

CITY COUNCIL AGENDA



DATE April 23, 2012 – 7 p.m.

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

**O Canada
Silent Prayer
Disclosure of Pecuniary Interest**

PRESENTATION

- a) Mayor's Poetry Challenge, poet Truth Is
- b) Video greeting from Sergeant Doug Pflug, Guelph Police Service -
Presentation of City Medals to the following members of the Guelph Special Olympics Buns Master Rollers Floor Hockey Team in recognition of winning the Gold Medal at the Provincial Games in Sudbury in June, 2011 and the Gold Medal at the National Winter Games in St. Albert, Alberta in February, 2012: Doug Dunk, Michael Farley, Jim Hamill, Daniel Ironmonger, Daniel Jamieson, Mark Jamieson, Travis McEvoy, Andrew McTaggart, Paul McTaggart, Patrick Seeds, Steven Slezsak, Benjamin Tinholt, Jeff Tromp, James Walker – Coaches: Mark Cullen, Paul Turner and Shawn Turner
- c) Information Update: Comprehensive Economic and Trade Agreement (CETA)
– Mr. Brock Carlton, CEO, Federation of Canadian Municipalities (FCM)

CONFIRMATION OF MINUTES (Councillor Furfaro)

"*THAT* the minutes of the Council Meetings held March 26 and April 2, 2012 and the minutes of the Closed Meetings of Council held on March 26 and April 2, 2012 be confirmed as recorded and without being read."

CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED

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

Consent Reports/Agenda from:

Audit Committee			
Item	City Presentation	Delegations	To be Extracted
AUD-1 Preliminary Overview – PSAB 3260 – Liability for Contaminated Sites			

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

Community & Social Services Committee			
Item	City Presentation	Delegations	To be Extracted
CSS-1 Community Investment Strategy Phase 1 Final Report			

Adoption of balance of Community & Social Services Committee Second Consent Report - Councillor Dennis, Chair

Corporate Administration, Finance & Enterprise Committee			
Item	City Presentation	Delegations	To be Extracted
CAFE-1 2012 Property Tax Policy			
CAFE-2 Funding Related to Existing and Proposed City of Guelph Tax- Increment Based Grants (TIBG) Programs			
CAFE-3 Downtown Guelph Community Improvement Plan Implementation Guidelines			
CAFE-4 Attendance Management Software			

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

Operations, Transit and Emergency Services Committee			
Item	City Presentation	Delegations	To be Extracted

OTES -1 Watson Parkway North and Speedvale Avenue East – Speed Limit Reductions			
OTES-2 Bicycle Lanes on Grange Road			

Adoption of balance of Operations, Transit & Emergency Services Committee Third Consent Report - Councillor Findlay, Chair

Planning & Building, Engineering and Environment Committee			
Item	City Presentation	Delegations	To be Extracted
PBEE-1 Sign By-law Variance for 83 and 89 Dawson Road (Guelph Medical Place 1 & 2)			
PBEE-2 2012 Development Priorities Plan			
PBEE-3 Brooklyn and College Hill Heritage Conservation District Designation Process – Phase 2: Process and Timeline to Address Outstanding Boundary Issues and Proposed Public Consultation Program			
PBEE-4 40 Wellington Street West Brownfield Redevelopment Community Improvement Plan – Tax Increment-Based Grant Request			

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

Governance Committee			
Item	City Presentation	Delegations	To be Extracted
GOV-1 Executive Director Compensation – Competitive Salary			

	Market Position			
GOV-2	First Report of the Integrity Commissioner	<ul style="list-style-type: none"> Robert Swayze 		✓
GOV-3	Procedural By-law and Closed Meeting Protocol Amendments			

Adoption of balance of Governance Committee Second Consent Report – Mayor Farbridge, Chair

Closed Meeting of Council			
Item	City Presentation	Delegations	To be Extracted
CM-1	Citizen Appointments to the Board of Trustees of the Elliott Community		

Adoption of balance of the Closed Meeting of Council Fourth Consent Report –

Council Consent Agenda			
Item	City Presentation	Delegations	To be Extracted
A-1)	553 Edinburgh Road South Upcoming Ontario Municipal Board Hearing (File A-4/12) – Ward 5	<ul style="list-style-type: none"> Mario Venditti Narain Sambmwaini 	✓
A-2)	Annual Asphalt, Contract No. 2-1201		
A-3)	Speedvale Avenue Reconstruction, Contract No. 2-1209		
A-4)	Re-election of Councillor Burcher to the FCM Board of Directors		
B-1)	Request from Mike Salisbury with respect to Katimavik Program	<ul style="list-style-type: none"> Mike Salisbury Wayne Greenway <p><u>Correspondence:</u> - Ricardo Ramirez</p>	✓

Adoption of balance of the Council Consent Agenda – Councillor

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

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

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

Reports from:

- Audit Committee – Councillor Guthrie
- Community & Social Services – Councillor Dennis
- Corporate Administration, Finance & Enterprise – Councillor Hofland
- Operations, Transit & Emergency Services – Councilor Findlay
- Planning & Building, Engineering and Environment – Councillor Piper
- Governance – Mayor Farbridge
- Closed Meeting of Council –
- Council Consent – Mayor Farbridge

SPECIAL RESOLUTIONS

BY-LAWS

Resolution – Adoption of By-laws (Councillor Guthrie)

MAYOR’S ANNOUNCEMENTS

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

NOTICE OF MOTION

ADJOURNMENT

PROTECTING MUNICIPAL INTERESTS IN INTERNATIONAL TRADE AGREEMENTS

April 23, 2012

Our position:

FCM is standing up for municipalities to make sure Canada's trade deals protect local taxpayers and the essential role municipal councils play in making decisions that reflect local needs and priorities. Our members have told us they support trade policies that create new jobs and opportunities in their communities without hurting existing small businesses, weakening the delivery of essential public services, such as drinking water, or saddling municipalities with costly and complicated rules for tendering new projects.

We're working in Ottawa to make sure your voice is heard and your questions are answered. Over the past three years, FCM has developed a comprehensive position on municipal procurement and free trade agreements. Municipalities procure close to \$100 billion every year in goods and services, helping to build the infrastructure that supports Canada's economic competitiveness and promote the quality of life for all Canadians.

Cities and communities support free and fair trade between Canada and the world – a position unanimously endorsed by our membership at FCM's Annual Conference in 2009. Municipalities will be right in the middle of the transformation of our economy in the 21st Century: building new transit systems, redesigning our water and wastewater networks, retrofitting everything from libraries to hockey rinks to be more energy efficient. At the negotiating table, how these investments are procured need to be seen as part of a broader economic strategy, and treated fairly and reasonably, to minimize costs and maximize benefits to local communities.

FCM has established seven core principles that will help ensure that municipal procurement practices are protected, while also seizing on the opportunities that this trade deal can provide to all Canadians.

Municipal principles for free and fair international trade

1. **Reasonable procurement thresholds:** Inappropriately low or broad procurement thresholds may force municipalities to tender projects when tendering is neither practical nor financially justified.
2. **Streamlined administration:** Ensuring that municipal procurement policies are free-trade compliant will likely create new costs and may require specialized expertise. The administrative design of these rules must be as streamlined as possible and developed in close cooperation with municipal procurement practitioners.
3. **Progressive enforcement:** Enforcing provisions of any deal should be progressive, starting with verbal or public warnings before moving to financial penalties, and should recognize and not penalize inadvertent non-compliance, particularly in cases where municipalities do not have the expertise to appropriately apply the rules.
4. **Canadian content for strategic industries or sensitive projects:** A trade deal must recognize strategic and public interest considerations before barring all preferential treatment based on country of origin. There may be industries of strategic significance to a

particular region, such as transit, or projects where considerations of quality, public benefit, environmental protection or business ethics means that a local government may wish to implement minimum Canadian-content levels. This should be allowed, within reason.

5. **Dispute resolution:** A dispute-resolution process, like the one in NAFTA, may require a careful review of the municipal role in that process so they can appropriately defend their policies and by-laws as an order of government.
6. **Consultation and communications:** Consultation and communications during negotiations are required to ensure any resulting agreement responds to municipal concerns.
7. **Reciprocity:** Canada's negotiating position must support reciprocity in Canadian and foreign municipal procurement practices.

Protecting Municipal Procurement into the Future

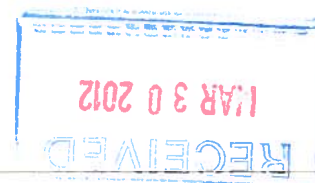
FCM welcomed International Trade Minister Ed Fast to our September 2011 Board meeting in Nelson B.C., where the Minister committed to respecting FCM's seven principles for fair trade. This commitment was further reinforced in a letter to our President in February 2012 (Annex B).

It is critical that all levels of government work in partnership to secure a responsible trade deal that is fair for all Canadians. At the same time, there must be a concerted effort to protect the interests and needs of our cities and communities in these negotiations.

Developing a trade agreement that includes municipal procurement that also protects Canadians and our communities will require specialized expertise and must be developed in close cooperation with municipalities.

THE PATH FORWARD:

- The federal government must commit to communicating clearly to the public and municipalities that the FCM's fair trade principles will be respected as part of the negotiations, now and in the future
- This communication will require extensive consultation with municipalities, ideally as part of discussions with local business groups or industry associations.
- Over the past year, FCM has continued to advocate that the Government of Canada must respond directly to local concerns around CETA, while also providing municipalities with the evidence to prove the potential benefits to cities and communities from such an agreement.
- Municipalities large and small are already heavily involved in fostering the relationships and making the connections with governments, industries and businesses abroad. Linking this activity to the Government of Canada's broader economic strategy is vital to ensuring that we continue to build economic linkages that bring a net benefit back to Canada while also protecting municipal rights in a global market.
- All levels of government must work cooperatively to ensure that current and future trade deals are part of a coordinated economic strategy to seize opportunities to build a stronger, more prosperous country.



March 28, 2012

The Right Honourable Stephen Harper
Prime Minister of Canada
House of Commons
Ottawa ON K1A 0A6

The Honourable Dalton McGuinty
Premier of Ontario
Main Legislative Building, Room 281
Queen's Park
Toronto ON M7A 1A4

Mr. Brock Carlton, Chief Executive Officer
Federation of Canadian Municipalities
24 Clarence Street
Ottawa ON K1N 5P3

Subject: Comprehensive Economic Trade Agreement (CETA) with the European Union

At its meeting on March 26, 2012, Oakville Town Council approved the following resolution with respect to the subject item noted above:

"WHEREAS, the Federal Government of Canada is implementing a Comprehensive Economic Trade Agreement (CETA) with the European Union (EU), Canada's second most important partner for trade and investment, to secure preferential access for Canadian businesses to the EU's government procurement market;

WHEREAS, CETA has the potential to create jobs and increase trade and investment opportunities in municipalities across Canada;

WHEREAS, the Federation of Canadian Municipalities (FCM) has developed the following seven principles for the Federal Government to apply to CETA or any future trade deals;

- **Reasonable procurement thresholds:** *Inappropriately low or broad procurement thresholds may force municipalities to tender projects when tendering is neither practical nor financially justified.*
- **Streamlined administration:** *Ensuring that municipal procurement policies are free-trade compliant will likely create new costs and may require specialized expertise. The administrative design of these rules must be as streamlined as possible and developed in close cooperation with municipal procurement practitioners.*

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- **Progressive enforcement:** Enforcing provisions of any deal should be progressive, starting with verbal or public warnings before moving to financial penalties, and should recognize and not penalize inadvertent non-compliance, particularly in cases where municipalities do not have the expertise to appropriately apply the rules.
- **Canadian content for strategic industries or sensitive projects:** A trade deal must recognize strategic and public interest considerations before barring all preferential treatment based on country of origin. There may be industries of strategic significance to a particular region, such as transit, or projects where considerations of quality, public benefit, environmental protection or business ethics means that a local government may wish to implement minimum Canadian-content levels. This should be allowed, within reason.
- **Dispute resolution:** A dispute-resolution process, like the one in NAFTA, may require a careful review of the municipal role in that process so they can appropriately defend their policies and by-laws as an order of government.
- **Consultation and communications:** Consultation and communications during negotiations are required to ensure any resulting agreement responds to municipal concerns.
- **Reciprocity:** Canada's negotiating position must support reciprocity in Canadian and foreign municipal procurement practices;

WHEREAS, municipalities have a crucial role to play in the delivery of CETA;

WHEREAS, the Town of Oakville has great interest in CETA with the EU, particularly in the context of municipal procurement obligations;

WHEREAS, the Town of Oakville wants to ensure that it can continue to implement social, environmental and sustainability criteria in its procurement policies;

WHEREAS, the Town of Oakville wants to ensure that it will not be required to tender any municipal services under CETA;

THEREFORE BE IT RESOLVED, that the Town of Oakville endorses the FCM's seven principles for the Federal Government of Canada to apply to CETA and any future trade deals; and

THAT the Town of Oakville pursue discussions with the Province of Ontario to ensure the Town's municipal interests are protected under the Canada-EU CETA;

THAT the Federal Government of Canada and the Minister of International Trade and Minister for the Asia-Pacific Gateway be strongly encouraged to continue consultation with FCM in order to address municipal concerns in relation to trade deals; and

March 28, 2012

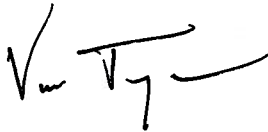
Subject: Comprehensive Economic Trade Agreement (CETA) with the European Union

THAT the Federal Government of Canada and the Minister of International Trade and Minister for the Asia-Pacific Gateway be strongly encouraged to continue engagement with municipalities through the FCM-DFAIT Joint Working Group on International Trade; and further

THAT the Town of Oakville's position be forwarded to the Federal Government of Canada, the Province of Ontario, and the Federation of Canadian Municipalities."

Should you have any questions regarding this matter or should you require additional information, please contact me at 905-845-6601, extension 2003, or email vtytaneck@oakville.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'V. Tytaneck', with a stylized flourish at the end.

Vicki Tytaneck
Assistant Clerk

- c. Honourable Ed Fast, Minister of International Trade and
Minister for the Asia-Pacific Gateway

Minister of International Trade and
Minister for the Asia-Pacific Gateway



Ministre du Commerce international et
ministre de la porte d'entrée de l'Asie-Pacifique

Ottawa, Canada K1A 0G2

FEB 14 2012

Mr. Berry Vrbanovic
President
Federation of Canadian Municipalities
24 Clarence Street
Ottawa ON K1N 5P3

Dear Mr. Vrbanovic:

Thank you for the opportunity to meet with you and the members of the National Board of Directors of the Federation of Canadian Municipalities (FCM) on December 1, 2011. This is a follow-up to my letter dated August 23, 2011, which provided your membership with an update on the Comprehensive Economic and Trade Agreement (CETA) negotiations with the European Union (EU) and is publicly available on your website.

It was a pleasure to welcome municipal leaders from across the country to Parliament Hill and engage in direct discussions on issues of particular interest to municipalities, including on municipal procurement in the context of negotiations toward a CETA with the EU.

Allow me to reiterate that municipalities have a key role to play in the delivery of our ambitious pro-trade plan. A successful CETA holds great potential for us to create more opportunities, jobs and prosperity in communities across Canada through increased trade and investment with the EU. The EU is already Canada's second-most important partner for trade and investment, and the relationship holds great potential for growth. Canada would gain preferential access to the EU, the wealthiest single market in the world. Removing barriers to trade in goods and services could bring a potential 20-percent boost to bilateral trade and gross domestic product gains of up to \$12 billion for Canada once implemented.

I took note of the FCM's request for additional information on the issue of procurement obligations in the CETA. I trust that the attached will be of assistance to the FCM and its members.

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Canada

I am pleased to note the ongoing engagement with municipalities through the FCM-DFAIT Joint Working Group on International Trade, which allows for timely information sharing and a two-way dialogue on Canada's trade agenda and issues of relevance to the municipal sector. I appreciate our collaboration and encourage FCM members to continue to work closely with their respective provincial or territorial governments.

Once again, thank you for the opportunity to meet with the FCM Board of Directors and for your support. I look forward to working with you in the future.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ed Fast', with a stylized, flowing script.

The Honourable Ed Fast, P.C., Q.C., M.P.

Enclosure

c.c.: Mr. Don Downe, Mayor
District of Lunenburg, Nova Scotia
Chair of the FCM/DFAIT Joint Working Group on International Trade
Mr. Réjean Laforest, Councillor, Saguenay, Quebec
Mr. Jerrod Schafer, Mayor, City of Swift Current, Saskatchewan
Mr. Claude Dauphin, Second Vice-President, Mayor of Lachine

**Comprehensive Economic Trade Agreement (CETA)
Government Procurement
Questions & Answers**

What are the benefits of securing preferential access for Canadian businesses to the European Union's government procurement market?

- According to the European Commission, the European procurement market is the largest procurement market in the world, estimated at 1,700 billion euros (\$2.3 trillion) or 16% of gross domestic product.
- Government procurement commitments in international trade agreement:
 - Help promote transparency, non-discrimination, good governance, and offer opportunities for suppliers of goods and services;
 - Provide Canadian suppliers with a guarantee of predictable and secure access to foreign markets on an equal footing with domestic suppliers;
 - Helps increase competition, allowing government entities to ensure better value for taxpayer money for the goods and services procured.

Will the CETA Government Procurement Chapter prevent municipalities from adopting environmental or social criteria in conducting their procurements?

- No. All governments in Canada can continue to meet their socioeconomic objectives under international trade agreements. For example, the Canadian government implements a green procurement policy which is compliant with our international trade commitments. In situations that are specific to Canada, such as our commitments to aboriginal populations, exclusions are made under our trade commitments to allow for preference in procurement for Aboriginal peoples.
- In addition, all of Canada's international procurement obligations allow governments to implement social, environmental and sustainability criteria as long as these criteria are applied in a non-discriminatory manner.
- In addition, municipalities will be able to continue to use selection criteria such as quality, price (including transportation costs, duties, etc.), technical requirements or relevant prior experience.

Will the CETA prevent governments from sourcing goods and services locally to spur job creation and economic development?

- As a trading nation, it is the Government of Canada's belief that free and open markets are the best way to ensure the global economy can recover from this period of instability.
- It is in the best interest of communities to make efficient use of taxpayer dollars; government procurement commitments help to achieve this goal.

- Overall, Canada's procurement system is already quite open at all levels of government.
- Municipalities will continue to retain the ability to give preferences to local companies, in cases it so desires, with policy options such as:
 - Non-contractual agreements (e.g., grants, loans or fiscal incentives)
 - Government procurement in cases of procurements that are not subject to the CETA procurement obligations (e.g., below threshold, excluded goods or services)
- Furthermore, when a foreign supplier wins a bid, it can—and usually does—source and hire locally.

Will giving access to procurement by municipalities encourage privatization of public water systems?

- Nothing in any of Canada's international trade agreements can force countries to privatize or to deregulate their public services. Decisions to either privatize or deregulate in certain public sectors are guided by domestic policy decisions. When a government decides to do so, foreign companies who enter the market are always subject to Canadian laws and regulations.
- Obligations in the Government Procurement Chapter of the CETA will not force municipalities to privatize water distribution, nor prevent municipalities from setting standards to ensure that Canadians have access to safe drinking water.
- If public water treatment and distribution entities are covered under CETA, this simply means that any procurement of goods or services in support of the government ability to provide such water services would be required to follow the obligations of the chapter.

Will the CETA negotiations threaten municipalities' right to regulate?

- The CETA will not affect the ability of municipalities to regulate. All of Canada's international trade agreements preserve the right of countries to regulate, and to introduce and amend regulations to meet policy objectives, so long as these regulations do not apply in a discriminatory manner.
- The fundamental right of all levels of government in Canada to regulate in the public interest will not be jeopardized.
- Even in those sectors where Canada undertakes obligations, there is nothing that will exempt foreign services providers from complying with Canadian laws and regulations.

Council Caucus Room
March 26, 2012 5:00 p.m.

An Open Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services; and Mr. B. Labelle, City Clerk

1. Moved by Councillor Burcher
Seconded by Councillor Wettstein
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

CAO Performance Appraisal

S. 239 (2) (b) of the *Municipal Act* - personal matters about an identifiable individual

Proposed or Pending Acquisition of Parkland

S. 239 (2) (c) of the *Municipal Act* - proposed or pending acquisition or disposition of land

Human Rights Tribunal of Ontario Settlement

S. 239 (2) (e) of the *Municipal Act* - litigation or potential litigation

Wellington Terrace Litigation

S. 239 (2) (e) of the *Municipal Act* - litigation or potential litigation

Official Plan Amendment - OMB Appeals

S. 239 (2) (e) of the *Municipal Act* - litigation or potential litigation

Carried

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Mayor

.....
Clerk

Council Caucus Room
March 26, 2012 5:01 p.m.

A Closed Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Mr. B. Labelle, City Clerk

DECLARATIONS OF PECUNIARY INTEREST

There was no declaration of pecuniary interest.

CAO Performance Appraisal

1. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
That the direction be approved.

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

VOTING AGAINST: Councillor Kovach (1)

Carried

The following staff arrived at 5:26 p.m.

Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services; Donna Jaques, General Manager of Legal and Realty Services; Ms. Susan Smith, Associate Solicitor; Acting General Manager of Building and Planning Services, Mr. Ian Panabaker, Corporate Manager, Downtown Renewal and Mr. Jim Stokes, Manager of Realty Services

Proposed or Pending Acquisition of Parkland

2. Moved by Councillor Burcher
Seconded by Councillor Guthrie
That the report be received for information.

Carried

Human Rights Tribunal of Ontario Settlement

3. Moved by Councillor Kovach
Seconded by Councillor Furfaro
That the direction to staff be approved.

Carried

Wellington Terrace Litigation

4. Moved by Councillor Kovach
Seconded by Councillor Findlay
That the direction to staff be approved.

Carried

Official Plan Amendment - OMB Appeals

1. Moved by Councillor Kovach
Seconded by Councillor Findlay
That the direction to staff be approved.

Carried

The meeting adjourned at 6:15 p.m.

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Mayor

.....
Clerk

Council Chambers
March 26, 2012 7:00 p.m.

An Open Meeting of Guelph City Council

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach (vacated at 7:23 p.m.), Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. C. Bell, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; Mr. B. Labelle, City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator.

DECLARATIONS OF PECUNIARY INTEREST

There was no declaration of pecuniary interest.

PRESENTATIONS

- a) The Mayor presented the 2012 Access Recognition Awards to the following individuals for outstanding contributions:
 - Janice Centurione
 - Ashley Kuchar
 - Carin Headrick
 - Dr. Bianca Ferenczy
 - Brad Coutts
 - Melissa Brooks
 - John Martini
- b) Tim Morris, Freshwater Program Director with the Walter and Duncan Gordon Foundation along with Lindsay Telfer, National Coordinator for Canada Water Week and Meena Jagait, Abstract Artist (donor of the painting/award) presented the Mayor with a Certificate of Recognition for the City's contribution to Canada Water Week.

CONFIRMATION OF MINUTES

1. Moved by Councillor Dennis
Seconded by Councillor Piper
THAT the minutes of the Council meetings held on February 22 and 27, 2012 and the minutes of Closed

Meetings of Council held on February 27 and March 5, 2012 be confirmed as recorded and without being read;

AND THAT the minutes of March 5, 2012 be amended to reflect Councillors Findlay and Hofland moving and seconding Resolution #1, and that the minutes be confirmed as amended and without being read.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

Councillor Findlay presented the Operations, Transit & Emergency Services Committee Third Consent Report.

2. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond
THAT the March 26, 2012 Operations, Transit & Emergency Services Committee Third Consent Report as identified below, be adopted:

a) **U-Pass Contract Renewal**

Mr. D. McCaughan
Ms. D. Jaques
Ms. S. Aram

THAT the Operations & Transit Committee Report OT031206 U-Pass Contract Renewal dated March 19, 2012 be received;

AND THAT the Mayor and City Clerk be authorized to sign the U-Pass Agreement with the University of Guelph satisfactory to the Executive Director of Operations, Transit & Emergency Services and the City Solicitor.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

The following item was extracted from the Planning & Building, Engineering and Environment Committee Third Consent Report to be voted on separately:

- PBEE-1 148-152 Macdonell Street Brownfield Redevelopment Community Improvement Plan – Tax Increment-Based Grant Request

Councillor Findlay presented the Closed Meeting of Council Third Consent Report.

3. Moved by Councillor Findlay
Seconded by Councillor Burcher

THAT the March 26, 2012 Closed Meeting of Council Third Consent Report as identified below, be adopted:

- a) **Citizen Appointment to the Water Conservation and Efficiency Public Advisory Committee**

Mr. W. Galliher
Mr. B. Labelle

THAT Raheel Yousaf be appointed to the Water Conservation and Efficiency Public Advisory Committee for a term ending November, 2012.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

CONSENT AGENDA

The following item was extracted from the March 26, 2012 Consent Agenda to be voted on separately:

- A-4 Terra-Alta Construction Ltd. – Request for an Exemption to the Procurement By-law

4. Moved by Councillor Piper
Seconded by Councillor Findlay

THAT the balance of the March 26, 2012 Council Consent Agenda as identified below, be adopted:

- a) **1820 Gordon Street – Residential and Commercial Draft Plan of Subdivision (23T-03507): Request for an Extension of Draft Plan Approval – Ward 6**

Dr. J. Laird

THAT Report 12-29 dated March 26, 2012 regarding a request for a Draft Plan Approval extension for the subdivision of the property municipally known as 1820 Gordon Street (23T-03507) from Planning & Building, Engineering and Environment, be received;

AND THAT the application by FCHT Holdings (Ontario) Inc. for an extension to the Draft Plan Approval of the subdivision at 1820 Gordon Street (23T-03507) applying to lands legally described as Part of Southwest Part Lot 11, Concession 8 (Part of Part 1, Plan 61R-10803), City of Guelph, be approved for a three (3) year period to an extended lapsing date of May 26, 2015, subject to the conditions previously endorsed by Council.

b) **148-152 Macdonell Street Services Relocation Agreement**

Dr. J. Laird

THAT Council authorize the Mayor and Clerk to sign the "Services Relocation Agreement" between the City of Guelph and 148-152 Macdonell Ltd. Pertaining to the construction of watermain, sanitary sewers, and storm sewers on Woolwich Street and the construction of watermain and roadway modifications on Macdonell Street as outlined in this report dated March 26, 2012.

c) **Litigation Status Report dated March 19, 2012**

Ms. D. Jaques

THAT the report of Legal and Realty Services regarding the status of City litigation be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

DELEGATIONS

Terra-Alta Construction Ltd. – Request for an Exemption to the Procurement By-law

Mr. Joe Monteiro, President, Terra Alta Construction Ltd., advised that his company has been doing business for 25 years and has successfully completed various work in the City. He noted that if Terra-Alta was found guilty in relation to the ongoing litigation with the City, he would comply with actions ordered by the court. Mr. Monteiro requested that Terra-Alta be allowed to bid on City of Guelph tenders while the current litigation proceeds through Court.

Members of Council posed various questions to Mr. Monteiro and staff for clarification and follow up. Staff made comments in reference to the staff report contained in the meeting agenda.

Councillor Kovach vacated the meeting (7:23 p.m.).

Ms. S. Aram
Mr. B. Stewart

5. Moved by Councillor Burcher
Seconded by Councillor Hofland
THAT the request from Terra-Alta Construction Ltd. to be exempt from Section 20 of the Procurement By-law which currently prevents them from bidding on any City of Guelph tenders while legal action is ongoing not be approved.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Van Hellemond (1)

Carried

Councillor Bell's motion for which notice was given February 27, 2012.

Mr. Gary Pomfret, representing the residents of Wellington Condominium Corporation No. 158, provided information with respect to a water bill received which was much higher than that charged to the condominium previously. The bill in question covered the period from April 21 to May 17, 2011. Mr. Pomfret suggested that the usage volume accounted for was due to a water leak as it was well beyond that which could have been accounted for under average conditions. He advised that the condominium corporation has been attempting to determine the location of the leak and to account for the excess water. He requested that consideration be given to forgive the above average costs associated with the bill in question as it had already been paid.

Mr. Peter Busatto, General Manager, Water Services responded to a number of questions from Members of Council. He noted that staff are currently investigating best practices to address water leaks which cause high bills and financial hardship for residential customers in relation to a more broad service review currently underway. It was noted that staff will be reporting back to Committee in the fall with a recommended policy.

6. Moved by Councillor Bell
Seconded by Councillor Furfaro
THAT the matter of reconsidering the City's water/and wastewater rate policy be referred to Planning & Building, Engineering and Environment Committee with respect to

the issue of water leaks causing high bills and financial hardship for residential customers.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie, Laidlaw, Van Hellemond and Wettstein (6)

VOTING AGAINST: Councillors Burcher, Dennis, Findlay, Hofland, Piper, and Mayor Farbridge (6)

Lost

Councillor Piper presented Clause 1 that was extracted from the Planning & Building, Engineering and Environment Committee Third Consent Report.

148-152 Macdonell Street Brownfield Redevelopment Community Improvement Plan – Tax Increment-Based Grant Request

Mr. Todd Salter, Acting General Manager of Building and Planning Services, in response to questions from Members of Council, provided information on the tax increment-based grant under the Brownfield Redevelopment Community Improvement Plan. Mr. Salter provided comments in reference to the staff report contained in the meeting agenda.

7. Moved by Councillor Piper
Seconded by Councillor Burcher

Dr. J. Laird
Ms. S. Aram

THAT Planning & Building, Engineering and Environment Report 12-25 dated March 19, 2012 regarding a request for a Tax Increment-Based Grant for the property municipally known as 148-152 Macdonell Street pursuant to the Brownfield Redevelopment Community Improvement Plan be received;

AND THAT the request by Carvest Properties Ltd. for a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan be approved to an upset total limit of \$1,750,700 subject to the program details set out in Attachment 1 attached hereto;

AND THAT staff be directed to proceed with the finalization of a Tax Increment-Based Grant agreement with Carvest Properties Ltd. or any subsequent owner(s) to the satisfaction of the General Manager of Planning Services and the General Manager of Legal and Realty Services/City Solicitor;

AND THAT the Mayor and Clerk be authorized to sign the Tax Increment-Based Grant Agreement.

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

VOTING AGAINST: (0)

Carried

BY-LAWS

8. Moved by Councillor Findlay
Seconded by Councillor Wettstein
THAT By-laws Numbered (2012)-19347 to (2012)-19359, inclusive, are hereby passed.

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

VOTING AGAINST: (0)

Carried

MAYOR'S ANNOUNCEMENTS

The Mayor advised that the Friends of Trans Canada Trail will be holding a clean up on March 31, 2012 and for additional information on the event to contact Councillor Findlay.

ADJOURNMENT

The meeting adjourned at 8:10 p.m.

Minutes to be confirmed on April 23, 2012.

.....
Mayor

.....
Clerk

Council Caucus Room
April 2, 2012 5:45 p.m.

An Open Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Kovach, Laidlaw (*vacated at 8:53 p.m.*), Piper (*vacated at 8:39 p.m.*), Van Hellemond and Wettstein

Absent: Councillors Guthrie and Hofland

Staff Present: Ms. A. Pappert, Chief Administrative Officer; and Ms. T. Agnello, Deputy Clerk;

1. Moved by Councillor Furfaro
Seconded by Councillor Kovach
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Citizen Appointments to the Board of Trustees of the Elliott Community

S. 239 (2) (b) of the *Municipal Act* - personal matters about an identifiable individual

CAO Performance Objectives

S. 239 (2) (b) of the *Municipal Act* - personal matters about an identifiable individual

Carried

.....
Mayor

.....
Deputy Clerk

Council Caucus Room
April 2, 2012 5:47 p.m.

A Closed Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Kovach, Laidlaw (*vacated at 8:53 p.m.*), Piper (*vacated at 8:39 p.m.*), Van Hellemond and Wettstein

Absent: Councillors Guthrie and Hofland

Staff Present: Ms. A. Pappert, Chief Administrative Officer; and Ms. T. Agnello, Deputy Clerk;

DECLARATIONS OF PECUNIARY INTEREST

There was no declaration of pecuniary interest.

Citizen Appointments to the Board of Trustees of the Elliott Community

1. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
That the direction be approved.

Carried

CAO Performance Appraisal

The CAO provided information regarding the CAO Performance Appraisal.

The meeting adjourned at 6:50 p.m.

.....
Mayor

.....
Deputy Clerk

Council Chambers
April 2, 2012 7:00 p.m.

An Open Meeting of Guelph City Council

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Kovach, Laidlaw (*vacated at 8:53 p.m.*), Piper (*vacated at 8:39 p.m.*), Van Hellemond and Wettstein

Absent: Councillors Guthrie and Hofland

Staff Present: Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. T. Salter, Acting General Manager, Building & Planning Services; Mr. A. Hearne, Acting Manager of Development & Parks Planning; Ms. T. Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

Consent Agenda

1. Moved by Councillor Findlay
Seconded by Councillor Burcher
THAT the balance of the April 2, 2012 Council Consent Agenda as identified below, be adopted:

**a) 1475-1483 and 1499 Gordon Street:
Proposed Official Plan Amendment and Zoning
By-law Amendment (Files OP1102 & ZC1111)
– Ward 6**

Astrid J. Clos
Dr. J. Laird
Mr. T. Salter
Mr. D. McCaughan
Ms. S. Aram

THAT Report 12-30 dated April 2, 2012 regarding a proposed Official Plan Amendment and Zoning By-law Amendment for the property municipally known as 1475-1483 and 1499 Gordon Street from Planning & Building, Engineering and Environment be received;

AND THAT the application by Astrid J. Clos Planning Consultants for approval of an Official Plan Amendment to redesignate lands from the "Medium Density Residential" to the "Commercial Mixed Use" land use designation affecting a portion of the lands municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, be approved in the form set out in Attachment 2 of Planning & Building, Engineering and Environment Report 12-30 dated April 2, 2012 attached hereto as Schedule 1;

AND THAT the application by Astrid J. Clos Planning Consultants for approval of a Zoning By-law Amendment to change the zoning from the current R.1B (Single Detached Residential) Zone and C.1-18 (Specialized Convenience Commercial) Zone to a CR-? (Specialized Commercial-Residential) Zone to permit the development of a commercial building with the permitted uses within the standard CR (Commercial-Residential) Zone with the addition of a "pharmacy" use and "live-work units" for the property municipally known as 1499 Gordon Street (as

reconfigured by approved consent to sever applications) and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, be approved, in accordance with the provisions set out in Attachment 3 of Planning & Building, Engineering and Environment Report 12-30 dated April 2, 2012 attached hereto as Schedule 2;

AND THAT the request by Astrid J. Clos Planning Consultants to demolish the detached dwelling located on the property municipally known as 1499 Gordon Street be approved;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 1475-1483 and 1499 Gordon Street as set out in Report 12-30 from Planning & Building, Engineering and Environment dated April 2, 2012.

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

VOTING AGAINST: (0)

Carried

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.

11 Starwood Drive: Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment (Files 23T-11502/OP1102/ZC1113) – Ward 1)

Mr. Chris DeVriendt, Senior Development Planner, advised the applicant is proposing to subdivide the property to include: 63 on-street townhouse units; 138 stacked townhouse units; 1 commercial block (0.479 ha in size); 1 library block (0.426 ha in size) and 1 park block (0.042 ha in size). He stated the Official Plan Amendment is to redesignate the portion of lands currently designated "Industrial" to "Mixed Use Node". He also advised the

applicant is requesting to rezone the lands from Industrial Zone to Specialized On-Street Townhouse, Specialized Cluster Townhouse, Neighbourhood Shopping Centre Zone, Specialized Institutional Zone and Specialized Neighbourhood Park Zone.

Mr. Keith MacKinnon, of KLM Planning Inc., on behalf of the applicant, advised they will provide additional information regarding potential commercial use and they believe their proposal is compatible with the neighbourhood.

Mr. John Cousins, a resident of Frasson Drive, raised concerns about increased traffic from the residential component; streetscape appearance of the stacked townhomes and the effect the smaller homes on values of existing properties. He stated a commercial development would be a better use.

Mr. Wilmer Torres, a resident of Frasson Drive, prefers similar homes would be built across the street. He also has concerns regarding decreased property values and increased traffic.

Mr. Rob Rebellato, a resident of Frasson Drive, concurred with previous delegations regarding traffic safety issues, streetscape compatibility and devaluation of property. He expressed concern with the experimental nature of the development and questioned why more public consultation was not done prior to this meeting. He requested an opportunity for stakeholders to discuss options and advised he would like single family homes on Frasson Dr. with intensification closer to the library. He provided a petition from residents of Frasson Drive.

Mr. Nathan Florence, a Frasson Drive Resident, agreed with the previous delegates. He also raised the issue of the walkability. He believes the density of the development will cause people to feel less safe and will change the feel of the neighbourhood. He believes there are not enough single family homes available and an excessive amount of townhomes.

Staff were requested to address the following matters:

- providing a traffic study for both residential and commercial development;
- conformity to the Official Plan with attention to walkability;
- meeting with residents of Frasson Drive regarding compatibility issues;

- consider rezoning part of the commercial node to residential;
- determining whether a two stage approach would be more effective;
- locating similar type houses on the streetscape and putting the higher density buildings closer to the library;
- rezoning a section of property onto Watson Road as commercial to increase commercial component.

2. Moved by Councillor Dennis
Seconded by Councillor Piper

Dr. J. Laird
Mr. T. Salter

THAT Report 12-31 regarding applications for a Draft Plan of Subdivision, Official Plan Amendment and a Zoning By-law Amendment to permit the development of a mixed use residential, commercial and institutional subdivision, applying to property municipally known as 11 Starwood Drive, and legally described as Part of Lot 5, Concession 3, City of Guelph, from Planning & Building, Engineering and Environment, dated April 2, 2012, be received.

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

VOTING AGAINST: (0)

Carried

Official Plan Update Phase 3 (OPA48): Statutory Public Meeting

Ms. Melissa Aldunante, Senior Policy Planner, outlined the vision and policies and the staging of development of the Official Plan Update. She provided a brief summary of changes, additions and deletions being addressed in the various chapters of the Official Plan. She also advised of the consultation process and next steps.

Staff were requested to provide clarification with respect to the following when reporting back to Council:

- explaining how the cycling target was established and why it is not greater than 3%;
- outlining the allowance of drive-thrus under certain conditions rather than prohibiting them and addressing related accessibility issues;
- redefining low density to protect stabilized neighbourhoods as it pertains to splitting one lot into 2, 3 or 4 parcels;
- providing a document to clearly show the changes being proposed to enable the public to better see what is being affected;

- providing a more defined timeline for development south of Clair Road and outlining the capital funding and staffing needs to commence the work;
- clarifying how a Secondary Plan may supersede policies within the Official Plan, such as height policies;
- explaining why a residential component to commercial/mixed use nodes are being suggested rather than prescribed;
- clarifying the walkability factor staff are using for commercial/mixed use nodes.

Councillor Piper vacated the meeting at 8:39 p.m.

Council also raised the following issues for staff consideration when reporting back:

- Greenfield density requirements;
- the absence of specifics of southend development and lack of walkability to work places;
- concern that infill will change the feel of certain neighbourhoods through the assembling of lands to create high density;
- the issue of branding;
- accessibility issues for commercial services;
- how to revise mixed use policies;
- explaining how affordable housing targets fit into the Official Plan;
- providing guidelines and expected percentage of water use reduction for industries required to demonstrate water reduction on site for high volume of water use.

Councillor Laidlaw vacated the meeting at 8:53 p.m.

In response to a question regarding the need to widen Gordon Street staff stated that Gordon Street is to be widened with the implementation of the South End Secondary Plan when specific requirements will be clear.

Staff stated that the requirement to include a financial impact study plan with development applications required in Halton Hills is somewhat equivalent to the City's Development Priorities Plan but they will examine options to address financial implications of phasing and fiscal impact assessments.

It was suggested that staff examine the feasibility of adopting financial tools other municipalities use, such as front end financing to be able to move the development staging along sooner.

Councillor Laidlaw vacated the meeting at 8:55 p.m.

Mr. Marc Kemerer, on behalf of Cooper Construction, advised they have several concerns with the proposed Official Plan which are outlined in his letter dated March 8th. He stated that the City marketed the lands for warehousing purposes, yet the Official Plan is directing warehousing to the built up area rather than to the Greenfield Area lands within the Hanlon Creek Business Park. He believes the policies within the Official Plan are contradictory and will create confusion and uncertainty, thus preventing development of the properties. He requested that the Official Plan be amended to direct warehousing to Greenfield Areas.

He said the Official Plan Amendment additional density targets creates uncertainty for business development and there is no clarity of flexibility of the numbers. He stated there needs to be standard water efficiencies benchmarks and specific Urban Design Guidelines. He also noted that clarification that surface parking in Greenfield Areas will not be an impediment to development approvals needs to occur. He would like any reference to sidewalks to be deleted and height restrictions be set out in metres. He requested a meeting with staff to address their concerns.

Dr. Hugh Whiteley, a City resident, expressed concern that more public consultation has not occurred in the process. He said the current Official Plan recognizes the importance of the River Systems Management Plan, established environmental corridors, recognizes the natural heritage system and the necessity for a holistic approach and the need to protect ravines, and the proposed Official Plan greatly reduces their importance. He believes that all interpretative powers being given to staff will make it difficult to appeal the Official Plan. He said the vision statement is too technical and should focus more on capturing core values and intentions. He also said the background to the Official Plan should include a demographic and economic trends summary.

Ms. Georgia Mason, on behalf of Mayfield Community Neighbourhood Association stated they are supportive of Low density designation and the designation assigned to 716 Gordon Street. She believes that development on the property could meet intensification needs along the corridor and the intensification goals would still be compatible with the neighbourhood and protect the century-old heritage trees and heritage property surrounding the development and support walk ability and use of public transit.

Dr. J. Laird
Mr. T. Salter

3. Moved by Councillor Kovach
Seconded by Councillor Burcher
THAT Report 12-39 regarding Phase 3 of the Five Year
Official Plan Review (OPA 48) from Planning & Building,
Engineering and Environment dated April 2, 2012 be
received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis,
Findlay, Furfaro, Piper, Van Hellemond and Wettstein and
Mayor Farbridge (9)

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 9:26 p.m.

Minutes to be confirmed on April 23, 2012.

.....
Mayor

.....
Deputy Clerk

Proposed Official Plan Amendment

Amend Schedule 1, Land Use Plan of the Official Plan by changing the land use designation affecting a 3181 square metre portion of the lands municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph, from the current "Medium Density Residential" to "Commercial-Residential".

Regulations and Conditions

The properties affected by the Zoning By-law Amendment application are municipally known as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph.

The following zoning is proposed for 1499 Gordon Street (as reconfigured by the approved severances):

Specialized CR-? (Commercial-Residential) Zone

Permitted Uses

In addition to the permitted uses listed in Section 6.6.1 (Commercial Residential Zone) of Zoning By-law (1995)-14864, as amended, the following additional uses shall be permitted:

- Pharmacy
- Live-Work Units
- Restaurant (take-out) to a maximum gross floor area of 140 square metres

The following definitions shall apply in the Specialized CR-? Zone:

A "Live-Work Unit" shall mean a dwelling unit, part of which may be used as a business establishment and the dwelling unit is the principal residence of the business operator.

A "Street Entrance" shall mean the principal entrance to a business which shall be located in a part of the building facing a public street or public square which is at or within 0.2 metres above or below grade.

Regulations

In accordance with Schedule 4 (General Provisions) and Section 6.6.2 and Table 6.6.2 of Zoning By-law (1995)-14864, as amended, with the following exceptions:

Minimum Side Yard
3 metres

Maximum Gross Floor Area
1620 square metres

Minimum Number of Off-Street Parking Spaces

- Office and dry cleaning outlet uses shall be provided at a ratio of 1 parking space per 35 square metres of gross floor area;

- Artisan studio, convenience commercial, financial establishment, florist, personal service establishment, and pharmacy uses shall be provided at a ratio of 1 parking space per 20 square metres of gross floor area

Maximum Building Setback to Gordon Street
7 metres

Building Entrances

The street entrance shall be located facing Gordon Street

Prohibited Uses

Drive-through facilities shall not be permitted

A "Drive-Through Use" shall be defined as a use which involves or is designed to encourage a customer to remain in a vehicle while receiving a service, obtaining a product or completing a business transaction. The use shall include vehicular stacking spaces and a serving window, and may include an intercom order box.

Specialized C.1-18 (Convenience Commercial) Zone

Permitted Uses

- Vehicle Service Station

Buildings or Structures in the C.1-18 Zone which existed legally prior to the passage of this By-law shall be deemed to conform with this By-law. Any extension or enlargement of existing Buildings or Structures shall require an amendment to the Zoning By-law and be in accordance with Sections 4 and 6.1.2.

Regulations

Within the Commercial C.1 Zone, no land shall be used and no Building or Structure shall be erected or used except in conformity with the applicable regulations contained in Section 4 – General Provisions and the regulations contained in Section 4 – General Provisions and the regulations listed in Table 6.1.2.

Conditions

The following conditions are provided as information to Council and will be imposed through site plan approval:

1. The Owner shall submit to the City, in accordance with Section 41 of the *Planning Act*, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, tree preservation, grading and drainage and servicing on the said lands

to the satisfaction of the General Manager of Planning Services and the General Manager/City Engineer, prior to the issuance of a building permit, and furthermore the Owner agrees to develop the said lands in accordance with the approved plan.

- a. Further, the Owner commits and agrees that the details of the layout, elevations and design for development of the subject lands shall be in general accordance and conformity with the Owner's concept plans attached as Attachment 6 to the April 2, 2012 Planning & Building, Engineering and Environment Report Number 12-30 (Site Plan, prepared by Astrid J. Clos Planning Consultants, Project No. 1029, dated July 27, 2011).
2. Prior to the issuance of site plan approval, the Owner shall provide the City with written confirmation that the building on the subject site will be constructed to a standard that implements energy efficiency in order to support the Community Energy Initiative to the satisfaction of the General Manager of Planning Services in accordance with the letter attached as Attachment 8 to Report 12-30 from Planning & Building, Engineering and Environment dated April 2, 2012.
3. If any dwelling units are developed on the subject lands, the Owner shall be responsible for the payment of cash-in-lieu of parkland dedication in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545 and By-Law (2007)-18225, or any successor thereof prior to the issuance of building permits.
4. Prior to the issuance of site plan approval, the Owner shall have a Professional Engineer design a grading plan and stormwater management system, satisfactory to the General Manager/City Engineer.
5. That the Owner grades, develops and maintains the site including the storm water management facilities designed by a Professional Engineer, in accordance with a Site Plan that has been submitted to and approved by the 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 approved by the City and that it is functioning properly.
6. Prior to any development of the lands and prior to any construction or grading on the lands, the developer shall submit a detailed Storm water Management Report and plans to the satisfaction of

the City Engineer which demonstrates how storm water will be controlled and conveyed.

7. Prior to any development of the lands and prior to any construction or grading on the lands, the Owner shall construct, install and maintain erosion and sediment control facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
8. The Owner shall pay to the City the actual cost of constructing and installing any new service laterals required and the cost of removing existing service laterals that will not be used by the development.
9. The Owner shall pay to the City the actual cost of the construction of the new mutual access and the required curb cut if required, prior to site plan approval and prior to any construction or grading on the lands, the developer/owner shall pay to the City the estimated cost as determined by the General Manager/City Engineer of constructing the new access/private road and the required curb cut.
10. The Owner shall construct the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a gravity connection to the sanitary sewer.
11. Prior to site plan approval the Owner shall pay proportionate costs associated with the actual construction of continuous centre turning lane on Gordon Street (Arkell Road to Lowes Road).
12. The Owner shall pay to the City, as determined applicable by the Chief Financial Officer/City Treasurer, development charges and education development charges, in accordance with the City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to this issuance of any building permits, at the rate in effect at the time of the issuance of a building permit.
13. The Owner shall make satisfactory arrangements with Union Gas for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.
14. That all electrical services to the lands are underground and the Owner shall make satisfactory arrangements with Guelph Hydro Electric Systems Inc. for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to the development of the lands.

15. The Owner shall ensure that all telephone service and cable TV service in the Lands shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers for the installation of underground utility services for the Lands.
16. That an easement of a satisfactory width will be required over the lot addition to 1475-1483 Gordon Street property, registered on title in favour of 1499 Gordon Street property if an outlet to the proposed storm sewer between Lots 17 and 18, Registered Plan 61M-133 is required. In the event the easement is required, the Owner must submit a remedial action plan to the satisfaction of the City to address the contamination of 1475-1483 Gordon Street.
17. The Owner shall have a Professional Engineer identify and minimize any potential impacts of the development on the existing private water wells on the adjacent residential properties.
18. The Owner shall provide one driveway access to serve the development lands at 1499 Gordon Street (as reconfigured by approved consent for severance applications B-05/11 and B-06/11) utilizing the proposed access easement.
19. That any domestic wells, septic systems and boreholes drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines. The Owner shall submit a Well Record to the satisfaction of the City Engineer.
20. That prior to site plan approval, the Owner shall enter into a development agreement with the City, registered on title, satisfactory to the City Solicitor, the General Manager of Planning Services and the General Manager/City Engineer, covering the conditions noted above and to develop the site in accordance with the approved plans and reports.

CONSENT REPORT OF THE AUDIT COMMITTEE

April 23, 2012

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

Your Audit Committee beg leave to present their FIRST CONSENT REPORT
as recommended at its meeting of April 11, 2012.

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

1) Preliminary Overview – PSAB 3260 – Liability for Contaminated Sites

THAT Report FIN-12-04 dated April 11, 2012, entitled "Preliminary
Overview – PSAB 3260 – Liability for Contaminated Sites" be received;

AND THAT staff proceed with the phased approach for implementation of PSAB
3260 as presented in FIN-12-04 and that a preliminary listing of contaminated
sites be presented to Audit Committee in 2012;

AND THAT staff provide an annual status report to Audit Committee on the
implementation of accounting standard PSAB 3260 - Liability for Contaminated
Sites.

All of which is respectfully submitted.

Councillor Cam Guthrie, Chair
Audit Committee

**PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE APRIL 11, 2012, MEETING.**

COMMITTEE REPORT



TO **Audit Committee**

SERVICE AREA Finance
DATE April 11, 2012

SUBJECT Preliminary Overview – PSAB 3260 – Liability for Contaminated Sites

REPORT NUMBER FIN-12-04

SUMMARY

Purpose of Report:

To provide Audit Committee members with an overview of a new accounting standard PSAB 3260 – Liability for Contaminated Sites and provide a plan for implementation of this standard as requested by Committee at the November 14, 2011 Audit Committee meeting.

Committee Action:

THAT Report FIN-12-04 dated April 11, 2012, entitled “Preliminary Overview – PSAB 3260 – Liability for Contaminated Sites” be received.

RECOMMENDATION

THAT Report FIN-12-04 dated April 11, 2012, entitled “Preliminary Overview – PSAB 3260 – Liability for Contaminated Sites” be received.

THAT the staff proceed with the phased approach for implementation of PSAB 3260 as presented in FIN-12-04 and that a preliminary listing of contaminated sites be presented to Audit Committee in 2012.

THAT staff provide, an annual status report to Audit Committee on the implementation of accounting standard PSAB 3260 - Liability for Contaminated Sites.

BACKGROUND

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

Identification of potential sites and the subsequent analysis to determine if there is a liability and the value of the liability will take considerable staff time. There may also be situations where an external valuation or an expert opinion is required in which financial resources may be needed. For this reason, Audit Committee has directed staff to complete a review of city properties to identify the sites that may fall within the scope of this new standard.

REPORT

The new accounting standard PSAB 3260- Liability for Contaminated Sites becomes effective for the City's 2015 financial statements. The purpose of this standard is to require governments (including municipalities) to identify, assess and report on liabilities that exist when contamination exceeds an environmental standard. Under current accounting practices, these expenses are normally only recognized when a government performs remediation activities. Under the new guidelines, the government would be required to recognize these expenses in the year that the contamination is found to exceed an environmental standard, regardless of the government's intention of taking action on the remediation.

The likely impact of this standard will be an increase in the reported liabilities on the City's balance sheet and an increase in expenses in the year this standard is adopted – both of which will have a negative impact on many of the City's financial reporting ratios. Additionally, in the future, an annual review of contaminated sites will be required in order to identify new sites or significant changes in the estimated cost of remediation. Given that this liability is an estimate, there is substantial professional judgment involved in valuing this liability and it will require integrated knowledge from many city departments in order to maintain its accuracy.

It should be noted that although financially the recognition of this liability will likely have a negative impact in the year it is adopted, it is very positive from an enterprise risk management perspective. This liability will act as an annual reminder to management and Council that prudent financial planning is required for these types of "hidden" or "unknown" liabilities. Although we may not have budgeted to remediate these sites currently, at any point the Ministry of the Environment could mandate that we do address these issues and therefore, a pro-active risk and financial strategy is warranted.

The main recognition criterion for this liability is as follows:

A liability for remediation of contaminated sites should be recognized when ALL of the following exist, as at the financial reporting date:

- (a) an environmental standard exists;
- (b) contamination exceeds the environmental standard;
- (c) the government:
 - (i) is directly responsible; or
 - (ii) accepts responsibility;
- (d) it is expected that future economic benefits will be given up; and
- (e) a reasonable estimate of the amount can be made.

There are many other considerations and intricacies that factor into the assessment and these will be reviewed in detail by staff on a site by site basis.

Staff is proposing that the implementation of this standard be addressed through a phased approach.

Phase 1 – 2012 - Identification: Complete a full review of city property to identify potential contaminated sites through discussions with appropriate personnel from each department. Gather documentation on analysis and valuations that have already been completed to date. Report back to Audit Committee in 2012 with preliminary listing of contaminated sites.

Phase 2 – 2012 - Resource Planning: Review each potential site and create a resource planning document that outlines expected staff and financial resources. Include any financial requests in the 2013 budget process.

Phase 3 – 2013 & 2014 - Assessment & Computation: Perform a detailed review and assessment on a site by site basis documenting rationale and computation of liability. Contract out any external consulting work as previously identified. If required, assess if any further financial requirement are required to be requested in the 2014 budget process.

Phase 4 – 2015 – Recognition: Finalize the computation for the liability for contaminated sites. Provide report to Audit Committee that summarizes the analysis and computation of the liability for contaminated sites prior to its inclusion on the 2015 financial statements.

Currently staff from finance and engineering are collaborating to identify all the potential contaminated sites and we expect a listing will be available for Audit Committee meeting in October of 2012.

Next Steps:

Staff will proceed with the phased approach for implementation of PSAB 3260 as outlined and that a preliminary listing of contaminated sites be presented to Audit Committee in October 2012.

Staff will provide an annual status report to Audit Committee on the implementation of this accounting standard.

CORPORATE STRATEGIC PLAN

5.3 Open, accountable and transparent conduct of municipal business

FINANCIAL IMPLICATIONS

The financial implications for 2012 are nil. There may be budget requests identified through the implementation process that will be presented to Council through the normal 2013 and 2014 budget process. The final results in 2015 of the implementation of PSAB 3260 will likely increase liabilities and expenses in that year and will have a negative impact on financial ratio trending. A strategy on the City's approach to funding these liabilities will need to be developed to ensure appropriate financial planning relating to contaminated sites.

DEPARTMENTAL CONSULTATION

Finance and Engineering have collaborated to develop this implementation process. Consultation with all City departments will be required over the next 3 years to successfully implement compliance with this new accounting standard.

COMMUNICATIONS

None noted.

ATTACHMENTS

Appendix A: Decision Tree – Liability for Contaminated Sites

Prepared By:

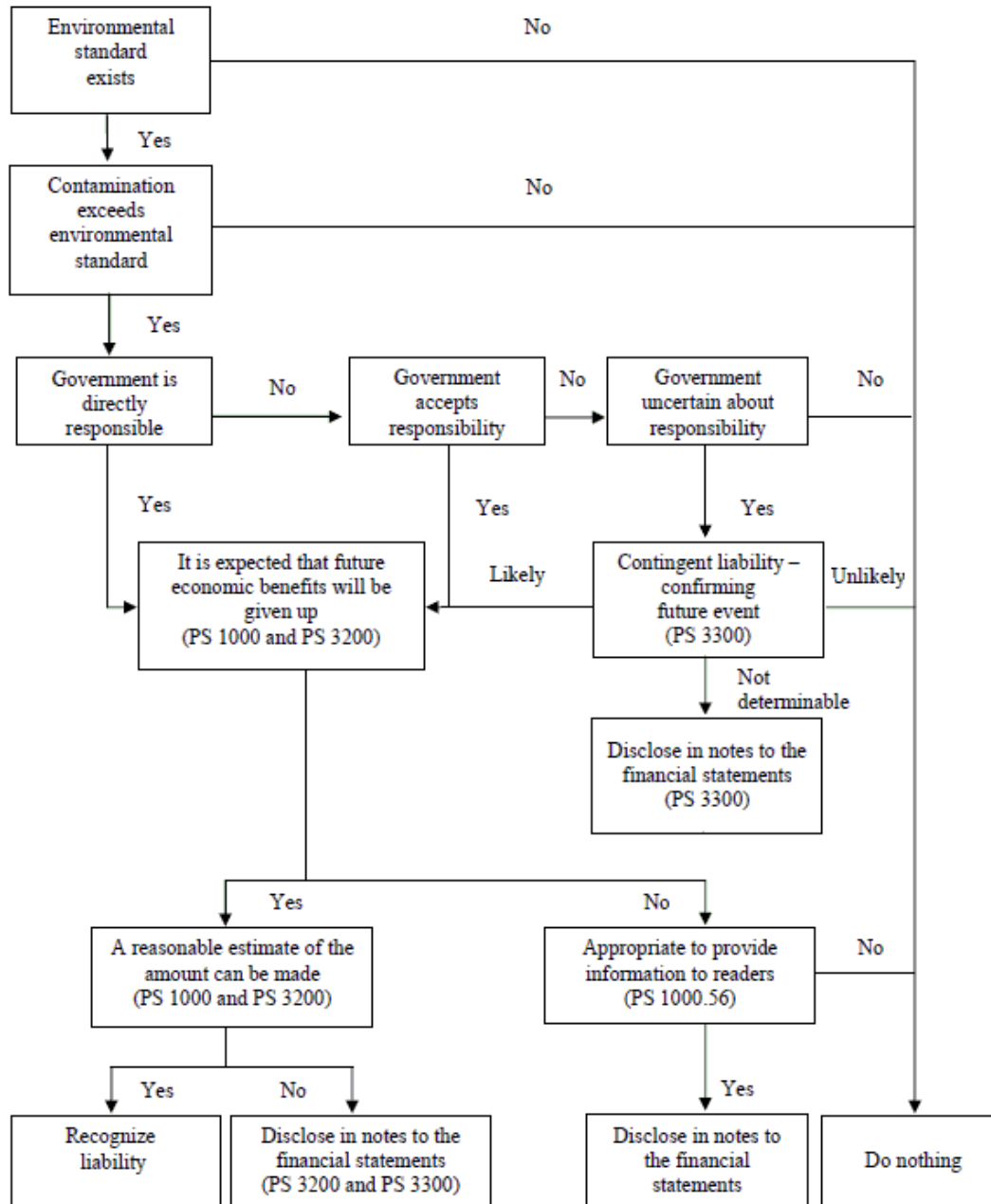
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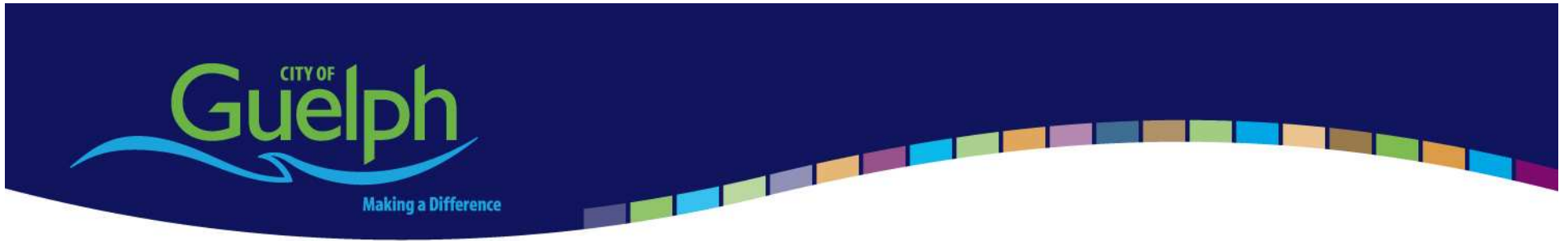
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Report FIN-12-04 APPENDIX A

Decision Tree – Liability for Contaminated Sites

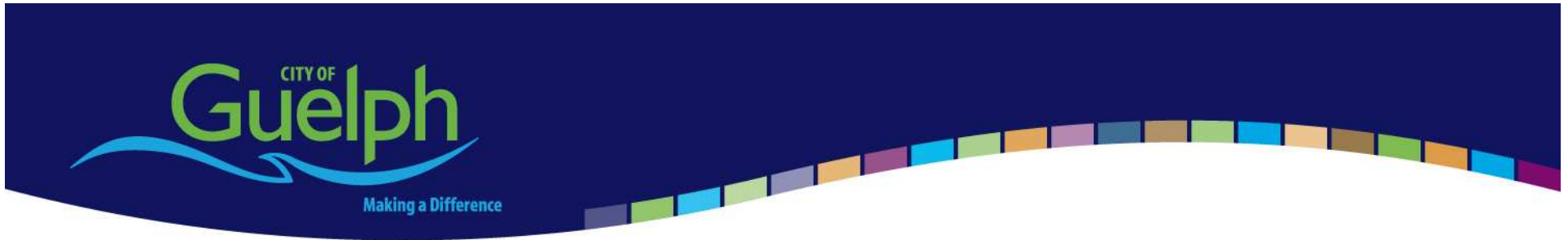




Liability for Contaminated Sites

FIN-12-04

April 11, 2012

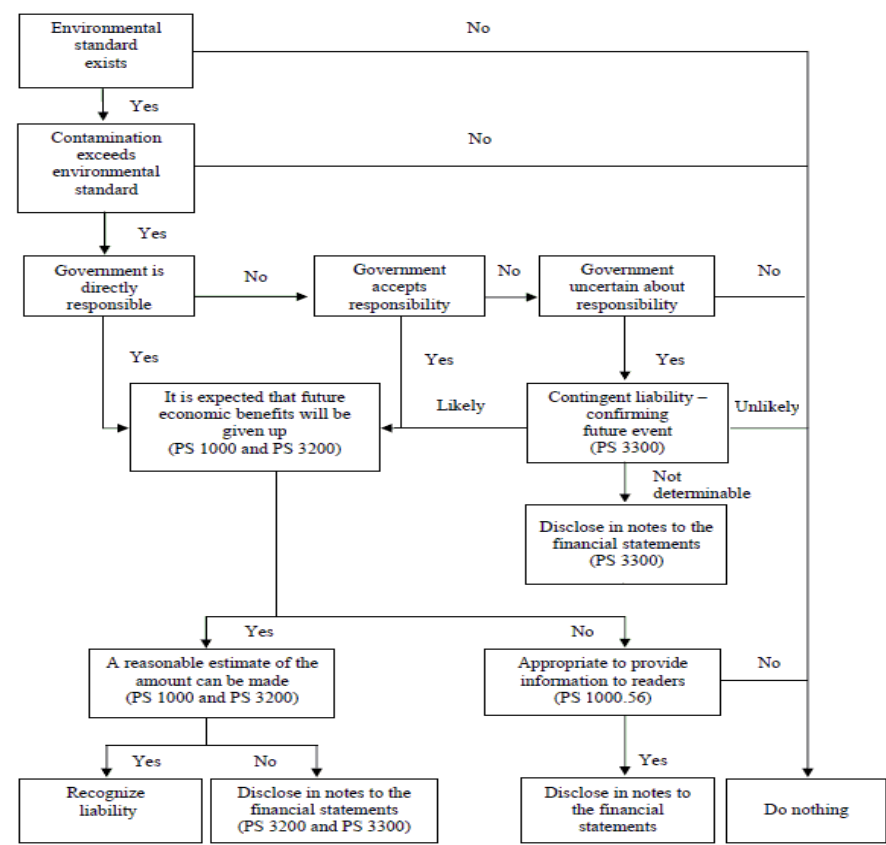


Assessment Criterion

A liability for remediation of contaminated sites should be recognized when **ALL** of the following exist, as at the financial reporting date:

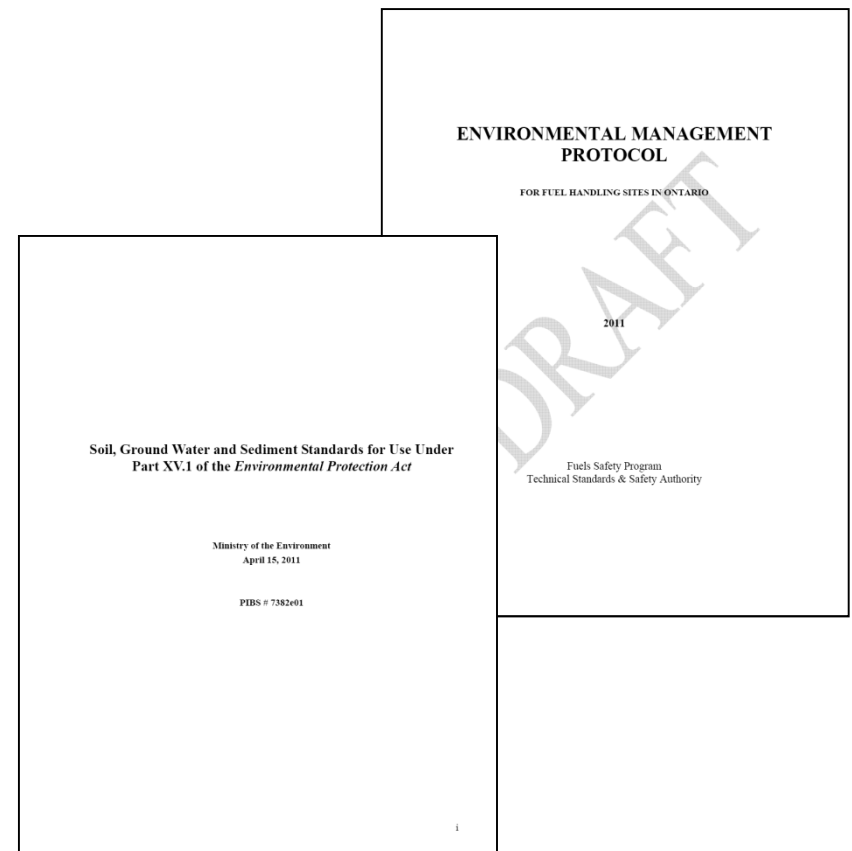
- (a) an environmental standard exists;
- (b) contamination exceeds the environmental standard;
- (c) the government:
 - (i) is directly responsible; or
 - (ii) accepts responsibility;
- (d) it is expected that future economic benefits will be given up; and
- (e) a reasonable estimate of the amount can be made

Decision Tree



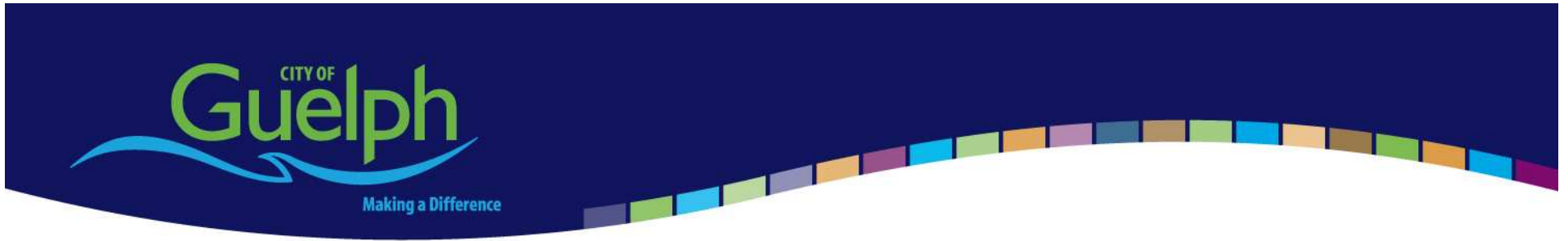
Step 1: Does an Environmental Standard Exist?

- Generally in the form of a statute, regulation, by-law, contract.
- Legally enforceable and binding and compliance is mandatory
- Breaches may be enforced through prosecution, fines, order or loss of permit



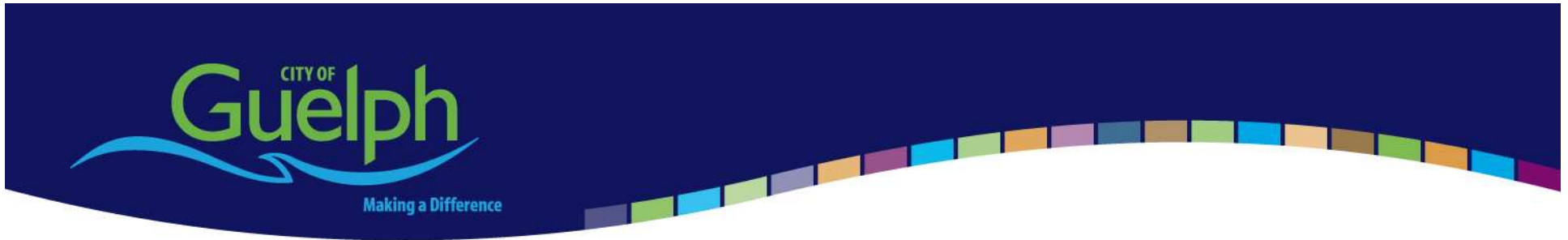
Step 2: Does the Contamination Exceed the Standard?

