended By:
Jim Riddell
Director, Community Design and
Development Services
x 2361
jim.riddell@guelph.ca

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

Approved By:
David Kennedy
Director of Finance/City
Treasurer

File: T:\ParksPlanning_Park Planning\TRAILS\Wastewater Trail\Documents\Wastewater Trail report.doc



APPENDIX 1: TRAIL ROUTES
WASTEWATER TREATMENT PLANT / HANLON EXPRESSWAY

NOTE: PLAN NOT TO SCALE
ALL TRAIL ROUTES APPROXIMATE
MARCH 2007

City of Guelph

Report: 07-26

PLANNING & DEVELOPMENT SERVICES

TO: Community Design and Environmental Services

DATE: 2007/04/05

SUBJECT: **579 STONE ROAD EAST- AMENDING AGREEMENT**

RECOMMENDATION:

"THAT Council authorizes the Mayor and Clerk to enter into an Amending Agreement for property at 579 Stone Road East."

BACKGROUND: The Corporation of the City of Guelph and Casatta Ltd. entered into a Development Agreement dated August 12, 1985 for lands then described as Part of Lot 1, Concession 9, Division "F" formerly in Puslinch Township. The present legal description is Part Lot 1, West of Blind Line, Plan 131 municipally known as 579 Stone Road East.

Development Agreement (Instrument No. 402809- see Attachment 1) was registered for conditions of approval related to a Zoning Amendment (By-law 1985-11883) to permit a group home in the newly created A-5 zone. Clause 2 of the Agreement limited the group home to the existing building, without further additions, until full services are available from the City and connected to the building. The group home has been operating for twenty years.

Casatta Ltd. applied and received approval from the Committee of Adjustment (Decision A-79/06-see Attachment 2) to allow a small addition to the building to comply with amended Ontario regulations in respect to room sizes. The addition does not increase the actual occupancy of the site. This process was completed without the above noted agreement being amended.

REPORT: At present, 579 Stone Road East is zoned UR-2 (see Attachment 3). This zone permits a group home with a maximum of 8 residents and staff. Upon discovery of the limiting nature of the existing Agreement, the City could not issue the required Building Permit without an Amending Agreement being signed and registered. The purpose of this report is to advise Council of the required Amending Agreement (see Attachment 4) and authorize the Mayor and Clerk to enter into this Agreement.

The August 12, 1985 Agreement is to be amended by deleting paragraph 2, which states:

"2. The Developer agrees and recognizes that the use of the said lands for a group home and/or halfway house shall be limited to the existing grounds, without further acquisitions of land, and to the existing building, without further additions, until full services are available from the City and are connected to the building."

and substituting the following:

"2. The Developer agrees and recognizes that the use of the said lands for a group home and/or halfway house shall be limited to the grounds existing as at August 12, 1985, without further acquisitions of land, and to the building which existed as at August 12, 1985 and the 12 foot by 17 foot rear addition described in Building Permit Application 06-006487 dated August 22, 2006, provided a permit is issued for such proposed addition and provided the addition is constructed in accordance with such permit, without any further additions until full services are available from the City and are connected to the building."

CORPORATE STRATEGIC PLAN: To Enhance Community Wellness

FINANCIAL IMPLICATIONS:

Not applicable

DEPARTMENTAL CONSULTATION:

Legal Services, Engineering Services

ATTACHMENTS:

Attachment 1 - Existing Agreement
Attachment 2 - Committee of Adjustment Decision A-79/06
Attachment 3- Zoning Schedule
Attachment 4- Amending Agreement

Prepared By:
Pat Sheehy
Senior By-law Administrator
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Recommended By:
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Permit and Zoning Administrator
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Recommended By:
Jim Riddell
Director of Community Design
and Development Services
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Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

Ontario Form ATTACHMENT #1 , 1984

Existing Agreement

nd Titles ☐ (2) Page 1 of 78 pages

402809

NUMBER-
CERTIFICATE OF REGISTRATION
'85 AUG 21 PM 12:00

Wellington South
No. 61
Guelph.

Land Registrar

FOR OFFICE USE ONLY

(3) Property Identifier(s) Block Property Additional: See Schedule ☐

(4) Nature of Document
Development Agreement

(5) Consideration
Dollars $

(6) Description
Part of the front or Westerly half of the Clergy Reserve Lot Number One (1) in the Ninth Concession (formerly in the Township of Puslinch) now within the City of Guelph and more particularly described on page 7 hereto.

New Property Identifiers Additional: See Schedule ☐

Executions Additional: See Schedule ☐

(7) This Document Contains: (a) Redescription New Easement Plan/Sketch ☐ (b) Schedule for: Description ☐ Additional Parties ☐ Other ☐

(8) This Document provides as follows:

Conditions under which the described lands may be developed and used.

Continued on Schedule ☒

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y	M	D
CASATA LTD. (DEVELOPER)				
JOSEPH AND MARIA REINGRUBER (OWNERS)				

(11) Address for Service 579 Stone Road E., Guelph, Ontario.

(12) Party(ies) (Set out Status or Interest)

Name(s)	Signature(s)	Date of Signature Y	M	D
THE CORPORATION OF THE CITY OF GUELPH	Norman Jary Mayor	1985	08	13
	W. G. Hall Clerk	1985	08	13

(13) Address for Service City Hall, 59 Carden Street, Guelph, Ontario. N1H 3A1

(14) Municipal Address of Property
579 Stone Road E.,
GUELPH, Ontario

(15) Document Prepared by:
W. G. Hall,
City Clerk,
City Hall,
59 Carden St.,
Guelph, Ontario.
N1H 3A1

FOR OFFICE USE ONLY

Fees and Tax	
Registration Fee	16.00
Total	16.00

wsome and Gilbert, Limited
m LF1333 (1/85)

A Great Place to Call Home

April, 1985

DEVELOPMENT AGREEMENT

This agreement made this 12th day of August, 1985.

BETWEEN:

CASATTA, LTD.
a company incorporated under the laws of the Province of Ontario and having its Head Office in the City of Kitchener, in the Regional Municipality of Waterloo

hereinafter called the "Developer"

of the FIRST PART

AND:

THE CORPORATION OF THE CITY OF GUELPH

hereinafter called the "City"

of the SECOND PART

AND:

JOSEPH AND MARIA REINGRUBER
of the City of Guelph, in the County of Wellington

hereinafter called the "Owners"

of the THIRD PART.

WHEREAS the Developer is the beneficial owner , through an accepted offer to purchase, of the hereinafter described lands and premises, being Part of Lot 1, Concession 9, Division "F", formerly in the Township of Puslinch, now in the City of Guelph, municipally known as 579 Stone Road East, which are more particularly described in Schedule "A" attached hereto and are hereinafter referred to as "the said lands",

AND WHEREAS the Owners are the owners of the said lands and have accepted the Developer's offer to purchase the said lands,

AND WHEREAS the Owners warrant that there are no mortgages or other charges or liens on the said lands,

AND WHEREAS the Developer has applied to the City for an amendment to the City's Zoning By-law, as amended, as that by-law affects the said lands,

AND WHEREAS the Mayor and Council for the Corporation of the City of Guelph, at its meeting held July 15th, 1985, have agreed to amend The Zoning By-law, as it affects the said lands, and if necessary, to apply to the Ontario Municipal Board for approval of the said amendment, in accordance with the Developer's request, provided that the following conditions and matters as set out in this agreement are complied with by the Developer and the Owners,

NOW THEREFORE this agreement witnesseth that in consideration of the City amending The Zoning By-law, as amended, and valuable consideration in the sum of Two Dollars ($2.00) of lawful money of Canada, now paid by each of the parties hereto to each of the other parties hereto (the receipt of which is hereby acknowledged), the parties hereto covenant, promise and agree with each other as follows:

1. The Developer, the Owners and the City mutually agree that the lands to be subject to this agreement are the lands hereinafter described in Schedule "A", attached hereto, being Part of Lot 1, Concession 9, Division "F", formerly in the Township of Puslinch and now in the City of Guelph, municipally known as 579 Stone Road East, and the Developer and the Owners hereby consent to the registration of this agreement upon title of the said lands. Cost of registration of this agreement incurred by the City shall be paid by the Developer, to the City, upon demand being made therefor.

2. The Developer agrees and recognizes that the use of the said lands for a group home and/or a halfway house shall be limited to the existing grounds, without further acqusitions of land, and to the existing building without further additions, until full services are available from the City and are connected to the building.

3. The Developer agrees and recognizes that the occupancy of the existing building as a group home or a halfway house shall be for a maximum of eight (8) residents, and any staff members required to adequately care for those residents, until full services are available from the City and are connected to the building.

4. The Developer agrees to expand the amount of parking within the said lands if recurring on-street parking leads the City Engineer to request more on-site parking. Such parking shall be provided within six months of receiving the City Engineer's request.

5. Prior to occupancy of the house on the said lands as a group home and/or a halfway house, the Developer agrees to carry out any work necessary to:
   (a) Upgrade the kitchen facilities to the standards set for this type of occupancy by the Health Protection and Promotion Act, 1983, and to receive written approval for those kitchen facilities from the Medical Officer of Health.

(b) Bring the building into compliance with Ontario Fire Code regulations for this category of residence and to receive written approval from the City's Fire Chief or Chief Fire Prevention Officer.

(c) Bring the building into conformity with Part 11 of the Ontario Building Code when converting this former single-family house to a multiple-residential use and to receive written confirmation of compliance from the City's Chief Building Official.

6. The Developer, the Owner and the City agree that, should the Ontario Municipal Board refuse to approve The Zoning By-law amendment on the said lands to allow the operation of a group home/halfway house for a maximum of 8 residents, plus required staff, this agreement shall be null and void and any monies received from the Developer and/or the Owner as a result of this agreement, shall be returned by the City to the Developer and/or the Owner without interest.

7. The Developer and the Owners agree not to call into question, directly or indirectly, in any proceedings whatsoever, in law or in equity or before any administrative tribunal, the right of the City to enter into this agreement and the right to enforce each and every term, condition and convenant herein contained, and this agreement may be pleaded as an estoppel against the Developer and the Owner in any case.

8. The Owners, their successors and assigns agree that, in the event that they retain their ownership of the said lands, the title thereto shall be subject to the terms of this agreement and they shall carry out all applicable actions required by this agreement in the same manner as if they had executed the agreement as the Developer.

9. In the event that the Developer fails to make any payments specified hereunto or fails to pay any invoice or statement issued pursuant to this agreement within thirty (30) days, the Developer shall be declared to be in default under this agreement, and the said amount payable thereunder shall bear interest at the rate of one and one-half per cent (1.5%) above the prime per annum interest rate charged by the City's banker, compounded semi-annually, calculated monthly, with such interest rate to be adjusted from time to time on the same basis as prime interest rate adjustments by the City's banker and, in addition to

any remedy, the City shall have the option to withhold the building permit and if the default continues for a period of two (2) years, no building permits shall be issued in any event.

10. The Developer and the Owner acknowledge and agree that any funds reimbursed to the Developer or the Owner by the City under the terms of this agreement shall be paid without interest.

11. It is expressly understood and agreed that the remedies of the City under this agreement are cumulative and the exercise by the City of any right or remedy for the default or breach of any term, condition, convenant or agreement herein contained, shall not be deemed to be a waiver of, or alter, affect or prejudice any other right or remedy or other rights or remedies to which the City may be lawfully entitled for the same default or breach, and any waiver by the City of the strict observance, performance or compliance by the Developer with any term, condition, covenant or agreement herein contained or any indulgence granted by the City to the Developer, shall not be deemed to be a waiver of any subsequent default or breach by the Developer or to entitle the Developer to any similar indulgence heretofore granted.

12. It is agreed between the parties hereto that the appropriate changes in number and gender shall be implied where the context of this agreement and any schedules hereto, so requires, in order that the agreement and any part thereof, shall be construed to have its proper and reasonable meaning.

IT IS DECLARED AND AGREED that the covenants, agreements, conditions and undertakings herein contained on the part of the Developer and the Owner shall run with the lands and shall enure to the benefit of, and be binding upon, the respective heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF the Developer has hereunto set its seal, attested to by the hands of its duly authorized officers, the City has hereunto set its corporate seal attested to by the hands of its Mayor and Clerk and the Owners have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED

CASATTA, LTD.

THE CORPORATION OF THE CITY OF GUELPH

MAYOR

CLERK

JOSEPH REINGRUBER

WITNESS

MARIA REINGRUBER

WITNESS

ATTACHMENT #2
Committee of Adjustment Decision A-79/06

City of Guelph

Planning and Development Services

Working Together to Build Our Community

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-79/06

Decision

The Committee, having considered whether or not the variance(s) are minor and desirable for the appropriate development and use of the land and that the general intent and purpose of the Zoning By-law and the Official Plan will be maintained, and that this application has met the requirements of Section 45 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, passed the following resolution:

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Sections 11.3.2.1. and 11.3.2.1.5. of Zoning By-law (1995)-14864, as amended, for 579 Stone Road, East, to permit construction of a 3.7 metre by 5.2 metre (12 foot by 17 foot) one storey bedroom addition to the rear of the dwelling which would consolidate two existing bedrooms into 1 bedroom for a maximum of 8 residents when the By-law requires "only the building existing on the date of the passing of the by-law may be used as a group home" and permits "a maximum occupancy of 8 residents may be accommodated in the building existing on the date of the passing of the By-law, plus any staff required to adequately are of the residents", be approved, subject to the following conditions:

1. That prior to the issuance of a building permit, the owner shall demonstrate to the satisfaction of the City Engineer that the existing septic system has adequate capacity to support the proposed addition.

2. That prior to the issuance of a building permit, the owner shall have an Ontario Land Surveyor show the location of the septic tank and tile bed, relevant to the existing property line.

3. That prior to the issuance of a building permit, the owner shall satisfy the City's Chief Plumbing/Sewage System Inspector, that the septic tank and tile bed are located in accordance with all appropriate regulations."

Members of Committee Concurring in this Decision

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is August 28, 2006.

I, Kim Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on August 8, 2006..

Dated: August 11, 2006 **Signed:** Kim Fairfull

Mailing Address: City Hall, 59 Carden Street, Guelph ON N1H 3A1 **Web Site:** guelph.ca
Building Office: 2 Wyndham St. N, 2nd Floor, Guelph ON, Tel: (519) 837-5615, Fax: (519) 822-4632, Email: cofa@guelph.ca

ATTACHMENT #3
Zoning Schedule

Specialized Urban Reserve (UR) ***Zones***

In certain instances, special circumstances dictate that variances be allowed to the permitted ***Uses*** or regulations of the Urban Reserve (UR) ***Zone***. In these cases, specific UR Restricted Defined Areas (Specialized UR ***Zones***) are established and these are indicated by hyphenated ***Zone*** designations (e.g., UR-1, UR-2, etc.).

The UR ***Zone*** provisions shall apply except when precluded by the specific ***Uses*** and regulations for any UR Restricted Defined Area.

The following UR Restricted Defined Areas (Specialized UR ***Zones***) are herein set out:

11.3.1 **UR-1**
Parking ***Lot*** backing on Hanlon Pkwy., south of Willow Rd.
As shown on Defined Area Map Number 9 of Schedule "A" of this ***By-law***.

11.3.1.1 Permitted ***Uses***
A parking ***Lot*** accessory to an ***Apartment Building*** in addition to those ***Uses*** specified in Section 11.1.

11.3.2 **UR-2**
579 Stone Rd. E
As shown on Defined Area Map Number 54 of Schedule "A" of this ***By-law***.

11.3.2.1 Regulations
Notwithstanding the regulations for ***Buildings*** and ***Structures*** in the UR ***Zone***, as set out in Sections 4 and 11.2, only the ***Building*** existing on the date of the passing of this ***By-law*** may be ***Used*** as a ***Group Home*** and only the following regulations shall apply to such ***Use*** within the UR-2 ***Zone***:

11.3.2.1.1 Minimum ***Front Yard***
14 metres.

11.3.2.1.2 Minimum ***Side Yard***
22 metres.

11.3.2.1.3 Minimum ***Rear Yard***
75 metres.

11.3.2.1.4 Minimum ***Lot Area***

0.8 hectares.

11.3.2.1.5 Occupancy Limit
A maximum of 8 residents may be accommodated in the ***Building*** existing on the date of the passing of this ***By-law***, plus any staff required to adequately care for the 8 residents.

11.3.2.1.6 Occupancy Type
A ***Group Home*** must occupy all of the ***Building***.

11.3.2.1.7 Minimum Floor Area
Minimum floor area, including staff and/or receiving family accommodation shall be:

- 18 m² of ***Gross Floor Area*** per adult resident
- 9 m² of ***Gross Floor Area*** per child resident

11.3.2.1.8 Minimum Off-***Street*** Parking
1 ***Parking Space*** for every 2 ***Group Home*** residents.

11.3.3 **UR-3**
As shown on Defined Area Map Numbers 8, 9, 10, 11, 12, 16, 17, 18, 19, 20 and 21 of Schedule "A" of this ***By-law***.

11.3.3.1 Permitted ***Uses***

- Hanlon Parkway transportation corridor.

11.3.4 **UR-4**
As shown on Defined Area Map Numbers 1, 4, and 10 of Schedule "A" of this ***By-law***.

11.3.4.1 Permitted ***Uses***

- Flood or erosion control facilities

11.3.5 **UR-5**
As shown on Defined Area Map Numbers 55 and 60 of Schedule "A" of this ***By-law***.

11.3.5.1 Permitted ***Uses***
In addition to the ***Uses*** listed in Section 11.1, the following is also permitted:

- Sanitary landfill operation

ATTACHMENT #4
Amending Agreement

AMENDING AGREEMENT made this day of , 2007.

B E T W E E N:

THE CORPORATION OF THE CITY OF GUELPH

hereinafter referred to as the "City"
OF THE FIRST PART

-and –

DIANE KOCHENDORFER

hereinafter referred to as the "Owner"
OF THE SECOND PART

-and-

CIBC MORTGAGES INC.

hereinafter referred to as the "Mortgagee"
OF THE THIRD PART

WHEREAS the Corporation of the City of Guelph (the "City") and Casatta, Ltd. entered into a Development Agreement dated August 12, 1985 (the "August 12, 1985 Agreement") for the lands described as Part of Lot 1, Concession 9, Division "F", (formerly Puslinch Township), now described as Part Lot 1, West of Blind Line, Plan 131 (as described in Instrument No. ROS516818), City of Guelph (the "Lands");

AND WHEREAS the August 12, 1985 Agreement contained certain terms and conditions;

AND WHEREAS the August 12, 1985 Agreement was registered as Instrument Number ROS402809 on August 21, 1985;

AND WHEREAS the Owner is the President of Casatta, Ltd.;

AND WHEREAS the Owner is the registered owner of the Lands;

AND WHEREAS the Owner covenants that there are no other mortgages, charges or liens on the said lands;

AND WHEREAS the Owner has requested and the City has agreed to amend the said August 12, 1985 Agreement, subject to the following terms and conditions;

NOW THEREFORE, the parties agree as follows:

1. The said August 12, 1985 Agreement is amended by deleting paragraph 2, which states:

"2. The Developer agrees and recognizes that the use of the said lands for a group home and/or halfway house shall be limited to the existing grounds, without further acquisitions of land, and to the existing building, without further additions, until full services are available from the City and are connected to the building".

and substituting the following therefor:

"2. The Developer agrees and recognizes that the use of the said lands for a group home and/or halfway house shall be limited to the grounds existing as at August 12, 1985, without further acquisitions of land, and to the building which existed as at August 12, 1985 and the 12 foot by 17 foot rear addition described in Building Permit Application # 06006487 dated August 22,2006 provided a permit is issued for such proposed addition and provided the addition is constructed in accordance with such permit, without any further additions, until full services are available from the City and are connected to the building".

2. Except as provided in this Amending Agreement, the provisions of the August 12, 1985 Agreement as Instrument Number ROS402809 remain in full force and effect.

Signed, sealed and delivered as of the date first above written.

Witness

DIANE KOCHENDORFER

THE CORPORATION OF THE CITY OF GUELPH

Dated at Guelph this day of , 2007.

Karen Farbridge – MAYOR

Lois A. Giles - CITY CLERK

CIBC MORTGAGES INC.

Name:
Title:

Name:
Title:
I/We have the authority to bind the Corporation.

City of Guelph

Information Report

ENVIRONMENTAL SERVICES

TO: Mayor and Members of Guelph City Council

DATE: February 23, 2007

SUBJECT: **Waterworks' Combined Annual and Summary Report for 2006**

SUMMARY:
Under the Provincial Drinking Water System Regulation 170/03, Waterworks must prepare and make available to customers, Council, and regulators two reports – an Annual Report and a Summary Report. Both reports are due in the first quarter and cover the previous calendar year.

REPORT:
The Annual Report provides a summary of water treatment, water quality monitoring, and major maintenance expenses incurred, and must be submitted to the Ministry of the Environment Director by February 28th each year.

The Summary Report details the amount of water pumped, reviews compliance with drinking water regulations and approvals, and must be submitted to Council by March 31st each year.

The combined Annual and Summary Report will be provided to Members of Council with their packages for March 5th, 2007.

For customer convenience, copies of the combined Annual and Summary report will be made freely available in March at the following locations: (1) Woods Station, 29 Waterworks Place, (2) the Main Branch of the Guelph Public Library, and (3) the City Clerk's Office, City Hall, 59 Carden Street. Electronic copies of both reports will also be made available on the City's web site: www.guelph.ca/waterworks.

CORPORATE STRATEGIC PLAN:
The creation and distribution of the Waterworks Annual and Summary report fulfills the corporate strategic objectives of environmental stewardship and exemplary management practices by communicating Waterworks commitment to regulatory best management requirements that lead to continued environmental protection and the continuous provision of safe water.

FINANCIAL IMPLICATIONS:
The approved 2007 Waterworks Operating budget contains funding for completion and distribution of the 2007 Annual and Summary report.

DEPARTMENTAL CONSULTATION:
N/A

COMMUNICATIONS:
The availability of both reports will be advertised in the Guelph Tribune weekly City page.

ATTACHMENTS:
N/A

Prepared By:
Peter Busatto
Manager of Waterworks

Recommended By:
Janet L. Laird, Ph.D.
Director of Environmental Services

Approved for Presentation:
Larry Kotseff

REPORT OF THE EMERGENCY SERVICES, COMMUNITY SERVICES &, OPERATIONS COMMITTEE

April 16, 2007

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

Your Emergency Services, Community Services & Operations Committee beg leave to present their THIRD REPORT as recommended at its meeting of April 11, 2007.

CLAUSE 1 THAT the Committee recommend to Guelph City Council that the Fire Department send a representative to attend the World Police & Fire Games.

AND THAT the expenditure be provided from the current Fire operating budget.

CLAUSE 2. WHEREAS the Wellington-Dufferin-Guelph Report Card Coalition on the Well-being of Children has developed the Wellington-Dufferin-Guelph Children's Charter of Rights as a community document which clearly outlines a vision for children in Wellington County, Dufferin County and the City of Guelph;

AND WHEREAS the principles included in the Wellington-Dufferin-Guelph Children's Charter of Rights are based on the United Nations Convention on the Rights of the Child, with special attention focused on local priorities and issues;

BE IT RESOLVED THAT the City of Guelph endorse the Wellington-Dufferin-Guelph Children's Charter of Rights as a document that identifies values and principles that are upheld by the City of Guelph;

AND FURTHER THAT the City of Guelph adopt the Wellington-Dufferin-Guelph Children's Charter of Rights as a document that will guide the City's policy decisions and key activities as they relate to children.

AND THAT the Mayor sign the Charter of Rights at the beginning of each term.

CLAUSE 3. THAT permission be granted to the operators of the Garden Brothers Circus to have exotic animals within City Limits for the purpose of staging the circus on Saturday June 2 and Sunday June 3, at the Guelph Sports and Entertainment Centre.

CLAUSE 4. THAT the Mayor and Clerk be authorized to sign an amendment to the Universal Bus Pass agreement with the Central Student Association.

CLAUSE 5. THAT an application for a special occasions permit to serve alcohol during the June 9-10th, 2007 National Slo-Pitch Athletics tournament at the Guelph Lake facilities be approved.

All of which is respectfully submitted.

Councillor Maggie Laidlaw, Chair
Emergency Services, Community Services & Operations Committee

City of Guelph

Report:

TO: Emergency Services, Community Services and Operations Committee

DATE: April 11, 2007

SUBJECT: **SUPPORT FOR ATTENDANCE AT THE WORLD POLICE & FIRE GAMES**

RECOMMENDATION:

"THAT the Committee recommend to Guelph City Council that the Fire Department send a representative to attend the World Police & Fire Games.

AND THAT the expenditure be provided from the current Fire operating budget".

BACKGROUND:

In 1985, the World Police & Fire Games Federation, a non profit organization, run by the Californian Police Athletics Federation, established the World Police & Fire Games.

Today, the World Police & Fire Games are a spectacular international sporting event, offering police officers, firefighters, customs and correction officers from around the world an opportunity to showcase their athletic excellence in over 65 sporting events.

Held biennially, the World Police & Fire Games are set to return to Australia in 2007. Adelaide, South Australia will host the largest sporting event ever held in the city.

The size and scope of the games continues to grow, with both the attendance and number of participating countries steadily increasing. The international community eagerly bids for the rights and opportunity to hold this exciting event.

REPORT:
For many years our Firefighters have proudly represented our City in these games and have achieved medals and notoriety for Guelph because of their outstanding achievements. Continuance in these games helps to reflect on our commitment, supporting partnerships and international relations with other emergency services organizations.

For 2007, the games are being held in Adelaide, Australia and the Fire Department has one Firefighter who qualifies to attend these games. Firefighter Barry Williams has participated in the Police/Fire games over the past 3 years. His expertise and solid performance in competitive Judo makes him an excellent representative. Firefighter Williams also instructs local youth in Judo, teaching lifelong fitness, discipline and respect.

CORPORATE STRATEGIC PLAN:
6. To have exemplary management practices.

FINANCIAL IMPLICATIONS:
Funds will be provided from the current Fire operating budget

DEPARTMENTAL CONSULTATION:
Finance Department was consulted and can accommodate the expenditure from the 2007 operating budget.

COMMUNICATIONS:
A press release will be issued advising the community communicating the Firefighter's attendance and his representation of Guelph at the games.

ATTACHMENTS:
None

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Reviewed By:
David Kennedy
Director of Finance

Recommended By:
Shawn Armstrong
Director of Emergency Services
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Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

City of Guelph

Community Development

Report:

TO: EMERGENCY, COMMUNITY SERVICES AND OPERATIONS COMMITTEE

DATE: **2007/04/11**

SUBJECT: **WELLINGTON DUFFERIN GUELPH CHILDREN'S CHARTER OF RIGHTS**

RECOMMENDATION:

WHEREAS the Wellington-Dufferin-Guelph Report Card Coalition on the Well-being of Children has developed the Wellington-Dufferin-Guelph Children's Charter of Rights as a community document which clearly outlines a vision for children in Wellington County, Dufferin County and the City of Guelph; and

WHEREAS the principles included in the Wellington-Dufferin-Guelph Children's Charter of Rights are based on the United Nations Convention on the Rights of the Child, with special attention focused on local priorities and issues;

BE IT RESOLVED THAT the City of Guelph endorse the Wellington-Dufferin-Guelph Children's Charter of Rights as a document that identifies values and principles that are upheld by the City of Guelph;

AND FURTHER THAT the City of Guelph adopt the Wellington-Dufferin-Guelph Children's Charter of Rights as a document that will guide the City's policy decisions and key activities as they relate to children.

BACKGROUND:

Community Development staff have been actively participating on the Wellington Dufferin Guelph Report Card Coalition on the Well-being of Children for over an year now. The Coalition has a broad representation from community stakeholders from both Wellington and Dufferin counties.

The Charter is based on the United Nations Convention on the Rights of the Child and is a document which outlines the vision to make Wellington Dufferin Guelph a better place for children and families.

The Charter includes a series of statements what our communities need to do in order to ensure healthy development and bright futures for all children.

The goal is to have the Children's Charter adopted and endorsed by political councils, community organizations and local businesses in an effort to make a compelling statement about our collective intent to support, and to advocate for, the rights of children.

REPORT:
The Children's Charter was developed by a working group of the Children's Report Card Coalition, with input from a number of child-centred organizations and committees within the two counties.

In addition to clearly establishing community leadership for children and families in Guelph; the Charter would provide the framework to guide the municipality in its policy and program development where appropriately fitting.

The committee has established May 10, 2007 as the public launch date for the Children's Charter, with the goal of having local levels of government, key businesses and service providers adopt the Charter prior to the launch. These organizations will be recognized at the launch event.

CORPORATE STRATEGIC PLAN:
Strategic Direction #4 – To enhance community wellness

FINANCIAL IMPLICATIONS:
None.

DEPARTMENTAL CONSULTATION:
Recreation and Culture Division

COMMUNICATIONS:
Public launch on May 10, 2007

ATTACHMENTS:
Wellington Dufferin Guelph Children's Charter

Prepared By:
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District Community Coordinator
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Recommended By:
Janette Loveys Smith
Community Development Manager
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Recommended By:
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Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

quality of life . time to play . positive nurturing . acceptance . quality of education . safe places . quality time

Wellington-Dufferin-Guelph
Children's Charter of Rights

All children deserve basic rights and freedoms. A fair share of society's resources must be devoted to ensuring this. While families are responsible for raising their children, all levels of government, in partnership with communities, have a duty to support families by putting the health and well-being of children first.

All children in Wellington-Dufferin-Guelph have a right to:

- a quality of life that meets their physical, intellectual, emotional, spiritual and social needs.
- have basic needs met including nutritious food, a healthy environment and a safe and comfortable place to live.
- access quality and affordable child care, early education programs and/or parenting support.
- safe places and time to play, and access to affordable recreational activities.
- quality education to enable them to reach their full potential.
- quality time with their families and/or other nurturing and positive role models throughout their childhood.
- protection from neglect, abuse and exposure to family violence.
- be accepted for who they are, and believe what they want without being discriminated against.

quality of life . time to play . acceptance . quality of education . safe places . positive nurturing . quality time

City of Guelph

COMMUNITY SERVICES

Report:

TO: Emergency Services, Community Services and Operations Committee

DATE: 2007/04/11

SUBJECT: **TEMPORARILY ALLOWING EXOTIC ANIMALS WITHIN CITY LIMITS**

RECOMMENDATION:

THAT permission be granted to the operators of the Garden Brothers Circus to have exotic animals within City Limits for the purpose of staging the circus on Saturday, June 2 and Sunday, June 3, at the Guelph Sports and Entertainment Centre.

SUMMARY:

Circuses have used the GSEC for numerous performances in the past. In addition to clowns, jugglers, acrobats etc, the event is complemented with various exotic animals.

BACKGROUND:

Each summer since the year 2000, the Garden Brothers Circus has put on performances at the GSEC. The exotic animals include but may not be limited to one (1) albino python. This year the Garden Brothers Circus will be using the facility for a total of four shows on Saturday, June 2nd and Sunday, June 3rd. The Circus will be setting up on Friday, June 1st, and leaving following the last show on Sunday, June 3rd. Fresh water for the animals is provided on site. Last year an estimated 6,500 spectators viewed two performances, which were held on a weekday.

REPORT:

The exotic animals are a major portion of the performances. Not allowing the exotic animals would greatly detract from the look and presentation of the event.

CORPORATE STRATEGIC PLAN:

To Enhance Community Wellness – to allow a variety of events to meet the needs and wants of the population;

To Have Exemplary Management Practices – to build on relationships and partnerships with stakeholders to enhance service provisions.

FINANCIAL IMPLICATIONS:

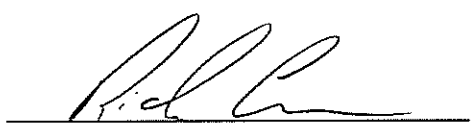
Not permitting the Circus to have exotic animals would lead to the cancellation of the event, impacting the operating budget with a reduction of approximately $9,000 in lost revenue.

DEPARTMENTAL CONSULTATION:

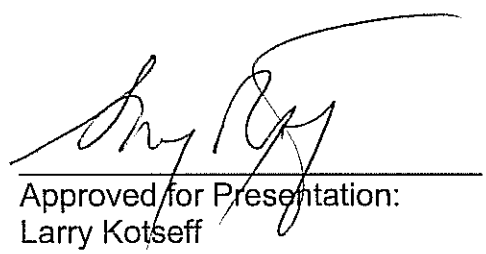
Staff has consulted the Guelph Humane Society on March 12th with respect to the circus. GHS representative Mary Fera, badge 1427, confirmed they have no concerns.

COMMUNICATIONS:

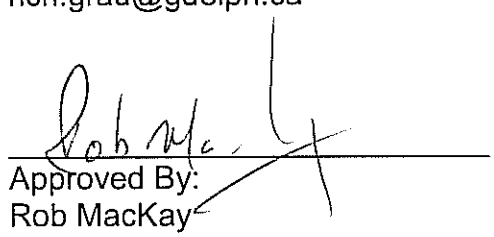
ATTACHMENTS:



Prepared & Recommended By:
Rich Grau
Facility Manager
(519) 822-4900 ext. 204
rich.grau@guelph.ca



Approved for Presentation:
Larry Kotseff
Chief Administrative Officer



Approved By:
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A Great Place to Call Home

City of Guelph

COMMUNITY SERVICES

Report:

TO: Emergency Services, Community Services & Operations

DATE: 2007/04/11

SUBJECT: **UNIVERSAL BUS PASS PROGRAM**
OPT-IN FOR DISTANCE EDUCATION STUDENTS

RECOMMENDATION:

"THAT the Mayor and Clerk be authorized to sign an amendment to the Universal Bus Pass agreement with the Central Student Association."

REPORT:

Guelph Transit has had a long standing relationship with the Central Student Association at the University of Guelph. A program is currently in place whereby all full-time and part-time students purchase unlimited use of public transit as part of their tuition.

It was recently discovered that many students attending the University during the Spring semester are enrolled in distance education programs. Students who attend the University on a full-time or part-time basis during the Winter and Fall semesters are considered distance education students during the Spring semester; as a result, they do not qualify for a Universal Bus Pass.

It is recommended the students enrolled in distance education program(s) during the Spring semester should qualify to opt-in to the Universal Bus Pass agreement, provided they were enrolled as a full-time or part time student in the Winter semester and are also enrolled in the following Fall semester.

CORPORATE STRATEGIC PLAN:

Ensure the accessibility and safety of facilities, services and programs in Guelph.

FINANCIAL IMPLICATIONS

Additional ridership and revenue will be based on the number of students enrolled in distance education programs during the Spring semester. The price for the Universal Bus Pass is $50.23 per semester. If we estimate there will be 300 distance education students who 'opt-in', the additional revenue generated would be approximately $15,000.00.

DEPARTMENTAL CONSULTATION:

- Legal Department

RFrench

Prepared By:
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Recommended By:
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Director, Community Services
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Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

City of Guelph

OPERATIONS

Report:

TO: Emergency Services, Community Services & Operations Committee

DATE: 2007/04/05

SUBJECT: **2007 NATIONAL SLO-PITCH ATHLETICS TOURNAMENT**

RECOMMENDATION:

That an application for a special occasions permit to serve alcohol during the June 9-10th, 2007 National Slo-pitch Athletics tournament at the Guelph Lake facilities be approved.

BACKGROUND:

In March 2007, staff met with Mr. Daniel Weir of National Slo-pitch Athletics Enterprises of Canada to discuss his request to host a softball slo-pitch tournament from 8:00am-10:00pm on Saturday, June 9th and from 8:00am to 6:00pm on Sunday, June 10th 2007, at the Guelph Lake facilities. Mr. Weir also identified the proposed tournament would include a beer tent. The sale of alcohol during the tournament ties into the league's promotional sponsorship program which provides for additional prizes to be awarded to the tournament participants.

REPORT:

This is the first event in Guelph to be hosted by National Slo-pitch Athletics Enterprises of Canada. In accordance with the Corporate Policy on Special Events, the event requires Council approval based on the event's first-time status, as well as its request to obtain a special occasion permit. Staff have confirmed with the organizer the requirement to use Smart-Serve trained bartenders and have pay-duty police officers on-site while alcohol is served.

CORPORATE STRATEGIC PLAN:

The 2007 NSA Slo-pitch tournament relates to the corporate goal "to enhance community wellness", and the strategic directions to "strengthen our commitment to volunteerism and community partnerships" and to "build relationships and partnerships with stakeholders to enhance service provision."

FINANCIAL IMPLICATIONS:

N/A

DEPARTMENTAL CONSULTATION:

Operations staff have consulted with Community Services staff to confirm the requirements of the proposed special event.

COMMUNICATIONS:

N/A

ATTACHMENTS:

N/A

Prepared By:
D. Murray Cameron
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519 837 5628 x1, x247
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Recommended By:
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Director of Operations
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Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

REPORT OF THE FINANCE, ADMINISTRATION AND CORPORATE SERVICES COMMITTEE

April 16, 2007

Her Worship the Mayor and
Councillors of the City of Guelph

Your Finance, Administration and Corporate Services Committee beg leave to present this their THIRD REPORT as recommended at its meeting of April 4, 2007;

CLAUSE 1. THAT staff be directed to prepare a by-law that would prohibit the use of killing traps within the City of Guelph.

CLAUSE 2. THAT the Finance, Administration & Corporate Services Committee approve the following schedules to be followed in principle for the 2008 City of Guelph Budget Process

1) Draft 2008 User Pay Capital & Operating Budget Schedule
2) Draft 2008-2009 Tax Supported Capital Budget and 2010-2017 Capital Budget Forecast Schedule
3) Draft 2008 Tax Supported Operating Budget Schedule.

CLAUSE 3. THAT the City of Guelph provide a grant in the amount of $2,000 to the Lost Airmen in Muskoka Project.

CLAUSE 4. THAT City Council adopt the 2007 Tax Policies recommended by staff on Page 4 of this report.

All of which is respectfully submitted.

Councillor Karl Wettstein, Chair
Finance, Administration & Corporate Services Committee

Ministry of Natural Resources
Ministère des Richesses naturelles
Ontario

1 Stone Road West
Guelph, Ontario
N1G 4Y2

March 28, 2007

Ms. Lois Giles, City Clerk
City of Guelph
59 Carden Street
Guelph, ON
N1H 3A1

Subject: Finance, Administration and Corporate Services Committee Meeting April 4, 2007

Dear Ms Giles

Bill Murch, Communications Specialist, and Kathy Richardson, Senior Fish and Wildlife Technician, with the Ministry of Natural Resources, Guelph District request permission to appear at the Finance, Administration and Corporate Services Committee meeting on April 4, 2007.

The Ministry is aware of the Committee's interest in the subject of trapping in Ontario and in particular within the municipal boundaries of the city. To assist in the Committee's deliberations, they are prepared to speak briefly to the following topics.

- Public safety with respect to trapping and the control of disease in wildlife populations;
- Training and responsible behaviour by the trapper and the property owner;
- Wildlife / population management;
- Problem wildlife control;
- The value of trapping to Ontario's economy including the agro-suburban southwest portion of the province; and
- Employment

They will do their best to answer any questions that the committee has on the subject of trapping.

Sincerely yours

Bill Murch, Communications Specialist
Ministry of Natural Resources
One Stone Road West
Guelph, Ontario, N1G 4Y2
Telephone: (519) 826-4926
Fax: (519) 826-4929
bill.murch@ontario.ca

Ministry of
Natural Resources

Ministère des
Richesses naturelles

Guelph District
1 Stone Road West
Guelph, Ontario
N1G 4Y2

Telephone: (519) 826-4955
Facsimile: (519) 826-4929

Ontario

April 4, 2007
City of Guelph
Finance, Administration and Corporate Services Committee

Bill Murch, Communications Specialist, Ministry of Natural Resources, Guelph District
Kathy Richardson, Senior Fish and Wildlife Technical Specialist, Ministry of Natural Resources, Guelph District

Notes

Key Messages

1. The Ministry of Natural Resources appreciates the time that City of Guelph is taking to examine the role trapping has in natural resource management and to consider pragmatic approaches to address human-wildlife conflicts.
2. Trapping is one of the considerations in the ongoing development of strategies to prevent and manage a wild range of human-wildlife conflicts in Ontario. These strategies are the foundation on which we are building community based solutions.
3. Human-wildlife conflicts result when the actions of humans or wildlife have an adverse impact on the other. These conflicts vary according to geography, land-use patterns, human behaviour, and the habitat and behaviour of wildlife species.
4. With respect to the matter that has brought the subject of trapping to the attention of the City, the Ministry would like to say that we understand the concerns raised by the unfortunate death of the Jack Russell terrier in a conibear trap on private property adjacent to Preservation Park on December 13, 2007.
5. Please be assured that MNR carried out a complete investigation with the cooperation of the Guelph Police. It was determined that no violation occurred under the Fish and Wildlife Conservation Act and, therefore, no charges would be laid.

We would like the City of Guelph to consider the following points as it examines the subject of trapping within municipal boundaries. We believe that you will find as we have from our experience in dealing with wildlife management, that this is not a simple matter. Thorough consideration of all the implications is needed before any action is taken.

Public safety

1. Public safety and trapping are addressed primarily through the provincial Fish

and Wildlife Conservation Act.

2. This Act and its regulations, policies and procedures prescribes the training and responsible behaviour by the trapper and the property owner.
3. Persons wishing to become licensed trappers must successfully complete mandatory trapper education course of some 40 hours in length, wherein they learn species biology, pelt handling and preparation, wilderness survival skills, and instruction on humane trapping methods and the legal requirements.
4. Trappers must obtain the written permission of the landowner before they can set and type of trap on private property.
5. The MNR also works very closely with the Ontario Fur Managers Association and the Ontario Society for the Prevention of Cruelty of Animals to encourage ethical and responsible trapping behaviour.

Wildlife Population Management and Problem Wildlife Control

- Trappers perform an important role in regulating populations of furbearing mammals that may otherwise increase in numbers and become problematic for both animal populations and human values and property.
- There are times when disease such as rabies and raccoon roundworm within a wildlife population possesses a threat to humans. Trapping has proven to be an important method of prevention and control.
- Trappers, who spend more time on the land than most people, describe themselves as the "eyes and the ears of the land". They are often the first to note changes in species abundance and health which might indicate disease, climate impacts, etc.
- The annual mandatory harvest record of trapper harvests assists MNR in monitoring changes in the abundance of fur species (there is some 58 years of fur harvest data available) as well as non-game/non-fur species by trappers participating in the many wildlife research surveys and studies conducted by MNR.
- MNR maintains numerous agreements with trappers councils across Ontario. The purpose of these agreements is to resolve wildlife problems in an efficient and responsible manner.

Trapping and the Protection of Property

- The Fish and Wildlife Conservation Act permits property owners or their agents to harass, capture or kill wildlife in the protection of their property subject to the controls outlined in the Act and regulations.
- On one hand it recognizes the legitimate concerns of property owners including the urban resident with a family of raccoons in their attic or a skunk under their deck.
- On the other it places the necessary controls on how these activities are carried

out to ensure the humane treatment of wildlife, good conservation and wildlife management practices and most importantly the safety of landowners and others.

- We need to emphasis that there are many different ways to harass wildlife to prevent them from becoming a problem to the property owner.
- However there are some instances where it becomes necessary to either live trap the animal or kill it in a humane fashion. In jurisdiction such as the City of Guelph which for public safety reasons has a no discharge of firearm by-law, trapping is really the only way to capture or kill the animal.
- The release of trapped animals is regulated by the FWCA in order to prevent the spread of disease. The Act requires that the animal is release in close proximity of where it was capture and into a suitable habitat to ensure it is done in a humane fashion that gives the animal some chance at survival. They can not be released onto private property without the landowner's permission.
- Consideration must also be given to ensure that the release of trap animals does not cause problems for other landowners including the City or another municipality such as the Townships of Guelph-Eramosa and Puslinch.

Who can trap in and outside an Urban Area

A property owner can either carry out wildlife control on their property or use an agent on his or her behalf. Section 133 of the regulations prescribes the following agents:

- Licensed trappers
- Employees or agents of a member of the Ontario Society for the Prevention of Cruelty to Animals under the OSPCA Act.
- Members of a landowner's immediate family acting on behalf of the landowner on the landowner's own land.
- Persons whose business is primarily the business of removing wildlife if they live capture and immediately release it in close proximity if is capable of being released.
- Municipal employees or agents of a municipality who have specific responsibilities related to wildlife control.

The Importance of Trapping to Landowners, Communities and the Province

- There were 182 trappers active in the RM of Waterloo and the Counties of Wellington and Brant management areas in the 2005-06 season.
- Of these trappers, 65 have given their permission to the MNR to release their names to members of the public seeking to resolve nuisance fur/small game problems.
- A number of trappers are engaged as partners in MNR's Community Fish and Wildlife Improvement Program and are active members in their communities.

- Trappers are important allies to MNR enforcement staff as well as in search and rescue efforts.
- The Ministry is only aware of few municipalities in Ontario that have seen the need to implement some additional form of trapping control. We have given the City's legal department the information that we have. (Scarborough, Niagara-on-the-Lake.)
- We are aware of jurisdictions that have banned a type of trapping. The State of Massachusetts banned the trapping of beaver and within four years had to reverse its position because of problems caused when there weren't any controls on the beaver population.

In conclusion

The City of Guelph is a rapidly growing urban area. This expansion into rural areas, like many parts of Ontario, is affecting wildlife habitat often putting people and wildlife in closer contact. Some wildlife like raccoons, coyotes and skunks adapt to the urban and urban/rural fringe whereas others like blue birds do not and the species declines.

It is evident that the cities growth includes an appreciation for natural resource values – trees, water, wildlife, etc. – as indicated by the variety of natural and green areas along its two rivers and its park system. However this appreciation must be balanced with the need to take responsibility for these natural features. The city and its residents are the stewards.

Trapping is a tool in the management of wildlife populations and for landowners dealing with problem wildlife.

It is important to keep available as many options as possible when it comes to addressing the dynamics and changes in wildlife populations. Who knows what climate change will bring about with respect to wildlife diseases or if a truck servicing one of the city's businesses will inadvertently introduce a raccoon carrying the raccoon strain of the rabies virus.

The Ministry recommends that the City take very careful consideration of all the consequences of any action it considers taking with respect to trapping. This is important both to the residents of the city and to the surrounding municipalities.

The Ministry is prepared to work with the City and organizations like the Humane Society of Guelph in further developing educational materials that property owners and residents can use to avoid problems with wildlife.

Thank you.

Questions:

FACSIMILE TRANSMITTAL

Date: March 13, 2007

# of Pages 5

To: Lois Giles
City Clerk
City of Guelph

FAX # 519-763-1269

From: Stewart Frerotte
Ontario Fur Managers Federation
Southern Region Vice-President

Tel. 905-356-3784
FAX 905-356-4564

RECEIVED
MAR 14 2007
CITY CLERK'S OFFICE

Subject: Proposed Trapping and Hunting Ban

Madam Clerk

I have been informed that at a forthcoming Council meeting presentations regarding a proposed ban on Trapping and Hunting in the Township will be discussed. I would request that I be granted time during the discussion to speak before the Council.

I am the Vice-President of the Ontario Fur Managers Federation for the Southern Region of the Province of Ontario We are the organization that represents all of the licensed trappers in the Province. I would be prepared to advise the council of the pertinent regulations under the Fish and Wildlife Act that apply to trapping on both public land and private property. I would also be prepared to explain the proper use of body-gripping traps in order to avoid non-target catches. I am also a Trapper Education Instructor and would be able to advise them of the requirements for obtaining a trapping license in Ontario.

Respectfully submitted;

Stewart A. Frerotte

Response to Municipal Council
Trapping by-laws

Intro: Stewart Frerotte

Position: Southern Region Vice-President
Director for Area
Ontario Fur Managers Federation

The Ontario Fur Managers Federation is the association that represents the 6000+ licensed non-aboriginal trappers and those aboriginal trappers who chose to belong, in the Province of Ontario. The Federation also has a business agreement with the Province where we are the primary issuers of trapping licenses to qualified trappers.

Fur trapping in Ontario has a long history and in fact is probably the oldest profession being practiced in the Province. It is the foundation of the exploration and settlement of Canada.

The Province of Ontario is responsible for the management of fur bearers in the Province and utilizes trappers as one of the components of this management responsibility. They do this by legislation and regulations found in the Fish and Wildlife Act. Trapping is one of the most regulated undertakings covered in this legislation. The Province places restrictions on the traps used for certain species of fur bearers, the numbers of fur bearers to be taken, the area of the Province where the trapper may trap (i.e. registered trap line, Fur Management Unit [private lands]), the qualifications required to obtain a trapping license and the numbers of trappers in any FMU.

For an aspiring trapper to obtain his/her first trapping license they must first take and pass the Fur Harvest, Fur Management and Conservation Course. This course is forty hours in length and consists of 32 hours of classroom work covering the history of fur management, humane trapping, fur laws and policies, furbearing mammals and the description of pelts, trapping equipment, trapping and survival, the biology, management, trapping and handling of pelts of furbearing mammals, black bear and other wildlife as determined by the Minister. This is a very intensive part of the course and requires reading at home in addition to the classroom work. This is followed by an eight hour segment in the field and being shown proper sets for the species being trapped. There is both a written test and a practical test that the student must pass with at least an 80% grade. After successfully passing the course the trapper is required to obtain written permission from the landholder to trap on private lands. These written permission slips must be provided to the MNR before a license will be issued, providing there are vacancies in the numbers of trappers for that FMU.

It is an offence under the Fish and Wildlife Act for a person to possess a body-gripping trap unless the person,

(a) is lawfully entitled to use the trap (holds a trapping license or is a farmer trapping on his own land);

(b) was lawfully entitled to use the trap within five years preceding the date on which the person was found to be in possession of the body gripping trap;

(c) engages in activities related to the manufacture, repair, sale, transportation or storage of the traps or the conduct of research with respect to those traps;

(d) is a collector of traps and the trap is rendered incapable of being used for trapping.

The definition of a body gripping trap includes conibear type killing traps, foothold traps and snares, but does not include the common box/live trap (cage traps).

Trappers supply a large value to the economy of the area that they reside and trap in. For example trappers active in the Wingham-Guelph-Cambridge-Niagara management areas in the 2005-2006 season generated $190,146.08 of new money into the Ontario economy (as it almost entirely comes from overseas buyers). That works out to approximately $625.48 per active trapper. They in turn paid to the MNR a total of $10,468.00 in royalties to the Special Purpose Account to assist in MNR's fish and wildlife management and enforcement activities. This does not include the spin-off/multiplier effect of associated employment and export dollars. The Fur Council of Canada pegs this at 10:1 for wild fur, so that $190,000.00 in raw fur value in the local area may be worth $1.9 million to the local economy.

In the above noted area there are 318 trappers in 2005-2006 of whom 138 are in the FURMIS 'nuisance fur' database granting MNR permission to release their names to members of the public seeking to resolve nuisance fur/small game problems.

Trappers perform an important role in regulating populations of furbearing mammals that may otherwise increase in numbers to the point that they become problematic for both animal populations and human values and property. Trappers spend more time on the land than most people and are out there usually after others have ceased to be out (e.g. winter time). We are the eyes and ears of the land as we are often the first to note changes in species abundance or scarcity and health matters that may indicate disease and/or climate impacts. Trappers **MUST** submit annual end of season harvest reports of all their activities as a condition of their license. They are the first and still one of the few users of wildlife that are routinely required to do so. These records assist the MNR to monitor changes in the abundance of fur species. The MNR has 58 years of such data available to them as well as data on non-game/non-fur species that trappers have supplied as part of surveys and studies conducted by MNR staff. Trappers are also important allies to MNR enforcement staff as well as in search and rescue efforts.

The MNR maintains a data base of trappers who have willingly allowed their names to be kept on file for people who are having problems with nuisance furbearers. These trappers are regularly called on to deal with problem animals.

There is no need for additional by-laws to regulate trapping as the Provincial standards are onerous and many. Other jurisdictions that have previously banned the use of body gripping traps have almost universally reversed or substantially amended the legislation in order to deal with problems that arose. Massachusetts in 2000 amended a 1996 bill banning trapping when after four years of no trapping the beaver population more than doubled causing millions of dollars of damage to roads and private property. If the City/Township does not wish to have trapping conducted on property that they have control over it is simply a matter of not giving the trapper written permission to trap. However if in the future a problem arises on municipal property the municipality can still give a trapper permission to trap to alleviate the problem (i.e. beaver flooding of roads). Otherwise the municipality would be in contravention of it's own by-laws.

Other comments dealing with the particular situation in the specific municipality that brought about the application for a trapping ban in the area. Each will be specific to the municipality although the Animal Alliance/Friends of Fur Bearers will have statistics that may be from other areas. You may ask the Council to question these statistics if they do not seem reasonable to you. i.e. 40% of municipalities in Ontario/Canada have trapping by-laws in place already. I can find no such statistics.

I understand that the incident that has brought forward this application is the death or capture of a dog. Most municipalities have a leash law of some sort for dogs and dog owners have a responsibility to be in control of their animal. There are also provisions of the Trespass to Property Act that can apply to dogs running at large.

4.

There have been representations made that trappers/property owners be required to post signs indicating that trapping is taking place on the property. I would point out that trappers have a substantial investment in their equipment and that traps are not cheap. Each year several traps with and without furbearers in them are stolen from me and other trappers. Requiring trappers to post signs as to where their traps are located would be inviting more numerous thefts to occur.

If a person sets a trap and is not one of the exceptions to be in possession of that trap he/she is not a trapper but is a poacher/lawbreaker/criminal and we will be the first to condemn him/her and insist on a proper investigation and applicable charges be laid.

City of Guelph

FINANCE

Information Report

TO: Finance, Administration & Corporate Services Committee

DATE: 2007/04/04

SUBJECT: **DRAFT 2008 BUDGET PROCESS SCHEDULE**

RECOMMENDATION:

"That the Finance, Administration & Corporate Services Committee approve the following schedules to be followed in principle for the 2008 City of Guelph Budget Process:

1) Draft 2008 User Pay Capital & Operating Budget Schedule
2) Draft 2008 – 2009 Tax Supported Capital Budget and 2010 – 2017 Capital Budget Forecast Schedule
3) Draft 2008 Tax Supported Operating Budget Schedule"

BACKGROUND:
At a meeting of the Finance, Administration & Corporate Services Committee held February 28, 2007 it was requested that Budget Services provide a Draft of the 2008 Budget Schedule to the Committee for review and approval.

REPORT:
Budget Services is continually improving the budget process to meet the needs of Council, Staff and the Community. Budget Services has drafted a budget schedule that allows for improved Committee and Council participation in the budget process through additional information sharing opportunities and staggered timelines.

An attempt has also been made to reduce the time required by operational staff to be involved in the budget process so that they may focus on their core duties. As well, by providing the budget schedule well in advance, Directors and Managers will be able to adapt their work plans accordingly.

Greater public consultation has been allowed for both at the beginning and end of the budget process. The communication of Ward Priorities by Council members to staff has been scheduled for August 2007 while public delegations will also be heard later in the process.

CORPORATE STRATEGIC PLAN:
To have exemplary management practices by implementing municipal best budget practices.

FINANCIAL IMPLICATIONS:
N/A

DEPARTMENTAL CONSULTATION:
A meeting was held on February 26, 2007 with the Senior Management Team requesting input into the budget process and this has been incorporated into the Schedules attached where possible.