- Undertake an assessment, may include:
 - Nature of past activities at the site or adjacent property
 - Results from testing and field investigations
 - Similarities to and experience of other known contaminated sites
 - Significance of site
 - Cost versus benefit of conducting detailed site assessment
- In some cases could be costly



Step 3: Is it the responsibility of the City?

- Can be a complex decision
 - Does the City own the contaminated site?
 - Did the City cause the contamination through past activities?
 - Does the City have an interest in the contaminated site? (if we don't own the site)



Step 4: Is it expected that future economic benefit will be given up?

- It is possible that a liability would not be recognized because it is not expected that future economic benefit will be given up
 - A liability can exist regardless of whether the City chooses to perform the remediation or not
 - In some cases though, it may be more likely that the City would never expend resources, Ministry would never order assessment and/or remediation (low risk and priority)
 - Professional judgment required

Step 5: Can an reasonable estimate of the cost be determined?

- Costs that are directly attributable to the remediation, including post-remediation maintenance and monitoring that are integral to the remediation strategy (also includes cost of assets purchased as part of remediation to the extent there are no other uses for this asset)
- Management's best estimate of the amount should be recognized

Fuel Storage Tank Removal Example

- 2012 Underground Fuel Dispensing System Upgrades
 - F.M. Woods Station, 29 Waterworks Place



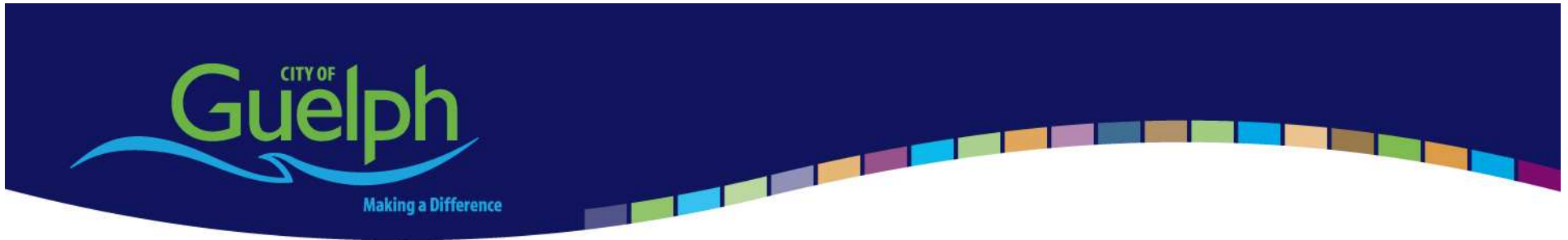
Before



After

Fuel Storage Tank Removal Example

- Does an environmental standard exist?
 - Yes. MOE Table 2 Standards.
- Did a parameter concentration exceed the environmental standard?
 - Yes*
- Was the contamination the responsibility of the City?
 - Yes
- Was there a cost to remediate the soil and groundwater?
 - Yes
- Can a reasonable cost estimate for the remediation be determined?
 - Yes*



Liability for Contaminated Sites

Due to the complex assessment required to adopt this accounting standard the following implementation schedule is being proposed:

- Phase 1 – 2012 – Identification
- Phase 2 – 2012 - Resource Planning
- Phase 3 – 2013 & 2014 - Assessment & Computation
- Phase 4 – 2015 – Recognition on Financial Statements

Additionally it is being recommended to provide Audit Committee an annual update on the status of implementation through 2015

Finance and Engineering are collaborating to successfully complete this initiative

**CONSENT REPORT OF THE
COMMUNITY & SOCIAL SERVICES COMMITTEE**

April 23, 2012

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

Your Community & Social Services Committee beg leave to present their
SECOND CONSENT REPORT as recommended at its meeting of April 10,
2012.

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

1) Community Investment Strategy Phase 1 Final Report

THAT the draft CIS Strategic Policy Framework as outlined in this report
(Appendix 1 – Community Investment Strategy – Phase 1 Final Report), be
approved as the foundation for the development of comprehensive
operational investment programs and tools in Phase 2.

All of which is respectfully submitted.

Councillor Todd Dennis, Chair
Community & Social Services Committee

***Please bring the material that was distributed with the Agenda for the
April 10, 2012 meeting.***

COMMITTEE REPORT



TO **Community and Social Services Committee**

SERVICE AREA Community Engagement and Social Services Liaison
DATE April 11, 2012

SUBJECT Community Investment Strategy –Phase 1 Final Report
REPORT NUMBER CSS-CESS-1211

SUMMARY

Purpose of Report:

To provide Committee with the Community Investment Strategy (CIS) Phase 1 Final Report. Its main function is to outline the proposed Community Investment Strategy – Strategic Policy Framework which has been developed on the basis of extensive research, analysis and stakeholder engagement activities.

Committee Action:

Staff recommends that Committee approves the draft CIS Strategic Policy Framework as the foundation for the development of comprehensive operational investment programs and tools in Phase 2.

RECOMMENDATION

THAT the draft CIS Strategic Policy Framework as outlined in this report (Appendix 1 - Community Investment Strategy – Phase 1 Final Report), be approved as the foundation for the development of comprehensive operational investment programs and tools in Phase 2.

BACKGROUND

During the summer of 2011, the City secured the consultancy firm JPMC to undertake the development of the CIS and the project formally commenced in June 2011.

The CIS project aims to improve how the City funds, supports and partners with the community benefit sector (community and voluntary organizations) to achieve shared community and social goals. The scope of the CIS currently addresses those areas under the purview of Community and Social Services. However in the future, the framework could potentially be used to inform other investment practices led by other City departments. The CIS will provide the City with a strategic and operational framework that will:

- Increase the City's ability to respond to changing community needs;
- Address the patchwork of investment mechanisms that has evolved over the years;
- Foster innovation;
- Improve the City's ability to monitor and evaluate community impact;
- Provide a more transparent application and approval process that external organizations can easily navigate.

The project is being undertaken in two phases:

Phase 1 – Creation of the **Strategic Policy Framework** (completion date April 2012)

Phase 2 – Development of the **Investment Program Framework and Tools** that include a portfolio of 'investment' and partnership opportunities and programs and implementation plan (estimated completion date July 2012).

During Phase 1, Community and Social Services Committee and Council have received two information updates on the project in November 2012 (CSS-CESS-1149) and one February 2012 (CSS-CESS-1205).

REPORT

Phase 1 of the Community Investment Strategy is now complete.

Over the past nine months the City's consultants have been working closely with staff to complete extensive research and review stakeholder engagement activity which has informed the development of the Phase 1 Final Report and the proposed Strategic Policy Framework. Two groups of cross departmental staff were created to give direction and support to the project. The first was a Management Group consisting of General Managers. This group oversees and directs the project. Members of this group include Community & Social Services Liaison, Arts Culture & Entertainment, Legal Services, Budget & Financial Services, Economic Development & Tourism, and Parklands & Greenways.

The second was a Working Group, made up of staff who work directly with local organizations and are involved in the process of providing funding or support. The group has acted as a 'task and finish' pool of expertise who has provided advice and support to the consultants in the technical elements of the project.

The Final Phase 1 Report builds on the Phase 1 Interim Report which included three background research papers:

1. Promising Practice in Municipal Community Investment. This involved a review of the City's comparator municipalities to gain an understanding of other civic community investment policies and practices. To supplement this learning, examples of socially innovative practices from published literature, policy "think tanks" and non-municipal collaborations were also explored.
2. Inventory of Guelph's Community Investment Policies & Practices included a detailed review of the City's existing community investment policies and procedures, including funding amounts and trends over the past five years. In addition, five case studies were prepared, providing more comprehensive stories of the relationships between the City and the community sector.
3. A Portrait of Guelph's Community Benefit Sector provided a profile of the community sector in Ontario and in Guelph, plus an examination of the current and emerging issues and trends facing the sector. This also reflected on the results of a survey of local non-profit organizations.

The proposed Strategic Framework will enable the City to direct its community investment to the achievement of things that are most important to Guelph residents. The framework provides City Councillors, staff, partners and Guelph residents with clear and transparent information about this work, its cost and the community benefit it achieves.

The key components of the Strategic Policy Frameworks as detailed in the Phase 1 Final Report are as follows:

- Strategic Directions
- Community Investment Strategy Vision Statement
- Values and Guiding Principles
- Community Investment Mechanisms
- Community impact based on the eight domains of wellbeing (currently under development through the Community Well Being Initiative).

The report also provides an insight into how the new investment process will help organizations to better navigate City Hall and give staff clear guidance and the knowledge they need to provide effective support. It will strengthen existing relationships between the City and the community benefit sector and will bring forward new and exciting partnerships that benefit Guelph and improve community well being.

Next steps

Following Council's approval of the Phase 1 Final Report and the CIS - Strategic Policy Framework, staff and the consultants can begin the intensive work required to complete Phase 2.

During Phase 2, the focus will shift to the development of a comprehensive operational program framework, which will include detailed development of (for example) suggested investment levels; eligibility and evaluation criteria;

investment application review processes; clear roles and responsibilities; and an impact evaluation approach. Targeted stakeholder engagement (internal and external) will be a critical element of this phase and as the CIS fully rolls out to ensure that it is functioning effectively.

Another key component of Phase 2 will be the creation of an implementation plan to ensure the smooth transition between the current approach and the new proposed framework. This plan will clearly define timelines, transitional arrangements and resource requirements. This transition is anticipated to take place over a number of years, with early changes being implemented in 2012/2013.

The implementation plan will include a communication plan to ensure that the community and stakeholders (internal and external) will:

- have a clear understanding of the aims and objectives of the new CIS and the improvements that it will bring forward;
- indicate where they can find the information they need;
- have clear guidance on how it will impact them;
- outline opportunities to provide input into the development of transitional arrangements. This will be particularly relevant to organizations that have an existing relationship or arrangement with the City. Staff are committed to working with these organizations to minimize any impact and ensure a smooth transition if changes are required.

Phase 2 is expected to be completed in the summer of 2012. Following extensive engagement, the detailed investment programs, tools and implementation plan will be brought back to Committee and Council for final approval in summer 2012.

Interdependent projects

The Community Investment Strategy and its implementation are closely tied with a number of interdependent projects. These projects are the Corporate Strategic Plan, Community Wellbeing Initiative, the Community and Social Services Rates and Fees Review, and the Special Events Service Review.

The Corporate Strategic Plan and the Community Well Being Initiative (CSS-CESS-1136: Community Wellbeing Initiative: Work plan) will produce a clear vision for community and social planning in Guelph and a clear direction for the City. The CIS will be grounded in the directions set in these plans and will evolve alongside them.

To support the successful implementation of the CIS, the City will start a two-phased comprehensive review and analysis of the Rates and Fees of all the City's cultural, recreation, park, leisure and neighbourhood programs, rentals and services. Phase 1 will be a cost analysis to determine the true, full and total cost of these programs, rentals and services. Phase 2 will assess and determine the pricing strategies and public policy guiding Rates and Fees. This project will enable the City to understand the real costs of its community investments and will help guide effective and transparent decision making throughout the CIS framework.

During 2012 the City will also be conducting a service review of the Special Events Coordination services. This review will examine the current role the City plays in the Special Events Coordination process. This will have a particular relevance when developing the CIS Investment Program intended to support small community events.

The Management Group will ensure that the CIS implementation plan aligns appropriately with the timelines anticipated for these other projects.

Managing Phase 2

The cross-departmental Management Group set up to steer and manage Phase 1 will continue to provide support throughout Phase 2. To supplement this, it is proposed that a series of smaller working groups be created to focus on various areas of the framework development. These groups will be 'task and finish' in nature and be cross-departmental. The many staff whose skills and expertise have been integral to the success of Phase 1 will continue to provide input into this work.

CORPORATE STRATEGIC PLAN

Goal 2 – A healthy and safe community where life can be lived to the fullest

Goal 3 – A diverse and prosperous local economy

Goal 4 – A vibrant and valued arts, culture and heritage identity

Goal 5 – A community –focused, responsive and countable government

FINANCIAL IMPLICATIONS

At this time it is anticipated that the overall budget for Community Investment will remain unchanged during year 1, based on the pooling and reallocation of existing resources. All financial implications associated with the CIS will be brought forward in detail as part of Phase 2 final reporting in the summer of 2012.

DEPARTMENTAL CONSULTATION

Community Engagement & Social Services

Arts, Culture, Entertainment and Tourism

Parks and Recreation

Budget and Financial Services

Economic Development

Policy Planning and Urban Design

Public Works

Legal Services

COMMUNICATIONS

The community benefit sector has been engaged throughout the project. Most recently the draft Strategic Policy Framework was presented to a variety of stakeholders at a consultation event in February 2012. A detailed communication plan will be created to support the implementation of the CIS.

ATTACHMENTS

Appendix 1: Guelph's Community Investment Strategy – Phase 1 Final Report

Prepared By:

Jennifer Smith

Research Policy Analyst

Community and Social Services



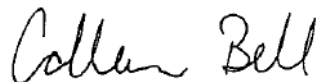
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Executive Director

Community & Social Services

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Guelph's Community Investment Strategy

Phase 1 Final Report

Prepared by Eden Grodzinski and Rebecca Sutherns
DRAFT (March 20, 2012)



✉ 20 Lyon Ave., Guelph, ON N1H 5C6 ☎ 519 830-7254 🌐 www.jpmc.ca eden@jpmc.ca

Executive Summary

The Community Investment Strategy (CIS) is being developed to improve how the City of Guelph funds, supports and partners with community organizations to achieve shared social and community goals. JPMC Inc. was retained by the City to support the delivery of the CIS project in two phases. This report addresses the results of Phase 1 - the development of a Strategic Policy Framework. Phase 2 will involve the refinement of the CI model, and the development of an implementation plan and tools to execute the strategy outlined in Phase 1.

The proposed Framework was informed by three research reports (available separately) and a series of consultations with City councillors, staff and external stakeholders (representing both community organizations and residents). All told, over 190 people contributed to this study, as well as 139 community organizations that responded to an on-line survey. The consulting team is grateful for the assistance, patience and involvement that Guelph residents have shown as this Framework has been under development.

The proposed CIS Policy Framework is encapsulated in Figure 1 below, and each of the components – strategic directions, vision, values, mechanisms, and evaluation criteria - are highlighted here, and described in more detail within the report.

To begin with, the CIS is grounded on the following four strategic directions, which arose from the research and community consultations:

1. Provide clear, inspiring leadership
2. Support community infrastructure (i.e. recreational, sports and cultural facilities, and social connections)
3. Know, value and trust the community benefit sector
4. Promote a culture of responsiveness and transparency

Second, the proposed *vision* for the CIS is to ***provide a transparent and responsive decision-making framework to guide the full range of mutually beneficial relationships between the City and Guelph's community benefit sector, in pursuit of community wellbeing and responsible stewardship.***

Third, the CIS will be built upon a foundation of six *core values*, as follows:

- ***Integrity*** – a transparent, defensible, and consistent process that is free of conflicts of interest
- ***Responsiveness*** – a timely process that enables innovation, adapts to changing community needs, and is well suited to Guelph

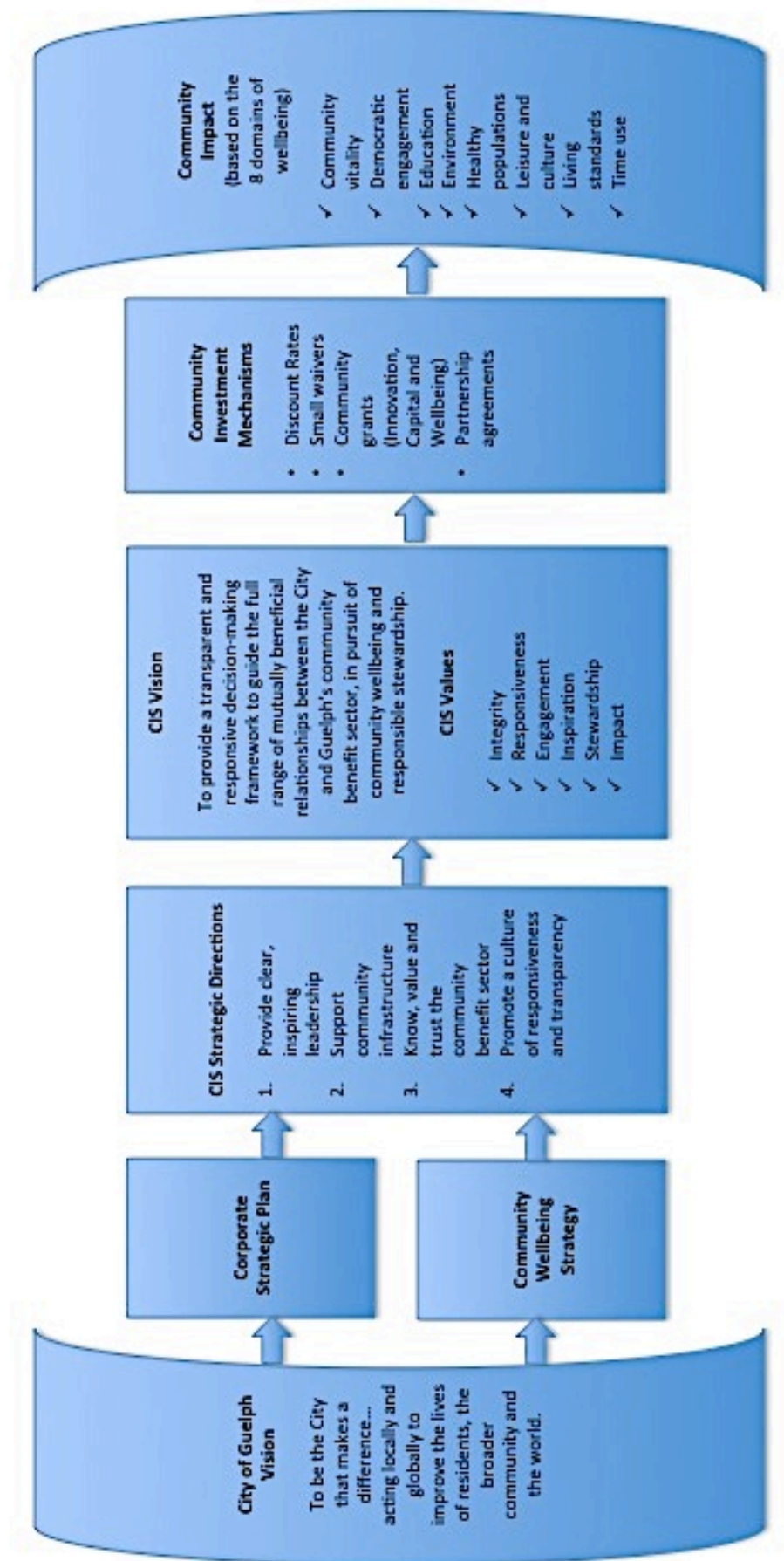
- **Engagement** – a user-friendly and inclusive process that facilitates connections among community groups, in order to strengthen relationships between the City and Guelph's community benefit sector
- **Inspiration** – a visionary approach that demonstrates compelling leadership, fosters creativity, and brings about a community where people are proud to live
- **Stewardship** – a system that maintains guardianship of taxpayer resources, taking into account the complete cost benefits of the City's community investments, as well as leveraging resources from other sources
- **Impact** – a process that monitors and evaluates community impact based on the wellbeing indicators, and promotes a culture of learning and celebration of the City and community benefit sector's collective efforts

Fourth, the proposed CIS includes a simplified set of mechanisms for community investment. These mechanisms include discount rental rates, small waivers, three types of community grants (i.e. innovation, capital and wellbeing), and partnership arrangements.

And lastly, in order to ensure that the CIS is aligned with relevant strategic initiatives such as the Community Plan for Wellbeing, the evaluation criteria will be based primarily on the eight domains of community wellbeing (i.e. community vitality, democratic engagement, education, the environment, healthy populations, leisure and culture, living standards, and time use) which provide a comprehensive, composite measure of quality of life.

Upon Council approval of this Phase I Report, the next stage of the project will be the development of the CIS Program Framework and Implementation Plan, which will take into account future resource requirements to support the new CIS. It is recommended that the overall budget for the City's community investments remain unchanged in Year 1 (2013), with a pooling and reallocation of existing resources to support the new mechanisms. Before the budget for future years can be finalized, it is critical that a comprehensive financial analysis of the City's community investments (including in-kind resources) be undertaken and considered.

Figure 1 - Community Investment Strategy Policy Framework



Highlights of the Proposed Community Investment Model

There was considerable consensus among the participants around the principles or characteristics underpinning a renewed investment process. These included a desire for alignment with broader City strategic initiatives, citizen participation, proportionality of the process to resources sought and available, consistent and transparent application process, simplicity, multi-year budgeting, the fostering of innovation, and a focus on community impact. The following table compares these desired characteristics, alongside the proposed features of the CIS, which are detailed within the report.

DESIRED CHARACTERISTICS	PROPOSED FEATURES
<i>Aligned with broader strategies</i>	<ul style="list-style-type: none"> Vision and strategy-driven, with evaluation measures linked to outcomes based on the domains of wellbeing
<i>Citizen engagement and opportunities to be heard</i>	<ul style="list-style-type: none"> Review panels comprised of subject experts Regular reviews of the process based on community feedback
<i>Simpler navigation of City Hall</i>	<ul style="list-style-type: none"> Initial “triage” New “Community Navigator” roles Improved documentation and communication of the process, including eligibility and evaluation criteria and improved feedback to agencies
<i>Simpler process</i>	<ul style="list-style-type: none"> On-line information and application processes Improved communication, including personal contact Affiliation tiers to clarify eligibility Shared terminology
<i>More transparent and defensible process that is consistently applied</i>	<ul style="list-style-type: none"> The process will be clearly described and explained An appeals process will be established Regular evaluation is incorporated into the process
<i>Non-political process, free of conflicts of interest but grounded in expertise</i>	<ul style="list-style-type: none"> Council will be involved in setting CIS strategy and evaluating impact, but staff and citizens will take primary responsibility for allocation recommendations/decisions Review panels will draw on expert advice, combined with multi-sectoral vision
<i>Multi-year</i>	<ul style="list-style-type: none"> Multi-year budgeting, planning, granting and partnering will occur whenever reasonably possible
<i>Proportional to the resources sought and available</i>	<ul style="list-style-type: none"> Smaller requests will involve a simpler application and approval process The initial phase of the CIS will be designed to be paid for through repositioning of existing resources Responsibility for implementation is spread throughout the Corporation and into the community
<i>Fostering of creativity</i>	<ul style="list-style-type: none"> Innovation Fund, with accompanying innovative review process Small waivers available with minimal “red tape”

DESIRED CHARACTERISTICS	PROPOSED FEATURES
<i>Better tracking of investment and impact</i>	<ul style="list-style-type: none"> • Development of systems that account for what things actually cost • Evaluation process that informs future allocations and the CIS itself
<i>Considers investments beyond community agency grants</i>	<ul style="list-style-type: none"> • Encompasses a variety of forms of investment in community groups
<i>Well-suited to Guelph</i>	<ul style="list-style-type: none"> • Having learned from other municipalities, the Guelph CIS has been designed primarily in response to feedback from Guelph residents and will involve their input throughout
<i>Leverages resources from other sources</i>	<ul style="list-style-type: none"> • Innovation Fund envisioned to be run in collaboration with other funders • Small grants that leverage other external ones have been maintained • Multiple reciprocal agreements anticipated to acknowledge City's contribution
<i>Seamless implementation</i>	<ul style="list-style-type: none"> • Recommendations phased in over time, with attention given to detailed implementation planning and communication
<i>Less reactive</i>	<ul style="list-style-type: none"> • Opportunities for the City to be both responsive to proposals and/or proactive in soliciting them • Recommended investment in the City's social planning capacity that allows for both the identification and validation of community needs
<i>Timely and flexible</i>	<ul style="list-style-type: none"> • Staggered and more frequent intake dates • Navigation assistance • Customized review processes proportional to resources requested
<i>Room for interesting partnerships across sectors</i>	<ul style="list-style-type: none"> • Explicit City role in facilitating connections • Partnership agreements have flexibility to include multiple players

Acknowledgements

We would like to thank all the individuals and organizations that contributed to Phase I of the Community Investment Strategy project. We are extremely grateful to the over 190 City Councillors, staff, and community members who have participated in the various consultations, as well as the 139 community organizations that responded to the on-line survey.

A special thanks goes to Barbara Powell and Jennifer Smith, and to the members of the Management and Project Working Groups for their ongoing support, guidance and leadership. In addition, we would like to recognize Rosanne Wild for providing research support, as well as the following facilitators who assisted with the community town hall meetings: Kelly Janz, Heather Millman, and Wanzirai Muruvi from the Research Shop at the University of Guelph, and Ellen Kupp of Kabisa International Inc.

Management Group

Barbara Powell, General Manager, Community Engagement & Social Services (Chair)

Colleen Clack, General Manager, Arts & Culture

Donna Jacques, General Manager, Legal Services

Murray Cameron, General Manager, Parks Maintenance & Development

Peter Cartwright, General Manager, Economic Development

Susan Aram, Deputy Treasurer Manager, Finance

Project Working Group

Jennifer Smith, Research Policy Analyst, Community Engagement & Social Services (Project Manager)

Astero Kalogeropoulos, Arts & Culture Program Officer, Community & Social Services

Christel Gregson, Financial Analyst, Finance & Budget Services

Karen Kawakami, Social Services Policy & Program Liaison, Community Engagement & Social Services

Katherine Gray, Service Performance Development, Operations

Kelley McAlpine, Supervisor Facility Bookings & Registration, Admin and Customer Service

Lynne Briggs, Manager, Partnerships & Inclusion, Community & Social Services

Sue Trerise, Senior Business Development Specialist, Tourism

Toby Pemberton, Manager, Victoria Road Recreation Centre & Arenas, Community & Social Services

Wendy Kornelsen, Manager, Seniors Services – Evergreen, Community Engagement & Social Services

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1. Background

The City of Guelph is often regarded as one of the premier cities in Canada in which to live, work and play. A key reason behind these ratings is Guelph's "community benefit sector", which provides a myriad of programs and services that are vital to the social, cultural and environmental sustainability of the community. Whether it be cleaning up the Speed River, providing alternative education to homeless and at-risk youth, organizing art and music festivals, assisting new Canadians to settle in the community, delivering hot meals to a housebound senior, or teaching children how to skate, Guelph's community benefit sector is *making a difference*.

Moreover, community organizations are vital contributors to the economic sustainability of the City. Provincially, the community benefit sector employs 15% of Ontario's workforce and generates \$34 billion in value to the economy.¹ In Guelph, that equates to over 10,000 jobs.

The City of Guelph has a longstanding history of working with and supporting local community groups, including providing grants, fee subsidies, waivers, in-kind supports, and service agreements. Historically, these investments have varied widely in their size, decision-making processes, and evaluation criteria. The Community Investment Strategy (CIS) project provides an opportunity not only to review how the City can improve the effectiveness of its support mechanisms, but also to explore how the City can strengthen relationships and work with the community benefit sector in more innovative ways.

The CIS project is being undertaken in two phases:

- Phase 1 – Creation of the overarching **Strategic Policy Framework**
- Phase 2 – Development of the **Investment Program Framework and Tools** and supporting implementation plan

This report presents the results of Phase 1, building on the findings presented in the Interim Phase 1 Report (December 2011). The first section of this paper describes the objectives of the project, and the process undertaken to date. This is followed by an overview of the proposed strategic policy framework, as well as considerations for Phase 2.

1.1 Purpose

Council first endorsed the CIS project in 2008 (Report # CS-AD-0818). Its stated purpose is to: improve how the City provides funds, supports and partners with community organizations to achieve shared social and community goals. More specifically, the CIS project is being undertaken in order to provide the City with a strategic and operational framework that:

- Increases the City's ability to respond to changing community needs

¹ Imagine Canada (2006). *The Nonprofit and Voluntary Sector in Ontario: Regional Highlights from the National Survey of*

- Addresses the patchwork of investment mechanisms that has evolved over the years
- Fosters innovation
- Improves the City's ability to monitor and evaluate community impact

1.2 Methodology

In June 2011, JPMC Inc. was retained by the City of Guelph through a competitive process to support the delivery of this project in two phases, over the following 18 months. The process for obtaining data, information and community input for this study was systematic and multi-faceted. It involved: three meetings with the CIS Management and two with the Project Working Groups (see Acknowledgements for membership listings); a review of comparable practices in other municipalities; an on-line survey of completed by 139 local community organizations; numerous key informant interviews, facilitated group discussions and community town hall meetings; as well as an in-depth review of relevant literature, policy documents and available statistics. All told, over 190 participants (City Councillors, staff and external stakeholders representing both community organizations and residents) contributed to this study. For detailed information on the methodology, please refer to Appendix A.

In addition to this report, the following three background research papers have been prepared (and are available under separate cover):

1. *Promising Practices in Municipal Community Investment*

The first background research report involved a review of the City's comparator municipalities to gain an understanding of other civic community investment policies and practices. To supplement this learning, examples of socially innovative practices from published literature, policy think tanks and non-municipal collaborations were also explored.

2. *Inventory of Guelph's Community Investment Policies & Practices*

The second research report provides a detailed review of the City's existing community investment policies and procedures, including funding amounts and trends over the past five years.

3. *A Portrait of Guelph's Community Benefit Sector*

The final background research report contains a profile of the community benefit sector in Ontario and in Guelph, plus an examination of the current and emerging issues and trends facing the sector.

The results of the research findings and community consultations have been synthesized into six themes. They can be summarized as follows, and are detailed in in Appendix B:

- Aspirations for Guelph
- A strategic view of community investment
- Role of the community benefit sector
- City's best role in community investment

- Enabling innovation
- Desired features of the CIS

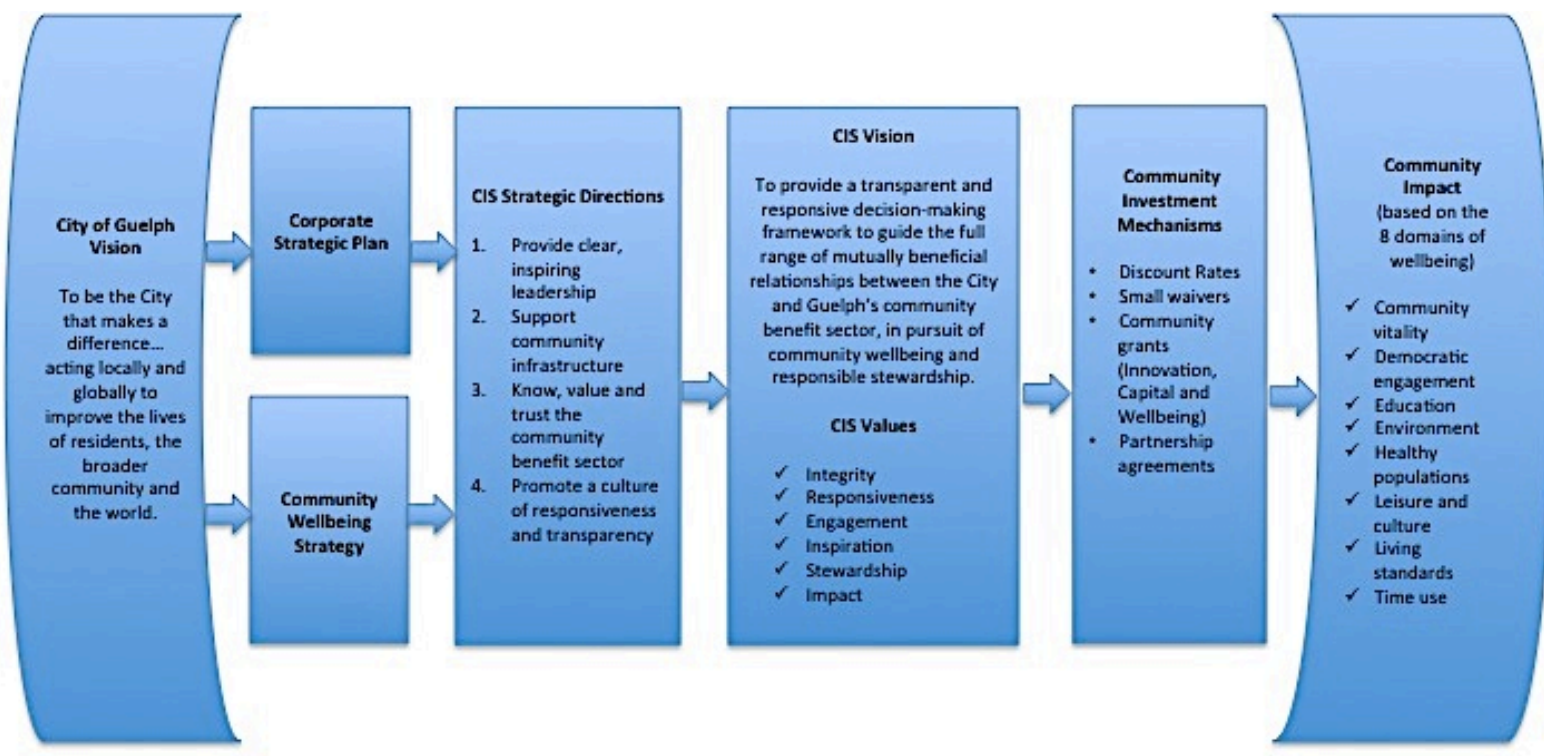
1.3 Terminology

There may be differing levels of understanding about various terms used throughout this project (e.g. social innovation, community benefit sector, subsidies, waivers, etc.). For a detailed list of key terms and definitions, please refer to Appendix C. In addition, Appendix D contains a description of the “eight domains of wellbeing”, upon which the proposed CIS Policy Framework is grounded.

2. Strategic Policy Framework

Figure 1 below provides a pictorial view of the Community Investment Strategy Policy Framework.

Figure 1 - Community Investment Strategy Policy Framework



3. Strategic Directions

The following is a list of four strategic directions for the City that have emerged from analysis of the community consultations and research findings, including some proposed action steps for addressing these issues through the proposed CIS Policy Framework.

1. Provide clear, inspiring leadership

Residents are looking to the City to articulate and pursue a compelling identity and strategic goals, in ways that inspire others to follow. The CIS can then become a tool that helps the municipality, and the City as a whole to achieve that desired future.

Proposed Action Steps: The City is currently developing a Corporate Strategic Plan and a Community Wellbeing Strategy, which will produce a clear vision for wellbeing in Guelph. Pending the development of these strategies, the City is encouraged to ground the CIS in the eight domains of wellbeing.

2. Support community infrastructure

One niche the City fills better than any other player is as the supplier and custodian of recreational and cultural facilities. Doing so is perhaps the City's most significant community investment, as it provides community organizations with the spaces to do what they do best. The City also plays a role in supporting "social infrastructure" - facilitating connections between social actors, as a guardian of the City's "big picture".

Proposed Action Steps: The City is encouraged to play a proactive role in facilitating connections among community groups. It should also see the construction, upkeep and management of recreational and cultural facilities and spaces as a cornerstone of its CIS. Another example would be to proactively promote community usage of City-owned lands and properties as they become available.

3. Know, value and trust the community benefit sector

It is important that the City know its community well; its needs, aspirations and the community organizations that serve it. There needs to be a corporate-wide understanding of the value and expertise those agencies bring to community wellbeing.

Proposed Action Steps: The existence of the CIS and its participatory development process demonstrates the City's value of the community benefit sector. More work is needed to enhance the City's reconnaissance and social planning capacity, including more actively participating in the community. As well, the City is encouraged to celebrate community achievements.

4. Promote a culture of responsiveness and transparency

The City should be seen as an enabler and ally; a true partner in the joint pursuit of shared community goals. Currently, the City is often viewed as erecting and enforcing barriers to creative community action rather than facilitating it. It is therefore important for the City to clarify what it “can do” for community organizations, and that the rationale for decisions is communicated proactively.

Proposed Action Steps: The City’s strategic focus on “innovation in local government” will kick start this cultural shift. Examples may include: simpler approval processes (proportional to grant size), assistance navigating City Hall, and more transparent decision making at all levels.

4. Vision of the Community Investment Strategy

4.1 Vision Statement

The City of Guelph’s CIS provides a transparent and responsive decision-making framework to guide the full range of mutually beneficial relationships between the City and Guelph’s community benefit sector, in pursuit of community wellbeing and responsible stewardship.

4.2 Values and Guiding Principles

The CIS will be built upon a foundation of six core values, as follows:

1. ***Integrity***
The integrity principle refers to a transparent, defensible, and consistent process that is free of conflicts of interest.
2. ***Responsiveness***
The responsiveness principle refers to a timely process that enables innovation, adapts to changing community needs, and is well suited to Guelph.
3. ***Engagement***
The engagement principle refers to a user-friendly and inclusive process that facilitates connections among community groups, in order to strengthen relationships between the City and Guelph’s community benefit sector.

4. **Inspiration**

The inspiration principle refers to a visionary approach that demonstrates compelling leadership, fosters creativity, and brings about a community where people are proud to live.

5. **Stewardship**

The stewardship principle refers to a system that maintains guardianship of taxpayer resources, taking into account the complete cost benefits of the City's community investments, as well as leveraging resources from other sources.

6. **Impact**

The impact principle refers to a process that monitors and evaluates community impact based on the wellbeing indicators, and promotes a culture of learning and celebration of the City and community benefit sector's collective efforts.

5. Community Investment Mechanisms

As previously mentioned, the City currently provides a wide array of community investment mechanisms to community organizations. These include community grants and waivers, special projects, capital funding, facility use subsidies, leasehold agreements, development fee agreements and waivers, and various in-kind supports. The proposed CIS calls for a consolidation of these into four mechanisms:

- Discount rental rates
- Waivers for small community events
- Three types of community grants - innovation, capital and wellbeing
- Partnership agreements

The following table details the characteristics of these community investment mechanisms, in comparison to current practices. Where possible, a dollar figure for the current level of investments in each area has been provided.

PROPOSED INVESTMENT TYPE	PROPOSED FEATURES	CURRENT SYSTEM
a) Discount rental rates To ensure that public facilities, owned and operated by the City, are accessible and affordable for community activities, pre-approved community organizations will be eligible for facility-use subsidies.	<ul style="list-style-type: none">• Harmonized discount rates across facilities and sectors (rates to be set in relation to the findings from the concurrent study regarding User Rates and Fees)• Simple application form, available online• Intake accepted year-round• Approved by staff, based on	<ul style="list-style-type: none">• Non-profit discount rates are currently available, but at differing levels and rates for various facilities and user groups (e.g. youth, disability groups)• In 2010, about \$1.1 million in subsidized rates was provided to community groups accessing the City's

PROPOSED INVESTMENT TYPE	PROPOSED FEATURES	CURRENT SYSTEM
Examples could include rentals for theatrical performances, music concerts, ice-skating, swimming, softball, soccer, etc.	<ul style="list-style-type: none"> set eligibility criteria Corporate-wide accounting system for monitoring usage and financial impact 	sports and recreation facilities. This figures does not include discounted rental rates for the River Run Centre and other City-owned and managed cultural facilities.
<p>b) Waivers for small community events In order to foster creativity, citizen engagement, and active participation in community life, the City will waive fees for municipal services (e.g. vendor licenses, road closures, garbage bins, etc.) that are provided for small community events.</p> <p>Examples could include: street parties, pumpkin-carving contests in local parks, etc.</p>	<ul style="list-style-type: none"> Free admission to general public Held on public property, owned or managed by the City Maximum of one event per group per year (maximum waiver amount to be set in Phase 2) Simple online application form, with nominal application fee Intake accepted year-round Approved by staff, based on set eligibility criteria Corporate-wide accounting system for monitoring frequency and cost benefits 	<ul style="list-style-type: none"> There is currently no formal system in place to support waivers for small community events. Regardless of event size, any requests for funding support to offset the costs of municipal services go through the Community Grants Process. The Community Events Sector Review Group determines whether they are eligible for a waiver and/or a grant. Some events have received in-kind supports in the past. There is currently no formal system in place for tracking the amount of in-kind supports provided to community groups.
<p>c) Innovation grants A new funding program that would provide one-time support for new, innovative, creative, and untried projects.</p>	<ul style="list-style-type: none"> Involves multiple funders; City as catalyst One time funding, with cap Presentation-based application (similar to “Dragon’s Den”) Review group comprised of “unusual suspects” Bi-annual allocation cycle Unspent funding goes to a new Innovation Reserve Fund 	<ul style="list-style-type: none"> There is currently no formal system in place to support innovation, and as a result, “good ideas” go unfunded
<p>d) Capital grants Provide non-recurring, non-operating funds to community organizations for the purpose of creating new</p>	<ul style="list-style-type: none"> One-time or multi-year funding terms Annual allocation process Unspent funding goes to new Capital Reserve Fund 	<ul style="list-style-type: none"> Since 2008, Council has allocated \$400,000 or more per year through the annual budget process for capital projects. Historical examples

PROPOSED INVESTMENT TYPE	PROPOSED FEATURES	CURRENT SYSTEM
and/or improving existing community infrastructure (i.e. social, health, cultural and recreational facilities)	<ul style="list-style-type: none"> • Business case and presentation 	have included: Guelph General Hospital, Hospice Wellington, Arc Industries, and the MacDonald Stewart Art Centre. Past decisions have been on a case-by-case basis by Council.
e) Wellbeing grants Support a variety of community programs, services, projects and special events affecting multiple sectors and demographic groups (e.g. social services, arts and culture, sports and recreation, youth, seniors, newcomers, etc.).	<ul style="list-style-type: none"> • A multi-sectoral fund; focus is on community well-being • One-time or multi-year funding terms • Annual allocation process • Simple application form, available online • Mixed expert advisory panel • Smaller requests will involve a simpler application and approval process • Phased in implementation 	4. In 2011, the City allocated over \$770,000 to community groups through a variety of granting streams, including: community grants program (health and social services; arts and cultural activities; community events; special projects (approved by Council); program service fees; non-prescribed social services (in collaboration with County) <ul style="list-style-type: none"> • Examples of past recipients include: Action Read, Community Health Centre, Big Brothers Big Sisters, Jazz Festival, Chamber Choir, Ed Video, University of Guelph (various conferences and tournaments), Rowing Club, etc.
f) Partnership Agreements Mutually beneficial arrangements that assist the City to provide services it would otherwise do directly. Supports achievement of the City's strategic goals, core business, and/or official/master plans (e.g. recreation, affordable housing, etc.). Examples could include: GWSA, Wyndham House, Civic Celebrations (Canada	<ul style="list-style-type: none"> • May involve multiple funders • Signed multi-year agreements • Corporate-wide tracking system for reviewing and monitoring agreements and value of partnerships 	<ul style="list-style-type: none"> • There are mixed monitoring systems in place. • Many existing agreements have expired and need to be revisited. • Some of the existing partnership agreements (e.g. Civic Celebrations, Wyndham House, MacDonald Stewart Art Centre, etc.) involve annual operating dollars from the City, totaling about \$1 million annually. • For other agreements that

PROPOSED INVESTMENT TYPE	PROPOSED FEATURES	CURRENT SYSTEM
Day, Santa Claus Parade), Snow Angels, Trees for Guelph, Habitat for Humanity, etc.		do not involve direct funding arrangements, it is challenging to “quantify” the cost of the City’s agreements. And in many respects, the costs to the City are negligible, as community organizations are able to deliver needed community programs and services for considerably less than it would cost the City to do so itself.

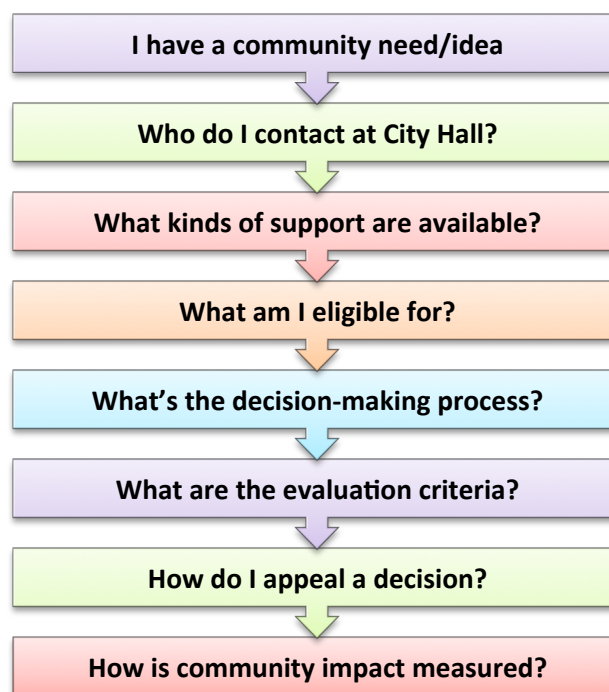
6. Proposed Process

This section of the report provides a “sneak peek” of the Program Framework envisioned to support the Strategic Policy Framework. This is depicted by the flowchart shown as Figure 1, which is intended to act as a decision-making tool for community organizations to use. From this *community-facing* perspective, the focus of the process is on helping groups navigate City Hall, clarifying the types and amounts of support available, and providing transparency and consistency in how decisions are made.

Behind each of the questions within the flowchart lie *corporate-facing* dimensions as well. From the corporate perspective, the focus of the CIS is on ensuring that those same questions are well-answered, while staying responsive to emerging needs, targeting municipal resources appropriately, building mutually beneficial partnerships, fostering innovation, delivering public services better, and measuring the impact municipal support has on community wellbeing.

In reality, the process is not intended to be strictly linear. Each component in the flowchart represents multiple layers with differing entry and exit points. These layers will be refined in Phase 2, and are

Figure 2 - Community Investment Process



described here for conceptual purposes only. They are also contrasted with the current process to demonstrate both the continuity and the changes that are being proposed.

	CURRENT REALITY	PROPOSED PROCESS
I have a community need/idea	There is a disconnect between past community investment decisions and achieving community-wide goals and needs, and the City's existing social planning capacity to measure community needs is limited.	<p>The starting point of the proposed framework is with the identification of a community need and/or an idea to address it. This need/idea may be new or existing. It may be identified by a community group, by City personnel, or by a combination thereof.</p> <p>Vital to this, is an investment in the City's social planning capacity that allows for both the identification and validation of community needs. This can be accomplished in several ways. The City may choose to enhance its policy, planning and research capacity internally; it may choose to partner with one or more local community organization(s) with expertise in this area; and/or it may choose to participate more actively in the community at various collaborative planning tables.</p>
Who do I contact at City Hall?	Community organizations find navigating City Hall to be quite challenging. Many report that Finance is often their first point of contact, and that there is an inconsistency among messages received from various departments. Contacting the relevant departments usually falls to the applicant. The quality of experiences dealing with City Hall is often dependent on pre-existing relationships.	<p>A 'triage' system will be established to provide quick responses to community queries, resulting in either the person receiving the information they need immediately, and/or being contacted by a "Community Navigator" within a set amount of time. This intake process needs to be accessible on-line, by telephone and in person.</p> <p>The role of the Community Navigator will involve providing help to community organizations (e.g. facilitating ideas/requests through the appropriate channels at City Hall, proactively communicating about the types of supports that are available, maintaining an inventory of other sources of support in order to make appropriate referrals, etc.).</p> <p>As part of the CIS implementation plan, there is a need for ongoing inter-</p>

	CURRENT REALITY	PROPOSED PROCESS
		departmental education and communication. The appointment of staff members (Community Navigators) who bring understanding and knowledge of community needs could be instrumental in this regard.
What kinds of supports are available?	See section 5 above.	See section 5 above
What am I eligible for?	Many of the existing policies that spell out eligibility criteria were created over 20 years old, and in some cases are not reflective of current practices. There is not a consistent system across the corporation for monitoring and reviewing partnership arrangements.	Eligibility will be dependent on a variety of factors, including the type of support sought (e.g. space, grant, partnership, etc.). Consideration is being given to developing a new affiliation system, whereby organizations seeking municipal support will be categorized according to affiliation with the City. Details of this system will be determined in Phase 2.
What's the decision-making process?	Within Community Grants program, there are three sector review panels (Health & Social Services, Arts & Culture, Community Events). These panels operate independently of each other. The Arts Council receives an annual fee for overseeing one of the sector review panels, while the other two groups are managed internally.	Like the eligibility criteria, the allocation decision-making process is dependent on the type of support sought (e.g. space, grant, partnership, etc.). The new process will be proportional to the resources requested, non-political, free of (both perceived and real) conflicts of interest, and grounded in expertise (see section 4.3 – Mechanisms for detail). Moving forward, it will be important to clarify roles and responsibilities (i.e. Council, staff, and community members) in the decision-making process, including delegates of authority.
What are the evaluation criteria?	Current investment decisions are made in the absence of strategic goals and/or feedback loops to ensure future allocations are based on past performance. Decision-making criteria vary across review panels.	It is essential that the goals of the CIS be aligned with relevant strategic initiatives such as the Community Plan for Wellbeing. Therefore, the evaluation criteria will be based primarily on the eight domains of community wellbeing originally developed for the <i>Canadian Index of Wellbeing</i> (see Appendix D). These eight domains – community vitality, democratic engagement,

	CURRENT REALITY	PROPOSED PROCESS
		<p>education, the environment, healthy populations, leisure and culture, living standards, and time use – provide a comprehensive, composite measure of quality of life, and will be further defined for Guelph through the Wellbeing Initiative.</p> <p>For each domain, there will be a set of indicators by which community investment requests/proposals can be scored. A priority ranking system will be developed in Phase 2. For example, priority may be given to activities that address a variety of indicators in multiple domains, or to those that demonstrate strengths in select areas.</p> <p>Additional criteria may be added to help achieve additional City priorities if not adequately covered within the domains (e.g. an event held on City property might score higher).</p>
How do I appeal a decision?	According to the current community grants process, appeals cannot be made with respect to the amount allocated, only if there is evidence to demonstrate that the normal process was not followed. However, the rationale for decisions is not always shared with community organizations.	In order to ensure that the proposed Framework is transparent and consistent in its decision-making, it is important that the evaluation criteria and appeals process be specified at the outset, and that the rationale for decisions be communicated proactively. Details of this system will be determined in Phase 2.
How is community impact measured?	With the exception of a few debriefing meetings that are held post community events, there is no follow-up mechanism for organizations to provide follow-up information demonstrating the impact and benefits (and lessons learned) the City's investment have made.	<p>The overall intent of the CIS Framework is to help strengthen the capacity of both the City and community organizations to monitor the impact local social services, arts and culture, and sports and recreational activities have on community wellbeing.</p> <p>Evaluation requirements will be proportional to the amount of resources received, and previous outcomes will be well integrated into subsequent granting decisions. Details of this system will be finalized in Phase 2.</p>

7. Considerations for Phase 2

7.1 Costing

It is anticipated that the overall budget for the City's community investments will remain unchanged in Year 1, with a pooling and reallocation of existing resources to support the new mechanisms. Before the budget for future years can be finalized, it is critical that a comprehensive financial analysis of what community investment currently costs the City is undertaken and considered. Preliminary analysis reveals that the value of the City's community grants and waivers (i.e. health and social service, arts and cultural, special events, civic celebrations, non-prescribed social services, etc.), capital grants, partnership agreements, and sports and recreation facility-use subsidies totalled over \$3 million in 2011. Phase 2 of this project includes the development of a multi-year implementation plan, which will take into account future resource requirements to support the new CIS.

7.2 Staffing

The proposed CIS Framework calls for staff to play enhanced roles in areas such as: facilitation/navigation, social planning, monitoring and evaluation, and administrative support for Community Expert Advisory Panels. There are a variety of approaches the City can take to accomplish these functions. The City may choose to redefine existing staff roles; it may choose to augment its staffing capacity; and/or it may choose to partner with one or more local community organization(s) with expertise in an area (e.g. social planning and community development). Further recommendations regarding the human resource requirements to support the CIS will be identified in Phase 2.

7.3 Future Scope of the CIS

The current CIS Framework is consistent with the scope of the Request for Proposals for the project, which reflects the revised responsibilities of Department of the Community and Social Services. A number of stakeholders have indicated that they would like to see the values, mandate and/or influence of the CIS spread to other areas of the corporation over time as appropriate. For the time being, it is recommended that the CIS remain housed and managed within the service area of Community and Social Services.

8. Next Steps

Upon Council approval of the Phase I Report, the next stage of the project will be the development of the CIS Program Framework and Toolkit, and supporting Implementation Plan. As well, a Peer Review of the CIS Framework will be undertaken.

Appendix A – Detailed Methodology

The development of the Phase I report took place between July 2011 and March 2012. The process was split into two parts:

1. Background research into the practices of comparable municipalities and social innovation, the City's own past investments, and a profile of Guelph's community benefit sector
2. Consultations with internal and external stakeholders, soliciting input, advice and feedback on the proposed CIS vision, values and policy framework

I. Background Research

The methodology undertaken for the development of the background research reports was systematic and multifaceted, and is described below. Copies of the reports are available under separate cover.

- A review of available facts and statistics on the local community benefit sector. Key data sources included:
 - Statistic Canada's Census of the Population, 2006
 - Canada Survey of Giving, Volunteering and Participating (CSGVP), 2007
 - National Survey of Nonprofit and Voluntary Organizations (NSNVO), 2003
 - Community Information Database records from the Volunteer Centre of Guelph/Wellington, 2011
- A review of "think tanks" and published literature relating to Canada's community benefit sector and social innovation. Leads for this line of inquiry were provided by the City's project manager. For a complete bibliography and list of organizations reviewed, please refer to the background research reports "A Portrait of Guelph's Community Benefit Sector" and "Promising Practices in Municipal Community Investment"
- A survey of Guelph's comparator municipalities. In the summer of 2011, City staff sent an electronic survey to 39 people representing 29 municipalities taken from Council's approved list of comparator municipalities. The survey asked about the nature of the municipalities' investment in community activities and partnerships with community organizations. Twelve responses were received from 11 municipalities. Those responses were summarized by City staff, with the report and background details provided to the consulting team. The findings provided an initial overview and suggested which municipalities warranted more thorough follow up. In some cases, municipalities also provided relevant policy documents, which were then reviewed by the consulting team. A list of municipalities surveyed and interviewed can be found in the "Promising Practices in Municipal Community Investment" report.

- A review of the City's current community investment policies and practices, including a five-year financial analysis. This review involved an internal inventory survey, as well as six key informant interviews involving City staff and the Guelph Arts Council.
- The preparation of five case studies to provide more detailed "stories" of the range of ways the City partners with and supports external groups in the pursuit of shared goals. The topics for these case studies, which were selected by the Management Group with input from the Project Working Group, include: Ed Video Media Arts Centre, Volunteer Centre of Guelph Wellington, Ribfest, Guelph Wellington Seniors Association, and Guelph Community Sports. As part of the case study development process, seven key informant interviews and one focus group were held, relevant policy documents and websites were reviewed, and municipal support of comparable organizations within selected comparator municipalities was researched.
- A funders forum. On November 14, 2011, a facilitated focus group session involving 19 participants, representing a range of funding organizations that support the community benefit sector in Guelph, was held.
- An on-line survey (using Survey Monkey) about the local community sector. The survey gathered information about the composition, strengths, needs and priorities of Guelph's community benefit sector, as well as feedback about past experiences accessing the City for support. The web link was circulated to over 400 community stakeholders by City staff, as well as promoted via multiple sources (i.e. City website, local funder distribution networks and community membership lists). A total of 139 community organizations responded to the survey between November 21 and December 7, 2011.

2. Stakeholder Engagement

A variety of opportunities were offered for both internal and external stakeholders to help define the vision and policy framework of the CIS. Topics of conversation included:

- What Guelph is known for, loved for or good at
- The City of Guelph's best role vis-à-vis the community benefit sector
- Aspirations for the CIS
- Approaches to community investment (i.e. ways to organize the CIS, types of support, levels of support, allocation process, eligibility criteria, evaluation criteria, etc.)

The following is a list of meetings that were conducted by one or both of the consultants (Eden Grodzinski and Rebecca Sutherns), primarily in January and February 2012. All told, over 190 participants contributed to the study (The total number of participants is listed in parenthesis below. It should be noted that some individuals partook in more than one discussion, and therefore, the total number of participants does not represent the sum of the individual discussions).

- Mayor and Councillors (8)
 - 5 key informant interviews, small group discussions (7)
 - Participation in Town Hall meetings (4)
- Staff (35)
 - 3 Management Group meetings (6)
 - 2 Project Working Group meetings (10)
 - 2 staff workshops (22)
 - 15 key informant interviews, small group discussions (22)
- Community members (approx. 150)
 - Funders Forum (19)
 - Cultural Advisory Group (8)
 - Guelph Youth Council (10)
 - Sports Advisory Group (12)
 - Executive Directors Network (9)
 - 2 Town Hall meetings on January 25th (78)
 - Town hall meeting on February 28th (51)
 - 9 key informant interviews, small group discussions (11)

Appendix B - Research & Consultation Findings

The following is a synthesis of the key findings gathered through the CIS community engagement process, as well as the three background research reports.

Aspirations for Guelph

In order to obtain input into the vision and values for the CIS, stakeholders were asked “What makes Guelph, Guelph?” or “What do you love about Guelph?” The responses were quite consistent across respondents. The following features were repeatedly identified:

- A strong cultural reputation, especially festivals
- A terrific downtown, especially the market
- Strong community engagement
- Caring, serving and volunteering
- Small town feel with bigger city services
- Diverse, with something for everyone
- Environmental sensibility
- Supportive of innovation

In a related question, when respondents were asked to identify their hopes for Guelph’s future, they responded with similar answers, such as the following:

- “Make a difference” – be innovative, creative, learning
- A complete community
- Established as the arts and cultural capital of the region
- Maximize use of downtown
- Provide leadership in all things green
- Stay beautiful
- Be well-run and small business friendly
- Be known as a caring place
- Engaged citizens who are well listened-to by their leaders
- Inclusive
- Collaborative

Besides providing directions regarding the desired characteristics and outcomes that the CIS should pursue, these messages are also relevant to the City’s Corporate Strategic Plan (CSP).

A Strategic View of Community Investment

The extent of the Guelph's investments in community organizations is much broader than simply providing community grants. Other types of supports include fee waivers and discounts, in-kind services, capital investments, capacity building efforts, staff time and many other contributions, all with a view to meeting the City's strategic goals. The scope and scale of that investment is currently difficult to quantify as it is not consistently tracked and monitored across the corporation. And in some instances, the expense may actually be of net benefit to the City as community organizations are often able to deliver the program/services for less cost.

Similar experience in other comparable municipalities suggests that successful community investment is most often reflected in a well-run granting process to community groups, and in Guelph those grants are clearly the best communicated and understood type of City support. And while improving the community grants program would certainly take the City a long way towards creating a more accountable, transparent community investment system, limiting the CIS to a review of the grant management process alone would address only a small fraction of the City's overall community investments.

Participants viewed the CIS as a vital opportunity for the City to clarify the strategic impact it wants to achieve and its role vis-à-vis the community benefit sector.

Role of the Community Benefit Sector

Successful municipalities are encouraged to see their community benefit sector as a creative resource rather than an optional partner.² Guelph is home to over 700 community organizations and is proud to be known as the volunteering capital of Canada. This sector is large and active. It provides social, health, recreational, cultural and environmental services that contribute to the wellbeing of this community.

In Guelph, as elsewhere, the current economic climate is resulting in dramatic changes in the demand for and delivery of community services. Solving the current social, economic and environmental challenges facing Guelph will require more than government action alone. Community organizations have the ability to extend governments' reach, engage community members at the grass-roots level, and build cross-sectoral partnerships.

Community agency representatives are asking the City to develop a CIS that values, trusts, listens to and supports the valuable work that they do.

² Brodhead, Tim. (2010) "On Not Letting a Crisis Go to Waste: Innovation Agenda for Canada's Community Sector" *The Philanthropist*.

City's Best Role in Community Investment

According to recent literature, the primary desired or possible areas of involvement for municipalities seeking to be socially innovative are social finance, public policy, culture and enabling environment. In those arenas, governments take responsibility for roles such as setting the tone, convening the players, enabling access to resources and mobilizing knowledge.³ This wise counsel was clearly reflected in the feedback from Guelph stakeholders.

All of the stakeholders in the CIS consultations were asked to comment on the City's best role vis-à-vis the community benefit sector. Responses were numerous and varied, but the following core messages have clearly emerged. The City should:

- Articulate a clear, inspiring vision, and be strategic in decision-making
- Be known for saying "yes" rather than "no," particularly in terms of processes and policies
- Support facilities and gathering spaces that allow community activities to flourish
- Use its resources to leverage other investments on behalf of community groups
- Enable innovation, even as it may struggle to be innovative itself
- Listen carefully to the community, building in lots of opportunities for citizen engagement
- Facilitate connections among people, with the whole community in mind
- Support diversity, as reflected in the City's investment practices across a range of sectors, groups and activities
- Communicate well, and help others to do the same through marketing and promotional support
- Facilitate event planning according to a model of "easy one-stop shopping"
- Be the guardian of accessibility and inclusion for the marginalized
- Be a good steward of taxpayer resources
- Consider supporting innovative financing models

It is significant to note how many of these roles are not directly related to grants. Stakeholders articulated numerous helpful, creative roles for the City that do not necessarily involve funding.

Enabling Innovation

A preliminary exploration of social innovation among the City of Guelph's comparable municipalities was also incorporated into this project. Municipal governments are not usually known for their capacity to innovate. Yet in Guelph the City is seen as playing an important potential role in *enabling* social and cultural innovation. Some of the specific ways identified by which it can do so overlap with roles listed above. They include facilitating access to shared spaces for community groups; collaborating with other funders to leverage and coordinate

³ Public Policy Forum (2011). *Adapting and Thriving: Innovative practices by small and medium nonprofits emerging from the economic downturn*. Ottawa.

resources; exploring innovative financing options to improve cash flow and access to investment capital for agencies; connecting like-minded groups in interesting ways; and supporting marketing and communications efforts to publicize community events. The City also needs to be realistic about its own ability to create the structures, culture and political will needed to sustain innovation. While some of these potential roles are incorporated into the proposed Strategic Framework, others will need to grow and/or be explored over time.

Desired Features of the Community Investment Strategy

Community stakeholders were consistent and assertive in expressing the values, principles and features that they want to characterize a renewed community investment process. Their aspirations can be summarized as follows:

- A transparent and defensible process that is simple to follow, timely, responsive to changing needs and consistently applied
- Non-political allocation process, free of [perceived and real] conflicts of interest and grounded in expertise
- Well-aligned with other related strategies
- Fosters creativity and innovation
- Inclusive and participatory
- Reflective of a broad understanding of investment and a multi-sectoral, integrated view of allocation, grounded in community impact
- Proportional to the resources sought and available (i.e. the application and approval process is relative to the size of the financial request)
- Multi-year in its orientation
- Well-suited to Guelph
- Designed to leverage additional resources from other sources
- Accounts for what things actually cost
- Seamless in its implementation

Appendix C - Glossary of Terms

- **Collaborations** - The Research Shop at the University of Guelph is an excellent resource on collaborative research, and has recently conducted a review of local community collaborations (see www.worktogether.ca). The following is their definition, which has been adopted for the CIS Framework: “A mutually beneficial and well-defined relationship entered into by two or more stakeholders to achieve common goals. It occurs when stakeholders work together to address problems and seize opportunities through shared effort, contribution of resources, decision-making, and ownership of the final products or outcomes.”
- **Community Benefit Sector** - Across the world, this sector is referred to in many ways – non-profit, not-for-profit, voluntary, charitable, social benefit, public benefit, community, and the third sector. The terms of reference for the CIS project originally used the term “not-for-profit organizations” to describe this sector. However, according to a survey conducted for the Government of Ontario’s Partnership Project (2011), this is not a descriptive term that individuals working within this sector prefer. And so, for the purposes of the CIS study, the broad term “community benefit sector” has been employed.
- **Community Grant** – Funds dispersed by the City to a community organization
- **Community Investment** – In many communities, “community granting” is considered to be synonymous with “community investment”. In Guelph, however, the term extends well beyond the traditional community grants program, to encompass capital funding, facility-use subsidies, fee waivers, leasehold agreements, tax rebates, development fee waivers and agreements, and various kinds of staff support as well. In fact, Guelph’s CIS includes a larger bundle of services and sectors than many other comparable municipalities.
- **Community Investment Strategy** - A strategic and operational decision-making framework that will guide how the City funds, supports and partners with community organizations.
- **Community Organizations** - Are defined as organized, private, not profit distributing, self-governing and voluntary. They are non-governmental; yet work collaboratively with government to provide necessary services to the public. It is important to note that this definition includes groups that may not be incorporated non-profits or registered charities, as research revealed that not all community groups meet these criteria. For example, of the respondents to the CIS survey, only 75% are incorporated non-profits and 55% are registered charities.
- **Community Wellbeing** – According to the Community Index of Wellbeing (CIW), wellbeing is defined as, “the presence of the highest possible quality of life in its full breadth of expressions, focused on but not necessarily exclusive to: good living standards, robust health, a sustainable environment, vital communities, an educated

populace, balanced time use, high levels of democratic participation, and access to and participation in leisure and culture.

- **Partnership** – A relationship where two or more parties, having compatible goals, form an agreement to do something together. Partnerships are about people working together in a mutually beneficial relationship, oftentimes doing things together that might not be able to be achieved alone.⁴
- **Social Innovation** – According to Social Innovation Generation (SiG) in Waterloo, Ontario, the term social innovation refers to “new ideas that work to solve pressing unmet [social] needs.” In the context of municipal community investment, social innovation can occur directly (i.e. when a civic government implements a new idea to solve a socioeconomic problem), or indirectly (i.e. when a civic government creates an environment in which the realization of new ideas, helpful in the social realm, can flourish).
- **Subsidy** – Discounted rental rate for use of a public facility, owned or operated by the City
- **Waiver** – Grant credits for municipal services provided to community organizations organizing special events held on public property, owned or operated by the City (e.g. vendor licenses, park rentals, potable water supplies, port-a-potties, garbage bins, road closures, picnic tables, etc.)

⁴ Frank, F. and Smith, A. (2000). *The Partnership Handbook*. Hull, Quebec: Human Resources Development Canada.

Appendix D - Domains of Wellbeing

The **Canadian Index of Wellbeing (CIW)** is a nationally recognized composite index that measures quality of life in Canada across eight different, but interconnected categories of wellbeing. A brief description of these wellbeing domains, as defined by the CIW Network, is provided below. For more detail, please refer to www.ciw.ca.

1. **Community Vitality** measures the strength, activity and inclusiveness of relationships between residents, private sector, public sector and civil society organizations that fosters individual and collective wellbeing.
2. **Democratic Engagement** measures the participation of citizens in public life and in governance; the functioning of Canadian governments; and the role Canadians and their institutions play as global citizens.
3. **Education** measures the literacy and skill levels of the population, including the ability of both children and adults to function in various societal contexts and plan for and adapt to future situations.
4. **Environment** measures the state of and the trends in Canada's environment by looking at the stocks and flows of Canada's environmental goods and services.
5. **Healthy Populations** measures the physical, mental, and social wellbeing of the population by looking at different aspects of health status and certain determinants of health.
6. **Leisure & Culture** measures activity in the very broad area of culture, which involves all forms of human expression; the more focused area of the arts; and recreational activities.
7. **Living Standards** Living Standards measures the level and distribution of income and wealth, including trends in poverty; income volatility; and economic security, including the security of jobs, food, housing and the social safety net.
8. **Time Use** measures the use of time, how people experience time, what controls its use, and how it affects wellbeing.

These eight domains will be further defined for Guelph through the Community Wellbeing Initiative.

Community Investment Strategy

Phase 1 Report



Prepared by Eden Grodzinski and Rebecca Sutherns
For the Community & Social Services Committee
April 11, 2012

Today's Agenda

- + Project Overview
- + Process to Date
- + Strategic Policy Framework
- + Next Steps
- + Questions & Answers



Why a CIS?