ATTACHMENTS:
1) Draft 2008 User Pay Capital & Operating Budget Schedule
2) Draft 2008 – 2009 Tax Supported Capital Budget and 2010 – 2017 Capital Budget Forecast Schedule
3) Draft 2008 Tax Supported Operating Budget Schedule

Prepared & Recommended By:
Susan Aram
Budget Coordinator

Approved for Presentation:
David Kennedy
Director of Finance

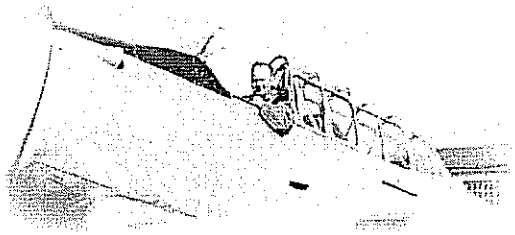
Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

City of Guelph DRAFT Budget Schedule 2008 User Pay Water, Waste Water & Parking Operating & Capital	
Activity	**Date**
Finance Staff to provide Budget Schedule for Committee Approval	April 4, 2007 FACS Meeting
Finance and Senior Management to develop guidelines and strategies for 2008 Budget Process	April 2, 2007 SMT Meeting
Finance Staff to provide multi-year forecast and recommended guidelines and strategies to Committee for information	May 2, 2007 FACS Meeting
Committee to approve and recommend 2008 Budget Guideline	June 6, 2007 FACS Meeting
Council to approve FACS recommended 2008 Budget Guideline	June 18, 2007 Council Meeting
Budget Services to provide Draft Budget Call Documents for review &/or conduct Budget Workshop for information & input to include terminology and template changes such as the definition of expansions and method of expansion presentation/prioritization.	July 4, 2007 FACS Meeting
FACS Committee to approve Budget Call Documents and communicate Ward Priorities generated by Councillors to Staff for incorporation into Budget	August 1, 2007 FACS Meeting
Budget Services to distribute 2008 Budget Call Documents to Departments and Council.	August 6 - 10, 2007
Budget Services to provide Budget Training to Department Staff as required.	August 2007
Deadline for Departments to submit Userpay Budgets (Capital & Operating) to Budget Services	September 14, 2007
Deadline for User Pay Expansion Business Cases to be submitted to Budget Services	September 28, 2007
Detailed line-item analysis of proposed User Pay Budgets by Budget Services and review by SMT	September/October 2007
Development of 2008 Proposed Budget incorporating SMT changes and disbursement of Budget Materials to FACS Committee & Council	October 18, 2007
Information Session - opportunity for Council to review budget with staff	October 18 - October 25, 2007
Budget Overview Report & Presentation to FACS Committee. Public invited to appear as delegations	Special FACS Committee Meeting October 31, 2007
FACS to consider Budget Amendments and approve 2008 proposed budget	November 7, 2007 FACS Meeting
Council Meeting - to approve 2008 Current Budget	November 19, 2007 Council Meeting
	January 21, 2008 Council Meeting

City of Guelph
DRAFT Budget Schedule
Tax Supported 2008 - 2009 Capital Budget and 2010 - 2017 Capital Forecast

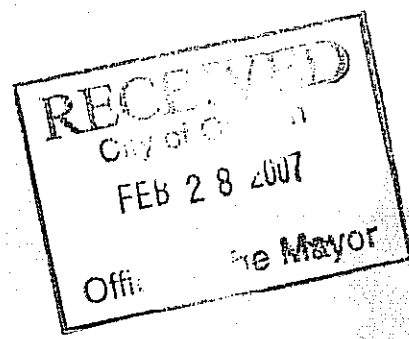
Activity	Date
Finance Staff to prepare Budget Schedule for Committee Approval	April 4, 2007 FACS Meeting
Finance and Senior Management to develop guidelines and strategies for 2008 Budget Process	April 2, 2007 SMT Meeting
Finance Staff to provide multi-year forecast and recommended guidelines and strategies to Committee for information	May 2, 2007 FACS Meeting
Committee to approve and recommend 2008 Budget Guideline	June 6, 2007 FACS Meeting
Council to approve FACS recommended 2008 Budget Guideline	June 18, 2007 Council Meeting
Budget Services to provide Draft Budget Call Documents for review &/or conduct Budget Workshop for information & input to include terminology and template changes such as the definition of expansions and method of expansion presentation/prioritization.	July 4, 2007 FACS Meeting
Budget Services to update Vehicle & Equipment Forecasts and distribute to departments for review.	July 6, 2007
Departments to submit final Vehicle & Equipment Forecasts to Budget Services	July 27, 2007
FACS Committee to approve Budget Call Documents and communicate Ward Priorities generated by Councillors to Staff for incorporation into Budget	August 1, 2007 FACS Meeting
Budget Services to distribute 2008 Budget Call Documents to Departments and Council.	August 6 - 10, 2007
Budget Services to provide Budget Training to Department Staff as required.	August 2007
Deadline for Departments to submit Capital Budgets to Budget Services	September 14, 2007
Detailed Analysis of proposed Capital Budget by Budget Services and review by SMT	September/October 2007
Development of 2008 Proposed Budget incorporating SMT changes and disbursement of Budget Materials to FACS Committee & Council	October 31, 2007
Information Session - opportunity for Council to review budget with staff	November 5 - 9, 2007
Current Budget Overview Report & Presentation to FACS Committee. Public invited to appears as delegations	Special FACS Committee Meeting November 21, 2007
FACS to consider Budget Amendments and approve 2008 proposed budget	December 3, 2007 FACS Meeting
Council Meeting - to approve 2008 Current Budget	January 21, 2008 Council Meeting

City of Guelph DRAFT Budget Schedule 2008 Tax Supported Operating	
Activity	**Date**
Finance Staff to prepare Budget Schedule for Committee Approval	April 4, 2007 FACS Meeting
Finance and Senior Management to develop guidelines and strategies for 2008 Budget Process	April 2, 2007 SMT Meeting
Finance Staff to provide multi-year forecast and recommended guidelines and strategies to Committee for information	May 2, 2007 FACS Meeting
Committee to approve and recommend 2008 Budget Guideline	June 6, 2007 FACS Meeting
Council to approve FACS recommended 2008 Budget Guideline	June 18, 2007 Council Meeting
Budget Services to provide Draft Budget Call Documents for review &/or conduct Budget Workshop for information & input to include terminology and template changes such as the definition of expansions and method of expansion presentation/prioritization.	July 4, 2007 FACS Meeting
FACS Committee to approve Budget Call Documents and communicate Ward Priorities generated by Councillors to Staff for incorporation into Budget	August 1, 2007 FACS Meeting
Budget Services to distribute 2008 Budget Call Documents to Departments and Council.	August 6 - 10, 2007
Budget Services to provide Budget Training to Department Staff as required.	August 2007
Deadline for Departments to submit Operating Budgets to Budget Services	September 14, 2007
Deadline for Operating Expansion Business Cases to be submitted to Budget Services	September 28, 2007
Detailed line-item analysis of proposed Current Budget by Budget Services	September/October 2007
Senior Management review of 2008 Proposed current budget and expansions	October/November 2007
Development of 2008 Proposed Budget incorporating SMT changes and disbursement of Budget Materials to FACS Committee & Council	November 30, 2007
Information Session - opportunity for Council to review budget with staff	December 10 - 14, 2007
Current Budget Overview Report & Presentation to FACS Committee. Public invited to appears as delegations	Special FACS Committee December 20, 2007
FACS to consider Budget Amendments and approve 2008 proposed budget	January 2, 2008 FACS Meeting
Council Meeting - to approve 2008 Current Budget	January 21, 2008 Council Meeting



LAC T. S. Bates, died December 13th 1940

Lost Airmen in Muskoka Project
168 Muskoka Road
Bracebridge, Ontario P1L 1H6
(705) 645-9498



24 February 2007

Karen Farbridge, Mayor
City of Guelph
City Hall
59 Carden Street
Guelph, ON N1H 3A1
mayor@guelph.ca

Dear Ms. Farbridge,

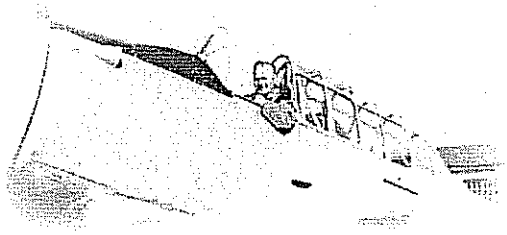
I come to you representing an organization that when it successfully meets its objectives later this year, will bring some national and international attention to Guelph.

The Lost Airmen in Muskoka Project is a registered non-profit group dedicated to the location, identification and eventual recovery of up to 4 aircraft lost during WW II while training in the Muskoka region. There are many reasons why this project is important to Canadians, and as you will see, to the people of Guelph.

Our first objective is to find a specific aircraft, Nomad #3521 which disappeared on Friday the 13th, a cold December day in 1940. On board was a young aviator who had only the day before received his wings. Earlier in the year he had left hearth and home and volunteered to fight for his country. That fateful day he had given up his leave to take to the skies in search of another student pilot who failed to return from a training exercise the day before. That decision cost him his life when his aircraft collided with his wing mate and both went down in Lake Muskoka, killing all four young men. Two bodies in the second aircraft were found and returned to their families. The two in #3521 were never found. Their aircraft became their coffin, the lake their grave. What remains as a memento are their names engraved in a distant memorial, and in the case of the student, a city street named after him.

We at LAMP intend to reverse that memory loss and will find this aircraft and recover its crew, repatriating them to their home ground and their heirs. The project doesn't end there. Already we have plans and backing for a memorial, space in museum for recovered artifacts, a documentary and an educational package to familiarize this generation and those in the future of the sacrifices made to keep our way of life and our freedoms by these many young men and women who stepped forward when asked to.

Now how does this involve Guelph? Our young pilot was LAC Theodore S. Bates, son of Ted Bates Sr. who worked at the Guelph Mercury, and of mother Grace. When he volunteered, he gave up his professional musical career and with his private pilot's license already in hand, joined up to train under the British Commonwealth Air Training Plan that was based in Canada. He was one of 856 students who died without ever seeing action.



LAC T. S. Bates, died December 13th 1940

Lost Airmen in Muskoka Project
168 Muskoka Road
Bracebridge, Ontario P1L 1H6
(705) 645-9498

Our marine search is scheduled to begin in mid May and with our experience in locating historic aircraft in extreme environments, and the depth of research we have already conducted on these losses, we fully expect to be successful.

I hope we can count on the City of Guelph to support us in Bringing Back Bates.

If you wish to discuss this we'd be happy to stop by at your convenience. Just call or email me to set something up.

With kindest regards,

W. R. (Bil) Thuma, Geophysicist
Location Specialist and Director
L.A.M.P. - Lost Airmen in Muskoka Project
Email: geotec@plus-ultra.com
Tel: 416-255-7414
Cell: 416-801-7055

Attached:
Handout
Sponsorship Levels

THE CITY OF
Guelph

OFFICE OF
THE MAYOR

City Hall, 59 Carden Street
Guelph, Ontario, Canada N1H 3A1
Telephone: (519) 837-5643 Fax: (519) 822-8277
Website: guelph.ca

March 15, 2007

W.R. Thuma
Lost Airmen in Muskoka Project
168 Muskoka Road
Bracebridge, ON P1L 1H6

Dear Mr. Thuma:

Re: Letter of Support "The Lost Airmen in Muskoka Project"

I am writing in support of the above mentioned project. This is an enormous undertaking for you to pursue. I am sure that the families of the lost soldiers are greatly appreciative of the effort you are going to, and hopefully closure will finally be provided to them after all of these years.

The memorial, museum and educational pieces that are in the planning stages, will allow our future generations to remember those who served our country. This will create awareness to the many that travel through the museum that we as Canadians are very fortunate to live in a society that has given us freedoms that some people throughout the world will never know.

I have provided each of our council members with a copy of your letter and have placed this on an agenda for an upcoming Finance & Administration Committee meeting for their review and consideration.

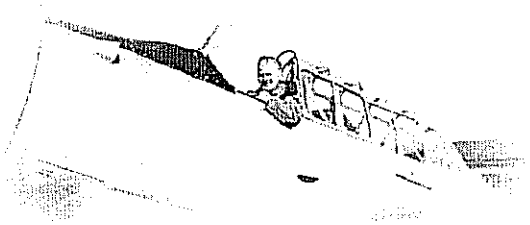
I wish you much success with this wonderful project.

Sincerely,

Karen Farbridge,
Mayor

KF/kam

cc: Guelph City Council Members



LAC T. S. Bates, died December 13th 1940

BRING BACK BATES!

"The story that was almost forgotten and lost forever"

Between 1939 and 1945, Canada was the training ground for over 200,000 air and ground personnel under the British Commonwealth Air Training Plan's (BCATP). Camp Borden near Barrie and the Muskoka airport ("Little Norway") figured prominently in that program.

In the rigorous and aggressive training that took young men from Canada and the Commonwealth and turned them into skilled pilots, accidents inevitably occurred, aircraft crashed and in them, airmen died.

After the war, gradually memories of these losses faded.

In 2000, a process to reverse this memory loss began to reverse itself.

Research into the BCATP and events, crashes and most importantly, the human toll that took place in and around the lakes surrounding Muskoka Airport produced a list of 17 known crashes over water and at least four on land. More shocking thought was that several of the aircraft were never found and their remains lie on the dark, cold bottoms beneath the waves where today cottagers in their recreational boats enjoy this pristine resort area.

To insure that the history properly records these tragic events before they are lost forever, and that closure be brought to the families of those lost airmen, the Lost Airmen in Muskoka Project was created. Its objective is to research and archive information relating the losses of aircraft and men, search for and identify aircraft, assist in the repatriation of airmen to their home lands, and recover aircraft for public display and possible reconstruction.

The initial focus will be on a loss that occurred on December 13th 1940 when Guelph-native Ted Bates who had just the day before received his wings, lost his life when his *Nomad* collided in mid-air with his wing mate during a search and rescue mission. Four men died that day; two were found; Bates and British pilot Peter Campbell were never located. Lake Muskoka is their resting place.

This May LAMP's geophysical search team will use sophisticated side scan sonar to locate the wreckages of the Bates' *Nomad* and second aircraft, a Norwegian Air Force *Cornell*, lost in an accident in 1943. It too contains the remains of the two-man crew. Once the sonar locks on to a target a special archaeological dive team will make contact and identify the aircraft.

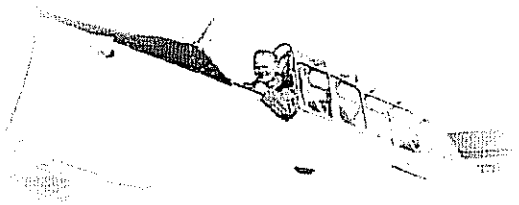
LAMP, a registered non-profit charity, is soliciting donations from corporations, community service clubs and private individuals to underwrite to cost of the search, identification, recovery efforts and future commemorative work.

It is our duty to *Bring Back Bates*!

For additional details contact Al Bacon at (705) 645-9498 or Gail Fyfe, President of Central Muskoka Branch 161 at (705) 645-8500.

www.lostairmeninmuskoka.ca

Lost Airmen of Muskoka Project
168 Muskoka Road
Bracebridge, Ontario P1L 1H6
(705) 645-9498



LAC T. S. Bates, died December 13th 1940

Lost Airmen of Muskoka Project

168 Muskoka Road
Bracebridge, Ontario P1L 1H6
(705) 645-9498

Donations may be made to:
The Lost Airmen in Muskoka Project
168 Muskoka Road
Bracebridge, Ontario P1L 1H6
Attn: Al Bacon, President

For donations of $25 or more, a tax receipt will be mailed.

Team Contacts

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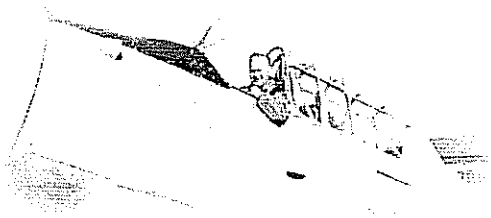
geotec@plus-ultra.com

John Bowlby, Geologist
NEOTECTONICS ASSOCIATES
(416) 488-7167
bowlby@idirect.com

Charitable Business Tax Number 37222769 RR0001

www.lostairmeninmuskoka.ca



LAC T. S. Bates, died December 13th 1940

Lost Airmen in Muskoka Project
168 Muskoka Road
Bracebridge, Ontario P1L 1H6
(705) 645-9498

L.A.M.P. SPONSORSHIP LEVELS

Become an Active Supporter!

Platinum

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Banner advertising on Web site, unrestricted use of LAMP for promotional purposes, Honorary voting position on Board of Directors, recognition in LAMP promotional brochures and in videos, commemorative plaque, listing on web site, 10 LAMP pins, 10% discount on merchandise, 3 complementary memberships

Gold

$1000 $ 4999

Advertising position on Newsletter, recognition in LAMP promotional brochures, commemorative plaque, listing on web site, 5 LAMP pins, 10% discount on merchandise, 2 complementary memberships

Silver

$500 -$ 999

Commemorative plaque, Listing on web site, 5 LAMP pins, 10% discount on merchandise, complementary membership

Bronze

$100 - $499

Listing on web site, 5 LAMP pins, 5% discount on merchandise. Membership

Member

$ 25

Receive a LAMP pin and access to e-news letter. Voting rights, 5% discount on merchandise.

Charitable Business Tax Number 37222769 RR0001

Name			Email		
Company					
Address					
Telephone	Home		Office		
Level	Member	Bronze	Silver	Gold	Platinum
Amount	$ 25				

Make checks payable to The Lost Airmen in Muskoka Project

City of Guelph

FINANCE

TO: Finance, Administration & Corporate Services Committee

DATE: April 4, 2007

SUBJECT: **2007 PROPERTY TAX POLICY**

RECOMMENDATION:

That City Council adopt the 2007 Tax Policies recommended by staff on Page 4 of this report.

BACKGROUND:

Municipal Councils are required to make a number of tax policy decisions annually. Provincial legislation requires the municipality to adopt its tax ratios and tax rates by April 30, 2007.

In order to meet the Provincial deadlines and set its rating by-law,

1. Council must make a decision on tax ratios for 2007
2. Council has the option of making decisions on the following tax tools:

    - *Tax rates for sub-classes*
    - *Graduated commercial/industrial tax rates*
    - *Optional property classes*
    - *Phase-in*
    - *Mandatory capping/options*
    - *Municipal tax reduction*
    - *Tax relief for low income seniors and disabled persons*
    - *Tax rebates for charities*

It should be noted that the City does not receive additional tax revenue from tax policy decisions. Tax Policy decisions only re-distribute the tax burden amount within the respective property classes.

The attached policy report provides an overview of the tax policy decisions already made and to be made by City Council and is broken down into the following sections:

- Staff recommendation
- Overview/description of the policy
- Analysis and/or additional background information
- Policy considerations: factors such as economic impact, equity/fairness and administrative impact

For the 2006 taxation year Council adopted the following Policies:

- Tax ratios, Class Discounts and 2006 Tax Rates
- Mandatory Capping Parameters

The only recommended change to the 2007 Tax Policy is in the Mandatory Capping Parameters specifically in the treatment of new construction/new to class properties. In 2005, Bill 83 legislated a maximum tax level of 70 % and further increases by 10% each year until the maximum 100% of tax level for up to 6 comparable properties is attained. Staff recommends that Council adopt the maximum tax level of 90% of CVA for new construction/new to class properties.

ATTACHMENTS:

2007 Tax Policy Report

Prepared By:
Gail Nisbet
Tax Collector
(519)837-5605 ext 2315
Gail.nisbet@guelph.ca

Recommended By:
David Kennedy
Director of Finance
(519)837- 5610 ext 5606
david.kennedy@guelph.ca

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

CORPORATION OF THE CITY OF GUELPH

2007 PROPERTY TAX POLICY REPORT

Prepared by:
Finance Department
Revenue & Taxation

March, 2007

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INTRODUCTION

In 1997, the Province introduced a new assessment and taxation system which requires City Council to make a number of policy decisions annually. The *Municipal Act* sets out the parameters to be followed by municipalities when setting property tax policies. These parameters include:

- Capping options on multi-residential, commercial and industrial properties
- Levy restriction which prevents municipalities from passing on levy increases to capped classes which have tax ratios in excess of provincial averages
- Graduated taxation and optional classes
- Establishing tax ratios and discounts
- Providing for a phase-in of certain tax changes and other mitigation strategies

Annual tax policy decisions establish the level of taxation for the various property classes. This report provides an overview of the tax policy decisions that must be made by Guelph City Council for the 2007 taxation year. Each policy area is broken down into the following sections:

- Staff recommendation
- Overview / description of the policy
- Analysis and/or additional background information
- Policy considerations: in order to provide a basis for evaluating each policy decision, staff have considered factors such as economic impact, equity/fairness, and administrative impact.

The only change to the 2007 Tax Policy is the setting of the minimum tax level to 90% of CVA tax responsibility for new construction and new to class properties.

The deadline for establishing the tax policies is April 30, 2007.

SUMMARY OF RECOMMENDATIONS FOR THE 2007 TAXATION YEAR

POLICY	*STAFF RECOMMENDATION*
Tax Ratios, Class Discounts and Tax Rates	THAT the 2007 City tax ratios, class discounts and tax rates be approved as set out in Table 1; and THAT staff be directed to prepare the necessary tax ratio and tax rating by-laws
Graduated tax rates	Not recommended for 2007
Optional classes	Not recommended for 2007
New Multi-Residential Properties	THAT the Multi-residential property class continue as per By-law (2002)-16852 Refer to Table 2 Page 23
Phase-in	Not applicable in 2007
Mandatory Capping	THAT the following parameters be established for the purposes of calculating the 2007 capping clawback rates in accordance with section 329.1 of the Municipal Act: 1. Cap limit of 10% of 2006 annualized taxes 2. Minimum tax increase of 5% of 2006 CVA(Current value assessment) 3. Move capped properties to CVA tax if the capped taxes are within a maximum of $250 of CVA taxes without creating a shortfall 4. Move properties that are subject to the clawback to CVA tax if the taxes including the clawback amount are within a maximum of $250 of CVA taxes without creating a class shortfall 5. Set a minimum tax level of 90% of CVA tax for new construction and new to class business properties (multi-residential, commercial and industrial); and THAT staff be directed to prepare the necessary by-law.
Municipal Tax Reduction	Not recommended for 2007
Tax relief for low-income seniors and persons with disabilities	THAT the tax relief program for low-income seniors and low-income persons with disabilities be continued as adopted by By-law (2005)-17727. Refer to Table 3 Pages 24-28.
Tax relief for charities and other similar organizations	THAT the tax relief program for charities be continued for the 2007 taxation year in accordance with By-law (2002) – 16851. Refer to Table 4 Page 29

TAX RATIOS, CLASS DISCOUNTS and TAX RATES

STAFF RECOMMENDATION

THAT the 2007 City tax ratios, class discounts and tax rates be approved as set out in Table 1; and

THAT staff be directed to prepare the necessary tax ratio and tax rating by-laws.

OVERVIEW / DESCRIPTION

- Legislative reference : *Municipal Act 2001 Section 308*
- Tax rates are measured as a percentage of the assessed value of a property
- Tax ratios show how the tax rate for a property class compares with the residential rate. If a property class has a ratio of 2, then it is taxed at twice the rate of the residential class
- Municipalities can set different tax ratios for different classes of property
- Transition ratios were calculated initially in 1998 by the Province and reflected the level of taxation by class at that time
- Tax ratios must be approved annually by Council. The issue is whether the tax ratios for each class should be changed

Changing Tax Ratios

- Changing ratios shifts the relative burden of property taxes between property classes
- The Province established "ranges of fairness" which help protect property classes that are taxed at higher rates
- If the ratio for a property class is outside the "range of fairness" a municipality can either maintain the existing ratio or move towards the "range of fairness" but may not move further from the fairness range
- If a tax ratio is above the provincial threshold average a levy increase cannot be passed on to that class. However, since 2004 the province has allowed municipalities to pass along up to 50% of a levy increase to those restricted classes (classes which have ratios in excess of the threshold)
- The City of Guelph ratios are currently at or below the provincial threshold and therefore can pass along all of the budgetary increases to all property classes.

Class Discounts

- The Municipal Act also sets out the provisions for taxing farmland pending development which are as follows:
    1. on registration of the plan of subdivision, property assessment changes from being based on farm use to zoned use and a tax rate of between 25% and 75% of the relevant rate will apply. Guelph is currently at the maximum of 75%.
    2. When a building permit is issued the tax rate may change from 25% to 100% of the rate that would apply to the property's zoned use. Guelph currently charges the maximum of 100%.

POLICY CONSIDERATIONS

Economic impact:

- Any adjustment to the tax ratios involves shifting the tax burden to the other property classes
- The range of fairness and levy restriction rules are a clear indication that the province wishes to see taxes on commercial, industrial and multi-residential properties reduced and shifted onto residential properties
- The farmland awaiting development properties are taxed at the maximum allowable rate with discounts of 25% for sub class 1 and 0% for subclass 2
- City tax impacts are provided on Table 2

Equity/fairness:

- Higher tax ratios could be perceived as discriminatory by multi-residential, commercial and industrial property owners who may feel that they are overtaxed relative to residential properties
- The disparity between the commercial and industrial tax ratios is difficult to justify
- Non residential and multi-residential properties have historically been taxed at higher rates in most municipalities across the province
- Multi-residential properties are assessed on a different basis than residential properties and most often will attract a lesser amount of assessment per unit
- Non residential properties pay property taxes using pre-tax income which is not the case for residential property owners and therefore supports the concept of differential tax rates

Administrative impact:

None

GRADUATED COMMERCIAL/INDUSTRIAL TAX RATES

STAFF RECOMMENDATION

Not recommended for 2007

OVERVIEW / DESCRIPTION

- Legislative reference: *Municipal Act 2001 Section 314*
- Municipality establishes bands of assessment and then taxes the portion of each commercial/industrial property's assessed value within each band at a different rate – the rate applied to the lower band(s) will be the lower rate
- Banding must apply to all commercial/industrial properties
- Either two or three bands of assessment are allowed for this purpose
- Must be self-financing within the class – i.e. no tax impact on other property classes
- The intention of this policy would be to benefit small businesses in lower-valued commercial/industrial properties

SAMPLE GRADUATED COMMERCIAL TAX SCENARIO

Class	**Band 1** **$0 to $1,000,000 of CVA**	**Band 2** **$1,000,001 to $2,500,000 of CVA**	**Band 3** **Greater than $2,500,000 of CVA**
Commercial occupied	50% of full commercial rate	75% of full commercial rate	Full commercial rates

SAMPLE TAX BILL CALCULATION
Commercial occupied CVA of $5,000,000, full tax rate = 3%

	Assessment	Tax rate	Taxes
Band 1	$1,000,000	1.5%	$15,000
Band 2	$1,500,000	2.25%	$33,750
Band 3	$2,500,000	3%	$75,000

POLICY CONSIDERATIONS

Economic impact:

- Tax reduction for lower valued properties
- Tax increase for higher valued properties

Equity/fairness:

- Could be perceived as moving away from "fairness", as each commercial/industrial property would have a different effective tax rate
- Higher valued commercial/industrial property owners would subsidize lower valued properties by paying a higher effective tax rate
- Graduated tax rates would in some cases adversely affect smaller tenants, since graduation applies to the entire property
- Difficult to target assistance for specific types of properties or geographic areas
- Results in a competitive advantages/disadvantages

Administrative impact:

- Minor impact on layout of tax bill for commercial/industrial properties
- Can become very confusing when layered with the capping parameter options

OPTIONAL PROPERTY CLASSES

STAFF RECOMMENDATION:

Not recommended for 2007

OVERVIEW / DESCRIPTION

- Legislative reference: *Municipal Act 2001 Section 308 and O.Reg 282/98*
- Council may by by-law establish new property classes for shopping centres, office buildings, parking lots and large industrial properties
- Allows for a redistribution of tax burden within the broad commercial and industrial classes based on surface area of buildings.

DETAILS

1. Shopping centres: rentable area of a shopping centre (at least three units) that exceeds 25,000 square feet – the first 25,000 square feet remains in the commercial class
2. Office buildings: rental area of an office building that exceeds 25,000 square feet – the first 25,00 square feet remains in the commercial class
3. Parking Lots: entire assessment of such properties is included in this class
4. Large industrial properties: buildings in excess of 125,000 square feet – entire assessment is included in this class

POLICY CONSIDERATIONS

Economic impact:

- Establishing separate classes of commercial and industrial property will result in some properties subsidizing others, as the tax rates for these classes would be different from the main class. For example, establishing a separate class for shopping centres would result in a lower tax rate for shopping centres than for all other commercial properties

Equity/fairness:

- Use of separate classes could be seen as discriminatory and moving away from fairness, and contrary to basic premise of reassessment

Administrative impact:

- Adopting an optional class requires a by-law to be prepared and notification to the Municipal Property Assessment Corporation

NEW MULTI-RESIDENTIAL PROPERTY CLASS

STAFF RECOMMENDATION:

THAT the Multi-residential property class continue as per By-law (2002)-16852
Refer to Table 2 Page 23

OVERVIEW / DESCRIPTION

- Legislative reference: *Municipal Act 2001 Section 308 and O. Reg 282/98*
- Council may by by-law establish new property class for new multi residential properties
- New multi-residential : applies to new multi-residential construction(7 or more rental units) or the conversion from a non-residential use pursuant to a building permit issued after date on which the bylaw adopting the new class of property was approved
- Allows for new multi residential properties to be taxed at the lower residential tax rate for a thirty five year period

POLICY CONSIDERATIONS

Economic Impact:

- May assist in promoting an adequate supply of affordable rental housing units by a attracting new developments

Equity/Fairness

- Lends support to often raised arguments that the tax ratio for multi-residential class should not be significantly different than that of the residential class. On the basis that tenants do not consume more services than homeowners nor are they better able to pay the taxes.

Administrative Impact:

- Minimal staff time and costs

PHASE IN OF ASSESSMENT RELATED TAX CHANGES

STAFF RECOMMENDATION

Not applicable in 2007

OVERVIEW / DESCRIPTION

- Legislative reference: *Municipal Act 2001 Section 318*
- Municipalities may phase in increases or decreases in the year of a reassessment for a period of two to eight years
- The amount phased-in in any year must be the same or less than the amount phased-in in the previous year
- There can be no "cross class subsidization" i.e. can not phase in the decreases in one class to offset increases in another class
- Residential, farmland and managed forests must be considered as one class for phase in purposes
- Can establish $ and % thresholds for increases and $ thresholds for decreases

Example: Phase-in of assessment related tax INCREASE

ASSUMPTIONS: OLD TAXES=$3,000 NEW TAXES=$4,000 (33% increase)
UNIFORM PHASE IN OVER 4 YEARS

Year	base taxes	amount of increase passed on	Actual tax bill	phase in amount
2007	$3,000	$250	$3,250	$750
2008	$3,250	$250	$3,500	$500
2009	$3,500	$250	$3,750	$250
2010	$3,750	$250	$4,000	$0

Example: Phase-in of assessment related tax DECREASE				
ASSUMPTIONS: OLD TAXES=$5,000 NEW TAXES=$2,500 (50% decrease) UNIFORM PHASE IN OVER 5 YEARS				
Year	Base taxes	Amount of decrease passed on	Actual tax Bill	Phase in amount
2007	$5,000	($500)	$4,500	($2,000)
2008	$4,500	($500)	$4,000	($1,500)
2009	$4,000	($500)	$3,500	($1,000)
2010	$3,500	($500)	$3,000	($500)
2011	$3,000	($500)	$2,500	$0

Note: the above examples exclude the impact of any required municipal levy increases or impacts of other tax policy decisions

POLICY CONSIDERATIONS

QUESTIONS TO ASK WHEN CONSIDERING A PHASE-IN PLAN

- Over what period will changes be phased-in
- What % and $ impact will not be phased-in

Economic impact:

- Temporarily limits financial impact on those most adversely affected
- Delays receipt of tax reductions

Equity/fairness:

- Phasing in can be seen as contrary to the basic premise of reassessment - why update and improve assessments simply to phase-in the changes?
- Process is complex since the permutations and combinations are almost limitless
- Can be perceived as discriminatory when the level of assistance varies by property class
- Taxpayers, expecting reductions as a result of the reassessment, may feel that they have been overpaying and should receive their full entitlement immediately
- Not applicable as Province has frozen reassessment until 2009

Administrative impact:

- Would result in additional costs to calculate, administer and monitor the rebates, including system programming and staff costs

MANDATORY CAPPING

STAFF RECOMMENDATION:

THAT the following parameters be established for the purposes of calculating the 2007 capping clawback rates in accordance with section 329.1 of the Municipal Act:

1. Cap limit of 10% of 2006 annualized taxes

2. Minimum tax increase of 5% of 2006 CVA taxes

3. Move capped properties to CVA tax responsibility if the capped taxes are within a maximum of $250 of CVA taxes, without creating a class shortfall

4. Move properties that are subject to the clawback to CVA tax responsibility if the taxes, including the clawback amount, are within a maximum of $250 of CVA taxes, without creating a class shortfall

5. Set a minimum tax level of 90% of CVA tax responsibility for new construction and new to class business properties (multi residential, commercial and industrial); and

THAT staff be directed to prepare the necessary by-law.

OVERVIEW / DESCRIPTION

- Legislative reference: *Municipal Act 2001 Part IX*
- Council must limit the assessment related tax increases on multi residential, commercial and industrial properties
- Council must decide how to finance the cap, which can be done by capping decreases as well, by using general revenues or reserves, or a combination of the two.

The Province has provided increased flexibility for municipalities commencing in 2005, with the following options available:

- Maintaining the 5% mandatory cap
- Increasing the cap between 5% and 10%, or selecting 5% of CVA tax (whichever is higher)
- If an increasing property is within $250 of CVA taxation, then it may be billed the full amount
- If a decreasing property is within $250 of CVA taxation, then it will receive the full reduction without clawback
- Phasing out, by up to 10% each year, the "new construction" provisions of the Act

POLICY CONSIDERATIONS

Economic impact:

- The mandatory capping (without any minimum $ amount) means that some properties will not reach their full taxation levels for many, many years, if ever
- Shortfalls cannot be shared with school boards
- Mandatory capping enables the City to move capped classes closer to CVA taxation more quickly resulting in greater stability and predictability in property taxation.

Equity/fairness:

- Funding the cap through means other than capping decreases results in either a long term drain on reserve balances (as the cap is now indefinite) or subsidization of tax increases by other classes
- Adopting these capping options is perceived to be fair and equitable to taxpayers because properties in the same class with the same CVA should pay the same tax.

MUNICIPAL TAX REDUCTION

STAFF RECOMMENDATION:

Not recommended for 2007

OVERVIEW / DESCRIPTION

- Legislative reference: *Municipal Act 2001 Section 362*
- Permits the City to reduce the taxes of a property which is subject to capping limitations by the amount that would otherwise have been a capping adjustment
- Has limited usefulness – essentially a means of removing a property requiring a large capping adjustment from the capping calculation in order to make the capping work
- Cost of the program is shared between the upper and lower tier municipality only, and not the school boards

POLICY CONSIDERATIONS

Economic impact:

- This can be a very costly tool, since the province has excluded school boards from participating in this policy

Equity/fairness:

- Provides specific preferential treatment to an individual property or properties, and therefore goes against the overriding principle of fairness

TAX RELIEF FOR LOW-INCOME SENIORS AND LOW-INCOME PERSONS WITH DISABILITIES

STAFF RECOMMENDATION:

THAT the tax relief program for low-income seniors and low-income persons with disabilities be continued as adopted by By-law (2005)-17727. Refer to Table 3 Pages 24-28

OVERVIEW / DESCRIPTION

- Legislative reference: *Municipal Act 2001 Section 319*
- Upper tier and single tier municipalities **MUST** provide a program of tax relief for "relief of financial hardship"
- Relief can be in the form of a deferral or cancellation of tax increases
- The tax increase to be deferred or cancelled is calculated as the difference between the current year's taxes levied and the previous year's taxes levied on a property (subject to provincial regulation)
- The by-law also applies to tax increases for education purposes
- The amount deferred or cancelled is withheld by the lower tier municipality from amounts levied for school board purposes
- A tax certificate must show any deferrals and the priority lien status of real property taxes in accordance with Section 349 of the Municipal Act applies to any such deferrals
- The intent of this policy is to provide a mechanism to assist those least able to pay a significant increase in taxes

POLICY CONSIDERATIONS

Economic impact:

- Taxes are deferred and recovered when the property is sold or the eligible applicant ceases to be eligible
- Interest may not be charged on deferred taxes
- Each year the potential deferral must be paid for by other taxpayers. This results in a levy increase to fund the shortfall

Equity/fairness:

- Cancellation of taxes does result in some minor taxpayer subsidization, and effectively reduces the province's obligation under the Property Tax Credit program

Administrative impact:

- Additional staff time to administer the rebates

CURRENT TAX RELIEF PROVISIONS FOR LOW INCOME SENIORS AND LOW INCOME PERSONS WITH DISABILITIES

GENERAL PARAMETERS

1. Tax relief is in the form of a deferral of taxes
2. The amount eligible for deferral is the portion of any increase greater than or equal to $300 annually. No tax relief applies if the amount of the tax increase is less than $300.
3. Eligibility is as set out below

ELIGIBILITY CRITERIA (for receipt of property tax relief):

A) LOW-INCOME SENIORS

- Means a person who on December 31st of the year of application has attained the age of 65 years and is in receipt of benefits under *Guaranteed Income supplement (GIS)* program or has attained the age of 65 years and is in receipt of benefits under the *Guaranteed Annual Income* system *(GAINS)* program for Ontario Senior Citizens.

B) LOW-INCOME DISABLED PERSONS

- Means a person who is in receipt of benefits under the *Ontario Disability Support Program (ODSP)* or in receipt of disability amounts under the current *Family Benefits Act (FBA)* or in receipt of benefits under the *Guaranteed Annual Income System (GAINS) for the Disabled* and be eligible to claim a disability amount as defined under the *Income Tax Act.*

OTHER PROVISIONS

- To qualify for tax assistance, applicants must have been owners of real property within the City for a period of one (or more) year(s) preceding the application.
- Tax assistance is only allowed on one principal residence of the qualified individual or the qualifying spouse.
- Application for tax deferral must be made annually to the City to establish eligibility or continued eligibility. Applications must include documentation in support thereof to establish that the applicant is an eligible person and that the property with respect which the application is made is eligible property. Applications must be submitted to the City on or before the last day of December in the year for which the application applies on a form prescribed by the City for this purpose.
- Tax relief applies to current taxes only and is only deferred after payment in full is received for any current or past year amounts payable.
- Applicant responsible to refund any overpayment of tax rebate granted if property assessment is reduced by the Assessment Review Board or Municipal Property Assessment Corporation
- For properties that are jointly held or co-owned by persons other than spouses, both or all co- owners must qualify under applicable eligibility criteria in order to receive tax relief.
- Tax relief begins in the month in which the low income senior attains the age of 65 or in which the low income disabled person becomes disabled

OTHER BACKGROUND INFORMATION ON TAX RELIEF FOR LOW INCOME SENIORS AND LOW INCOME PERSONS WITH DISABILITIES

GUARANTEED INCOME SUPPLEMENT

The *Guaranteed Income Supplement (GIS)* is a federal program administered by Human Resources Development Canada, in conjunction with the Old Age Security (OAS) program. The Guaranteed Income Supplement is an income-tested, monthly benefit for Old Age Security pensioners with limited income apart from the Old Age Security pension.

To qualify for the *GIS*, an individual must:

1. be receiving the Old Age Security pension;
2. be resident in Canada; and
3. have an income at or below the qualifying level, as established by regulation. (For married couples, the combined income of both spouses must be below the qualifying level).

Provisions of the *GIS* are established under the Old Age Security Act (Canada), and regulations made quarterly under this Act. Application, eligibility determination and payment of benefits under this program is administered by Human Resources Development Canada, thereby eliminating the need for individual municipalities to establish criteria and eligibility for applicants. Applicants need only demonstrate proof of GIS benefits to qualify for municipal tax relief.

ONTARIO DISABILITY SUPPORT PROGRAM

The Ontario Disability Support Program *(ODSP)* is a provincial program administered by the Ontario Ministry of Community & Social Services *(MCSS)*. The *ODSP* was introduced in legislation in June 1997 (Bill 142), and was created to remove people with disabilities from the Welfare system to more effectively meet their needs.

Eligibility under the *ODSP* is determined by staff of the *MCSS*, according to criteria which considers, among other things, the nature of the disability, the extent to which daily activities are affected by the disability, income level from all sources (including receipt of benefits under other income support programs such as *GAINS, Canada Pension Plan, Workers Compensation)*, etc.

Application, eligibility determination and payment of benefits under the *ODSP* are administered by the *MCSS*, using information supplied by applicants. This eliminates the need for individual municipalities to establish criteria and eligibility for applicants. Applicants need only demonstrate proof of *ODSP* eligibility to qualify for municipal tax relief.

TAX REBATES FOR CHARITIES

STAFF RECOMMENDATION:

THAT the tax relief program for charities be continued for the 2007 taxation year in accordance with By-law (2002)- 16851. Refer to Table 4 Page 29

OVERVIEW / DESCRIPTION

- Legislative reference: *Municipal Act 2001 Section 361*
- The original intent of the program was to address certain tax impacts relating to the elimination of the Business Occupancy Tax (BOT) – register charities that previously did not pay the BOT on leased commercial/industrial properties were put in a position of paying a higher (blended) rate on such properties
- All municipalities must have a rebate program in place
- An eligible charity is a registered charity as defined in subsection 248(1) of the Income Tax Act (Canada) that has a registration number issued by the Canada Customs and Revenue Agency
- A property is eligible if it is in one of the commercial or industrial property classes within the meaning of subsection 308(1) of the Municipal Act

Program requirements include:

- The amount of rebate must be at least 40% of tax paid
- One half of the rebate must be paid within 60 days of receipt of the application and the balance paid within 120 days of receipt of the application
- Applications for a rebate must be made between January 1 of the taxation year and the last day of February of the following taxation year
- The program must permit the eligible charity make application based on an estimate of the taxes payable
- The program must provide for final adjustments to be made after the taxes have been set

Program options include:

- Other similar organizations may also be provided with rebates
- Rebates can be provided to properties in classes other than the commercial and industrial classes
- The rebate % can vary for different charities or other similar organizations and can be up to 100% of taxes paid
- Cost of the rebate is shared between City and school boards
- The organization receiving the rebate shall also be provided with a written statement showing the proportion of costs shared by the school boards

- Any overpayment of rebated amount to be refunded by Charity if property assessment is reduced by the Assessment Review Board (ARB) or Municipal Property Assessment Corporation (MPAC)

POLICY CONSIDERATIONS

Economic impact:

- This by-law provides relief for organizations which were previously exempt from paying the Business Occupancy Tax - results in similar tax treatment before and after reform

Equity/fairness:

- The cost of rebates is built in to the City budget

Administrative impact:

- Results in some additional staff time to administer the rebates

CURRENT TAX RELIEF PROVISIONS FOR REGISTERED CHARITIES

The City's by-law includes all mandated provisions as well as the following optional provisions:

- Rebates set at 40% of taxes paid
- Rebate set at 100% for those properties that are used and occupied as a memorial home, clubhouse or athletic grounds by those organizations whose persons served in the armed forces of Her Majesty or Her Majesty's allies n any war (i.e.- Legion, Army & Navy)
- For 2006 the City processed 39 applications for a total dollar amount of $109,196.

Table 1

2007 CITY OF GUELPH - TAX RATIOS, DISCOUNTS AND RATES

PROPERTY CLASS	PROVINCIAL RANGE OF FAIRNESS	CITY OF GUELPH TRANSITION RATIOS	PROVINCIAL THRESHOLD RATIOS	GUELPH'S 2001-2006 TAX RATIOS	RECOMMENDED CITY OF GUELPH 2007 TAX RATIOS	TAX RATE REDUCTIONS 2007	TAX RATES 2007
Residential	n/a	1.000000	1.000000	1.000000	1.000000		1.045852%
Residential - Farmland 1	n/a	1.000000	1.000000	1.000000	1.000000	25%	0.784389%
Residential - Farmland 11	n/a	1.000000	1.000000	1.000000	1.000000		1.045852%
New Multi-residential	1.0 to 1.1	1.000000	1.000000	1.000000	1.000000		1.045852%
Multi-residential	1.0 to 1.1	3.089700	2.740000	2.740000	2.740000		2.865636%
Multi-residential - Farmland 1	1.0 to 1.1	3.089700	2.740000	2.740000	2.740000	25%	0.784389%
Multi-residential - Farmland 11	1.0 to 1.1	3.089700	2.740000	2.740000	2.740000		2.865636%
Commercial	0.6 to 1.1	1.840000	1.980000	1.840000	1.840000		1.924368%
Commercial - Farmland 1	0.6 to 1.1	1.840000	1.980000	1.840000	1.840000	25%	0.784389%
Commercial - Farmland 11	0.6 to 1.1	1.840000	1.980000	1.840000	1.840000		1.924368%
Commercial - Excess Land	0.6 to 1.1	1.840000	1.980000	1.840000	1.840000	30%	1.347058%
Commercial - Vacant Land	0.6 to 1.1	1.840000	1.980000	1.840000	1.840000	30%	1.347058%
Industrial	0.6 to 1.1	3.271100	2.630000	2.630000	2.630000		2.750592%
Industrial - Farmland 1	0.6 to 1.1	3.271100	2.630000	2.630000	2.630000	25%	0.784389%
Industrial - Farmland 11	0.6 to 1.1	3.271100	2.630000	2.630000	2.630000		2.750592%
Industrial - Excess Land	0.6 to 1.1	3.271100	2.630000	2.630000	2.630000	35%	1.787885%
Industrial - Vacant land	0.6 to 1.1	3.271100	2.630000	2.630000	2.630000	35%	1.787885%
Pipelines	0.6 to 0.7	1.917500	1.917500	1.917500	1.917500		2.005422%
Farmlands	n/a	0.250000	0.250000	0.250000	0.250000		0.261463%
Managed Forests	n/a	0.250000	0.250000	0.250000	0.250000		0.261463%

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2002) - 16852

A by-law to amend By-Law (1998)-15832, being a by-law to establish a separate property class for new multi-residential properties.

WHEREAS By-law (1998)-15832 provides for the establishment of a separate property class for new multi-residential properties;

AND WHEREAS, it is deemed desirable that property in the new multi-residential class be taxed at the lower residential/farm rate for the first 35 years.

NOW THEREFORE the Council of the Corporation of the City of Guelph enacts as follows:

1. That Section 2 of By-Law (1998)-15832 be amended by deleting the words "for the first eight years" and inserting the words "for the first thirty five years"

PASSED this 6th day of May, 2002

KAREN FARBRIDGE-MAYOR

LOIS GILES - CITY CLERK

RECEIVED
MAY - 9 2002
TAX OFFICE

City of Guelph

FINANCE

TO: Finance, Administration & Corporate Services Committee

DATE: March 7, 2007

SUBJECT: PROPERTY TAX DEFERRAL FOR SENIORS AND HOMEOWNERS ON A FIXED INCOME

RECOMMENDATION:

That the report dated March 7, 2007 entitled "Property Tax Deferral for Seniors and Homeowners on a Fixed Income" be received for information.

BACKGROUND:

City Council adopted a resolution on January 23rd, 2007 asking staff to examine the feasibility of deferring tax increases to senior citizens and homeowners on a fixed income.

This program has been available to taxpayers since 1998 when Current Value Assessment was implemented. In 1998 the City of Guelph approved By-Law 15831 amended by By-Law 17727 in 2005 as required by Section 319 of the Municipal Act.

Since 1998 few taxpayers in the City have inquired about the program and no one has ever applied for tax relief. There seems to be three reasons for this. Taxpayers:

1. Did not qualify for relief.
2. Would not provide the required documentation.
3. Did not want a lien on their property.

The potential costs of the program are as follows:

1. Taxes are deferred and recovered when the property is sold or the eligible applicant ceases to be eligible.
2. Interest may not be charged on deferred taxes.
3. Each year the potential deferral must be paid for by other taxpayers. This results in a levy increase to fund the shortfall.

All Municipalities are required to have this program per the Municipal Act.

On average the eligible amount is $100-$150 in other Municipalities compared to $300 which is the eligible amount for the City of Guelph..

A survey of Kitchener, Waterloo and Oakville indicates that only five taxpayers in all enjoy this program. The City of Cambridge received three applications for 2003 and 2004 but none of these qualified for the deferral. The City of Guelph has never received any applications for deferred taxes.

IMPLICATIONS:

The City approved By-law 17727-(2005) as required by Section 319 of the Municipal Act.

ATTACHMENTS:

By-law Number (2005) - 17727

Prepared By:
Marco Farinha
Manager of Taxation and Revenue
519 837 5610 ext. 2383
marco.farinha@guelph.ca

Recommended By:
David A. Kennedy, C.A.
Director of Finance
837 5610 ext. 5606
david.kennedy@guelph.ca

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2005) – 17727

A by-law to provide for deferrals of tax increases on property in the residential property class for low-income seniors and low-income persons with disabilities and to repeal by-law number (1998)-15831.

WHEREAS the Council of the Corporation of the City of Guelph, pursuant to Section 319 of the *Municipal Act, 2001, S.O.20901, c.25*, as amended, shall pass a by-law providing for deferrals or cancellation of, or other relief in respect of, all or part of a tax increase on property in the residential property class for low-income seniors and low-income persons with disabilities.

NOW THEREFORE the Council of the Corporation of the City of Guelph enacts as follows:

1. In this by-law:

    a) *"Eligible amount"* means the total tax increase over the previous year which is equal to or greater than $300 annually.

    b) *"Eligible person"* means a low-income person with disabilities or a low-income senior or the spouse of such eligible person.

    c) *"Low-income person with disabilities"* means a person who is in receipt of benefits under the *Ontario Disability Support Program (ODSP)* or in receipt of disability amounts under the current *Family Benefits Act (FBA)* or in receipt of benefits under the *Guaranteed Annual Income System (GAINS)* for the Disabled and be eligible to claim a disability amount as defined under the *Income Tax Act*.

    d) *"Low-income senior"* means a person who on December 31st of the year of application has attained the age of 65 years and is in receipt of benefits under the *Guaranteed Income Supplement (GIS)* program or has attained the age of 65 years and is in receipt of benefits under the *Guaranteed Annual Income System (GAINS)* program for Ontario Senior Citizens.

2. Tax Relief granted pursuant to this by-law shall be in the form of a deferral of the annual eligible amount provided that:

    a) Either the owner or spouse of the owner has been assessed as the owner of, and has occupied the property for a period of one or more years preceding the date of application.

    b) For properties which are jointly held or co-owned by person other than spouses, all co-owners must qualify under applicable eligibility criteria in order to receive tax relief.

3. Deferred amounts shall continue until the property is sold or until the eligible applicant ceases to be eligible, at which time the total deferred amounts become a debt payable to the Corporation of the City of Guelph.

4. Tax relief amounts provided pursuant to this by-law are not transferable to the estates of deceased owners.

5. The amount of tax relief granted pursuant to this by-law shall represent a lien against the property.

5. The amount of tax relief granted pursuant to this by-law shall represent a lien against the property.

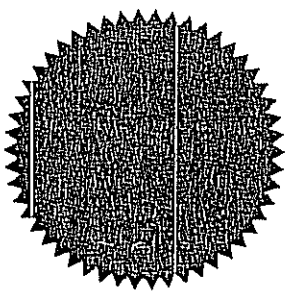
6. Tax relief is only allowed on one principal residence of the qualified individual or the qualifying spouse.

7. Application for tax relief must be made annually to the City to establish eligibility or continued eligibility. Applications must include documentation in support thereof to establish that the applicant is an eligible person and that the property with respect which the application is made is eligible property. Applications must be submitted to the City on or before the last day December in the year for which the application applies, on a form prescribed by the City for this purpose.

8. Tax relief applies to current taxes only and are only deferred after payment in full is received for any current or past year amounts payable.

9. This by-law shall come into force and take place immediately.

PASSED this SECOND day of MAY, 2005.



.....
K.M. QUARRIE - MAYOR

.....
V.CHARLENE LAVIGNE-DEPUTY CITY CLERK

CITY OF Guelph

INFORMATION SERVICES DEPARTMENT
CITY CLERK'S DIVISION
City Hall, 59 Carden Street
Guelph, Ontario, Canada N1H 3A1
Telephone: (519) 837-5603 Fax: (519) 763-1269
Website: guelph.ca

January 30, 2007

Councillor Karl Wettstein

Dear Councillor Wettstein,

At a meeting of Guelph City Council held on January 23, 2007 the following resolution was adopted:

"THAT Finance, Administration & Corporate Services Committee examine the issue of offering to senior citizens and homeowners on fixed income, the option of deferring any future tax increases until such time as they sell their homes, at which time the City will collect those deferred taxes;

AND THAT staff report to the Finance, Administration & Corporate Services Committee with regard to the feasibility, costs and practices in other municipalities of such a program."

Yours truly,

Lois A. Giles,
City Clerk/Manager of Council
Administrative Services

cc.: Mr. D.A. Kennedy
Ms. L.E. Payne

*nhm

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2002) - 16851

A By-law to provide for relief from taxes for charitable organizations and to repeal by-law number (1998)-15834.

WHEREAS Section 442.1 of the *Municipal Act* as amended provides that every municipality shall have a tax rebate program for eligible charities for the purpose of giving them relief from taxes on eligible property they occupy;

THEREFORE THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. In this by-law, eligible charity means a registered charity as defined in subsection 248(1) of the *Income Tax Act (Canada)* that has a registered number issued by the Canada Customs and Revenue Agency.

2. A property is eligible if it is in one of the commercial classes or industrial classes, within the meaning of subsection 363(2) of the *Municipal Act* as amended.

3. A property is eligible if it is actually used and occupied as a memorial home, clubhouse or athletic grounds by those organizations whose persons served in the armed forces of *Her Majesty* or *Her Majesty's* allies in any war.

4. The rebate shall be 40% of the taxes payable by the eligible charity on the eligible property it occupies for those properties in one of the commercial or industrial classes.

5. The rebate shall be 100% of the taxes payable by those organizations whose persons served in the armed forces on the eligible property it occupies .

6. An eligible charity shall make application to the municipality each year for which a rebate of taxes is requested, such application to be made on the prescribed form after January 1 of the year and no later than the last day of February of the following year.

7. This By-law shall come into force and take effect immediately.

8. By-law Number (1998) -15834 is hereby repealed.

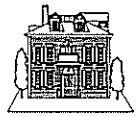
PASSED this 6th day of May, 2002.

KAREN FARBRIDGE-MAYOR

LOIS A GILES-CITY CLERK

RECEIVED
MAY - 9 2002
TAX OFFICE

CITY OF GUELPH
2007 PROPERTY TAX POLICY PRESENTATION



Finance, Administration & Corporate Services Committee
April 4, 2007

OBJECTIVE

To present staff recommendations for the 2007 tax policy decisions required of Council.