- + To increase the City's ability to respond to changing community needs
- + To addresses the patchwork of investment mechanisms that has evolved over the years
- + To foster innovation
- + To improve the City's ability to monitor and evaluate community impact

What we did

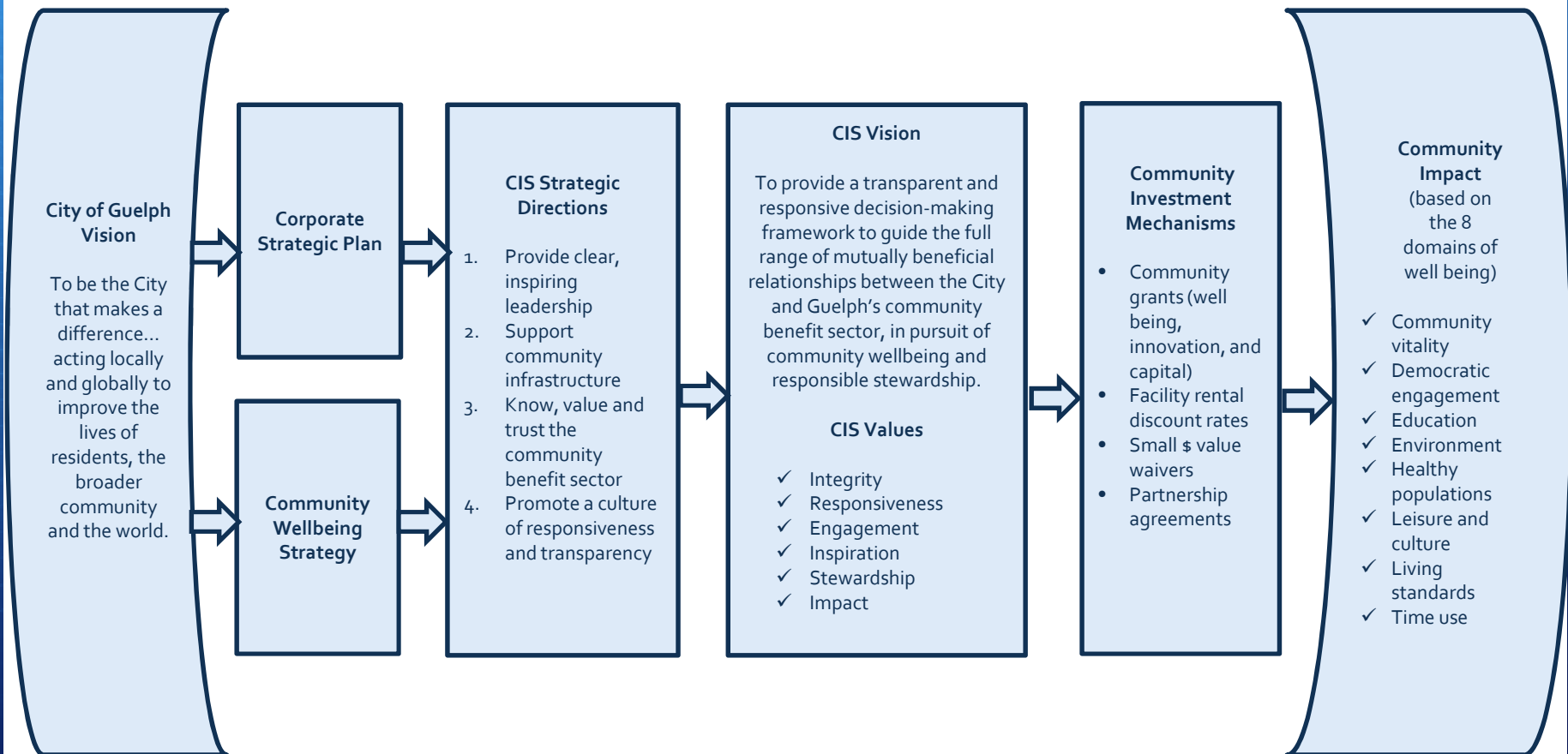
- + Background Research
 - + Inventory of existing investment practices
 - + Best practices and social innovation research
 - + Community benefit sector profile
- + Numerous Consultations
 - + 190 participants
 - + 139 respondents to community survey

The Strategic Policy Framework



- + What it includes
 - + Vision
 - + Guiding principles
 - + Investment model
 - + Evaluation approach
- + Does not identify individual community agencies
- + Costing (Phase 2)

CIS Policy Framework



CIS Strategic Directions

1. Provide clear, inspiring leadership
2. Support community infrastructure
3. Know, value and trust the community benefit sector
4. Promote a culture of responsiveness and transparency

CIS Vision

- + To provide a transparent and responsive decision-making framework to guide the full range of mutually beneficial relationships between the City and Guelph's community benefit sector, in pursuit of community wellbeing and responsible stewardship.

CIS Values

- ✓ Integrity
- ✓ Responsiveness
- ✓ Engagement
- ✓ Inspiration
- ✓ Stewardship
- ✓ Impact

Community Investment Mechanisms

- + Community grants (well being, innovation and capital)
- + Facility rental discount rates
- + Small \$ value waivers
- + Partnership agreements

Community Impact

(based on the 8 domains of well being)

- + Community vitality
- + Democratic engagement
- + Education
- + Environment
- + Healthy populations
- + Leisure and culture
- + Living standards
- + Time use

Next Steps

- + Phase 2: Implementation Planning
 - + Financial analysis
 - + “Nuts and bolts” of investment mechanisms
 - + Impact measurement systems
 - + Communication materials
 - + Transition Planning
- + Timeline
 - + Final report submitted Summer 2012
 - + Initial changes to begin 2013

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

April 23, 2012

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

Your Corporate Administration, Finance & Enterprise Committee beg leave to present their SECOND CONSENT REPORT as recommended at its meeting of April 10, 2012.

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

1) 2012 Property Tax Policy

THAT the following tax policies be incorporated into the tax rate and ratio bylaws:

1. Tax Ratios: Reduce the multi-residential tax ratio from 2.309425 to 2.165900 with all other class ratios and vacancy discounts remaining the same as in 2011;
2. That the capping parameters used for 2011 be adopted for 2012; and
3. That all other tax policies, including optional property classes, graduated tax rates, relief to charities, low income and disabled persons (as detailed in Schedule 1 to Report FIN-12-13 remain the same as 2011.

2) Funding Related to Existing and Proposed City of Guelph Tax-Increment Based Grants (TIBG) Programs

THAT Report 12-01, Funding related to existing and proposed City of Guelph Tax-Increment Based Grant (TIBG) programs, prepared by Finance and Enterprise Services, dated April 10, 2012, be received;

AND THAT the financial directions recommended in 'Report 12-01 Funding related to existing and proposed City of Guelph Tax-Increment Based Grant (TIBG) Programs', dated April 10, 2012 be approved.

3) Downtown Guelph Community Improvement Plan Implementation Guidelines

THAT report 12-02 regarding the Downtown Guelph Community Improvement Plan Implementation Guidelines, prepared by the Downtown Renewal Office, dated April 10, 2012, be received;

AND THAT the Downtown Guelph Community Improvement Plan Implementation Guidelines (Attachment 1), dated April 10, 2012, be approved;

AND THAT the Delegation of Authority By-law (2010)-18935 be amended to attach Schedule Q and Schedule R as attached to this report (Attachments 2 and 3).

4) Attendance Management Software

THAT staff be authorized to purchase Attendance Management Software and related consulting costs from the Salary Gapping Reserve at a cost of \$150,000.

All of which is respectfully submitted.

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

Please bring the material that was distributed with the Agenda for the April 10, 2012 meeting.

COMMITTEE REPORT



TO **Corporate Administration, Finance & Enterprises
Committee**

SERVICE AREA Finance Department
DATE April 10, 2012

SUBJECT 2012 Property Tax Policy
REPORT NUMBER FIN-12-13

SUMMARY

Purpose of Report:

To allow for property tax policy options for 2012 to be selected and incorporated into bylaws and tax rates for the April 23rd Council meeting to allow sufficient time to prepare the final tax bills for the June 29th installment.

Committee Action:

That Finance Report 12-13 dated April 10, 2012 be received and feedback be provided on the selection of the multi-residential ratio for 2012.

RECOMMENDATION

That the following tax policies be incorporated into the tax rate and ratio bylaws and submitted to Council on April 23, 2012.

1. Tax Ratios: Reduce the multi-residential tax ratio from 2.309425 to 2.165900 with all other class ratios and vacancy discounts remaining the same as in 2011;
2. That the capping parameters used for 2011 be adopted for 2012 and
3. That all other tax policies, including optional property classes, graduated tax rates, relief to charities, low income and disabled persons (as detailed in Schedule 1 to Report Fin-12-13) remain the same as 2011.

SUMMARY

Municipal Councils are required to make a number of tax policy decisions annually. Among these are establishing tax ratios. The ratios determine how the property tax levy approved in the annual budget will be distributed across residential and non-residential classes. Even if there are no changes,

tax ratios must be established each year and since tax ratios directly impact the tax rates, the ratios have to be set before the rating bylaw can be adopted. The following summarizes four types of tax policy decisions in this report:

1. In 2009, Council approved a reduction in the multi-residential ratio with an option to further reduce over the next three years to roughly the average of those communities that Guelph has consistently used for benchmarking tax ratios. Staff is recommending implementing the final phase of the incremental reduction of the multi-residential tax ratio established in 2009 (See Scenario Two on page 6).
2. Each year the Province has established, by regulation, options for municipalities with respect to the degree with which capping protection is provided to the non-residential classes. Capping was introduced to limit tax increases on properties in the multi-residential, commercial and industrial property classes. This report recommends that the maximum use of these tools be implemented, consistent with the City's approach in previous years. The rationale is provided in this report.
3. Legislatively, Council has the option of making decisions on several tax tools. Consistent with the treatment in prior years, no changes are being recommended to the following tax tools. These tools do not affect the total amount of tax collected by the City, but redistribute it between taxpayers within a class:
 - Graduated commercial/industrial tax rates
 - Optional property classes (new multi-residential class adopted as per prior years, with same tax rate as residential class)
4. Finally, Council has adopted bylaws for tax relief to low-income seniors, disabled persons and charities. No changes to these bylaws are being recommended.

Utilizing the 2012 approved budget levy of \$176,060,944 including funds for the Wellington-Dufferin-Guelph Public Health, the 2012 prescribed education tax rates and reducing the multi-residential tax ratio to 2.16590, the average residential taxpayer, with a 2012 assessment of \$292,000 would realize an increase of \$95.75 or 2.67% from 2011. This breaks down as follows:

**Table One: Impact of 2012 Changes on
Average Residential Property Assessment
of \$292,000**

	\$ Change
City of Guelph Portion	
Reassessment	-\$80.68
Budget	\$157.00
Multi-Residential Ratio	\$13.86
Total Change In City Portion	\$90.17
Education Portion	-\$5.41
Public Health Portion	\$10.99
Impact on Average Taxpayer	\$95.75

The bylaws for approval of 2012 tax policies and tax rates are set for the April 23rd Council meeting to allow sufficient time to prepare the final tax bills for the June 29th installment.

REPORT

The attached policy report (Schedule 1) 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 by policy area
- Overview/description of the policy
- Analysis and/or additional background information
- Policy considerations: factors such as economic impact, equity/fairness and administrative impact

Staff is recommending only one change to the 2012 Tax Policy – that is to the multi-residential tax ratio.

Tax Ratios

The current tax ratios were approved by Council in 2011. Established ratios will ultimately govern the relationship between the rate of taxation for each affected class and the tax rate for the residential property class. The tax ratio for the residential class is legislated at 1.0, while the farm and managed forest classes have a prescribed tax ratio of 0.25. For all other classes, Council may choose to adopt either the current tax ratio or establish a new tax ratio for the year that is closer to or within the Range of Fairness as set out in Table 2.

Table Two
City of Guelph Tax Ratio Summary

Class	2011 Actual	Range of Fairness	
		Lower Limit	Upper Limit
Residential	1.000000	1.000000	1.000000
Multi-residential	2.309425	1.000000	1.100000
New multi-residential	1.000000	1.000000	1.100000
Commercial	1.840000	1.000000	1.100000
Industrial	2.630000	1.000000	1.100000
Pipeline	1.917500	0.600000	0.700000
Farm	0.250000	0.000000	0.250000
Managed Forest	0.250000	0.000000	0.250000

Tax ratio reductions are typically approved to relieve tax burden that is perceived to be creating competitive disadvantage or inequity for properties in one or more classes. A reduction in tax burden for one tax class will result in increased tax burden for properties in all other classes as illustrated in Appendix 1 and 2. Once a reduction has been passed on, tax ratios above the "Range of Fairness" may not be increased to their former levels. The decision to reduce carries with it a degree of permanence.

Guelph continues to have one of the highest multi-residential tax ratios comparatively as identified in the 2011 BMA Study (See Table Three). In 2009, Council approved in principal a long term tax ratio strategy resulting in a multi-residential tax ratio of 2.1659. This was to be implemented over a four year period in order to match the timing of the phase-in of property value assessments.

Table Three: 2011 Select Ratios of Guelph and Comparator Municipalities from the 2011 BMA Study

Municipality	Multi-Residential	Commercial	Industrial
Ajax	1.8665	1.4500	2.2598
Barrie	2.5102	1.9191	2.4000
Brampton	1.7050	1.2971	1.4700
Brantford	2.1355	1.9360	2.6300
Burlington	2.2619	1.4565	2.3599
Cambridge	1.9500	1.9500	1.9500
Chatham - Kent	2.1488	1.9828	2.4349
Greater Sudbury	2.2667	2.1302	3.0255
Guelph	2.3094	1.8400	2.6300
Hamilton	2.7400	1.9800	3.2690
Kingston	2.4834	1.9800	2.6300
Kitchener	1.9500	1.9500	1.9500
London	2.0877	1.9800	2.6300
Markham	1.0000	1.1431	1.3305
Mississauga	1.7788	1.4098	1.5708
Niagara Falls	2.0440	1.7586	2.6300
Oakville	2.2619	1.4565	2.3599
Oshawa	1.8655	1.4500	2.2598
Ottawa	1.7000	1.9568	2.6109
Pickering	1.8655	1.4500	2.2598
Richmond Hill	1.0000	1.1431	1.3305
St. Catharines	2.0440	1.7586	2.6300
Thunder Bay	2.7400	1.9527	2.4300
Vaughan	1.0000	1.1431	1.3305
Waterloo	1.9500	1.9500	1.9500
Whitby	1.8665	1.4500	2.2598
Windsor	2.4681	1.9178	2.3618
Average	2.0000	1.6960	2.2575
Minimum	1.0000	1.1431	1.3305
Maximum	2.7400	2.1302	3.2690
Provincial Threshold	2.7400	1.9800	2.6300

As shown on comparison Table Three, all municipalities have a multi-residential tax ratio at or below the Provincial Threshold of 2.74. In 2011, Barrie, Kingston, London and Windsor as well as the municipalities in Niagara Region also reduced their multi-residential ratio.

To assist Council in evaluating the impact of continuing with the phase-in to reducing the multi-residential tax ratio, staff have modeled the effects of

moving to that target by 1) maintaining the same ratio as 2011 and 2) reducing the multi-residential ratio by a further one quarter (0.143525) from the 2011 ratio as per the reduction to the ratio that started in 2009 and 3) moving the multi-residential ratio to 2.0000, the average of our comparators in 2011.

The results of these scenarios have been set up to examine the impacts that changes may have on the multi-residential class, other classes and the base residential tax rate.

Scenario One: Maintaining the same Multi-Residential Tax ratio as 2011

Scenario One has been generated using the City's 2012 preliminary tax rates and 2012 Phased-in assessment as returned by MPAC and keeping all ratios constant at their 2011 level. The results of this analysis set out in Appendix One quantify the inter-class tax shifts that may occur as a result of this change both in terms of dollar and per cent change and also illustrates the anticipated change to the preliminary tax rate for each class.

Scenario Two: Incremental Reduction of Multi-Residential tax ratio: 2009-2012 – Phase 4: Final Phase

Scenario Two represents implementing the final phase of an incremental decrease over the course of four taxation years that followed the same timeline of the phase-in of the current reassessment. In this scenario, staff have modeled the impact of reducing the multi-residential tax ratio by 0.143525, a further one-quarter of the difference between the current ratio and the targeted ratio of 2.1659. This is the final reduction to the multi-residential ratio resulting from the reduction initiated in 2009. The multi-residential class will benefit from a shift of \$759,553 or 5.78% off of the class while the remaining classes will have to absorb this shift through a rate increase of 0.47%.

Scenario Three: Reducing the Multi-Residential tax ratio to 2.00000 – the 2011 Average of Our Comparator Municipalities

As the City of Guelph has lowered its multi-residential ratio over the 2009-2012 periods towards the average ratio, some of our comparator municipalities have done the same. These municipalities include Barrie, Kingston, Windsor, Niagara Falls and London as well as those located in the Regions of Waterloo and Durham. As a result, the average multi-residential ratio of our comparators is 2.0000. Even with the final phase-in of the four year multi-residential ratio reduction, Guelph is still higher than the average. If the multi-residential ratio was to be reduced from the proposed 2.1659 ratio for 2012 to the average of 2.0000, the multi-residential class would benefit from a shift of approximately \$1.6 million or 12.5% while the

remaining property classes will have to absorb this shift through a rate increase of 1.01%.

Tax Impact

Appendix 1 and 2 outlines the tax impacts to the average residential taxpayer of all three scenarios.

Under scenario one, the combined effect of maintaining the existing ratios, the 2012 education tax rate, the 2012 approved budget levy including funds for the Public Health, factoring in the reassessment impact and using the average residential assessment of \$292,000, the average residential taxpayer would see an increase of \$81.66 or 2.27%.

Using the same factors, but phasing in the multi-residential tax ratio under scenario two to 2.16590, the average taxpayer would realize an increase of \$95.75 or 2.67%.

Under scenario three, with a multi-residential ratio of 2.0000, the average taxpayer would realize an increase of \$112.21 or 3.12%.

If Council chooses to continue to reduce the multi-residential ratio to 2.16590, the impact would be an additional \$14 to the average residential homeowner. If Council chooses to reduce the multi-residential ratio to 2.0000, the impact would be an additional \$30 over leaving the multi-residential ratio at its 2011 value. Furthermore, in accordance with the *Tenant Protection Act*, local municipalities are required to provide notice of mandatory rent reductions to landlords and tenants of multi-unit residential complexes for any year in which the property taxes decrease by more than 2.5% from one year to the next. As a result of the multi-residential tax ratio reduction in 2011, of the 248 properties in the multi-residential class, 171 of these properties had their taxes reduced and more than 6,400 tenants were subject to rent reductions.

Given Council's wish to reduce the multi-residential tax ratio in keeping with Guelph's Long Term Financial Strategy, staff recommends reducing the multi-residential tax ratio to 2.16590. The recommendation to reduce the multi-residential ratio demonstrates the City's commitment in moving towards meeting the City's Strategic Plan goals of being "a balanced tax assessment ratio" and "a community-focused, responsible and accountable government." Making the tax ratio for this class more competitive is also consistent with the local growth strategy, which supports higher density in the residential sector. The impact on the average residential taxpayer still remains below the budget limitation as set by Council.

Mandatory Capping Parameters

Council must limit the assessment related tax increases on multi-residential, commercial and industrial properties by a mandatory cap of up to 5% of the previous years' CVA taxes. In 2005, the Province provided increased flexibility for municipalities with establishing additional optional capping parameters. Municipalities could now increase the assessment-related tax increases by up to 10% of the previous year's annualized capped taxes or 5% of the previous year's annualized CVA taxes, whichever was greater. Properties with taxes within \$250 of their CVA taxes could also be moved to full CVA tax. Beginning in 2009, municipalities added the option of permanently excluding properties from the capping once they reached their CVA destination. Under this feature, a property that reaches CVA tax in one year can be excluded from the capping program the next year. The implementation of all of the capping options (refer to Schedule 1, Page 11) to their maximum would provide the City with the necessary tools to move these capped classes closer to CVA taxation much quicker – the objective of reform. It would provide for greater stability and predictability. It is perceived to be fairer and equitable to taxpayers. Properties in the same class with the same CVA will pay the same tax and this will provide municipalities with the flexibility to end the tax capping program and rely on the assessment phase-in as the sole means of providing tax protection.

Assuming a multi-residential ratio of 2.16590, the impacts on the affected classes are as follows:

Commercial: There are currently 1,226 commercial properties. 1,053 of these properties would now be taxed at their full CVA tax as compared with 578 if set at the 5% mandatory capping parameter. The dollar value of those properties requiring protection falls from \$300,728 to \$173,417. The claw back rate falls from 47.3033% to 38.6125%.

Industrial: There are currently 318 industrial properties within the City of Guelph. 299 properties would now be taxed at CVA tax as compared to 64 properties if the capping parameters were not implemented. The dollar value of required protection falls from \$12,586 to \$10,066.

Multi-residential: There are currently 247 multi-residential properties. All 247 of these properties would be taxed at CVA taxes under either capping option selection.

These figures change slightly if a multi-residential ratio of 2.0000 is adopted. As in previous years, the overall principle for tax policy is to promote and adopt positions that shorten the time frame to achieve full CVA taxation and that simplify the complexities of the tax system. Fair tax policies and a balanced tax ratio form an integral part of the City's Strategic goals.

Contemplations for 2013 and Beyond

At the end of 2012, the Municipal Property Assessment Corporation (MPAC) is expected to complete a province wide reassessment to be used as the basis for taxation for the years 2013 – 2016. Any increases to the value of a property are expected to be phased-in over 2013 – 2016 just as the increases from the last reassessment were phased-in over the 2009 – 2012 taxation years. Decreases in the value of a property are reflected in the assessment immediately.

Reassessment is not “new” assessment and does not represent new revenue – it is simply a restatement of property values to their current market value. These changes in market value can be different for different property classes. This can result in shifts in the tax burden borne by different property classes, similar to the shifts in tax burdens that occur due to changes in the tax ratios.

In preparation for the re-assessment, staff have examined our current tax ratios for areas in which change might be considered. Any decrease in the ratio of one property class increases the tax burden borne by all other property classes. While they are not recommended at this time, these changes should be contemplated once the 2013 reassessment is completed. At that time, the impacts of any ratio changes will be better known.

Industrial Ratio:

For the 2011 taxation year, the City of Guelph has an industrial tax ratio of 2.63000. This is higher than the comparator’s average ratio of 2.2575 (See Table Two for comparison of 2011 Tax Ratios). While reducing the industrial tax ratio would reduce the tax burden on the industrial property class, it would increase the burden for all other property classes. Table Four outlines the impacts on an average residential property (utilizing 2011 tax rates) of any change in the industrial ratio.

Table Four: Potential Industrial Ratio Changes

Industrial Ratio	Resulting Residential Tax Rate	Assessment	Residential Taxes	Effect of Industrial Ratio Change on RT Taxes	% Decrease in Taxation for Industrial Properties
2.63000	1.024684%	292,000	\$2,992.08		
2.25750	1.040383%	292,000	\$3,037.92	\$45.84	12.44%
2.44380	1.032472%	292,000	\$3,014.82	\$22.74	5.94%
2.53690	1.028563%	292,000	\$3,003.40	\$11.33	2.72%

It is recommended that any changes to the industrial ratio not be implemented at this time but be reviewed further once the Province-wide reassessment is completed for the 2013 taxation year. Re-assessment can act to shift the burden between property tax classes, much like tax ratios, and impacts the burdens borne by each tax class. Staff will be in a better position to estimate the tax shifts of any ratio changes over 2013-2016 once the shifts due to re-assessment are known.

CORPORATE STRATEGIC PLAN

1.6 – A balance tax assessment ratio

3.4 – Fair tax policies and streamlined processes across all levels of government

5.3 – Open, accountable & transparent conduct of municipal government

FINANCIAL IMPLICATIONS

There would be no financial implication to changing the tax ratio as no additional revenue would be realized. Changing the tax ratio merely shifts the tax burden from one class to another.

There would be no financial implication as the capping impact would be achieved from within the class itself.

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

Appendix 1 – Multi-residential ratio impact (Scenario One and Two)

Appendix 2 – Multi-residential ratio impact (Scenario One and Three)

Schedule 1 – 2011 Property Tax Policy Report

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2012 Preliminary Levy					Inter-Class Tax Shifts		Effective Tax Rates		
Property Class	Scenario 1		Scenario 2				Using Existing Ratios	Multi-res ratio @2.16590	Tax Rate Change %
	Existing Ratios Tax Levy	% of Total Tax Levy	Multi-residential Ratios set at 2.16590	% of Total Tax Levy	\$	%			
Taxable									
Residential	\$112,833,511	62.90%	\$113,358,551	63.19%	\$525,040	0.47%	1.037386%	1.042213%	0.47%
Farm	\$11,480	0.01%	\$11,534	0.01%	\$54	0.47%	0.259346%	0.260553%	0.47%
Managed Forest	\$1,721	0.00%	\$1,729	0.00%	\$8	0.46%	0.263708%	0.264935%	0.47%
New Multi-Residential	\$325,635	0.18%	\$327,150	0.18%	\$1,515	0.47%	1.037386%	1.042213%	0.47%
Multi-residential	\$13,378,835	7.46%	\$12,606,331	7.03%	-\$772,504	-5.77%	2.395765%	2.257330%	-5.78%
Commercial	\$30,267,899	16.87%	\$30,408,744	16.95%	\$140,845	0.47%	1.908791%	1.917672%	0.47%
Industrial	\$19,024,074	10.60%	\$19,112,597	10.65%	\$88,523	0.47%	2.728325%	2.741020%	0.47%
Pipeline	\$497,437	0.28%	\$499,750	0.28%	\$2,313	0.46%	1.989188%	1.998443%	0.47%
Subtotal Taxable	\$176,340,592	98.30%	\$176,326,386	98.29%	-\$14,206	-0.01%			
Payments in Lieu									
Residential	\$12,758	0.01%	\$12,818	0.01%	\$60	0.47%	1.037386%	1.042213%	0.47%
Commercial	\$3,040,012	1.69%	\$3,054,158	1.70%	\$14,146	0.47%	1.908791%	1.917672%	0.47%
Industrial	\$0	0.00%	\$0	0.00%	\$0	0.00%	2.728325%	2.741020%	0.47%
Subtotal PIL	\$3,052,770	1.70%	\$3,066,976	1.71%	\$14,206	0.47%			
TOTAL	\$179,393,362	100.00%	179,393,362	100.00%	\$0	\$0			

Property Tax using current City Ratios			
Taxation Year	Average Assessment	Tax Rate	Residential
2011	281,702	1.275400%	\$3,592.83
2012	292,000	1.258386%	\$3,674.49
Increase/(Decrease) in Taxes 2011 & 2012			\$81.66
Impact on average residential taxpayer			2.27%
(budget, public health, reassessment & education)			
Property Tax using Changed Ratios			
2011	281,702	1.275400%	\$3,592.83
2012	292,000	1.263213%	\$3,688.58
Increase/(Decrease) in Taxes 2011 & 2012			\$95.75
Impact on average residential taxpayer			2.67%
(budget, public health, reassessment & education)			
Total impact on average residential taxpayer			\$14.09

2012 Preliminary Levy					Inter-Class Tax Shifts		Effective Tax Rates		
Property Class	<u>Scenario 1</u>		<u>Scenario 2</u>				<u>Using Existing Ratios</u>	<u>Multi-res ratio @ 2.16590</u>	<u>Tax Rate Change %</u>
	<u>Existing Ratios</u>	<u>% of Total</u>	<u>Multi-residential Ratios set at 2.16590</u>	<u>% of Total</u>	<u>\$</u>	<u>%</u>			
	<u>Tax Levy</u>	<u>Tax Levy</u>		<u>Tax Levy</u>					
Taxable									
Residential	\$112,833,511	62.90%	\$113,358,551	63.19%	\$525,040	0.47%	1.037386%	1.042213%	0.47%
Farm	\$11,480	0.01%	\$11,534	0.01%	\$54	0.47%	0.259346%	0.260553%	0.47%
Managed Forest	\$1,721	0.00%	\$1,729	0.00%	\$8	0.46%	0.263708%	0.264935%	0.47%
New Multi-Residential	\$325,635	0.18%	\$327,150	0.18%	\$1,515	0.47%	1.037386%	1.042213%	0.47%
Multi-residential	\$13,378,835	7.46%	\$12,606,331	7.03%	-\$772,504	-5.77%	2.395765%	2.257330%	-5.78%
Commercial	\$30,267,899	16.87%	\$30,408,744	16.95%	\$140,845	0.47%	1.908791%	1.917672%	0.47%
Industrial	\$19,024,074	10.60%	\$19,112,597	10.65%	\$88,523	0.47%	2.728325%	2.741020%	0.47%
Pipeline	\$497,437	0.28%	\$499,750	0.28%	\$2,313	0.46%	1.989188%	1.998443%	0.47%
Subtotal Taxable	\$176,340,592	98.30%	\$176,326,386	98.29%	-\$14,206	-0.01%			
Payments in Lieu									
Residential	\$12,758	0.01%	\$12,818	0.01%	\$60	0.47%	1.037386%	1.042213%	0.47%
Commercial	\$3,040,012	1.69%	\$3,054,158	1.70%	\$14,146	0.47%	1.908791%	1.917672%	0.47%
Industrial	\$0	0.00%	\$0	0.00%	\$0	0.00%	2.728325%	2.741020%	0.47%
Subtotal PIL	\$3,052,770	1.70%	\$3,066,976	1.71%	\$14,206	0.47%			
TOTAL	\$179,393,362	100.00%	179,393,362	100.00%	\$0	\$0			

<u>Property Tax using current City Ratios</u>			
<u>Taxation Year</u>	<u>Average Assessment</u>	<u>Tax Rate</u>	<u>Residential</u>
2011	281,702	1.275400%	\$3,592.83
2012	292,000	1.258386%	\$3,674.49
Increase/(Decrease) in Taxes 2011 & 2012			\$81.66
Impact on average residential taxpayer			2.27%
<i>(budget, public health, reassessment & education)</i>			
<u>Property Tax using Changed Ratios</u>			
2011	281,702	1.275400%	\$3,592.83
2012	292,000	1.263213%	\$3,688.58
Increase/(Decrease) in Taxes 2011 & 2012			\$95.75
Impact on average residential taxpayer			2.67%
<i>(budget, public health, reassessment & education)</i>			
Total impact on average residential taxpayer			\$14.09

2012 Preliminary Levy					Inter-Class Tax Shifts		Effective Tax Rates		
Property Class	Scenario 1		Scenario 3				Using Existing Ratios	Multi-res ratio @ 2.00000	Tax Rate Change %
	Existing Ratios Tax Levy	% of Total Tax Levy	Multi-residential Ratios set at 2.00000	% of Total Tax Levy	\$	%			
Taxable									
Residential	\$112,833,511	62.90%	\$113,971,566	63.53%	\$1,138,055	1.01%	1.037386%	1.047849%	1.01%
Farm	\$11,480	0.01%	\$11,596	0.01%	\$116	1.01%	0.259346%	0.261962%	1.01%
Managed Forest	\$1,721	0.00%	\$1,738	0.00%	\$17	0.99%	0.259346%	0.261962%	1.01%
New Multi-Residential	\$325,635	0.18%	\$328,920	0.18%	\$3,285	1.01%	1.037386%	1.047849%	1.01%
Multi-residential	\$13,378,835	7.46%	\$11,704,391	6.52%	-\$1,674,444	-12.52%	2.395765%	2.095698%	-12.52%
Commercial	\$30,267,899	16.87%	\$30,573,187	17.04%	\$305,288	1.01%	1.908791%	1.928042%	1.01%
Industrial	\$19,024,074	10.60%	\$19,215,953	10.71%	\$191,879	1.01%	2.728325%	2.755843%	1.01%
Pipeline	\$497,437	0.28%	\$502,453	0.28%	\$5,016	1.01%	1.989188%	2.009251%	1.01%
Subtotal Taxable	\$176,340,592	98.30%	\$176,309,804	98.28%	-\$30,788	-0.02%			
Payments in Lieu									
Residential	\$12,758	0.01%	\$12,887	0.01%	\$129	1.01%	1.037386%	1.047849%	1.01%
Commercial	\$3,040,012	1.69%	\$3,070,671	1.71%	\$30,659	1.01%	1.908791%	1.928042%	1.01%
Industrial	\$0	0.00%	\$0	0.00%	\$0	0.00%	2.728325%	2.755843%	1.01%
Subtotal PIL	\$3,052,770	1.70%	\$3,083,558	1.72%	\$30,788	1.01%			
TOTAL	\$179,393,362	100.00%	179,393,362	100.00%	\$0	\$0			

Property Tax using current City Ratios			
Taxation Year	Average Assessment	Tax Rate	Residential
2011	281,702	1.275400%	\$3,592.83
2012	292,000	1.258386%	\$3,674.49
Increase/(Decrease) in Taxes 2011 & 2012			\$81.66
Impact on average residential taxpayer			2.27%
(budget, public health, reassessment & education)			
Property Tax using Changed Ratios			
2011	281,702	1.275400%	\$3,592.83
2012	292,000	1.268849%	\$3,705.04
Increase/(Decrease) in Taxes 2011 & 2012			\$112.21
Impact on average residential taxpayer			3.12%
(budget, public health, reassessment & education)			
Total impact on average residential taxpayer			\$30.55



CORPORATION OF THE CITY OF GUELPH

2012 PROPERTY TAX POLICY REPORT

Prepared by
Finance Department
Taxation and Revenue

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INTRODUCTION

The *Municipal Act* sets out the parameters to be followed by municipalities when setting property tax policies.

These parameters include:

- Establishing tax ratios and discounts
- Graduated taxation and optional classes
- Capping options on multi-residential, commercial and industrial properties
- Levy restrictions which prevents municipalities from passing on levy increases to capped classes which have tax ratios in excess of provincial averages

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 2012 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 has considered factors such as economic impact, equity/fairness, and administrative impact.

In accordance with Section 308(4) of the *Municipal Act, 2001* tax ratios must be established each year. A by-law must be passed in the year to establish the municipality's tax ratios for that year.

SUMMARY OF RECOMMENDATIONS FOR THE 2012 TAXATION YEAR

<i>POLICY</i>	<i>STAFF RECOMMENDATION</i>
Tax Ratios, Class Discounts and Tax Rates	THAT the 2012 City tax ratios, class discounts and tax rates be approved as set out in Appendix 1; and THAT staff be directed to prepare the necessary tax ratio and tax rating by-laws
Graduated tax rates	Not recommended for 2012
Optional classes	Not recommended for 2012
New Multi-Residential Properties	THAT the Multi-residential property class continue as per By-law (2002)-16852 Refer to Appendix 2.
Mandatory Capping	THAT the following parameters be established for the purposes of calculating the 2012 capping and clawback rates in accordance with section 329.1 of the Municipal Act: (Refer to Appendix 3) <ol style="list-style-type: none"> 1. Cap limit of 10% of 2010 annualized taxes 2. Minimum tax increase of 5% of 2010 CVA(Current value assessment) 3. Move capped /claw back properties to CVA tax if the capped /claw back taxes are within a maximum of \$250 of CVA taxes without creating a shortfall 4. Exclude properties previously at CVA tax 5. Exclude properties that cross CVA tax 6. Set a minimum tax level of 100% of CVA tax for new construction and new to class for business properties(multi-residential, commercial & industrial) <p>THAT staff be directed to prepare the necessary by-law.</p>
Municipal Tax Reduction	Not recommended for 2012
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 Appendix 4.

**Tax relief for charities
and other similar
organizations**

THAT the tax relief program for charities be continued for the 2012 taxation year in accordance with By-law (2002) – 16851. Refer to Appendix 5.

TAX RATIOS, CLASS DISCOUNTS and TAX RATES

STAFF RECOMMENDATION

*THAT the 2012 City tax ratios, class discounts and tax rates be approved as set out in Appendix 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*
- Most significant tax policy decision is that of tax ratios
- 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 City 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 City's ability to adjust tax ratios and redistribute the tax burden between property classes is limited by the "ranges of fairness" established by the Province (see Appendix 1 attached) 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. Any tax ratio changes would result in a shift of taxation onto the residential class and increase in municipal taxes paid by the residential taxpayer.
- 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 fact that the low end of the fairness ranges for commercial/industrial classes is below the residential tax ratio indicates the former government felt the property taxes for businesses should be less than property taxes for 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

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 2012

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	<u>Band 1</u> \$0 to \$1,000,000 of CVA	<u>Band 2</u> \$1,000,001 to \$2,500,000 of CVA	<u>Band 3</u> 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
- Designed for the commercial/industrial property classes. These classes already receive preferential treatment relative to tax ratios and the continued capping of tax increases.
- Another level of complexity that has no real benefit.

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 2012

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 Appendix 2.***

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 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

MANDATORY CAPPING

STAFF RECOMMENDATION:

THAT the following parameters be established for the purposes of calculating the 2012 capping and claw back rates in accordance with section 329.1 of the Municipal Act:

- 1. Cap limit of 10% of 2011 annualized taxes or*
- 2. Minimum tax increase of 5% of 2011 CVA taxes, whichever is greater*
- 3. Move capped/claw backed properties to CVA tax responsibility if the capped taxes/claw back taxes are within a maximum of \$250 of CVA taxes without creating a shortfall*
- 5. Exclude properties previously at CVA tax*
- 6. Exclude properties that cross CVA tax in*
- 7. Set a tax level of 100% of CVA tax for new construction & new to class business properties (multi-res, commercial & industrial)*

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 mandatory cap of up to 5%
- Increasing the cap between 5% and 10%, or selecting 5% of CVA tax (whichever is higher)
- If an increasing/decreasing property is within \$250 of CVA taxation, then it may be billed the full amount
- Appendix 3 attached illustrates the impact of adopting all of the capping options

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.
- Having properties at or close to their CVA taxes can reduce the tax capping impacts resulting from reassessment
- The best method to avoid capping shortfalls requires the use of the highest allowable percentage for capped tax increases

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 2012

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
- This reduction would be applied as a tax rate reduction and not an after the fact rebate
- 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 not shared with the school boards

POLICY CONSIDERATIONS

Economic impact:

- This can be a very costly tool to the City's operating budget to fund the total cost of the tax reduction 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 Appendix 4

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**

- Tax relief is in the form of a deferral of taxes
- The amount eligible for deferral is the total increase given that the increase is greater than or equal to \$300 annually. No tax relief applies if the amount of the tax increase is less than \$300.
- 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:

- be receiving the Old Age Security pension;
- be resident in Canada; and
- 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 are 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 2012 taxation year in accordance with By-law (2002)- 16851. Refer to Appendix 5.

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 to 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 in any war (i.e.- Legion, Army & Navy)
- Types of Charitable organizations benefitting from the rebate program include Family & Children Service, Canadian Mental Health, Second Chance, St. John's Ambulance, Salvation Army, etc.
- In 2011, the City processed approximately 40 applications for a total dollar amount of \$337,612 of which the City was responsible for \$183,857.

Appendix One

PROPERTY CLASS	CITY OF GUELPH TRANSITION RATIOS	PROVINCIAL THRESHOLD RATIOS	GUELPH'S 2011 TAX RATIOS	RECOMMENDED CITY OF GUELPH 2012 TAX RATIOS	TAX RATE REDUCTIONS 2012	TAX RATES 2012	PUBLIC HEALTH 2012	TOTAL TAX RATES 2012
Residential	1.000000	1.000000	1.000000	1.000000		1.024684%	0.017529%	1.042213%
Residential - Farmland 1	1.000000	1.000000	1.000000	1.000000	25%	0.768513%	0.013147%	0.781660%
Residential - Farmland 4	1.000000	1.000000	1.000000	1.000000		1.024684%	0.017529%	1.042213%
New Multi-residential	1.000000	1.000000	1.000000	1.000000		1.024684%	0.017529%	1.042213%
Multi-residential	3.089700	2.740000	2.309425	2.165900		2.219363%	0.037967%	2.257330%
Multi-residential - Farmland 1	3.089700	2.740000	1.000000	1.000000	25%	0.768513%	0.013147%	0.781660%
Multi-residential - Farmland 4	3.089700	2.740000	2.309425	2.165900		2.219363%	0.037967%	2.257330%
Commercial	1.840000	1.980000	1.840000	1.840000		1.885418%	0.032254%	1.917672%
Commercial - Farmland 1	1.840000	1.980000	1.000000	1.000000	25%	0.768513%	0.013147%	0.781660%
Commercial - Farmland 4	1.840000	1.980000	1.840000	1.840000		1.885418%	0.032254%	1.917672%
Commercial - Excess Land	1.840000	1.980000	1.840000	1.840000	30%	1.319793%	0.022578%	1.342371%
Commercial - Vacant Land	1.840000	1.980000	1.840000	1.840000	30%	1.319793%	0.022578%	1.342371%
Commercial- New Constr-Full	1.840000	1.980000	1.840000	1.840000		1.885418%	0.032254%	1.917672%
Commercial-New Constr-excess	1.840000	1.980000	1.840000	1.840000	30%	1.319793%	0.022578%	1.342371%
Industrial	3.271100	2.630000	2.630000	2.630000		2.694918%	0.046102%	2.741020%
Industrial - Farmland 1	3.271100	2.630000	1.000000	1.000000	25%	0.768513%	0.013147%	0.781660%
Industrial - Farmland 4	3.271100	2.630000	2.630000	2.630000		2.694918%	0.046102%	2.741020%
Industrial - Excess Land	3.271100	2.630000	2.630000	2.630000	35%	1.751697%	0.029966%	1.781663%
Industrial - Vacant land	3.271100	2.630000	2.630000	2.630000	35%	1.751697%	0.029966%	1.781663%
Industrial - New Constr-Full	3.271100	2.630000	2.630000	2.630000		2.694918%	0.046102%	2.741020%
Industrial- New Constr-Excess	3.271100	2.630000	2.630000	2.630000	35%	1.751697%	0.029966%	1.781663%
Pipelines	1.917500	1.917500	1.917500	1.917500		1.964831%	0.033612%	1.998443%
Farmlands	0.250000	0.250000	0.250000	0.250000		0.256171%	0.004382%	0.260553%
Managed Forests	0.250000	0.250000	0.250000	0.250000		0.256171%	0.004382%	0.260553%

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.

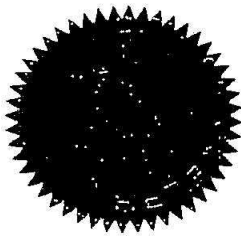
WHEREAS By-law (1998)-15832 provides for the establishment of a separate
property class for new multi-residential properties;

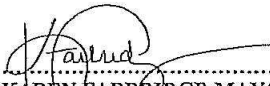
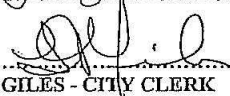
AND WHEREAS, it is deemed desirable that property in the new multi-
residential class be taxed at the lower residential/farm rate for the first 35 years.

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

Capping Analysis

<i>Assuming Multi-Res Ratio of 2.1659</i>						
<u>Capping and Threshold Parameters Used</u>	<u>Mandatory Options - 5% Capping</u>			<u>All Available Capping Options</u>		
	<u>Using Current Ratios</u>			<u>Using Current Ratios</u>		
	<u>Multi-Residential</u>	<u>Commercial</u>	<u>Industrial</u>	<u>Multi-Residential</u>	<u>Commercial</u>	<u>Industrial</u>
Annualized Tax Limit	5%	5%	5%	10%	10%	10%
Prior Year CVA Tax Limit	0%	0%	0%	5%	5%	5%
CVA Tax Threshold - Increases	0	0	0	\$250	\$250	\$250
CVA Tax Threshold - Decreases	0	0	0	\$250	\$250	\$250
Exclude Properties Previously at CVA Taxes	No	No	No	Yes	Yes	Yes
Exclude Properties that cross CVA Taxes	No	No	No	Yes	Yes	Yes
Total Properties	247	1226	318	247	1226	318
Number of Properties Capped	0	100	9	0	17	3
% of Properties Capped	0.00%	8.16%	2.83%	0.00%	1.39%	0.94%
\$ Value of Protection	\$0	\$300,728	\$12,586	\$0	\$173,417	\$10,066
Net Class Impact	0	0	0	0	0	0
Number of Properties Clawed Back	0	548	245	0	156	16
% of Properties Clawed Back	0.00%	44.70%	77.04%	0.00%	12.72%	5.03%
Clawback Percentage	0.0000%	47.3033%	1.1590%	0.0000%	38.6125%	4.2717%
Number of Properties at CVA	247	578	64	247	1053	299
% of Properties at CVA	100.00%	47.15%	20.13%	100.00%	85.89%	94.03%

**Assuming Multi-Res Ratio of
2.0000**

<u>Capping and Threshold Parameters Used</u>	Mandatory Options - 5% Capping			All Available Capping Options		
	Using Current Ratios			Using Current Ratios		
	<u>Multi- Residential</u>	<u>Commercial</u>	<u>Industrial</u>	<u>Multi- Residential</u>	<u>Commercial</u>	<u>Industrial</u>
Annualized Tax Limit	5%	5%	5%	10%	10%	10%
Prior Year CVA Tax Limit	0%	0%	0%	5%	5%	5%
CVA Tax Threshold - Increases	0	0	0	\$250	\$250	\$250
CVA Tax Threshold - Decreasers	0	0	0	\$250	\$250	\$250
Exclude Properties Previously at CVA Taxes	No	No	No	Yes	Yes	Yes
Exclude Properties that cross CVA Taxes	No	No	No	Yes	Yes	Yes
Total Properties	247	1226	318	247	1226	318
Number of Properties Capped	0	111	10	0	17	3
% of Properties Capped	0.00%	9.05%	3.14%	0.00%	1.39%	0.94%
\$ Value of Protection	\$0	\$272,621	\$12,853	\$0	\$174,748	\$10,267
Net Class Impact	0	0	0	0	0	-158
Number of Properties Clawed Back	0	481	240	0	154	16
% of Properties Clawed Back	0.00%	39.23%	75.47%	0.00%	12.56%	5.03%
Clawback Percentage	0.0000%	49.0783%	1.3042%	0.0000%	41.8060%	4.5518%
Number of Properties at CVA	247	634	68	247	1055	299
% of Properties at CVA	100.00%	51.71%	21.38%	100.00%	86.05%	94.03%



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.
-

A Great Place to Call Home

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..

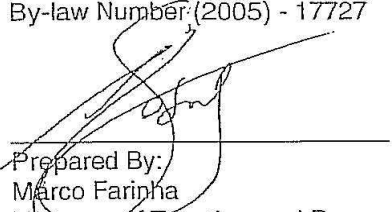
A survey of Kitchener, Waterloo and Oakville indicates that only five taxpayers in all enjoy this program. The City of Cambridge received three applications for 2003 and 2004 but none of these qualified for the deferral. The City of Guelph has never received any applications for deferred taxes.

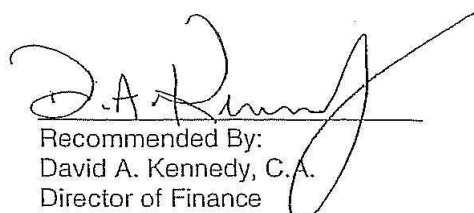
IMPLICATIONS:

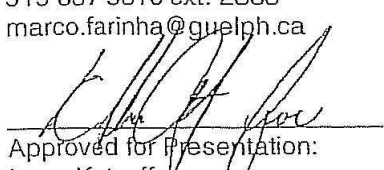
The City approved By-law 17727-(2005) as required by Section 319 of the Municipal Act.

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

A Great Place to Call Home

Page 2 of 2

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.2001, 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.

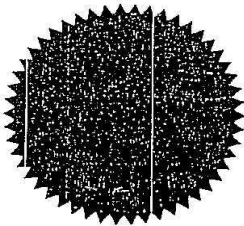
3. Deferred amounts shall continue until the property is sold or until the eligible applicant ceases to be eligible, at which time the total deferred amounts become a debt payable to the Corporation of the City of Guelph.

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.

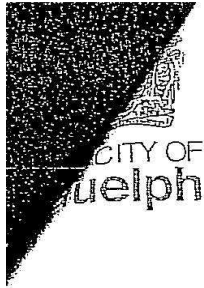
5. The amount of tax relief granted pursuant to this by-law shall represent a lien against the property.
6. Tax relief is only allowed on one principal residence of the qualified individual or the qualifying spouse.
7. Application for tax relief must be made annually to the City to establish eligibility 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. QUARRÉ - MAYOR

.....
V.CHARLENE LAVIGNE-DEPUTY CITY CLERK



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

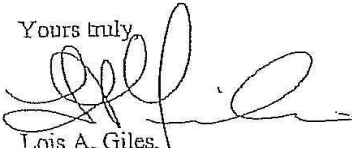
Councillor Karl Wettstein

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

phm



THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2002) - 16851

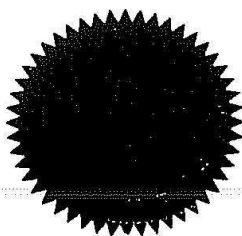
A By-law to provide for relief from
taxes for charitable organizations and to
repeal by-law number (1998)-15834.

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;

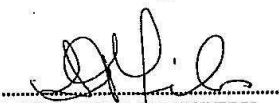
THEREFORE THE CORPORATION OF THE CITY OF GUELPH ENACTS AS
FOLLOWS:

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(20) 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 PARBRIDGE-MAYOR


LOIS A GILES-CITY CLERK

COMMITTEE REPORT



TO Corporate Administration, Finance & Emergency Services
Committee (CAFES)

SERVICE AREA Finance and Enterprise Services
DATE April 10, 2012

**SUBJECT Funding related for existing & proposed City of Guelph
Tax-Increment Based Grant (TIBG) programs.**

REPORT NUMBER 12-01

SUMMARY

Purpose of Report

To provide Council an overview of the existing and proposed tax-increment based grants (TIBGs) offered by the City of Guelph and to recommend an updated financial model creating a sustainable funding stream for these community investment incentives beginning in the 2013 budget.

Committee Action

Approve.

Report Highlights

The Long-Term Financial Benefits of TIBGs

- The report provides an updated funding model to secure the long term benefit of increasing the municipal tax base and achieving strategic community objectives.
- The recommended funding model is based on reserve contributions which will further reduce the City's reliance on debt.
- Program funding limits are being identified to provide clear administrative guidance for Staff and the public.

TIBGs as an investment tool for underutilized sites across the City

- There has been over a year of public dialogue and private sector discussions on investment tools for the Downtown Guelph Community Improvement Plan (DGCIP) as well as the upcoming update to the Brownfield Community Improvement Plan. This report supports the individual refinements to these programs.
- The TIBG programs target private-sector redevelopment of underutilized and/or vacant sites in challenging and/or strategic areas.

RECOMMENDATION

THAT Report 12-01, Funding related to existing & proposed City of Guelph Tax-Increment Based Grant (TIBG) programs, prepared by Finance and Enterprise Services, dated April 10, 2012, BE RECEIVED;

AND THAT the financial directions recommended in "Report 12-01 Funding related to existing & proposed City of Guelph Tax-Increment Based Grant (TIBG) programs", dated April 10, 2012, BE APPROVED;

BACKGROUND

The City of Guelph currently has two active multi-year redevelopment incentive programs: The Brownfield Redevelopment Tax Increment-Based Grant and the Heritage Redevelopment Grant. In addition, a new downtown program is being launched – the Downtown Major Activation Grant. These programs are briefly described in Attachment 1.

The goal of these TIBG programs is to stimulate investment by reducing financial barriers on challenging or strategic areas or sites in the community.

Staff have recommended the TIBG format as a sound incentive model because the project must be completed (i.e. fully developed and re-assessed) before any grant monies are paid. The grant is based on the real tax increment created by the development, paying that increment amount over a maximum of 10 years towards eligible program costs. The TIBG is not a 'tax-deferral' arrangement: the site pays taxes in full from the beginning.

REPORT

This report brings forward and recommends the framework for the TIBG program funding for all three TIBG programs as there are two key issues:

1. Scale

The two active programs (Brownfield and Heritage) have seen significant applications over the last several years. In total, the City has currently committed and supported almost \$10M in TIBG applications. Based on staff review of the potential forecast uptake of the three programs, this figure could grow substantially.

Staff have identified the need to more proactively, and in a more coordinated way, plan for the cash flow related to the payment of the grant commitments of this scale.

2. City's Accounting Practices

Further, Staff identified the need to review the impact of TIBGs based on our accrual-based accounting practices. In accrual-based accounting, TIBGs are considered financial commitments, and as they become confirmed through the completion of the individual project, they need to be recognized as such within the City's debt-continuity schedule.

Program Funding Recommendation

Commencing in 2013, Staff is recommending an annual \$500,000 incremental reserve contribution for all multi-year redevelopment incentive programs for the period 2013 – 2017. This total program budget of \$33M does not alter the 2012 Council approved 10-year capital budget and forecast while providing significant room for the Brownfield CIP to attract investment as well as launch the Downtown Major DAG. The individual caps are broken down as follows:

Program	Current Commitments	Forecast Uptake	Total Program Caps
Brownfield CIP	\$7.0M	\$9.9M	\$16.9M
Heritage	\$2.6M	\$1.1M	\$3.7M
Downtown CIP	\$0	\$12.4M	\$12.4M
			\$33M

Each program is required to report annually and be reviewed comprehensively in five year increments. Staff anticipate that the program caps may be adjusted over subsequent years to reflect the interest and uptake in individual programs.

FINANCIAL IMPLICATIONS

In consultation with City auditors, Finance has determined that Tax increment based grants will need to be treated as financial obligations and therefore the entire grant amount will need to be recognized in year of reassessment by MPAC. At this point, the commitment is authorized by the agreement, grant amount can be quantified and all significant eligibility criteria has been met. These commitments will need to be included in our debt continuity schedule and form part of overall City debt ratios. The City would still remain within Council approved debt ratios if the \$33 million program is approved.

As well, in order to smooth the impact of the grant payments to the City Tax Supported Operating budget over the duration of the program, Finance is recommending that approximately \$500,000 be added to the transfer to the Brownfield, Heritage, and Downtown redevelopment reserves annually from 2013 - 2017. This will result in approximately .3% impact on the tax rate in each of these years.

Economic Benefits

Brownfield CIP

The City's Brownfield Redevelopment CIP was approved by the Minister of Municipal Affairs and Housing in March of 2004 and amended by Council on July 7, 2008. The purpose of the CIP and its financial incentive programs is to stimulate investment in remediation, reuse and redevelopment of brownfield sites that otherwise would not be redeveloped. The premise of the CIP is that City investment in the remediation and redevelopment of brownfield sites will result in proportionally greater improvements to environmental and neighbourhood conditions while creating additional tax revenues in the long-

term that would not otherwise be realized if the brownfield site remained vacant or underutilized.

Downtown Guelph CIP

The Downtown Guelph CIP was established in part to recognize and address the stagnation of residential development and economic vitality in the plan area. A study commissioned by the City in 2009 in relation to the Baker Street development concluded a residential market has yet to be established and this is confirmed by the fact that there has not been any new significant private sector development in the downtown core in the past 25 years.

Incentivizing the early projects in overcoming this significant inertia and market risk is one of the fundamental roles of the Downtown CIP. The funding clarity provided by this recommendation allows Staff and Council to land the early opportunities and contribute to the establishment of a new housing and intensification market in the City.

Return on Investment

Finance staff have reviewed and estimated the Current Value Assessment (CVA) value for the Downtown Guelph area (based on the Urban Growth Centre definition) at **\$505 million**. The scale of new CVA growth represented by the Downtown Secondary Plan targets represents, conservatively, a **doubling** of the CVA in present value dollars by 2031.

The \$12.4M identified for the Downtown would stimulate:

- | | |
|--|-------------------------------|
| <ul style="list-style-type: none">• 450-500 residential units• 800-1,000 new residents• Private sector investment of >\$125M | } Return on Investment |
|--|-------------------------------|

**Based on identified and anticipated projects.*

Projected Brownfield and Heritage grants would produce additional investments and add to these substantial figures. It is this momentum that will assist the achievement of the overall growth objectives for the City over the long-term.

CORPORATE STRATEGIC PLAN

2012 Update

Early testing of the 2012 Strategic Plan directions in Council workshops indicates that there is a strong desire to support strategic assessment-growth related projects such as downtown intensification and Brownfield site activation.

2011

Goal 1: *An attractive, well-functioning and sustainable city*

1.2 Municipal sustainability practices that become the benchmark against which other cities are measured

1.5 The downtown as a place of community focus and destination of national interest

Goal 3: *A diverse and prosperous local economy*

3.1 Thriving and sustainable local employment opportunities

3.2 *One of Ontario's top five and Canada's top ten places to invest.*

Goal 5: *A community-focused, responsive and accountable government*

5.4 Partnerships to achieve strategic goals and objectives

DEPARTMENTAL CONSULTATION

Finance

Downtown Renewal

Economic Development

Planning & Building, Engineering and Environment Services

Legal

COMMUNICATIONS

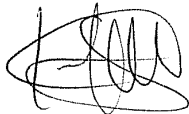
N/A

ATTACHMENTS

Attachment 1 – Description of TIBGs

Attachment 2 – Fiscal Impact - Draft

Attachment 3 – Debt Continuity Schedule – Draft



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Attachment 1 – Description of TIBGs (Existing and Proposed Programs)

The Brownfield Redevelopment TIBG

The Brownfield TIBG is the major tool within the Brownfield CIP to assist sites with the financing of environmental clean-up in order to get affected properties back into productive use. Grants toward the eligible costs of remediation are paid to the property owner or designate, based on the municipal tax increase between pre- and post- development.

Currently the Brownfield CIP is supported by the Brownfield Strategy Reserve. This reserve has had allocations from operating to support other small-scale programs within the CIP; however, the TIBG component has not been directly funded.

Currently there is no end date for offering Brownfield TIBGs

The Heritage Redevelopment Grant

The Heritage Redevelopment Reserve was created in 2007 to assist owners or developers of designated heritage properties in the intensification or redevelopment of their sites.

This grant has been funded through contributions from the operating budget as approved by Council during the annual budget process. Over the last 5 years, the City has provided reserve contributions to meet anticipated grants made under the program.

Currently there is no end date for offering Heritage grants to property owners, but we are recommending that all programs be reviewed every five years.

Major Downtown Activation Grant (New program in DGCIP)

In addition to the two active programs, a third, the Major Downtown Activation Grant has been brought forward, but not implemented, through the Downtown Community Improvement Plan. (Amendment No. 1 to the DGCIP was adopted by Council through by-law on December 5, 2011)

The Implementation Guidelines for the Downtown CIP are being brought forward to Council in the Spring of 2012. They include the recommendation to implement the Major Downtown Activation Grant. This program has the potential to result in significant grants.

This program differs from the previous two as it is proposed as a short duration (3-5 year) offering to spur initial investments in the downtown market.

Attachment 2 - Fiscal Impact

Brownfield Capital Reserve Fund												
	Total	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Opening Balance January 1	320,000	320,000	0	0	0	0	0	0	0	0	0	0
<u>Revenue</u>												
Existing Transfer from Operating	700,000	50,000	50,000	50,000	50,000	50,000	75,000	75,000	100,000	100,000	100,000	
<u>Expenditure</u>												
Existing IMICO Project Forecast	(1,020,000)	(370,000)	(50,000)	(50,000)	(50,000)	(50,000)	(75,000)	(75,000)	(100,000)	(100,000)	(100,000)	
Closing Balance December 31	0	0	0	0	0	0	0	0	0	0	0	0
Brownfield Strategy Reserve (CIP)												
	Total	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Opening Balance January 1	191,639	191,639	171,639	429,639	796,332	700,265	512,957	163,649	5,328	603,904	873,944	805,984
<u>Revenue</u>												
20% of Total TIBG	4,214,079	0	0	64,827	265,017	372,327	497,327	534,080	429,356	426,990	426,990	426,990
Additional Transfer from Operating	17,238,000		338,000	676,000	1,014,000	1,352,000	1,690,000	2,028,000	2,366,000	2,028,000	1,690,000	1,352,000
Total Revenue	21,452,079	0	338,000	740,827	1,279,017	1,724,327	2,187,327	2,562,080	2,795,356	2,454,990	2,116,990	1,778,990
<u>Expenditure</u>												
Environmental Study Grants	(500,000)	(20,000)	(80,000)	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)	
Total TIBG	(21,070,395)	0	0	(324,134)	(1,325,084)	(1,861,635)	(2,486,635)	(2,670,401)	(2,146,781)	(2,134,950)	(2,134,950)	(2,134,950)
Total Expenditure	(21,570,395)	(20,000)	(80,000)	(374,134)	(1,375,084)	(1,911,635)	(2,536,635)	(2,720,401)	(2,196,781)	(2,184,950)	(2,184,950)	(2,134,950)
Closing Balance December 31	73,324	171,639	429,639	796,332	700,265	512,957	163,649	5,328	603,904	873,944	805,984	450,024
Heritage Redevelopment Reserve												
	Total	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Opening Balance January 1	907,896	907,896	840,226	673,556	517,886	373,216	239,546	116,876	100,206	83,536	66,866	50,196
<u>Revenue</u>												
Existing Transfer from Operating	2,350,000	235,000	235,000	235,000	235,000	235,000	235,000	235,000	235,000	235,000	235,000	
Additional Transfer from Operating	495,000		11,000	22,000	33,000	44,000	55,000	66,000	66,000	66,000	66,000	66,000
Total Revenue	2,845,000	235,000	246,000	257,000	268,000	279,000	290,000	301,000	301,000	301,000	301,000	66,000
<u>Expenditure</u>												
Total Expenditure	(3,746,700)	(302,670)	(412,670)	(412,670)	(412,670)	(412,670)	(412,670)	(317,670)	(317,670)	(317,670)	(317,670)	(110,000)
Closing Balance December 31	6,196	840,226	673,556	517,886	373,216	239,546	116,876	100,206	83,536	66,866	50,196	6,196
New Downtown TIBG												
	Total	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Opening Balance January 1	0		0	110,000	330,000	440,859	575,052	732,577	935,735	725,272	612,978	362,549
<u>Revenue</u>												
New Transfer from Operating	12,430,000		110,000	220,000	330,000	440,000	550,000	660,000	770,000	880,000	990,000	1,100,000
<u>Expenditure</u>												
Total Expenditure	(12,406,682)	0	0	0	(219,141)	(305,808)	(392,474)	(456,842)	(980,463)	(992,294)	(1,240,429)	(1,240,429)
Closing Balance December 31	23,318	0	110,000	330,000	440,859	575,052	732,577	935,735	725,272	612,978	362,549	222,120
Total Additional Transfer from Operating	30,163,000		459,000	918,000	1,377,000	1,836,000	2,295,000	2,754,000	3,202,000	2,974,000	2,746,000	2,518,000
Incremental Levy Impact %			0.26%	0.25%	0.24%	0.23%	0.22%	0.21%	0.19%	-0.09%	-0.09%	-0.08%

Attachment 3 - Debt Continuity Schedule

29-Mar-12	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Opening Balance											
Tax Supported	74,567,700	92,411,452	102,389,966	96,086,346	97,756,499	94,031,574	88,373,654	78,791,879	66,189,363	54,042,107	43,900,184
Industrial Development	10,000,000	7,400,000	400,000	-	-	-	-	-	-	-	-
Elliott	16,493,000	14,889,679	13,249,401	11,573,166	10,167,016	8,721,952	7,250,930	5,725,037	4,143,273	2,504,636	866,000
User Pay/POA	4,885,853	4,742,800	4,536,352	4,319,680	4,092,270	3,853,582	3,603,050	3,340,079	3,064,042	2,774,281	2,470,105
Development Charges	14,828,035	13,156,247	11,448,115	17,617,297	23,087,973	19,883,656	16,552,619	13,092,703	9,501,659	7,921,399	6,277,929
Total Opening Debt Outstanding	120,774,588	132,600,178	132,023,834	129,596,489	135,103,758	126,490,764	115,780,254	100,949,698	82,898,336	67,242,423	53,514,219
New Issues											
Tax Supported/Police	24,278,700	18,228,800	3,121,339	12,459,247	8,602,917	7,491,667	3,852,269	-	-	2,481,350	9,000,000
Industrial Development											
Elliott											
User Pay/POA											
Development Charges	-	-	7,950,000	7,950,000	-	-	-	-	-	-	-
Total New Debt Issued	24,278,700	18,228,800	11,071,339	20,409,247	8,602,917	7,491,667	3,852,269	-	-	2,481,350	9,000,000
Principal Repayment											
Tax Supported	6,434,948	8,250,287	9,424,958	10,789,094	12,327,842	13,149,586	13,434,045	12,602,516	12,147,256	12,623,272	8,741,908
Industrial Development	2,600,000	7,000,000	400,000	-	-	-	-	-	-	-	-
Elliott	1,603,321	1,640,278	1,676,235	1,406,150	1,445,064	1,471,021	1,525,893	1,581,765	1,638,636	1,638,636	215,000
User Pay/POA	143,053	206,448	216,672	227,411	238,688	250,532	262,971	276,037	289,761	304,175	304,175
Development Charges	1,671,788	1,708,131	1,780,818	2,479,324	3,204,317	3,331,037	3,459,916	3,591,044	1,580,260	1,643,470	1,643,470
Total Principal Repayment	12,453,110	18,805,144	13,498,684	14,901,978	17,215,911	18,202,176	18,682,825	18,051,362	15,655,914	16,209,554	10,904,554
Ending Balance											
Tax Supported	92,411,452	102,389,966	96,086,346	97,756,499	94,031,574	88,373,654	78,791,879	66,189,363	54,042,107	43,900,184	44,158,276
Industrial Development	7,400,000	400,000	-	-	-	-	-	-	-	-	-
Elliott	14,889,679	13,249,401	11,573,166	10,167,016	8,721,952	7,250,930	5,725,037	4,143,273	2,504,636	866,000	651,000
User Pay/POA	4,742,800	4,536,352	4,319,680	4,092,270	3,853,582	3,603,050	3,340,079	3,064,042	2,774,281	2,470,105	2,165,930
Development Charges	13,156,247	11,448,115	17,617,297	23,087,973	19,883,656	16,552,619	13,092,703	9,501,659	7,921,399	6,277,929	4,634,459
Total Ending Debt Outstanding	132,600,178	132,023,834	129,596,489	135,103,758	126,490,764	115,780,254	100,949,698	82,898,336	67,242,423	53,514,219	51,609,665
New Issue Detail:											
CIP Liabilities - Heritage Redevelopment	2,050,000	1,100,000									
CIP Liabilities - TIBG			366,339	8,459,247	8,602,917	7,491,667	3,852,269	-		2,481,350	
Health Unit	3,000,000	8,000,000									
Downtown Secondary Plan (Parkland Acquisition)			-								9,000,000
Other	19,228,700	9,128,800	10,705,000	11,950,000	-	-	-	-	-	-	-
Total New Debt Issued	24,278,700	18,228,800	11,071,339	20,409,247	8,602,917	7,491,667	3,852,269	-	-	2,481,350	9,000,000
Annual Interest Paid	4,607,457	5,178,010	5,307,373	5,164,487	5,261,291	4,700,583	4,129,480	3,515,860	2,919,448	2,422,423	2,223,252
Annual Principal Paid*	12,453,110	18,805,144	13,498,684	14,901,978	17,215,911	18,202,176	18,682,825	18,051,362	15,655,914	16,209,554	10,904,554
Annual Debt Servicing (A)	\$ 17,060,567	\$ 23,983,154	\$ 18,806,057	\$ 20,066,466	\$ 22,477,202	\$ 22,902,759	\$ 22,812,305	\$ 21,567,222	\$ 18,575,362	\$ 18,631,976	\$ 13,127,806

*NOTE: Debt Servicing Includes HCBP Short Term Loan Forecast
 repayment schedule based on current land sales forecast

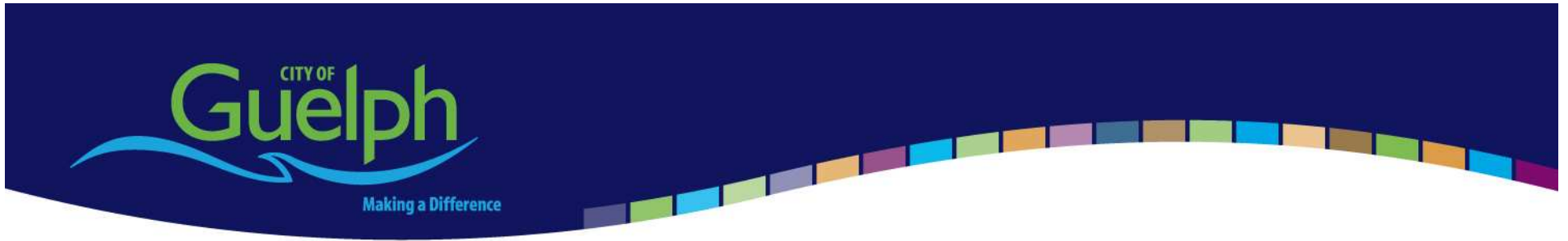
Total Debt (B)	\$ 132,600,178	\$ 132,023,834	\$ 129,596,489	\$ 135,103,758	\$ 126,490,764	\$ 115,780,254	\$ 100,949,698	\$ 82,898,336	\$ 67,242,423	\$ 53,514,219	\$ 51,609,665
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Operating Fund Revenue - ARL (C)	\$ 296,194,323	\$ 304,830,519	\$ 313,734,369	\$ 322,914,550	\$ 332,380,027	\$ 342,140,065	\$ 352,204,239	\$ 362,582,444	\$ 373,284,908	\$ 384,322,200	\$ 395,705,243
Less: Other Revenue (Investment Inc., DC Earned, etc.)	34,870,331	35,567,738	36,279,093	37,004,675	37,744,768	38,499,664	39,269,657	40,055,050	40,856,151	41,673,274	42,506,739
Operating Fund Revenue - S&P (D)	\$ 261,323,991	\$ 269,262,781	\$ 277,455,276	\$ 285,909,876	\$ 294,635,259	\$ 303,640,401	\$ 312,934,582	\$ 322,527,394	\$ 332,428,757	\$ 342,648,926	\$ 353,198,504

Debt Servicing/Operating Fund Revenue (A/C)	6%	8%	6%	6%	7%	7%	6%	6%	5%	5%	3%
Total Debt/Operating Fund Revenue (B/D)	51%	49%	47%	47%	43%	38%	32%	26%	20%	16%	15%

General Assumptions

- 1) New Debt (except HCBP Flexible Loan or Principal at least \$10,000,000) - 10 year term, 4%
- 3) Principal at least \$10,000,000 - 20 year term, 4.8% (Organic Facility 2011, Library land, & Health Unit)
- 2) HCBP Interest Only Short Term Construction Loan (3.95%)
- 4) Operating Revenue - assume 3.5% annual increase for tax and 2.0% for other



Funding for Tax Increment Based Grants (TIBGs)

CAFES COMMITTEE – April 10, 2012

Finance & Enterprise Services

TIBGs: Implementing Change

**Local Growth
Management Strategy**



OPA 39: Set targets for growth

**Urban Design
Action Plan**



**Emphasised the importance of
design for intensification**

Community Energy Plan



**Density can help meet long-term
energy goals**

Prosperity 2020



**Job Creation & Employment
Growth**

**Agri-Innovation
Cluster Strategy**

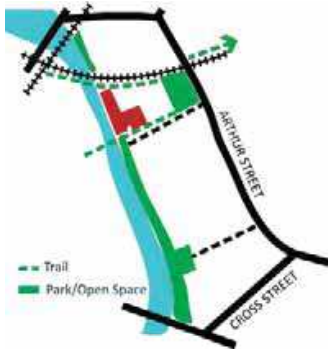


**Investment in Innovation
Triangle (i.e. Downtown,
University, Guelph Innovation
District) is investment for
Guelph**

Value of TIBGs to the community

They help us achieve our collective community goals of:

- **Brownfields:** Fewer contaminated sites in the city (reducing the 400+ outstanding sites)
- **Heritage:** More heritage structures retained and adaptively reused
- **Downtown:** Building early momentum for long-term, sustained, private sector redevelopment investments

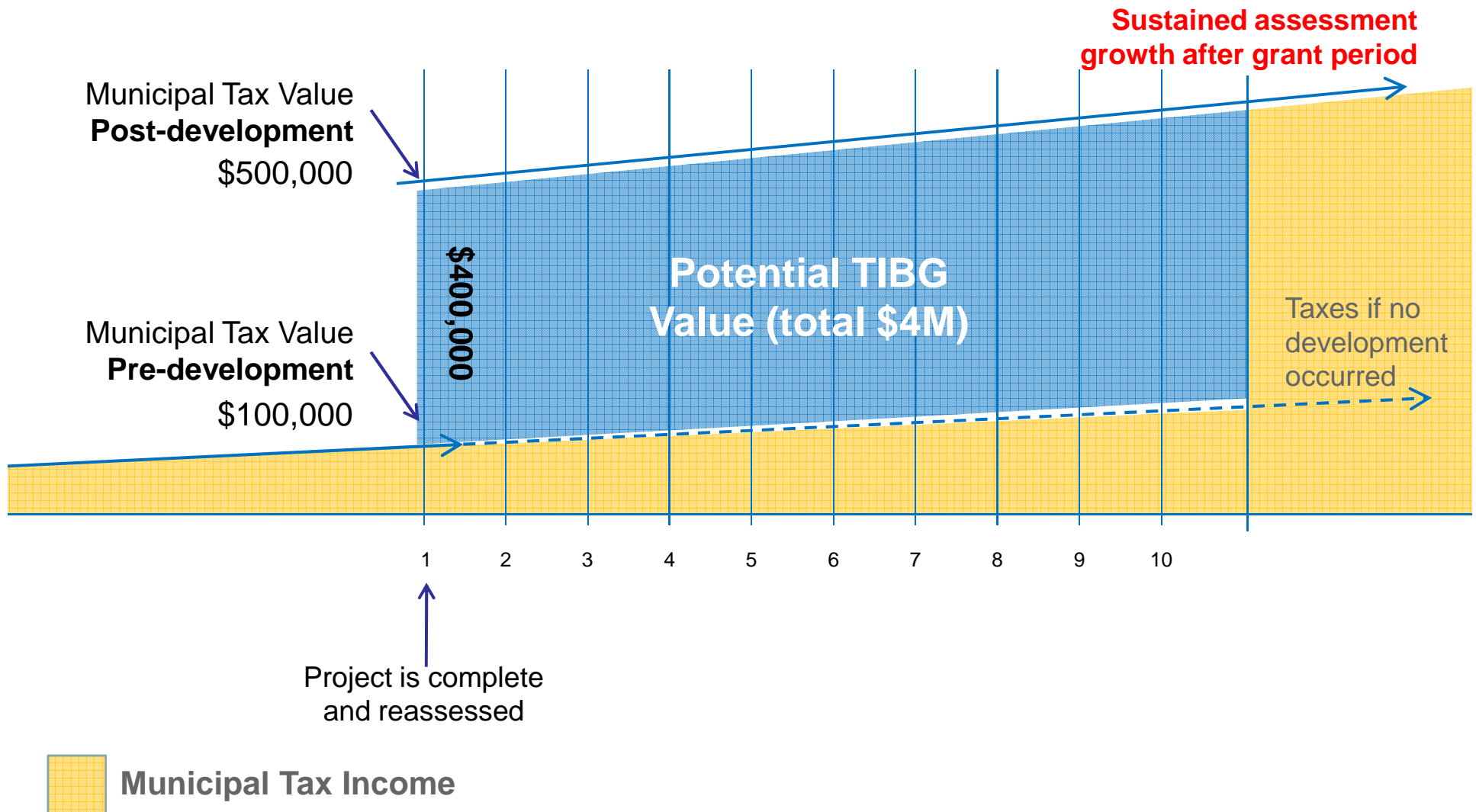


Why TIBGs?