COUNCIL RESPONSIBILITIES

- ✓ establishes taxation requirement through approval of budget
- ✓ adopt certain policies
- ✓ establish tax ratios and tax rates

PROPERTY TAX CLASSES

- residential/farm
- multi-residential
- new multi-residential
- commercial: occupied, excess land & vacant land
- industrial: occupied, excess land & vacant land
- pipelines
- farm lands
- managed forests

TAX RATIOS

- tax ratios show how a property class tax rate compares with the residential rate
- residential/farm is benchmark (ratio =1)
- if a property class has a ratio of 2, then it is taxed at twice the rate of the residential class
- tax ratio for farmlands and managed forests will equal 25% of the residential tax rate

TAX RATIOS

- municipalities can set different tax ratios for different classes of property (except farmland and managed forests)
- the Province has also established "ranges of fairness"

TAX RATIOS

- if the ratio for a property class is outside the "range of fairness", a municipality can either:
  - maintain the current ratio,
  - or move towards the range of fairness,
  - but may not move further from the fairness ranges
- ***changing the ratios changes the amount of taxes to be collected from each property class***

TAX RATIO TABLE

Class	Provincial range of fairness	Guelph's current ratios
Res/farm	N/A	1.000000
Multi res	1.0 to 1.1	2.740000
Commercia	0.6 to 1.1	1.840000
Industrial	0.6 to 1.1	2.630000
Pipeline	0.6 to 0.7	1.917500
Farmlands	N/A	0.250000
Managed forests	N/A	0.250000

TAX BURDEN SCENARIOS

% of taxes collected from each property class

	Based on current ratios	Based on higher limit of fairness ranges	Based on lower limit of fairness ranges
Res/Farm	63 %	77%	84%
Multi res	11%	5 %	5%
Commercial	16%	12%	7%
Industrial	10 %	5 %	3%
Other	<0.3 %	<0.2 %	<0.1%
TOTAL	100 %	100 %	100%

TAX RATIOS

RECOMMENDATION:

- use current ratios for the 2007 taxation year

WHY?

- eliminates interclass shifts

TAX RATES

- Levy

  Assessment x ratio = Base rate (residential rate)

- If property is assessed at value of $100,000, and tax rate is 1.5%, then the property tax is $1,500

PRELIMINARY 2007 TAX RATES

CLASS	CITY TAX RATE
Residential	1.045852%
Multi-residential	2.865636%
New multi-residential	1.045852%
Commercial	1.924368%
Industrial	2.750592%
Pipeline	2.005422%
Farmland	0.261463%
Managed Forests	0.261463%

GRADUATED COMM/INDL TAX RATES

- municipalities can set lower tax rates for lower-valued commercial or industrial properties
- legislative reference: Municipal Act 2001 Section 314
- STEPS:
  - establish bands of assessment
  - each band taxed at a different rate
  - lower rates applied to the lower band

GRADUATED COMM/INDL TAX RATES

- must apply to all commercial or industrial properties
- either one to three bands of assessment are allowed
- must be self financing within the class - i.e. no tax impact on other property classes
- results in different effective rates of taxation for each property

GRADUATED COMM/INDL TAX RATES - SCENARIO

- BAND 1: $0 to $1.0 M
  - Tax rate: 50% of full commercial rate
- BAND 2: $1.0 M to $2.5 M
  - Tax rate: 75% of full commercial rate
- BAND 3: greater than $2.5 M
  - Tax rate: full commercial rate

SAMPLE GRADUATED COMMERCIAL TAX SCENARIO

Class	Band 1 $0 to $1M	Band 2 $1,000,001 - $2.5M	Band 3 Greater than $2.5 M
Commercial occupied	50% of full commercial rate	75% of full commercial rate	Full commercial rate

SAMPLE TAX BILL CALCULATION

COMMERCIAL OCCUPIED CVA OF $5,000,000
FULL TAX RATE – 3%

	Assessment	Tax Rate	Total Taxes
Band 1	$1,000,000	1.5%	$15,000
Band 2	$1,500,000	2.25%	$33,750
Band 3	$2,500.000	3%	$75,000
TOTAL	$5,000,000		$123,750

GRADUATED COMM/INDL TAX RATES

RECOMMENDATION:
- Not recommended for 2007

WHY?
- each property taxed at a different effective rate
- unfair to some property owners
- would in some cases adversely affect small tenants
- high administrative costs

OPTIONAL PROPERTY CLASSES

- Council may by-law establish new property classes for shopping centres, office buildings, parking lots, and large industrial properties
- legislative reference: Municipal Act 2001 Section 308 and O.Reg 282/98
- requires separate tax ratios and tax rates for each class

OPTIONAL PROPERTY CLASSES

- **shopping centres:** rentable area of a shopping centre (at least three units) that exceeds 25,000 square feet - the first 25,000 square feet remains in the commercial class
- **office buildings:** only the portion of an office building in excess of 25,000 square feet of rentable space is included in this class - the first 25,000 square feet remains in the commercial class

OPTIONAL PROPERTY CLASSES

- **parking lots:** entire assessment of such properties is included in this class
- **large industrial properties:** buildings in excess of 125,000 square feet - entire assessment is included in this class

OPTIONAL PROPERTY CLASSES

RECOMMENDATION:

- do not establish separate classes of property for shopping centres, office buildings, parking lots, and large industrial properties

WHY?

- could results in subsidization of some properties
- moves away from intent of current value assessment

NEW MULTI RESIDENTIAL PROPERTIES

- municipalities can establish a separate class of property of new multi residential development
- these properties can be taxed at the lower residential tax rate for a maximum of thirty-five years
- could be used as an incentive to stimulate such development
- Council adopted under By-law (2002) - 16852

NEW MULTI RESIDENTIAL PROPERTIES

RECOMMENDATION:

- already established under By-law (2002) - 16852

WHY?

- consistent with the City's position in the Official Plan of encouraging intensification and multi residential development
- may assist in promoting an adequate supply of affordable rental housing units by attracting new development

PHASE IN

- municipalities may phase-in increases or decreases in the year of a reassessment for a period of two to eight years
- legislative reference: Municipal Act 2001 Section 316
- the amount phased-in must remain equivalent or decline over the phase in period (i.e. cannot wait until end of phase in period to pass on majority of impacts)
- different property classes may be treated differently
- cannot phase in the decreases in one class to offset increases in another class

PHASE IN OF ASSESSMENT RELATED TAX INCREASES

ASSUMPTIONS: OLD TAXES = $3,000 NEW TAXES = $4,000
UNIFORM PHASE-IN OVER 4 YEARS

Yea	Previous Taxes	Amount of increase passed on	Actual Tax Bill	Amount phased in
2007	$3,000	$250	$3,250	$750
2008	$3,250	$250	$3,500	$500
2009	$3,500	$250	$3,750	$250
2010	$3,750	$250	$4,000	$0

PHASE IN OF ASSESSMENT RELATED TAX DECREASES

ASSUMPTIONS: OLD TAXES = $5,000 NEW TAXES = $2,500
UNIFORM PHASE-IN OVER 5 YEARS

Year	Previous Taxes	Amount of decrease passed on	Actual Tax Bill	Amount phased in
2007	$5,000	-$500	$4,500	-$2,000
2008	$4,500	-$500	$4,000	-$1,500
2009	$4,000	-$500	$3,500	-$1,000
2010	$3,500	-$500	$3,000	-$500
2011	$3,000	-$500	$2,500	0

PHASE IN

RECOMMENDATION:

- Not applicable for 2007

WHY?

- Province has frozen reassessment until 2009
- can be complex and confusing – permutations and combinations are almost limitless
- can be seen as contrary to the basic premise of reassessment
- can be perceived as discriminatory when the level of assistance varies by property class
- taxpayers expecting reductions as a result of the reassessment may feel that they have been overpaying and should receive their full entitlement immediately
- phasing-in would result in significant taxpayer confusion and considerable administrative costs

MANDATORY CAPPING

Province has provided increased flexibility for municipalities commencing in 2005 with the following options available:

- maintain the 5% mandatory cap
- increase the cap limit to 10% of 2006 annualized taxes or
- increase the cap limit to 5% of 2006 CVA taxes whichever is higher
- move capped properties to CVA tax if the capped taxes are within a maximum of $250 CVA taxes without creating a shortfall

MANDATORY CAPPING

- move properties that are subject to the clawback to CVA tax if the taxes including the clawback amount are within a maximum of $250 of CVA taxes without creating a shortfall
- phasing out by up to 10% each year, the "new construction/new to class" provisions of the Act
- cost of tax relief offset by corresponding limit on decreases

MANDATORY CAPPING

RECOMMENDATION:
Establish the following parameters for 2007:

- Cap limit of 10% of 2006 annualized taxes
- Min tax increase of 5% of 2006 CVA taxes
- Move capped properties to CVA tax if the capped taxes are within a max of $250 of CVA taxes without creating a shortfall
- Move properties that are subject to the clawback to CVA tax if the taxes including the clawback amount are within a max of $250 of CVA taxes without creating a shortfall
- Set a min tax level of 90% of CVA tax for new construction/new to class business properties (ie multi-residential, commercial and industrial)

WHY?

- enables the City to move capped classes closer to CVA taxation more quickly
- results in greater stability and predictability in property taxation
- perceived to be fair and equitable to taxpayers because properties in the same class with the same CVA should pay the same tax

MUNICIPAL TAX REDUCTION

- permits the City to reduce the taxes of a property which is subject to capping limitations by the amount that would otherwise have been a capping adjustment
- legislative reference: Municipal Act Section 2001 Section 362
- has limited usefulness – especially a means of removing a property requiring a large capping adjustment from the capping calculation in order to make the capping work
- cost of program is not shared by the school boards

MUNICIPAL TAX REDUCTION

RECOMMENDATION:
Not recommended for 2007

WHY?
Could be very costly since the school board does not share

Provides specific preferential treatment to an individual property and therefore goes against the overiding principle of fairness

TAX RELIEF FOR LOW-INCOME SENIORS AND LOW-INCOME PERSONS WITH DISABILITIES

- municipalities MUST provide a program of tax relief for property owners who are low income seniors or who are low income persons with disabilities
- relief can be in the form of a deferral or cancellation of assessment related tax increases

TAX RELIEF FOR LOW-INCOME SENIORS AND LOW-INCOME PERSONS WITH DISABILITIES

- tax certificate must show any deferrals
- the priority lien status of real property taxes applies to any such deferrals
- owner must apply for the deferral each year
- municipality sets eligibility, minimum amounts to be passed on

PROPERTY TAX RELIEF EXAMPLE

- 2006 taxes: $1,500
- 2007 taxes: $2,000
- Assume: tax deferral of increases over $300
- 2007 deferral: $500 - $300 (not deferred) = $200
- ***2007 tax bill = $1,500 + $300 = $1,800***
- $200 lien registered on title

TAX RELIEF FOR LOW-INCOME SENIORS AND LOW-INCOME PERSONS WITH DISABILITIES

RECOMMENDATION:

- already established under By-law (2005) – 17727

WHY?

- eligibility criteria will be relatively simple to administer and customer friendly, as applicants need only demonstrate proof of eligibility for existing federal/provincial programs to qualify for tax relief
- deferral option is less costly to the City

RELIEF FOR CHARITIES AND SIMILAR ORGANIZATIONS

- Must provide rebates to charitable organizations occupying commercial or industrial property
  - rebates must be at least 40 per cent of total tax
  - recognizes that these organizations paid tax at the lower residential rate and did not pay business tax
  - must be a registered charity in accordance with the Income Tax Act
- Program options:
  - can rebate up to 100% of taxes
  - can also rebate other similar organizations at any %

RELIEF FOR CHARITIES AND SIMILAR ORGANIZATIONS

RECOMMENDATION:

- currently established under By-law (2002) – 16851
- rebate equal to 40% of total taxes paid
- rebate set at 100% for those properties that are used and occupied as a memorial home, clubhouse or athletic grounds by those organizations whose person served in the armed forces of Her Majesty or Her Majesty's allies in any war (eg. Legion, Army & Navy)

NEXT STEPS

- Council approval on April 16, 2007
- Bylaws required for tax ratios, tax rates and capping parameters
- Prepare final tax bills

QUESTIONS?

REPORT OF THE GOVERNANCE & ECONOMIC DEVELOPMENT COMMITTEE

April 16, 2007

Her Worship the Mayor and
Councillors of the City of Guelph

Your Governance & Economic Development Committee beg leave to present this their THIRD REPORT as recommended at its meeting of April 10, 2007;

CLAUSE 1. THAT the Community Design and Development Services Report #07-27, dated April 10, 2007 be received;

AND THAT Guelph City Council approve the 2007 to 2011 Downtown Guelph Investment Action Plan as detailed in the report prepared by the Manager of Economic Development and Tourism and the Chair of the Guelph Downtown Advisory Committee, as the framework for developing implementation programs and associated budgets;

AND THAT Guelph City Council directs the Manager of Economic Development and Tourism to report quarterly on the implementation of the 2007 to 2011 Downtown Guelph Investment Action Plan;

AND THAT Guelph City Council dissolves the Guelph Downtown Advisory Committee, and that the members be thanked for their contribution.

(The matter with respect to the establishment of a Guelph Downtown Coordinating Committee has been referred back to staff.)

CLAUSE 2. THAT the City of Guelph request the Province of Ontario to make amendments to the Municipal Elections Act as outlined in Schedule "A" to the report dated April 10th, 2007, and that the City clerk be directed to prepare budget packages for the 2008, 2009 and 2010 budgets for the cost of enhancements to local election procedures.
All of which is respectfully submitted.

Councillor Gloria Kovach, Chair
Governance & Economic Development
Committee

City of Guelph

Report #:

COMMUNITY DESIGN & DEVELOPMENT SERVICES
Economic Development & Tourism Division
(Report 07-27)

TO: *Governance and Economic Development Committee*

DATE: **April 10, 2007**

SUBJECT: **2007 to 2011 DOWNTOWN GUELPH INVESTMENT ACTION PLAN**

RECOMMENDATION:

"THAT the Community Design and Development Services Report # 07-27, dated April 10, 2007 be received,

AND THAT Guelph City Council approve the 2007 to 2011 Downtown Guelph Investment Action Plan, as detailed in the attached report prepared by the Manager of Economic Development and Tourism and the Chair of the Guelph Downtown Advisory Committee, as the framework for developing implementation programs and associated budgets,

AND THAT Guelph City Council directs the Manager of Economic Development and Tourism to report quarterly on the implementation of the 2007 to 2011 Downtown Guelph Investment Action Plan,

AND THAT Guelph City Council dissolves the Guelph Downtown Advisory Committee and establishes a Guelph Downtown Coordinating Committee as outlined in the attached report to assist with the implementation of the 2007 to 2011 Downtown Guelph Action Plan."

BACKGROUND:

Guelph City Council has long supported the use of public funds to position the downtown as a desirable location to conduct business, pursue cultural interests and reside. **Appendix "A"** provides an example of the studies, programs and major capital projects initiated to date by the City of Guelph.

Despite these considerable efforts, there has been a concern among local stakeholders, staff and Council that these initiatives have not leveraged the level of private sector investment that is required to ensure the long-term economic sustainability of Guelph's downtown.

Guelph City Council therefore directed staff to conduct a best practice review of investment programs used by other municipalities and based on the findings to recommend an Action Plan to improve Guelph's downtown.

Guelph City Council also approved the establishment of a Downtown Advisory Group (DAG) to assist staff with the assessment and the development of an Action Plan. DAG represents a broad range of stakeholders from the development industry, downtown businesses, academia, municipal staff, as well as Council. A list of the DAG representatives is found in **Appendix "B"** of this report.

With funding support from the City of Guelph, the Cooperators Group and Milan Lesic and the Downtown Board of Management, the firm of UrbanMetrics Inc. was retained by staff and DAG to conduct a best practice review. UrbanMetrics is a consulting firm having expertise in municipal economic development and downtown programs. In summary the consultant's work consisted of:

- Conducting workshops with local stakeholders to gain their insight and experience with respect to issues, perceptions, and opinions regarding the current health of Guelph's downtown, impediments for new investment as well as future investment opportunities. Stakeholders included most City departments, Guelph Police Services, the public, the development industry, business investors, the arts and cultural community, the University of Guelph, local business, community organizations, and property owners.

- Conducting a literature review of North American municipal downtown management and investment programs.

Appendix "C", ***'City of Guelph Incentives Study' and Appendix "D" 'City of Guelph Investment Plan and Management Structure'*** provide the executive summaries of the consultant's findings.

Additional information was obtained through interviews conducted by staff, DAG and representatives from the Cities of Brantford, Kitchener and Cambridge as well as the Town of Newmarket's Business Improvement Area (BIA) program. Each of these municipalities has developed downtown investment programs that are viewed by many as being highly successful.

This background information was used to structure the Action Plan described in this report.

REPORT:

The research conducted suggests to staff and the members of DAG that programs that have been successful in other municipalities have done so through:

- Addressing social, physical and investment issues in a targeted and pro-active manner through the establishment of priority programs.

- Establishing and monitoring risk indicators and developing strategies and supporting programs in advance of the existence of downtown issues.

- Encouraging and promoting the functionality of downtown's as a multi-use district through the targeting of programs and pilot projects.

- Establishing financial and non-financial (policy) incentive/performance based programs to mitigate the technical and economic risks encountered by private sector investors.

- Creating certainty and consistency regarding the implementation of municipal planning and development policies and processes through a centralized management structure.

- Coordinating municipal capital improvement and maintenance programs with private sector initiatives through a centralized management structure.

- Promoting downtown opportunities to attract visitors and promote investment opportunities and programs.

In addition to these general points, staff and the members of DAG considered emerging Provincial and Municipal policies during the development of Guelph's Action Plan. Of specific interest were:

- **The Provincial Government's 'Places to Grow' Plan** – This plan encourages in-fill development opportunities within downtowns. Guelph's downtown is designated as an Urban Grow Centre, which establishes a target density of 150 jobs per hectare. This plan creates a framework for new investment opportunities through the establishment of provincial policies.

- **The Provincial Government's Municipal Act Reform** – Recent changes to this Provincial legislation now provide Municipalities with broader financial and management powers and tools relating to use of incentives and governance structures to stimulate development.

- **The City of Guelph's Local Growth Management Study** – The preparation of a Local Growth Management Strategy will, through extensive public consultation and participation, be the key vehicle to address the Places to Grow policies, which can positively influence development opportunities for the downtown.

- **The City of Guelph's Commercial Policy Review (CPR)** – The CPR reinforces the importance of downtown from a commercial perspective and which ensures that downtown commercial opportunities are not compromised by development in other areas of the City. The CPR also recognizes the uniqueness of Guelph's downtown.

Finally DAG and staff also foresee the need for the Action Plan to address and implement potential for new investment opportunities and issues arising from planned public sector capital projects.

Proposed 2007 – 2011 Downtown Guelph Investment Action Plan

It is therefore recommended that an Investment Action Plan for the Guelph's downtown should include the following elements.

1) The Establishment of a Dedicated Downtown Management Structure

A dedicated management structure is required to act as the central (one window) point of contact between City staff, the downtown business community and other downtown stakeholders in the development, planning, budgeting and delivery of programs that will be targeted to improve the social, fiscal, cultural and investment climate for Guelph's downtown. Such a management structure will serve to coordinate programs and provide the type of process continuity that will

be required to attract and retain private sector investment. Council has approved this component of the Action Plan through the funding of an Economic Development Downtown Management position in the City's 2007 operating budget.

2) The Establishment of Downtown Stakeholder's Responsibilities and Development of Operating Protocols.

Research indicates that successful downtowns are realized in part through the efficient delivery of programs and activities. In order to improve the coordination and eliminate duplication of City and non-City activities there needs to be developed a clear understanding of the roles, responsibilities and operating protocols between the stakeholder groups. Also required will be a mechanism to address and mediate issues between stakeholder groups. Through collaboration with these groups it will be the Economic Development Downtown Manager's responsibility to establish and assist in the coordination of stakeholder responsibilities and protocols.

3) Coordination of Municipal Capital & Maintenance Programs

The City of Guelph will continue to act as the major investor in Guelph's downtown through the delivery of capital and maintenance programs. Such programs are essential to create an environment that will support current private sector commercial activities and attract new private sector investment. The scheduling and delivery of such programs needs to be carefully addressed in order to facilitate and maximize private sector investment. The Economic Development Downtown Manager will be responsible for working with city program staff and downtown stakeholders on the scheduling and implementation of municipal capital and maintenance programs to mitigate logistic and/or functional issues arising from such programs.

4) Preparation of a Downtown Community Improvement Plan (CIP)

The creation of a Downtown Community Improvement Plan will serve as the legislative basis for the establishment and implement through incentive programs the long-term vision, goals and objectives for the downtown. The creation of a CIP will help crystallize and properly position opportunities to ensure Guelph's downtown will be positively positioned to leverage a higher level of private sector investment. It will be responsibility of the Economic Development Downtown Manager to coordinate the preparation and implement the CIP for the downtown core.

5) Creation of Downtown Investment Incentive Programs

The implementation of the CIP will be in part done through a menu of financial and non-financial incentive programs and accompanying policies, which will be utilized, on a case-by-case basis. It will be necessary to develop business and planning cases for the establishment of incentives to ensure they are being targeted and used to facilitate good business opportunities for the City. It will be the responsibility of the Economic Development Downtown Manager to develop these programs and policies, and subject to Council approval, implement the delivery and administration of these programs. Year-end reports and recommendations for the continuation and adjustments to these programs are to be provided to council.

6) Development & Implementation of Investment Pilot Projects

Planned municipal capital works investment within the downtown core will create opportunities to obtain new, desired private sector investment. For example, the construction of the new Civic Administration Centre will provide real estate capacity within the existing real estate space to be vacated by the City to attract new investment. The re-development potential of the Baker Street parking lot may also present another opportunity to target private sector investment. The City is therefore in a unique position to develop and structure pilot projects, which would act as the driver in attracting new private sector investment throughout the downtown. Pilot project(s) will also be beneficial in promoting incentive programs endorsed by council. It will be the responsibility of the Downtown Project Manager to identify, prepare and recommend to council the business case for a pilot project(s), to manage the implementation of such projects including working with private sector proponents through the process.

7) Creation & Implementation of Marketing & Promotion Programs

It will be critical that effective marketing and promotional programs be developed that not only promote investment opportunities, but to also promote events and activities within the downtown. It will be equally critical that effective joint venture programs be developed with such groups as the Downtown Board of Management, River Run Centre, Guelph Sports and Entertainment Centre, Old Quebec Street and Visitor and Convention Services. It will be the responsibility of the Downtown Project Manager to develop and deliver marketing and promotional programs that will highlight investment opportunities as well as joint venture programs that will highlight events.

8) Stakeholder Liaison

The Downtown Project Manager will act as the principle coordinator between City staff, investment/developer proponents, non-government organizations, the Downtown Board of Management, downtown businesses and the public on matters relating to the development of proposals, the delivery of municipal programs, events and other matters relating to the health of the downtown.

Appendix "E" of this report elaborates further on the action and timing of these components. It is proposed that this outline be used to direct and measure the success of the Action Plan.

Finally the approval of this Action Plan will fulfill DAG's responsibilities to Guelph City Council. It is therefore recommended that this committee be thanked for its efforts and that it be dissolved and replaced by a new Guelph Downtown Coordinating Committee.

The proposed mandate of this Committee will be to work closely with the Downtown Project Manager to achieve the following:

- To clearly identify the roles and responsibilities of all municipal and non-municipal stakeholders within the downtown;

- To provide recommendations to City staff regarding:

    - the development and implementation to programs designed to address ongoing issues of operation/design/safety/maintenance/use of downtown area;

    - the development, implementation to plans and programs for improvements in the downtown area;

- To improve the scheduling and operating of events and programs in the downtown area between stakeholders; and

- To coordinate communications amongst the municipal and stakeholder groups.

- To monitor the results of the Action Plan and to provide recommendations for any required amendments to the plan.

The proposed composition of the coordinating committee will be as follows:

- A Chair for the Committee – the City of Guelph Downtown Project Manager

- Two appointed representatives from Guelph City Council;

- One appointed representative from the Downtown Board of Management – being the Director for the Downtown Board of Management.

- One appointed member from Guelph Police Services

- One appointed member from the Guelph Development Association

It is understood that the Mayor will be an ex-officio member of this Committee and that the Chief Administrative Officer and Director of Community Design and Development Services will act as advisors to the Committee.

FINANCIAL IMPLICATIONS:

- Funds have been approved for this Action Plan by Guelph City Council in the 2007, 2008 and 2009 Operating Budget as follows: advisory

  2007 - $97,700
  2008 - $297,700
  2009 - $297,700

CONSULATATION :

- **Downtown Advisory Group**
- **Downtown Board of Management**
- **City of Guelph - Community Design and Development Services**
- **City of Guelph - Community Services**
- **City of Guelph - Operations**

ATTACHMENTS:

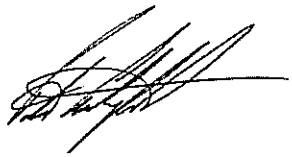
Appendix "A" - Summary of City of Guelph Downtown Investments

Appendix "B" - Guelph Downtown Action Group Membership

Appendix "C" – 'Executive Summary - City of Guelph Incentives Study'

Appendix "D" – 'Executive Summary - *City of Guelph Investment Plan and Management Structure'*

Appendix "E" - Recommended Program Actions, Deliverables & Implementation Schedule



Prepared & Recommended By:
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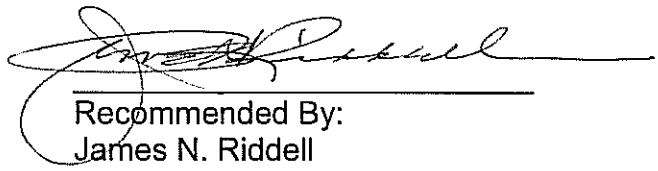

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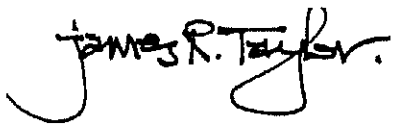
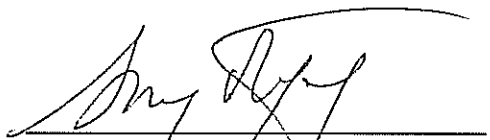


Recommended By:
James Taylor
Chair Downtown Advisory Group



Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

Appendix "A"

Summary
Of
City of Guelph
Downtown Investments
1995 - 2005

Major Capital Projects 1995 - 2005		Amount
River Run Centre Construction	$	6,950,196
Eaton's Centre Mall	$	5,226,061
Guelph Sports & Entertainment Centre Construction	$	10,946,893
Downtown Public Realm	$	2,083,985
Total Capital Projects	**$**	**25,207,135**

Capital Expenditures 1996 - 2005	**$**	**52,711,828**

Studies		
Downtown Transit Transfer Study 2002 to 2005	$	389,741
Civic Administration Study	$	532,479
Cardigan Masterplan	$	460,745
Downtown Studies	$	420,000
Baker Street Lot Study	$	300,000
Community Improvement Studies	$	330,000
Transportation Strategy Update	$	61,866
Transportation Strategy Implementation	$	668,749
Infrastructure Sustainability Study	$	309,122
Total Studies	**$**	**3,472,702**

Total City Investment	**$**	**81,391,665**

Source: City of Guelph Finance Department 2006

Appendix "B"
Downtown Advisory Group Membership

SECTOR	MEMBER
City Council	Councillor Laura Baily Councillor Lise Burcher
Guelph Chamber of Commerce	Ian Smith
Guelph Economic Development Advisory Group	Ray Culver
Downtown Board of Management	Barbara Macintyre
Developer/Investment Community	Astrid Clos Andrew Lambden
Downtown Business	Kyle Tucker Scott Gosslink
General Public	Jennifer Mackie Ken Hammill
University of Guelph	Dr. James Taylor
Guelph Arts Council	Sally Wismer

Appendix C

Executive Summary

City of Guelph Incentives Study

Executive Summary

Downtown Guelph is at a crossroads. While there are indicators to suggest that the City's core area is a healthy urban centre - a diversity of existing commercial enterprises (shops, services, restaurants, and offices) there are also indications that the downtown is experiencing a decline. The negative press received in recent years has deterred people and activity in the downtown. Vagrancy, panhandling and drug use are increasing, rents are decreasing, and consequently there is reluctance on the part of the private sector development community to invest in the downtown. Tax assessment derived from economic base is therefore declining and aspects of the downtown's physical appearance are beginning to deteriorate. The experience of other communities in Ontario reveals that renewed commitment to their downtowns only occurred when decline was highly visible and resulted in the need for significant and sustained resources to overcome the problem. To do nothing is not an option.

In recognition of the potential that exists with respect to the revitalization of Guelph's downtown, the City of Guelph's Economic Development Department was directed by Guelph City Council to develop a 5 year *Downtown Investment Plan and Management Structure*. The primary intent is to:

- advance downtown priorities and programs,
- produce an updated vision for the downtown based on community input,
- provide for a feasible investment plan, and
- recommend a management structure to enable the implementation of on-going and future revitalization initiatives within the downtown.

Fundamental to the development of an investment plan for Downtown Guelph are the thoughts and opinions of local business, area residents and key stakeholders. In consideration of this, the study reflects the input of three community focus groups that included representatives of various municipal departments, small business operators and community business leaders, the arts and cultural community, the development community, property owners, area residents and the City's Downtown Advisory Group.

Initiating positive change in Downtown Guelph is tied to attracting more residential development, attracting more businesses, creating a more successful business environment and an having an attractive physical place that not only accommodates anticipated redevelopment but that also respects the highly valued heritage context.

There is substantial evidence, however, that a much more comprehensive way of planning for the future is required if the anticipated evolution of Downtown Guelph is to be achieved. The key triggers for success to establishing the environment for a revitalized downtown must include a complex combination of political will, investment in the public realm and infrastructure and a comprehensive package of land use planning policies that include development incentives.

A successful Investment Plan must start with the identification of actions that can be implemented to facilitate and manage positive change. The premise for this Plan is that market demand will be enhanced, development costs will be reduced and development risk will ameliorated.

The following 7 interrelated Priority Actions are necessary to facilitate the appropriate revitalization of Downtown Guelph:

1. ***Establish a Management Structure***

2. ***Establish Financial Incentive Programs***

3. ***Eliminate Financial Barriers to Investment***

4. ***Revise the Planning Framework to Enhance Investment***

5. ***Further Investment in the Public Realm***

6. ***Improve the Social Fabric***

7. ***Improve the Marketing***

In our opinion, the fundamental consideration for the City of Guelph in the implementation of the Investment Plan will be to undertake the preparation of a Community Improvement Plan. The completion of this initiative will set the policy framework for future development and re-development of Downtown Guelph and confirm the City's strategic priorities, including the use of incentives to attract investment to the core area. This initiative also represents the most important consideration in the re-positioning of the downtown and the basis from which other efforts at revitalizing the downtown will flow.

In conjunction with this effort is the recommendation that the City create a Downtown Development Division within the City's Economic Development Department that can champion downtown interests and coordinate all downtown services and functions. It is also essential that a more formal reporting relationship with Council be established that enables the resolution of issues impacting the downtown as they arise. Having established a policy framework to advance

the economic viability of the downtown, the mandate of the Downtown Development Division will be to ensure the future accountability and implementation of civic priorities in the downtown.

Appendix D

Executive Summary

Downtown Guelph Investment Plan
and
Management Structure Report

Executive Summary

Recognizing the need to explore and develop municipal incentives for the purposes of increasing tax revenue from the City's industrial base and residential development in the Downtown, the City of Guelph has completed a Municipal Incentives Study. The purpose of the study has been to investigate what programs and financial incentives the City may wish to consider, in encouraging the expansion of the industrial tax base city wide, and the residential tax base in the Downtown core.

Underlying the purpose of the study has been the need to provide greater clarity to municipal decision makers with respect to the importance of on-going public support designed to encourage downtown residential development and growth of the City's industrial tax base.

This study was completed in two parts. Part I, completed in November 2004, comprised a review of the current legislative framework that enables municipalities to provide private sector financial incentives for the purposes of generating development; and a review of best practice municipalities and the programs currently being used for stimulating growth and reinvestment in their downtowns and the attraction of new industrial investment.

Key findings from this phase of work suggest that:

1. **Recent changes to Ontario legislation have provided municipalities with broader powers and tools relating to the provision of financial incentives. Used effectively, these tools have the potential to positively impact both downtown residential investment and city-wide industrial development.**

2. **Municipal efforts at targeting downtown residential intensification and industrial tax base growth are generally undertaken through the use of the Community Improvement Plan provisions of the *Planning Act*.**

3. **The Community Improvement Plans often underscore the economic, social and environmental benefits of downtown industrial development on vacant and under-utilized sites. As such, efforts targeting the industrial tax base usually focus on re-development rather than greenfield development.**

4. **Efforts at increasing the industrial base on a city-wide basis have largely been limited to development charge waivers and non-financial assistance in the form of business planning assistance, marketing etc.**

5. **The municipal programs and revitalization tools reviewed in this report are seen as having been very successful. This is largely attributed to the fact that financial returns on private sector investment are frequently many times higher than the initial value of the incentive.**

6. **A review of best practice programs targeting growth and reinvestment in downtowns reveals that the community benefit derived from new downtown residential development necessitates either the elimination or reduction in applicable development charges. The one-time costs of a development charge waiver are far outweighed by the economic (increased economic activity, assessment and tax revenues); social (removal of stigma, decrease in number of underutilized or vacant sites), and environmental (contaminant removal) benefits.**

7. **Exempting downtown properties from development charges is an effective way of off-setting the development cost premium of downtown infill development as development charges are seen as an impediment to private sector investment. Industrial tax base growth can also benefit substantially from a development charge exemption when looking to stimulate industrial growth.**

Based on these findings, Part II of the study which concluded in October 2005, focused on providing a detailed summary of local issues and interest in the use of incentives and recommendations as to the most appropriate initiatives for increasing or expediting downtown residential and city-wide industrial development, and an administrative structure for the implementation of an incentives program. In determining the appropriateness of incentives to attract business and residential investment, focus group discussions with a wide range of individuals from the development community, the real estate industry, local business and industry, municipal staff, municipal councillors, and representatives of various community and business organizations have been conducted.

In addressing whether the use of financial incentives would have the effect of attracting new investment to Guelph's industrial areas, it is suggested that financial incentives, such as the waiving of applicable development charges are not required at this time. This is based this on the fact that:

- **The current level of development charges are seen as being competitive;**

- **The City of Guelph has a Community Improvement Plan in place to deal with the remediation of brownfield sites;**

- **The City of Guelph has provisions in its Development Charge By-law for waiving 50 percent of the development charge fees of any planned expansion of existing facilities;**

- **The City's ability to increase industrial assessment is hampered in large part due to the lack of supply of readily available and serviced industrial land; and that**

- **The interest and demand for industrial sites in Guelph is set to increase with the opening of the Hanlon Creek Business Park.**

However, in order to assist with the retention and expansion of existing businesses, we recommend that the City give consideration to:

- A 50% reduction of development charges for those existing Guelph businesses wishing to expand their operations to a different site

In contrast to the use of incentives to stimulate new industrial investment, an incentives program could be effective in expediting the development of new residential units in the downtown, as it would assist in eliminating some of the financial risk that is equated with infill development and the redevelopment of vacant buildings. An incentives program would also assist in:

- increasing the population living downtown, thus creating a ready market for downtown businesses and services;

- maximize the opportunity for increased tax assessment;

- assist with maintaining and improving existing building stock; and

- ensure a sustained economic growth in the downtown and support the vital character of the downtown that was identified by stakeholders as being such an asset to the City of Guelph.

For this reason it is recommended that the City of Guelph:

1. **Proceed with the development of a community improvement plan for an expanded downtown or central core area that reflects a broader range of investment opportunities for both business and residential development. The Community Improvement Plan should also include a comprehensive incentive program to stimulate new investment, particularly residential development.**

2. **Develop an incentive program and eligibility framework that focuses on:**

    - **Attracting residential development to suitable sites in the newly defined central core area. In our discussions with municipal staff and representatives from the development community a significant number of sites were identified as being suitable for residential redevelopment. While there were some sites within the current downtown, but there were many more key sites that surround or abut the downtown**

that would enhance the downtown if they were to be re-developed for residential purposes. An expanded core area also means they would also benefit from an incentive program. A consideration for these sites will be adoption of as of right zoning to enable more intensive development.

- Supporting upper storey renovations of existing buildings. Many communities are faced with the dilemma of vacant and deteriorating upper storey buildings. If the City is serious about increasing the resident population and activity in the core area then consideration must be given to the renovation of upper storey units.

- The reduction or waiving of development charges for new residential construction in a newly defined Central Core Area;

- The reduction or waiving of building permit or planning fees for new residential development;

- The reduction or waiving of the 5 percent residential parkland levy;

- The reduction of parking requirements for residential development;

- An upper storey renovation program in the form of both loans and grants;

- A façade improvement loan that seeks to enhance the downtown's heritage architecture

- Tax increment funding for heritage improvements and property designation under the Heritage Act;

- A feasibility study grant to assist with identifying structural issues; and

- The development of a marketing piece that promotes the individual programs for the downtown.

3. Incorporate a new policy framework for the downtown in the City's Official Plan that includes a more flexible approach to height, density and built form. There is a need to amend both the Zoning By-Law and Official Plan to provide for greater flexibility as it relates to residential development in the downtown. This combined approach will achieve a higher level of tax assessment but it will also ensure the long term economic viability of downtown businesses and public sector investment already located there.

The over-riding factor in the successful implementation of an incentive program in the City of Guelph will be the initial involvement and ongoing coordination between municipal departments, the public

and the development community where all the players are seen as partners in the development of a process that stands to benefit everyone.

Appendix "E"
Recommended Program Actions, Deliverables and Implementation Schedule

Activity	Responsibility	2007 Q1	2007 Q2	2007 Q3	2007 Q4	2008 Q1	2008 Q2	2008 Q3	2008 Q4	2009 Q1	2009 Q2	2009 Q3	2009 Q4	2010 Q1	2010 Q2	2010 Q3	2010 Q4
1.0 Dedicated Downtown Management Structure																	
1.1 - Funds and Position (FTE) Approved in 2007 Operation Budget	Council	▬															
1.2 - Position Filled & Operational	Manager, ED&T	▬	▬	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
1.3 - Downtown Coordinating Committee (DCC) Established/Operational	Downtown Manager			▬	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
2.0 Stakeholder Responsibilities & Operating Protocols																	
2.1 - Stakeholder Discussions Held	Downtown Manager			▬													
2.2 - Memorandums of Understanding Finalized	Downtown Manager				▬	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
3.0 Municipal Capital and Maintenance Priority Programs																	
3.1 Short Term Program (2007)																	
3.1.1 - Priorities Identified	Director, CDDS	▬															
3.1.2 - Capital Funding Approval	Council	★	▪	▪	▪	▪											
3.2 Medium & Long Term Program																	
3.2.1 - Priorities Identified	Downtown Manager				▬												
3.2.2 - Capital Funding Approval	Council					★	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
4.0 Downtown Community Improvement Plan (CIP)																	
4.1 - Initial Community Input Sessions Held	Downtown Manager			▬	▬												
4.2 - Draft CIP Prepared - Reviewed - Revised	Downtown Manager				▬	▬											
4.3 - Final Community Input Sessions Held	Downtown Manager					▬	▬										
4.3 - CIP & Recommendations Presented for Approval	Council						★	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
5.0 Downtown Investment Incentive Programs																	
5.1 - Business Case for Financial Incentives Developed	Downtown Manager				▬	▬	▬										
5.2 - Planning Case for Non-Financial Incentives Developed	Downtown Manager				▬	▬	▬										
5.3 - Implementation Policies for Incentive Program Developed	Downtown Manager				▬	▬	▬										
5.4 - Financial , Non-Financial Incentives & Policies Approved	Council						★	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
5.5 - Annual Status Report & Recommendations Provided to Council.	Manager, ED&T				★				★				★				★
6.0 Investment Pilot Projects																	
6.1.Baker Street RFP																	
6.1.1 - Process & Package Developed.	Manager, ED&T	▬	▬														
6.1.2 - Process and Package Presented for Approval	Manager, ED&T		★														
6.1.3 - RFP Issued & Proposals Assessed	Manager, ED&T		▬	▬													
6.1.4 - Proposal Awarded	Council			★													
6.2 Pilot Projects																	
6.2.1 - Business Cases Developed	Downtown Manager					▬	▬										
6.2.2 - Business Cases Presented for Approval	Manager, ED&T						★	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
6.3 Progress Status Report to Council.	Manager, ED&T				★				★				★				★
7.0 Marketing & Promotion Programs																	
7.1 Create and Implement Investment Awareness Programs	Downtown Manager				▬	▬	▬	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
7.2 Create Event and Promotional Programs with External Groups	Downtown Manager				▬	▬	▬	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
8.0 Stakeholder Liaison																	
8.1 Participate on the Downtown Board of Management	Downtown Manager	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪
8.2 Coordinate Specific Private Sector Initiatives	Downtown Manager	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪	▪

LEGEND

Planning/Development Timeline ▬

Implementation Timeline ▪

Milestone or Decision Making Point ★

City of Guelph

CORPORATE SERVICES

Report:

TO: Governance & Economic Development Committee

DATE: April 10, 2007

SUBJECT: **MUNICIPAL ELECTION REFORM**

RECOMMENDATION:

THAT the City of Guelph request the Province of Ontario to make amendments to the Municipal Elections Act as outlined in Schedule "A" to the report dated April 10th, 2007, and that the City Clerk be directed to prepare budget packages for the 2008, 2009 and 2010 budgets for the cost of enhancements to local election procedures.

SUMMARY:

All local elections in Ontario (municipal/school board) are governed by the Municipal Elections Act. This Act has not seen any significant amendments in over ten years. Municipalities in Ontario as well as the Association of Municipalities of Ontario and the Association of Municipal Managers, Clerks and Treasurers of Ontario have requested amendments numerous times, but to date, these concerns have not been fully addressed.

BACKGROUND:

The Governance and Economic Development Committee has directed that the City Clerk prepare a report with recommended changes to the Municipal Elections Act for submission to the Ministry of Municipal Affairs & Housing which would improve the local election process. This report identifies a number of areas in the legislation that require change.

REPORT:

VOTERS LIST:

An informal survey of how municipal lists in other parts of Canada are generated, indicates that Ontario is unique in its method. The most common source is the provincial voters list, followed by a locally generated list, a voter registration process and lastly the federal voters list.

Provincial List	Municipal List	Voter Registration	Federal List
British Columbia New Brunswick Newfoundland Nova Scotia Quebec	NWT Nunavut PEI	Alberta Saskatchewan	Manitoba

Both Elections Ontario and Elections Canada maintain a permanent list for their elections, and although there has been extensive discussion regarding the creation of a single list for all three levels of government, to date this has not been achieved.

As an alternative to using a voters list, municipalities in Alberta and Saskatchewan use a form of voter registration whereby voters register at the polls on voting days. This would require more resources on voting days in order to process voters and not create line-ups, however the costs would likely be far less than it costs municipalities by having MPAC generate the list.

In Ontario municipal elections, on or before July 31 in the year of a regular election, the Municipal Property Assessment Corporation (MPAC) prepares a preliminary list for each local municipality.

The enumeration process for municipal elections takes place in April and the election is held in November. The return rate on enumeration forms was about 32% in 2006. Enumeration is too far in advance of our election for two reasons. Firstly, the six month timeframe between the enumeration and the election is just too long. Secondly, being a university city experiencing growth, many ownership and tenancy changes can happen between April and November. For example, when the preliminary list was received last July, it included the names of the on-campus students from the 2003 election, most of whom would no longer be in residence. The students who were coming onto campus in September of 2006, had to be captured through a supplementary enumeration.

With respect to current ownership information, MPAC contacts all new owners and requests information that will assist them in updating the voters list. The return rate from new owners is about 59%. Even though 59% of new owners do respond, the responses are often incomplete for election purposes - hence the unconfirmed citizenship, missing children of voting age, missing tenants, boarders, etc.

MPAC has difficulty in obtaining accurate tenant information in time for our election process. The return rate by landlords of buildings of 7 units and greater for tenant information in an election year, is about 68%. Unfortunately, this information is not

received from landlords in time for our preliminary voters list, which requires MPAC to produce a supplementary list . There does not appear to be a mechanism to require Information for tenancies of less than 7 units.

Both the new owner information forms and the enumeration forms do not have a mandatory return deadline similar to the mandatory requirement for census information to be returned. As long as MPAC's requests for information are not responded to, we will continue to have problems with the accuracy of our list.

A serious issue that arose in 2006 was with respect to unconfirmed citizenship. The preliminary list is to contain the name of persons who are entitled to be electors. One of the eligibility requirements to be a municipal elector in Ontario is that of Canadian citizenship. In 2006, MPAC included on the preliminary list, the names of individuals whose citizenship they had been unable to confirm. In Guelph's case, nearly 10,000 names were coded into the electronic voter notification data file with unconfirmed citizenship.

In order to address the question of unconfirmed citizenship, the City Clerk's Office had to mail a notice to each person with a "U" designation, along with a form that would allow them to confirm their citizenship prior to the November 13th municipal election. Unfortunately, the return rate for these forms was low, and many of the "U" designations remained on the list.

An individual having unconfirmed citizenship who wished to vote on election day, was required to take an oath confirming their Canadian citizenship and was then permitted to vote. Any person who would not swear or affirm the oath, or who identified themselves to election staff as not being a Canadian citizen would not have been permitted to vote.

The Municipal Elections Act is quite clear in stating that only the names of eligible voters shall be included in the list. It is unfortunate that MPAC did not follow the legislation and included the names of persons whose citizenship was unconfirmed. As a result, the City incurred additional expenses of over $5,000 for postage costs and notices that were published in the local media.

In 2006, Clerk's Office staff processed 14,683 additions to the list and 27,326 modifications for electors. This included several thousand changes that were accepted at the polls on election day.

Questions have arisen with respect to what is to be considered a post-secondary student's place of residence for voting eligibility purposes. In particular, differing interpretations have occurred with respect to a student's eligibility to vote in the municipality where they reside when not attending school and also in the municipality where they reside during the school year.

Recommendation: That the Municipal Property Assessment Corporation no longer be the source of municipal voters lists, and that municipalities be given the flexibility to use either the provincial or federal lists, a locally generated list, or a voter registration process.

Recommendation: That in the event alternatives to the current method of generating municipal voters lists in Ontario are not permitted, that the Municipal

Property Assessment Corporation include only the names of persons with Canadian citizenship on the preliminary list of electors.

Recommendation: That the residency requirements set out in Section 2 of the Municipal Elections Act be amended to clarify the residency provisions applicable to students.

REQUIREMENT TO PROVIDE IDENTIFICATION:

The MEA doesn't currently require that a voter must produce identification in order to be added to the voters list, or to be allowed to vote. A poll conducted of surrounding municipalities confirmed that they followed Guelph's practice of not requiring proof of identification. Some municipalities in Ontario do require identification, such as Toronto. The MEA currently permits applications to be added to the voters list to be submitted by mail or by an agent on the voters behalf. In this situation, there is no opportunity to examine identification.

In Ontario elections, in order to have your name added to the list, a voter must produce one identification document that shows name, address, and signature, such as a driver's licence. Alternatively, a voter can produce two other identification documents, one that shows name and signature, such as an old age security card, credit card, passport or citizenship card, and one that shows name and residence address, such as a tax bill or a utility bill. There are other documents that may serve to satisfy poll officials. These could include a book of cheques printed with your residence address or a letter from a major corporation such as a bank or trust company. In order to vote in an Ontario election, a voter is not required to produce identification, but it is suggested that a voter have identification as well as the voter notification card.

The federal government has introduced new legislation with respect to the requirement for voters to provide identification. In order to get on the federal voters list, it is proposed that a voter must produce one valid official document showing name, address and signature (such as a driver's licence) – or - two valid official documents, one showing name and address (such as a telephone or electricity bill), and one showing name and signature (such as a health card or a library card). Alternatively, an affidavit signed before a person authorized to receive oaths in the province or territory and showing the name, current address of ordinary residence and signature of the elector. When an elector cannot provide any of these documents, a document showing the name and current address of ordinary residence of the elector's spouse or of the person on whom the elector is dependent. Both the elector to be registered and the person whose name appears on this document must be present at the time it is offered, and they must reside together.

In order to vote in a federal election, it is proposed that voters will be required to provide one piece of government-issued identification with a photograph and residential address before being allowed to vote (i.e. a driver's licence). If an elector does not have photo identification, he or she will be required to provide two pieces of acceptable identification to establish his or her identity and residence. If a prospective voter does not have two acceptable pieces of identification, he or she will be required to swear an oath as to his or her identity and will need to have another eligible voter vouch for him or her.

Recommendation: That the Municipal Elections Act be amended to require that voters are required to produce appropriate identification in order to be added to the voters list, and in order to be permitted to vote in a municipal election.

Registrants for Questions:

The MEA provides the opportunity for an individual, corporation or trade union that proposes to incur expenses with respect to a question on a ballot, to file a registration notice that provides similar rights and obligations as a candidate with regard to raising funds and incurring campaign expenses. The Act makes no provision for registrants to receive a copy of the voters list as do candidates for office. An informal survey of municipalities with questions on their ballots determined that registrants were allowed to obtain a copy of the list even though there was no specific provision in the Act.

Recommendation: That the Municipal Elections Act be amended to provide that persons and organizations who register on questions are entitled to receive a copy of the voters list.

Scrutineers:

Under the MEA, the rights of candidates and scrutineers are limited to their ability to remain in a voting place and to inspect ballots, ballot boxes and documents prior to the opening of the poll. The Act makes no specific provision that allows a candidate/ scrutineer to examine the voters list once a poll has opened. Despite this, most candidates and scrutineers have expressed the need to be able to access information from the list during the hours of voting.

Recommendation: That the provisions of the Municipal Elections Act with respect to the rights of candidates and scrutineers in a voting place be clarified to indicate whether or not access to the voters list is permitted.

Recounts:

Under the MEA, a recount is only automatic in the event of a tie vote. In situations other than a tie vote, the council itself can direct that a recount be held, and there are two instances where an individual can request a judicial recount. A person who is entitled to vote in an election and has reasonable grounds for believing the election results to be in doubt may apply to the Superior Court of Justice for an order that the clerk hold a recount. If satisfied that there are sufficient grounds, the court shall make an order requiring the clerk to hold a recount. Subsequent to a recount being held, a person who disputes the validity of a ballot or of the counting of votes in a ballot under a recount may apply to the Superior Court of Justice for a recount limited to the disputed ballots.

In the early 1990's, the Municipal Elections Act provided for an automatic recount if the difference in votes was less than the greater of:

- Ten votes, or
- One half of one vote for each polling subdivision, or .25% of the total number of votes cast for that office, whichever was less.

This formula resulted in numerous school board recounts across the Province (including Guelph), and the legislation was subsequently changed to provide for an automatic recount only in the event of a tie vote.

Provincial and federal elections have formulas that permit automatic recounts. In Ontario, a recount is automatic if the difference in votes is less than 25 votes. Federal elections in Canada provide for an automatic recount if the difference is less than 1/1000 of total ballots cast.

Prior to 1996, municipalities were responsible for candidates' recount expenses. That provision was repealed, and the Act currently makes the candidates responsible for those expenses. Candidates are permitted to continue to accept contributions to cover their costs relating to a recount.

If the MEA was amended to provide for close-vote recounts, there would be no requirement to apply to the courts, and consequently no costs to candidates in seeking a recount in a close-vote situation. The municipality should not be responsible for candidates' costs in situations where the close vote conditions are not met. Further, the municipality should not be responsible for a candidates' costs if they choose to have a lawyer represent them at a recount.

Recommendation: That the Municipal Elections Act be amended to provide for an automatic recount upon request in close vote situations, and that the Provincial standard of less than 25 votes be established as the threshold for an automatic recount upon request of a candidate who received votes within that threshold.

Recommendation: That in the event amendments providing for automatic close-vote recounts are not permitted, the Municipal Elections Act be amended to provide that the municipality will be responsible for all or a portion of candidates' costs relating to a recount where the difference in votes between an elected candidate and an unsuccessful candidate is less than 25 votes.

DISPUTED BALLOTS:

The MEA currently provides that when the court is hearing an application for a recount of disputed ballots, the hearing is to be conducted "in a summary manner, without application records or factums". In the judgment by Justice van Rensburg earlier this year, the Justice allowed evidence and affidavits to be submitted. The prohibition against such records remains in the MEA.

Recommendation: That the provisions of the Municipal Elections Act with respect to disputed ballots be clarified with respect to the ability of the court to accept records or factums where required.

TIE VOTES:

There are several situations under the Act that require the municipal clerk to choose the successful candidate or candidates by lot when a tie vote occurs. Concerns have been raised about this provision in the MEA following the 2006 municipal election.

In the case of Ontario elections, the Returning officer is the one to cast the final vote, but legislation does not specify how he or she may do so. In the case of federal elections, a by-election must be held.

Since the options appear to be either a breaking of the tie by a returning officer, or a by-election which would have significant costs, it is not recommended that the current tie vote provisions in the MEA be changed.

COMPLIANCE AUDITS:

In 2004, the City wrote to the Association of Municipalities of Ontario to express concerns with the provisions of the MEA relating to compliance audits, and to seek the support of the Association in petitioning the provincial government to make appropriate amendments to the legislation.

Council recognized and supported the need for there to be a process that allows contraventions of the legislation governing election campaign finances legislation to be dealt with, however there were certain provisions of the MEA that caused Council concern.

The Act provides that any elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances. In our last election, there were over 50 candidates for elected offices. This means that the potential exists for there to be over 50 requests for compliance audits. The cost of an audit ranges anywhere from $15,000 to $50,000 (based on costs experienced by other municipalities in 2000 and estimates provided to us by KPMG, LLP). If Council refuses the audit request, the elector has the right to appeal to the courts who can then order an audit to be conducted. The result is that in either case, the municipality can be faced with unforeseen expenditures after its budget is set. If an audit is done, and the results indicate that there was no contravention, the likelihood of the municipality recovering the costs is questionable.

A request for a compliance audit against one of its own sitting members places the Council in the position of having to determine whether or not an audit should take place, without the benefit of hearing both sides of the issue. Since a sitting member of Council must refrain from speaking to or voting on a request involving their campaign finances in order to comply with the Municipal Conflict of Interest Act, only the complainant's comments are known to Council. It seems unfair that the successful candidate cannot defend him or herself, and it also seems unfair that the Council only gets to hear one side of the issue before having to make its decision. This would not be the case if the matter was considered by another jurisdiction such as Elections Ontario, as the successful candidate would be able to make representation on their own behalf.

To our knowledge, there is no similar provision in the legislation that governs provincial and federal elections. There should be a better way of ensuring that there is a process that allows for compliance audits to take place.

Municipal councils should not be placed in the position of having to determine whether or not an audit is warranted, nor should they be the body to determine whether or not a legal proceeding should be commenced against an individual who may have contravened the Municipal Elections Act. This is Provincial legislation and not a local by-law, and a municipal council should not be seen as part of the enforcement process.

Recommendation - That the Municipal Elections Act be amended to provide that monitoring and enforcement of the provisions of the Municipal Elections Act be the responsibility of Elections Ontario and that sufficient power be given to Elections Ontario to provide appropriate enforcement of the compliance audit provisions of the Municipal Elections Act.

USE OF SCHOOLS IN MUNICIPAL ELECTIONS:

The majority of locations used as polls are schools, churches and municipal facilities. In recent years, many schools have begun to express growing concerns regarding the safety of children within their school on voting day(s) and have made requests ranging from requirements that the municipality hire security personnel to be in the school throughout the day to requests that the municipality find an alternate voting station location. While recognizing the legitimate safety concerns being expressed, continued access to school facilities for municipal and school board election purposes is very important. Noting that the municipal voting day is a fixed date, it has been suggested that the school's safety concerns could be alleviated by scheduling a Professional Activity (P.A.) Day to coincide with voting day so that students will not be in the school facilities.

Recommendation: That for future municipal and school board elections, a Professional Activity Day be scheduled to coincide with Voting Day to address student safety concerns.