Staff are supportive of TIBGs as a grant mechanism because:

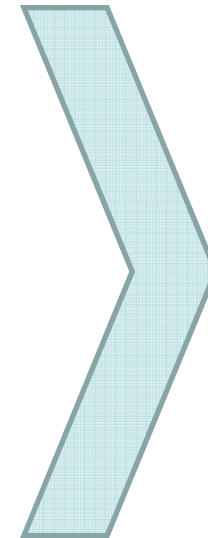
- Grants are tied to the real assessment growth being created by the project
- Projects have to be complete and reassessed before grant money starts
- These investments create long-term assessment growth and foster economic vitality within the community

Individual TIBG Assessment



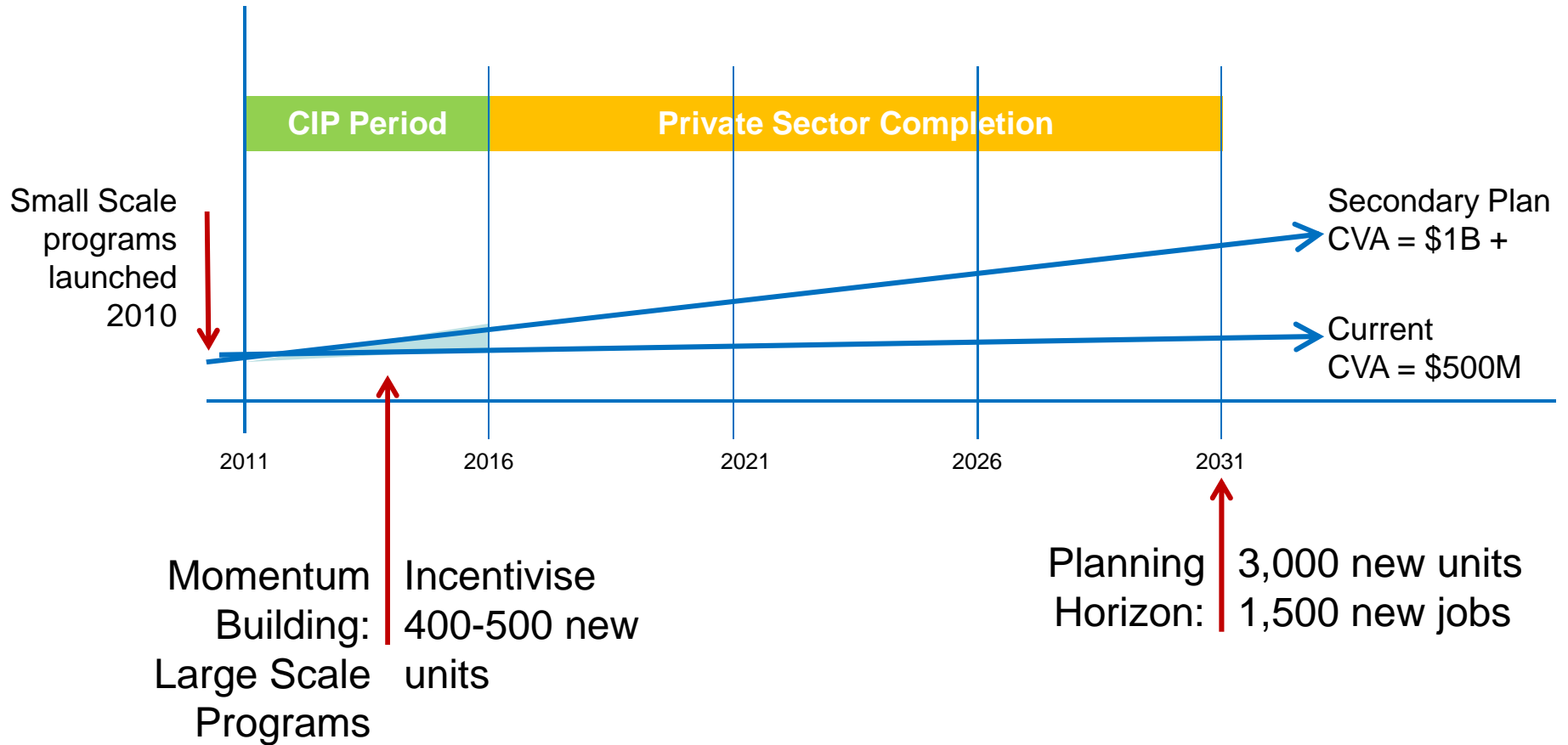
Downtown Strategic Objectives

- 8,500 residents
- 7,500 jobs
- More visitation
- More cultural events
- More designated heritage buildings
- 35% or more affordable housing
- 1 hectare of parkland per 1,000 residents
- Continuous riverfront open space and trail
- More people taking transit, walking and cycling
- Increased energy efficiency
- Reduced energy consumption
- Fewer contaminated properties



**MAJOR
SHIFT**

Downtown Long-term Assessment Growth



NB. Graph represents Present Value Dollars

April 10, 2012 Report:

Funding related to existing and proposed City of Guelph TIBG programs:

- The City is seeing significant uptake to all programs (this is a good thing!)
- Staff recommending proactive contributions to Reserves to smooth grant payment impacts over time
- Report recommendation provides clear financial parameters for the programs

COMMITTEE REPORT



TO Corporate Administration, Finance & Emergency Services
Committee (CAFES)

SERVICE AREA Finance and Enterprise Services
DATE April 10, 2012

**SUBJECT Downtown Guelph Community Improvement Plan
Implementation Guidelines**

REPORT NUMBER 12-02

SUMMARY

Purpose of Report

To present and recommend the Downtown Guelph Community Improvement Plan (DGCIP) Implementation Guidelines. This companion document to the DGCIP provides program details including eligibility and evaluation criteria, conditions and application procedures governing all four programs in the Downtown Guelph Community Improvement Plan.

Council Action

To approve the DGCIP Implementation Guidelines and delegation of authority for DGCIP Grant Amendments and DGCIP Grant Awards to be detailed in Attachments 1-3.

RECOMMENDATION

THAT report 12-02 regarding the Downtown Guelph Community Improvement Plan Implementation Guidelines, prepared by the Downtown Renewal Office, dated April 10, 2012, BE RECEIVED;

AND THAT the Downtown Guelph Community Improvement Plan Implementation Guidelines (Attachment 1), dated April 10, 2012, BE APPROVED.

AND THAT the Delegation of Authority By-law (2010)-18935 be amended to attach Schedule Q and Schedule R as attached to this report (Attachments 2 and 3).

BACKGROUND

On November 7, 2011, Guelph City Council approved Amendment Number 1 to the Downtown Guelph Community Improvement Plan (DGCIP). Amendment No.1

expanded the Downtown Guelph CIP Project Area, replaced the detailed descriptions with abstracts for easier future revisions, and introduced two new abstracts for upcoming major programs. Program details are to be managed outside the CIP document in the form of Council approved Implementation Guidelines.

By-law Number (2011)-19319 and By-law Number (2011)-19320 were adopted by City Council on December 5, 2011 and enacted the Amendment.

This report brings forward the first version of the DGCIP Implementation Guidelines which contains the details for the DGCIP program abstracts.

REPORT

The proposed "Downtown Guelph Community Improvement Plan 2012 Implementation Guidelines" is structured as follows:

- General Conditions: overall conditions and application procedures governing all programs
- Program Details: specific objectives, eligibility, funding and duration details for each program
- Administration: details on how the DGCIP is to be administered by the City;

Changes from the 2010 DGCIP:

- The details of the existing Façade Improvement Grant and Feasibility Study Grant have been transferred to this document.
- There have been administrative updates to reflect new corporate structure and internal review processes.
- A Delegation by-law allowing for the periodic *amendment* of the DGCIP Implementation Guidelines by staff for DGCIP programs.
- Additional staff appointments to the internal Downtown CIP Review Team.
- Details of the two new programs: Minor and Major Activation Grants are provided.

Additional delegation of authority:

- This report seeks Council delegation of authority to the Corporate Manager, Downtown Renewal, or their designate, for the *award* of the Façade Improvement, Feasibility Study, and Minor Downtown Activation grants.

By far, the most significant change in the document are the two new programs being introduced and these are described in more detail below.

Minor and Major Downtown Activation Grants (DAG):

These two new DGCIP programs are designed to deliver on the recommendations in Prosperity 20/20, the Downtown Investment Action Plan and the acknowledgement in the original DGCIP that additional investment programs for major renovations and new development are required to achieve the strategic objectives of intensification and economic vitality in the Downtown.

The Downtown Activation Grant programs are designed:

- To stimulate new development in the downtown;
- To stimulate investment by renovating existing under-utilized building stock;

- To provide investment programs which make Guelph competitive when measured against our local comparator cities (**Attachment 4**); and
- To deliver programs focused on measurable intensification goals such as population and/or assessment growth.

Downtown Renewal has reviewed the previous investment reports, undertaken extensive discussions with local and regional developers which has lead to an updated comparator city matrix. The barriers to investment in Downtown Guelph continue to revolve around three issues: **Market, Fees and Complexity.**

<i>Issue</i>	<i>Commentary</i>	<i>Implementation Guidelines (Proposed)</i>
No established market for downtown projects	The downtown market, particularly for ownership housing within the downtown, is just emerging. There is a high level of risk with initial projects establishing an appropriate and feasible market range and a viable absorption rate.	The Major DAG program is fundamentally geared towards assisting establish a significant new market in Guelph. This program is required to create conditions where early entrants are viable and can kick-start sustained investment to 2031.
Parkland Dedication, building permit and planning fees	Most comparator cities offset municipal fees within their downtowns through various mechanisms (i.e. funded CIP programs).	Municipal fees, except for DCs, are eligible costs in Major and Minor DAG applications
Infrastructure complexity	Downtown sites are old and redevelopment often requires relocation and significant upgrading of abutting off-site infrastructure to support intensification.	Off-site infrastructure costs are eligible costs in Major DAG applications
Urban building complexity	Downtown sites require urban built form solutions such as underground or structured parking. This makes them substantially more expensive than suburban forms. In addition, Downtown Guelph is an area identified for future district energy systems and making projects 'DE Ready' should not be a disincentive in the short term.	Parking solution premiums and making projects district energy ready are eligible costs in Major DAG applications

Development charges are a significant cost to downtown development initiatives, and most comparator municipalities waive payment of development charges through policies in their DC By-laws as a cash-flow incentive to downtown development. Staff looked at the option of including development charges as eligible costs under the Minor and Major DAG programs. Given that the City's current DC By-law is now under appeal and is due for updating by 2013, it would be appropriate to address DC-based incentives for downtown development in the

Development Charges Background Study for the next DC By-law. Also, the background study will use current information on potential intensification sites in the downtown to identify downtown infrastructure improvement projects to be included in the new DC By-law. In the interim, staff are recommending that cost of off-site infrastructure improvements that need to be undertaken as part of redevelopment but are not *routinely* required for servicing the site be considered as eligible costs under the Major DAG program.

The Minor and Major Downtown Activation Grants are meant to address these outstanding investment barriers and create an environment that will encourage real intensification results. The programs are summarized here:

	Minor DAG	Major DAG
Scope:	Renovation focused. 2-8 residential units and/or 200m ² - 799m ² of commercial/office space.	New building focused. 8 residential units or more, and/or 800m ² min. of commercial/office space.
Program Format:	30% cost-share grant on project costs up to a maximum of \$120,000. Discussions with other municipalities and developers strongly indicate that Loan versions of the renovation scale programs require much more administration and create far less uptake.	Tax Increment Based Grant (TIBG) based on defined list of eligible costs. The TIBG format is being recommended as it is based on real assessment growth being established prior to grant funds being made available. In addition, Guelph's DC By-law is not available for re-opening at this time. Prior DC Studies supported the development of CIP incentives instead of general DC Waiver policies to address DC impacts in specific areas.
Approvals:	Criteria based The Minor Downtown Activation Grant will be awarded by means of Schedule "Q" (delegation authority by-law), as established by Council approved budgets for CIP grant funding. The Major Downtown Activation Grant will be awarded by individual approvals by Council based on Staff recommendation. Each award will result in agreements being signed to detail the grant criteria and administration.	
Funding:	Approved Grant budget in Downtown Renewal business unit (707- 0144.5301)	Contributions to Downtown Redevelopment Reserve based on CAFES Report 12-01 "Funding related to existing and proposed City of Guelph TIBG"

	programs.”
Program Duration:	The programs are both recommended to be available for a 5 year duration. Downtown Renewal will track results and report to Council on an annual basis throughout the program period.

CORPORATE STRATEGIC PLAN

Goal 1: *An attractive, well-functioning and sustainable city*

- 1.2 Municipal sustainability practices that become the benchmark against which other cities are measured*
- 1.5 The downtown as a place of community focus and destination of national interest*

Goal 3: *A diverse and prosperous local economy*

- 3.1 Thriving and sustainable local employment opportunities*
- 3.2 One of Ontario's top five and Canada's top ten places to invest.*

Goal 5: *A community-focused, responsive and accountable government*

- 5.4 Partnerships to achieve strategic goals and objectives*

FINANCIAL IMPLICATIONS

Economic Benefits:

The Downtown Guelph CIP is an economic development tool to kick-start significant investment in and fundamentally transform an existing area of the City. It is important to put the programs in the context of the overall objectives for Downtown Guelph that has not seen significant private sector investment in the last 20 years:

- By 2031: adding 3,000 new residential units
- By 2031: adding 1,500 new jobs

Downtown Renewal – Economic Profile

Downtown Renewal is developing annual reports to track the performance of the incentive programs and be able to report on the following metrics:

- population increase
- development values and unit/building area stats
- business sales activity
- vacancy rates
- employment/jobs creation
- building permit activity
- commercial lease rates

Early evidence from the 2010 and 2011 CIP program indicates there is economic momentum developing in downtown with a growing interest in residential development.

Major DAG Program Scale:

Of particular significance is the scale of the proposed Major Downtown Activation Grants. This program can develop millions of grant dollars on a given site, and involves agreeing to forego tax increment income for up to 10 years.

Downtown Renewal has fostered the interest of four projects within the Downtown CIP Project Area who would be eligible to apply for Major DAGs. These projects have a preliminary estimated yield of 330 units and 5,000m² of commercial space representing an estimated \$120 Million in private investment. The Major DAG would develop approximately \$10M in tax-increment grants yielding an investment ratio of approximately 10:1 (private: city dollars).

These new programs are strategic investments in a long-term project for the City. The intent is to provide an enabling catalyst to spur the early investments and create the market for the large volume of additional development beyond the timeframe of this 5-year program.

Fiscal Impacts:

2012 Current Programs:

Council approved \$260,000 to be used for Façade Improvement Grants, Feasibility Study Grants, and Minor Downtown Activation Grants for 2012. The Minor Downtown Activation Grant is one of the two new growth related programs.

Total Major DAG Program Budget:

The total program budget for the Major Downtown Activation Grant is being established through a separate report to April 10, 2012 CAFES Committee: Report 12-01, "Funding related to existing and proposed City of Guelph TIBG programs."

DEPARTMENTAL CONSULTATION

Economic Development

Planning & Building, Engineering and Environment Services

Finance

Legal

COMMUNICATIONS

Marketing: A complete marketing and communications plan is being developed to promote the programs.

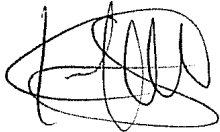
ATTACHMENTS

Attachment 1 – Downtown Guelph Community Improvement Plan 2012
Implementation Guidelines

Attachment 2 – Schedule Q – DGCIP Grant Awards

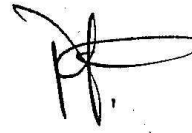
Attachment 3 – Schedule R – DGCIP Grant Amendments

Attachment 4 – Comparator Cities: CIP Programs Matrix



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Downtown Guelph Community Improvement Plan Implementation Guidelines

Version 1.0

Approved by Guelph City Council:

April 23, 2012

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1.0 PURPOSE

The main purposes of these Implementation Guidelines are:

- To make the application, approval and administration process for the Downtown Guelph Community Improvement Plan programs, clear and transparent for Council, staff, applicants and the public; and
- To be the companion document which provides the program details and processes for the Downtown Guelph CIP.
- The Implementation Guidelines are subject to Council approval and are able to be updated or amended by Council, or their delegate, outside the Community Improvement Plan process as defined under the Ontario Planning Act.

2.0 BACKGROUND

The 2010 Downtown Guelph Community Improvement Plan (DGCIP) was approved on April 6, 2010 by Guelph City Council. The DGCIP set out to deliver programs geared towards the City's ability to increase the downtown contribution to the City's tax base and provide a framework for reestablishing an investment environment for Downtown Guelph. Amendment Number 1 to the DGCIP was initiated early 2011 following the launch of the existing two CIP programs. The Amendment further extends the ability for the City to support assessment growth through new activation grants that enable the renovation and redevelopment of larger scale properties within Downtown Guelph.

Amendment Number 1 to the DGCIP removed program details from the body of the CIP to enable more flexible administration of the DGCIP programs.

The following Implementation Guidelines contain program eligibility requirements, application submission and evaluation, financing and approval details. Staff will utilize these guidelines to administer and monitor the DGCIP programs.

3.0 GENERAL CONDITIONS

The following sets out the conditions for all Downtown Guelph CIP programs:

3.1 Eligibility

- Projects must be in conformity with Official Plan, zoning by-law, and the community improvement plan goals, objectives and policies. Applications that require Planning Act approval will be taken to City Council, and if awarded will remain conditional until all approval (s) are obtained;
- It is the responsibility of the applicant to confirm, and obtain if required, a Building Permit under the Ontario Building Code. Award of a grant under the DGCIP does not imply or equate to an approval under the OBC;
- Approval and award of the grant by City Council does not supersede approvals required by the Planning Act or Ontario Building code;
- Any applicant involved with buildings designated under the Ontario Heritage Act or identified as being a cultural heritage resource by the City of Guelph may be subject to additional requirements such as the preparation of a Heritage Impact Assessment and/or Heritage Guelph review and Guelph City Council approvals. The timing and scope of such requirements shall be determined by the applicant prior to making an application by consulting with City staff;
- The applicant, or the property where an application is being made, must not be in arrears of any municipal financial obligation including, without limitation the following, property taxes and water/wastewater charges.
- Downtown Grant/s or program/s will not be applied retroactively to works started prior to approval of the application by Council or its delegate, with the exception of the Major Downtown Activation Grant (see section 4.4.2 (d)).
- No grants will be issued for eligible works under this program which have received grants under any other municipal incentive program for the same works.
- The City of Guelph reserves the right to deny or refuse any application.

3.2 Application Procedure

Step 1: Application Submission

- Applicants are encouraged to have a pre-application meeting with the Downtown Renewal Office prior to submitting a formal application.

Application Details for each program in section 4.0.

- Complete applications are to be submitted to the Downtown Renewal Office prior to the submission of any city-issued permit application. The City may specify additional submission requirements, such as, but not limited to, plans, elevations and quotations based on the type of grant or program.

Step 2: Application Review

- City staff will review the application to ensure that the proposed work is eligible for funding and that the application is complete.
- Applications will not be processed until all required information and material is submitted with the application form.
- Applicants will be notified in writing if their application is incomplete or if work is ineligible. The written notice will identify the missing information and/or documentation needed to support the application.
- Applicants will be notified in writing if their proposed application has been accepted as eligible and complete.
- The application will be reviewed by the Downtown Renewal Office, in consultation with the Downtown Guelph CIP Review Team who will determine which applications to recommend for approval by Council or its delegate, based on conformity with the requirements of the DGCIP, available funding, and any priorities set by Council.

Step 3: Grant Award

Where Council has completed its yearly budget process and approved grant funding for the DGCIP programs:

Facade Improvement Grant/Feasibility Study Grant/Minor Downtown Activation Grant

- The Downtown Renewal Office, working in consultation with the DGCIP Review Team, will administer the grant applications.
- Grants will be awarded by the Downtown Renewal Office
- The Downtown Renewal Office will forward an annual information report on grant awards to Council.

Major Downtown Activation Grant

- The Downtown Renewal Office will bring a report forward to Council or its delegate, outlining the applications received and the applications

recommended for approval, in consultation with the appropriate departments.

- Council or its delegate will make the final decision on which applications to approve.
- The approved applicant enters into an agreement with the City which will specify the terms of the grant, obligations of the City and the property owner and/or authorized applicant.
- Where the applicant is seeking funding from more than one TIBG or CIP program, the agreement will outline each funding source to ensure that costs are not funded twice.
- The total of all TIBG grants under all programs cannot exceed the actual municipal tax increment for the property for the 10 year time period.

Step 4: Payment

- The grant recipient needs to provide proof of project completion to the Downtown Renewal Office.
- Payment of the grant is made to the grant recipient following:
 - completion of the approved work to the satisfaction of the Downtown Guelph CIP Review Team;
 - proof of payment of all invoices including a copy of the invoice; and
 - verification that all City taxes and financial obligations are current.
- The Downtown Renewal Office or designate reserves the right to conduct a site inspection or require 3rd party certification of the completed works to ensure compliance with the grant agreement and the requirements set out in this CIP.
- The City of Guelph reserves the right to review all completed eligible studies to ensure the monetary value of work completed coincides with the monetary value of the work proposed as indicated on any approved grant application. Should the City of Guelph deem the monetary value of work completed not to coincide with the monetary value of the work proposed, the City of Guelph reserves the right to reduce the amount of the grant accordingly.

3.3 Funding

- Funding will be allocated by Guelph City Council through the annual budget process. Program offerings for the year will be based on funding availability.
- Major Downtown Activation Grant award and funding are on an individual basis and require Council approval.
- Council may specify, through Council resolution, funding priorities which may include the identification of specific streets or areas within the Downtown Guelph Community Improvement Project Area.

- If the program is discontinued by the City, approved project awards will continue to receive outstanding monies on the condition the approved project is completed within the agreed timeframe.

3.4 Conditions and Restrictions

- The applicant/grant recipient shall at all times indemnify and save harmless the City of Guelph, its employees and agents, from and against any and all manner of claims, losses, costs, charges, actions and other proceedings whatsoever made or brought against, suffered by, or imposed upon any person or property directly or indirectly arising out of, resulting from or sustained as a result of the work associated with all City of Guelph downtown improvement incentive programs.
- Where the eligible works are, in the opinion of the Downtown Renewal Office, substantially suspended or discontinued for more than six months, the City may revoke any approved grant applications.
- The grant may be reduced or cancelled, at the City's sole discretion, if the approved work is not completed or not completed as approved.
- The applicant must declare any other sources of government and/or non-profit organization funding (Federal, Provincial, Municipal, CMHC, FCM, etc...) that can be applied against eligible costs that are anticipated or have been secured. Accordingly, the grant may be reduced on a pro-rated basis.
- The total of this grant and any other grants provided by the municipality cannot exceed the eligible cost of the community improvement plan with respect to those lands and buildings.
- The City does not assume any quality control role in the project's execution.

4.0 PROGRAM DETAILS

4.1 Façade Improvement Grant Program

4.1.1 General

A façade is considered to be the front of a building, but can also be the side if it is visible from a street and has been designed with a particular style, design elements, and sets the tone for the building.

The façade improvements supported by the program will be guided by, and be consistent with the policies, principles and design themes contained within the Official Plan, the Downtown Guelph Private Realm Improvements Manual, the City Zoning By-law, the City's Sign By-law, as well as any other City Council approved guidelines, as may be applicable. All improvements shall be made pursuant to a building permit, where applicable, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements, planning approvals and any other applicable law.

4.1.2 Eligible Works

Eligible works may include:

- repair or restoration of façade masonry, brickwork or wood;
- repair, replacement or restoration of architectural features;
- repair or replacement of windows or doors;
- repainting, cleaning or re-facing of façades;
- improvements to the appearance or access to entrances of commercial units;
- installation of appropriate new signage or improvements to existing signage;
- installation of appropriate new canopies and awnings or improvements to existing canopies and awnings; and
- installation of appropriate new exterior lighting or improvements to existing exterior.

Eligibility is subject to the following provisions:

- a. Any proposed façade improvements must address the Downtown Façade Improvement Guidelines that are based on the design criteria included in the Council approved Downtown Guelph Private Realm Improvements Manual as may be amended; and
- b. Any proposed sign improvements must comply with the City's Sign Bylaw, to the satisfaction of the City's General Manager of Planning and Building Services or designate.
- c. Any proposed project must have commercial uses on the ground floor.
- d. The grant will not be issued to correct any Building code, Fire Code or Property standards orders or a contravention of any applicable law.

4.1.3 Application Details

A **complete application** shall include:

- a. The completed application form, properly executed by the applicant in which the applicant states they must not be in arrears of any property taxes or any other municipal financial obligations.
- b. a written estimate from a qualified architect or contractor;
- c. the conceptual elevation plan, identifying dimensions, materials, exterior lighting, and colours of the entire street-oriented façade;
- d. restorative details where applicable;
- e. the proposed sign plans, identifying dimensions, materials, lighting and colours; and
- f. where applicable, an applicant other than the registered/assessed property owner must provide written authorization from the registered/assessed property owner to make the application and undertake the work.

4.1.4 Funding

The Façade Improvement Grant will provide a grant of 50 percent of the cost of eligible work up to a maximum of \$10,000 per property address with one façade. A maximum of \$20,000 may be provided for buildings on corner lots or properties with multiple tenants. A maximum of \$30,000 may be provided for properties with each of the three following components:

- multiple addresses;
- multiple facades;
- multiple tenants.

No municipal address, façade or owner/tenant shall receive more than a total of \$30,000 under this program within a five year period. Not more than 10% of the entire grant may be used for indirect costs, such as consultant, design or project management services. The total value of the grant shall not exceed the eligible costs defined in these guidelines or the value of 50% of the cost of the eligible work done.

Payment of the grant is made to the grant recipient upon the City being satisfied that the grant recipient has complied with all terms and conditions of the application procedure, inspection procedures, development procedures, and completion of work within the prescribed time frame (Generally one year from the acceptance and approval date of the application).

4.1.5 Evaluation Criteria

The following outlines the evaluation criteria (based on Urban Design/Downtown Private Realm Manual) to be used to determine if the applicant will receive the grant:

- Building restoration impact
- Quality of design and materials proposed
- Aesthetic improvement to the building
- Improvement to the streetscape (impact)
- Quality of the application

The above categories are subject to change based on the recommendations of the Downtown CIP Review Team.

4.1.6 Program Duration

This program, unless otherwise extended by City of Guelph Council, will expire on December 31st, 2014.

The City of Guelph reserves the right to discontinue these programs at any time.

4.2 Feasibility Study Grant Program

4.2.1 General

The grant assists property owners and tenants with the financing of feasibility studies to promote redevelopment opportunities for under-utilized properties within Downtown Guelph.

4.2.2 Eligible Works

Eligible studies include:

- structural analyses;
- evaluation of mechanical and electrical systems;
- concept plans; and
- market analyses.

Eligibility is subject to the following provisions:

- a. Only buildings that are deemed to have the likelihood for renovation or re-use at a higher potential or density shall be eligible for a grant.
- b. All studies shall be prepared by qualified professionals applicable to the type of study (e.g. structural engineer for structural analysis) to the satisfaction of the City of Guelph and in consultation with relevant public agencies or affected parties, as necessary.
- c. If the applicant/grant recipient decides not to proceed with the reuse of the site, it must be agreed that the study will become part of the public record and will be made available to any subsequent proponents.
- d. All relevant mitigation recommendations included in the feasibility study shall be considered during the site plan review and/or building permit process.
- e. The grant will not be issued to correct any Building code, Fire Code or Property standards orders or a contravention of any applicable law.

4.2.3 Application Details

A complete application shall consist of:

- a. The completed application form, properly executed by the applicant in which the applicant states they must not be in arrears of any property taxes or any other municipal financial obligations.
- b. a study terms of reference;
- c. a detailed study work plan;
- d. a cost estimate for the study (studies); and
- e. a description of the planned renovation/redevelopment, including any planning applications that have been submitted/approved.
- f. where applicable, an applicant other than the registered/assessed property owner must provide written authorization from the registered/assessed property owner to make the application and undertake the study.

4.2.4 Funding

The Feasibility Study Grant Program will provide a grant of 50 per cent of the cost of an eligible feasibility study to a maximum grant of \$5,000 per building. The total value of the grant shall not exceed the eligible costs defined in these guidelines or the value of 50% of the cost of the eligible work done.

Payment will be made to the grant recipient upon the City being satisfied that the grant recipient has complied with all terms and conditions of the application procedure, inspection procedures, and completion of work within the prescribed time frame (Generally one year from the acceptance and approval date of the application).

4.2.5 Evaluation Criteria

The following outlines the evaluation criteria (based on Urban Design/Downtown Private Realm Manual) to be used to determine if the applicant will receive the grant:

- Building restoration impact
- Aesthetic improvement to the building
- Improvement to the streetscape (impact)
- Quality of the application

The above categories are subject to change based on the recommendations of the Downtown CIP Review Team.

4.2.6 Program Duration

This program, unless otherwise extended by City of Guelph Council, will expire on December 31st, 2014.

The City of Guelph reserves the right to discontinue these programs at any time.

4.3 Minor Downtown Activation Grant Program

4.3.1 General

The Minor Downtown Activation Grant assists with the capital costs needed to convert and/or rehabilitate under-utilized and vacant properties into viable commercial or residential uses. The definition of under-utilized is unrentable, vacant or nonfunctional space (e.g. continuously vacant for greater than 9 months).

The grants will be guided by, and be consistent with the policies, principles, and regulations in the Official Plan, the Downtown Guelph Private Realm Improvements Manual and the City Zoning By-law, as well as any other City Council approved policies or guidelines, as may be applicable. All improvements shall be made pursuant to an approved building permit, with site plan approval where applicable, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements, planning approvals and any other applicable law.

4.3.2 Eligible Works

A minimum of ***two residential units or 200 square metres to 799 square metres*** of office/commercial space per project is required. Repairs to existing vacant and/or underutilized properties are eligible. Projects that activate 'new uses' will score higher.

Eligible costs include:

Project or Construction Costs, including but not limited to:

- Upgrade to the mechanical and electrical systems
- Installation of safety and fire protection systems
- Structural upgrades
- Upgrade and installation of windows
- Accessibility improvements
- New technologies (e.g. telecommunications)
- Building Insulation
- Consultant Fees
- Fire suppression systems
- Carpentry
- Masonry
- HVAC
- Interior renovations
- Parkland dedication contributions
- Municipal planning development applications and building permit fees

Other costs may be eligible at the discretion of the Downtown Guelph CIP Review Team.

Eligibility is subject to the following provisions:

- a. The Minor Downtown Activation Grant may be granted in addition to existing grants secured through the City of Guelph's Heritage Redevelopment Reserve or the Brownfield Redevelopment Community Improvement Plan programs. When there is a duplication of proposed eligible works, costs will not be funded twice.
- b. Applicants for the Minor Downtown Activation Grant are eligible for other non-activation grant programs offered within the Downtown Guelph Community Improvement Plan where funding is not duplicated.

4.3.3 Application Details

A ***complete application*** shall consist of:

- a Site Plan and/or professional design/architectural drawings;
- a Business Plan
- specification of the proposed works, including number, size, tenure and projected unit sale prices and/or rental rates of units to be constructed and construction drawings;
- a written estimate of project construction costs, including a breakdown of said costs, from a qualified architect or contractor;
- Building Assessment if the proposal includes a building(or part thereof) that is derelict, under-utilized and/or no longer viable as non-residential space;
- Sources and uses of funding including, where applicable and any other funding applied for or received as per section 3.3.
- Proof of building ownership or authorization of owner for applicant to act as agent;
- a copy of Heritage Impact Assessment, where applicable.

4.3.4 Funding

This grant provides funding for 30 per cent of the capital costs of the redevelopment or rehabilitation of a property (under-utilized or vacant) to a maximum of \$120,000 per municipal address.

Payments will be made to the grant recipient upon the City being satisfied that the grant recipient has complied with all terms and conditions of the application procedure, inspection procedures, and completion of work within the prescribed time frame. For the minor downtown activation grant, the timeframe is a part of agreed terms within the grant agreement.

4.3.5 Evaluation Criteria

The following are the criteria that will be used to access the applications, in order for staff to make recommendations to City Council:

1. Eligibility Criteria
2. Type of Development (Priority to residential or mixed use projects)
3. Projects meets CIP Principles and Goals

4. Project Excellence (Street Character, Pedestrian & Street Realm, Design and Architectural Quality, etc.)
5. Quality of Application

The above categories are subject to change based on the recommendations of the Downtown CIP Review Team.

4.1.6 Program Duration

This program, unless otherwise extended by City of Guelph Council, will expire on December 31st, 2016.

The City of Guelph reserves the right to discontinue these programs at any time.

4.4 Major Downtown Activation Grant Program

4.4.1 General

The grant supports the redevelopment of under-utilized and vacant properties in order to encourage large-scale residential and commercial redevelopment. The definition of under-utilized is unrentable, vacant or nonfunctional space (e.g. continuously vacant for greater than 9 months).

The grant will be in the form of a Tax Increment Based Grant (TIBG) which is a grant equal to the full amount, or a portion of the amount of the estimated municipal property tax increase after the property is redeveloped. The TIBG represents the difference between the current tax level of a property - before any redevelopment work - and the future tax level after development is complete and reassessed. This is considered to be a grant back to the developer over a pre-determined time period once the project is complete. The grant amount for this program will be a maximum equal to 100%, as subject to section 4.4.2 b), of the increase to the municipal portion of the taxes for up to a ten year period or 30% of the construction value of the project, whichever is less. Applications taken in year 1 of the program have access to the full 100% amount. This amount will be reviewed on an annual basis.

Each awarded project will require a formal grant agreement to be entered into with the City. Pre-construction and post-construction assessment values will be negotiated on a case by case basis.

The grants will be guided by, and be consistent with the policies, principles, and regulations in the Official Plan, the Downtown Guelph Private Realm Improvements Manual and the City Zoning By-law, as well as any other City Council approved policies or guidelines, as may be applicable. All improvements shall be made pursuant to an approved building permit, with site plan approval where applicable, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements, planning approvals and any other applicable law.

4.4.2 Eligible Works

A minimum of ***eight residential units or 800 square metres of office/commercial space*** per project is required.

Eligible costs include:

- Parkland Dedication contributions
- Municipal planning and building permit fees
- Off-site infrastructure improvement costs (underground services including relocation, pavement, sidewalk, curb & gutter, lighting, intersection improvement, and parking) but exclude costs that are not *routinely* required for servicing the site.

- Construction cost premium for the provision of underground parking or structured spaces vs. surface parking
- Construction cost premium for making development 'District Energy Ready'

Eligibility is subject to the following provisions:

- a. The Major Downtown Activation Grant may be granted in addition to existing grants secured through the City of Guelph's Heritage Redevelopment Reserve or the Brownfield Redevelopment Community Improvement Plan programs. When there is a duplication of proposed eligible works, costs will not be funded twice and all grants combined cannot exceed the 10 year municipal tax increment for the property and project.
- b. If any of the previously noted eligible works are also eligible for TIBG incentives in accordance with the Brownfield Redevelopment CIP, applicants shall be directed to apply for such incentives through the Brownfield Redevelopment CIP. If TIBG applications are being made under the Brownfield Redevelopment CIP and the Downtown or Heritage incentive programs, Downtown or Heritage TIBG applications shall only be processed following applications made under the Brownfield Redevelopment CIP.
- c. The City will establish a coordinated and streamlined review process for considering multiple TIBG applications being made under separate programs. Appropriate City and technical approvals need to be obtained prior to the Downtown Activation Grant being taken to Council for recommendation. Grant applications will be taken to council when all TIBG programs have been reviewed to the satisfaction of city staff and when conditional site plan approvals have been obtained.
- d. Where applicants have included *Off-site infrastructure improvement costs* in their list of eligible works for the Major Downtown Activation Grants, award of the grant can be applied retroactively to these costs.

4.4.3 Application Details

A ***complete application*** shall consist of:

- a Site Plan and/or professional design/architectural drawings;
- a Business Plan
- specification of the proposed works, including number, size, tenure and projected unit sale prices and/or rental rates of units to be constructed and construction drawings;
- a written estimate of project construction costs, including a breakdown of said costs, from a qualified architect or contractor;
- Building Assessment if the proposal includes a building(or part thereof) that is derelict, under-utilized and/or no longer viable as non-residential space;
- Sources and uses of funding including, where applicable and any other funding applied for (e.g. Brownfield Redevelopment CIP and/or Heritage Reserve Fund) or received as per section 3.3;

- Proof of building ownership or authorization of owner for applicant to act as agent;
- a copy of Heritage Impact Assessment, where applicable.

4.4.4 Funding

Payments will be made to the grant recipient upon the City being satisfied that the grant recipient has complied with all terms and conditions of the application procedure, inspection procedures, and completion of work within the prescribed time frame. For the Major Downtown Activation Grant, the timeframe is set out on the (TIBG) agreed terms within the grant agreement.

Payment of the Major Downtown Activation Grant is made to the applicant in the following manner:

- Each year following completion of the project the City will pay the agreed tax increment created to the owner or assignee until the upset limit of the eligible cost are achieved.

4.4.5 Evaluation Criteria

The following are the criteria that will be used to access the applications, in order for staff to make recommendations to City Council:

1. Eligibility
2. Type of Development (Priority to residential or mixed use projects)
3. Project meets CIP Principles and Goals
4. Project Excellence (Street Character, Pedestrian & Street Realm, Design and Architectural Quality, etc.)
5. Quality of Application

The above categories are subject to change based on the recommendations of the Downtown CIP Review Team.

4.4.6 Program Duration

This program, unless otherwise extended by City of Guelph Council, will expire on December 31st, 2016.

The City of Guelph reserves the right to discontinue these programs at any time.

5.0 ADMINISTRATION

5.1 General

The Downtown Renewal Office will administer the Downtown Guelph CIP Programs.

5.2 Downtown Guelph CIP Review Team

The Downtown Guelph CIP Review Team, to work in consultation with the Downtown Renewal Office to review grant applications.

The Downtown Guelph CIP Review Team shall be comprised of the following:

- at least 2 staff members from the City's Downtown Renewal Office;
- the Heritage Planner and Urban Designer of the City's Policy Planning and Urban Design Division;
- at least 2 staff members of the City's Building and Zoning Division;
- at least 1 staff member of the City's Disability Services;
- at least 1 staff member of the City's Finance Department; and
- at least 1 staff member of the City's Realty Services.

The team may consult with appropriate staff as the Team determines necessary or appropriate to properly review grant applications.

5.3 Reporting to Council

It is important that the results of the monitoring program be used to ensure that the CIP programs be as effective as possible. The results of the programs will be reported on an annual basis to City Council by the Downtown Renewal office. Reporting will include measures (outlined Section 5.3 in DGCIP) highlighting the impact of the programs.

5.4 Program Adjustments & Termination

The monitoring results (empirical, qualitative and feedback from applicants) will be used to improve the program by recommending adjustments such as eligibility requirements, evaluation and the administration process. Therefore, the City may periodically review and adjust the level, terms and requirements of the CIP programs and make those adjustments within the Implementation Guidelines.

Schedule “Q” – Downtown Guelph Community Improvement Plan (DGCIP) Grant Awards

Schedule “Q” to By-law (2010) – 18935

DELEGATION OF AUTHORITY TO AWARD
DOWNTOWN GUELPH COMMUNITY IMPROVEMENT PLAN (DGCIP) GRANTS

Powers to be Delegated	Authority to award Downtown Guelph Community Improvement Plan (CIP) grants including the Facade Improvement Grant, Feasibility Study Grant, and the Minor Downtown Activation Grant. The delegation applies to grant funding established through the yearly budget process, as approved by Council.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ The DGCIP Implementation Guidelines provides grant details required to administer the DGCIP programs.○ Administrative in nature○ Supports Goal 5 of the Strategic Plan of having a Community-focused, responsive and accountable government.
Delegate(s)	<ul style="list-style-type: none">○ Executive Director (Finance & Enterprise Services) for the award of the Minor Downtown Activation Grant.○ Corporate Manager, Downtown Renewal or the Executive Director (Finance & Enterprise) for the award of the Facade Improvement Grant and Feasibility Study Grant.○ A person who is appointed by the CAO or selected from time to time by the Corporate Manager to act in the capacity of the delegate in the delegate’s absence.
Council to Retain Power Conditions and Limitations	<p>No.</p> <ul style="list-style-type: none">○ Grant awards are necessary to support a City program that is funded through a current year’s operating or capital budget which has been approved by Council.○ This delegation shall be subject to the financial signing authority of each delegate.○ Council sets maximum allowable budgets for CIP grant programs.○ This delegation does not supersede any approvals required under s.28 of the Planning Act, such as adoption of the CIP or major amendments to the CIP.
Review or Appeal Reporting Requirements	<ul style="list-style-type: none">○ Annual information report on grant awards executed during the year pursuant to this delegation of authority.○ All grant applications are reviewed by the CIP Review Team, as outlined in the CIP Implementation Guidelines, who may consult with appropriate staff as the Team determines necessary.

Schedule “R” – Downtown Guelph Community
Improvement Plan (DGCIP) Grant Amendments

Schedule “R” to By-law (2010) – 18935

DELEGATION OF AUTHORITY TO AMEND
DOWNTOWN GUELPH COMMUNITY IMPROVEMENT PLAN (DGCIP)
IMPLEMENTATION GUIDELINES

Powers to be Delegated	Authority to amend Downtown Guelph Community Improvement Plan (CIP) Implementation Guidelines.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Maintains accountability through conditions, limitations and reporting requirements.○ The DGCIP Implementation Guidelines allows for program adjustments intended to improve the administration of the DGCIP programs.○ Administrative in nature○ Supports Goal 5 of the Strategic Plan of having a Community-focused, responsive and accountable government.
Delegate(s)	<ul style="list-style-type: none">○ Corporate Manager, Downtown Renewal
Council to Retain Power Conditions and Limitations	<p>No.</p> <ul style="list-style-type: none">○ This delegation does not supersede any approvals required under s.28 of the Planning Act, such as adoption of the CIP or major amendments to the CIP.○ The addition of new programs, changes to the DGCIP area, or any changes that result in a financial impact to the city (e.g. beyond Council approved budgets) is not delegated to staff.
Review or Appeal Reporting Requirements	<ul style="list-style-type: none">○ This delegation allows for the periodic amendment of the CIP Implementation Guidelines.○ Any amendments will be summarized in the annual information report.

Attachment #4

Downtown Development Incentives & Development Charges Comparator Cities – 2011

**Based on Schedule "2"*

City	CIP – DC Program or Tax-Based Program	Other DC Exemption
Niagara Falls	<ul style="list-style-type: none"> Development Charges Exemption Program exempts from 75% of required DCs on residential, commercial & mixed use 	Regional DC Exemption Program – Exemption from 75% - 100% of Regional DC in downtown
St. Catharines	<ul style="list-style-type: none"> Tax Increment Based Incentive Grant Program (TIGP) - Annual grant for 10 years at a maximum grant of 90% and will be reduced 10% per year. 	No Municipal DCs in Downtown. Regional DC Exemption Program – Exemption from 75% - 100% of Regional DC in downtown.
Wellington County	No CIP	None
Pickering	No CIP	None
Ajax	<ul style="list-style-type: none"> Development Charge Exemption/Grant Program - No details on amount 	None
Oshawa	<ul style="list-style-type: none"> Residential Development Charge Grant Program – cannot exceed \$50,000 Increased Assessment Grant Program - Annual grant for 10 years at a maximum grant of 90% and will be reduced 10% per year. 	None
Whitby	No DC or tax-based programs.	None
Brantford	Downtown CIP exempt from City's DC bylaw	None
Waterloo Region	<ul style="list-style-type: none"> Regional Development Charges Exemption for Brownfields Joint Tax Increment Grant Program (Regional and Area Municipal) for Brownfields City of Cambridge/Region of Waterloo Joint Tax Increment Grant Program for Brownfields 	N/A
Waterloo	*See above	Ended DC exemption in 2010 <i>*due to extensive downtown development</i>
Cambridge	<ul style="list-style-type: none"> City of Cambridge/Region of Waterloo Joint Tax Increment Grant Program for Brownfields 	Core Area Development (downtown) DC exemption
Kitchener	<ul style="list-style-type: none"> City of Kitchener/Region of Waterloo Joint Tax Increment Grant Program for Brownfields Elimination of City and Regional Development Charges in CIP Area City of Kitchener Tax Rebate in CIP Area 	Adaptive Reuse Program – Tax Increment Grant
Chatham-Kent	<ul style="list-style-type: none"> DC Rebate Program – 100% Property Tax Increment Equivalent – 100% over 5 years 	None
Thunder Bay	<ul style="list-style-type: none"> Tax Increment-Based Grant Program – 100% 	No Municipal DCs in Downtown.
Kingston	<ul style="list-style-type: none"> Tax Increment-Based Rehabilitation Grant Program (TIRGP) 	None
Greater Sudbury	<ul style="list-style-type: none"> Tax Increment Financing Program 	No Municipal DC's in Town Centre.
Windsor	<ul style="list-style-type: none"> Development Charges Rebate Grant Program – 100% 	None
Vaughan	No CIP	None
Markham	<ul style="list-style-type: none"> Tax Increment Equivalent Grant <i>*proposed in 2011</i> 	None
London	<ul style="list-style-type: none"> Downtown Rehabilitation Grant (Tax Increment) 	No Municipal DC's in Downtown.
Barrie	<ul style="list-style-type: none"> Tax Increment Based Grant Program 	No Municipal DCs in City Centre.
Brampton	<ul style="list-style-type: none"> Development Charge Incentive Program – 50% and additional 50%(based on performance criteria) 	None
Hamilton	<ul style="list-style-type: none"> Downtown Property Improvement Grant Program Tax Increment 	No Municipal DCs in Downtown.

TO **Corporate Administration, Finance and Enterprise
Services Committee**

SERVICE AREA Corporate and Human Resources
Human Resources Department

DATE April 10, 2012

SUBJECT Attendance Management Software

REPORT NUMBER CHR – 2012 - 22

Purpose of the Report: To seek Council approval to purchase Attendance Management Software and related consulting costs from the Salary Gapping Reserve at a cost of \$150,000.

Council Action: To approve the recommendation in the attached report.

RECOMMENDATION:

That staff be authorized to purchase Attendance Management Software and related consulting costs from the Salary Gapping Reserve at a cost of \$150,000.

BACKGROUND:

Annually, the Human Resources Department submits an Annual Report to Council reporting workforce demographics and related Human Resources activity for the organization.

Of the many performance indicators/metrics listed, average attendance is reported and benchmarked against the Human Resources Benchmarking Network as well as The Conference Board of Canada and Statistics Canada for comparative purposes.

Average attendance, total days off and the cost of absenteeism has been trending negatively since 2008.

Corrective action is required as 'absence' creates costs to the organization in terms of lost productivity, overtime, morale and employee engagement. Human Resources staff have as reported in 2011 developed an Attendance Management program to provide the necessary resources, tools and supports to city departments to more effectively manage culpable absenteeism.

The main barrier to implementing the program is the lack of technology to support management reporting and tracking of absence rates by department and division over a rolling twelve month period, which is necessary for the integrity and defensibility of any attendance management program.

REPORT:

Absenteeism may result from an involuntary inability to work because of illness or accident (i.e. non-culpable absence), or from a voluntary unwillingness to work (culpable absence).

According to the Conference Board of Canada, both forms of employee absence involve a complex range of influences stemming from individual factors (e.g., demographic characteristics, employee health) and the work environment.

Since 2008 the Human Resources Department has reported in its Annual Report absence and related cost data, shown in Figure 1 below.

Figure 1
Absenteeism Benchmarks

	2008	2009	2010	2011	HRBN	CBOC
Average # Sick Days / Eligible Employee	9.7	9.8	9.9	10.2	8.9	8.4 ¹
WSIB Lost Work Days / Eligible Employee	0.37	0.51	0.25	0.5	0.68	

¹ As reported by CBOC for the Government Industry

Absenteeism Summary Annual Comparison

Days off due to Sickness/Injury	2008	2009	2010	2011
Total Days Off due to Sickness/Injury	14,755	15,499	16,303	18,945

Cost of Claims

By Claim Type	2008	2009	2010	2011
STD Claim Expenditures	\$282,846	\$479,132	\$354,533	\$411,703
LTD Claim Expenditures	\$328,314	\$528,503	\$404,292	\$695,628
WSIB Claim Expenditures	\$312,419	\$376,631	\$402,733	\$352,564
Total	\$923,579	\$1,384,266	\$1,161,558	\$1,459,895

As the chart demonstrates, average number of sick days per eligible employee, total days off due to sickness/injury and the total cost of absence has risen consistently since 2008.

The City has always 'managed' attendance and had the requisite Attendance Management Policy in place to meet employment legislative requirements.

There are needed Return to Work procedures in place to assist those employees who require accommodation either on a temporary or permanent basis following illness or injury.

As reported last year, staff have developed a more robust Attendance Management program, based on best practices, informed by practice in other municipal jurisdictions, and arbitration jurisprudence to inform an approach to support employees in early safe return to work and manage culpable absenteeism.

The City does not currently have the technology required to support the implementation of the Attendance Management program.

Best practice attendance management programs have as a key feature the ability to report at various levels of detail, attendance statistics by department, division, section, unit and/or location. These programs also are able to 'bring forward' to the attention of Managers/Supervisors the requirement to follow up with those employees who have exceeded an identified average attendance rate.

Currently the City's Human Resource Information System does not provide this capability.

Considerable work has been completed with staff in Human Resources and Information Technology to determine if existing technology could be

modified to support what is required for the Attendance Management program. Without considerable customization, and considerable manual work following the technology customization, this option was deemed not acceptable, effective or efficient.

A solution to this issue exists in the form of an additional 'module' to the City's current Time and Attendance software that if implemented, would provide the needed functionality to enable the implementation of the Attendance Management program.

There are no funds available currently within the operating budget to purchase this software.

The Salary Gapping Reserve was established to be used in circumstances or matters related to compensation. The implementation of an Attendance Management program is first and foremost to support employees in early safe return to work. If successful, this will result in a reduction in the cost of absenteeism to the City, representing a compensation savings to the City.

The purchase of the required Attendance Management software is in keeping with the intent of use of the Salary Gapping Reserve.

CORPORATE STRATEGIC PLAN:

Goal 5 – A community focused, responsive and accountable government.
Objective 5.6 – Organizational excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS:

The projected cost to purchase and implement the Attendance Management Software with the assistance of external consulting is \$150,000.

External consulting assistance is required to implement the software as the expertise required for this implementation does not currently reside within the Information Technology department.

There are sufficient funds available in the Salary Gapping Reserve. The Dec 31st, 2011 balance of this reserve was 1.12 million dollars

DEPARTMENTAL CONSULTATION:

Human Resources, Information Technology Services

COMMUNICATIONS:

A full communications and training plan is under development pending the implementation of the Attendance Management Program which may occur in 2013.

Original Signed by;

Prepared and Recommended By:

Mark Amorosi

Executive Director, Corporate and Human Resources

X 2281

mark.amorosi@guelph.ca

CONSENT REPORT OF THE OPERATIONS & TRANSIT COMMITTEE

April 23, 2012

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

Your Operations & Transit Committee beg leave to present their THIRD
CONSENT REPORT as recommended at its meeting of April 16, 2012.

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

1) Watson Parkway North and Speedvale Avenue East – Speed Limit Reductions

THAT the Operations & Transit Committee Report OT031209
Watson Parkway North and Speedvale Avenue East Speed Limit Reductions
dated April 16th, 2012 be received;

AND THAT the speed limit on Watson Parkway North between the
northerly City limit and Eastview Road be reduced from 80 km/h to 60
km/h;

AND THAT the speed limit on Speedvale Avenue East from 650 metres east
of Eramosa Road to Watson Parkway North be reduced from 80 km/h to
60km/h;

AND THAT the speed limit on Watson Parkway North from Eastview Road to
Starwood Drive be reduced from 60 km/h to 50km/h.

2) Bicycle Lanes on Grange Road

THAT the Report OT031211 Bicycle Lanes on Grange Road dated April 16th,
2012 be received;

AND THAT no action be taken on implementing bicycle lanes on Grange
Road between Victoria Road and Watson Parkway at this time;

AND THAT a Bicycle Route be established on Grange Road between Victoria
Road and Watson Parkway.

All of which is respectfully submitted.

Councillor Findlay, Chair
Operations & Transit Committee

**PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE APRIL 16, 2012, MEETING.**

COMMITTEE REPORT



TO **Operations & Transit Committee**

SERVICE AREA Operations & Transit
DATE April 16, 2012

**SUBJECT Watson Parkway North and Speedvale Avenue East –
Speed Limit Reductions**

REPORT NUMBER OT031209

SUMMARY

Purpose of Report:

To respond to the Operations &, Transit Committee resolution dated January 30th, 2012 directing staff to review the existing speed limits within the east end of the City.

Committee Action:

To receive staff's report and recommend changes to speed limits.

RECOMMENDATION

THAT the Operations & Transit Committee Report OT031209 Watson Parkway North and Speedvale Avenue East Speed Limit Reductions dated April 16th, 2012 be received;

AND THAT the speed limit on Watson Parkway North between the northerly City limit and Eastview Road be reduced from 80 km/h to 60 km/h;

AND THAT the speed limit on Speedvale Avenue East from 650 metres east of Eramosa Road to Watson Parkway North be reduced from 80 km/h to 60km/h;

AND THAT the speed limit on Watson Parkway North from Eastview Road to Starwood Drive be reduced from 60 km/h to 50km/h.

BACKGROUND

On January 30th, 2012 the Operations and Transit Committee approved the following resolution:

"THAT the Operations & Transit Committee report #OT011201 Eastview Road Speed Limit Reduction dated December 12th, 2011 be received;

AND THAT the speed limit on Eastview Road between Watson Parkway North and the easterly City limit be reduced from 60km/h to 50km/hr.;

AND THAT staff be directed to conduct a comprehensive review of the streets surrounding Eastview Road in order to provide consistency of the speed limits within the area."

This report will review existing speed limits along three arterial roadways within the east end of the City, specifically Speedvale Avenue East, Watson Parkway North and Eastview Road. A plan illustrating the existing and proposed speed limits is shown in Appendix A to this report.

REPORT

Speedvale Avenue East and Watson Parkway North:

The existing speed limits on Speedvale Avenue East from 650 m east of Eramosa Road and Watson Parkway North and on Watson Parkway North between the north city limit and Eastview Road is 80 km/h. However, once you exit the City limits and enter the Township of Guelph-Eramosa, the speed limits on both of these roadways changes to 60 km/h. For consistency of speed limits between the Township and City boundary, staff recommend reducing the existing speed limits on Speedvale Avenue East and Watson Parkway North, north of Eastview Road from 80 km/h to 60 km/h.

Watson Parkway North – Eastview Road to Watson Road:

Over the past few years, Watson Parkway North between Starwood Drive and Eastview Road has undergone considerable development transforming it from rural to an urban residential area. The section of Watson Parkway North includes parklands (Joe Veroni Park and Grange Road Park), residential development including a cluster of homes with residential frontage directly onto Watson Parkway North, and permissive on-street parking during evenings and weekends from Grange Road to just south of Fuller Drive.

Local residents have requested the existing speed limit be reduced to 50 km/h in an effort to have motorists reduce their speed to improve overall roadway safety as they drive through this area. Although lowering speed limits does not automatically correlate to an actual reduction in the speed of vehicles, the neighborhood has changed and the requested 50km/h would be more consistent with the speed limit on other primarily residential streets within Guelph. Therefore staff recommend reducing the speed limit on Watson Parkway North between Eastview Road and Watson Road to 50 km/h.

Watson Parkway North – Watson Road to York Road:

The undeveloped lands adjacent to the section of Watson Parkway North between Watson Road and York Road are zoned for future industrial and commercial use. Staff recommend no changes at this time as motorists may not respect a lower speed limit without obvious reasons for such action. The speed limits will be revisited as the area develops.

Eastview Road:

Recently, City Council approved reducing the speed limit on Eastview Road east of Watson Parkway North from 60 km/h to 50 km/h. Because this is a newly developed area with residential frontage, the speed limit reduction was consistent with the speed limit used in residential areas.

However the section of Eastview Road between Summit Ridge Drive and Watson Parkway North is undeveloped green space (former Eastview Landfill on the north side) with no residential development. The existing speed limit is posted as 60km/h. Given the absence of driveways and residential development, staff recommend retaining the current 60 km/h speed limit at this time.

Conclusion:

For consistency of speed limits and in recognizing recent intensification of residential development within the east end of the City, staff recommend the speed limit adjustments as indicated. Upon approval, staff will proceed with installing new speed limit signs as soon as possible.

CORPORATE STRATEGIC PLAN

Goal 2. A healthy and safe community where life can be lived to the fullest.

FINANCIAL IMPLICATIONS

The installation of signage to affect the recommended speed limits will be funded through the 2012 Operating budget.

DEPARTMENTAL CONSULTATION

Staff consulted with the Guelph Police Services who support staff's recommended reductions in speed limits.

COMMUNICATIONS

A notice has been posted in the City Pages advising the community of proposed speed limit changes in the east end of the City.

ATTACHMENTS

Appendix A – Arterial Road Review – Existing and Proposed Speed Limits

Prepared by: Dean McMillan, Traffic Technologist II

A handwritten signature in black ink, appearing to be 'Rod Keller', with a long horizontal stroke extending to the right.

Reviewed By:

Rod Keller
General Manager, Public Works
519 -822-1260 x 2949
rod.keller@guelph.ca

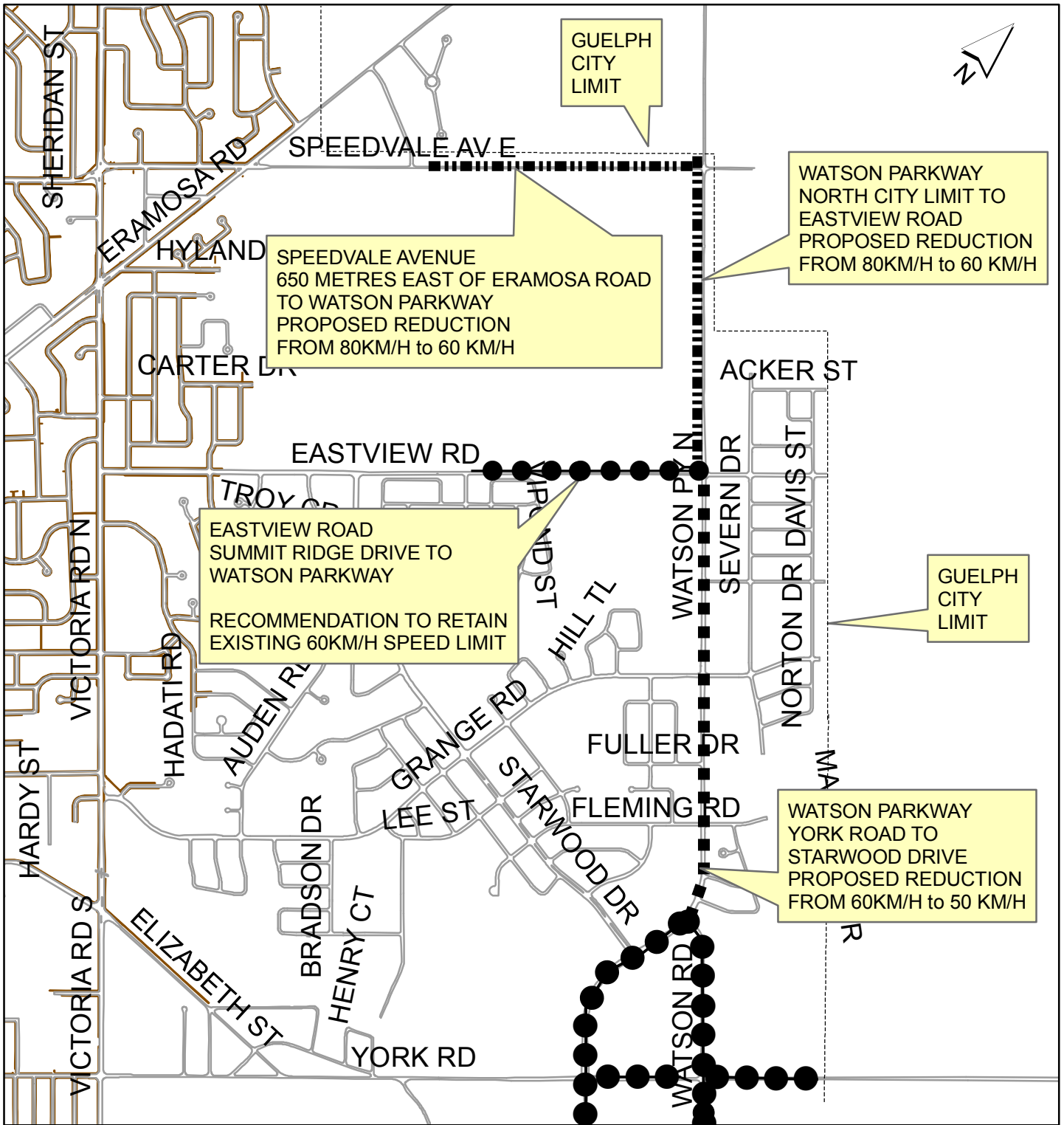
Original Signed by:

**Recommended By: Derek J. McCaughan, Executive Director
Operations, Transit & Emergency Services**

Appendix A

Arterial Road Review

Existing and Proposed Speed Limits



LEGEND:

- ■ ■ ■ - Proposed reduction to 50km/h speed limit
- ■ ■ ■ ■ ■ - Proposed reduction to 60km/h speed limit
- ● ● ● - Existing 60 km/h speed limit

Note: All other streets shown are designated 50km/h

COMMITTEE REPORT



TO **Operations & Transit Committee**

SERVICE AREA Operations and Transit
DATE April 16th, 2012

SUBJECT **Bicycle Lanes on Grange Road**
REPORT NUMBER OT031211

SUMMARY

Purpose of Report:

To respond to the Operations & Transit Committee resolution dated September 12th, 2011 directing staff to pursue further public engagement regarding the addition of bicycle lanes on Grange Road between Victoria Road and Watson Parkway.

Council Action:

To consider staff's recommendation to take install a Bike Route rather than bicycle lanes on Grange Road between Victoria Road and Watson Parkway.

RECOMMENDATION

THAT the Report OT031211 Bicycle Lanes on Grange Road dated April 16th, 2012 be received;

AND THAT no action be taken on implementing bicycle lanes on Grange Road between Victoria Road and Watson Parkway at this time;

AND THAT a Bicycle Route be established on Grange Road between Victoria Road and Watson Parkway.

BACKGROUND

Consideration of the installation of bicycle lanes on Grange Road between Victoria Road and Watson Parkway was initiated through a Notice of Motion by Councillor Bob Bell. Council referred a resolution directing consideration of the motion to the Operations & Transit Committee at their meeting of July 18th, 2011. At a subsequent meeting of the Operations and Transit Committee, staff was asked to investigate options for implementing bicycle lanes on Grange Road between Victoria Road and Watson Parkway.

Appendix A to this report provides a copy of the original report presented at the Committee's meeting of September 12th, 2011. At this meeting, the Committee approved the following resolutions:

"THAT Operations and Transit Committee Report OT071146` Bicycle Lanes on Grange Road' dated September 12, 2011 be received;" and,

"THAT staff be directed to pursue further public engagement regarding adding bicycle lanes to Grange Road between Victoria Road and Watson Parkway."

REPORT

In response to the Committee's resolution of September 12th, 2011, community input was sought. This was done two ways. First, through a direct mailing to all properties located on Grange Road and second through a public notice placed in the Guelph Tribune City Page seeking feedback from the greater community.

Two hundred and fifty households along Grange Road were targeted for the direct mailing as it was deemed by staff that they would be most affected by any changes to the use of Grange Road. According to 2011 census data there are approximately 4,500 occupied household dwellings within the Eastview Community. Total responses received amounted to 120 or 2.7% of the community. Of the total responses 54 lived on, or in very close proximity to Grange Road. The remaining 66 responses were from residents living within the Eastview Community (64 responses) and those that did not provide an address (2 responses). Appendix B provides a map of the area highlighting the properties which provided comments on the Grange Road bicycle lane proposal.

Of the 120 responses received, five were in favour of adding bicycle lanes on Grange Road while 115 opposed the installation of bicycle lanes. The main issue of concern was the removal of on-street parking and the implications of it on the community. While the total number of responses received is considered a small sample size and therefore statistically invalid, it is clear that the loss of on-street parking is of significant concern to those most directly affected, residents who live on Grange Road.

Under the Official Plan, Grange Road is currently identified as a Bike Route. A Bike Route is a roadway signed specifically to encourage bike use, while a Bicycle Lane is a designated portion of roadway for bicycle use, which is designated by signs **and** lane markings separating the portion of road used by motor vehicles from the portion of road used by bicycles. With an existing road width of 11.0 metres, Grange Road is not wide enough to include bicycle lanes while maintaining on-street parking on both sides of the street. A review of existing traffic volumes along Grange Road shows bicycle use to be very low. During a traffic volume study conducted in May 2011, there were a total of four bicycles recorded on Grange Road within an 8-hour period accounting for 0.1% of total vehicular traffic.

In considering the relatively low bicycles volumes, the street's current designation as a Bike Route under the City's Official Plan, and the requirement to eliminate on-

street parking, staff do not recommend remarking Grange Road with bicycle lanes at this time.

Bicycle lanes could be revisited sometime in the future when the opportunity presents itself as part of road reconstruction or when bicycle volumes increase to a level where more community support could be garnered. In the meantime, as a measure to encourage bicycling in this neighbourhood, staff recommend signing Grange Road between Victoria Road and Watson Parkway as a Bike Route consistent with the City's Official Plan.

Conclusion:

As indicated previously, adding bicycle lanes to Grange Road between Victoria Road and Watson Parkway is only possible with the removal of on-street parking. Council has experienced other situations when considering the introduction of bicycle lanes where the information provided by staff appeared conflicted. The level of bicycle activity varies throughout the City from significant to limited and choosing between the implementation of bicycle lanes to foster a cycling culture within the larger community and the removal of on-street parking which contributes to residents' enjoyment of their neighbourhood can be difficult. In light of this paradox, staff recommend the full implementation of a *Bike Route* as identified in our Official Plan as an interim measure that will hopefully encourage more bicycle activity until a stronger case to remove on-street parking can be made.

CORPORATE STRATEGIC PLAN

GOAL 5: A community-focused, responsive and accountable government

FINANCIAL IMPLICATIONS

Identifying Grange Road as a bicycle route through the use of signage will cost approximately \$5,000. These costs could be funded within the 2012 Operating budget.

DEPARTMENTAL CONSULTATION

Planning, Building, Engineering & Environment: Engineering Services and Planning were consulted and had no additional comments.

COMMUNICATIONS:

Residents of Grange Road between Victoria Road and Watson Parkway have been advised this matter is being presented to the Operations & Transit Committee on April 16th, 2012.

ATTACHMENTS

- Appendix A Operations and Transit Committee Report dated September 12th, 2011
- Appendix B Area map showing properties in support and opposed to bicycle lanes

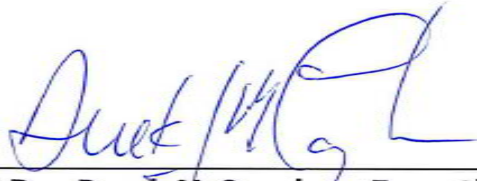
Prepared by: Joanne Starr, Supervisor, Traffic Investigations



Reviewed By:

Rod Keller

General Manager, Public Works
519 -822-1260 x 2949
rod.keller@guelph.ca



**Recommended By: Derek McCaughan, Executive Director
Operations & Transit**

COMMITTEE REPORT



TO **Operations and Transit Committee**

SERVICE AREA Operations and Transit – Public Works
DATE September 12, 2011

SUBJECT **Bicycle Lanes on Grange Road**
REPORT NUMBER OT071146

SUMMARY

Purpose of Report:

The report is in response to the Operations and Transit Committee resolution dated July 18th, 2011 directing staff to review and report back to the Operations and Transit Committee on the implications of installing bicycle lanes on Grange Road.

RECOMMENDATION

THAT Operations and Transit Committee Report OT071146 Bicycle Lanes on Grange Road dated September 19, 2011 be received.

BACKGROUND

On July 4th, 2011, Council approved the following resolution:

WHEREAS the transportation master plan of 2005 shows bike lanes on Grange Road between Victoria Road and Watson Road;

AND WHEREAS the city promotes public involvement in the decision making process;

BE IT RESOLVED THAT the matter of Bike Lanes on Grange Road be referred to the next Operations and Transit Committee meeting for direction to staff.

On July 18th, 2011 the Operations and Transit Committee approved the following resolution:

“AND THAT staff review the implications of installing bicycle lanes on Grange Road and report back to Committee.”

The result of staff's review and the implications associated with installing new bicycle lanes on both sides of Grange Road from Victoria Road North to Watson Parkway are summarized within this report.

REPORT

The section of Grange Road between Victoria Road North and Watson Parkway currently operates as a two-lane, arterial roadway with a 50 km/h speed limit. Parking is permitted on both sides of the street with the exception of a parking restriction near intersections and prior to the beginning of the school year, in front of the two elementary schools near Starwood Drive. A diagram of the study area is Appendix A to this report.

The City of Guelph's Official Plan and Transportation Master Plan provides the current policy framework for developing and implementing programs and initiatives to facilitate bicycle use in Guelph. The Official Plan identifies the on-road bicycle network including bicycle lanes and bicycle routes on specific roadways. Under the current Official Plan, Grange Road between Victoria Road North and Watson Parkway is identified as a bicycle route. Where there is a bicycle route, the road is unmarked and a wider lane width of 4 - 4.5 metres is provided to accommodate bicycles.

In 2009, City Council approved a Bicycle Policy whereby roadways identified as bicycle routes and scheduled for reconstruction would instead be demarcated with bicycle lanes. As part of this same Bicycle Policy, Council authorized staff to undertake retrofit construction to include bicycle lanes in sections of roadways that are designated to include bicycle lanes but are not scheduled for full reconstruction in the near term. The remarking of Grange Road to include bicycle lanes would be in keeping with the objectives of the Bicycle Policy adopted by City Council in 2009 as it would add to the existing network of on-street bicycle lanes, which are considered to be safer than unmarked on-street bicycle routes and supports the strategy to make the City of Guelph a bicycle friendly city.

Implications:

The existing road width on Grange Road is 11.0 metres. On-street parking is currently permitted on both sides of Grange Road with the exception of parking restrictions near specific intersections and in the vicinity of the two elementary schools located on Grange Road west of Starwood Drive where staff will be installing, for the beginning of the new school year, two new 5 minute "Kiss n' Ride" zones on the south side of Grange Road. Appendix B1 provides an overview of the existing parking restrictions and Appendix B2 illustrates in greater detail the section of Grange Road between O'Conner Lane and Esker Run.

Based on the existing road width, the addition of new bicycle lanes will require removal of on-street parking from both sides of Grange Road. The existing road is not wide enough to accommodate two vehicular lanes, two bicycle lanes (one lane in each direction) as well as on-street parking, either on one or both sides of the street. The removal of on-street parking will likely be viewed by some residents as a significant impact.

It has been the City's practice to prohibit on-street parking where bicycle lanes are present. The one exception is Waterloo Avenue where on-street parking is permitted within the existing bicycle lanes between 6:00 p.m. and 8:00 a.m. the following day.

If staff is directed to install bicycle lanes on Grange Road, staff recommend prohibiting on-street parking and installing "No Parking Anytime" signing with the exception of two locations to keep the bicycle lanes clear of parked vehicles (see exceptions below).

All properties located along Grange Road have driveways that can accommodate parking off-street. If additional on-street parking is required there are a number of adjacent streets that permit on-street parking within a short walking distance. Committee should be aware that additional parked vehicles within these neighborhoods may generate concerns from the residents.

The first exception would be the area in front of the two elementary schools, Holy Trinity Catholic School and Ken Danby Public School, where the staff will be installing, for the beginning of the new school year, two new 5 minute "Kiss n' Ride" zones on the south side of Grange Road. These zones provide a designated area for student safety.

The second exception would be the area designated as a school bus loading zone (SBLZ) on the north side of Grange Road in front of the sports fields opposite Schroeder Crescent. The SBLZ has been implemented for the use of school buses servicing St. James Catholic Secondary School.

Given that vehicles would only occupy the SBLZ and Kiss n' Ride zones for short periods of time throughout the school year, staff support maintaining these parking/stopping areas within the proposed bicycle lanes. The signing for the two new "Kiss n' Ride" zones will clearly indicate "Parking permitted – 5 minutes – 8:00am to 4:30pm, Monday to Friday, September 1 to June 30th." This signing will provide cyclists with adequate information on why vehicles are parked within the bicycle lane and the times that are permitted.

Intersection impacts:

Recognizing that staff are working with the existing road width, the existing lane configurations at three key intersections along Grange Road (Starwood Drive, Watson Parkway and Victoria Road) cannot accommodate the addition of bicycle lanes without significant changes to the existing lane configuration and pavement markings.

There are currently separate left turn lanes on Grange Road at the signalized intersections of Starwood Drive and at Watson Parkway. Due to the limited road width, adding bicycle lanes at these two intersections will require removal of the existing left turn lanes.

Upon reviewing the existing traffic volumes and movements, removal of the existing left turn lanes would significantly impact the operation of these intersections especially during peak hours when traffic volumes are at their highest. In considering the implications and the needs of all road users, staff would recommend that the existing lane configuration at these two intersections remain unchanged if bicycle lanes were to be installed. The bicycle lanes would begin and end just prior to where the left turn lane begins. When traveling through these intersections cyclists would exit the bicycle lane and continue travelling into the appropriate traffic lane.

The intersection of Victoria Road at Grange Road presents a similar challenge. Currently, there is a four-lane cross section on Grange Road at Victoria Road. Given the existing road width there are two options available:

1. Leave the existing four-lane cross section and begin /end the new bicycle lane just east of Victoria Road where the lane configuration changes from four to two lanes; or
2. Reduce the number of travel lanes from four to two lanes, one lane in each direction, in order to accommodate the new bicycle lanes.

Due to the high volume of turning movements at this intersection, staff would recommend option 1, leaving the existing four-lane cross section in place. New bicycle lanes would begin and end just east of Victoria Road in the vicinity of Domo Drive. Cyclists approaching Victoria Road can select the appropriate traffic lane to make their movements.

Existing and Proposed Lane Markings:

Diagrams showing existing and proposed cross sections are provided in Appendices C, D and E. These illustrations show the impacts of adding bicycle lanes and how the proposed lane configuration would look like at key locations along Grange Road if bicycle lanes were installed.

Conclusion:

Adding bicycle lanes to Grange Road between Victoria Road and Watson Parkway is a possible option based upon the existing road width, traffic volumes, properties having on-site parking for one or more vehicles and additional parking being available on a number of adjacent streets within a short walking distance.

If Committee concludes the installation of bicycle lanes on Grange Road should be pursued further, staff recommend public engagement be considered. Guelph prides itself on its level of public engagement, that we actively seek public opinion to inform the decision making process. However, the concept and design of a bicycle network was formed on the collective opinion of the community and not just one neighbourhood. Our current practice is to engage public opinion on such localized matters on a neighbourhood/street scale and not at the community level. The removal of on-street parking may not be welcome by some directly dependant on it. To receive such opinion from a majority only to implement the bicycle lanes and remove the parking may be perceived as a slight by the neighbourhood.

Staff believe it may be more prudent to solicit community-wide **opinion** on the proposed change from bicycle routes to bicycle lanes and to **inform** the neighbourhood of the loss of on-street parking should this action be pursued. In both cases, the date the matter would be heard by Committee would be made known.

Finally, given the time of year, length of time to undertake public process and, if approved, to install the necessary signs and markings, the Committee should be aware conversion could not occur until late Spring 2012.

CORPORATE STRATEGIC PLAN

GOAL 5: A community-focused, responsive and accountable government

FINANCIAL IMPLICATIONS

Implementation of new bicycle lanes on Grange Road will cost approximately \$14,000 for the signage and pavement marking. These costs are not currently funded within the 2011 Operating budget. Therefore, if staff is directed to proceed with the installation in 2011, it may result in a negative variance within the assigned business units. The on-going annual maintenance costs, repainting and sign maintenance, are estimated to be approximately 10% of the installation costs.

DEPARTMENTAL CONSULTATION

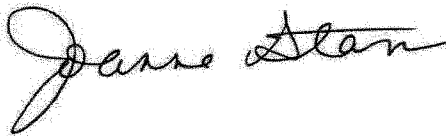
N/A

COMMUNICATIONS:

Not required at this time.

ATTACHMENTS

Appendix A	Study Area
Appendices B1 and B2	Existing On-street Parking Restrictions
Appendix C	Typical Mid-block Lane Configuration - Existing and Potential with Bicycle Lanes
Appendix D	Grange Road at Victoria Road Lane Configuration
Appendix E	Grange Road at Starwood Drive and Watson Parkway at Grange Road Lane Configuration



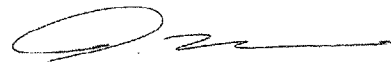
Prepared By:
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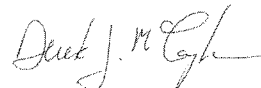
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Recommended By:
Allister McIlveen

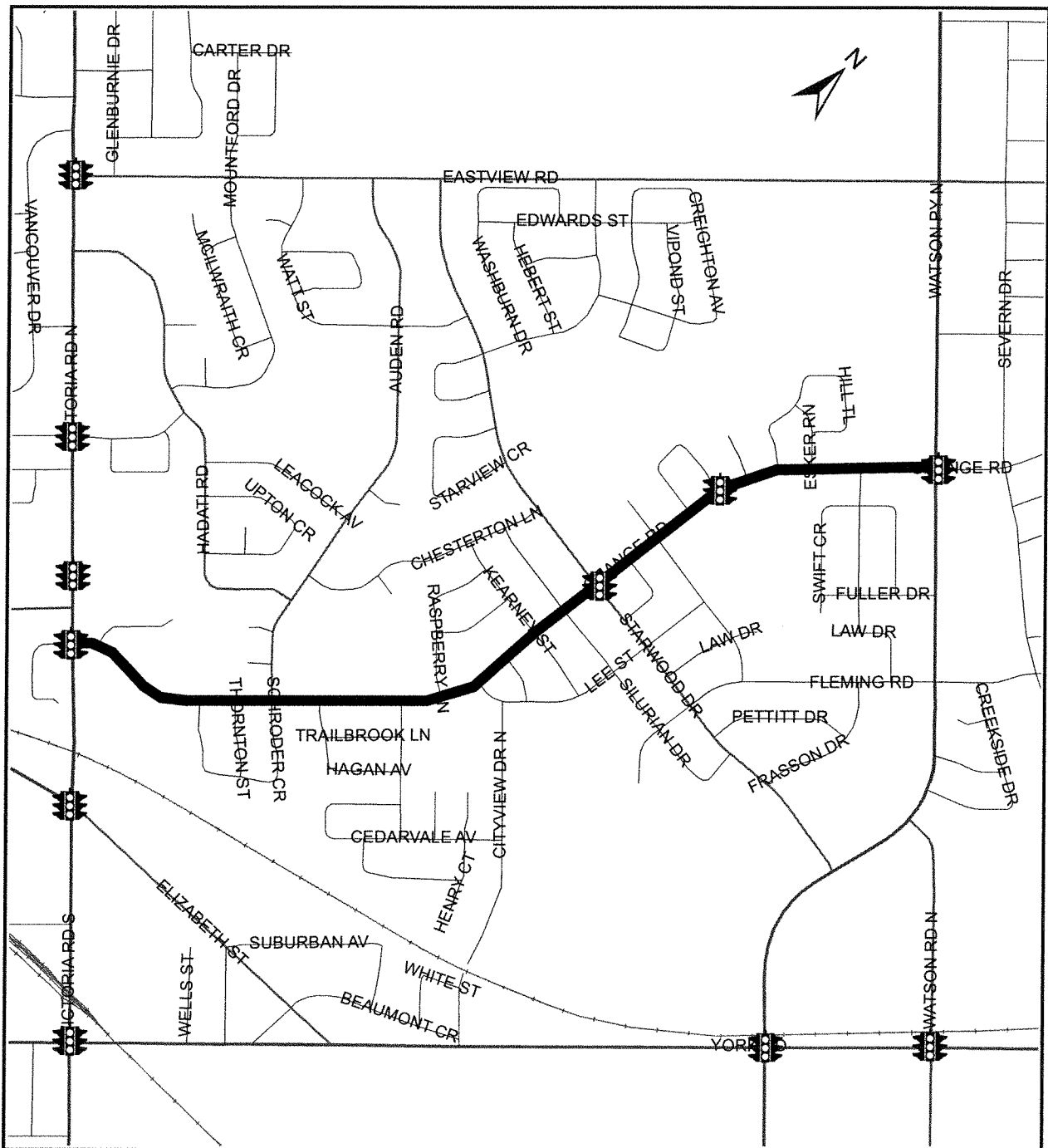
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Recommended By:
Derek J. McCaughan

Executive Director
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derek.mccaughan@guelph.ca

APPENDIX A - STREET UNDER REVIEW

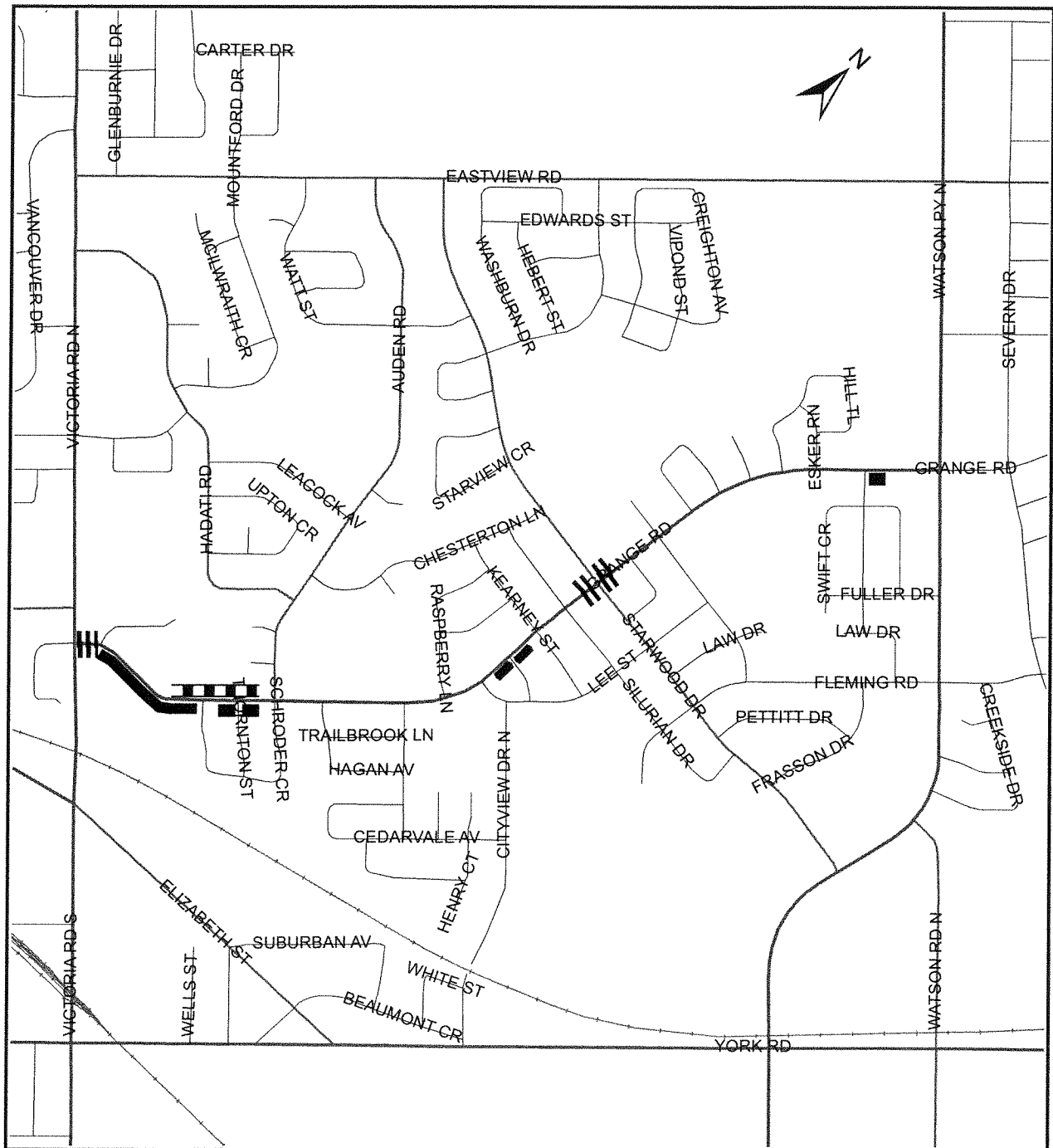


LEGEND:

———— - STREET UNDER REVIEW

 - EXISTING TRAFFIC SIGNAL OR PEDESTRIAN SIGNAL

APPENDIX B1 - EXISTING PARKING RESTRICTIONS (OVERVIEW)



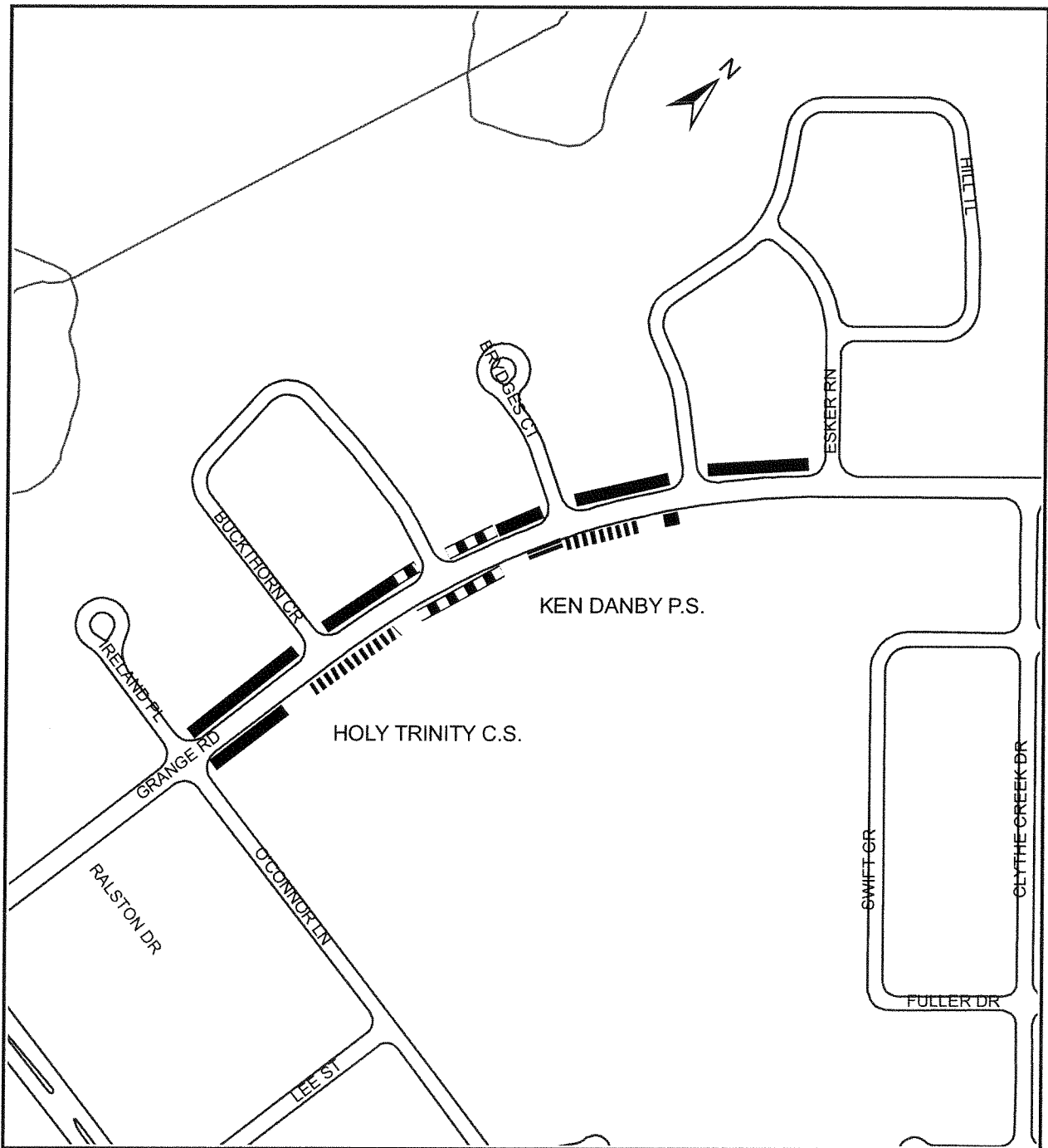
LEGEND:

Solid black line - NO PARKING ANYTIME





Dashed line - SCHOOL BUS LOADING ZONE AND NO STOPPING 8-4:30, MON.-FRI.

Vertical hatched line - NO STOPPING ANYTIME

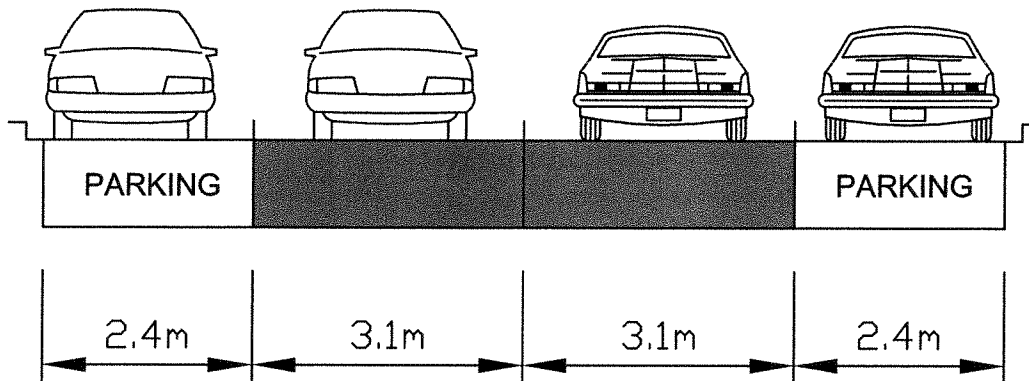
APPENDIX B2 - EXISTING PARKING RESTRICTIONS SCHOOL LOCATIONS



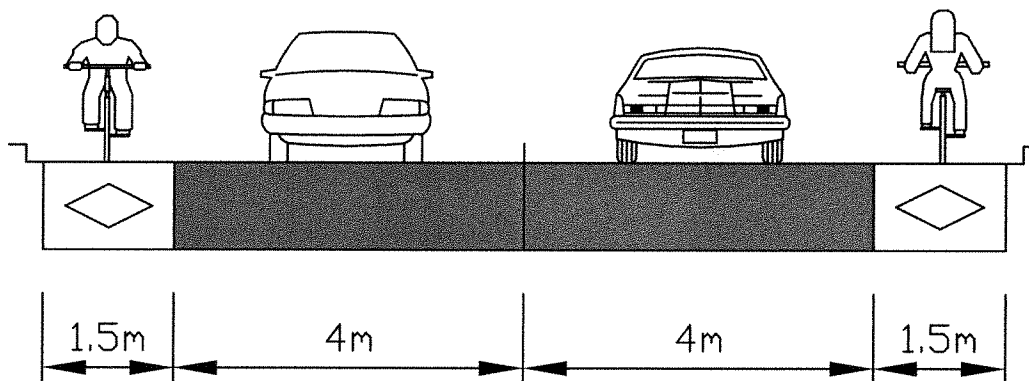
LEGEND:

- | | |
|---|--|
|  - NO STOPPING, 8-4:30, MON.-FRI.,
SEPT 1-JUNE 30 |  NO STOPPING EXCEPT BUSES |
|  - NO STOPPING ANYTIME |  KISS 'N' RIDE ZONE |

APPENDIX C
TYPICAL MID-BLOCK LANE CONFIGURATION
EXISTING AND POTENTIAL WITH BICYCLE LANES

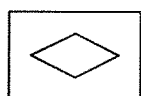


EXISTING MID-BLOCK
LANE CONFIGURATION
ROAD WIDTH: 11.0m



POTENTIAL MID-BLOCK LANE
CONFIGURATION WITH BICYCLE LANES
ROAD WIDTH: 11.0m

LEGEND

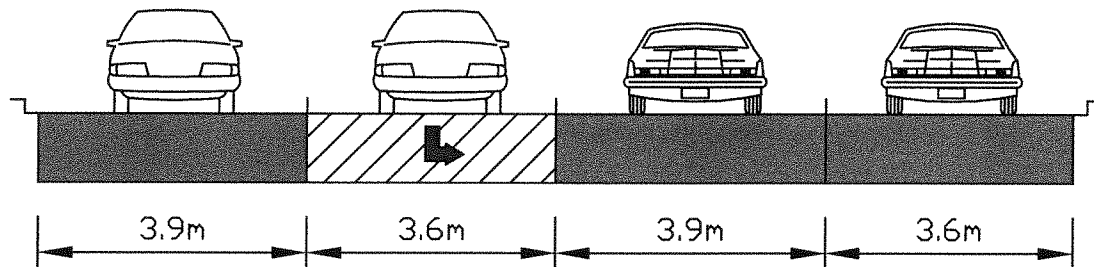


BICYCLE LANE

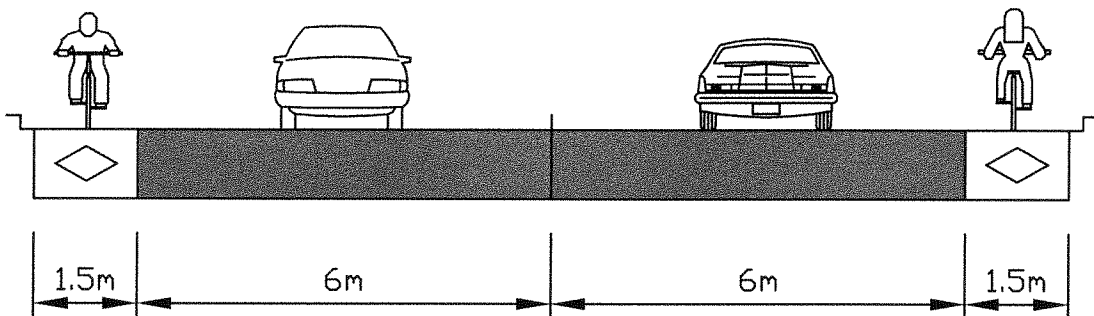


VEHICULAR TRAVEL LANE

APPENDIX D
GRANGE ROAD AT VICTORIA ROAD NORTH
INTERSECTION LANE CONFIGURATION



EXISTING
ROAD WIDTH: 15.0m



IMPACT OF ADDING BICYCLE LANES
NOT RECOMMENDED - REMOVES LEFT TURN LANE
ROAD WIDTH: 15.0m

LEGEND



VEHICULAR TRAVEL LANE

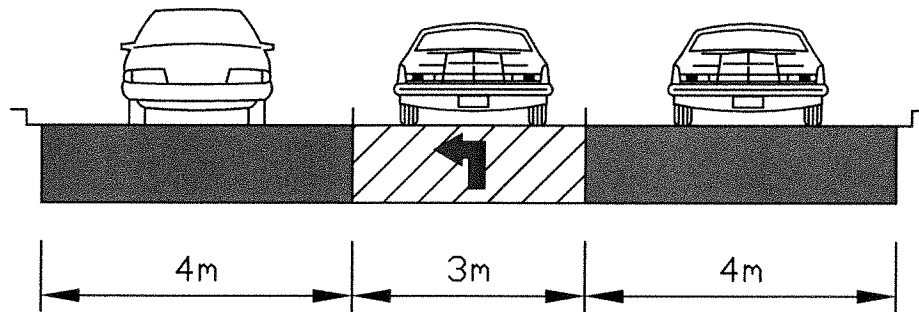


LEFT TURN LANE

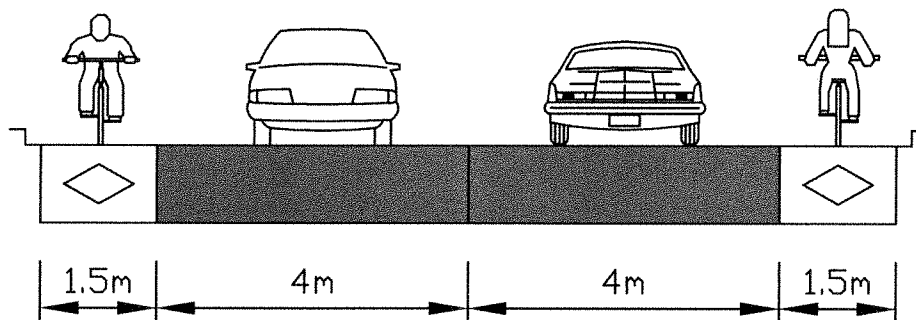


BICYCLE LANE

APPENDIX E
GRANGE ROAD AT WATSON PARKWAY AND
GRANGE ROAD AT STARWOOD DRIVE
INTERSECTION LANE CONFIGURATION

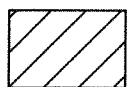


EXISTING
ROAD WIDTH: 11.0m



IMPACT OF ADDING BICYCLE LANES
NOT RECOMMENDED - REMOVES LEFT TURN LANE
ROAD WIDTH: 11.0m

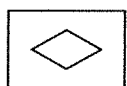
LEGEND



LEFT TURN LANE

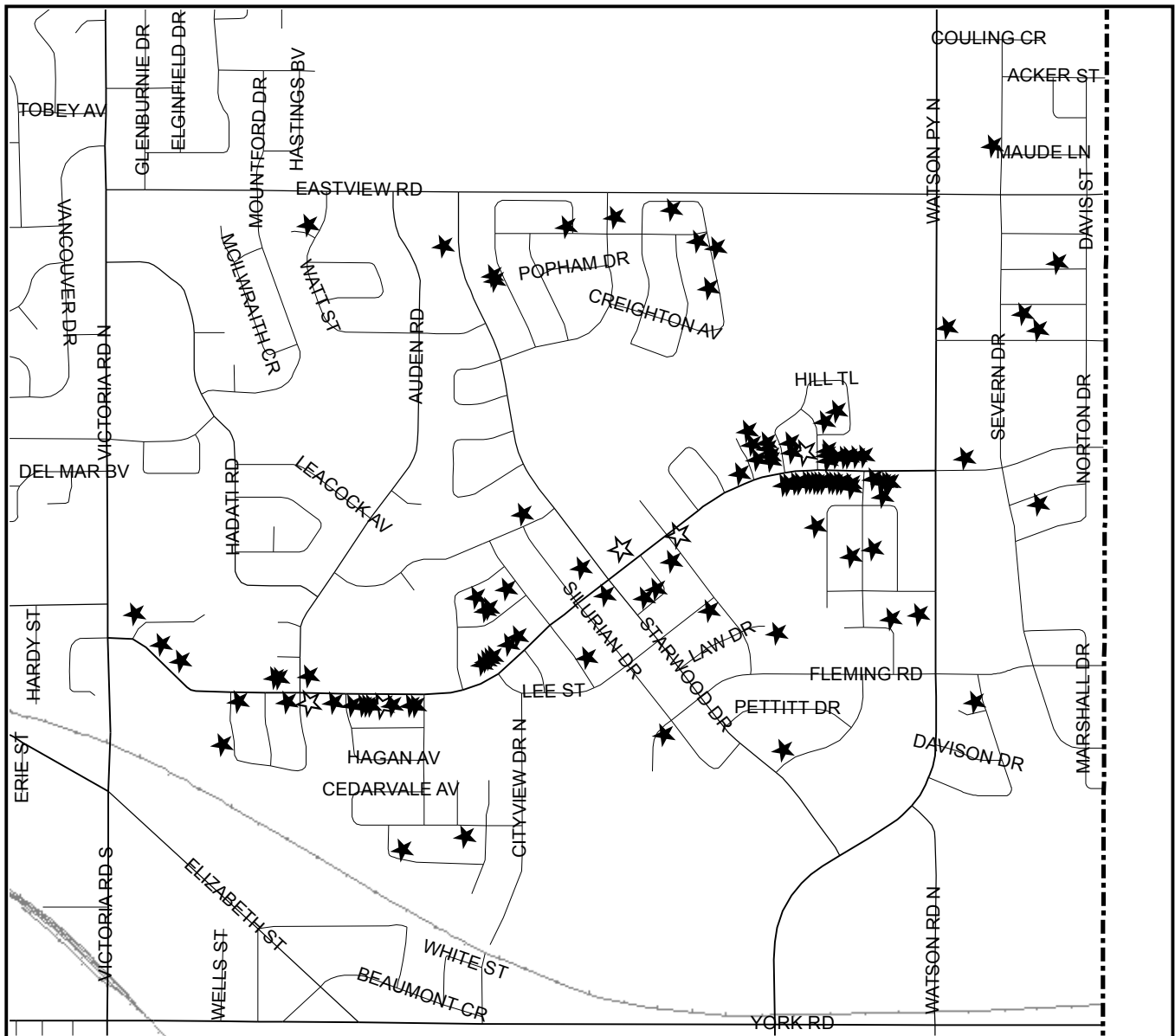


VEHICULAR TRAVEL LANE



BICYCLE LANE

APPENDIX B SURVEY RESPONSES



LEGEND



OPPOSED TO BICYCLE LANES ON GRANGE ROAD



IN FAVOUR OF BICYCLE LANES ON GRANGE ROAD

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

April 23, 2012

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

Your Planning & Building, Engineering and Environment Committee beg leave to present their FOURTH CONSENT REPORT as recommended at its meeting of April 16, 2012.

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

1) Sign By-law Variance for 83 and 89 Dawson Road (Guelph Medical Place 1 & 2)

THAT Report 12-37 regarding a sign variance for 83 and 89 Dawson Road, from Planning & Building, Engineering and Environment, dated April 16, 2012, be received;

AND THAT, the request for a variance from the Sign By-law for 83 and 89 Dawson Road to permit building signage on the second floor elevation, be refused.

2) 2012 Development Priorities Plan

THAT the Planning, Building, Engineering and Environment Report 12-46 dated April 16, 2012, regarding the 2012 DPP, be received;

AND THAT Guelph City Council approve the 2012 Development Priorities Plan dwelling unit targets for registration and draft plan approval as set out in the Planning, Building, Engineering and Environment Report 12-46 dated April 16, 2012;

AND THAT staff be directed to use the 2012 Development Priorities Plan to manage the timing of development within the City for the year 2012;

AND THAT amendments to the timing of development be permitted only by Council approval unless it can be shown that there is no impact on the capital budget and that the dwelling unit targets for 2012 are not exceeded.

**3) Brooklyn and College Hill Heritage Conservation District
Designation Process – Phase 2: Process and Timeline to Address
Outstanding Boundary Issues and Proposed Public Consultation
Program**

THAT Report 12-45 dated April 16, 2012 from Planning & Building, Engineering and Environment, regarding the recommendation of a process to address outstanding boundary issues and a proposed public consultation program for Phase 2 of the Brooklyn and College Hill Heritage Conservation District designation process be received;

AND THAT Planning staff be directed to carry out the necessary steps of the recommended process to address outstanding boundary issues in the early stage of Phase 2 of the Brooklyn and College Hill Heritage Conservation District designation process;

AND THAT Planning staff be directed to carry out the recommended public consultation program for Phase 2 of the Brooklyn and College Hill Heritage Conservation District designation process.

**4) 40 Wellington Street West Brownfield Redevelopment Community
Improvement Plan – Tax Increment-Based Grant Request**

THAT Planning & Building, Engineering and Environment Report 12-41 dated April 12, 2012 regarding a request for a Tax Increment-Based Grant for the property municipally known as 40 Wellington Street West pursuant to the Brownfield Redevelopment Community Improvement Plan be received;

AND THAT the request by 2065404 Ontario Inc. for a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan be approved to an upset total limit of \$565,730 subject to the program details set out in Attachment 4 of Report 12-41;

AND THAT staff be directed to proceed with the finalization of a Tax Increment-Based Grant agreement with 2065404 Ontario Inc. or any subsequent owner(s) to the satisfaction of the General Manager of Planning Services, the General Manager of Legal and Realty Services/City Solicitor, and the City Treasurer;

AND THAT the Mayor and Clerk be authorized to sign the Tax Increment-Based Grant Agreement.

All of which is respectfully submitted.

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

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE APRIL 16, 2012 MEETING.***

COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning & Building, Engineering and Environment
DATE April 16, 2012

**SUBJECT SIGN BY-LAW VARIANCE FOR 83 and 89 Dawson Road
(Guelph Medical Place 1 & 2)**

REPORT NUMBER 12-37

SUMMARY

Purpose of Report: To advise Council of a Sign By-law variance requesting building signage on the second storey building face of 83 and 89 Dawson Road.

Council Action: To refuse the request for a variance from the Sign By-law for 83 and 89 Dawson Road.

RECOMMENDATION

"THAT Report 12-37 regarding a sign variance for 83 and 89 Dawson Road, from Planning & Building, Engineering and Environment, dated April 16, 2012, be received;

AND THAT, the request for a variance from the Sign By-law for 83 and 89 Dawson Road to permit building signage on the second floor elevation, be refused."

BACKGROUND

The property owner of Guelph Medical Place 1 and 2, located at 83 and 89 Dawson Road has submitted a sign variance application to allow for five building signs (4 existing without permits and 1 proposed) to be located on the 2nd storey elevations (see Schedule A- Location Map). The properties are zoned Service Commercial SC. 1-14 (83 Dawson Road) and SC. 1-26 (89 Dawson Road) in the Zoning By-law No. (1995)-14864. The Sign By-law No. (1996)-15245 in Table 1, Row 1 restricts building sign placement to the first storey on a building face.

REPORT

The property owner of Guelph Medical Place 1 and 2 located at 83 and 89 Dawson Road has submitted a sign variance application to allow for five building signs to be located on the 2nd storey elevations of the two buildings. The initial application was for new signage proposed for Guelph Medical Laser that staff identified as not being

permitted in the Sign By-law. Upon further review, staff identified that two building signs have been previously erected on each building that are in contravention of the Sign By-law and were installed without the required sign permits (see Schedule B- Existing and Proposed Signage).

The following reasons have been supplied by the applicant in support of this application:

- The building is 100% commercial occupancy and the signage won't affect any nearby residential
- Signage is very important to the tenants and need to identify location
- Signage is critical to every business and the City would be penalizing an investor in Guelph
- There are already 2 illegal (without permit) existing signs on each of the buildings, client felt they were following existing format
- New clinic will go out of business if sign is not allowed

The requested variance is as follows:

Building Sign (Commercial zone)	By-law Requirements	Request
Permitted Location on a Building	1 st storey on a building face facing a public road allowance or facing another property	2nd storey on a building face facing a public road allowance or facing another property

The requested variance from the Sign By-law for 5 building signs on the second storey elevation is recommended for refusal because:

- There is ample room for compliance to the Sign By-law by installing signage on the first floor elevation. Four signs have been erected without permits and they could also comply to the by-law
- The intent of the Sign By-law is for ground oriented signage and these signs do not comply with the intent of the by-law.

CORPORATE STRATEGIC PLAN:

Urban Design and Sustainable Growth:

Goal #1: An attractive, well functioning and sustainable city

FINANCIAL IMPLICATIONS: N/A

DEPARTMENTAL CONSULTATION: N/A

COMMUNICATIONS: N/A

ATTACHMENTS

Schedule A -Location Map

Schedule B- Existing and Proposed Signage

Prepared By:

Pat Sheehy
Senior By-law Administrator
Building Services
(519)-837-5615 ext. 2388
patrick.sheehy@guelph.ca

Original Signed by:

Recommended By:

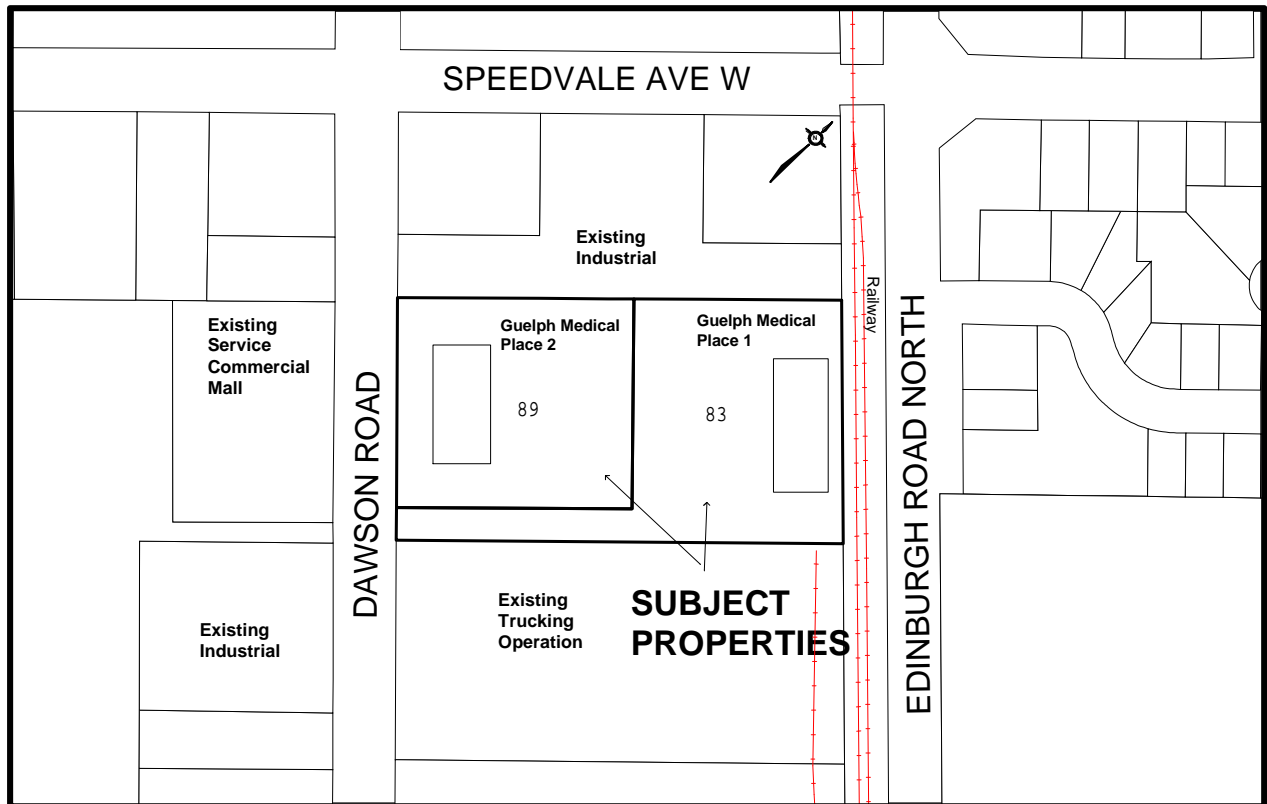
Bruce A. Poole
Chief Building Official
Building Services
(519)837-5615, Ext. 2375
bruce.poole@guelph.ca

Original Signed by:

Recommended By:

Janet L. Laird, Ph.D.
Executive Director
Planning & Building,
Engineering and Environment
519-822-1260, ext 2237
janet.laird@guelph.ca

SCHEDULE A- LOCATION MAP



SCHEDULE B-EXISTING AND PROPOSED SIGNS

83 Dawson Road
Existing Signage facing Edinburgh Road



Existing Signage facing Dawson Road



SCHEDULE B-EXISTING AND PROPOSED SIGNS (continued)

89 Dawson Road

Existing Sign for Guelph Medical Place 2-facing neighbouring parking area



Existing Sign for Guelph Medical Place 2-facing neighbouring parking area



SCHEDULE B-EXISTING AND PROPOSED SIGNS (continued)

83 Dawson Road
Proposed Signage for Guelph Medical Laser facing Dawson Road

Item 1 - Halo Effect Channel Letter

2.3' x (869)

35.5' x 4' (13816)

(Foot Elevation)

GUELPH MEDICAL LASER

2' x 1' (Base Elevation)

WALL

BEFORE

AFTER

VISUAL EFFECT ONLY, NOT IN SCALE

LEGEND

A	Halo Effect Channel Letter
B	Aluminum face & letters with painted finish
C	Paint mounted on wall with 1" spacer
D	LED
E	
F	
G	
H	
I	
J	

COLOUR

1	Coloured Back
2	White
3	
4	
5	
6	
7	
8	
9	
10	

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FORWARD SIGNS INC.

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Tel: 416.291.4677
Fax: 416.291.4678
E-mail: info@forwardsigns.com

CLIENT
Guelph Medical Laser

LOCATION
83 Dawson Rd - Guelph - ON

PROJECT
Halo Effect Channel Letter

DRAWN BY
Anthony

FILE NAME
CHANNEL LETTER-G-C-F

DATE OF DRAWING
Aug. 24, 2011

SCALE
1/4" = 1 FT

SALES PERSON
Fred

REMARKS

Final Sketch
Signed: *Leslie Chien* Date: *Jan 20/2012*

CLIENT APPROVED DATE

ART DEPT. APPROVED DATE

ISO 9001
S.M.A. SYSTEMS
UL
ISO 14001
TSSC

FIGURE 2011 JAN. APPROVED LAMB 26, 2010

COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE April 16, 2012

SUBJECT 2012 Development Priorities Plan
REPORT NUMBER 12-46

SUMMARY

Purpose of Report: To provide an overview of the 2012 Development Priorities Plan and staff's recommendation regarding the number of dwelling units to be considered by Council for registration and draft approval in plans of subdivision in 2012.

Council Action: Council is being asked to approve dwelling unit targets for registrations and draft plan approvals for 2012 and direct staff to manage the timing of development in keeping with these targets.

RECOMMENDATION

"THAT the Planning, Building, Engineering and Environment Report 12-46 dated April 16, 2012, regarding the 2012 DPP, be received;

AND THAT Guelph City Council approve the 2012 Development Priorities Plan dwelling unit targets for registration and draft plan approval as set out in the Planning, Building, Engineering and Environment Report 12-46 dated April 16, 2012;

AND THAT staff be directed to use the 2012 Development Priorities Plan to manage the timing of development within the City for the year 2012;

AND THAT amendments to the timing of development be permitted only by Council approval unless it can be shown that there is no impact on the capital budget and that the dwelling unit targets for 2012 are not exceeded."

BACKGROUND

The annual Development Priorities Plan (DPP) provides a multi-year forecast of development activity and supports the City's Growth Management Strategy. Council uses the annual DPP to approve a limit on potential dwelling units to be created from the registration of plans of subdivision and also identify plans of subdivision that could be considered for Draft Plan Approval during the next year.

The staff recommendations contained in the DPP consider:

- The Council-approved population forecast of 175,000 persons by 2031. This means approximately 1000 new dwelling units per year until the end of 2010 and 1100 new dwelling units per year starting in 2011;
- The desire to balance development in both the greenfield and built up areas of the City, in keeping with the City's Growth Management Strategy. By the year 2015 a minimum of 40% of all new residential units occurring annually within the City must be within the defined built up area;
- The ability to service the proposed developments.

These requirements are important considerations for the recommendations by staff for the dwelling unit targets established by the annual DPP.

The DPP also serves as an annual report on residential development activity (e.g. building permits, approved infill projects) and available supply in both the greenfield area and within the built boundary.

REPORT

2012 Development Priorities Plan Recommendations:

In the 2012 DPP, staff recommend that a total of 1188 potential dwelling units in twelve plans of subdivision be considered for registration during 2012 (see Attachment 2). The figure is in keeping with the target of 1100 units per year. It also reflects that there has been limited registration activity over the past four years (2008 – 2011) due to the economic downturn, with a total of only 2059 potential dwelling units being created via registration activity; whereas the yearly growth target would have anticipated that approximately 4,000 dwelling units would have been created via registration activity over the same four year period (see Attachment 1). Therefore additional units need to be considered to maintain inventories to support the Growth Management Strategy. The location of the expected registration activity is identified on the map in Attachment 4.

Staff also recommend that 1149 units be considered for draft plan approval in 7 plans of subdivision (see Attachment 3). This number reflects the target of 1100 units per year and also reflects the low number of draft plan approvals in recent years. In 2011, a total of 883 units achieved draft plan approval, however, in 2010, there were no approvals of draft plans of subdivision. Over the past five years, an average of 401 potential units per year were generated from draft plan approval activity (see also Summary of 2007-2011 Draft Approvals on Attachment 3). The recommendation related to draft plan approvals will also ensure that supply is available to support our Growth Management Strategy.

Most of the units recommended for registration or draft plan approval above are greenfield units. To date, the dwelling units being created through infill and intensification have not contributed toward the yearly growth target. By recommending dwelling unit counts within the greenfield area that are in keeping with the typical yearly target of 1,000-1,100 units, this year's DPP will be contributing towards meeting the City's growth management target while still leaving space for infill and intensification to create new dwelling units and use up

the deficit of units that has been building over the past few years. Servicing capacity for these potential developments has been reviewed and determined to be sufficient by City staff.

Community Energy Initiative:

On September 27, 2010, Council passed the following resolution:

“THAT consideration be given to developments that fit within the City’s Community Energy Initiative goals when preparing the development priority plan (DPP).”

Staff advise that consideration of the City’s Community Energy Initiative is always dealt with before a plan of subdivision is recommended for draft plan approval to Council and energy-related measures are included in the subdivision conditions for registration. Similarly, zoning and Official Plan amendment applications are also being reviewed in terms of the CEI goals prior to staff’s recommendation to Council.

All of the developments that form part of the recommended dwelling unit targets in the DPP have (in the case of registered plans) or will have (in the case of future draft approvals) considered the goals of the CEI.

To ensure that all planning applications that come before Council support the CEI, staff have established protocols where the applications are circulated to the Corporate Manager of Community Energy for review and comment. In this way, staff can be assured that any planning application to be considered by the Development Priorities Plan has been reviewed in terms of meeting the CEI goals as well. In addition, it may be possible to further integrate the CEI and DPP goals and priorities. This will be reviewed on an ongoing basis and reported during annual DPPs.

Consultation:

In January 2012, the draft schedules of the 2012 Development Priorities Plan were made available to the public and comments were requested from development stakeholders. Six comments were received regarding the draft schedules raising questions and requesting clarification. Only two comments requested changes to the proposed timing specified in the draft schedules. All of the comments were reviewed by staff and, while the timing with respect to the two requests has not been changed it has been clarified that the timing proposed in the draft schedules is consistent with one of the requests (East Node- 11 Starwood) because the DPP year ends in October. The timing for the second request (Guelph Watson 5-3 Southeast Corner and South of Starwood) has not been modified as the application associated with these properties has not been recently active and, therefore, it is unlikely that approvals or development will be sooner than is proposed by the DPP. If this application is actively pursued in the near future, the timing can be reevaluated through the 2013 DPP.

The recommended 2012 DPP was released to City Council and the general public on April 5, 2012, by posting it on the City’s web page for information – see the following link: [Development Priorities Plan \(DPP\)](#).

Summary:

By supporting the recommendations contained in this report, City Council will set a target for the creation of potential dwelling units from Registered Plans in 2012 (see Attachment 2). Staff will then manage the registration of the various subdivisions identified for 2012 within the approved dwelling unit target. Further, Council will also identify those Draft Plans of Subdivision (or phases) that are anticipated to be considered for Draft Plan Approval (DPA) in 2012 (see Attachment 3). Staff will allocate time and resources to resolving issues associated with these draft plans so that they may be considered for DPA by Council in 2012.

CORPORATE STRATEGIC PLAN

Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.

FINANCIAL IMPLICATIONS

All capital works required for the plans of subdivision recommended by staff for registration in 2012 have been previously approved by Council in the capital budget.

DEPARTMENTAL CONSULTATION

The 2012 Development Priorities Plan team consists of staff from Planning, Building, Engineering and Environment (Development Planning, Engineering and Water Services) and Finance.

ATTACHMENTS

Attachment 1 – 2011 Development Activity
Attachment 2 – Proposed Registration Activity, 2012 – post 2013
Attachment 3 – Draft Plan Approval Activity
Attachment 4 – Proposed Registration Timing (Map)

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Attachment 1 – 2011 Development Activity

NUMBER, TYPE AND DISTRIBUTION OF POTENTIAL UNITS BETWEEN OCTOBER 31, 2010 AND OCTOBER 31, 2011

A. IN REGISTERED PLANS OF SUBDIVISION

Northwest					
Plan # and Name	Detached	Semi-detached*	Townhouses*	Apartments*	Total
Mitchell Farm Ph 2b (61M-172)	77	0	0	0	77
SUBTOTAL	77	0	0	0	77
Northeast					
Plan # and Name	Detached	Semi-detached*	Townhouses*	Apartments*	Total
Ingram Farm/Northern Heights Ph4 (61M-173)	44	0	0	50	94
Victoria North Ph 1 (61M-174)	0	0	43	0	43
312-316 Grange (Lunor) Ph 1 (61M-175)	10	18	9	0	37
Northview Estates Ph 3 (61M-???)	55	0	0	0	55
SUBTOTAL	109	18	52	50	229
South					
Plan # and Name	Detached	Semi-detached*	Townhouses*	Apartments*	Total
Westminster Woods East Ph 5a (61M-177)	56	0	0	0	56
Hanlon Creek Business Park Ph 1 (61M-169)	0	0	21	0	21
SUBTOTAL	56	0	21	0	77
In Built Boundary	0	0	0	0	0
In Greenfield	242	18	73	50	383
Total Units Registered in 2011	242	18	73	50	383
Units Approved in 2011 DPP	415	180	181	280	1056

B. THROUGH APPROVED ZONE CHANGES AND CONDOMINIUMS

Northwest					
File # and Name	Detached	Semi-detached*	Townhouses*	Apartments*	Total
781-783 Wellington Street West	0	0	0	15	15
SUBTOTAL	0	0	0	15	15
Northeast					
File # and Name	Detached	Semi-detached*	Townhouses*	Apartments*	Total
587 Victoria Road North	0	0	14	0	14
SUBTOTAL	0	0	14	0	14
South					
File # and Name	Detached	Semi-detached*	Townhouses*	Apartments*	Total
none	0	0	0	0	0
SUBTOTAL	0	0	0	0	0
In Built Boundary	0	0	0	15	15
In Greenfield	0	0	14	0	14
Total Additional Units in 2011	0	0	14	15	29

2011 TOTALS (A+B)

In Built Boundary	0	0	0	15	15
In Greenfield	242	18	87	50	397
Total New Units in 2011	242	18	87	65	412

* Semi-detached numbers are unit counts

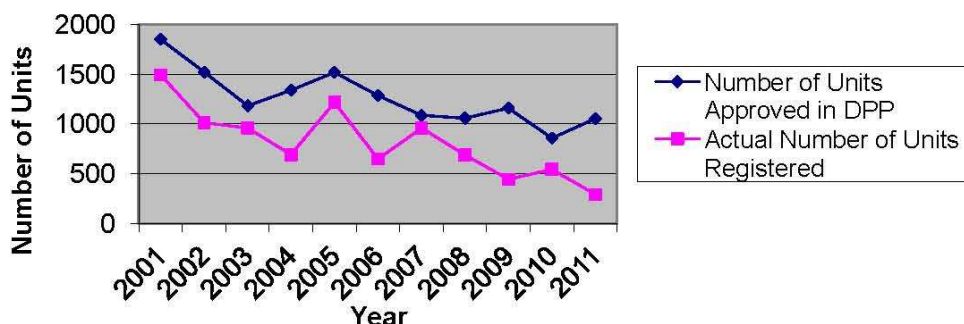
*Townhouses and apartments based on approved zoning

Attachment 1 – 2011 Development Activity (continued)

C. COMPARISON OF ACTUAL AND APPROVED REGISTRATIONS BY YEAR

	Detached	Semi-detached*	Townhouses*	Apartments*	Total
ACTUAL OVERALL TOTAL (2011)	242	18	73	50	383
APPROVED 2011 DPP	415	180	181	280	1056
ACTUAL OVERALL TOTAL (2010)	103	54	222	165	544
APPROVED 2010 DPP	298	128	382	50	858
ACTUAL OVERALL TOTAL (2009)	138	42	283	123	443
APPROVED 2009 DPP	391	200	404	165	1160
ACTUAL OVERALL TOTAL (2008)	175	0	268	246	689
APPROVED 2008 DPP	392	32	300	335	1059
ACTUAL OVERALL TOTAL (2007)	590	114	255	0	959
APPROVED 2007 DPP	662	64	361	0	1087
ACTUAL OVERALL TOTAL (2006)	522	0	126	0	648
APPROVED 2006 DPP	855	106	326	0	1287
ACTUAL OVERALL TOTAL (2005)	759	128	331	0	1218
APPROVED 2005 DPP	1056	140	324	0	1520
ACTUAL OVERALL TOTAL (2004)	315	66	211	100	692
APPROVED 2004 DPP	805	85	349	100	1339
ACTUAL OVERALL TOTAL (2003)	774	60	126	50	960
APPROVED 2003 DPP	926	134	125	0	1185
ACTUAL OVERALL TOTAL (2002)	567	120	127	199	1013
APPROVED 2002 DPP	1002	152	168	199	1521
ACTUAL OVERALL TOTAL (2001)	575	84	410	425	1494
APPROVED 2001 DPP	790	166	449	446	1851

D. Comparison of Approved and Registered Units by Year



Attachment 2 – Proposed Registration Activity, 2012 – post 2013

SUMMARY OF 2012-POST 2013 PROPOSED STAGING DWELLING UNIT TARGETS

Sector	Single	Semi-Detached	Townhouses	Apartments	Total
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2012 Proposed Registrations

Northeast	187	86	225	0	498
Northwest	117	0	50	0	167
South	113	86	194	130	523
Subtotal	417	172	469	130	1188
In Built Boundary	72	28	0	0	100
In Greenfield	345	144	469	130	1088

2013 Anticipated Registrations

Northeast	150	86	352	147	735
Northwest	0	0	0	0	0
South	279	62	119	405	865
Subtotal	429	148	471	552	1600
In Built Boundary	17	8	86	0	111
In Greenfield	412	140	385	552	1489

Post 2013 Anticipated Registrations

Northeast	277	52	166	298	793
Northwest	0	0	0	877	877
South	90	0	302	682	1074
Subtotal	367	52	468	1857	2744
In Built Boundary	0	0	0	0	0
In Greenfield	367	52	468	1857	2744

2012 DPP OVERALL	1213	372	1408	2539	5532
2011 DPP OVERALL	1712	370	1180	2148	5410
2010 DPP OVERALL	1858	410	1518	1941	5727
2009 DPP OVERALL	2122	364	1684	1757	5927
2008 DPP OVERALL	2297	486	1841	2354	6978
2007 DPP OVERALL	2780	486	1739	2253	7258
2006 DPP OVERALL	3082	450	1848	1964	7344
2005 DPP OVERALL	3767	646	2198	2013	8624
2004 DPP OVERALL	3867	734	2012	2071	8684
2003 DPP OVERALL	4132	806	1752	1935	8625
2002 DPP OVERALL	4141	831	1628	2127	8727

Attachment 3 – Draft Plan Approval Activity

A. DRAFT PLAN APPROVAL ACTIVITY

Plans Anticipated to be Considered for Draft Plan Approval in 2012						
	Detached	Semi-Detached	Townhouses	Apartments	Total	Density p+j/ha
Northeast						
23T-11501						88
115 Fleming	0	0	63	0	63	
23T-11502						
Metrus East Node	0	0	201	0	201	167
Total Northeast	0	0	264	0	264	-
Northwest						
none	0	0	0	0	0	-
South						
23T-08503 (*)						
Dallan Ph 1	42	26	41	91	200	45
23T-08503						
Dallan Ph 2	35	0	15	114	164	115
23T-10501						
246 Arkell Road	0	24	68	0	92	63
23T-01508						
Kortright East Ph 3	104	62	38	0	204	53
23T-01508						
Kortright East Ph 4	199	0	26	0	225	65
Total South	380	112	188	205	885	-
Overall Total	380	112	452	205	1149	
Total in Built Boundary	0	0	0	0	0	-
Total in Greenfield	380	112	452	205	1149	-
(*) - phase carried over from approved 2011 DPP						

B. COMPARISON OF ACTUAL AND APPROVED DRAFT PLANS BY YEAR

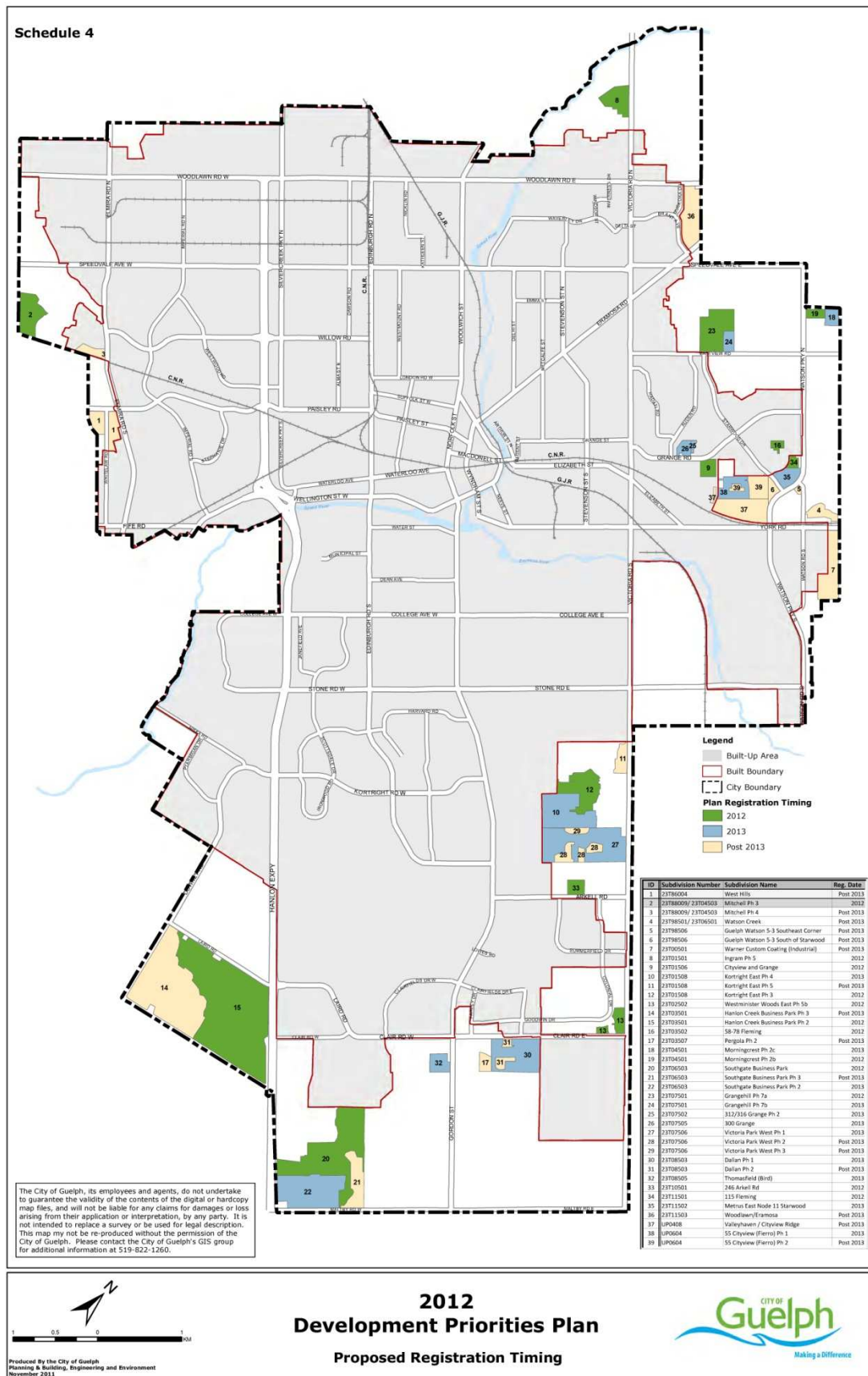
	Detached	Semi-detached	Townhouses*	Apartments*	Total
ACTUAL OVERALL TOTAL (2011)	221	70	167	425	883
APPROVED in 2011 DPP	304	96	258	668	1326
ACTUAL OVERALL TOTAL (2010)	0	0	0	0	0
APPROVED in 2010 DPP	156	86	132	230	604
ACTUAL OVERALL TOTAL (2009)	138	42	370	123	673
APPROVED in 2009 DPP	334	74	549	77	1034
ACTUAL OVERALL TOTAL (2008)	68	94	25	165	352
APPROVED in 2008 DPP	459	156	123	402	1140
ACTUAL OVERALL TOTAL (2007)	34	0	64	0	98
APPROVED in 2007 DPP	-	-	-	-	675

Summary of 2007-2011 Draft Approvals						
Draft Approvals by Year	2011	2010	2009	2008	2007	Average
Expected in Approved DPP	1326	604	1034	1140	675	955.8
Actual Draft Approvals	883	0	673	352	98	401.2

Greenfield Draft Plan Approvals - Deficiency	
Based on 600 units per year (for 2007-2011):	
Current Unit Deficit:	994
plus 2012 allocation:	660
Total:	1654

* every year it is estimated that approximately 60% of the draft approved units will be greenfield units. This box demonstrates that the City has not been meeting that target and, therefore, there is a deficit of draft approved greenfield units. It is intended that the deficit be made up over time.