LOCAL ELECTION PROCEDURES:

Some municipalities have adopted the practice of issuing a voter information notice to each elector in September of an election year. The intent of these notices is to advise voters of their status on the voters list, and to encourage them to make any required changes prior to election day. The cost associated with generating these notices would be approximately $50,000 including printing and postage.

In 2006, the City used poll tabulators to process ballots. This is the most common method of vote counting used by urban municipalities in Canada. The tabulators used in Guelph's election were also equipped with an audio vote feature for persons with visual or other impairments that made it difficult for them to read or mark a ballot.

Prior to 2006, central vote tabulators were used in our elections. The benefit of using poll tabulators is that ballots are processed during the day as voting takes place, and at the close of the polls, the tabulators are totaled. Election workers return the tabulators to a central location and the memory cards are uploaded into the election system software.

This is far less labour intensive than central count where all ballots are returned to the counting centre for processing.

The City used a total of 67 tabulators for both the advance and election day voting. One tabulator was used per ward in the advance votes, and on election day, one tabulator was used per voting location, regardless of the number of polls at that location. Actual cost to use the poll tabulator system was approximately $100,000. In an effort to reduce wait times for voting, it is intended that in future elections, tabulators will be provided for each poll in a multiple polling location. Based on pricing in 2006, the cost to provide the additional tabulators would be approximately $36,000.

In previous election years, the City held advance votes at one location. In 2006, we used two locations. The number of persons who took advantage of advance voting increased in the wards where the two polls were located. This suggests that more people found it convenient when the advance vote was located within their ward. The majority of people will still vote on election day (96% in 2006). In order to encourage people to take advantage of advance voting, which in turn reduces waiting times on election day, we propose to have advance voting locations located in each of the 6 wards. Based on pricing in 2006, the cost to provide an advance poll in each of the 6 wards would be approximately $20,000.

Following the 2006 election, concern was expressed about the waiting time some voters experienced in some polls. We have no way of predicting what the turn out will be at any individual poll. In 2006 voter turn-out ranged anywhere from a low of 7% to a high of 67% across polls, but averaged 39.8%. When we prepared for the 2006 election, we determined our worker requirements based on a 40% turn-out.

Recommendation: That the City Clerk be directed to prepare budget packages for the 2008, 2009 and 2010 budgets for the cost of enhancements to local election procedures.

CORPORATE STRATEGIC PLAN:

This report supports the strategic direction of having exemplary management practices.

FINANCIAL IMPLICATIONS:

If enhancements to local election procedures are funded in future budget years, the annual cost would be approximately $32,000 per year in 2008, 2009 and 2010.

DEPARTMENTAL CONSULTATION:

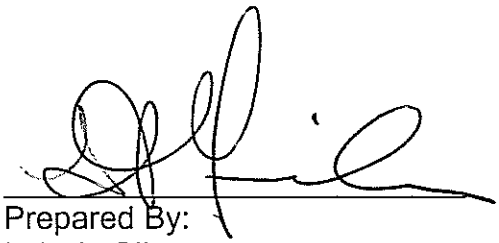
n/a

COMMUNICATIONS:

n/a

ATTACHMENTS:

Schedule "A" Summary of Recommendations



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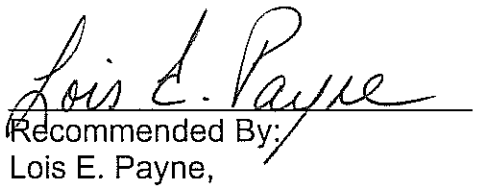

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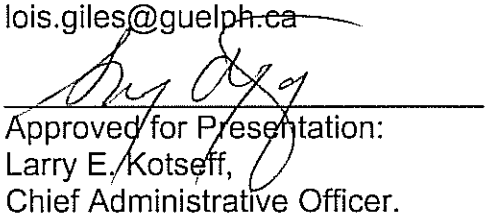


Approved for Presentation:
Larry E. Kotseff,
Chief Administrative Officer.

Schedule "A"

1. Recommendation: That the Municipal Property Assessment Corporation no longer be the source of municipal voters lists, and that municipalities be given the flexibility to use either the provincial or federal lists, or a voter registration process.

2. Recommendation: That in the event alternatives to the current method of generating municipal voters lists in Ontario are not permitted, that the Municipal Property Assessment Corporation include only the names of persons with Canadian citizenship on the preliminary list of electors.

3. Recommendation: That the residency requirements set out in Section 2 of the Municipal Elections Act be amended to clarify the residency provisions applicable to students.

4. Recommendation: That the Municipal Elections Act be amended to require that voters are required to produce appropriate identification in order to be added to the voters list, and in order to be permitted to vote in a municipal election.

5. Recommendation: That the Municipal Elections Act be amended to provide that persons and organizations who register on questions are entitled to receive a copy of the voters list.

6. Recommendation: That the provisions of the Municipal Elections Act with respect to the rights of candidates and scrutineers in a voting place be clarified to indicate whether or not access to the voters list is permitted.

7. Recommendation: That the Municipal Elections Act be amended to provide for an automatic recount upon request in close vote situations, and that the Provincial standard of less than 25 votes be established as the threshold for an automatic recount upon request of a candidate who received votes within that threshold.

8. Recommendation: That in the event amendments providing for automatic close-vote recounts are not permitted, the Municipal Elections Act be amended to provide that the municipality will be responsible for all or a portion of candidates' costs relating to a recount where the difference in votes between an elected candidate and an unsuccessful candidate is less than 25 votes.

9. Recommendation: That the provisions of the Municipal Elections Act with respect to disputed ballots be clarified with respect to the ability of the court to accept records or factums where required.

10. Recommendation - The Task Force recommends that the Municipal Elections Act be amended to provide that monitoring and enforcement of the provisions of the Municipal Elections Act be the responsibility of Elections Ontario and that sufficient power be given to Elections Ontario to provide appropriate enforcement of the provisions of the Municipal Elections Act.

REPORT OF THE COUNCIL AS A COMMITTEE OF THE WHOLE

April 16, 2007

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

Your Council as a Committee of the Whole beg leave to present this their FIRST REPORT as recommended at its meeting of March 26, 2007:

CLAUSE 1 THAT the "Procedure for Hiring Directors Who Report Directly to the CAO" be approved as amended with Clause 4 reading as follows:
The short-listed candidates will be interviewed by a Search Team consisting of the Mayor, the Chair of the appropriate standing committee, the CAO, and the Director of Human Resources*. An independent person from the community and/or one additional Director and/or one Councillor may form part of the Search Team as required.

Councillor Gloria Kovach

Procedure for Hiring Directors Who Report Directly to the Chief Administrative Officer (CAO)

1. The recruitment of a Director reporting to the CAO will include a thorough and comprehensive analysis of the position requirements and a thorough assessment of the skills, experience, knowledge and qualifications of both ***internal*** and ***external*** candidates.

2. The recruitment process will be determined by the CAO and Director of Human Resources and may include the assistance of external recruitment consultants and/ or recruitment search firms. All such positions will be advertised both internally and externally.

3. The Screening Team will consist of the CAO, Director of Human Resources*, and one additional Director. The screening team will interview perspective candidates and create a short-list of two or three prime candidates.

4. The short-listed candidates will be interviewed by a Search Team consisting of the Mayor, the Chair of the appropriate standing committee, the CAO, and the Director of Human Resources*. An independent person from the community and/or one additional Director may form part of the Search team.

5. Appropriate further testing and evaluations as required will be completed, along with reference verification.

6. Based on the results of testing, evaluation, reference checking and input and evaluation of the Search Team, the CAO will select a candidate.

7. A summary of the process, the overall evaluations and the final decision will be presented by the CAO to Council prior to offering the position to the candidate.

* In the case whereby the Director of Human Resources position is being filled, the interview team may include the assistance of an external consultant.

REPORT OF THE LAND AMBULANCE COMMITTEE

April 16, 2007

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

Your Land Ambulance Committee beg leave to present their FIRST REPORT as recommended at its meeting of April 11, 2007.

CLAUSE 1 THAT the Committee receives the report dated April 11, 2007 regarding the Land Ambulance Services;

AND THAT staff be directed to develop terms of reference for a consultant assessment of ambulance service in Guelph and Wellington County based on the areas identified in the report, including a service standard;

AND THAT staff report back with the recommendation on the selection of a consultant to conduct the assessment.

All of which is respectfully submitted.

Councillor Maggie Laidlaw, Chair
Land Ambulance Committee

City of Guelph

EMERGENCY SERVICES

Report:

TO: Land Ambulance Committee

DATE: 2007/04/11

SUBJECT: **LAND AMBULANCE SERVICES - GUELPH/WELLINGTON**

RECOMMENDATION:

" THAT the Committee receives the report dated April 11, 2007 regarding the Land Ambulance Services;

AND THAT staff be directed to report back with a terms of reference outlining the work to be conducted based on the areas identified in this report."

BACKGROUND:

In 2006 concerns were raised around extended Ambulance response times to specific areas within the County of Wellington. At the October 2006 Social Services Meeting staff provided a report containing data identifying response times to specific areas within the County. Upon receipt of the report, the following resolution was passed;

"That the Social Services Committee recommends to Emergency Management Services to implement discussions with the Ministry of Health and Long Term Care, and That the business plans include the Town of Erin, the Township Of Mapleton and the Township of Puslinch."

Discussions were held with Ministry of Health officials to address service issues in specific areas of Wellington County. Formal business cases were submitted requesting additional funding for service enhancements in the Town of Erin, Mapleton Township and Puslinch Township. (See attached schedule # 1– business cases Erin Mapleton and Puslinch.)

Provincial funding is provided to Municipalities delivering Land Ambulance services. This funding is intended to cover 50 % of operating costs relating to the provision of Land Ambulance. The remaining 50% is shared between the City and the County. Since assuming the responsibility for the Service many municipalities have not received a true 50% of ambulance operating costs. At the end of 2006 an $800,000 dollar grant was received by the Provincial Government to address past Provincial funding deficiencies. The funding announcement reported that this was the second year of a three year program to reduce funding gaps. . We have not yet been advised on the amount of the 2007 Guelph/Wellington grant. We would expect this announcement to occur toward the end of 2007.

The Ministry considered the 3 business cases and declined our request for additional funding. The Ministry further advised that any additional funding would not be considered until 3 year Provincial funding program was completed.

Currently the City and the County are receiving Land Ambulance services from neighboring Municipalities. This cross border service is automatically deployed through the Central Ambulance Communications Centre, (CACC). Neighbouring services include, Waterloo Region, County of Dufferin, County of Grey, Halton Region and Peel Region.

The Management of Royal City Ambulance, (RCA) have requested service enhancements in addition to the issues related to Erin, Mapleton and Puslinch. This includes a request for an enhancement for the City of Guelph due to increased service demands over the past 5 months. This particular trend in Guelph appears to be a constant pattern and the additional pressures are impacting overall City and County response times. (see attached schedule #2 – Urgent Memo)

Further, RCA also requests that all 5 working Paramedic/Supervisors be removed from the Ambulances units and be re-assigned to purely Supervisory functions. This would require an additional five (5) new full time Paramedics.

REPORT:

Emergency Services staff have met with RCA to review data relating to coverage issues in Erin, Mapleton and Puslinch Township. Initial analysis of the data for these communities illustrate that the busiest area is the 401 corridor in Puslinch Township. (See attached schedule #3 Call Volumes broken down by Community). However, Royal City Ambulance management report that many of the pressures within the County are related to Ambulances being continuously reassigned to the Guelph area in order to offset service demands. (See attached schedule #3)

Emergency Services staff contacted the Ministry seeking their assistance. The Ministry request that any service level changes be brought to their office for review, however, the Ministry does not have the resources to take the lead in consulting with Municipalities on strategic issues. The Ministry suggested that a 3rd party consultant be retained as an additional resource.

Based on the Ministry's suggestion, terms of reference should be developed outlining the areas that a Consultant would assess. Subject to the terms of references being developed a tender would be issued. It is expected that a Consultant, with expertise in Land Ambulance issues, together with the appropriate direction, would review and report back to the Land Ambulance Committee on the following scope of issues:

- Review the efficiency and effectiveness of the overall Land Ambulance deployment and staffing patterns within Guelph and Wellington County,
- Validate the appropriateness of current Ambulance base locations within the City of Guelph and the County of Wellington,
- Examine the current Contractor's organizational structure and make recommendations on any Administrative improvements for Management, Supervisory and field level staff deployment.
- Conduct benchmarking and review best practices relating to trends comparative with Ambulance providers in similar sized areas.
- Recommend any immediate measures to address any critical service concerns.
- Identify and recommend monthly reporting data ensuring an effective monitoring of the Ambulance system.
- And any additional items as recommended by the Committee.

CORPORATE STRATEGIC PLAN:

1- To manage growth in balanced, sustainable manner,
4- To enhance community wellness,
6- To have exemplary management practices

FINANCIAL IMPLICATIONS:

The cost for a consultant would be funded from the existing Emergency Services operating budget. Estimated cost for a consultant would be $35,000 to $50,000.

DEPARTMENTAL CONSULTATION:

Emergency Services Staff have met with RCA and have their support for the use of a consultant to conduct this review.

COMMUNICATIONS:

ATTACHMENTS:

Schedule # 1 – "Business cases for Erin, Mapleton and Puslinch Township."

Schedule # 2 - "Urgent Memo" received from RCA regarding EMS call volume and response times."

Schedule # 3 - "Call volume broken down by Community."

Prepared By:
Lyle Quan,
Deputy Chief

Prepared by:
K. Shawn Armstrong,
Director - Emergency Services

Approved for Presentation:
Larry Kotseff,
Chief Administrative Officer

SCHEDULE #1

"BUSINESS CASE SUBMISSIONS"
Erin, Mapleton and Puslinch Township

ERIN

SUBMISSION FOR ENHANCEMENT TO LAND AMBULANCE OPERATIONS IN THE TOWN OF ERIN AS PROPOSED, ON BEHALF OF:

The Municipality of the City of Guelph (as the Designated Delivery Agent), the County of Wellington (as the U.T.M.) and Royal City Ambulance Service Ltd. (as the Contracted Service Provider).

Purpose:

To secure proportionate shared funding for proposed enhanced operations as part of the Ministry of Health and Long Term Care (MOHLTC) co-shared funding responsibility with municipalities (50%).

Background:

Since the initial downloading of the ambulance service in 2001 there has not been an ambulance station located in the Town of Erin. Responses to this area are handled by Royal City Ambulance or an ambulance from a bordering community. There was an improvement to the 911 service which occurred in 2004. This improvement enhanced the response time by having all Erin area calls sent directly to the Mississauga Ambulance Communication Centre instead of the Cambridge Ambulance Communications Centre. Prior to this improvement, the 911 call would first go to the Cambridge Centre and then routed to the Mississauga Centre.

Presently within Wellington County there are the following base locations:

- Fergus – one unit 24/7
- Arthur – one unit, 24/7
- Harriston – one unit 24/7
- Mount Forest – one unit 24/7
- Drayton – one unit, week days only 8am to 4pm
- City of Guelph – two base locations with a total of three units, 24/7, one unit 8am-4pm, Monday to Friday.

As noted in a previous expansion submission of November 2005 for another 24 hour unit in the City of Guelph, the Town of Erin (along with Mapleton Township) continues to be an area of concern. Due to the present and expected growth of the community, it would appear that the need for a permanent station in Erin is warranted.

Justification:

The premise for this enhancement is based on the under servicing of EMS within the Town or Erin. This enhancement would also help to relieve the draw on EMS County

wide as vehicles from other RCA serviced communities in the County are continuously deployed into Erin, depleting service from other local areas.

The Town of Erin has a population of 11,300 that is expected to grow to 11,700 by the year 2007 and to 12,500 by the year 2012. Erin is also a community that is a main thoroughfare for vehicular commuter traffic into the GTA which creates a concern for response ability to motor vehicle collisions and other related incidents.

Based on ADDAS statistics, the 90th percentile for Erin in 2005 was 26:51 which is well above the 1996 standard of 14:55 that has been set for Wellington County. Although consideration was given for the relocation of an ambulance base station in an attempt to meet the needs of Centre Wellington and Erin by relocating the Centre Wellington (Fergus) base, it was felt that due to the distance between the two communities, the only viable option is to create another base station in Erin.

It should be noted that this request is based solely on present and future anticipated call volume demand for service and not as a result of "off load delays". At this time, the issue of off load delays in our local Emergency Departments, though very prevalent in other areas, remains only a sporadic concern in Guelph / Wellington.

Impact of non-approval:

Ramifications related to the above include, cross border billings, depleted coverage to other areas, delayed response times due to travel distances, delayed response due to no vehicle availability, overtime costs incurred, burnout and discontent of highly stressed Paramedics due to lack of rest periods and meal breaks during peek hours.

Further concerns are generated on the reliance of neighboring EMS providers and their ability to provide back-up coverage.

Options:

Option 'A'

- RCA seeks to establish a permanent base location in the Town of Erin which will be staffed 24/7.

Option 'B'

- To establish a base in Erin that will be staffed 12 hours per day (8am – 8pm), 7 days a week (84 hours).

The cost factors to provide these levels of enhanced service are as noted below. A new ambulance would need to be purchased along with all required equipment.

Summary of Costs and Benefits

Department/Division:	Emergency Services - Land Ambulance
Business Unit(s)/Council Rollup:	733-0100
Expansion Description:	Erin Service Enhancement

Enhancement Costs	Option "A"	
# of Weeks	52	
Hours = 168 hours per week	8,736	
# of Paramedics =	2	
Hourly Wage including benefits =	$ 43.73	
Compensation	$ 764,100	
Uniforms	$ 7,000	
Total Cost	$ 771,100	
Wellington County share @ 43.14%	$ 332,700	
City of Guelph share @ 56.86%	$ 438,400	

Summary of Costs and Benefits

Department/Division:	Emergency Services - Land Ambulance
Business Unit(s)/Council Rollup:	733-0100
Expansion Description:	Erin Service Enhancement

Enhancement Costs	Option "B"	
# of Weeks	52	
Incremental Hours = 84 hours per week	4,368	
# of Paramedics =	2	
Hourly Wage including benefits =	$ 43.73	
Compensation	$ 382,100	
Uniforms	$ 7,000	
Total Cost	$ 389,100	
Wellington County share @ 43.14%	$ 167,900	
City of Guelph share @ 56.86%	$ 221,200	

NOTE: The above noted costs represent 100% funding for the expansion by the County and the City; funding allowances from the MOHLTC have not been factored in. Other considerations for implementation would be the purchase or leasing of a new ambulance base within the Town of Erin. **The cost of a new ambulance fully equipped at approximately $170,000.00 would also need to be factored into this enhancement.**

The applicants believe that option "A" is the most logical to address the needs of the community. The presented plan provides for no more than a standard level of EMS coverage in a rapidly growing urban area.

Implementation:

Staffing Option 'A' would necessitate the hiring of 8 full-time staff. In order to accommodate posting practices as per Collective Agreements, and to organize a strategic job search with the goal of staffing to an ALS level, implementation would take approximately six to eight weeks.

Comments:

Implementation of this service in Erin would go a long way towards alleviating the cross border billing issues along with improving Wellington County's ability to serve its community in a more efficient and effective manner.

Submitted on February 11th, 2007.

Mapleton

SUBMISSION FOR ENHANCEMENT TO LAND AMBULANCE OPERATIONS IN MAPLETON TOWNSHIP AS PROPOSED, ON BEHALF OF:

The Municipality of the City of Guelph (as the Designated Delivery Agent), the County of Wellington (as the U.T.M.) and Royal City Ambulance Service Ltd. (as the Contracted Service Provider).

Purpose:

To secure proportionate shared funding for proposed enhanced operations as part of the Ministry of Health and Long Term Care (MOHLTC) co-shared funding responsibility with municipalities (50%).

Background:

Since the initial downloading of the ambulance service in 2001 there has not been a permanent ambulance station located in Mapleton Township. However the Township does have a unit based out of the Drayton Fire Station on a part time bases; Monday to Friday, 8am to 4pm. After 4pm responses to this area are handled by Royal City Ambulance units from Harriston and Arthur or an ambulance from a bordering community.

Presently within Wellington County there are the following base locations:

- Harriston – one unit 24/7
- Mount Forest – one unit 24/7
- Arthur – one unit, 24/7
- Fergus – one unit 24/7
- Drayton – one unit, week days only 8am to 4pm.
- City of Guelph – two base locations with a total of three units, 24/7, one unit 8am-4pm, Monday to Friday.

As noted in a previous expansion submission of November 2005 for another 24 hour unit in the City of Guelph, Mapleton Township (along with the Town of Erin) continues to be an area of concern. Due to the present and expected growth of the community, it would appear that the need for a permanent station in Mapleton is warranted.

Justification:

The premise for this enhancement is based on the under servicing of EMS within Mapleton Township. This enhancement would also help to relieve the draw on EMS County wide as vehicles from other RCA serviced communities in the County are continuously deployed into Mapleton, depleting service from other local areas.

Mapleton Township has a population of approximately 9,500 residents which is expected to grow to 9,900 by 2007 and 10,500 by the year 2012. Mapleton is also a community that has two main thoroughfares for vehicular traffic and as such they experience a large number of motor vehicle collisions.

Based on ADDAS statistics, the 90th percentile for Mapleton Township in 2005 was 19:19 which is well above the 1996 standard of 14:55 standard set for Wellington County. Our aim is to improve upon this response time so that it comes more into line with the County's standard; and by situating a new base in Mapleton, Royal City Ambulance would be able to more effectively serve this community. .

During a recent move (in 2005) from Palmerston Hospital, an analysis was conducted to identify where the most efficient location would be for the new ambulance base. The end result was relocating in Harriston due to call volume and the level of standby occurrences in this area. Although the Mapleton area was considered, this move was not seen as the most effective alternative at the time as the main bulk of calls were still in the Palmerston/Harriston areas.

It should be noted that this request is based solely on present and future anticipated call volume demand for service and not as a result of "off load delays". At this time, the issue of off load delays in our local Emergency Departments, though very prevalent in other areas, remains only a sporadic concern in Guelph / Wellington.

Impact of non-approval:

Ramifications related to the above include, cross border billings, depleted coverage to other areas, delayed response times due to travel distances, delayed response due to no vehicle availability, overtime costs incurred, burnout and discontent of highly stressed Paramedics due to lack of rest periods and meal breaks during peek hours.

Further concerns are generated on the reliance of neighboring EMS providers and their ability to provide back-up coverage.

Options:

Option 'A' (as proposed)

- RCA seeks to enhance vehicle staffing by 16 hours per day on weekdays and 24 hours per day on weekends. This would provide a standard coverage of one vehicle staffed twenty four hours, seven days a week.

Option 'B'

- Enhance the present 40 hour 5 day operation, (Mon – Fri, 8am to 4pm) to an 84 hour, 7 day per week operation (Mon – Sun) 8am to 8pm.

The cost factors to provide the noted levels of enhanced service are as noted below. For this enhancement, vehicle and support equipment would be utilized from existing fleet and holdings.

Department/Division:	Emergency Services - Land Ambulance
Business Unit(s)/Council Rollup:	733-0100
Expansion Description:	Mapleton Service Enhancement

Enhancement Costs	**Option "A"**
# of Weeks	52
Incremental Hours = 128 hours per week	6,656
# of Paramedics =	2
Hourly Wage including benefits =	$ 43.73
Compensation	$ 582,200
Uniforms	$ 7,000
Total Cost	$ 589,200
Wellington County share @ 43.14%	$ 254,200
City of Guelph share @ 56.86%	**$ 335,000**

Department/Division:	Emergency Services - Land Ambulance
Business Unit(s)/Council Rollup:	733-0100
Expansion Description:	Mapleton Service Enhancement

Enhancement Costs	**Option "B"**
# of Weeks	52
Incremental Hours = 48 hours per week	2,496
# of Paramedics =	2
Hourly Wage including benefits =	$ 43.73
Compensation	$ 259,600
Uniforms	$ 7,000
Total Cost	$ 266,600
Wellington County share @ 43.14%	$ 115,000
City of Guelph share @ 56.86%	**$ 151,600**

NOTE: The above noted costs represent 100% funding for the expansion by the County and the City; funding allowances from the MOHLTC have not been factored in.

The applicants believe that option "A" is the most logical to address the needs of the community. The plan provides for no more than a standard level of EMS coverage in a rapidly growing urban area.

Implementation:

Staffing Option 'A' would necessitate the hiring of 6 full-time staff. In order to accommodate posting practices as per Collective Agreements, and to organize a strategic job search with the goal of staffing to an ALS level, implementation would take approximately six to eight weeks.

Comments:

Implementation of this service in Mapleton would go a long way towards alleviating the cross border billing issues along with improving Wellington County's ability to serve its community in a more efficient and effective manner.

Submitted on February 11th, 2007.

Puslinch

SUBMISSION FOR ENHANCEMENT TO LAND AMBULANCE OPERATIONS IN PUSLINCH TOWNSHIP AS PROPOSED, ON BEHALF OF:

The Municipality of the City of Guelph (as the Designated Delivery Agent), the County of Wellington (as the U.T.M.) and Royal City Ambulance Service Ltd. (as the Contracted Service Provider).

Purpose:

To secure proportionate shared funding for proposed enhanced operations as part of the Ministry of Health and Long Term Care (MOHLTC) co-shared funding responsibility with municipalities (50%).

Background:

Since the initial downloading of the ambulance service in 2001 there has not been an ambulance station located in Puslinch Township. Responses to this area are handled by Royal City Ambulance from a base located in the City of Guelph or an ambulance from a bordering community.

Presently within Wellington County there are the following base locations:

- Harriston – one unit 24/7
- Mount Forest – one unit 24/7
- Arthur – one unit, 24/7
- Drayton – one unit, week days only 8am to 4pm
- Fergus – one unit 24/7
- City of Guelph – two base locations with a total of three units, 24/7, one unit 8am-4pm, Monday to Friday.

As noted in a previous expansion submission of November 2005 for another 24 hour unit in the City of Guelph; there are other areas within Wellington County that continue to be of concern; one of these areas is Puslinch Township. Due to the present and expected growth of the community, along with the ever increasing responses to incidents on highway 401, it would appear that the need for a permanent station in Puslinch is warranted.

Justification:

The premise for this enhancement is based on the under servicing of EMS within Puslinch Township. This enhancement would also help to relieve the draw on EMS County wide as vehicles from other RCA serviced communities in the County along with units from bordering communities are continuously deployed into Puslinch, depleting service from other local areas.

Puslinch Township has a population of approximately 6,500 residents which is expected to grow to 7,000 by 2007 and 7,700 by the year 2012. Puslinch is also a community that has two main thoroughfares for vehicular traffic (Hwy 6 and Hwy 401) and as such they experience a large number of motor vehicle collisions.

Based on ADDAS statistics, the 90th percentile for Puslinch Township in 2005 was 19:23 which is well above the 1996 standard of 14:55 standard set for Wellington County. Our aim is to improve upon this response time so that it comes more into line with the County's standard.

Although consideration was given for the relocation of an ambulance base station in an attempt to meet the needs of Puslinch, it was felt that due to the distance between the nearest Guelph station and Puslinch, and based on the call volume in Guelph; the only viable option is to create another base station in Puslinch.

It should be noted that this request is based solely on present and future anticipated call volume demand for service and not as a result of "off load delays". At this time, the issue of off load delays in our local Emergency Departments, though very prevalent in other areas, remains only a sporadic concern in Guelph / Wellington.

Impact of non-approval:

Ramifications related to the above include, cross border billings, depleted coverage to other areas, delayed response times due to travel distances, delayed response due to no vehicle availability, overtime costs incurred, burnout and discontent of highly stressed Paramedics due to lack of rest periods and meal breaks during peek hours.

Further concerns are generated on the reliance of neighboring EMS providers and their ability to provide back-up coverage.

Options:

Option "A" (as proposed)
RCA seeks to establish a permanent base location in Puslinch Township which will be staffed 24/7.

Other options were considered, however due to the close proximity to highway 401 and the related high call volume due to this main thoroughfare; option "A" is considered as the only viable recommendation.