Attachment 4 – Proposed Registration Timing



COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE April 16, 2012

SUBJECT Brooklyn and College Hill Heritage Conservation District Designation Process – Phase 2: Process and Timeline to Address Outstanding Boundary Issues and Proposed Public Consultation Program

REPORT NUMBER 12-45

SUMMARY

Purpose of Report: To provide a report recommending

- a process and timeline to address outstanding boundary issues in the early stage of Phase 2 of the Brooklyn and College Hill Heritage Conservation District designation process and
- a proposed public consultation program for Phase 2 of the Brooklyn and College Hill Heritage Conservation District designation process.

Committee Action: To decide whether to approve the process to address outstanding boundary issues and the public consultation program for Phase 2 of the Brooklyn and College Hill Heritage Conservation District designation process.

RECOMMENDATION

"THAT Report 12-45 dated April 16, 2012 from Planning & Building, Engineering and Environment, regarding the recommendation of a process to address outstanding boundary issues and a proposed public consultation program for Phase 2 of the Brooklyn and College Hill Heritage Conservation District designation process be received;

AND THAT Planning staff be directed to carry out the necessary steps of the recommended process to address outstanding boundary issues in the early stage of Phase 2 of the Brooklyn and College Hill Heritage Conservation District designation process;

AND THAT Planning staff be directed to carry out the recommended public consultation program for Phase 2 of the Brooklyn and College Hill Heritage Conservation District designation process.”

BACKGROUND

Municipal heritage conservation district studies have in the past generally followed a two-part process: a background study of the potential district’s heritage attributes together with identification of a boundary that appropriately encompasses those properties; and a heritage conservation district plan that provides guidance on how to manage properties within the area. This approach became formalized in 2005 when the Ontario Heritage Act was substantially amended to provide a comprehensive system of district study and designation.

The Ontario Heritage Act, (notably subsection 40(2)) prescribes that a study shall:

- (a) examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;
- (b) examine and make recommendations as to the geographic boundaries of the area to be designated;
- (c) consider and make recommendations as to the objectives of the Plan under Section 41.1;
- (d) make recommendations as to any changes that will be required to the municipality’s official plan and to any municipal by-laws, including any zoning by-laws.

There is a clear expectation as part of the study process that a boundary would be sufficiently firmed up to be able to advance into the second phase of the district designation process, namely preparation of the district plan. The Ontario Heritage Act specifies the content of a heritage conservation district plan but there is no explicit reference to further examination or refinement of the district boundary.

The Brooklyn and College Hill HCD Study process is following this two-phase process. Phase 1 was completed and the Assessment Report was received by Council on Feb 27, 2012 and Council directed that Phase 2 of the process commence.

Through Phase 1 of the Brooklyn and College Hill HCD Study process, the consultants have carefully evaluated the cultural heritage value of the subject area, examined all available research materials and considered the specific requirements of Ontario Heritage Act and identified a recommended district boundary.

As noted above, normally, a recommended boundary is determined and confirmed in Phase 1, however, due to public submissions regarding the boundary during the Phase 1 process the staff report recommended that the recommended boundary be

acknowledged and that staff be directed to report back to Council with a final recommended HCD boundary during the second phase of the district designation process.

At the February 27 Council meeting there were a number of delegations and written submissions raising concerns about the recommended boundary and the issues were discussed at length. There was also significant discussion regarding the Phase 2 public communication/engagement process and the need to consider enhanced approaches to increase community awareness and involvement in Phase 2.

As a result of the above noted discussions at the February 27 Council meeting, the following two additional resolutions were passed:

THAT staff report back to the April 16, 2012 meeting of the Planning, Building, Engineering and Environment Committee to present a timeline to address the outstanding boundary issues.

THAT staff report back to the April 16, 2012 meeting of the Planning, Building, Engineering and Environment Committee on a proposed public consultation program to be carried out as part of the second phase of the Heritage Conservation District designation process.

This report responds to these two resolutions.

REPORT

Recommended Process and Timeline to Address Outstanding Boundary Issues

As noted earlier, the recommended boundary in the Phase 1 Assessment Report was based on the consultant's careful evaluation of the cultural heritage value of the subject area, examination of all available research materials and consideration of the specific requirements of Ontario Heritage Act.

The public concerns raised with regard to the boundary generally fall into two categories:

- a) concerns that there are inaccuracies or errors in the Phase 1 Assessment Report which resulted in certain properties/areas being incorrectly included within the boundary; and,
- b) concerns about the implications about being included in a HCD and therefore wanting to be excluded.

In order to finalize the recommended boundary, it is proposed that a process be followed to allow the concerned landowners/stakeholders to submit new information to address the first category of concern.

Property owners/stakeholders who have expressed concerns regarding the proposed district boundary are being given an opportunity to provide any "new" information that they feel the consultants and staff should be made aware of. This

technical evidence could take the form of confirmation or correction of content found in the consultant's HCD Study – Heritage Assessment. This gives property owners the opportunity to provide a rationale based on technical information as the basis for potentially amending the boundary.

In terms of the second category of concerns, although it is completely legitimate to raise questions around the implications of being included within the HCD, these types of concerns are best addressed in Phase 2 during the HCD Plan development. They are not, in and of themselves, sufficient technical issues to support a re-evaluation of the recommended boundary.

Following Council's direction to staff to provide a recommended process for finalizing the HCD boundary early in the district plan portion of the study process, and to consider new information that may provide a rationale for refining the boundary in certain areas staff is proposing the following process of review:

- 24 April 2012, staff contacts property owners and stakeholders that have expressed boundary concerns and invites them to discuss their concerns, clarify the process and rationale for the current proposed boundary and for them to provide additional technical information to assist staff and consultant to evaluate the boundary.
- 18 May 2012, formal submission process closes
- late May/early June 2012 staff review findings and develops final recommendations
- July 3rd Council Planning makes formal decision on district boundary

Proposed Public Consultation Program for the Phase 2 of the HCD Process

The initial identification of this area as a priority candidate for a HCD arose out of the Old University and Centennial Neighbourhood Community Improvement Plan which was a community-based and highly participatory process. From the outset of the Brooklyn and College Hill Heritage Conservation District designation process the City has been committed to a significant public consultation program that is well over and above the Ontario Heritage Act requirements as set out in the consultant's current work plan.

Recognizing the issues expressed as part of Phase One of the heritage conservation district process, and given Council's direction in this matter, staff and consultant team have developed a proposed enhanced consultation program described below. In preparing this program, the consultant has considered approaches and techniques that have been effective in other HCD studies they have managed and staff have conducted a best practice review of several other comparable municipalities with active HCD programs. (It should be noted that this process of engagement is distinct and separate from the matter of finalizing the proposed district boundary described previously.)

Key elements of the enhanced public consultation program are:

- HCD FAQ sheet presented on City website
- focused community workshop (using work books and smaller, rotating breakout discussion groups)

-
- workshop summary report
 - 3 community newsletters at key stages in the Phase 2 process (generally prior to public meetings)
 - meetings with individual landowners/stakeholders as requested
 - 3 public meetings during HCD Plan development and finalization (including statutory public meeting and Council decision meeting)

A key first step in this proposed enhanced public consultation program is a focused community workshop, in early June 2012, the objective of which would be to address those matters that arose out of the earlier public meetings whereby property owners were concerned about how new infill would be accommodated within the district, what types of alterations (such as changing windows) would be acceptable and where additions should be placed. Staff is suggesting that such a workshop be conducted using a variety of tools including presentations on particular themes, examples from elsewhere, the use of work books and smaller, rotating breakout discussion groups. Prior to the workshop, a community newsletter would be distributed providing information on Phase 2 of the HCD process and describing the community workshop and inviting participation. This information would also be available on the City's website.

Following the conclusion of the focused workshop, the consultant will be producing a workshop summary report which would be distributed to all participants and posted on the City website. It is anticipated that staff and the consultants would advise the HCD Community Working Group and Heritage Guelph of findings to date and future work to be carried out.

With feedback gained from this first workshop the consultants would then commence work on a preliminary draft of the heritage conservation district plan and guidelines addressing those matters identified in the background study report and as required by the Act as well as any critical issues arising from the workshop. Early in July it is anticipated that the consultant team and staff would also be working with a confirmed district boundary. The consultant team work would continue during July on preparing a preliminary draft plan for internal City review and comment during August.

In early Fall 2012 it is expected that a preliminary draft heritage conservation district plan and guidelines would be released for public comment and presented at a non-statutory public meeting in October.

Following receipt of comments, further revisions may be made to the draft in response to public submissions. The HCD plan and design guidelines would then be considered a final draft for formal consideration at a statutory meeting required by the Ontario Heritage Act. The statutory meeting would form part of a regularly scheduled Council Planning meeting that would allow for consideration of any further comments and refinement. The final refined draft would then be considered at a Council meeting whereby any final submissions by property owners or other interests could be considered prior to Council decision on designation and adoption of the District Plan in late Fall/early Winter.

CORPORATE STRATEGIC PLAN

Strategic Plan Mission – To achieve excellence through leadership, innovation, partnerships, and community engagement.

Goal 4 – A vibrant and valued arts, culture and heritage identity.

Strategic Objective 4.4 – Intact and well managed heritage resources.

Strategic Objective 4.5 – Capitalize on our cultural and heritage assets to build economic prosperity, quality of life and community identity.

Goal 5 – A community-focused, responsive and accountable government.

Strategic Objective 5.2 – A consultative and collaborative approach to community decision making.

FINANCIAL IMPLICATIONS

The proposed enhanced public consultation program may cost from \$10,000 to \$15,000. This additional expense can be accommodated in the Council approved budget upset limit of \$90,000 for the Brooklyn and College Hill Heritage Conservation District designation process.

DEPARTMENTAL CONSULTATION

Not applicable

COMMUNICATIONS

Not applicable

ATTACHMENTS

Not applicable

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COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE April 16, 2012

**SUBJECT 40 Wellington Street West Brownfield Redevelopment
Community Improvement Plan – Tax Increment-Based
Grant Request**

REPORT NUMBER 12-41

SUMMARY

Purpose of Report:

To seek Council's approval of a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan for 40 Wellington Street West. The report identifies a total grant upset limit, and projects the pace of paying out the grant under two development scenarios.

Committee Action:

To consider staff's recommendation to approve the applicant's grant request; to direct staff to prepare a grant agreement; and to authorize the Mayor and Clerk to sign the agreement.

RECOMMENDATION

"THAT Planning & Building, Engineering and Environment Report 12-41 dated April 12, 2012 regarding a request for a Tax Increment-Based Grant for the property municipally known as 40 Wellington Street West pursuant to the Brownfield Redevelopment Community Improvement Plan be received;

AND THAT the request by 2065404 Ontario Inc. for a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan be approved to an upset total limit of \$565,730 subject to the program details set out in Attachment 4;

AND THAT staff be directed to proceed with the finalization of a Tax Increment-Based Grant agreement with 2065404 Ontario Inc. or any subsequent owner(s) to the satisfaction of the General Manager of Planning Services, the General Manager of Legal and Realty Services/City Solicitor, and the City Treasurer;

AND THAT the Mayor and Clerk be authorized to sign the Tax Increment-Based Grant Agreement."

BACKGROUND

Guelph's Brownfield Redevelopment Community Improvement Plan (CIP)

The City's Brownfield Redevelopment CIP was approved by the Minister of Municipal Affairs and Housing in March of 2004 and amended by Council on July 7, 2008. The purpose of the CIP and its financial incentive programs is to stimulate investment in remediation, reuse and redevelopment of brownfield sites that otherwise would not be redeveloped. The premise of the CIP is that City investment in the remediation and redevelopment of brownfield sites will result in proportionally greater improvements to environmental and neighbourhood conditions while creating additional tax revenues in the long-term that would not otherwise be realized if the brownfield site remained vacant or underutilized. Additional rationale for providing financial incentives to brownfield redevelopment is presented in Attachment 1.

Site Background

The subject property is known municipally as 40 Wellington Street West (Site). The 1.17 hectare Site is within Downtown near the southwest corner of Gordon Street and Wellington Street (see Attachment 2).

The Site is currently vacant and has historically been used to manufacture radio electronics and power tools, most recently by Rockwell International. While Rockwell no longer owns the site, they maintain responsibility for preventing contaminated groundwater from leaving the Site. This is being achieved through a "pump and treat" system that Rockwell installed in 1999 and currently operates.

A Record of Site Condition (RSC) was filed with the Ministry of the Environment in 2005 that permits commercial development given current levels of contamination provided certain risk management measures are implemented including the installation of a vapour barrier.

The Official Plan designates the Site as "Special Policy Area/Flood Plain" further specified as "Commercial Mixed Use". The Site is zoned Specialized Commercial Residential (CR-3) that permits a range of commercial, institutional and residential uses. A triangle at the southwest corner of the Site is zoned Regional Park (P.4) and a sliver along the northern edge is zoned floodplain (FL).

The City has received an application to rezone the land to permit a commercial development with 3,502 m² of ground floor area and a 186 m² mezzanine. Additional details of the proposed development can be found in Council Report 11-95, entitled 40 Wellington Street West – Proposed Zoning Bylaw Amendment (File ZC1112) Ward 5 and dated December 5, 2011.

REPORT

2065404 Ontario Inc. has applied for a Tax Increment-Based Grant (TIBG) pursuant to the Brownfield Redevelopment CIP for the Site to offset cost associated with designing and constructing a vapour barrier, relocating monitoring wells, and excavating, removing and/or treating soil required for construction (see Attachment 4 for program details). Under the TIBG program, the City can provide annual

grants that are based on the increase in the municipal tax levy (tax increment), which is defined as the difference between pre and post-development municipal taxes for a site. Once development is complete and property value is reassessed, taxes are paid in full by the future property owner(s). Under this program, 80 percent of the municipal portion of the tax increment is issued to the applicant (or designate) as an annual grant for a maximum of 10 years or until eligible remediation costs are reimbursed. The remaining 20 per cent of the tax increment is directed to the City's Brownfield Reserve Fund and used to fund the Brownfield Redevelopment CIP programs.

Calculation of Potential Maximum Tax Increment-Based Grant (TIBG)

The calculation of the potential maximum TIBG is based on current and proposed zoning scenarios. Building the maximum permitted by the current zoning is shown under Scenario A and the maximum annual grant under the proposed rezoned development is shown under Scenario B in the table below. Attachment 5 provides detailed annual grant allocations and assumptions used in calculating the maximum potential TIBG under the two reassessment scenarios.

	Scenario A	Scenario B
Permitted Development	400 m ²	3,688 m ²
Tax Increment	\$9,384	\$86,539
Maximum Potential Annual Grant	\$7,507	\$69,232
Maximum Potential Grant over 10 Years	\$75,072	\$692,315

It should be emphasized that the TIBG does not require or presume any outcome for the current planning application on the Site. Council's consideration of the TIBG will not affect Council's discretion when considering the application for a rezoning of the Site. The estimates above are provided to assist Council in considering the grant request, but the ultimate tax increment and resulting grant is calculated using the actual reassessment that occurs after the development is complete.

Eligible Costs

The applicant has submitted a cost estimate for undertaking actions necessary to implement the risk mitigation measures outlined in the 2005 Record of Site Condition and address other cost associated with developing a contaminated Site. The applicant has submitted costs of \$690,580 to be reimbursed under the grant. Engineering staff have reviewed the Proponent's Work Plan and Cost Estimate and have identified costs which are not eligible under the CIP and advise that \$565,730 in costs are eligible (see attachment 6). Staff recommend that this estimate serve as the upset limit for the TIBG since the grant cannot exceed the eligible costs. No TIBG will be provided until redevelopment is complete and reassessment of the development results in an increase in assessed value.

Projected Annual Municipal Taxes and Grants

In Scenario A the remediation costs are greater than the potential maximum so the grant would be the potential maximum of \$75,072 over 10 years. In Scenario B, the eligible costs are less than the maximum potential grant as calculated above and the grant would be capped by the eligible costs of \$565,730. Larger annual grants would be paid under Scenario B because the tax increment is higher. Accordingly, eligible costs would be fully reimbursed under Scenario B and more taxes would be retained by the City.

Relationship to Downtown Guelph CIP

On its application for a brownfield TIBG, the applicant has signified its intent to apply for Major Activation Grant under the Downtown CIP. This report considers the potential relationship between Brownfield TIBG and DGCIP incentive applications for Council's information.

The DGCIP was adopted in 2010 and amended on November 7, 2011. Draft Implementation Guidelines were presented to the Corporate Administration, Finance & Emergency Services (CAFES) Committee and are expected to be brought to Council for adoption in Spring 2012. The Guidelines speak to the need for coordination among Brownfield Redevelopment CIP, Downtown Guelph CIP and heritage grant programs.

The Site is within the Downtown Guelph Community Improvement Project Area, and the proposed development may be eligible for a Major Downtown Activation Grant (DAG). The Implementation Guidelines specify:

- That there can be no 'double dipping' to offset the same cost under different CIP programs;
- that the total grants pursuant to the Brownfield (including 20% Brownfield reserve contribution) and Downtown tax increment programs cannot exceed the 10-year tax increment;
- that where projects are eligible under both CIPs, they will proceed first under the Brownfield Redevelopment CIP; and
- the total grants provided to all projects in the City cannot exceed the amounts specified in the Brownfield, Heritage and Downtown Redevelopment Grant Program funding model.

Subject to Council approval, annual grants of up to 80% of the increment would be provided under the Brownfield TIBG until the upset limit is reached, the remaining 20% would be retained by the City. Should any of the 10-year tax increment remain after Brownfield grants are awarded, and subject to council approval, that amount could be available to fund Major DAGs. Unlike the Brownfield TIBG where 80% of the tax increment is available for grants, 100% of the tax increment is available to offset Major DAG eligible costs.

Recommendation and Summary

Staff recommend that Council approve 2065404 Ontario Inc's application for a TIBG to an upset limit of \$565,730.

It should be noted that while the program would result in approximately \$75,072 under Scenario A or \$565,730 under Scenario B of municipal taxes being granted back to the owner over the term of the grant and that current taxpayers would have to cover the additional service costs of this growth during this period, there would be significant tax revenue generated for the City when compared to the status quo. Once the redevelopment of the site is complete and the grant period is over, the City would retain additional annual municipal taxes of approximately \$9,348 in Scenario A or \$86,539 in Scenario B.

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well-functioning and sustainable city

Goal 2: A healthy and safe community where life can be lived to the fullest

Goal 6: A leader in conservation and resource protection/enhancement

FINANCIAL IMPLICATIONS

The upset limit for this Brownfield TIBG agreement will be \$565,730 in Scenario B which is the estimated gross eligible cost of the brownfield redevelopment. It is only upon completion of the improvement and property reassessment that the annual grant payments will begin, limited by the actual property tax increment collected in any given year, but the full grant commitment will be recognized at that time as a long-term liability of the City much like a debt issue. The City's total debt as a percentage of operating fund revenue would increase by about 0.02% in the year when the grant commitment is recognized for this project.

This agreement is one of a series of Brownfield TIBG agreements which, in turn, are part of a set of strategic incentives for heritage, brownfield, and downtown redevelopment. Financial incentives are offered to developers to encourage the City's desired type of redevelopment, but these incentives involve large grant amounts over an extended period. Although the redevelopment produces increased property assessment and tax revenue, the increased number of employees and shoppers produces increased operating costs required because of an increased need for services. As the increased tax revenue from the additional property assessment is foregone to fund the redevelopment grants, it is not available to fund increased operating costs, which must then be funded from the general tax levy during the grant period. The incremental tax levy impact is estimated to be minimal under Scenario A and approximately 0.01% each year for five years under Scenario B.

Brownfield TIBG agreements provide for annual grants calculated at 80% of the property tax increment and allow for contributions to the Brownfield Strategy Reserve calculated at 20% of the tax increment. This reserve is used to fund environmental study grants consistent with the parameters established in the Brownfield CIP.

Other heritage, brownfield, and downtown redevelopment agreements, whether for the same property or other properties, must be taken into consideration by the City in determining the total cost of redevelopment grants and how they can best be accommodated in the City's financial planning. In order to address this issue, staff presented a funding model for Heritage, Brownfield and Downtown tax increment based grants to CAFES Committee on April 10, 2012 that recommends the total

grant funding amount and timing for all these programs combined. Although it would be preferable for Council to adopt this funding model prior to PBEE Committee's consideration of the 40 Wellington Street West Brownfield TIBG, given the time sensitivity of this application (staff understand a timely decision on the project is key to the viability of the project) it is considered appropriate to bring the grant request forward for consideration at this time. This grant, if approved, can be accommodated within the proposed overall TIBG funding envelope.

DEPARTMENTAL CONSULTATION

Financial Services
Downtown Renewal
Legal Services

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment 1 – The Value of Brownfield Redevelopment
Attachment 2 – Location Map
Attachment 3 – Zoning Map
Attachment 4 – Tax Increment-Based Grant Program Details
Attachment 5 – Estimated Annual Tax Increment-Base Grant Payments
Attachment 6 – Remedial Work Plan - Eligible Costs

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Attachment 1 - The Value of Brownfield Redevelopment

Importance of Brownfield Redevelopment

The City's records indicate that there are approximately 420 potential brownfield properties within the City. Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of cleanup. Furthermore, brownfield sites pose a potential threat to the quality of Guelph's groundwater-based drinking water supply and surface waters.

The Brownfield Redevelopment CIP provides financial incentives to undertake the studies and remedial work necessary to redevelop brownfield sites and eliminate the potential negative impacts to the City's water supply and the water quality of the City's rivers, which are important for sustaining fisheries, as well as aesthetic and recreational resources.

There are a number of additional benefits to the redevelopment of brownfield sites. For example, they are often located within existing built up areas of the City where hard and soft infrastructure services are already available, and additional infrastructure expenditure may not be required to service them. The redevelopment of brownfield sites can help reduce the stigma attached to both the subject and nearby properties thereby increasing their property values. Furthermore, redevelopment can bring the long-term benefits of increased tax revenue contributing the fiscal sustainability of the City.

As the City moves forward with the implementation of its Growth Management Strategy, Draft Downtown Secondary Plan, Community Energy Initiative and Source Water Protection planning, the redevelopment of brownfield sites will play an increasingly important role in the achievement of the City's strategic goals and in particular the intensification targets for the built-up areas in general and the Downtown in particular.

The Value of Remediation and Redevelopment of 40 Wellington Street West

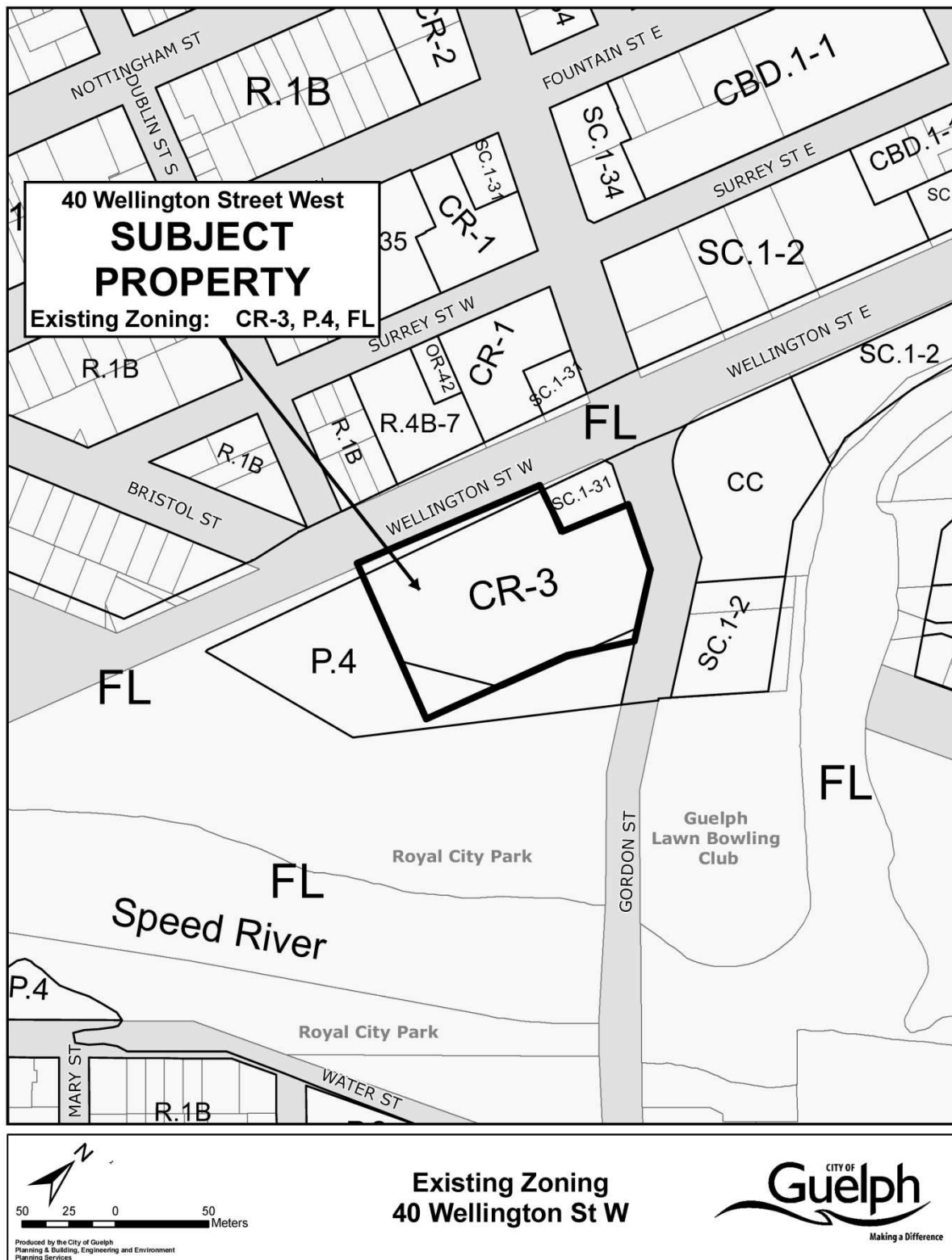
Remediation and redevelopment of the Site has several strategic benefits in addition to those listed above:

- Site is within the Urban Growth Centre (Downtown), identified as a focal point for major population and employment growth in the Official Plan;
- Redevelopment will expedite remediation of the site adjacent to the Speed River and reduces potential for contaminating groundwater and surface water resources;
- Redevelopment from the current vacant use to commercial uses leads to increase in tax revenues; and
- Redevelopment will contribute to the vibrancy of Downtown at a key gateway location.

Attachment 2 – Location Map



Attachment 3 – Zoning Map



Attachment 4 –Tax Increment-Based Grant Program Details

Excerpted from the City of Guelph Brownfield Redevelopment Community Improvement Plan)

Schedule 2. Tax Increment-Based (or Equivalent) Grant Program

Legislative Authority:

- Section 28 of the Planning Act

Application:

- City-wide

Theme:

- Reducing financial barriers

Purpose

- To stimulate private sector investment in redevelopment
- To reimburse private sector clean-up costs without incurring debt to the municipality
- To increase the long-term municipal tax base
- To reward remediation and redevelopment of brownfield properties

Rationale:

Without redevelopment, the City would not be receiving increased tax revenue. Once the grant period ceases, the City collects the full amount of municipal taxes for the redeveloped property. To encourage lending institutions to provide site assessment and remediation loans for brownfields projects, the tax increment-based grant may be used to secure those loans through an agreement between the City, the land owner and the lending institution.

Departments:

- Finance (calculate and disburse tax rebates)
- Planning (lead: coordination)
- Legal (prepare agreements)

Priority:

- Year 1 – Prepare community improvement plan
- Year 2 - Implementation

Costs:

- Staff time
- In the event that brownfield redevelopment takes place, the municipal tax base will grow more slowly.

Details:

- Grants are based on the future increase in tax assessment and consequent increase in property tax revenues resulting from redevelopment of eligible brownfields properties. As property assessment rises, taxes payable on a property also rise. The developer will pay the increased taxes to the City as normal, and will subsequently be provided a tax increment-based grant from the Municipal portion of the increase. The total value of the grant provided under this program shall not exceed the total value of the work done under the Eligible Brownfield Rehabilitation Costs, as set out below.
- The total value of any tax increment-based grant shall not exceed the total value of work done under the Eligible Brownfield Rehabilitation Costs set out below, or shall not exceed the maximum grant time horizon of 10 years, whichever is the lesser amount. Tax increment-based grants will only be available when building permits have been issued and the assessed value of the property increases. The program is intended to encourage the remediation and redevelopment of contaminated properties.
- The total value of any tax increment-based grant shall not exceed the total value of work done under Eligible Brownfield Rehabilitation Cost as set out below, or shall not exceed the maximum grant time horizon of 10 years, whichever is the lesser amount. Tax increment-based grants will only be available when building permits have been issued and the assessed value of the property increases. This program is intended to encourage the remediation and redevelopment of contaminated properties.

Eligible Brownfield Rehabilitation Costs

Eligible costs include:

- Phase 2 Environmental Site Assessment costs
- Costs of preparing remedial work plans

- Demolition costs
- Site rehabilitation costs
- Costs of complying with the requirements of a Certificate of Property Use
- Costs of rehabilitating building contamination for projects involving re-use of existing structures.

Process

- Both the pre-construction and post-construction property assessments are established and approved by the City. The City reserves the right to obtain an independent third party to review the proposed remediation program and costing.
- Eligible Brownfield Redevelopment Costs are identified and certified;
- The owner continues to pay the property taxes for the site at its pre-construction assessment value.
- The difference between the 'pre-construction' taxes and 'post-construction' taxes (municipal portion) is calculated.
- Reassessment must result in higher assessment.
- This difference is the portion eligible for a grant to offset the Eligible Brownfield Rehabilitation Costs incurred.
- This grant is available for a set period of time set out in an agreement between the municipality and owner for a maximum of 10 years.
- Before any tax increment-based grant is issued, a Record of Site Condition must be prepared by a qualified person certifying site remediation to appropriate contaminant levels for the intended property use, as set out in the Environmental Protection Act and supporting regulations, and submitted to the City along with a copy of the Ministry of Environment's written acknowledgement.
- The tax increment-based grant can be issued to the property owner, or to whoever the grant is assigned by the owner.
- An agreement must be entered into by the property owner and the City, regarding the details of the tax increment-based grant.

Details:

- Tax increment grants will be provided in equal installments in the amount of 80% of the municipal portion of the property tax increase. The remaining twenty percent of the municipal portion of the property tax increase is paid by the property owner and allocated to a brownfields reserve account for municipal brownfield initiatives.
- The definition of vacant land will refer to the status of the property at the time of program approval. If subsequent demolition occurs the tax increment will be the difference between the assessment at the time of program approval and that following reassessment. It is the intent of this clause to avoid unnecessary demolitions and support adaptive re-use of architecture.
- Grant applications cannot be retroactively applied.
- It is the intent of this program that tax increment-based grants can be used to cover only the eligible Brownfield Redevelopment Costs exclusive of any other brownfield incentive provided.
- Applications for tax increment-based grants will be reviewed and approved by the Planning Department
- The City reserves the right to independently audit Eligible Brownfield Redevelopment Costs.
- The City and the property owner will enter into an agreement. This agreement will specify the terms of the financing; the activities which will be considered Eligible Brownfield Redevelopment Costs, the duration of the grant, the owner's obligations should the owner default on the Agreement, and any other requirements specified by the City.

Attachment 5: Estimated Tax Increment-Based Grant Payments

Year	Assessment Secenario A					Assessment Scenario B				
	Municipal Levy	Tax Increment	Portion Retained By City ¹	Portion Granted to Applicant	% Eligible costs reimbursed	Municipal Levy	Tax Increment	Portion Retained By City ¹	Portion Granted to Applicant	% Eligible costs reimbursed
1	\$26,468	\$9,384	\$1,877	\$7,507	1%	\$103,623	\$86,539	\$17,308	\$69,232	12%
2	\$26,468	\$9,384	\$1,877	\$7,507	3%	\$103,623	\$86,539	\$17,308	\$69,232	24%
3	\$26,468	\$9,384	\$1,877	\$7,507	4%	\$103,623	\$86,539	\$17,308	\$69,232	37%
4	\$26,468	\$9,384	\$1,877	\$7,507	5%	\$103,623	\$86,539	\$17,308	\$69,232	49%
5	\$26,468	\$9,384	\$1,877	\$7,507	7%	\$103,623	\$86,539	\$17,308	\$69,232	61%
6	\$26,468	\$9,384	\$1,877	\$7,507	8%	\$103,623	\$86,539	\$17,308	\$69,232	73%
7	\$26,468	\$9,384	\$1,877	\$7,507	9%	\$103,623	\$86,539	\$17,308	\$69,232	86%
8	\$26,468	\$9,384	\$1,877	\$7,507	11%	\$103,623	\$86,539	\$17,308	\$69,232	98%
9	\$26,468	\$9,384	\$1,877	\$7,507	12%	\$103,623	\$86,539	\$74,662	\$11,877	100%
10	\$26,468	\$9,384	\$1,877	\$7,507	13%	\$103,623	\$86,539	\$86,539	\$0	100%
Total			\$18,768	\$75,072	13%			\$299,665	\$565,730	100%
Amount Available for Downtown Major Activation Grant					\$0	\$158,232				

Common Parameters		Secenario A parameters		Scenario B Parameters	
		post rate	2.18 /sq ft [*]	post rate	2.18 /sq ft ^a
pre levy	\$17,084	post levy	\$26,468 [†]	post levy	\$103,623 ^b
eligible costs	\$565,730	tax increment	\$9,384 [‡]	tax increment	\$86,539 ^c

1 after 100% of brownfield CIP eligible costs are refunded, these funds may be available for a Downtown Major Activation Grant subject to Council approval

^{*} 2012 average commercial municipal rate

^a 2012 average commercial municipal rate

[†] comm land levy + (400 m2) (*10.8 m2 in a sq ft) *(\$2.18/ sq ft)

^b comm land levy + (3,688 m2 *10.8 m2 in a sq ft *\$2.18/ sq ft)

[‡] (post levy A) - (pre levy)

^c (post levy B) - (pre levy)

Attachment 6: Remedial Work Plan - Eligible Costs

<u>Type of Work</u>	<u>Estimated Cost</u>
Liquid Boot/Vapour Barrier	\$359,500
Contaminated Soil Excavation & Disposal	\$77,730
Monitoring Well Decommissioning & Replacement	\$128,500
Total	<u>\$565,730</u>

CONSENT REPORT OF THE GOVERNANCE COMMITTEE

April 23, 2012

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

Your Governance Committee beg leave to present their SECOND CONSENT REPORT as recommended at its meeting of April 10, 2012.

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

1) Executive Director Compensation – Competitive Salary Market Position

That the 55th percentile of the approved comparator group be established as the competitive position for Executive Director level positions to be consistent with and aligned to the Chief Administrative Officer and other full-time Non-Union positions;

AND THAT the 2011 salary range for Executive Director level positions be established as \$136,288.80 - \$170,361.00;

AND THAT the 2012 salary range for Executive Director level positions be established as: \$139,028.80 - \$173,786.00.

2) First Report of the Integrity Commissioner

THAT the Code of Conduct for Council and Local Boards be amended in accordance with Appendix 2 attached to this report.

3) Procedural By-law and Closed Meeting Protocol Amendments

That a new Procedural By-law be adopted pursuant to the proposed amendments highlighted in Attachment A to the April 10, 2012 Governance Committee report entitled 'Procedural By-law and Closed Meeting Protocol Amendments' and that Section 2.3(a) be amended by removing "unless by way of resolution: and replace with "with adequate public notice;

That the Closed Meeting Protocol be revised pursuant to the amendments proposed in Attachment B in the same report.

All of which is respectfully submitted.

Please bring the material that was distributed with the Agenda for the April 10, 2012 meeting.

COUNCIL REPORT



TO **Governance Committee**

SERVICE AREA Corporate and Human Resources
DATE April 10, 2012

**SUBJECT Executive Director Compensation- Competitive Salary
Market position**

REPORT NUMBER CHR – 2012 – 21

Purpose of the Report: To seek approval to establish the 55th percentile for the Executive Director's competitive position for compensation purposes and approve the recommended salary range for 2011 and 2012.

Committee Action: To approve the recommendations in the attached

RECOMMENDATION:

That the 55th percentile of the approved comparator group be established as the competitive position for Executive Director level positions to be consistent with and aligned to the Chief Administrative Officer and other full-time Non-Union positions.

That the 2011 salary range for Executive Director level positions be established as: \$136,288.80 - \$170,361.00.

That the 2012 salary range for Executive Director level positions be established as: \$139,028.80 - \$173,786.00

BACKGROUND:

In 2008, Council approved the following recommendations:

That Council approve the removal of Director level positions and salary from the Non-Union and Management Job Evaluation Plan;

AND that Council approve that the Director level positions be market-rated;

AND that Council approve the municipal comparator group for the purposes of establishing a competitive salary for the Director level positions (contained in this report);

AND that Council endorse the 60th percentile as the competitive position for the purpose of determining the 2008 compensation Job Rate for the Director level positions and;

AND that Council approve establishing two (2) levels for Director level positions as follows:

During the 2011 budget deliberations, Council directed Human Resources to align the competitive positions for Non-Union Employees from the 60th percentile to the 55th percentile.

In addition, following a market survey for the CAO position in early 2011 prior to the CAO recruitment process, Council directed staff to adjust the CAO level position to the 55th percentile of the approved comparator group.

The Council approved comparator group for compensation surveys for non-union staff is based on the following criteria:

1. Size of the municipality (i.e. population)
2. Organizational structure and scope of services (Tier)
3. Average family income for residents within the municipality
4. Number of Employees working for the municipality
5. Operating Budgets
6. Geographic location/employment market (labour pool/market competition within 60 km of Guelph)

Using the above criteria, the Council approved comparator group of municipalities surveyed for compensation information consist of the following municipalities:

1. City of Barrie
2. City of Burlington
3. City of Brampton
4. City of Brantford
5. City of Cambridge
6. City of Chatham-Kent
7. City of Hamilton
8. City of Kingston
9. City of Kitchener
10. City of Mississauga
11. City of Oakville
12. City of Vaughan
13. City of Waterloo
14. Region of Waterloo
15. City of Greater Sudbury

-
16. Regional Municipality of Halton
 17. Regional Municipality of Peel
 18. Wellington County

In July 2010, the City underwent a reorganization which eliminated the Director level position and introduced a structure consisting of four (4) Executive Director level positions, with increased responsibilities which are as follows:

Executive Director, Corporate and Human Resources
Executive Director, Planning, Building and Engineering & Environment Services
Executive Director, Community and Social Services
Executive Director, Operations and Transit

At the time of the reorganization, one (1) level of compensation was established for the Executive Director level positions. This recommendation was made by an external job evaluation consultant with the intent to conduct a thorough market review based on the new roles and responsibilities.

In February 2012, the position of Executive Director, Finance and Enterprise (formerly Chief Financial Officer/City Treasurer) was realigned to the Executive Director Level.

REPORT:

Human Resources staff is required to conduct periodic salary surveys for the Executive Director level positions to ensure alignment with the approved competitive position.

Following a market review conducted in the last quarter of 2011 and completed in January 2012, to maintain the 55th percentile (i.e. competitive position within the comparator group) the recommended **2011** salary range for the Executive Director level positions is \$136,288.80 - \$170,361.00.

Additional survey details indicated that the average economic increase for 2012 is 2.8% with the most common increase (mode) being 2%. Many of the municipalities within our comparator group have not solidified the economic increase with their Council at the time of this report. However, information from those that have approved the 2012 increases, combined with information from other municipalities and the Conference Board of Canada regarding non-union wage increases for the public sector suggest that 2% would be required to maintain Guelph's relative position to the market.

Based on the additional survey data above, to maintain our competitive position for **2012** for the Executive Director level positions, a further adjustment of 2% to the salary range is recommended which represents a salary range of \$139,028.80 - \$173,786.00.

CORPORATE STRATEGIC PLAN:

Goal 5 – A community focused, responsive and accountable government.
Objective 5.6 – Organizational excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS:

There are no financial implications to adjusting the salary range for the Executive Director level positions.

DEPARTMENTAL CONSULTATION:

COMMUNICATIONS:

Original Signed by:

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COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Integrity Commissioner
DATE April 10, 2012

SUBJECT First Report of the Integrity Commissioner

SUMMARY

Purpose of Report:

To provide comments and recommend amendments to the Code of Conduct for Council and Local Boards and to update Council on recent developments in the municipal accountability and transparency regime in Ontario.

Committee Action:

To approve the amendments to the Code of Conduct contained in Appendix 2 to this report.

RECOMMENDATION

THAT the Code of Conduct for Council and Local Boards be amended in accordance with Appendix 2 attached to this report.

BACKGROUND

After a competitive process, I was selected and appointed Integrity Commissioner for the City of Guelph by By-law on November 28th, 2011. I am certified by the Law Society of Upper Canada as a specialist in municipal law and currently also serve as Integrity Commissioner for Oakville, Brantford and Port Hope. Only approximately forty municipalities in Ontario have chosen to adopt a code of conduct for council and all members of Guelph Council should be proud that they have adopted one. It amounts to a promise by each of you to your citizens, over and above the strict legal requirements of your office, that each of you will behave in an open and ethical manner.

The field of municipal ethics has changed dramatically in the past year with the issuance of the report by Justice Cunningham who conducted the Mississauga

Judicial Inquiry and considered the following facts. The Mayor of Mississauga felt that she was doing her duty by promoting a five star hotel in the downtown and attended numerous meetings with the developer and a vendor of land to further this desired result. Her son had a substantial interest in the development and when the matter came to Council she declared a conflict of interest as required by the *Municipal Conflict of Interest Act*. Notwithstanding her compliance with the Act, the report viewed her support of the development in the background as contravening the common law obligation not to promote a cause as a public official while having a conflict of interest

Of interest to all sitting councillors, the report went further and made many recommendations including that the *Municipal Conflict of Interest Act* be amended:

- To expand the definition of family to include siblings and other relatives
- To expand the definition of conflict beyond pecuniary to include private interests
- To expand the definition of meetings where a conflict must be declared to include all meetings attended by a Councillor in his or her official capacity
- Expand the role of the Integrity Commissioner to investigate and report on matters covered by the Act.

I attended meetings with provincial staff as a representative of the Integrity Commissioners of Ontario, an association founded by the current Ontario municipal Integrity Commissioners, to discuss the recommendations of the report and it is expected that the government will respond to these recommendations in the near future.

The recent case of *Tuchenhagen v. Mondoux*, 2011 ONSC 5398 decided in the Ontario Superior Court of Justice also raises the bar for Councillors determining when to declare conflicts of interest. The Appellant, Councillor attended a meeting to consider a staff recommendation to accept an offer to purchase land from the Respondent on a tax sale. The recommendation was not accepted and no conflict was declared by the Appellant but nine days later he wrote an E-mail to staff indicating that he may be interested in purchasing the land. The appellant was present at a subsequent meeting to declare the land surplus and again did not declare a conflict. He ultimately made an offer on the land through a company owned by him and declared a conflict when it reached Council. The Court found that after he wrote the E-mail he was no longer looking at the matter only from the perspective of a member of council and should have declared a conflict at all subsequent meetings. He was disqualified by the court from sitting as a councilor for 4 years.

ROLE OF THE INTEGRITY COMMISSIONER

I am pleased and honoured to serve as your Integrity Commissioner. My responsibilities are limited to the following:

1. To advise Council and its local boards as well as members of Council and local boards ("Members") on the Code of Conduct

-
2. To conduct enquiries requested by Council, a local board, a member of staff or a member of the public to determine whether a Member has contravened any provision of the code, and
 3. To attempt to settle complaints about any Member before commencing an enquiry.

The *Municipal Act* requires that the Integrity Commissioner is an office independent from City staff and reports directly to Council. Apart from administratively, the Integrity Commissioner has no part to play in the staff chain of command of the City. The only time staff become directly involved is if a member of staff complains about a Member.

The experience in other municipalities is that the prime activity of the Integrity Commissioner is to act as a confidential advisor to Members on interpreting the Code of Conduct. A duty of strict confidentiality is imposed on him by the *Municipal Act*. All advice given by the Integrity Commissioner is binding on him and will be logged and confirmed in writing to the Member. The Integrity Commissioner may be requested to conduct an investigation of a Member but before doing so, the Protocol attached to the Code of Conduct requires him to do a preliminary report to an open meeting of Council including whether the enquiry is appropriate, an estimate of the cost and the time to complete it.

It is not in any way intended that the Integrity Commissioner act as a replacement for the City Solicitor in legal matters or the City Clerk in election and other matters. They are the experts that should be consulted by Councillors in these areas. However, there are circumstances where the Solicitor or Clerk as an employee of the municipal corporation may have a conflict in giving independent advice to a single Member. They may decide to refer some of these questions to the Integrity Commissioner. Also, the Code of Conduct goes beyond strict municipal legislation and involves subtleties in the ethical behaviour of individual Members with each other, with staff and as representatives of the corporation. The Integrity Commissioner is the best source of advice as to whether the Code has been complied with since he is empowered to enforce it. As the earlier section of this report has recounted, the ethical responsibilities of Members have recently become more complicated in Ontario. If questions of interpretation of the Code of Conduct arise, Members are encouraged to contact the Integrity Commissioner at any time for such advice which in many cases could be accomplished with a telephone call. All advice given, whether in person or on the telephone, will be followed up in writing and will remain binding on the Integrity Commissioner. The gist of the advice may be shared in annual reports to Council but the name of the Member will usually not be disclosed.

It should be noted that there is no solicitor/client relationship between a Member and the Integrity Commissioner, whose duty is to Council as a whole. If a member informs the Integrity Commissioner that he or she has breached the Code of Conduct, it is his responsibility to report that directly to Council. In this case, it would be preferable for the Member to seek independent legal advice.

REPORT

At the request of staff I have reviewed the current Code of Conduct (attached as Appendix 1) and I have been asked to report to Council if I feel that amendments are required. I have completed this review and found the code, for the most part to be satisfactory. It is important that Council as a whole embraces the Code and I am certain that debates and much discussion has occurred which created the wording. I did not want to interfere with the "made in Guelph" aspect.

However, I am of the opinion that the wording can be improved in a few areas without changing the intent of Council. Attached to this report as Appendix 2 is a list of amendments to the Code recommended by me, in the following areas:

1. Under the heading of "Definitions" the local boards are listed but many advisory boards are omitted. In my opinion it would be preferable to include all boards as defined in Section 223.1 of the Municipal Act which is the restricted definition most codes have used. If this change is acceptable to Council, I understand that the Clerk will maintain a list of them and notify each member upon adoption.
2. Also under the heading of "Definitions" and later under "Confidentiality" I am of the opinion that the wording of these two sections confuse how confidential information is defined and what disclosure is prohibited. I have attempted to clarify this wording without changing the intent.
3. Under the heading of "Business Relations" I am of the opinion that, after the Cunningham Report, a Councillor cannot act as a "paid agent before Council" and comply with the *Municipal Conflict of Interest Act* as well as the common law. I am aware that other codes in Ontario contain this section.
4. The Code omitted any reference to Members representing the City with decorum and I have recommended a new section to be inserted.

I assisted the Acting Clerk in drafting the Protocol attached as part of the Code and have no comments on it.

CORPORATE STRATEGIC PLAN

This report supports strategic goal 5: "A community-focused, responsive and accountable government".

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

ATTACHMENTS

Appendix 1 – Current Code of Conduct for Council and Local Boards
Appendix 2 - Amendments to the Code recommended by the Integrity Commissioner.

Prepared and Recommended By:

Robert J. Swayze

Integrity Commissioner

519-942-0070

robert.swayze@sympatico.ca



**City of Guelph****Code of Conduct for Council and Local Boards**

Tab	CITY COUNCIL
Authority	S. 223.2(1) Municipal Act
Subject	CODE OF CONDUCT FOR COUNCIL & LOCAL BOARDS
Related Policies	Accountability and Transparency
Approved by	COUNCIL
Review Date	Annually

POLICY STATEMENT	<p>A written Code of Conduct for Council and Local Boards(Code of Conduct) helps to ensure that the members of Council, advisory committees, and local boards of the municipality (as defined in the <i>Municipal Act</i>), share a common basis for acceptable conduct. This code is designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that Guelph's elected and appointed representatives operate from a base of integrity, justice and courtesy. The key principles that underline the Code of Conduct are as follows:</p> <ul style="list-style-type: none">• all members shall serve and be seen to serve their constituents in a conscientious and diligent manner;• members should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and conflicts of interest, both real and apparent;• members are expected to perform their duties in office in a manner that promotes public confidence and will bear close public scrutiny;• members shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature, and the City Council.
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PURPOSE

Municipal Council Members hold positions of privilege. Therefore, they must discharge their duties in a manner that recognizes a fundamental commitment to the well being of the community and regard for the integrity of the Corporation. The purpose of the Code of Conduct is to:

- Protect the public interest.
- Encourage high ethical standards among members of Guelph City Council and local boards.
- Provide a universal understanding of the fundamental rights, privileges, and obligations of members of Guelph City Council and local boards.
- Provide a means for members of Guelph City Council and local boards to obtain information on some contemplated conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct.

DEFINITIONS

Members - include the Mayor and Members of Guelph City Council and the following local boards:

- Accessibility Advisory Committee
- Board of Trustees of the Elliott
- Committee of Adjustment
- Downtown Board of Management
- Guelph General Hospital Commission
- Heritage Guelph
- Municipal Election Compliance Audit Committee
- Property Standards/Fence Viewers Committee

Confidential Information – while the classification of information as “confidential” is a matter of Council discretion whether labelled as confidential or not, disclosure of information will not constitute a breach of the Code of Ethics unless that information is of an inherently confidential nature such as:

- Personal data of employees or others.
- Records related to internal policies and practices, which if disclosed, may prejudice the effective performance of a municipal operation.
- Records of a financial nature reflecting

-
- information given or accumulated in confidence.
 - Files prepared in connection with litigation and adjudicative proceedings.
 - Reports of consultants, draft documents and internal communications, which, if disclosed, may prejudice the effective operation and reputation of the municipality, its officers and employees and its effective operation.

Integrity Commissioner – The person appointed by City Council By-Law in accordance with Section 223.3 of the *Municipal Act, 2001* and who is responsible for performing in an independent manner the functions assigned by the municipality with respect to the application of the Code of Conduct for members of Council and Local Boards.

GIFTS AND BENEFITS

No member shall accept a fee, advance, gift or personal benefit that is connected directly or indirectly with the performance of his / her duties of office, unless permitted by the exceptions listed below. For these purposes, a fee or advance paid to, or a gift or benefit provided with the member's knowledge to a member's spouse, child or parent or to a member's staff that is connected directly or indirectly to the performance of the member's duties is deemed to be a gift to that member. The following are recognized as exceptions:

- a) compensation authorized by by-law;
- b) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- c) a political contribution otherwise reported by law;
- d) services provided without compensation by persons volunteering their time;
- e) a suitable memento of a function honouring the member;
- f) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by the Federal government or by a foreign country;
- g) food and beverages consumed at banquets, receptions or similar events, if:
 - I. attendance is in keeping with his or her representative role;

-
- II. the person extending the invitation or a representative of the organization is in attendance; and,
 - III. the value is reasonable and attendance at events sponsored by the same entity is infrequent.
 - h) communication to the offices of a member, including subscriptions to newspapers and periodicals.

In the case of categories (b) (e) (f) (g) and (h), if the value of the gift or benefit exceeds \$300, or if the total value received from any one source during the course of a calendar year exceeds \$300, the member shall within 30 days of receipt of the gift or reaching the annual limit, file a disclosure statement with the City Clerk.

The disclosure statement must indicate:

- the nature of the gift or benefit;
- its source and date of receipt;
- the circumstances under which it was given or received;
- its estimated value;
- what the recipient intends to do with the gift; and,
- whether any gift will at any point be left with the City.

Any disclosure statements will be a matter of public record.

Except in the case of category (f), a member may not accept a gift or benefit worth in excess of \$500 or gifts or benefits from one source during a calendar year worth in excess of \$500. No member shall seek or obtain by reason of his / her office any personal privilege or advantage with respect to City services not otherwise available to the general public and not consequent to his or her official duties.

CONFIDENTIALITY All information, including documentation or deliberation received, reviewed or taken in closed session of Council and its committees is confidential. Members shall not disclose or release by any means to any member of the public either in verbal or written form any confidential

information acquired by virtue of their office, except when required by law to do so. Under the Procedural By-law, authorized under section 239 of the *Municipal Act*, where a matter that has been discussed at a closed) meeting remains confidential, no member shall disclose the content of the matter, or the substance of deliberations, of the in camera meeting. Members shall not permit any persons other than those who are entitled thereto to have access to information that is confidential. Particular care should be exercised in ensuring confidentiality of the following types of information:

- items under litigation, negotiation, or personnel matters;
- information that infringes on the rights of others (e.g., sources of complaints where the identity of a complainant is given in confidence);
- price schedules in contract tender or Request For Proposal submissions if so specified;
- information deemed to be "personal information" under the *Municipal Conflict of Interest Act*; and
- statistical data required by law not to be released (e.g. certain census or assessment data).

This list is provided as an example and is not exhaustive. Requests for information should be referred to appropriate staff to be addressed as either an informal request for access to municipal records or as a formal request under the *Municipal Freedom of Information and Protection of Privacy Act*.

Members of Council should not access or attempt to gain access to confidential information in the custody of the City unless it is necessary for the performance of their duties and not prohibited by Council policy.

USE OF CITY
PROPERTY

No member shall for personal purposes or profit, permit the use of any City property, equipment, services, or supplies other than for purposes connected with the discharge of City duties or associated community activities of which City Council has been advised, unless such use is permitted by one of the following exceptions:

-
- Reasonable and incidental personal use of equipment such as computers, fax machines, cell phones, blackberries, etc., where the City incurs no additional costs relating to such use, and the use is of limited duration and frequency.
 - Use of City property and facilities where such use is universally known to be available to other residents upon request and on equal terms.

No member shall obtain financial gain from the use of City developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the City of Guelph.

No member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.

WORK OF A
POLITICAL OR
PERSONAL
NATURE

Members are required to follow the provisions of the *Municipal Elections Act, 1996*. No member shall use the facilities, equipment, supplies, services or other resources of the City (including Councillor newsletters and websites linked through the City's website) for any election campaign or campaign-related activities. No member shall undertake campaign-related activities in any City facility for the purpose of seeking the support of City employees working in that facility. No member shall use the services of persons for his or her election campaign purposes during the working hours for which those persons receive compensation from the City.

No member shall use City facilities, services or property for his or her personal or business use. No member shall use the services of persons for his or her personal or personal business use during the working hours for which those persons receive compensation from the City.

CONDUCT
RESPECTING

No member shall allow the prospect of his / her future employment by a person or entity to detrimentally affect

CURRENT AND
PROSPECTIVE
EMPLOYMENT

the performance of his / her duties to the City.

BUSINESS
RELATIONS

No member shall act as a paid agent before Council, its committees, or an agency, board or commission of the City except in compliance with the terms of the *Municipal Conflict of Interest Act*. A member shall not refer a third party to a person, partnership, or corporation in exchange for payment or other personal benefit.

INFLUENCE ON
STAFF

Only Council as a whole has the authority to approve budget, policy, committee processes and other such matters. Members shall be respectful of the fact that staff work for the City as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members. Accordingly, no member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff, and all members shall show respect for the professional capacities of the staff of the City.

Council directs the business of the City and passes by-laws, or resolutions as appropriate, for decisions adopted by Council. Council has delegated responsibility to the Chief Administrative Officer (CAO) for the administration of the affairs of the City in accordance with decisions adopted by Council. This means that under the direction of the CAO, staff have the responsibility and the authority to provide consultation, advice and direction to Council and to implement Council approved policy. Accordingly, staff establish the appropriate administrative policies, systems, structures and internal controls to implement the goals and objectives of Council, and manage implementation within the resources at their disposal. The Council should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power, or their personal opinions. No member shall compel any staff

member to engage in activities that are contrary to the directions of Council or the policies of the municipality.

No member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities. Nor shall any member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person's duties, including the duty to disclose improper activity.

**IMPROPER USE OF
INFLUENCE**

No member of Council shall use the influence of her or his office for any purpose other than for the exercise of her or his official duties.

Examples of prohibited conduct are the use of one's status as a member of Council to improperly influence the decision of another person to the private advantage of oneself, or one's immediate relatives, staff members, friends, or associates, business or otherwise. This would include attempts to secure preferential treatment beyond activities in which members normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of future advantage through a member's supposed influence within Council in return for present actions or inaction.

For the purposes of this provision:

"private advantage" does not include a matter:

- that is of general application;
- that affects a member of Council, his / her immediate relatives, staff members, friends, or associates, business or otherwise as one of a broad class of persons; or
- that concerns the remuneration or benefits of a member of Council.

**COMPLAINTS ALLEGING
VIOLATION OF THIS
CODE**

Where a member of Council or local board, an employee of the City or a member of the public has reasonable grounds to believe that a Member has breached this code, a complaint may be

submitted to the Clerks Department in prescribed form which will be forwarded to the City Integrity Commissioner who will process it in accordance with the Complaint Protocol attached hereto as Appendix "1".

**Complaint Protocol for
Code of Conduct for Council
and Local Boards**

Application

1. This process applies to members of Guelph City Council and its local boards as defined in Section 223.1 of the *Municipal Act*. ("Members")

Integrity Commissioner

The City of Guelph Integrity Commissioner shall be responsible for the provision of services as established by Council which will include the following:

1. To provide written and oral advice to Members, City staff and members of the public concerning the interpretation of and compliance with, the Code of Conduct Council for Council and Local Boards governing the ethical behaviour of Members.(the "Code")
2. To provide Council and its local boards, with specific and general opinions and advice on the interpretation of the Code, including revisions thereto.
3. To conduct enquiries into a request made by Council, a local board, a Member, a member of City staff or a member of the public into whether a Member has contravened any applicable provision of the Code.
4. To attempt to settle any complaint between the complainant and the Member before commencing an enquiry.

Procedure for Making a Complaint

1. All complaints or requests for inquiries shall be submitted to the Clerks Department and sworn before a commissioner of oaths in the form provided in Appendix "A" and the Clerk shall forthwith forward them to the Integrity Commissioner.
2. All complaints or requests for inquiries must clearly state:
 - a. the Member to whom the complaint relates;
 - b. the nature of the alleged contravention;
 - c. the specific provision(s) of the Code allegedly contravened;
 - d. names of any witnesses to the alleged contravention; and
 - e. written material in support of the alleged contravention.
3. Upon receipt of a complaint or request for enquiry, the Integrity Commissioner shall first determine if it is within his/her jurisdiction and whether there is a procedure under other legislation or City policy to deal with the complaint. If it is determined that other procedures apply, the Integrity Commissioner shall refer the complainant to the appropriate person or agency to follow that process. This would include such matters as:
 - a. the grievance provisions of a collective agreement;
 - b. the complaint provisions under the *Ontario Human Rights Code*;
 - c. a complaint of alleged criminal activity;
 - d. procedures in the *Municipal Act*, the *Municipal Conflict of Interest Act* or the *Municipal Elections Act*;
 - e. the complaint provisions of the *Workplace Violence Prevention*

Policy; or

- f. the complaint provisions of *the Harassment and Discrimination Policy*.

Where it has been determined that a complaint should be dealt with under one of the above processes, it will no longer be considered or dealt with by the Integrity Commissioner and the time limits within the above processes will apply accordingly.

4. Upon receipt of a complaint or request to conduct an enquiry within his/her jurisdiction, the Integrity Commissioner will deliver a preliminary information report to an open meeting of Council including the following:
 - a. The opinion of the Commissioner as to whether the enquiry is appropriate and whether it can be conducted within the law applicable to such an enquiry.
 - b. An indication as to whether it is the Commissioner's intention to conduct the enquiry under the *Public Inquiries Act*.
 - c. A preliminary indication of the members of staff and/or consultants needed to assist the Commissioner.
 - d. An estimated cost of the enquiry.
 - e. The estimated time required to complete the enquiry and prepare a final report.
 - f. Where appropriate, the Commissioner may recommend that the alleged infraction be reported to the police and that the enquiry be suspended until the police investigation is completed.
5. If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith or that there are no grounds or insufficient grounds for an enquiry, the Integrity Commissioner shall not conduct an enquiry and shall state the reasons for not doing so in the preliminary report.

Procedure for Obtaining Advice:

- i. Where a Member, an employee or a member of the public is seeking to obtain advice from the Integrity Commissioner, he/she shall submit to the City Clerk the completed form provided (Appendix B).
- ii. All advice of the Integrity Commissioner to Members, employees and the public shall be confirmed in writing. No Solicitor/Client relationship will exist in the giving of such advice.
- iii. Where the Integrity Commissioner learns of a violation through the request for advice from any Member, he or she is required to report such a violation to Council.
- iv. The Integrity Commissioner may decline to give advice if he/she determines that it will put him in conflict with his/her duty to Council as a whole.

Confidentiality

1. The Integrity Commissioner shall carry out all enquiries in a manner which will ensure that the individual to whom the complaint relates is treated fairly and all complaints shall be treated as confidential to the extent possible and in accordance with the *Municipal Act*.
2. All records of investigations shall be kept confidential and access limited to those in the City with a need to know for the purposes of conducting a full

investigation.

Intake Procedures

- 1 Upon receipt of a complaint involving a Member other than the Mayor, the Clerk shall immediately advise the Mayor and Chief Administrative Officer ("CAO").
- 2 Upon receipt of a complaint involving the Mayor, the Clerk shall immediately advise the CAO and the three longest serving members of Council authorized to act in place of the Mayor.
3. The Integrity Commissioner may attempt to settle any complaint. Except where otherwise required by the *Public Inquiries Act*, the Commissioner shall provide a copy of the complaint and supporting material to the member with a request for a written response to the allegation within ten days and provide a copy of such response to the complainant with a request for a written response also within ten days.

Investigations

After the presentation of the information report to Council, the Integrity Commissioner shall take all steps necessary to promptly investigate the complaint within his or her jurisdiction, including entering any City office for such purpose and consultation with City staff with access to all information and records described in subsections 3 and 4 of Section 223.4 of the *Municipal Act* and may retain independent professional services if required.

1. The Integrity Commissioner shall make every effort to complete an investigation within 30 days.
2. If the Integrity Commissioner requires more than 30 days to complete an investigation, the following shall be notified accordingly:
 - a. The complainant;
 - b. the individual to whom the complaint relates; and
 - c. the Mayor in the case of a complaint concerning another Member; or the three longest serving members of Council in the case of a complaint concerning the mayor.
3. A complaint involving an alleged contravention that has already been thoroughly investigated will not be re-investigated unless new evidence is presented.

Reporting the Results of an Investigation

1. The Integrity Commissioner shall report his/her findings to an open meeting of Council and where the enquiry relates to a local board the report will be submitted to both Council and the local board.
2. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.
3. The Commissioner shall give a copy of the final report to the complainant and the Member whose conduct is concerned prior to the Council meeting at which it will be considered.
4. The Member to whom the complaint relates shall be given an opportunity to

<p>address Council and respond to the complaint.</p> <p>5. The Member shall be permitted to introduce information not already in evidence including witnesses to support his or her position, and shall have the option of attending with legal counsel.</p>
<p>Actions by Council</p> <ol style="list-style-type: none"> 1. In reviewing the final report, Council will determine whether it will impose any of the following penalties on a Member if the Integrity Commissioner reports that it is his/her opinion that the Member has contravened the Code: <ol style="list-style-type: none"> a. Issue a motion of reprimand b. Suspension of the remuneration paid to the Member in respect of his services as a Member for a period of up to 90 days c. request the member involved to return any gift or benefit received in contravention of the Code of Conduct; d. request the member involved to repay the value of the benefit; e. remove the member from committee or local board appointments; f. request an apology; or g. withhold confidential materials/matters for a period of time. 2. All reports to Council by the Integrity Commissioner on the investigation of complaints are public documents. 3. The Integrity Commissioner shall be responsible for ensuring the above procedures are followed with respect to requests for enquiries and for conducting investigations. City Council shall be responsible for determining penalties where appropriate.
<p>Protection from Retaliation</p> <p>Any employee who files a complaint of a contravention of the Code of Conduct will not be subjected to any form of penalty or reprisal provided the complaint is made:</p> <ul style="list-style-type: none"> • in good faith; and • in the reasonable belief of the complainant that a contravention of the Code of Conduct has occurred.
<p>Limitation Period</p> <p>The Integrity Commissioner shall not proceed with an enquiry in regard to a complaint more than 60 days after the date when the event or series of events which are the subject matter of the complaint were discovered by the complainant. An event, or series of events, is discovered on the earlier of the date upon which the complainant first knew,</p> <ul style="list-style-type: none"> • that the event(s) had occurred and by whom, • that the event(s) may have constituted a contravention of • the Code. <p>The onus of proof as to the date of discovery lies with the complainant.</p> <p>Where the Integrity Commissioner decides not to proceed with an investigation of a complaint received more than 60 days after the date when the event(s) occurred, the Integrity Commissioner shall prepare and file a report to Council setting out that decision.</p>

Complaints in Municipal Election Years

Despite any other provision of this process, any complaint received by the City Clerk 90 days prior to the date of a regular election pursuant to the *Municipal Elections Act*, 1996, S.O. 1996, shall not be referred to the Integrity Commissioner for investigation until after the election has taken place.

The 90 days referred to above, will not be included for the purposes of calculating the 60 day limitation period.

Affidavit

[illegible]

_____)
[City, Town, etc.])
in the Province of Ontario, on)
_____)
[date])

[Signature of commissioner]
A Commissioner for taking affidavits, etc.

)
)
)
)

[Signature]

**Integrity Commissioner Inquiry
Formal Complaint Procedure**

**Please note that signing a false affidavit
May expose you to prosecution under
Sections 131 and 132 or 134 of the Criminal Code,
R.S.C. 1985, c. C-46, and also to civil
liability for defamation.**

Schedule A

To the affidavit required under subsection 1(4) of The Formal Complaint Procedure

[If more than one page is required, please photocopy this blank page and mark each additional page as 2 of 2, 2 of 3, etc. at the top right corner.]

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

This is Schedule A referred to in the affidavit of

_____ [full name]

Sworn [or Affirmed] before me on this _____ day

of _____, _____.

APPENDIX B

Request for Advice

Address: _____

Advice Requested: (Provide as much detail as possible relating to the issue, attach 2nd page if required)

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

[Signature of Requestor]

[Date Received by Integrity Commissionerr]

[Date]

[Date Reply Issued]

[File no.]

AMENDMENTS TO THE CODE OF CONDUCT FOR COUNCIL AND LOCAL BOARDS RECOMMENDED BY THE INTEGRITY COMMISSIONER

That all pages of the Code be numbered.

Under the heading “Definitions” delete the definition of Members and insert:

Members – Include the Mayor, all members of Guelph City Council and members of all Guelph local boards as defined in Section 223.1 of the *Municipal Act*

Under the heading “Definitions” delete the definition of Confidential Information and insert:

Confidential Information – Includes the following:

1. Any information in the possession of, or received in confidence by, the City that the City is prohibited from disclosing, or has decided to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act*, or any other law.
2. Information of a corporate, commercial, scientific or technical nature received in confidence from third parties; personal information, information that is subject to solicitor-client privilege; information that concerns any confidential matters pertaining to personnel, labour relations, litigation, property acquisition, the security of the property of the municipality or a local board; and any other information lawfully determined by the Council or the local board to be confidential, or required to remain or be kept confidential by legislation or order.

-
3. A matter, the substance of a matter, and information pertaining to a matter, that has been debated or discussed at a meeting closed to the public, unless the matter is subsequently discussed in open Council or it is authorized to be released by Council/the local board or otherwise by law.
 4. Reports of consultants, draft documents and internal communications, which, if disclosed may prejudice the reputation of the City, its officers and employees or its effective operation.
 5. Information concerning litigation, negotiation or personnel matters.
 6. Information the publication of which may infringe on the rights of any person (e.g., source of a complaint where the identity of a complainant is given in confidence).

Under the heading “Confidentiality” delete the first three paragraphs and replace with:

No Member shall disclose, release or publish by any means to any person or to the public any Confidential Information acquired by virtue of his or her office, in any form, except when required or authorized by Council or otherwise by law to do so. No Member shall use Confidential Information for personal or private gain or benefit, or for the personal or private gain or benefit of any other person or body.

Under the heading “Business Relations” delete: “except in compliance with the terms of the *Municipal Conflict of Interest Act*.”

After the heading “Business Relations” insert the heading “Conduct” and insert:

As a representative of the City, every Member has the duty and responsibility to treat members of the public, one another and staff

appropriately and without abuse, bullying or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment. A Member shall not use indecent, abusive or insulting words or expressions toward any other Member, any member of staff or any member of the public. A Member shall not speak in a manner that is discriminatory to any individual based on that person's race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status or disability.

AMENDMENTS TO THE CODE OF CONDUCT FOR COUNCIL AND LOCAL BOARDS RECOMMENDED BY THE INTEGRITY COMMISSIONER

That all pages of the Code be numbered.

Under the heading “Definitions” delete the definition of Members and insert:

Members – Includes the Mayor, all members of Guelph City Council and members of all Guelph local boards as defined in Section 223.1 of the *Municipal Act*

Under the heading “Definitions” delete the definition of Confidential Information and insert:

Confidential Information – Includes the following:

1. Any information in the possession of, or received in confidence by, the City that the City is prohibited from disclosing, or has decided to refuse to disclose, under the *Municipal Freedom of Information and Protection of Privacy Act*, or any other law.
2. Information of a corporate, commercial, scientific or technical nature received in confidence from third parties; personal information, information that is subject to solicitor-

client privilege; information that concerns any confidential matters pertaining to personnel, labour relations, litigation, property acquisition, the security of the property of the municipality or a local board; and any other information lawfully determined by the Council or the local board to be confidential, or required to remain or be kept confidential by legislation or order.

3. A matter, the substance of a matter, and information pertaining to a matter, that has been debated or discussed at a meeting closed to the public, unless the matter is subsequently discussed in open Council or it is authorized to be released by Council/the local board or otherwise by law.
4. Reports of consultants, draft documents and internal communications, which, if disclosed may prejudice the reputation of the City, its officers and employees or its effective operation.
5. Information concerning litigation, negotiation or personnel matters.
6. Information the publication of which may infringe on the rights of any person (e.g., source of a complaint where the identity of a complainant is given in confidence).

Under the heading “Confidentiality” delete the first three paragraphs and replace with:

No Member shall disclose, release or publish by any means to any person or to the public any Confidential Information

acquired by virtue of his or her office, in any form, except when required or authorized by Council or otherwise by law to do so. No Member shall use Confidential Information for personal or private gain or benefit, or for the personal or private gain or benefit of any other person or body.

Under the heading “Business Relations” delete: “except in compliance with the terms of the *Municipal Conflict of Interest Act*.”

After the heading “Business Relations” insert the heading “Conduct” and insert:

As a representative of the City, every Member has the duty and responsibility to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment. A Member shall not use indecent, abusive or insulting words or expressions toward any other Member, any member of staff or any member of the public. A Member shall not speak in a manner that is discriminatory to any individual based on that person’s race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status or disability.

COMMITTEE REPORT



TO **Governance Committee**

SERVICE AREA Corporate and Human Resources, City Clerk's Department

DATE April 10, 2012

SUBJECT **Procedural By-law and
Closed Meeting Protocol Amendments**

SUMMARY

Purpose of Report: To propose amendments to the Procedural By-law and Closed Meeting Protocol in order to provide for greater clarity, better align with current conventions and establish best practices as they relate to various matters including Closed Meetings, public disclosure and meeting procedure.

Committee Action: To recommend the adoption of a new Procedural By-law and Closed Meeting Protocol to Council in relation to the amendments proposed herein.

RECOMMENDATION

1. That a new Procedural By-law be adopted pursuant to the proposed amendments highlighted in Attachment A to the April 10, 2012 Governance Committee Report entitled "Procedural By-law and Closed Meeting Protocol Amendments";
2. That the Closed Meeting Protocol be revised pursuant to the amendments proposed in Attachment B in the same report.

BACKGROUND

In 2011, a comprehensive assessment of the Procedural By-law was conducted for the purpose of implementing amendments to provide for greater clarity and conformity to the current practices of Council and Committee. The revisions were informed by the statutory requirements of the *Municipal Act* (the Act), best practices in relation to meeting procedure and existing protocols. The assessment included a consultation process whereby staff and Members of Council were asked to provide comments in relation to the proposed amendments. Being the first broad review of the By-law since 1996, the assessment was very thorough and resulted in

a Procedural By-law which was well connected with the statutory requirements of the Act as well as the conventional practices of City Council and Committee.

In July 2011, Council approved a Closed Meeting Protocol which was to serve as a guide to reference the legislated requirements for Closed Meetings but also to encourage best practices to support openness and transparency as it related to governance matters and municipal business in general.

REPORT

Procedural By-law Amendments

Since the approval of Procedural By-law (2011)-19300, there have been observations made by staff and Members of Council to suggest that further revisions may be in order. Staff completed an evaluation of the proposed amendments and scanned the By-law for additional opportunities to provide greater clarity to enhance current meeting procedures and protocol.

Most of the suggested amendments to the By-law, attached as Attachment A, are 'housekeeping' modifications to correct formatting issues or to adjust language for additional clarity. These changes do not impact the spirit, intent or use of the By-law. There are several modifications also proposed herein, however, that establish new provisions or revise existing clauses to better meet the requirements of the Act or to more clearly articulate an existing convention which may not have been fully accounted for in the previous By-law. The following is an overview of all such proposed amendments to the Procedural By-law:

New/ Revised	Amendment	Purpose
Revised (pg. 2)	Definition - "Committee"	To mirror the Act's definition of Committee.
New (pg. 3)	Definition - "Open Meeting"	For clarity.
New (pg. 3)	Definition - "Registered Delegate"	For clarity.
Revised (pg. 3,22- 23)	Names (and responsibilities) of CAFE and OTES	To reflect recent organizational changes.
Revised (pg. 6)	Closed meeting exceptions incorporated into By-law body.	For clarity and improved reference.
New (pg. 7)	Council Planning Agenda Order of Business added	To clarify the Order of Business for Council Planning. This will allow for a Notice of Motion to be introduced at Council Planning (consideration must still occur at a Regular Council meeting).
New (pg. 8)	Procedure to add 'time sensitive' items to an agenda after the agenda/addendum deadline.	This allows the CAO/ET to advise Council or Committee of the need to add an urgent issue to the agenda. The decision to add the item is subject to a majority vote of the Members present.

New (pg. 8)	Closed Meeting minutes will be recorded, distributed and confirmed by Council.	To comply with the Act and provide for an account of all Closed Meetings. This process will supplement the current practice of providing for an account of the Closed Meeting as part of the Open Meeting minutes.
New (pg. 13)	Procedure to appeal the decision of Mayor/Chair in relation to a Point of Order or Privilege	For clarity and improved reference. The ability for an appeal of the Mayor/Chair re: a Point of Order or Privilege has always existed.
New (pg. 15,16)	Provisions regarding voting <ul style="list-style-type: none"> • Members shall vote • Tied votes are lost • The failure to vote (by a qualified Member) will be recorded in the negative 	To mirror requirements of the Act.
Revised (pg. 16)	Separation of a motion to vote on distinct clauses.	For clarity on the need to vote separately on every clause within a main motion (including those added by way of a previous amendment).
New (pg. 16)	No recorded votes on the following motions (unless requested by a Member): <ul style="list-style-type: none"> • Adjournment / Recess • Suspension of the Rules of Procedure • Extend meeting beyond 11pm • Motion to add an item not appearing on the agenda • In / Out of a Closed Meeting • Call the question 	This provision increases the efficiency with which Council and Committee can dispose of non-substantive procedural motions.
Revised (pg. 17)	To provide the following opportunities in which Council or Committee may wish to exercise in order to rise and report: <ul style="list-style-type: none"> • As a special resolution • As part of an Open Meeting report • To direct staff to report back at a subsequent meeting 	For clarity with respect to potential options which are further detailed in the Closed Meeting Protocol attached hereto as Attachment B.
Revised (pg. 17)	Reconsideration clauses amended to: <ul style="list-style-type: none"> • Revise the definition to include rescind • Require that it be introduced as a Notice of Motion • To clearly articulate the voting requirement to be a majority of the Whole of Council 	<ul style="list-style-type: none"> • Standard definitions to rescind and reconsider are very similar. • It should require a Notice of Motion to allow for a proper assessment to be done in relation to the potential impacts. • Given the current Council composition the requirement is 7 Members, regardless of how many are present at a meeting when the vote is taken.

Revised (pg. 19)	The intent to introduce a Notice of Motion can be introduced at a Council Planning meeting but consideration can only be given to it at a 'Regular' Council Meeting.	Time difference between Council and Council Planning is insufficient to allow for the necessary preparation and follow up of Council and staff.
Revised (pg. 20)	A motion to adjourn requires a mover, seconder and a vote.	Adjournment should be duly moved, seconded and voted on as it could be introduced at any time.
Revised (pg. 25)	The voting requirement for a Suspension of the Rules is revised from 2/3 of the Whole of Council to 2/3 of the Members present.	For appropriateness as this procedure directly relates to the Members present at a meeting.
Revised (pg. 25)	All matters not addressed by the Procedural By-law can be ruled on by the Mayor/Chair. Any Member can appeal the decision of the Mayor/Chair which would be overruled by a majority vote of the Members present.	For Efficiency. The By-law incorporates elements of Bourinot's Rules of Order and Robert's Rules of Order. In a rare instance where a provision cannot adequately dispose of a matter, the rule of the Chair (with the potential for an appeal) is the most appropriate.
Revised (deleted)	Deletion of the Code of Conduct as an appendix to the By-law.	To comply with the Act in that the Code of Conduct and Procedural By-law are required under separate and distinct sections. Also, the Code is applied more broadly than issues considered at a meeting. The Integrity Commissioner has oversight of the Code of Conduct but not the Procedural By-law.
Revised (deleted)	Deletion of the Committee/Council/Closed Meeting Differences appendix.	There is limited benefit to this chart as a reference tool.

Closed Meeting Protocol

Aside from several amendments to improve the formatting and clarification of language used within the Closed Meeting Protocol, additional sections are proposed to address the following matters:

Section 5.1: To identify best practices in relation to disclosing the appropriate information associated with a Closed Meeting report. The preferred approach is to publish a companion report to the accompanying Open Meeting agenda. Alternatively, Council or Committee can give direction to staff to prepare an Open Meeting report for inclusion on a subsequent meeting agenda.

Section 5.2: To establish best practices with respect to the consideration of an Open Meeting motion related to a matter discussed by Council or Committee in a Closed Meeting. In general, the suggested procedures are to; introduce the motion in relation to an existing Open Meeting companion report, introducing the motion as a Special Resolution (with preparatory context being provided by the Mayor, Member of Council or staff), or directing staff to prepare a report with recommendations to a subsequent meeting.

Section 6: To authorize and manage the appropriate public disclosure related to matters considered in a Closed Meeting (if necessary). In order to ensure that this practice does not become unnecessarily complicated, the suggested approach is to include a clause within a recommendation to waive Council's confidentiality and authorize staff to manage the appropriate disclosure of information as it relates to the confidential matter at hand. This delegation is to be guided by additional information provided to Council in advance either as part of the Communications Portion of the associated staff report or under separate cover.

Section 7: To provide details concerning the optimal method with which to add a 'time sensitive' matter to a Closed Meeting agenda after the agenda/addendum deadline.

The revised Closed Meeting Protocol will continue to serve as a guide for staff in the preparation of confidential reports and recommendations. It will also serve as public account of Council's standard protocol with respect to reporting out of Closed Meetings and with respect to the approval process related to confidential matters.

CONCLUSION

The proposed amendments contained herein further demonstrate that openness and transparency in relation to the conduct of municipal business is a fundamental principle entrenched in the City's various practices, policies and procedures.

CORPORATE STRATEGIC PLAN

The amendments proposed by this report comply with Section 5.3 of the current Corporate Strategic Plan in relation to open, accountable and transparent conduct of municipal business.

FINANCIAL IMPLICATIONS

As this is an operational/procedural change, there are no financial implications.

DEPARTMENTAL CONSULTATION

- Council
- Communications

COMMUNICATIONS

The revised Procedural By-law and Closed Meeting Protocol will be posted to the applicable sections of the City's website.

ATTACHMENTS

Attachment A - Procedural Bylaw (highlighted version with comments)
Attachment B - Closed Meeting Protocol (revised)

Original Signed by:

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THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2012)-XXXXX

A By-law to provide rules for governing the order and procedures of the Council of the City of Guelph, to adopt Municipal Code Amendment #_____ and to repeal By-laws (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454, (2008)-19595, (2008)-18618, (2008)-18694, (2009)-18856, (2009)-18906, (2010)-18945, (2010)-19065, (2010)-19095, (2010)-19107, (2011)-19220 and **(2011)-19300**

WHEREAS it is necessary and expedient that there should be rules governing the order and procedure of the Council and its Committees;

AND WHEREAS section 238(2) of the *Municipal Act*, requires Council and every local board to adopt a procedure by-law for governing the calling, place and proceedings of meetings;

NOW THEREFORE The Corporation of the City of Guelph ENACTS AS FOLLOWS:

1. DEFINITIONS

In this By-law,

"Acting Chair" means a member of the Committee appointed by the Chair or by the members of the Committee to act in the place and stead of the Chair in his or her absence.

"Acting Mayor" means the Councillor is appointed, in alphabetical order by last name, to serve one month each, to act in the place and stead of the Mayor when called upon to do so by the Mayor;

"Advisory Committee" means a Committee created by Council, with no definitive end, to report through the appropriate Standing Committee on a specific subject;

"By-law" means an enactment, in a form approved by Council, passed for the purpose of giving effect to a decision or proceedings of Council;

"CAO" means the Chief Administrative Officer of the City;

"Chair" means the Mayor or Acting Mayor of any Meeting of Council or the Chair or Acting Chair of any Meeting of a Committee.

"City" means The Corporation of the City of Guelph and includes the geographical area of the City of Guelph;

"Clerk" means the City Clerk, or his or her designate;

"Closed Meeting" means a meeting, or part of a meeting of Council or a Committee, which is closed to the public as permitted by the Municipal Act;

"Committee" means and Advisory or other Committee, Sub-Committee or similar entity of which at least half of the Members are also Members of one or more councils or local boards;

Comment [BL1]: This is the definition as provided for in the Municipal Act.

"Committee Chair" means the Chair of a Committee;

"Consent Agenda" means a listing of Consent Items being presented to Council and Committee for its consideration;

"Consent Item" means a report that is presented for approval without debate and with no delegation or presentation and is generally considered routine or time sensitive;

"Consent Report" means a report from a Standing Committees outlining items approved by the Committee and being forwarded to Council for its consideration;

"Council" means the Council of the City, comprised of the Mayor and Councillors;

"Councillor" means a member of Council, other than the Mayor;

"delegate" means any person, group of persons, firm or organization, who is neither a member of Committee or Council or an appointed Official of the City, wishing to address Committee or Council upon request to the Clerk;

"Executive Director" means staff who report to the CAO and are responsible for multijurisdictional areas;

"local board" means a local board of the City as defined in the *Municipal Act*;

"majority" means for the purpose of voting, unless otherwise specified, more than half the total number of the Members of Council or Committee present at the vote and not prohibited by statute from voting;

"Mayor" means the head of Council and includes the Acting Mayor when the Acting Mayor is acting in place and stead of the Mayor;

"meeting" means any regular or special meeting;

"member" means, according to the circumstances, a member of Council, including the Mayor, or a member of the Committee including the Chair;

"motion" means a proposal moved by a Member and seconded by another Member, for the consideration of Council or a Committee;

"Municipal Act" means the *Municipal Act, 2001, S.O. 2001, c.25* as amended or replaced from time to time;

"Open Meeting" means a meeting which is open to the public;

Comment [TA2]: Added for clarity

"registered delegate" means an individual who has submitted a request for delegation to the Clerk within the prescribed timelines to address Council or Committee in relation to a matter appearing on the agenda;

Comment [TA3]: Added for clarity

"resolution" means a motion that has been carried;

"Rules of Procedure" means the rules and procedures set out in this By-law;

"Special/Ad Hoc Committee" means a Committee created by Council, with a defined ending, to report directly to Council on a very specific matter.

"Standing Committee" means a Committee appointed by and directly reporting to Council, created from time to time, and currently comprised of the following Committees:

- Audit Committee
- Community & Social Services Committee
- Corporate Administration, Finance & Enterprise Committee
- Governance Committee
- Operations, Transit & Emergency Services Committee
- Planning & Building, Engineering & Environment Committee
- Emergency Governance Committee

Comment [BL4]: To reflect recent organizational changes.

2. MEETINGS

2.1 Public Notice of Meetings

- (a) Staff shall give public notice of all regular open and closed Council and Standing Committee Meetings by:
- (i) inclusion on the City's website at least 72 hours prior to the Meeting,
 - (ii) posting in City Hall at least 72 hours prior to the Meeting; and
 - (iii) publication in a local newspaper at least 72 hours prior to the meeting.
- (b) Staff shall give public notice of all special, Open and Closed Meetings of Council and Standing Committee by:
- (i) inclusion on the City's website as soon as possible after the meeting is called and no later than 24 hours prior to the meeting;
- (c) Notwithstanding Sections 2.1(a) and (b), staff shall give legislated notice of items on any agenda, in accordance with the applicable legislation.

2.2 Inaugural Meeting of Council

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- (a) The first meeting of Council following a regular election shall be held on the first Monday in December at 7:00 p.m. in the Council Chambers of City Hall or at such alternate location as determined by the Clerk. If this day is a public holiday, the Council shall meet at the same hour on the next day, not being a public holiday.
 - (b) At the inaugural Meeting, each member present shall make his or her declaration of office and sign Council's Code of Conduct, and Council shall not proceed with any regular business at this Meeting.

2.3 Meetings of Council

- (a) Council shall meet in the Council Chamber of City Hall on the dates and times set by Council by Resolution each year, unless by way of Resolution, the Council selects an alternate Meeting location, date, or time. In the event the regular Meeting date falls on a public holiday, the Council shall meet at the same hour on the next day not being a public holiday.
- (b) When a Closed Meeting of Council is required, it shall be held no earlier than 5:00 p.m. on the day of an existing scheduled Council or Council Planning meeting.
- (c) Unless there is a quorum consisting of at least seven Members of Council present within fifteen minutes after the time appointed for the Meeting of the Council, the Council shall stand adjourned until the next Meeting date, and the Clerk shall take down the names of the Members present at the expiration of such fifteen minutes.
- (d) As soon after the hour of a Meeting of Council as there shall be a quorum present, the Mayor shall take the chair and call the Members to order. In the absence of the Mayor or Acting Mayor, the Clerk shall call the Members to order and the Council shall choose a Chair from the Members present and that person shall preside during the Meeting or until the arrival of the Mayor or Acting Mayor.

2.4 Meetings of Council Planning

- (a) When required, a Council Planning Meeting shall be held on the first Monday of the month. Council Planning shall consider matters where a public meeting is required to hear applications under the *Planning Act*. Reports in relation to public meetings required under the *Planning Act*, shall be made available to the public at least one week in advance of the regular agenda distribution date.

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- (b) Notwithstanding Section 7.6 of this By-law, the time limitation for delegations at a public meeting to hear applications under the *Planning Act*, shall not exceed ten minutes. Council may extend the ten minute time period by a majority vote of the Council members present without debate. Council may ask questions of staff after the staff presentation and prior to the delegates addressing Council.
 - (c) Once all registered delegates have spoken, the Mayor or Chair shall ask if anyone present wishes to speak. Such individuals shall be permitted to speak pursuant to Section 2.4(b) without advance notice.

2.5 Special Council Meetings

- (a) The Mayor may at any time summon a special Meeting of Council. The Mayor shall also summon a special Meeting of Council when so requested in writing by a majority of Members of Council.
- (b) Upon receipt of a petition of the majority of the Members of the Council, the Clerk shall summon a special Meeting for the purpose and at the time and place mentioned in the petition.
- (c) The Clerk shall give notice of the time, place and purpose of every special Meeting to all Members not less than 48 hours prior to the time fixed for the Meeting.
- (d) The notice calling a special Meeting of the Council shall state the business to be considered at the special Meeting and Council shall consider no business other than that stated in the notice at such Meeting, except with the unanimous consent of all Members present at such Meeting.
- (e) On urgent or extraordinary occasions, the Mayor may call an emergency special Council Meeting without the notice provided in Section 2.5(c).

2.6 Standing Committee Meetings

- (a) Standing Committees shall meet in the Council Chamber of City Hall on the dates and times set by Council by resolution unless otherwise agreed.
- (b) The Chair of the Standing Committee, the Mayor by reason of office, and the majority of members of a Standing Committee may call a special Standing Committee meeting.
- (c) Once a special Standing Committee meeting has been requested, the Meeting will be scheduled for the earliest possible time when a quorum would be available.

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- (d) At the direction of the Chair of a Standing Committee, the Clerk shall give notice of the time, place and purpose of every special Meeting or cancellation of a special Meeting to all members not less than 48 hours prior to the time fixed for the meeting.
 - (e) The notice calling a special Meeting of the Standing Committee shall state the business to be considered at the special Meeting and the Standing Committee shall consider no business other than that stated in the notice at such Meeting, except with the unanimous consent of all Members present at such Meeting.
 - (f) On urgent or extraordinary occasions, an emergency special Standing Committee Meeting may be called without the notice provided for in sub-Section 2.6(d).
 - (g) All Resolutions passed at Special Standing Committee Meetings shall be forwarded to Council for consideration.

2.7 Closed Meetings

Comment [BL5]: Text was integrated into the body vs. a schedule to the By-law

- (a) Meetings shall be open to the public.
- (b) Notwithstanding Section 2.7(a), a meeting or part of a meeting may be closed to the public if the subject matter being considered is:
 - a. the security of the property of the municipality or local board;
 - b. personal matters about an identifiable individual, including municipal or local board employees;
 - c. a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d. labour relations or employee negotiations;
 - e. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f. advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g. a matter in respect of which a council, board, committee or other body may hold a Closed Meeting under an Act other than the Municipal Act;
 - h. Or, if a meeting is held for the purpose of educating or training the Members; and, at the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, local board or Committee.
- (c) Prior to holding a Closed Meeting, Council or Committee shall state by resolution the fact of the holding of the Closed Meeting and the general nature of the matter to be considered therein.
- (e) A Meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*, as amended or replaced from time to time.

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- (f) The Clerk and/or his or her designate shall attend Closed Meetings and record the proceedings, including procedural motions and direction given to staff, without note or comment.
- (g) The Clerk may delegate the Clerk duties with respect to recording minutes in a Closed Meeting of Council to a staff person only. For Closed Meetings of the Audit Committee, the Clerk may delegate the Clerk's duties with instructions to the City's external Auditor.

3. ORDER OF BUSINESS

3.1 Council Agenda

The Clerk in consultation with the Mayor and staff shall have discretion to prepare for the use of Members, an agenda containing the following:

- Call to Order
- Singing of O Canada
- Silent Prayer
- Disclosure of Pecuniary Interest and General Nature Thereof
- Confirmation of Minutes
- Presentations
- Consent Reports
- Consent Agenda
- Special Resolutions
- By-laws
- Announcements
- Notice of Motions
- Adjournment

3.2 Council Planning Agenda

The Clerk in consultation with the Mayor and staff shall have discretion to prepare for the use of Members, an agenda containing the following:

- Call to Order
- Singing of O Canada
- Silent Prayer
- Disclosure of Pecuniary Interest and General Nature Thereof
- Public Meetings Pursuant to The Planning Act
- Presentations
- Consent Reports
- Consent Agenda
- Special Resolutions
- By-laws
- Announcements
- Notice of Motions
- Adjournment

Comment [TA6]: Added in order to clarify the Order of Business in relation to Council Planning meetings. The most significant change is to allow for the intent of Notice of Motions to be introduced at a Council Planning meeting. If necessary, By-laws can also be passed (including a confirmatory By-law) and Special Resolutions can be considered. This was an occasional practice, but was not accounted for in this By-law.

3.3 Standing Committee Agenda

The Clerk in consultation with the Chair and staff shall have discretion to prepare for the use of Members, an agenda containing the following:

- Declaration of Pecuniary Interest and General Nature Thereof
- Confirmation of Minutes
- Presentations
- Consent Agenda
- Adjournment

3.4 Those matters which are extremely time sensitive and not appearing on an agenda or addendum may be added to an agenda with the consent of a majority vote the Members present.

Comment [BL7]: CAO/ET to advise Council/Committee of the request to add an urgent item as soon as practicable and include a reason as to why it is necessary. If Clerk's is notified in advance of the meeting, every reasonable effort will be made to include a "tentative" item on the meeting agenda posted to the web. The vote is procedural in nature and does not need to be recorded unless otherwise requested by a Member.

4. DISCLOSURE OF PECUNIARY INTEREST

4.1 When a Member present at a Meeting has a pecuniary interest as defined in the *Municipal Conflict of Interest Act*, as amended or replaced from time to time, the Member shall, prior to any consideration or discussion of the matter, disclose the pecuniary interest and the general nature thereof and refrain from discussing, debating or voting on the matter.

4.2 When a Member has a pecuniary interest and is not present at the meeting when the matter is considered or discussed, the Member shall disclose the pecuniary interest and the general nature thereof at the first meeting attended by the Member after the matter was considered or discussed.

4.3 In addition to complying with the requirements of Section 4.1, if the matter is being considered or discussed at a Closed Meeting, retire from the Meeting for the portion in which that matter is discussed, debated or voted on.

4.4 When a Member of Council has participated in any matter despite having previously declared a possible pecuniary interest regarding such matter, Council or Committee may consider deferring the matter for sufficient time to assess any impact such participation may have had on the decision making process.

5. MINUTES

5.1 The Clerk shall present the minutes of previous Open and Closed Meetings to Council and Committee for adoption.

Comment [BL8]: Pursuant to the Act, Council and Committee will now be receiving a confidential copy of Closed Meeting minutes. They will be printed on pink paper and distributed along with the Closed Meeting agenda materials. Consistent with the current practice, Closed Meeting minutes will be approved in the Open Meeting session, however, if there are any errors or omissions which need to be addressed that could potentially disclose the nature of a confidential Closed Meeting matter, confirmation of the minutes should be deferred to a subsequent Closed Meeting for discussion. The current recorded account of the Closed Meeting which is available to the public as part of the Open Meeting minutes will remain unchanged (ie. the confidential Closed Meeting minutes will supplement Council's current practice).

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- 5.2 When the minutes of a Council Meeting have been adopted, the Mayor and Clerk shall sign them.

6. PRESENTATIONS

- 6.1 Presentations at meetings shall be limited to a maximum of 10 minutes.
- 6.2 The following types of presentations shall provide information only and shall be heard at the beginning of a meeting:
- (i) Presentations by staff and outside organizations providing information with no accompanying report; and,
 - (ii) Presentations recognizing achievements.
- 6.3 Where a City presentation involves an item on an agenda, the item shall be extracted from the Consent Report and/or Consent Agenda and shall be heard at the appropriate time in the agenda with the report brought forward for consideration immediately after the presentation has been made. If delegates wish to speak in addition to a presentation involving an item on the agenda, the item shall not be brought forward for consideration until all delegates on the same have been heard.

7. DELEGATIONS

- 7.1 No delegations shall be made to Council or Committee on matters relating to litigation or potential litigation, including those matters which are before and under the jurisdiction of any court or administrative tribunals affecting the City unless such matter is referred to Council by the said administrative tribunal or court or, in the alternative, Council deems this matter to be sufficiently important to allow the delegate to be heard.
- 7.2 No person, except Members of Council and appointed officials of the City of Guelph, shall be permitted to come within or behind the horseshoe during a meeting of the Council or Committee without the permission of Council or Committee.
- 7.3 No person shall make detrimental comments, or speak ill of, or malign the integrity of staff, the public or Council and Committee.

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- 7.4 Delegates shall not be permitted to appear before Council or Committee for the sole purpose of generating publicity for an event.
- 7.5 No delegate shall speak on a matter that is not within the jurisdiction of the Council or Committee. The Chair in consultation with the Clerk will determine if a matter is within the jurisdiction of the Committee or Council.
- 7.6(a) A delegate may address Council or Committee for a period of time not exceeding five minutes. Council or Committee may extend the five minute time period by a majority vote of the Members present. Such question shall be decided without debate. Notwithstanding this, the time limitation for delegations at a Council Planning meeting with respect to hearing applications under the *Planning Act*, shall not exceed ten minutes.
- (b) A delegate may only address Council or Committee with respect to an item on the agenda.
- (c) An individual representing three or more people wishing to address Council or Committee as a delegate shall be limited to a maximum of ten minutes for their delegation.
- (d) Notwithstanding Section 7.6(a), designated representatives of the County of Wellington appearing before the Community & Social Services Committee with respect to land ambulance service matters, shall have no time imitations placed on their delegation.
- 7.7(a) Delegates have until 4:00 p.m. the business day prior to the meeting to notify the Clerk to be a delegate or to submit a written comment for a meeting that commences at 11:59 a.m. or earlier.
- (b) Delegates have until 9:00 a.m. on the day of the meeting to notify the Clerk in order to be a registered delegate or to submit a written statement for a meeting that commences anywhere from 12:00 p.m. to 5:59 p.m.
- (c) Delegates have until 12:00 noon the day of a meeting to notify the Clerk to be a delegate or to submit a written comment for a meeting that commences at 6:00 p.m. or later.
- 7.8 For a meeting other than a public meeting pursuant to legislation, a delegate who is listed on the agenda and is unable to attend the meeting,

Comment [BL9]: Due to omission this provision was not included in the final By-law approved by Council, however, this has always been the practice followed by staff and communicated to the public.

may, by notifying the Clerk at least one business day prior to the meeting, submit a written statement.

- 7.9 Except on matters of order, Members of Council shall not interrupt a delegate while he or she is addressing Council or Committee.
- 7.10 Members may address a delegate only to ask questions and not to express opinions or enter into debate or discussion.
- 7.11 All registered delegates shall be heard before Council or Committee enters into discussion or debate.
- 7.12 After all delegations have been heard, the related item shall immediately be brought forward for the consideration of Council or Committee.

8. CONSENT REPORTS

- 8.1 The reports from a Standing Committee to Council shall be submitted to Council in the form of a Consent Report, and shall be dealt with by Council in the manner as provided for in Section 8.3.
- 8.2 Council shall consider reports of Standing Committees of Council as well as Committees, boards and commissions in the following order:
 - (i) Standing Committees
 - (ii) Special/Ad Hoc Committees; and
 - (iii) Boards and commissions.
- 8.3(a) Standing Committee reports shall be presented by the Chair of the Committee or, in his or her absence, by a Member of the Committee, who shall move the adoption of the report.
- (b) Council Members shall identify any items contained in a Committee Consent Report, which they wish to speak to and the matter shall be extracted from the Consent Report to be dealt with separately.
- (c) The balance of items on the Committee Consent Report, which have not been extracted, shall be voted on in one motion.
- 8.4 Reports from boards and commissions submitted in writing shall be signed by the Chair or Secretary. When such reports are requesting Council action, they shall include appropriate resolutions for consideration.

9. CONSENT AGENDA

9.1 Council and Council Planning Consent Agenda

- (a) The Council Consent Agenda shall consist of the following items:
- (i) Reports from staff;
 - (ii) Correspondence for the direction of Council, which may include:
 - Correspondence for which a policy decision or approval of Council is required;
 - Correspondence accompanied by a recommendation from staff; and,
 - Correspondence for the information of Council.
- (b) Council may, by one single resolution adopt the Council Consent Agenda in its entirety. Members of Council who wish to address specific items on the Consent Agenda may identify such items, which shall be extracted and dealt with separately. The balance of the Council Consent agenda, which was not extracted, shall be adopted in one resolution.
- (c) No item shall be placed on an agenda in respect of a matter which is not within the jurisdiction of Council. The Mayor in consultation with the Clerk will determine if a matter is within the jurisdiction of the Committee or Council.

9.2 Standing Committee Consent Agenda

- (a) Each Standing Committee shall use a Consent Agenda which shall consist of the following items:
- (i) Reports from staff;
 - (ii) Matters referred by City Council;
 - Correspondence for the direction of a Standing Committee for which a policy decision or approval of the Standing Committee is required;
 - Correspondence accompanied by a recommendation from staff; and,
 - Correspondence for the information of the Standing Committee.
- (b) The Standing Committee may, by one single resolution adopt the Consent Agenda in its entirety. Members of the Standing Committee, and other Members of Council present, who wish to address specific items on the Consent Agenda may identify such items, which shall be extracted and dealt with separately. The balance of the Consent Agenda which was not extracted shall then be adopted in one resolution.
- (c) No item shall be placed on an agenda in respect of a matter which is not within the jurisdiction of the Standing Committee. The Chair in consultation with the Clerk will determine if the matter is within the jurisdiction of the Committee.

10. CONDUCT OF MEMBERS

- 10.1 Council and Committee Members shall govern themselves according to Council's Code of Conduct.
- 10.2 The Mayor or Chair shall preserve order and decide questions of order and privilege.
- 10.3 Every Member desiring to speak, shall raise his or her hand so as to be recognized by the Mayor or Chair.
- 10.4 Every Member, on being recognized, shall remain seated in his or her place, and address themselves to the Mayor or Chair.
- 10.5 A Member called to order by the Mayor or Chair shall immediately cease stating further comment, and may appeal the call to order to the Council or Committee. The Council or Committee, if appealed to, shall decide on the case without debate and by way of a majority vote of the Members present. If there is no appeal, the decision of the Mayor or Chair shall be final.
- 10.6 No member shall without leave of the Council or Committee:
- (i) speak to an issue for more than 5 minutes (cumulative);
 - (ii) use offensive words or speak disrespectfully of Council, Committee staff, or any person;
 - (iii) speak on any subject other than the subject under debate;
 - (iv) speak in contempt of any decision of the Council or Committee;
 - (v) leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared; or,
 - (vi) disobey the rules or decisions of Council or a decision of the Mayor or Chair on questions of order or privilege, or upon the interpretation of the rules of procedure, and in case a Member persists in any such disobedience after having been called to order by the Mayor or Chair, such Member may be ordered by Council or Committee to leave his or her seat for that meeting. In the event that a Member refuses to vacate their seat, the Mayor or Chair may request that the Member be removed by the police. In case of adequate apology being made by the Member they may, by way of majority vote of the Members present be permitted to take their seat.
- 10.7 Subsection 10.6(i) shall not apply to a Committee Chair, or his or her designate when presenting the Committee's report to Council.

11. POINTS OF ORDER OR PRIVILEGE

- 11.1 Point of Order

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- (a) A Member may raise a point of order at any time, whereupon the Mayor or Chair shall:
- (i) interrupt the matter under consideration;
 - (ii) ask the Member raising the point of order to state the substance of and the basis for the point of order; and,
 - (iii) rule on the point of order immediately without debate by Council or Committee.
- (b) A Member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee which will then decide on the appeal, without debate, by way of a majority vote of the Members present. If there is no appeal, the decision of the Mayor or Chair shall be final.

Comment [BL10]: Further clarification regarding the current voting requirement to overturn or sustain a Chair's ruling.

11.2 Point of Privilege

- (a) A Member may raise a point of privilege at any time if he or she considers that their integrity or the integrity of Council or the Committee as a whole has been impugned, whereupon the Mayor or Chair shall:
- (i) interrupt the matter under consideration;
 - (ii) ask the Member raising the point of privilege to state the substance of and the basis for the point of privilege; and,
 - (iii) rule on the point of privilege immediately without debate by Council or Committee.
- (b) A Member of Council or Committee may appeal the ruling of the Mayor or Chair to Council or Committee.
- (c) If there is no appeal, the decision of the Mayor or Chair shall be final. The Council or Committee, if appealed to, shall decide the question without debate and its decision shall be final.
- (d) Where the Mayor or Chair considers that the integrity of any City employee has been impugned or questioned, the Mayor or Chair may permit staff to make a statement to Council or Committee.

12. MOTIONS AND ORDER OF PUTTING QUESTIONS IN COUNCIL AND COMMITTEE

- 12.1 Council or Committee shall not debate any motion until it has been seconded. When a motion has been seconded, it may upon request, be read or stated by the Mayor or Clerk at any time during the debate.

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- 12.2 When a Councillor moves a main motion or an amendment to a motion that is not recorded as part of the agenda package, that Councillor shall provide a written copy of the motion to the Mayor prior to the vote being taken.
- 12.3 Whenever the Mayor is of the opinion that an amending Motion is contrary to the main Motion, the Mayor shall apprise the Members thereof immediately. A member of Council or Committee may appeal the ruling of the Mayor to Council or Committee. If there is no appeal, the decision of the Mayor shall be final. The Council or Committee, if appealed to, shall decide the question without debate and its decision shall be final.
- 12.4 A Motion in respect of a matter which is not within the jurisdiction of the Council or Committee shall not be in order. The Chair in consultation with the Clerk will determine if the matter is in the jurisdiction of Council or Committee.
- 12.5 After a motion has been moved and seconded, it shall be deemed to be in the possession of Council or Committee. Council or Committee may consent to the withdrawal of the motion at any time before amendment or decision.
- 12.6 When a motion is under consideration no other motion shall be received unless it is a motion:
- (a) to refer the motion to a Committee, staff or any other person or body. Such a motion to refer:
 - (i) is open to debate;
 - (ii) is amendable; and
 - (iii) shall preclude amendment or debate of the preceding motion unless resolved in the negative.
 - (b) to amend the motion. Such a motion to amend:
 - (i) is open to debate;
 - (ii) shall not propose a direct negative to the main motion;
 - (iii) shall be relevant to the main motion;
 - (iv) is subject to only one amendment, and any amendment more than one must be to the main question; and if more than one, shall be put in the reverse order to that in which they were moved, and shall be decided or withdrawn before the main question is put to the vote.

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- (c) to defer the motion to another time. Such a motion to defer:
 - (i) is not open to debate;
 - (ii) is not subject to amendment; and
 - (iii) applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.
 - (d) to adjourn the meeting. Such a motion to adjourn:
 - (i) is not open to debate;
 - (ii) is not subject to amendment; and
 - (iii) shall always be in order.
 - (e) to call the question. Such a motion to call the question:
 - (i) cannot be amended;
 - (ii) cannot be proposed when there is an amendment under consideration;
 - (iii) shall preclude all amendments to the main motion
 - (iv) when resolved in the affirmative, shall be followed by putting the question, without debate or amendment;
 - (v) when resolved in the negative, shall be followed by resumption of debate; and
 - (vi) shall always be in order.

12.7(a) Once all motions relating to the main motion have been dealt with, and once the main motion is put, there shall be no further discussion or debate and the motion shall be immediately voted on.

(b) A motion, once put, may be voted against by the mover and seconder.

13. VOTING

Open Meeting Voting

13.1(a) When one or more motions as set out in Section 12 have been made, the order of the vote shall be as follows:

- (i) to defer the motion;
- (ii) to refer the motion;
- (iii) upon the amendments in the reverse order to that in which they were moved, dealing with an amendment to an amendment immediately before the amendment it proposes to amend; and
- (iv) then, upon the main motion or upon the main motion as amended, if any amendments have been carried.

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- (b) Except as otherwise provided, every member of Council or Committee shall have one vote.
- (c) Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act.
- (d) A failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- (e) When the question under consideration contains distinct clauses, upon the request of any Member, the vote on each distinct clause, including each clause added by way of amendment, shall be taken separately.
- (f) After a question is finally put by the Mayor or Chair, no Member shall be recognized to speak to the question, or make any other motion after the result of the vote has been declared.
- (g) Members shall distinguish their vote by voting either in favour or opposed using an electronic voting system. Should Council or Committee meet in a location where there is no electronic voting system or should the electronic voting system be inoperable, each Member must distinguish their vote by clearly calling out if they are in favour or opposed to the question when their name is called.
- (h) Unless otherwise requested by a Member, no recorded vote is required for the following privileged and incidental motions:
- (i) Adjournment
 - (ii) Recess
 - (iii) Suspension of the Rules of Procedure
 - (iv) Extend the automatic adjournment beyond 11:00 p.m.
 - (v) Add an item not appearing on the agenda
 - (vi) Moving in and out of a Closed Meeting
 - (vii) Call the question
- (i) The Clerk shall record in the minutes the name of any Member of Council or Committee who is not present in the Chamber when such recorded vote is taken.
- (k) The Mayor or Chair shall vote on any question while in possession of the Chair, however, if the Mayor or Chair wishes to propose a Motion he or she shall step down and shall not resume the Chair until the vote is taken.

Comment [BL11]: These provisions (b, c and d) are verbatim requirements of the Act (Sec. 243, 245 and 246) which are often helpful to reference as part of a Procedural By-law. They have been incorporated as a result.

Comment [TA12]: This provides for additional clarity regarding the need to vote on clause(s) which are added by way of amendment if requested to separate and vote on a main motion as distinct clauses.

13.2 Closed Meeting Voting

- (a) In a Closed Meeting, Council or Committee shall only vote on motions pertaining to procedural matters or for giving directions or instructions to officers, employees or agents of the City, local board or Committee of either of them or persons, retained by, or under a contract with the City.

(b) In relation to a matter considered in a Closed Meeting pursuant to Section 2.7, Council may:

(i) vote on a procedural motion to rise, report and introduce a proposed recommendation as a Special Resolution in an Open Meeting;

(c) In relation to a matter considered in a Closed Meeting pursuant to Section 2.7, Council or Committee may:

(ii) vote on a procedural motion to rise, report and introduce a proposed recommendation as part of a report appearing on an Open Meeting agenda; or,

(iii) to give direction to staff to include a recommendation as part of an Open Meeting report on a subsequent meeting agenda.

(c) Notwithstanding Section 13.1(d) there shall be no recorded votes in a Closed Meeting unless otherwise requested by a Member.

Comment [BL13]: Additional clarification as to the process for rising and reporting out of a Closed Meeting or to introduce a recommendation related to a confidential matter than must be reported out in an Open Meeting. Further detail regarding these processes are included in the City's Closed Meeting Protocol.

14. RECONSIDERATION OF A COUNCIL DECISION

14.1 Council may reconsider a motion that was decided as a previous decision of Council. Such reconsideration can either amend the previous decision or rescind it.

Comment [BL14]: The definition of 'reconsideration' has been further clarified to include a provision to 'rescind' (ie, revoke) a previous Council decision.

14.2 A motion to reconsider shall be introduced by way of a Notice of Motion to Council and considered as a Special Resolution at a subsequent meeting of Council pursuant to Section 17 of this By-law.

Comment [BL15]: It is necessary that matters for reconsideration be introduced by way of Notice of Motion in order to allow for the necessary assessment to be done as per any related impacts to the City (eg. contractual obligations, legal requirements etc.). This is addressed further as part of the comments in relation to Notices of Motion in Section 17.

14.3 Any Member of Council who voted with the majority in respect of a previous decision or was absent from the vote may move or second a motion for reconsideration.

14.5 A motion to reconsider must be carried in the affirmative by a minimum of a majority of the Whole of Council.

Comment [BL16]: The voting requirement is 7 Members of Council regardless of how many are present at a Meeting. This is the requirement of Robert's Rules of Order and considered to be

14.6 Debate on a motion for reconsideration must be confined to reasons for or against the reconsideration, and no discussion on the main question shall be allowed until the motion for reconsideration is carried.

14.7 If a motion to reconsider is decided in the affirmative, reconsideration of the original motion shall become the next order of business unless the motion for reconsideration called for a future definite date.

14.8 No question shall be reconsidered more than once during the term of Council, nor shall a vote to reconsider be reconsidered.

15. BY-LAWS

- 15.1 The Clerk shall submit to Council a summary of all By-laws proposed for adoption, including the By-law numbers, titles and explanatory notes.
- 15.2 Every proposed By-law shall be at the Council Meeting and be available to any person interested in reviewing same.
- 15.3 Unless otherwise requested or separated, all By-laws proposed for adoption shall be passed in one single motion.
- 15.4 The Clerk shall be responsible for their correctness should they be amended at a Council Meeting.
- 15.5 Every By-law passed by Council shall:
- (i) be signed by the Mayor, or the presiding officer at the meeting;
 - (ii) be signed by the Clerk or designate;
 - (iii) be sealed with the seal of the City, and;
 - (iv) indicate the date of passage.
- 15.6 Council shall enact a By-law to confirm all actions taken by Council at that meeting.

16. ANNOUNCEMENTS

- 16.1 Announcements shall be provided to the Mayor in writing prior to the Council Meeting, and the Mayor shall read the announcements at the end of the Council Meeting.

17. NOTICE OF MOTIONS AND SPECIAL RESOLUTIONS

- 17.1 Notice of Motions
- (a) Any Member may give notice that he or she intends to introduce a motion at a subsequent meeting of Council to initiate any measure within the jurisdiction of Council. At the time of giving notice, the Member shall fully disclose its intent. The introduction of a notice does not require a seconder and is not, at that time, debatable.
- (b) A motion for which notice has been given, other than one to reconsider or rescind a prior decision of Council, shall be in the form of a referral to a

Committee for a recommendation to Council, unless the matter is time sensitive and requires a more immediate decision of Council.

- (c) A motion for which notice has been given shall be in writing, and shall be submitted to the Clerk prior to the agenda deadline for inclusion as a Special Resolution in an agenda of the next Council meeting which is not a Council Planning meeting or a special meeting.

- (e) If a motion is introduced and not brought forward in the next 2 subsequent meetings of Council, which are not Council Planning meetings or special meetings, the motion expires.

17.2 Special Resolutions for Notice of Motion

- (a) Motions for which notice has been given shall be listed on the agenda under the Special Resolutions heading on a subsequent Council meeting which is not a Council Planning meeting or special meeting. Special Resolutions for which previous notice has been given shall not be placed on any addendum agenda.

- (b) In introducing a Special Resolution to Council, a Member shall be permitted the opportunity of providing material and information in support of the resolution for the benefit of Council.

17.3 Special Resolutions for Closed Meeting Reporting

- (a) Where Council has passed a procedural resolution at a Closed Meeting to report out at the same Open Meeting, such resolution may be introduced under the Special Resolution heading of the agenda pursuant to Section 13.2(b)(i) of this By-law.

- (b) Council or staff may provide contextual information prior to Council's consideration of the Special Resolution.

18. ADDENDUM AGENDA

- 18.1 The Clerk shall prepare an addendum agenda to advise Council or Committee of the names of registered delegates wanting to speak to matters on the agenda.

- 18.2 Items or matters will not be added to the agenda after its distribution to Council or Committee by inclusion on the addendum unless directed by the Mayor or Chair, respectively, or CAO and/or Executive Director(s) if the urgent nature of the matter requires a decision prior to the next Council or Committee meeting.

Comment [TA17]: As per the proposed amendment in Section 3.2, the intent for a Notice of Motion can be introduced at a Council Planning meeting, however, Council can only debate the Notice of Motion at a "Regular" Council Meeting. The reason for this is:

Council and staff must be given time to address and prepare an appropriate response to the issue (if needed) which has the potential to create for an unplanned directive. The timing between Council and Council Planning meetings (5 days) is currently insufficient for staff or Council to gain an appreciation of the matter in order to make an informed decision.

Proper notice of the motion must be given and the timelines associated with agenda production between the two meetings is restrictive (2-3 days)

Motions to reconsider introduced by way of a Notice of Motion can often have wide ranging impacts that will require more than 5 days to fully assess.

Comment [BL18]: This provision has remained unchanged from the previous By-law, however, is highlighted as it relates to a best practice if motions are reported out by way of a Special Resolution during the related Open Meeting portion of a meeting. This 'contextual information' can range from a few verbal comments introducing the Special Resolution to a full power point presentation.

19. ADJOURNMENT

19.1 The Council shall adjourn at 11:00 p.m. if in session at that hour, unless otherwise decided before that hour by a two-thirds vote of the members present. If the Council is adjourned at 11:00 p.m., before the agenda is completed, Council shall establish a time and date for consideration of the balance of the agenda.

19.2 Only one motion to extend the automatic adjournment beyond 11:00 p.m. shall be permitted per meeting, and the maximum allowable extension shall be to 11:59 p.m.

19.3 A motion to adjourn may be made by any Member who has been recognized by the Mayor or Chair. The motion must be moved and seconded prior to being voted on. A motion to adjourn shall be not be made during a vote on any other motion.

Comment [BL19]: A motion to adjourn should be duly moved and seconded as it could be introduced at any time during a meeting.

19.4 Notwithstanding Section 19.2, if a motion to extend the automatic adjournment time is required prior to the hearing of all delegates on a matter being considered at the time such motion to adjourn is made, Council shall not adjourn the meeting until all listed delegates on the matter have been heard. Once the listed delegates have been heard, Council shall deal with the matter being considered at the time the motion to adjourn was made, as well as any other time sensitive issues on the agenda identified by the Clerk.

20. NOMINATING AND STRIKING COMMITTEE

20.1 Council as whole shall select the Chairs of the Standing Committees annually prior to the selection of the Standing Committee Members. The Council shall consider rotating the Standing Committee Chair position every two years when selecting a committee Chair. In appointing the Standing Committee Chair, consideration shall be given to workload balance, individual interests and Councillor development.

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- 20.2 In the first year of each new term, the Council shall establish a Nominating Committee for the purpose of making recommendations on the appointment of Council members to Committees, local board and other public agencies.
- 20.3 The Mayor shall chair the Nominating Committee.
- 20.4 The Nominating Committee shall be composed of the Mayor and the Chairs of the Standing Committees.
- 20.5 In the first year of each new term of Council, the Nominating Committee shall, as soon as possible, make recommendations to Council on all Council Member appointments.
- 20.6 In all other years of the Council term, the Nominating Committee shall make recommendations on Councillor Member appointments to Council prior to the last regularly scheduled Council meeting in November.
- 20.7 For Councillor vacancies that occur during the term of Council, the Nominating Committee shall make a recommendation to Council.
- 20.8 Council shall consider both qualifications as well as individual interests when selecting Committee Members. In order to balance Committee workload, each Councillor shall serve on at least two of the Standing Committees. The selected Members of each Standing Committee shall be appointed by Council for a one year term. A quorum for a Standing Committee shall be three Members.
- 20.9(a) In the first year of each new term, the Council shall meet as a Striking committee for the purpose of making citizen appointments to Boards, Committees and Commissions.
- (b) In all other years of the Council term, the Striking Committee shall meet as part of the last regularly scheduled Council meeting in November.

21. **STANDING COMMITTEES, SPECIAL/AD HOC
COMMITTEES AND ADVISORY COMMITTEES**

21.1 Standing Committee Procedures

- (a) A Standing Committee, shall be comprised of 5 Members of Council, deal with the subject matter specific to its mandate and charter and make recommendations to Council for approval.
- (b) A Standing Committee is an advisory body to Council established by Council. Standing Committees are comprised of Councillors only and are supported by City staff.
- (c) Standing Committees shall deal with matters relating to the specific area of jurisdiction regarding municipal functions as detailed in Section 21.2.
- (d) The role of each Standing Committee shall be to:
 - (i) guide and direct staff, through the CAO, on the direction and nature of policy development, including policy interpretation and clarification, fact-finding, analysis, and generation of alternatives;
 - (ii) receive delegates and establish mechanisms to receive further public input on public policy matters;
 - (iii) establish Special/Ad hoc Committees and Sub-Committees, including the establishment of terms of reference and memberships for same, to address specified policy issues for referral to the Standing Committee;
 - (iv) consider the well-being and interests of the municipality;
 - (v) evaluate the policies and programs of the municipality;
 - (vi) ensure the accountability and transparency of the operations of the municipality; and,
 - (vii) support and maintain the financial integrity of the municipality.
- (e) Council shall appoint the following Standing Committees:
 - (i) Audit Committee
 - (ii) Community & Social Services Committee,
 - (iii) Corporate Administration, Finance & Enterprise Committee
 - (iv) Governance Committee
 - (v) Operations, Transit & Emergency Services Committee
 - (vi) Planning & Building, Engineering & Environment Committee
 - (vii) Emergency Governance Committee
- (f) The following Standing Committees shall be composed of four Councillors and the Mayor:
 - (i) Audit Committee
 - (ii) Community & Social Services Committee
 - (iii) Corporate Administration, Finance & Enterprise Committee
 - (iv) Planning & Building, Engineering & Environment Committee
 - (v) Operations, Transit & Emergency Services Committee

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- (g) The Emergency Governance Committee shall be comprised of a minimum of four and a maximum of six members of Council and quorum shall be four members.
 - (h) The Governance Committee shall be composed of the Chairs of the Community & Social Services Committee; **Corporate Administration, Finance & Enterprise Committee**; Planning & Building, Engineering & Environment Committee; **Operations, Transit and Emergency Services Committee** and the Mayor.
 - (i) Notwithstanding Section 20.1 the Mayor shall chair the Governance Committee.
 - (j) Where a matter may fall under the responsibility of more than one Standing Committee, the Clerk shall consult with the Mayor and the potential Chairs involved to confirm.

21.2 Standing Committee Responsibilities

- (a) The general responsibilities of the Audit Committee shall be to study and **to make recommendations** to Council on matters relating to, but not limited to, the following:
 - (i) External Audit (Annual Audit)
 - (ii) Annual Financial Statements
 - (iii) Auditor Performance and Review
 - (iv) Compliance
 - (v) Risk Management and Internal Control
 - (vi) Reporting Responsibilities
 - (vii) Adequacy of the City's Resources
 - (viii) Internal Audit
 - (ix) City Financial and Control Systems
- (b) The general service area responsibilities of the Community & Social Services Committee shall be to study and **make recommendations** to Council on matters relating to, but not limited to, the following:
 - (i) **Arts, Culture, Entertainment & Tourism**
 - (ii) Community Engagement & Social Services (Child Care Services, Social Housing, and Homes for the Aged)
 - (iii) Parks, Recreation Programming & Facilities
 - (iv) Administration & Customer Service
 - (v) Corporate Building Maintenance
- (c) The general service area responsibilities of the **Corporate Administration, Finance & Enterprise Committee** shall be to study and **make recommendations** to Council on matters relating to, but not limited to, the following:
 - (i) Administration
 - (ii) Community Energy Initiative
 - (iii) Downtown Renewal
 - (iv) **Economic Development**

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- (v) Finance and Enterprise
- (vi) Corporate & Human Resources
- Clerks
 - Communications
 - Information Technology
 - Legal & Realty Services / Court Services
- (d) The general responsibilities of the Governance Committee shall be to study and make recommendations to Council on matters relating to, but not limited to, the following:
- (i) Effective Corporate Governance
 - (ii) Accountability and Transparency
 - (iii) Strategic Planning Processes
 - (iv) Committee and Council Effectiveness
 - (v) CAO Performance and Review
 - (vi) Oversight of Governance Policies
 - (vii) Succession Planning
 - (viii) Council Compensation
 - (ix) Council Performance Reporting
- (e) The general service area responsibilities of the Operations, Transit & Emergency Services Committee shall be to study and make recommendations to Council on matters relating to, but not limited to, the following:
- (i) Operations
 - (ii) Community Connectivity & Transit
 - (iii) Public Works
 - (iv) By-law Compliance & Security
 - (v) Emergency Services (including land ambulance)
- (f) The general service area responsibilities of the Planning & Building, Engineering & Environment Committee shall be to study and make recommendations to Council on matters relating to but not limited to, the following:
- (i) Engineering Services
 - (ii) Planning & Building Services
 - (iii) Solid Waste Resources
 - (iv) Wastewater Services
 - (v) Water Services
- (g) Council hereby delegates to the Emergency Governance Committee authority to exercise Council's legislative, quasi-judicial and administrative powers, subject to the limitations of the *Municipal Act*, with such delegated authority to be exercised only:
- (i) for the duration of an emergency which has been declared by the Mayor or his/her designate, in accordance with the City's Emergency Response Plan;

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- (ii) at such time when at least seven members of Council are incapacitated through death, illness or injury, and are not able to attend a properly scheduled Meeting of Council; and
 - (iii) for Council's normal decision making process and not for the management or co-ordination of emergency response activities.

21.3 Special/Ad Hoc Committees

- (a) Council may appoint Special/Ad Hoc Committees, with a defined ending, each of which shall consider a very specific matter and report to Council on that matter.
- (b) Notwithstanding Section 21.6(a) only the Members of a Special/Ad Hoc Committee shall participate in, debate or ask questions at Special/Ad Hoc Committee meetings;
- (c) Special/Ad Hoc Committees shall report back to Council.

21.4 Advisory Committees

- (a) Advisory Committees are created by Council with no defined ending, to report through the appropriate Standing Committee on a specific subject matter.
- (b) No Members of Council shall be appointed to Advisory Committees.

21.5 Member Absent from Committee Meetings

- (a) The appointment of a Member of Council to a Committee may be terminated if the Member has been absent from Meetings of the Committee for three consecutive months without being authorized to do so by a resolution of the Committee entered upon its minutes.
- (b) The appointment of a citizen member to an Special/Ad Hoc committee or Advisory Committee may be terminated if the citizen is absent from Meetings of the Committee for three consecutive months without being authorized to do so by a Resolution of the Committee entered upon its minutes.

21.6 Non Committee Member Participation at Meetings

- (a) Members of Council who are not Committee Members may attend both Open and Closed Meetings. They may ask questions for clarification, but shall not enter into debate.
- (b) A Chair of a Standing Committee shall recognize Standing Committee Members prior to Non Standing Committee Members
- (c) All Non Members of the Standing Committees may ask questions regarding an issue for no more than 5 minutes (cumulative).

22. GENERAL RULES

22.1 No provision of this By-law shall be suspended except by affirmative vote of at least two-thirds of the Members present.

Comment [TA20]: As this procedure relates to the Members present at a meeting, the voting requirement was changed from 2/3 of whole of Council to 2/3 of the Members present.

22.2 Council and Committees shall observe the rules of procedure contained in this By-law in all proceedings of the Council and Committees. This By-law shall be used to guide the order and dispatch of business of the Council and wherever possible, with the necessary modifications, for all Committees of Council, including Advisory Committees and Special/Ad Hoc Committees unless otherwise provided.

22.3 All matters relating to the proceedings of Council and Committees, for which Rules of Procedure have not been provided in this By-law, shall be decided by the Mayor or Chair. If a Member otherwise disagrees with the Mayor or Chair's ruling, that Member can submit an appeal to Council or Committee to overrule the ruling by a majority vote of the Members present.

Comment [BL21]: A reference to Bourinot's Rules of Order has been removed from this provision. Further to these proposed amendments, the Rules of Procedure have been comprehensively revised in 2011 to best address the City's current Council/Committee structure and most common procedural occurrences. They also incorporate key elements of Bourinot's and Robert's Rules of Order. In the rare instance where a provision cannot adequately dispose of a matter, the rule of the Chair (with the potential for an appeal) is the most appropriate.

22.4 This By-law comes into force on April 24, 2012.

22.5 The short title of this By-law is the Procedural By-law.

22.6 Appendix 1, the "Motions Table", forms part of this By-law and shall be used as a reference.

23. PROCEDURAL BY-LAWS FOR OTHER BOARDS, COMMITTEES OR COMMISSIONS

23.1 Where a board, committee or commission of the City has not adopted a procedural by-law, such board, committee or commission shall be deemed to have adopted this Procedural By-law with necessary modifications including the requirement that all meetings be open to the public, subject to the same exceptions applicable to Council Meetings as set out herein.

24. MUNICIPAL CODE AMENDMENT

24.1 Municipal Code Amendment #____, which amends Chapter 20 of the City of Guelph Municipal Code by removing Article II and substituting the aforementioned clauses is hereby adopted.

25. REPEAL OF PREVIOUS BY-LAWS

-
- 25.1 By-law Number (1996)-15200, and the accompanying amendments numbered By-law (1998)-15690, (2000)-16326, (2003)-17071, (2005)-17807, (2006)-17923, (2006)-18060, (2007)-18222, (2007)-18249, (2007)-18274, (2007)-18372, (2007)-18454, (2008)-19595, (2008)-18618, (2008)-18694, (2009)-18856, (2009)-18906, (2010)-18945, (2010)-19065, (2010)-19095, (2010)-19107 and (2011)-19300 are hereby repealed.

PASSED THIS _____ DAY OF _____, 2012.

KAREN FARBRIDGE, MAYOR

BLAIR LABELLE, CITY CLERK

Motions Table

Motion	Debatable	Non-Debatable	Amendable	Non-Amendable	Majority Vote	Special Majority
adjourn		X		X	X	
point of privilege		X		X		Chair Rules*
point of order		X		X		Chair Rules*
call the question		X		X	X	
motion to amend	X		X		X	
defer		X		X	X	
refer	X		X		X	
extend meeting beyond 11:00 p.m.	X			X		2/3 of Members Present
reconsideration	X			X		7 Members of the Whole of Council
appeal of the Chair's ruling*		X		X	X	
suspend the rules of procedure		X		X		2/3 of Members Present

Comment [TA22]: Was previously 2/3 of the Whole of Council

Comment [BL23]: Regardless of the number of Members present.

Comment [TA24]: Was previously 2/3 of the Whole of Council

**A point of order/privilege is ruled on by the Mayor/Chair. Any Member may appeal the Chair's ruling which must then be decided by a majority vote of the Members present without debate.*

**CONSENT REPORT OF
COUNCIL IN CLOSED MEETING**

April 23, 2012

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

Your Council as Committee of the Whole beg leave to present their Fourth
CONSENT REPORT as recommended at its meeting of March 26, 2012.

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

**1) CITIZEN APPOINTMENTS TO THE BOARD OF TRUSTEES OF THE
ELLIOTT COMMUNITY**

THAT Sasha Alexander, Ellen Balder, Barry Elder and Stephen Warley be appointed
to the Board of Trustees of the Elliott Community for a three year term
commencing July 1, 2012 and ending June 30, 2015.

All of which is respectfully submitted.

553 Edinburgh Road South

Interior and Exterior Parking Space

Dimensions as Built

1985 to Present Day

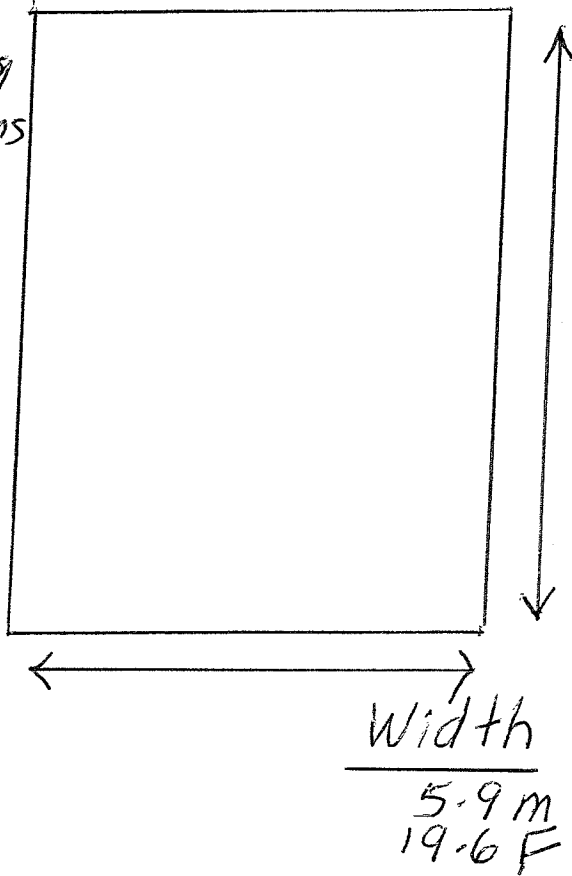
Consent Report A-1
Mario Venditti
April 16, 2012

Sketch

ZB (1995) 14864 Driveway

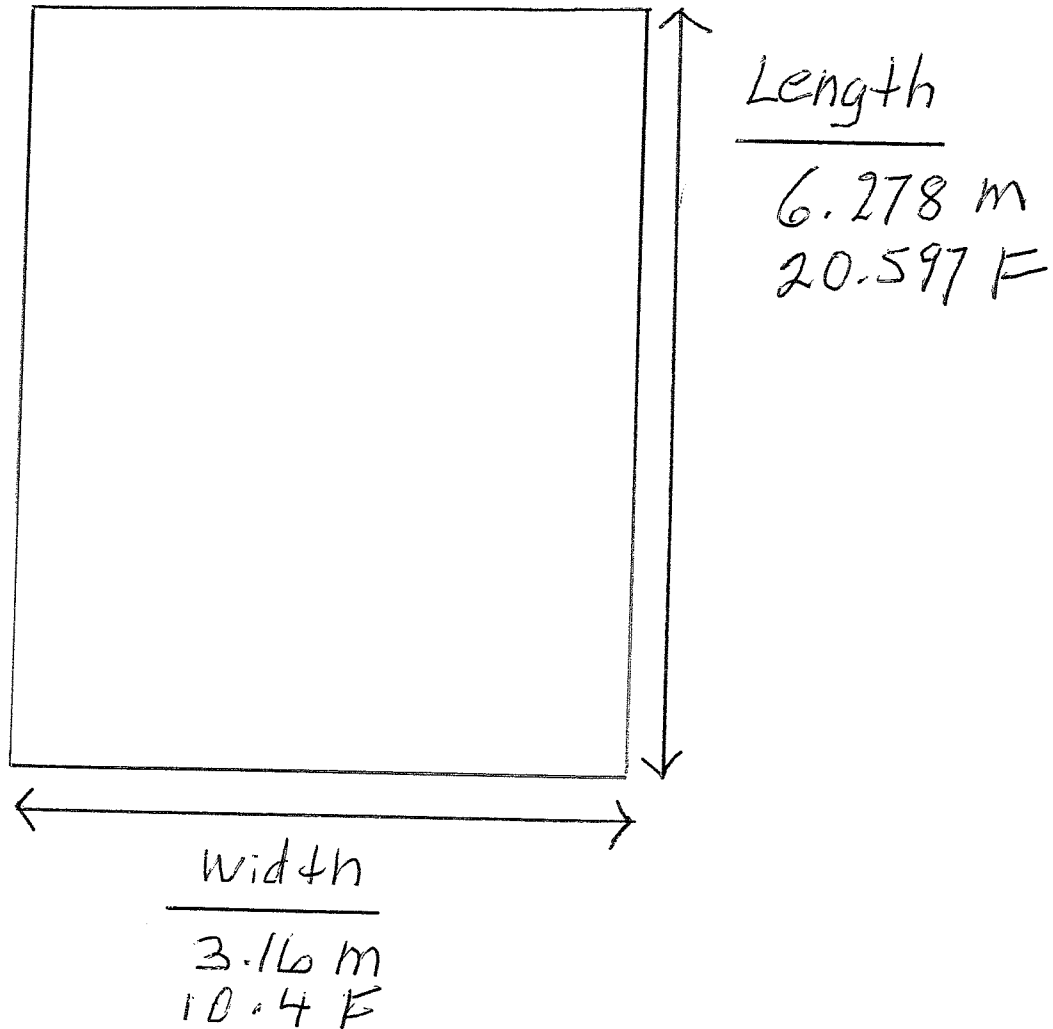
4.13.3.2.3

Exterior parking
Space Dimensions
2.5m x 5.5



Mario Venditti
April 16, 2012

Sketch
Interior Parking
Space Dimensions Garage



Mario Venditti
April 16, 2012

PAYMENT RECEIPT

For faster service in person or by phone please refer to Project File#: **11 014471 RX**

You have applied for a Accessory Apartment - Building Perm Type: DETACHED HOUSE

PROPERTY TAX ROLL #: 2308060009067860000

APPLICANT: Maya Sambhwani

PROJECT LOCATION: 553 Edinburgh Rd S

Narain Sambhwani

PLAN 714 PT LOT 15 RP 61R3133 PART 1

PROJECT DESCRIPTION: Basement Finishes to create a one bedroom accessory apartment. (504 ft²)

PAID BY: Narain Sambhwani (Maya Sambhwani)

Fees collected Dec 12, 2011:

0001	Building Permit Fee	\$171.36
0110	2nd Unit Registration Fee	\$150.00

Estimate (There may be additional fees due)

TOTAL	\$321.36
-------	----------

**Planning & Building,
Engineering and
Environment**

Mailing Address:
1 Carden St.
Guelph, Ontario
N1H 3A1

T 519-837-5663
guelph.ca

PAYMENT RECEIPT

For faster service in person or by phone please refer to Project File#: **11 014475 CA**

You have applied for a Committee of Adjustment

Type: DETACHED HOUSE

PROPERTY TAX ROLL #: 2308060009067860000

APPLICANT: Maya Sambhwani

PROJECT LOCATION: 553 Edinburgh Rd S

Narain Sambhwani

PLAN 714 PT LOT 15 RP 61R3133 PART 1

PROJECT DESCRIPTION: Interim Control By-law variance

PAID BY: Narain Sambhwani (Maya Sambhwani)

Fees collected Dec 12, 2011:

0006	Committee of Adjustment F	\$433.00
------	---------------------------	----------

Estimate (There may be additional fees due)

TOTAL	\$433.00
-------	----------

**Planning & Building,
Engineering and
Environment**

Mailing Address:
1 Carden St.
Guelph, Ontario
N1H 3A1

T 519-837-5663
guelph.ca

CONSENT AGENDA

April 23, 2012

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
<p>A-1) 553 EDINBURGH ROAD SOUTH UPCOMING ONTARIO MUNICIPAL BOARD HEARING (FILE A-4/12)</p> <p>THAT Report 12-43 dated April 23, 2012 regarding an appeal from the Committee of Adjustment Decision A-4/12 refusing a minor variance to permit two required off-street exterior parking spaces to have a depth of 4.755 metres in the driveway of a single detached dwelling at 553 Edinburgh Road South, City of Guelph, from Planning & Building, Engineering and Environment be received;</p> <p>AND THAT the City be a party at any upcoming OMB proceedings regarding an appeal from the Committee of Adjustment's decision A-4/12 refusing a minor variance to permit two required off-street exterior parking spaces to have a depth of 4.755 metres in the driveway of a single detached dwelling at 553 Edinburgh Road South, City of Guelph, and that appropriate staff attend any future Ontario Municipal Board proceedings to support Council's direction.</p>	Approve
<p>A-2) ANNUAL ASPHALT, CONTRACT NO. 2-1201</p> <p>THAT the tender of Cox Construction Limited, Guelph be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1201 for the Annual Asphalt Contract for a total tendered price of \$3,543,889.77 with actual payment to be made in accordance with the terms of the contract.</p>	Approve

A-3) **SPEEDVALE AVENUE RECONSTRUCTION, CONTRACT NO. 2-1209**

Approve

THAT the tender from Drexler Construction Ltd., Rockwood, ON be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1209 for Speedvale Avenue Reconstruction between Stevenson Street and Sheridan Street for a total tendered price of \$2,118,138.00 with actual payment to be made in accordance with the terms of the contract.