The cost factor to provide this level of enhanced service would be an additional 17,472 staffing hours. A new ambulance would need to be purchased along with all required equipment.

Summary of Costs and Benefits

Department/Division:	Emergency Services - Land Ambulance
Business Unit(s)/Council Rollup:	733-0100
Expansion Description:	Puslinch Service Enhancement

Enhancement Costs	Option "A"	
# of Weeks	52	
Hours = 168 hours per week	8,736	
# of Paramedics =	2	
Hourly Wage including benefits =	$ 43.73	
Compensation	$ 764,100	
Uniforms	$ 7,000	
Total Cost	$ 771,100	
Wellington County share @ 43.14%	$ 332,700	
City of Guelph share @ 56.86%	**$ 438,400**	

NOTE: The above noted costs represent 100% funding for the expansion by the County and the City; funding allowances from the MOHLTC have not been factored in. Other considerations for implementation would be the purchase or lease of a new ambulance base within Puslinch Township. **The cost of a new ambulance fully equipped at approximately $170,000.00 would also need to be factored into this enhancement.**

The applicants believe that option "A" is the most logical to address the needs of the community. The presented plan provides for no more than a standard level of EMS coverage in a rapidly growing urban area.

Implementation:

Staffing Option 'A' would necessitate the hiring of 8 full-time staff. In order to accommodate posting practices as per Collective Agreements, and to organize a strategic job search with the goal of staffing to an ALS level, implementation would take approximately six to eight weeks.

Comments:

Implementation of this service in Puslinch would go a long way towards alleviating the cross border billing issues along with improving Wellington County's ability to serve its community in a more efficient and effective manner.

Submitted on February 11th, 2007

SCHEDULE #2

"Urgent Memo" received from RCA regarding EMS call volume and response times,"

MEMO

To: S. Armstrong / L. Quan, Guelph Fire and Emergency Services

Date: March 26, 2007

From: S. Smith

MARKED URGENT

Re: EMS Call Volume / Response Time Increase

Attached for your review is the most current statistical data that directly impacts Land Ambulance delivery in Guelph / Wellington.

It was observed and relayed that commencing November 2006 a 'spike' in overall call volumes was evident. Monitoring has indicated, and most recent ADDAS statistical information confirms, calls for Emergency Medical Service in Guelph / Wellington has consistently increased over the past 5 months to a point requiring immediate action. This dramatic increase in call for medical response has been reviewed and confirmed, both internally and with our local Central Ambulance Communication Centre. Factors to consider *may* include rapid population growth both urban and rural, physician practitioner availability, Emergency Department backlogs, demographic trends, and general populous altered utilization and expectations of Emergency Medical Services.
Over the past five months there has been an increase of over 100 emergency calls per month in the City of Guelph.

This surge in volume has not only stressed our resources of staffed vehicles (within City and County) but has directly impacted our 90th percentile response times. Not only the inability to further improve on, but also our inability to maintain (as per attached) our established response time benchmark is of great concern.

Efforts have been initiated, (i.e. reallocation of staffed hours and alternate deployment strategies to repatriate depleted coverage areas), to try and offset peek demand periods and better utilize present staffed hours, but to no avail.

Attached is a brief presentation what is believed as an operational necessity to re-establish 'level of Emergency Medical Service' as mandated.

OPTION 'A'

Enhance Guelph coverage: Increase 8 hour Monday to Friday vehicle to 24/7

Present: 1 vehicle 1100 hrs. - 1900 hrs. Monday to Friday = 80 staff hours

Enhancement: 1 vehicle 24 hours per day 7 days a week = 336 staff hours
Actual enhanced hours: 336 – 80 (present) = 256 staff hours

Cost Increase per week: 256 hrs. X $46.62 = $11,934.72
(Based on 2007 rates $34.53 + 35% benefits $46.62 per hour)

2007 Cost: Implement April 30 / 07
35 weeks X $11,934.72 = **$417,715.20**

OPTION 'B'

Enhance Guelph coverage: Increase 8 hour Monday to Friday vehicle to 16/7

Present: 1 vehicle 1100 hrs. - 1900 hrs. Monday to Friday = 80 staff hours

Enhancement: 1 vehicle 16 hours per day 7 days a week = 224 staff hours
Actual enhanced hours: 224 – 80 (present) = 144 staff hours

Cost Increase per week: 144 hrs. X $46.62 = $6,713.28
(Based on 2007 rates $34.53 + 35% benefits $46.62 per hour)

2007 Cost: Implement April 30 / 07
35 weeks X $6,713.28 = **$234,964.80**

OPTION 'C'

Enhance Guelph coverage: Increase 8 hour Monday to Friday vehicle to 12/7

Present: 1 vehicle 1100 hrs. - 1900 hrs. Monday to Friday = 80 staff hours

Enhancement: 1 vehicle 12 hours per day 7 days a week = 168 staff hours
Actual enhanced hours: 168 – 80 (present) = 88 staff hours

Cost Increase per week: 88 hrs. X $46.62 = $4,102.56
(Based on 2007 rates $34.53 + 35% benefits $46.62 per hour)

2007 Cost: Implement April 30 / 07
35 weeks X $4,102.56 = **$143,589.60**

Summary of Increasing Emergency Call Volume Guelph Code 4

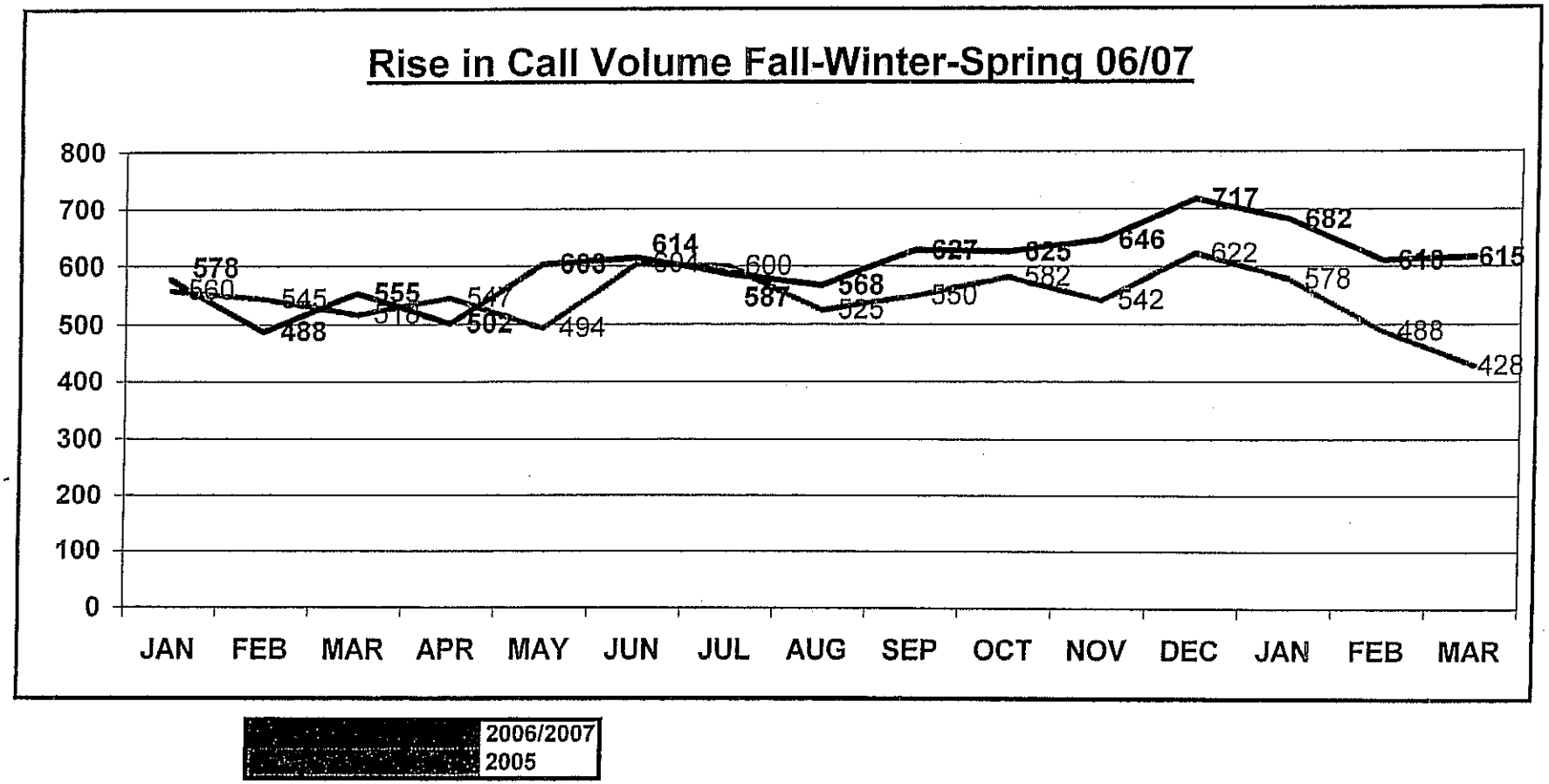
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2005	560	545	518	547	494	604	600	525	550	582	542	622
2006	578	488	555	502	603	614	587	568	627	625	646	717
%	3.21%	-10%	7.14	-8.23%	22.06	1.66%	-2.17%	8.19%	14%	7.39%	19.19%	15.27%
									Emergency calls increased by:		104	95

	JAN	FEB	MAR
2006	578	488	428
2007	682	610	615
%	18%	25%	44%
	104	122	187

Totals

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2005	1265	1117	1172	1244	1081	1385	1305	1152	1239	1252	1200	1389
2006	1286	1158	1220	1097	1253	1309	1214	1169	1301	1314	1349	1489

	JAN	FEB
2006	1489	1158
2007	1409	1324



Completed by; L.Swantko RCA

Data Source: MOHLTC ADDAS

3/26/2007

SCHEDULE #3

"Call volumes broken down by Community."

Call Volume Broken Down By Community

Number of Calls/Average Time

Month	Guelph	Puslinch	Guelph Eramosa	Erin	Centre Wellington	North Wellington	Mapleton	Minto
2005 Totals	14904	887	1099	557	4462	1391	782	2539
Avg Time	6:37	12:39	10:35	14:57	6:37	12:06	12:45	6:56
Jan-Aug 06	9456	254	463	19	2891	1151	429	1490
Avg Time	7:28	13:24	11:23	18:15	7:43	8:43	14:26	8:08
Sept	1285	51	83	57	366	145	50	145
Avg Time	6:28	12:01	11:44	14:24	6:01	6:21	14:11	7:01
Oct	1306	77	78	49	391	131	25	182
Avg Time	6:44	14:56	11:11	14:54	6:51	6:37	13:45	6:36
Nov	1338	48	77	50	383	155	24	185
Avg Time	6:45	12:24	11:08	17:42	7:19	6:40	13:22	7:25
Dec	1477	77	104	45	378	158	27	192
Avg Time	6:36	12:54	10:19	16:44	6:49	7:30	14:12	6:27
2006	15175	818	1103	567	4454	1768	627	2240
Avg Time	6:56	12:43	10:31	14:50	6:04	7:12	14:03	6:43

Serving Guelph- Wellington

CONSENT AGENDA

April 16, 2007

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

REPORT	DIRECTION
A-1) **VICTORIA ROAD SOUTH RECONSTRUCTION FROM APPROXIMATELY YORK ROAD TO STONE ROAD, INCLUDING REPLACEMENT OF THE ERAMOSA RIVER BRIDGE, CONTRACT NO. 2-0707** THAT the tender of Steed and Evans Limited be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract No. 2-0707 for the Victoria Road South Reconstruction from approximately York Road to Stone Road, including replacement of the bridge at the Eramosa River for a total tendered price of $10,976,983.91 with actual payment to be made in accordance with the terms of the contract; AND THAT the City Engineer obtain satisfactory resolution of the project property requirements and relocation of existing utilities to avoid unacceptable delay of the work of the contract prior to sending notification of the acceptance of the tender.	Approve
A-2) **AWARD OF TENDER 07-028 – ARKELL SPRING GROUNDS / CARTER WELLS UPGRADES** THAT the tender of Xterra Construction Inc. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 07-028 for the Arkell Spring Grounds/Carter Wells Upgrades, for a total tendered price of $5,179,267.59 (6% GST included), with actual payment to be made in accordance with the terms of the contract.	Approve

B ITEMS FOR DIRECTION OF COUNCIL

C ITEMS FOR INFORMATION OF COUNCIL

attach.

City of Guelph

Report: A-1

COMMUNITY DESIGN AND DEVELOPMENT SERVICES

TO: COUNCIL

DATE: April 16, 2007

SUBJECT: **Victoria Road South Reconstruction from approximately York Road to Stone Road, including replacement of the Eramosa River Bridge, Contract No. 2-0707**

RECOMMENDATION:

"THAT the tender of Steed and Evans Limited be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-0707 for the Victoria Road South Reconstruction from approximately York Road to Stone Road, including replacement of the bridge at the Eramosa River for a total tendered price of $10,976,983.91 with actual payment to be made in accordance with the terms of the contract;

AND THAT the City Engineer obtain satisfactory resolution of the project property requirements and relocation of existing utilities to avoid unacceptable delay of the work of the contract prior to sending notification of the acceptance of the tender."

BACKGROUND:

The contract work entails the complete reconstruction of the section of Victoria Road South from the Guelph Junction Railway tracks to approximately 300 metres south of the Eramosa River as well as the complete reconstruction of the section of York Road from Lawrence Avenue east to the Guelph Junction Railway tracks. The design for the reconstruction of Victoria Road South and the intersection at Victoria Road South and York Road is in accordance with the approved Environmental Assessment dated January, 2005. The work will include replacement of the underground utilities, replacement of the bridge over the Eramosa River and extending a trunk watermain and trunk sanitary sewer from the existing watermain and sanitary sewer located at the Eramosa River to Stone Road. The existing Victoria Road South and York Road intersection will be

reconstructed with new traffic signals and widened with left turn lanes added for all directions and a right turn lane for northbound Victoria Road South traffic.

The proposed work will require lane shifts and lane reductions throughout the duration of construction. The contractor will be required to maintain one lane of through traffic in each direction throughout the construction site for the duration of the project. Since there will only be one lane of through traffic in each direction, left turn movements will not be permitted from either Victoria Road South or York Road at the Victoria Road South and York Road intersection. A detour route will be set up to provide an alternate route for vehicles.

REPORT:

Tenders for the above mentioned project were received on Tuesday, March 27, 2007, as follows (prices include 6% GST):

1) Steed and Evans Limited , Kitchener.....$10,976,983.91
2) E & E Seegmiller Limited, Kitchener.....$11,561,659.78
3) Drexler Construction, Rockwood.....$12,873,277.43
4) Drainstar Contracting Ltd., Concord.....$13,313,477.04
5) Dom-Meridian Construction Ltd., Mississauga.....$13,344,563.66

The tenders were checked for legal and mathematical accuracy and mathematical errors were found in the tenders of all but Steed and Evans Limited. The totals listed above are the corrected numbers. The order of the tenders was not affected by the errors.

Steed and Evans Limited has worked on road and bridge reconstruction projects in the past in the region. We, therefore, recommend that the contract be awarded to this firm.

All regulatory approvals are in hand for the work of the contract. There are outstanding property requirements. It is anticipated that these will be secured in a timely manner to permit the completion of the work in accordance with the terms of the Contract.

CORPORATE STRATEGIC PLAN:

This project supports:

- The City's Strategic Goal #1; "To manage growth in a balanced, sustainable manner", by ensuring the City's infrastructure is sufficient for current and anticipated growth;
- The City's Strategic Goal #5, "To be strong environmental stewards", by implementing the City's strategy to sustain its existing infrastructure.

FINANCIAL IMPLICATIONS:

Funding for this project will be from approved Capital Project Budgets as set out in the attached Budget and Financing Schedule.

DEPARTMENTAL CONSULTATION/CONCURRENCE:

Operations staff was consulted regarding possible detour routes. Operations, Environmental Services and Planning staff have reviewed and provided comments on the proposed construction drawings.

COMMUNICATIONS:

The project was presented to the public at a Public Information Centre (PIC) on April 4th, 2007 at the Turf Grass Institute. A notice of construction will be forwarded to the residents and businesses in the area of the Victoria Road South reconstruction area prior to construction.

ATTACHMENTS:

- Budget and Financing Schedule

Prepared By:
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Endorsed By:
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Endorsed By:
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Recommended By:
James N. Riddell
Director of Community Design
and Development Services
(519) 837-5616, ext. 2361
jim.riddell@guelph.ca

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

T:\ENGINEER\Engineering Council\2007

Budget and Financing Schedule

JDE Project number: RD0051, RD0130 & WS0051,WS0055, WS0064 & WW0003, WW0034, WW0067
JDE Project name: Victoria Road South Reconstruction 2-0707
Prepared by: Michael Humble
Date: 28 March 2007

	Total Cost	External Financing			Internal Financing		
		Fed Gas Tax	Dev't Charges	Developer/ Other	Current Revenues	City Reserves	Debt
A. Budget Approval & Additional Funding							
RD0051, RD0130 Victoria Roads Projects	9,595,000	0	6,693,955	281,250	0	934,448	1,685,347
WS0051, 0055, 0064 Victoria Sewer Projects	7,146,000	0	1,287,000	0	3,290,000	2,569,000	0
WW0003, 0034, 0067 Victoria Watermain Projects	7,705,000	1,125,000	1,597,000	0	1,573,850	3,409,150	0
Budget Approval	**24,446,000**	**1,125,000**	**9,577,955**	**281,250**	**4,863,850**	**6,912,598**	**1,685,347**
B. Budget Requirement							
Tender Price -	10,976,984						
less: Developer Share	0						
City Share	**10,976,984**	505,159	4,300,788	126,290	2,184,014	3,103,963	756,771
less: GST Rebate	(621,339)	(28,594)	(243,441)	(7,148)	(123,623)	(175,696)	(42,836)
plus: Expenditures to Date - RD0051, RD0130	794,359	0	551,922	21,980	0	77,295	143,162
plus: Expenditures to Date - WS0051, WS0055 & WS0064	2,096,002	0	1,251,810	0	0	844,192	0
plus: Expenditures to Date - WW0003, WW0034 & WW0067	4,870,484	818,943	424,169	0	1,145,683	2,481,689	0
plus: Committed Work on Exisiting Pos - RD0051, 0130	547,751	0	395,891	23,985	0	53,751	74,124
plus: Committed Work on Exisiting Pos - WS0051,0055 & 0064	3,408	0	2,035	0	0	1,373	0
plus: Committed Work on Exisiting Pos - WW0003, 0034 & 0067	8,369	1,541	0	0	2,156	4,671	0
plus: Future Work - RD0051, RD0130	843,220	0	611,863	38,319	0	82,816	110,222
plus: Future Work - WS0051, WS0055 & WS0064	3,525,497	0	2,255,604	0	0	1,269,892	0
plus: Future Work - WW0003, WW0034 & WW0067	1,401,265	237,159	113,649	0	331,781	718,677	0
TOTAL BUDGET REQUIREMENT	**24,446,000**	**1,534,208**	**9,664,290**	**203,425**	**3,540,011**	**8,462,623**	**1,041,443**
C. Surplus / (Deficit)	(0)	(0)	(0)	(0)	(0)	(0)	(0)
D. Revised project budget	**24,446,000**	**1,534,208**	**9,664,290**	**203,425**	**3,540,011**	**8,462,623**	**1,041,443**

City of Guelph

ENVIRONMENTAL SERVICES

Report: A-2

TO: Council

DATE: April 16, 2007

SUBJECT: AWARD OF TENDER 07-028 - ARKELL SPRING GROUNDS / CARTER WELLS UPGRADES

RECOMMENDATION:

"THAT the tender of Xterra Construction Inc. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 07-028 for the Arkell Spring Grounds/Carter Wells Upgrades, for a total tendered price of $5,179,267.59 (6% GST included), with actual payment to be made in accordance with the terms of the contract."

BACKGROUND:

The contract work entails construction of the City's final Provincially-mandated capital upgrades funded under the Ontario Small Town and Rural (OSTAR) grant program. To maximize the OSTAR funding, the upgrades must be completed by March 2008. Both upgrades relate to parts of the overall Arkell/Carter/Woods integrated water supply system that provides the City with 60% of its daily water supply.

This section of the fifty year old Arkell aqueduct, from its origin in the Arkell spring grounds to Watson Road, will be replaced with new, secure concrete pipe. As well, the sixty-year old Carter well house will be upgraded to current Provincial and City standards. Both the design and construction staging of these upgrades must be carefully managed to ensure the uninterrupted and safe provision of the majority of the City's water supply.

REPORT:

Tenders were opened in public on Thursday, March 29, 2007 at 2:30 p.m. with pricing as follows:

Contractor:	Tender Price (including GST)
1. Xterra Construction Inc., Kitchener	$5,179,267.59
2. Sierra Construction (Woodstock) Limited, Woodstock	$5,769,113.60
3. Drexler Construction Limited, Rockwood	$6,264,124.65
4. Prior Construction Corporation, Guelph	$7,207,003.60

All tenders have been checked for legal and mathematical accuracy and were found to be in order.

Xterra Construction Inc. has successfully completed similar work for the City. We therefore recommend that the contract be awarded to this firm.

CORPORATE STRATEGIC PLAN:

This project is supportive of the following Strategic Directions:

1.1 Establish an ongoing assessment of the City's infrastructure to ensure it is appropriate for current and anticipated growth;

5.1 Develop strategies to sustain our natural and built infrastructure;

FINANCIAL IMPLICATIONS:

Funds are to be provided from two approved Waterworks Capital Accounts, which are as follows #WW0054 and #WW0059, as per the attached funding summary. The budget for these works was $6,000,000 and the price submitted by Xterra Construction Inc. was $5,179,267.59. In summary the lowest tendered price is below the overall budget as described above. This can be attributed to the time of year for tendering, and the competitive bid process within the current market.

DEPARTMENTAL CONSULTATION:

Finance Department.

COMMUNICATIONS:

None required. However, a notice of construction will be forwarded to local residents in the affected areas along Watson and Arkell Roads.

ATTACHMENTS:

Funding summary.

Prepared By:
Peter Busatto
Manager of Waterworks

Recommended By:
David Kennedy
Director of Finance

Recommended By:
Janet L. Laird, Ph.D
Director, Environmental Services

Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

Budget and Financing Schedule

JDE Project number: WW0054 & WW0059
Contract # 07-028
Project name: ***Arkell Aqueduct Replacement and Carter Well Upgrade***
Prepared by: Ryan Hagey
Date: April 10, 2007

	Total Cost	External Financing			Internal Financing		
		Subsidy	Dev't Charges	Developer/ Other	Current Revenues	Reserve	Debt
A. Budget Approval							
WW0054 Disinfection Compliance	17,518,000	10,246,000	0	0	0	7,272,000	0
WW0059 Water Regulation Treatment	7,070,000	3,925,000	0	0	0	3,145,000	0
Budget Approval	**24,588,000**	**14,171,000**	**0**	**0**	**0**	**10,417,000**	**0**
B. Budget Requirement							
Tender Price - Winning Bidder (incl GST of 6%)	5,179,268						
City Share	**5,179,268**	2,985,009	0	0	0	2,194,259	0
less: GST Rebate	(293,166)	(168,963)	0	0	0	(124,203)	0
plus: Expenditures to Date - WW0054	8,771,816	5,055,531	0	0	0	3,716,285	0
plus: Expenditures to Date - WW0059	3,416,076	1,968,815	0	0	0	1,447,261	0
plus: Committed Funds - WW0054	1,770,000	1,020,118	0	0	0	749,882	0
plus: Committed Funds - WW0059	2,200,000	1,267,944	0	0	0	932,056	0
plus: Future Work - WW0054	2,129,381	1,227,243	0	0	0	902,138	0
plus: Future Work - WW0059	1,414,625	815,302	0	0	0	599,323	0
TOTAL BUDGET REQUIREMENT	**24,588,000**	**14,171,000**	**0**	**0**	**0**	**10,417,000**	**0**
C. Surplus / (Deficit)	0	0	0	0	0	0	0
D. Revised project budget	**24,588,000**	**14,171,000**	**0**	**0**	**0**	**10,417,000**	**0**

Please recycle!

- BYLAWS –

- April 16, 2007 –	
By-law Number (2007)-18262 A by-law to remove land from Part Lot Control. (Part Block 25, Plan 61M110 designated as Parts 9, 10, 11 and 12, Reference Plan 61R1-446) (18, 20, 22 and 24 Walker Way for the creation of on-street townhouse lots)	A by-law to remove land from part lot control for property known municipally as 18, 20, 22 and 24 Walker Way for the creation of on-street townhouse lots.
By-law Number (2007)-18263 A By-law to impose user fees or charges for services or activities relating to Community Services, Corporate Services, Community Design & Development Services, Finance, Operations, and to adopt Municipal Code Amendment No. 430. (add a new Chapter# 303 entitled "User Fees", to the City of Guelph Municipal Code).	A by-law to impose user fees or charges for services or activities as approved by Council March 26, 2007.
By-law Number (2007)-18264 A by-law to amend By-law Number (2002)-17017 and to adopt Municipal Code Amendment No. 429. (amending No Parking Zones on Carden Street between Wilson and Wyndham in Schedule XV; amending Chapter 301 of the Corporation of the City of Guelph's Municipal Code)	A by-law to amend the Traffic By-law.
By-law Number (2007)-18265 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 30-34 Arkell Road. (legally described as Part of Lot 6, Concession 8 and Lot 1, Registered Plan 514)	A by-law to amend the Zoning By-law as approved by Council April 2, 2007.

By-law Number (2007)-18266 A by-law to amend By-law Number (2003)-17082 and (1997)-15351 with respect to appointments of persons serving as municipal by-law enforcement officers, known as "private property agents". (appointing Conway, Mallman, Green, Holloway and Ingerman)	A by-law to appoint persons as municipal by-law enforcement officers, known as "private property agents".
By-law Number (2007)-18267 A by-law to remove land from Part Lot Control. (Lots 108, Plan 61M125, designated as Parts 5 and 6, 61R10364 (15 & 17 Edwards St.); and Lot 111, Plan 61M125, designated as Parts 11 and 12, Reference Plan 61R10364 (27 & 29 Edwards St.) – creation of 4 semi's)	A by-law to remove land from part lot control to create 2 semi lots.
By-law Number (2007)-18268 A by-law to set tax ratios and tax rate reductions for prescribed property subclasses for the Corporation of the City of Guelph for the year 2007.	A by-law to set tax ratios and tax rate reductions for prescribed property sub classes as per Clause 4 of the Report of the Finance, Administration & Corporate Services Committee.
By-law Number (2007)-18269 A by-law to set and levy tax rates for City purposes for the year 2007 and to provide for a final tax levy and the payment of taxes.	A by-law to set and levy tax rates for City purposes for the year 2007.
By-law Number (2007)-18270 A by-law to set and levy education tax rates for the year 2007.	A by-law to set and levy education tax rates for the year 2007.
By-law Number (2007)-18271 A by-law to specify the claw back percentages and the capping threshold parameters for the year 2007 and to establish a fixed date as of which to calculate such claw backs for all properties in the commercial, industrial and multi-residential property classes.	A by-law to specify the claw back percentages and the capping threshold parameters for the year 2007 as per Clause 4 of the Report of the Finance, Administration & Corporate Services Committee.
By-law Number (2007)-18272 A by-law to authorize the conveyance of land. (Part of Lot 16, East of the Galt to Guelph Railway, Plan 52 (formerly Guelph-Eramosa Township))	A by-law to authorize the conveyance of land as approved by Council.

By-law Number (2007)-18273 A by-law to stop up and close, declare surplus and authorize the conveyance to the abutting owner lands. (Part of the Lane, Registered Plan 343, identified as PIN 71343-0133 (LT) – Kingsmill laneway)	A by-law to authorize the stopping up, closing and conveyance of land as approved by Council.