A-4) **RE-ELECTION OF COUNCILLOR BURCHER TO THE FCM BOARD OF DIRECTORS**

Approve

THAT Guelph City Council approves Councillor Lise Burcher in seeking re-election to the Federation of Canadian Municipalities Board of Directors at the 2012 Annual General meeting in Saskatoon, Saskatchewan.

B ITEMS FOR DIRECTION

B-1) **REQUEST FROM MIKE SALISBURY WITH RESPECT TO KATIMAVIK PROGRAM**

Receive

THAT the correspondence from Mike Salisbury with respect to the Katimavik program be received for information;

THAT the correspondence from Katherine Rethy, Chair of the Board of Katimavik-Op can be received for information.

attach.

COUNCIL REPORT

TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment
DATE April 23, 2012

SUBJECT **553 Edinburgh Road South
Upcoming Ontario Municipal Board Hearing
(File A-4/12)
Ward 5**

REPORT NUMBER 12-43

SUMMARY

Purpose of Report

This report provides a staff recommendation for the City to become a party and for Council to direct staff to attend an upcoming Ontario Municipal Board (OMB) hearing regarding the appeal of a Committee of Adjustment decision refusing a minor variance to permit two required off-street exterior parking spaces to have a depth of 4.755 metres in the driveway of a single detached dwelling at 553 Edinburgh Road South.

Council Action

Council is to decide whether or not to direct staff to attend the OMB hearing in support of the Committee of Adjustment's decision.

RECOMMENDATION

"THAT Report 12-43 dated April 23, 2012 regarding an appeal from the Committee of Adjustment Decision A-4/12 refusing a minor variance to permit two required off-street exterior parking spaces to have a depth of 4.755 metres in the driveway of a single detached dwelling at 553 Edinburgh Road South, City of Guelph, from Planning & Building, Engineering and Environment be received;

AND THAT the City be a party at any upcoming OMB proceedings regarding an appeal from the Committee of Adjustment's decision A-4/12 refusing a minor variance to permit two required off-street exterior parking spaces to have a depth of 4.755 metres in the driveway of a single detached dwelling at 553 Edinburgh Road South, City of Guelph, and that appropriate staff attend any future Ontario Municipal Board proceedings to support Council's direction."

BACKGROUND

Application Details: Committee of Adjustment considered application A-4/12 on January 10, 2012, requesting a minor variance from Zoning By-law (1995)-14864 to permit two required off-street exterior parking spaces to have a depth of 4.755 metres, while the By-law requires a minimum exterior parking space depth of 5.5 metres. An additional variance was requested from Interim Control By-law (2010)-19019 to recognize an existing one bedroom accessory apartment having a gross floor area of 46.82 m², with a total of four (4) bedrooms within the entire single detached dwelling, whereas the By-law does not permit an accessory apartment in this instance. As of March 5, 2012 the Interim Control By-law (ICB) is no longer in effect and the variance from the ICB is no longer required. Planning staff recommended refusal of the application.

Location: West side of Edinburgh Road South, south of Stone Road West (Schedule 1).

Official Plan: "General Residential" designation, permitting a variety of housing types, including single detached dwellings.

Zoning: R.1D (Residential Single Detached) Zone, which permits uses including one (1) single detached dwelling per lot.

Staff Comments: Planning staff commented that the application should be refused because the requested variance did not meet the general intent and purpose of the Zoning By-law, which specifies a minimum exterior off-street parking space depth to ensure that there is adequate space to park passenger vehicles of most sizes without blocking the sidewalk or encroaching on to the public right-of-way.

Although a variance from the ICB is no longer required, at the time, Planning Staff commented that the application should be refused because the general intent and purpose of the ICB is to prohibit the establishment of new accessory apartments until a study is complete and new zoning regulations are in place.

OMB Appeal: Applicant appealed the Committee's decision to the OMB on January 30, 2012, on the basis that:

- There is an Interim Control By-law (2010)-19019 in place, prohibiting accessory apartments.
- The Zoning By-law requires three (3) parking spaces for a host dwelling and accessory apartment. Two of the exterior parking spaces have a depth of 4.755 metres in lieu of 5.5 metres.

The OMB hearing has not been scheduled to date.

REPORT

Recommendation: The City should be a party at future OMB proceedings for this appeal as there is significant municipal interest in the application:

- The general intent and purpose of the Zoning By-law, in its 2.5 metre by 5.5 metre requirement for off-street exterior parking spaces, is to ensure that there is adequate space to park passenger vehicles of most sizes without encroaching on the public right-of-way.
- The requested variance would not allow for typical passenger vehicles to park in the two exterior off-street parking spaces without encroaching on the public right-of-way and it does not meet the general intent and purpose of the Zoning By-law.

CORPORATE STRATEGIC PLAN

N/A

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

Schedule 1 – Location Map

Prepared By:

Rita Kostyan
Development Planner
519-837-5616, ext 2751
rita.kostyan@guelph.ca

“original signed by Todd Salter”

Recommended By:

Todd Salter
Acting General Manager
Planning Services
519-822-1260, ext 2395
todd.salter@guelph.ca

Recommended By:

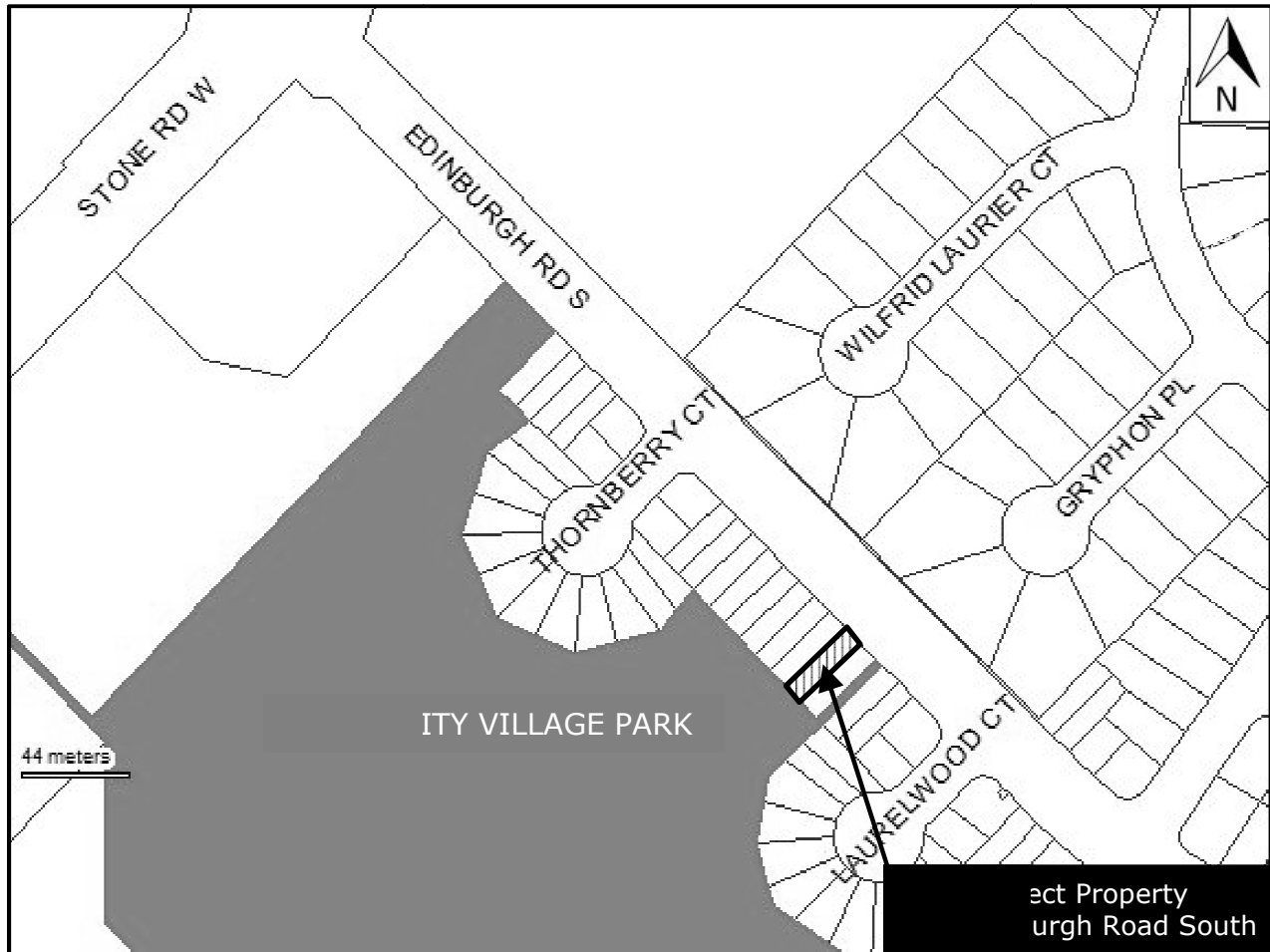
Allan Hearne
Acting Manager of Development Planning
519-837-5616, ext 2362
al.hearne@guelph.ca

“original signed by Janet Laird”

Recommended By:

Janet L. Laird
Executive Director
Planning, Building, Engineering and
Environment
519-822-1260, ext 2237
janet.laird@guelph.ca

SCHEDULE 1 – Location Map



TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment
DATE April 23, 2012

SUBJECT ANNUAL ASPHALT, CONTRACT NO. 2-1201
REPORT NUMBER

SUMMARY

Purpose of Report:

For Council to accept the tender from Cox Construction Limited, Guelph, ON and authorize the Mayor and Clerk to sign the agreement for Contract 2-1201.

Council Action:

For Council to accept the tender from Cox Construction Limited, Guelph, ON and authorize the Mayor and Clerk to sign the agreement for Contract 2-1201 for the Annual Asphalt contract for a total tendered price of \$3,543,889.77.

RECOMMENDATION

"THAT the tender of Cox Construction Limited, Guelph, ON be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1201 for the Annual Asphalt Contract for a total tendered price of \$3,543,889.77 with actual payment to be made in accordance with the terms of the contract."

BACKGROUND

The contract work entails the rehabilitation of existing roads, hot mix asphalt paving and associated improvements including curb and gutters and sidewalks at various locations within the City, as part of our ongoing infrastructure sustainability initiatives. The improvements will not include work to underground infrastructure.

In addition, the contract also includes placement of hot mix surface asphalt paving on new subdivision streets in various locations within the City, which are fully funded by the developer of the subdivision.

The project was tendered in March 2012 as Contract 2-1201.

REPORT

Tenders for the above mentioned project were received Friday, March 26, 2012 as follows (prices include 13% HST):

1) Cox Construction Limited, Guelph	\$3,543,889.77
2) Capital Paving Inc., Guelph.....	\$3,924,034.44
3) Steed and Evans Limited, Kitchener	\$4,179,754.46
4) Coco Paving Inc., Petersburg.....	\$4,194,250.22

The tenders were checked for legal and arithmetic accuracy. All were found to be arithmetically correct in the above order of tender.

Cox Construction Limited has successfully completed work on previous capital project contracts for the City. We therefore recommend that the contract be awarded to this firm.

CORPORATE STRATEGIC PLAN

This project supports:

- Goal #1; "An attractive, well-functioning and sustainable city"

FINANCIAL IMPLICATIONS

Funding for this project will be from approved Capital and operating budgets and developer's contributions as set out in the attached Budget and Financial Schedule.

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

A Notice of Construction will be forwarded to the residents and businesses in the project areas prior to construction and will also be published on the City Page of the Guelph Tribune as well as a full listing of streets to be paved on guelph.ca/construction.

ATTACHMENTS

- Budget and Financial Schedule

Prepared By:

Grant Ferguson, C.E.T.
Program Manager, Technical Services
(519)822-1260, ext. 2251
grant.ferguson@guelph.ca

"original signed by Rick Henry"

Recommended By:

Richard Henry, P.Eng.
General Manager/City Engineer
(519)822-1260, ext. 2248
richard.henry@guelph.ca

"original signed by Janet Laird"

Recommended By:

Janet L. Laird, Ph.D.
Executive Director
Planning, Building, Engineering
and Environment
(519)822-1260, ext. 2237
janet.laird@guelph.ca

Budget and Financing Schedule

Project name: **2012 Annual Asphalt Construction- 2-1201**

Prepared by: Andrew Pike

Date: April 16, 2012

		Available Budget	Amount Requested	Remaining Balance
<u>Budget Requirement</u>				
Tender Price - Cox Construction Limited (Contract 2-1201)			3,187,940	
less: HST Credit			(366,754)	
add: HST (1.76% on City share)			35,831	
add: HST (13% on developer share)			90,350	
A	TOTAL BUDGET REQUIREMENT		2,947,366	
<u>Budget Funding Available:</u>				
City Share				
RD0276	Pavement Deficit	3,086,373	1,907,016	1,179,357
RD0112	Ferguson Street	1,889,998	60,000	1,829,998
RD0225	Dublin Street	467,327	115,000	352,327
RD0280	Major Road Reconstruction - Speedvale Aven	1,496,301	80,000	1,416,301
B	SUBTOTAL CITY SHARE	6,939,998	2,162,016	4,777,982
Developer Share				
DA0069	Cedarvale-Schroeder	54,184	11,300	42,884
DA0120	Arkeil Springs Phase 1	84,363	22,600	61,763
DA0139	Victoriaview North	21,736	135,600	113,864
DA0143	Victoria Gardens Phase 3	61,485	22,600	38,885
DA0151	Arkeil Springs Phase 2	68,441	28,250	40,191
DA0154	Northern Heights Phase 2	237,295	50,850	186,445
DA0157	Westminster Woods East, Phase 3	244,995	197,750	47,245
DA0159	Almondale Homes, Phase 1	610,649	107,350	503,299
DA0160	Grangehill Estates, Phase 4B	739,139	135,600	603,539
DA0177	Westminster Woods East, Phase 4	398,894	73,450	325,444
C	SUBTOTAL DEVELOPER SHARE	2,521,182	785,350	1,735,831.77
D	TOTAL BUDGET FUNDING AVAILABLE [B+C]	9,461,180	2,947,366	6,513,814

Note 1: Funding for this project comes from a number of sources including Federal Gas Tax, ISF Grants, Developer Contributions and City Reserves.

Note 2: HST has been calculated assuming all work is done after July 1, 2010 to demonstrate the maximum exposure to the City.

COUNCIL REPORT

TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment
DATE April 23, 2012

SUBJECT **SPEEDVALE AVENUE RECONSTRUCTION,
CONTRACT NO. 2-1209**

REPORT NUMBER

SUMMARY

Purpose of Report:

For Council to accept the tender from Drexler Construction Ltd., Rockwood, ON and authorize the Mayor and Clerk to sign the agreement for Contract 2-1209 for Speedvale Avenue Reconstruction between Stevenson Street and Sheridan Street.

Council Action:

For Council to accept the tender from Drexler Construction Ltd., Rockwood, ON and authorize the Mayor and Clerk to sign the agreement for Contract 2-1209 for Speedvale Avenue Reconstruction between Stevenson Street and Sheridan Street for a total tendered price of \$2,118,138.00.

RECOMMENDATION

"THAT the tender from Drexler Construction Ltd., Rockwood, ON be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1209 for Speedvale Avenue Reconstruction between Stevenson Street and Sheridan Street for a total tendered price of \$2,118,138.00 with actual payment to be made in accordance with the terms of the contract."

BACKGROUND

The contract work entails the reconstruction of Speedvale Avenue between Stevenson Street and Sheridan Street, including installation of sanitary and storm sewers, watermains, curb & gutter, sidewalks, street lighting, bike lanes and pedestrian crossing signals. Speedvale Avenue will be widened to 5 traffic lanes including a centre turning lane between Stevenson Street and Knightswood Boulevard.

Traffic on Speedvale Avenue will be reduced to 1 lane each direction in the Stevenson Street to Sheridan Street section for the duration of construction. Access to abutting properties and businesses will be maintained throughout the duration of the reconstruction.

REPORT

Tenders for the above mentioned project were received on Contract 2-1209, April 05, 2012 as follows (prices include 13% HST):

1)	Drexler Construction Ltd., Rockwood, ON	\$2,118,138.00
2)	Terracon Underground Ltd., Brantford, ON	\$2,184,849.00
3)	J.G. Goetz Construction Ltd., Guelph, ON	\$2,185,000.00
4)	Network Sewer & Watermain Ltd., Cambridge, ON	\$2,439,790.27
5)	Regional Sewer & Watermain, Cambridge, ON	\$2,786,764.04
6)	Navacon Construction Inc., Brantford, ON	\$2,938,000.00

The tenders were checked for legal and arithmetic accuracy. One tender was found to contain arithmetic errors which did not change the above order of tender. The pricing listed above are correct numbers.

Drexler Construction Ltd., has successfully completed previous reconstruction contracts for the City. We therefore recommend that the contract be awarded to this firm.

CORPORATE STRATEGIC PLAN

This project supports:

- Goal #1: "An attractive, well-functioning and sustainable city."

FINANCIAL IMPLICATIONS

Funding for this project will be from the approved Capital budget as set out in the attached Budget and Financial Schedule.

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

A Public Open House was held for this project at the Crestwicke Baptist Church on November 24, 2009 and a second Open House will be held on April 17, 2012 to communicate project specifics, proposed construction methodologies and to obtain input from the public and businesses. The Open House held on November 24, 2009 was attended by approximately 40 members of the public. The project was well received and attendees generally supported and acknowledged the need for the project and improvements to this section of Speedvale Avenue.

A Notice of Construction will be forwarded to the residents and businesses in the project area. The Notice will be published on the City Page of the Guelph Tribune and on guelph.ca. It will include contact information for the project including the City's representative, Contractor's representative and the City's on-site construction inspector.

ATTACHMENTS

Appendix A - Budget and Financial Schedule

Prepared By:

Andrew Janes, P.Eng.
Project Engineer
(519) 822-1260, ext. 2338
andrew.janes@guelph.ca

"original signed by Rick Henry"

Recommended By:

Richard Henry, P.Eng.
General Manager/City Engineer
(519) 822-1260, ext. 2248
richard.henry@guelph.ca

"original signed by Janet Laird"

Recommended By:

Janet L. Laird, Ph.D.
Executive Director
Planning, Building, Engineering
and Environment
(519) 822-1260, ext. 2237
janet.laird@guelph.ca

Budget and Financing Schedule

JDE Project number: RD0280_SC0014_WD0014
 Project name: **Speedvale Avenue: Victoria Road to Stevenson**
 Contract #
 Prepared by: Andrew Pike
 Date: April 12, 2012

	Total Cost	External Financing			Internal Financing		
		Developer Contributions	Dev't Charges	Gas Tax	Current Revenues	City Reserves	Debt
<u>A. Budget Approval & Additional Funding</u>							
RD0280 Major Road Reconstruction	2,400,000	0	0	1,200,000	0	1,200,000	0
SC0014 Sewer Replacement	3,873,090	0	0	0	0	3,873,090	0
WD0014 Watermain Replacement	5,000,000	0	0	2,250,000	0	2,750,000	0
WD0005 W16 Speedvale - Watson to Westmount	1,600,000	0	800,000	0	0	800,000	0
Budget Approval	12,873,090	0	800,000	3,450,000	0	8,623,090	0
<u>B. Budget Requirement</u>							
Tender Price: Network Sewer and Watermain Ltd (excluding HST)	1,874,458						
Less: HST	0						
Add: HST Payable (calculated at 1.76%)	32,990						
City Share	1,907,449	0	118,539	511,198	0	1,277,712	0
plus: Expenditures to Date - All Projects	5,484,788	0	340,853	1,469,928	0	3,674,007	0
plus: Committed Work on Existing POs & Contracts - All Projects	627,362	0	38,987	168,133	0	420,241	0
plus: Contingency- All Projects	0	0	0	0	0	0	0
plus: Other Work (Operations) - All Projects	0	0	0	0	0	0	0
plus: Future Work (Engineering) - All Projects	281,169	0	17,473	75,353	0	188,342	0
plus: Other Work (Waterworks) - All Projects	0	0	0	0	0	0	0
plus: Utilities Work (External)	0	0	0	0	0	0	0
plus: Other Work (External)	139,120	0	8,646	37,284	0	93,190	0
plus: HST on External Work @ 1.76%	2,449	0	152	656	0	1,640	0
plus: Future Work	4,430,754	0	275,350	1,187,446	0	2,967,958	0
TOTAL BUDGET REQUIREMENT	12,873,090	0	800,000	3,450,000	0	8,623,090	0
<u>C. Surplus / (Deficit)</u>	0	0	0	0	0	0	0
<u>D. Revised project budget</u>	12,873,090	0	800,000	3,450,000	0	8,623,090	0

Note:

COUNCIL REPORT



TO **Guelph City Council**

SERVICE AREA City Council
DATE April 23, 2012

SUBJECT **Re-Election of Councillor Burcher to the FCM Board of Directors**

SUMMARY

Purpose of Report:

To seek Council's approval for seeking re-election to the FCM Board of Directors.

Council Action:

Council is requested to approve Councillor Burcher's re-election to the FCM Board of Directors.

RECOMMENDATION

THAT Guelph City Council approves Councillor Lise Burcher in seeking re-election to the Federation of Canadian Municipalities Board of Directors at the 2012 Annual General meeting in Saskatoon, Saskatchewan.

BACKGROUND

As Council is aware, Guelph City Councillor Lise Burcher has served as a Director on the Federation of Canadian Municipalities Board since 2007, having been elected at the FCM Annual General Meeting in June of 2007 in Calgary, Alberta. Prior to that, Councillor Burcher served as Standing Committee Member from June 2006 to June 2007.

REPORT

Councillor Burcher serves on the following Standing Committees;

- FCM International. Chair 2011 to present
- Environmental Issues and Sustainable Development

As well, Councillor Burcher was appointed to the Green Municipal Fund Council in 2008 and serves as the Audit Chair for the GMF's 550 million sustainable municipal funding portfolio.

In addition, Councillor Burcher was elected to serve as a juror for the FCM-Ch2M Hill Sustainable Community Awards, which will be awarded to the selected communities at the upcoming AGM in Saskatoon early June, 2012.

FCM International received funding over the past two years for programs on five continents and ten countries for over 85 million dollars to engage in municipal peer to peer capacity development and knowledge sharing. Councillor Burcher's work on the International Relations Committee has been very beneficial in supporting our community's past work with the communities of Xai Xai and Moatise in Mozambique and will continue to be of value in supporting the City of Guelph's ongoing track record of excellence in our contributions to international community initiatives. Opportunities for communities to engage in the international program continue to become available as the programs develop.

Serving as a Board member requires attendance at three Board meetings per year of approximately three days each with the March and September meetings being held at various locations throughout the country and the November meeting being held each year in Ottawa. The Ottawa meeting coincides with a very extensive and significant advocacy effort by FCM with its Board members and senior staff participating in "Advocacy Days", with meetings scheduled with many Federal Members of Parliament to advocate on behalf of the organizations mandate in promoting the "cities agenda" and international goals.

Participation as an FCM Board member has been very beneficial to the governance and leadership of the City of Guelph providing many opportunities to bring back to the community knowledge of innovative initiatives in both practice and governance, and an understanding of issues of relevance to our community and others, and an opportunity to address these at a national level with representation of approximately 90% of communities throughout the country.

Councillor Burcher is seeking Council support to endorse her bid for re-election to the FCM Board at the Annual General Meeting in early June in Saskatoon.

CORPORATE STRATEGIC PLAN

5.4 Partnership to achieve strategic goals and objectives.

FINANCIAL IMPLICATIONS

Expenses for participation in the three Board meetings and the AGM per year vary based on location and are limited to travel and accommodation costs and range from \$3,000 to \$4,000 annually.

Prepared By:

Councillor Lise Burcher

**CITY OF GUELPH COUNCILLOR LISE BURCHER JOINS MUNICIPAL LEADERS
FROM ACROSS CANADA TO DISCUSS NEW FEDERAL LONG-TERM
INFRASTRUCTURE PLAN**

KITCHENER - This week Councillor Lise Burcher joined more than a 100 other municipal leaders from across Canada for the Federation of Canadian Municipalities' (FCM) national Board of Directors meeting in Waterloo region, Ontario, to discuss the federal government's new long-term infrastructure plan.

As Lise indicated in her CTV interview at the FCM Board meeting in Kitchener..."It is critically important from an economic recovery and community well-being perspective that the Federal Government commit in the 2012 budget to fund the committed new long-term infrastructure program to begin in 2014 prior to the current fund's expiration in 2014".

FCM's Board of Directors, which speaks for the close to 2000 cities and communities that form FCM and together represent 90% of Canada's population, met to discuss municipal priorities for the federal government's new long-term infrastructure plan.

The federal government has committed to work with FCM, provinces and territories, and the private sector to develop a long-term plan to stop the long decline in Canada's aging municipal infrastructure. By working together, governments can build the roads, bridges, water and transit systems we need to support families, businesses and economic growth.

FCM's successful advocacy with the federal government has already brought significant benefits to the City of Guelph over the past five years. From the GST refund and the permanent share of the federal gas tax, which together bring in close to 10 million dollars a year to Guelph, to stimulus money for municipal infrastructure which brought approximately 44 million from the Federal and Provincial Governments to Guelph, and now the federal government's new long-term infrastructure plan which is expected to establish long-term funding for municipal infrastructure investment locally.

FCM is calling on the federal government to, in Budget 2012, commit to having the new long-term infrastructure plan and related funding in place before the current infrastructure funding programs expire in 2014.

"To build on the success of the Economic Action Plan and keep our economic recovery on track, the federal government's 2012 budget must move the new long-term infrastructure plan forward," said Berry Vrbanovic, president of the Federation of Canadian Municipalities.

As uncertainty continues to threaten world markets, the City of Guelph and municipalities across Canada are ready to continue working with the federal government to keep Canada's economy growing.

From: Mike Salisbury
Sent: Thursday, April 12, 2012 8:32 AM
To: Karen Farbridge
Subject: Katimavik Petition Request

Mayor Farbridge and Council

I am writing you to request council take action to prevent the loss of a valuable resource in our community.

As you may be aware, over the last few months the City of Guelph has been one of several communities in Canada to host a group of Katimavik volunteers. These young Canadians are currently providing valuable volunteer services for the following non profit groups in our community:

- YMCA-YWCA of Guelph
- Guelph Environmental Leadership (GEL)
- FarmStart
- West End Community Centre
- Guelph Community Health Centre
- The Julien Project-using gardening to enrich lives
- Backyard Bounty
- 10 Carden Shared Services Inc
- Ignatius College
- Spiritwind Christian Centre of Guelph - Guelph Food Bank
- Hillside Festival

As part of the most recent Federal budget the 30 year Katimavik program has been cancelled.

This decision will not only have a significant detrimental impact on the young men and women participating in the program but also seriously affect over 10 community groups in Guelph who rely on these dedicated full time volunteers to provide important core services to the residents of Guelph.

Important community services will all be reduced and in some cases may be cancelled by this program cut – services our community cannot do without.

On behalf of the local Katimavik placement, the community groups they are supporting and the residents of Guelph who will be impacted by the loss of these services I respectfully request:

That council direct the Mayor's office to petition the Federal Government to reinstate the Katimavik program and work with Katimavik to seek alternative long term funding solutions to ensure the ongoing viability of this important program.

Furthermore, that the City of Guelph invite other communities impacted by the cancellation of the Katimavik program to join in this petition

In 1977 Prime Minister Pierre Elliott Trudeau established Katimavik that has enlisted over 30,000 Canadian youth and supported more than 500 community non-profit organizations across Canada. Please join our local MP as he works with Justin Trudeau on Parliament Hill to reinstate this vital Canadian program which helps our local economy, provides much needed services for our residents and builds the leaders of tomorrow.

If it is true that “our kids are our future,” we cannot allow this uniquely Canadian investment in our future to be destroyed.

Mike Salisbury



Mrs. Karen Farbridge
Office of the Mayor, City Hall
1, Caeden Street
Guelph ON N1H 3A1

Dear Mrs. Farbridge,

My name is Katherine Rethy and I am the Chair of Katimavik. As an active contributor to your community, Katimavik understands and appreciates the value you place on civic engagement, families and youth, community mindedness and volunteer service.

This is why I am writing you today - to encourage you to recognize the contribution of the Katimavik programs to the well-being of many of your constituents and to the values we all cherish as Canadians. As an internationally-recognized, non-partisan set of programs that share the same values of self-reliance and volunteerism professed by all political colors, Katimavik provides both short and long-term value across Canada.

Eliminating the programs is the wrong decision for Canadians, and for the many communities that rely on Katimavik volunteers and now feel abandoned by our federal government. The decision was taken without consultation and the manner in which it is being implemented has provided very little notice to the next cohort of young volunteers due to start this summer. Many had deferred school and other opportunities in order to be part of Katimavik. Their disappointment is palpable, as is the shock and disbelief of the entire Katimavik family of past participants, parents, employees, Board members, not for profit partners and communities.

The 2012 federal budget, in its description of Katimavik, was ill informed and misleading. Katimavik is, in fact, an affordable and effective provider of youth programs that engages youth in volunteer service. It delivers value for youth and for communities. This is not new information - federal officials have said this before, and highlighted it in summative evaluations from Canadian Heritage. With the three-year mandate previously committed to by this Government, the Katimavik Board was on its way in the deployment of its funding diversification strategy - a strategy that until recently we could not deploy without being penalized if we raised funds. You and we know that the Katimavik programs work. The decision to cancel the funding is a poor one, and I hope you will help us reverse it. Katimavik, its Board and staff, its youth volunteers, its not-for-profit partner organizations and the communities we serve are all ready to continue our work. We've exemplified strong Canadian values for nearly 35 years - help us reach 35 more by working with us to reverse this decision. Please express your support for Katimavik with your MP and government contacts.

With our appreciation for your support.

Yours very truly,

Katherine Rethy
Chair of the Board, Katimavik-Opcan

Encl. List of current communities and partners

CC: Prime Minister Stephen Harper
CC: Minister James Moore

[DOING. LEARNING. BUILDING A NATION... ONE COMMUNITY AT A TIME.]

[AGIR. APPRENDRE. BÂTIR UN PAYS... UNE COMMUNAUTÉ À LA FOIS.]

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COMMUNITIES AND PARTNERS

2011-2012

<u>CITY</u>	<u>PROV.</u>	<u>PARTNERS</u>	<u>CITY</u>	<u>PROV.</u>	<u>PARTNERS</u>
<u>Calgary</u>	<u>AB</u>	<ol style="list-style-type: none"> 1. <u>École Terre des Jeunes</u> 2. <u>Société de la petite enfance et de la famille du Sud de l'Alberta</u> 3. <u>Two Wheel View</u> 4. <u>The Good Life Community Bicycle Shop</u> 5. <u>École La Mosaïque</u> 6. <u>Green Calgary</u> 7. <u>Old Y Centre</u> 8. <u>CJSW Radio-University of Calgary Student Radio Society</u> 9. <u>Centre d'Accueil pour les Nouveaux Arrivants Francophones de Calgary - CANAF</u> 10. <u>École Notre-Dame-de-la-Paix</u> 	<u>Lethbridge</u>	<u>AB</u>	<ol style="list-style-type: none"> 1. <u>Galt Museum & Archives</u> 2. <u>Family Centre</u> 3. <u>Covenant Health - St. Michael's Health Centre</u> 4. <u>Safety City Society of Lethbridge and Area</u> 5. <u>St. Therese Villa</u> 6. <u>Lethbridge Youth Foundation / 5th on 5th Youth Services</u> 7. <u>Southern Alberta Art Gallery</u> 8. <u>Alberta Birds of Prey Foundation</u> 9. <u>Lethbridge Sport Council</u> 10. <u>Lethbridge Food Bank</u>
<u>Canmore</u>	<u>AB</u>	<ol style="list-style-type: none"> 1. <u>Canmore Community Day Care Society</u> 2. <u>Canmore Nordic Centre Provincial Park</u> 3. <u>Canmore Museum and Geoscience Centre</u> 4. <u>Victory Thrift Store</u> 5. <u>Canmore Community Garden</u> 	<u>Medicine Hat</u>	<u>AB</u>	<ol style="list-style-type: none"> 1. <u>Historic Clay District</u> 2. <u>YMCA</u> 3. <u>Esplanade Arts & Heritage Centre</u> 4. <u>HUG</u> 5. <u>Medicine Hat Youth Action Society</u> 6. <u>Medicine Hat Interpretive Program</u> 7. <u>Miywasin Centre</u>
<u>Burnaby</u>	<u>BC</u>	<ol style="list-style-type: none"> 1. <u>Forest Ethics</u> 2. <u>TB Vets Charitable Foundation</u> 3. <u>Burnaby Association for Community Inclusion</u> 4. <u>Burnaby Hospice Society</u> 5. <u>Habitat for Humanity Greater Vancouver - Re-Store</u> 6. <u>Neil Squire Society</u> 7. <u>City of Coquitlam - Urban Forestry</u> 	<u>Fort Langley</u>	<u>BC</u>	<ol style="list-style-type: none"> 1. <u>EverGreen Adventure Society</u> 2. <u>Langley Centennial Museum</u> 3. <u>Fort Gallery</u> 4. <u>Simpson Manor</u> 5. <u>Mountain View Wildlife Conservation Centre</u> 6. <u>Fort Langley Community Association</u>



COMMUNITIES AND PARTNERS

2011-2012

<u>East Vancouver</u>	<u>BC</u>	<ol style="list-style-type: none"> <u>Pedal Energy Development Alternatives</u> <u>YWCA Vancouver</u> <u>Habitat for Humanity Greater Vancouver - Re-Store</u> <u>Gladstone Secondary</u> <u>EcoTrek Tours</u> <u>More Sports YELL (Youth, Engage, Learn, Lead)</u> <u>The Vancouver Fruit Tree Project Society</u> <u>South Vancouver Neighbourhood House</u> <u>Be The Change</u> 	<u>Hope</u>	<ol style="list-style-type: none"> <u>Hope Care Transit Society</u> <u>Hope & District Arts Council and the Hope Artist's Guild</u> <u>Hope Community Services</u> <u>Hope Business and Development Society</u> <u>Kawkawa Camp & Retreat</u> <u>Christ Church Anglican National Historic Site</u> <u>New Page Human Services</u> <u>Hope Mountain Centre for Outdoor Learning Society</u> <u>Hope and Area Transition Society</u>
<u>Prince George</u>	<u>BC</u>	<ol style="list-style-type: none"> <u>Carney Hill Neighbourhood Society</u> <u>Prince George Railway and Forestry Museum</u> <u>REAPS</u> <u>Canadian Diabetes Association</u> <u>Prince George Public Interest Research Group</u> <u>Le Cercle des Canadiens Français de Prince George</u> <u>Sacred Heart School</u> <u>St. Vincent de Paul Society</u> <u>The Canadian Red Cross Society</u> <u>Caledonia Ramblers</u> <u>Northern Pride Centre Society</u> <u>Two Rivers Art Gallery</u> <u>Prince George Hospice Society</u> 	<u>Vanderhoof</u>	<ol style="list-style-type: none"> <u>Nechako Valley Community Services Society</u> <u>McLeod Elementary School</u> <u>District of Vanderhoof - Recreation Department</u> <u>Nechako Valley Exhibition Society</u> <u>Vanderhoof Community Museum-Nechako Valley Historical Society</u> <u>Stuart Nechako Manor</u> <u>Nechako Healthy Community Alliance</u> <u>Good Neighbours Committee</u> <u>Evelyn Dickson Elementary School</u> <u>Vanderhoof Farmers' Market</u> <u>Burrard Market Square</u>
<u>Quesnel</u>	<u>BC</u>	<ol style="list-style-type: none"> <u>Big Brothers / Big Sisters of Quesnel</u> <u>Dunrovin Park Lodge</u> <u>Ecole Baker Elementary</u> <u>Quesnel and District SPCA</u> <u>Quesnel Downtown Association</u> <u>Quesnel Fire Department</u> <u>Quesnel Museum</u> 	<u>St. Boniface</u>	<ol style="list-style-type: none"> <u>Freeze Frame</u> <u>Festival du Voyageur inc.</u> <u>Centre Flavie-Laurent</u> <u>Winnipeg Harvest</u> <u>Actionmarguerite (Foyer Valade)</u> <u>Green Action Center</u> <u>Actionmarguerite (Centre Taché)</u>



COMMUNITIES AND PARTNERS 2011-2012

<u>Quesnel</u> <u>(cont.)</u>	<u>BC</u>	<ol style="list-style-type: none"> 8. <u>Spiritual Assembly of the Bahais of Quesnel</u> 9. <u>Parkland Elementary</u> 10. <u>Quesnel Youth Soccer Association</u> 11. <u>Canadian Cancer Society</u> 12. <u>Salvation Army/Food Bank/Thrift Store</u> 13. <u>Seasons House</u> 14. <u>New Focus Society</u> 15. <u>Tillicum Society Native Friendship Centre</u> 	<u>St. Boniface</u> <u>(cont.)</u>	<u>MB</u>	<ol style="list-style-type: none"> 8. <u>Envol 91FM - La Radio communautaire du Manitoba</u> 9. <u>Accueil Francophone</u> 10. <u>Directorat de l'activité sportive</u> 11. <u>Mondragon</u>
<u>St. Pierre Jolys</u>	<u>MB</u>	<ol style="list-style-type: none"> 1. <u>Centre de petite enfance et de la famille (CPEF)</u> 2. <u>Manoir St-Pierre</u> 3. <u>École Heritage</u> 4. <u>École St Malo School</u> 5. <u>École Communautaire Réal-Bérard</u> 6. <u>Le Repos Jolys</u> 7. <u>EPIC de St. Malo Inc./SMILE of St. Malo Inc.</u> 8. <u>St-Pierre-Jolys Museum/Musée de St-Pierre-Jolys Inc.</u> 9. <u>St-Pierre en Boom Inc.</u> 	<u>Steinbach</u>	<u>MB</u>	<ol style="list-style-type: none"> 1. <u>Steinbach 55 Plus (Serving Seniors Inc.)</u> 2. <u>enVision Community Living</u> 3. <u>Steinbach Arts Council</u> 4. <u>Mennonite Heritage Village</u> 5. <u>Eldad Ranch</u> 6. <u>HavenGroup, Rest Haven Nursing Home - Cedarwood Supportive Housing</u> 7. <u>Anna's House</u> 8. <u>Bethesda Place PCH</u>
<u>Grand Moncton</u>	<u>NB</u>	<ol style="list-style-type: none"> 1. <u>École Champlain</u> 2. <u>Centre culturel Aberdeen Coopérative inc.</u> 3. <u>St. Patrick's Family Centre</u> 4. <u>Canadian Red Cross</u> 5. <u>GMSENB United Way Inc.</u> 6. <u>Club Garçons et Filles de Dieppe</u> 7. <u>Société Canadienne du Cancer</u> 8. <u>Boys & Girls Club of Moncton Inc.</u> 9. <u>YMCA of Greater Moncton</u> 10. <u>Moncton Headstart Inc.</u> 	<u>Richibucto</u>	<u>NB</u>	<ol style="list-style-type: none"> 1. <u>Croix-Rouge canadienne / Canadian Red Cross</u> 2. <u>Rexton Lions Nursing Home</u> 3. <u>Parc national du Canada Kouchibouguac / Kouchibouguac National Park of Canada</u> 4. <u>Deja-Vue Inc. (Used Clothing Store)</u> 5. <u>École Soleil Levant</u> 6. <u>Robren House Inc.</u> 7. <u>Centre communautaire d'apprentissage aux adultes</u> 8. <u>Centre d'information touristique et historique de Richibucto</u> 9. <u>Les Amis de La Kouchibouguacis</u>



COMMUNITIES AND PARTNERS 2011-2012

<u>Goose Bay</u>	<u>NL</u>	<ol style="list-style-type: none"> <u>Happy Valley - Goose Bay - SPCA</u> <u>École Boréale</u> <u>Labrador Friendship Centre</u> <u>Birch Brook Nordic Ski Club</u> <u>Fédération des parents HVGB Labrador</u> <u>NunatuKavut</u> <u>Happy Valley-Goose Bay Long Term Care Center</u> <u>Them Days Incorporated</u> <u>Nunatsiavut Government Department of Health and Social Development</u> <u>Parks and Recreation</u> 	<u>North West River and Sheshatshiu</u>	<u>NL</u>	<ol style="list-style-type: none"> <u>Labrador Heritage Society</u> <u>Television Community Recreation - TVCR</u> <u>Town of North West River</u> <u>Nunatsiavut Government Department of Health and Social Development</u> <u>Sivunivut Inuit Community Corporation</u> <u>Sheshatshiu Innu First Nation School</u> <u>Charles J. Andrew Youth Treatment Centre</u> <u>Sheshatshiu Band Council</u> <u>Community Youth Network</u> <u>Shakastueu Pishum Centre Daycare</u> <u>NWR Community Centre</u>
<u>Spryfield</u>	<u>NS</u>	<ol style="list-style-type: none"> <u>Boys and Girls Club of Spryfield</u> <u>Home of the Guardian Angel</u> <u>St. Paul's Family Resources Institute</u> <u>The Salvation Army Family Resource Centre</u> <u>Edward Jost Children's Centre</u> <u>Urban Farm Museum Society</u> <u>Chebucto Connections</u> <u>Spryfield Lions Club</u> <u>Sackville Rivers Association</u> <u>CKRH 98.5 FM</u> <u>Nova Scotia Environmental Network</u> <u>Ecology Action Centre</u> <u>Dance Nova Scotia</u> <u>The YMCA of Greater Halifax/Dartmouth</u> 	<u>Wolfville</u>	<u>NS</u>	<ol style="list-style-type: none"> <u>Wolfville Library C@P LAB</u> <u>The Flower Cart</u> <u>Town of Wolfville, Department of Community Services</u> <u>L'Arche Homefires Society - Applewicks</u> <u>Wolfville Farmer's Market</u> <u>Ross Creek Centre for the Arts</u> <u>Wolfville Childrens' Centre Society</u> <u>The K. C. Irving Environmental Science Centre and Harriet Irving Botanical Gardens</u> <u>Valley Community Learning Association</u> <u>L'Arche Homefires Society - Cornerstone</u>
<u>Yellowknife</u>	<u>NT</u>	<ol style="list-style-type: none"> <u>Canadian Parks and Wilderness Society</u> <u>Side Door Youth Centre</u> <u>Yellowknife Women's Society</u> <u>Ecology North</u> <u>Weledeh Catholic School</u> <u>CNIB (Canadian Institute for the Blind)</u> <u>Food Rescue</u> 	<u>Iqaluit</u>	<u>NU</u>	<ol style="list-style-type: none"> <u>City of Iqaluit Recreation Department</u> <u>YWCA Agwvik Nunavut</u> <u>Qikiqtani Inuit Association</u>



COMMUNITIES AND PARTNERS 2011-2012

<u>Yellowknife</u> (cont.)	<u>NT</u>	<ol style="list-style-type: none"> 8. <u>The Salvation Army</u> 9. <u>Yellowknife Glass Recyclers Co-op</u> 10. <u>Fédération franco-ténoise (Jeunesse TNO)</u> 			
<u>Brantford</u>	<u>ON</u>	<ol style="list-style-type: none"> 1. <u>Participation House Brantford</u> 2. <u>Crossing All Bridges Learning Centre Inc.</u> 3. <u>St. Leonard's Community Services - Youth Resource Centre</u> 4. <u>Community Living Brant</u> 5. <u>Community Resource Service</u> 6. <u>Brant Historical Society</u> 7. <u>St. Leonard's Community Services - Justice Services</u> 8. <u>St. Leonard's Community Services - Employment</u> 9. <u>St. Leonard's Community Services - Addiction & Mental Health Services</u> 10. <u>Brantford Arts Block</u> 11. <u>Canadian Military Heritage Museum</u> 12. <u>Habitat for Humanity Brant</u> 	<u>Guelph</u>	<u>ON</u>	<ol style="list-style-type: none"> 1. <u>YMCA-YWCA of Guelph</u> 2. <u>Guelph Environmental Leadership (GEL)</u> 3. <u>FarmStart</u> 4. <u>West End Community Centre</u> 5. <u>Guelph Community Health Centre</u> 6. <u>The Julien Project-using gardening to enrich lives</u> 7. <u>Backyard Bounty</u> 8. <u>10 Carden Shared Services Inc</u> 9. <u>Ignatius College</u> 10. <u>Spiritwind Christian Centre of Guelph - Guelph Food Bank</u> 11. <u>Guelph Lake Nature Centre</u>
<u>Sioux Lookout</u>	<u>ON</u>	<ol style="list-style-type: none"> 1. <u>Sioux Lookout Municipal Child Care Centres</u> 2. <u>Chamber of Commerce</u> 3. <u>Municipality of Sioux Lookout - Community Services Dept.</u> 4. <u>Sioux Lookout Out of the Cold</u> 5. <u>Friends of Cedar Bay</u> 6. <u>Salvation Army Thrift Store</u> 7. <u>New Vision Unlimited</u> 8. <u>Keewaytinook Okimakanak</u> 9. <u>Sioux Lookout Meno Ya Win Health Centre</u> 10. <u>Wawatay TV</u> 11. <u>Sioux Lookout Creative Arts Circle</u> 	<u>Hamilton</u>	<u>ON</u>	<ol style="list-style-type: none"> 1. <u>Neighbour to Neighbour</u> 2. <u>Green Venture</u> 3. <u>The Good Shepherd Centre</u> 4. <u>Wentworth Lodge</u> 5. <u>Fieldcote Memorial Park & Museum, City of Hamilton</u> 6. <u>Victorian Order of Nurses Hamilton (VON)</u> 7. <u>The Children's International Learning Centre</u> 8. <u>Robert Land Community Association</u> 9. <u>Canterbury Hills Conference Centre</u> 10. <u>Environment Hamilton</u>



COMMUNITIES AND PARTNERS 2011-2012

Orillia	ON	<ol style="list-style-type: none"> 1. <u>Orchard Park Elementary School</u> 2. <u>Orillia Museum of Art & History</u> 3. <u>YMCA of Simcoe/Muskoka - Orillia YMCA</u> 4. <u>V.O.N. Adult Day Program</u> 5. <u>Helping Hands, Orillia</u> 6. <u>Regent Park Public School</u> 7. <u>CARCNET</u> 8. <u>Kids For Turtles Environmental Education</u> 9. <u>City of Orillia, Parks & Recreation Department</u> 10. <u>Information Orillia</u> 11. <u>Orillia & District Arts Council</u> 12. <u>Downtown Orillia Management Board</u> 13. <u>Orillia Opera House</u> 14. <u>Canadian Authors Association</u> 15. <u>Salvation Army</u> 	<u>Huntsville</u>	ON	<ol style="list-style-type: none"> 1. <u>Community Services - Parks, Cemeteries & Environment</u> 2. <u>Town of Huntsville - Community Services - Youth Programming</u> 3. <u>Muskoka Heritage Place</u> 4. <u>Arrowhead Provincial Park</u> 5. <u>The Table Soup Kitchen Foundation</u> 6. <u>Huntsville/Lake of Bays Chamber of Commerce</u>
Midland	ON	<ol style="list-style-type: none"> 1. <u>Huron Museum Huron Owendat Village</u> 2. <u>Community Living Huronia</u> 3. <u>Midland YMCA</u> 4. <u>Salvation Army - Community & Family Services</u> 5. <u>Wendat</u> 6. <u>La Clé d'la Baie en Huronie</u> 7. <u>Port McNicoll Public School</u> 8. <u>Éco-Huronie</u> 9. <u>Le Villageois de Lafontaine</u> 	<u>Ottawa</u>	ON	<ol style="list-style-type: none"> 1. <u>Corporation of the Town of Newmarket</u> 2. <u>York Region Food Network</u> 3. <u>Windfall Ecology Centre</u> 4. <u>Glen Cedar Public School</u> 5. <u>Community Living Newmarket/Aurora District</u> 6. <u>Kerry's Place Autism Services</u> 7. <u>The Alzheimer Society of York Region</u> 8. <u>YMCA</u>
Toronto	ON	<ol style="list-style-type: none"> 1. <u>The Salvation Army</u> 2. <u>CNIB</u> 3. <u>Canadian Red Cross - Toronto Region</u> 4. <u>Evergreen Brickworks</u> 5. <u>Variety Village</u> 	<u>Vanier</u>	ON	<ol style="list-style-type: none"> 1. <u>The Otesha Project</u> 2. <u>Ecology Ottawa</u> 3. <u>YMCA-YWCA National Capital Region</u> 4. <u>University of Ottawa - Physical Resources & Sustainability</u> 5. <u>EnviroCentre</u> 6. <u>CPAWS Ottawa Valley chapter</u> 7. <u>KidSport Ottawa</u> 8. <u>Ottawa Riverkeeper</u> 9. <u>The Natural Step</u>
		<ol style="list-style-type: none"> 1. <u>Muséoparc Vanier Museopark</u> 2. <u>Résidence St-Louis</u> 3. <u>Centre Pauline-Charron</u> 4. <u>Wabano Centre for Aboriginal Health</u> 5. <u>Centre de ressources communautaires de la</u> 			



COMMUNITIES AND PARTNERS 2011-2012

<u>Toronto</u> (cont.)	<u>ON</u>	<ol style="list-style-type: none"> 6. <u>TakingITGlobal</u> 7. <u>Canadian Red Cross</u> 8. <u>The Stop</u> 9. <u>FoodShare Toronto</u> 	<u>Vanier</u> (cont.)	<u>ON</u>	<ol style="list-style-type: none"> 6. <u>Basse-Ville</u> 7. <u>Ottawa Inuit Children's Centre</u> 8. <u>Ten Oaks Project</u> 9. <u>EcoEquitable Inc.</u>
<u>Thunder Bay</u>	<u>ON</u>	<ol style="list-style-type: none"> 1. <u>Habitat for Humanity</u> 2. <u>Regional Food Distribution Association</u> 3. <u>The Salvation Army</u> 4. <u>CNIB</u> 5. <u>Boys & Girls Clubs of Thunder Bay</u> 6. <u>The Arthritis Society</u> 7. <u>The Lakehead University Student Union</u> 8. <u>Thunder Bay Art Gallery</u> 9. <u>Definitely Superior Art Gallery</u> 10. <u>LU Radio</u> 11. <u>CAM Clothing Assistance</u> 12. <u>Community Living Thunder Bay</u> 	<u>Charlottetown</u>	<u>PE</u>	<ol style="list-style-type: none"> 1. <u>Aids PEI</u> 2. <u>Habitat for Humanity</u> 3. <u>CHANCES Family Centre</u> 4. <u>École François-Butte</u> 5. <u>Carrefour de l'Isle-Saint-Jean</u> 6. <u>Canadian Red Cross</u> 7. <u>PEI Humane Society</u> 8. <u>Voluntary Resource Centre</u> 9. <u>Confederation Center Art Gallery</u> 10. <u>Institute for Bioregional Studies Ltd.</u>
<u>Gatineau</u>	<u>ON</u>	<ol style="list-style-type: none"> 1. <u>Soupe populaire de Hull</u> 2. <u>SITO</u> 3. <u>CREDDO</u> 4. <u>L'Arche Agapè inc.</u> 5. <u>Maison du Vélo</u> 6. <u>Pointe aux Jeunes</u> 7. <u>Donne-toi une chance</u> 8. <u>École Pierre Elliott Trudeau</u> 	<u>Chisasibi</u>	<u>QC</u>	<ol style="list-style-type: none"> 1. <u>Aniabowa Child and Family Services Centre</u> 2. <u>Cree Board of Health and Social Services of James Bay - Multi-Services Day Centre</u> 3. <u>James Bay Eeyou School</u> 4. <u>Cree nation of Chisasibi - Youth Center</u> 5. <u>Chisasibi Telecommunications Association</u> 6. <u>Brighter Futures - Summer day Camp</u> 7. <u>Cree Board of Health and Social Services of James Bay</u>
<u>Beauport</u>	<u>QC</u>	<ol style="list-style-type: none"> 1. <u>Collège O'Sullivan</u> 2. <u>Patro de Charlesbourg Inc.</u> 3. <u>Aux Trésors d'Agapè</u> 4. <u>Le Pivot</u> 5. <u>CPE la Clé de Sol</u> 6. <u>Société d'Art et d'Histoire de Beauport</u> 7. <u>CPE Monsieur Grosse Bédaine</u> 	<u>Amqui</u>	<u>QC</u>	<ol style="list-style-type: none"> 1. <u>ALESE (Abattons les Échelons Sociaux Économiques)</u> 2. <u>CPE Les P'tits Flots</u> 3. <u>Friperie de la Rivière</u> 4. <u>Les Amiraams de la Vallée inc.</u> 5. <u>Les Grands Amis de la Vallée</u> 6. <u>Maison des familles de la Matapédia</u>



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Beauport (cont.)	QC	<ol style="list-style-type: none"> 8. <u>Ressources familiales de la vieille caserne de Montmorency (Re-Fa-Vie)</u> 9. <u>La Maison Agapè</u> 10. <u>Institut universitaire en santé mentale de Québec (Centre hospitalier Robert-Giffard)</u> 11. <u>Arrondissement de Beauport - Division de la culture, du loisir et de la vie communautaire - Programme d'animation estivale</u> 12. <u>Corporation d'actions et de gestion environnementale de Québec (CAGEQ)</u> 13. <u>Centre résidentiel et communautaire Jacques-Cartier - Les Ateliers à la terre</u> 	Amqui (cont.)	QC	<ol style="list-style-type: none"> 7. <u>Moisson Vallée Matapédia</u> 8. <u>Rayon de partage en Santé Mentale</u> 9. <u>Télévision communautaire de la Vallée de la Matapédia</u> 10. <u>CHSLD Marie-Anne Ouellet</u> 11. <u>Parc régional Val d'Irène</u> 12. <u>Ville d'Amqui</u> 13. <u>Municipalité de Val-Brillant</u>
Montréal - Villeray	QC	<ol style="list-style-type: none"> 1. <u>Cartier Émilie</u> 2. <u>La Place des enfants</u> 3. <u>Centre de ressources et d'action communautaire de la Petite-Patrie (CRAC)</u> 4. <u>La Maisonnée des Parents inc.</u> 5. <u>Centre d'amitié autochtone de Montréal</u> 6. <u>Virage, Groupe d'entraide cancer</u> 7. <u>Cyclo Nord-Sud</u> 8. <u>Centre communautaire Radisson</u> 9. <u>La Relance Jeunes et familles (RJJF) inc.</u> 10. <u>Association sportive et communautaire du Centre-Sud (ASCCS)</u> 11. <u>Santropol roulant</u> 12. <u>Concordia University Television</u> 13. <u>Maison de quartier de Villeray</u> 14. <u>Mouvement ATD Quart Monde</u> 15. <u>Artistes sans frontières Canada</u> 	Dolbeau-Mistassini	QC	<ol style="list-style-type: none"> 1. <u>CPE Croque-Lune</u> 2. <u>Soupe populaire de chez-nous</u> 3. <u>Polyvalente Jean-Dolbeau, Pavillon Le Tournant</u> 4. <u>Festival du Bleuët</u> 5. <u>Groupe Espoir Dolbeau-Mistassini inc.</u> 6. <u>Office municipal d'habitation de Dolbeau-Mistassini</u> 7. <u>Parensemble</u> 8. <u>Société de gestion environnementale</u> 9. <u>Société d'histoire et de généalogie Maria-Chapelaine</u> 10. <u>CSSS Maria-Chapelaine - L'Oasis</u> 11. <u>Portes Ouvertes sur le Lac</u> 12. <u>École Notre-Dame-des-Ange</u> 13. <u>Ressource Ho-Prochain</u> 14. <u>Maison d'intégration Norlac</u> 15. <u>CHSLD Normandin</u> 16. <u>Maison du Bel Âge</u>



COMMUNITIES AND PARTNERS 2011-2012

				<ol style="list-style-type: none"> 1. <u>Comptoir Alimentaire Le Grenier</u> 2. <u>Patro de Lévis</u> 3. <u>École St-Dominique, Service de garde</u> 4. <u>École Notre Dame</u> 5. <u>CPE Jardin d'Oseille</u> 6. <u>Groupe 3R Plus inc. / Écolivres</u> 7. <u>Les Repas Desjardins</u> 8. <u>Les jardins Claude Gosselin</u> 9. <u>École St-Joseph</u> 10. <u>Aux Quatre Vents</u> 11. <u>Café la Mosaïque</u> 12. <u>Association pour la défense des droits sociaux (ADDs) de la Rive-Sud</u> 13. <u>Centre d'action bénévole Bellechasse - Lévis - Lotbinière</u> 14. <u>Les Amis du Parc riverain de la Boyer</u>
<u>Lévis</u>	<u>QC</u>	<u>Potton</u>	<u>QC</u>	<ol style="list-style-type: none"> 1. <u>L'association culturelle, sociale et récréative de Potton Inc (Maison Reilly)</u> 2. <u>Centre d'action bénévole de la Missisquoi-Nord (CAB MN)</u> 3. <u>Maison des jeunes (CAB MN)</u> 4. <u>Centre Ken Jones (CAB MN)</u> 5. <u>Association du patrimoine de Potton inc.</u> 6. <u>Municipalité d'Austin</u> 7. <u>Municipalité de Bolton-Est</u> 8. <u>Corridor Appalachen</u> 9. <u>Mise en valeur de la vallée Missisquoi-Nord</u> 10. <u>Mansonville Elementary School</u> 11. <u>Canton de Potton - Loisirs</u> 12. <u>Les Petits Pieds de Potton</u> 13. <u>Comité consultatif en environnement du Canton de Potton</u> 14. <u>CRDITED Estrie - Dixville Home Foundation (Potton)</u> 15. <u>Coopérative de solidarité La Locomotive</u>
<u>Matane</u>	<u>QC</u>	<u>Québec</u>	<u>QC</u>	<ol style="list-style-type: none"> 1. <u>Société d'histoire et de généalogie de Matane</u> 2. <u>Kaméléart Matane</u> 3. <u>Centre de la petite enfance de Matane</u> 4. <u>Les Grands Amis de la région de Matane</u> 5. <u>Maison de la Famille de la MRC de Matane</u> 6. <u>L'Association Des Handicapés Gaspésiens</u> 7. <u>Ressourcerie La Co.Mode Verte Coopérative de solidarité</u> 8. <u>Fondation Marjorie</u> 9. <u>Les Amis du Jardin de Doris</u>



COMMUNITIES AND PARTNERS

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<u>Mashteuiatsh- Roberval</u>	<u>QC</u>	<ol style="list-style-type: none"> 1. <u>Association du Parc sacré de Mashteuiatsh</u> 2. <u>Centre d'accueil Tshishemishk</u> 3. <u>Coop de solidarité Nihilupan Nitshinatsh</u> 4. <u>Corporation médiatique Teuehikan - CHUK 107,3 FM</u> 5. <u>Musée amérindien de Mashteuiatsh</u> 6. <u>Carrefour social Ushkui</u> 7. <u>CPE Auetissatsh</u> 8. <u>Conseil des Montagnais du Lac St-Jean - Patrimoine, culture et territoire</u> 9. <u>Unité Pastorale Notre-Dame-du-Lac-St-Jean et Katéri Téakawitha</u> 10. <u>Conseil des Montagnais du Lac St-Jean - Équipe - Loisirs</u> 11. <u>Conseil des Montagnais du Lac St-Jean - Travaux Publics</u> 12. <u>Corporation du jardin des Ursulines</u> 	<u>Montréal - Ville Émard</u>	<u>QC</u>	<ol style="list-style-type: none"> 1. <u>L'Arche Montréal inc.</u> 2. <u>Habitat pour l'humanité</u> 3. <u>YMCA of McGill - La porte jaune</u> 4. <u>Les Initiatives communautaires de la Résidence des YMCA du Québec</u> 5. <u>Action Communiterre</u> 6. <u>CKUT</u> 7. <u>YMCA du Québec (Centre Pointe-Saint-Charles)</u> 8. <u>Éco-quartier NDG</u> 9. <u>Pro-Vert Sud-Ouest</u> 10. <u>Association Des Popotes Roulantes Montréal Métropolitain</u>
<u>Rimouski</u>	<u>QC</u>	<ol style="list-style-type: none"> 1. <u>CPE L'enfant du fleuve inc.</u> 2. <u>Friperie de l'Est inc.</u> 3. <u>Corporation du Service des bénévoles du CSSSRN</u> 4. <u>Conseil du loisir scientifique de l'Est du Québec</u> 5. <u>La Maison des Familles de Rimouski-Neigette</u> 6. <u>Musée régional de Rimouski</u> 7. <u>Ville de Rimouski</u> 8. <u>CPE L'Univers des Copains</u> 9. <u>Carrousel international du film de Rimouski</u> 10. <u>Regroupement des Dynamiques de Rimouski</u> 11. <u>CPE La Tralée</u> 12. <u>Journal Le mouton noir - Les Éditions du Berger Blanc</u> 13. <u>Association de développement de St-Marcellin</u> 14. <u>Paraloeil</u> 	<u>Saguenay</u>	<u>QC</u>	<ol style="list-style-type: none"> 1. <u>Les Fermes Solidar Inc.</u> 2. <u>Café du presbytère</u> 3. <u>CPE Coop au Pays des Lutins</u> 4. <u>Séjour Marie-Fitzbach</u> 5. <u>Centre d'hébergement Delage</u> 6. <u>Centre d'hébergement Beaumanoir</u> 7. <u>SPCA SAGUENAY</u> 8. <u>Centre communautaire Les Aînés de Jonquière</u> 9. <u>Société canadienne de la Croix Rouge, Division du Québec, Établissement Chicoutimi</u> 10. <u>Centre d'hébergement Mgr-Victor-Tremblay</u> 11. <u>CPE Les Petits Poussins</u> 12. <u>Corporation du Musée du Saguenay-Lac-Saint-Jean et du site de la Pulperie</u> 13. <u>Fondation Internationale des Cultures à Partager</u> 14. <u>Coopérative de solidarité V.E.R.T.E.</u> 15. <u>Aide-Parents-Plus inc.</u>



COMMUNITIES AND PARTNERS 2011-2012

<u>Assiniboia</u>	<u>SK</u>	<ol style="list-style-type: none"> 1. <u>Assiniboia & District Public Library</u> 2. <u>Shurniak Gallery Inc</u> 3. <u>Town of Assiniboia</u> 4. <u>Assiniboia and District Historical Society</u> 5. <u>Assiniboia Composite High School</u> 6. <u>Assiniboia Seventh Avenue School</u> 7. <u>Assiniboia Family & Childcare Services Inc.</u> 8. <u>Assiniboia Elementary School</u> 9. <u>Prince Of Wales Cultural And Recreation Centre</u> 	<u>Swift Current</u>	<u>SK</u>	<ol style="list-style-type: none"> 1. <u>Swift Current Friendship Centre</u> 2. <u>Saskatchewan Abilities Council</u> 3. <u>Canadian Mental Health Association</u> 4. <u>SouthWest Homes</u> 5. <u>SPCA</u> 6. <u>Riverview Village Estates</u> 7. <u>United Way</u> 8. <u>Swift Current Care Centre Activities</u> 9. <u>Palliser Regional Care Centre</u> 10. <u>Lyric Theatre</u>
<u>Maple Creek</u>	<u>SK</u>	<ol style="list-style-type: none"> 1. <u>Cypress Lodge Nursing Home</u> 2. <u>Jasper Cultural & Historic Centre</u> 3. <u>Town of Maple Creek- Tourism Parks Culture and Recreation</u> 4. <u>The Salvation Army</u> 5. <u>Maple Creek United Church</u> 	<u>Whitehorse</u>	<u>YT</u>	<ol style="list-style-type: none"> 1. <u>Parks and Recreation, City of Whitehorse</u> 2. <u>Volunteer Yukon</u> 3. <u>Yukon Wildlife Preserve</u> 4. <u>Boys & Girls Club of Whitehorse</u> 5. <u>Yukon Arts Centre</u> 6. <u>Blood Ties Four Directions Centre</u> 7. <u>Yukon Sourdough Rendezvous Society</u> 8. <u>Food Bank Society of Whitehorse</u> 9. <u>Yukon Literacy Coalition - Family Literacy Centre</u> 10. <u>Machride Museum</u> 11. <u>Second Opinion Society</u> 12. <u>National Outdoor Leadership School</u> 13. <u>Challenge Community Vocational Alternatives</u> 14. <u>Victoria Faulkner Women's Centre</u>

TOTAL: 53 Communities & 545 partners

Dear City Clerk:

I understand that Mike Salisbury has sent a letter to Council about the loss of Katimavik and that this item may be placed on the consent agenda for council. I will not be able to attend this meeting due to an out of town obligation, but I would appreciate that the following letter that appeared in the Toronto Star be made available to the council.

Published On Sat Apr 07 2012

Re: **Tories kill renowned volunteer program Katimavik, March 30**

We are so far from the age of evidence-based policy making, that I wonder about the future of the evaluation profession in Canada. Why document the benefits of a program that gets cut for some mindless obsession? The evidence in favour of the national Katimavik program is well established. Not only in government-required evaluations, but more important, in the minds of the volunteers the memory of the communities they enriched.

Katimavik was an incubator of volunteerism in Canada; it shaped the minds of our youth while giving them the chance to learn the skills that universities and colleges cannot teach. It exposed them to the home they call Canada. In our household we witnessed this, both in our son's achievements (a commitment to helping others, and conflict management skills that our politicians should learn from) and in those of a Katimavik volunteer who stayed with us for two weeks.

How to deal with this mindless obsession? I am embarrassed to be a Canadian these days, I have to explain the behaviour of a government that does not represent me, my values or the image I had of Canada when I immigrated here. I only hope the country remembers this absurdity at the next election; by then we will have lost several thousand new committed young Canadians. What a waste.

Ricardo Ramirez, Guelph

Advance thanks.

Ricardo Ramirez, PhD

Ricardo Ramirez Communication Consulting
Adjunct professor, School of Environmental Design and Rural Development, University of Guelph

Please recycle!

- **BYLAWS** -

- April 23, 2012 -	
By-law Number (2012)-19360 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 2012.	To set the tax ratios and tax rate reductions for prescribed property subclasses as per Clause 1 of the 2 nd Consent Report of the Corporate Administration, Finance & Enterprise Committee.
By-law Number (2012)-19361 A by-law to set the tax rates for City purposes for the year 2012 and to provide for a final tax levy and the payment of taxes.	To set the tax rates for City purposes for 2012 as per Clause 1 of the 2 nd Consent Report of the Corporate Administration, Finance & Enterprise Committee.
By-law Number (2012)-19362 A by-law to levy education tax rates for the year 2012.	To levy education rates for 2012.
By-law Number (2012)-19363 A by-law to impose and levy a rate of taxation for the Board of Management for the Downtown Business Improvement Area of the City of Guelph for the 2012 taxation year.	To impose and levy a rate of taxation of the Board of Management for the Downtown Business Improvement Area for 2012.
By-law Number (2012)-19364 A by-law to specify the claw back percentages and the capping threshold parameters for the year 2012 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.	To specify the claw back percentages and capping thresholds for commercial, industrial and multi-residential property classes as per Clause 1 of the 2 nd Consent Report of the Corporate Administration, Finance & Enterprise Committee.
By-law Number (2012)-19365 A by-law to authorize the execution of release of a Development Agreement with respect to property described as Part Lot B, Broken Front Concession Division F (formerly Guelph Township), City of Guelph.	To execute release of a development agreement.
By-law Number (2012)-19366 A by-law to amend By-law Number (2002)-17017 (installing No Parking zones on	To amend the Traffic By-law.

<p>the side of Glasgow St. commencing from Paisley Rd. to 21m south thereof, on the east side of Norfolk St. commencing 15m south of Suffolk St. to 9m south thereof and on the west side of Delhi St. from 40m north of Eramosa Rd. to 10m north thereof in the No Parking Schedule XV; removing the west side of Delhi St. from 35m north of Eramosa Rd. To 15m north thereof in the Restricted Parking Schedule XVII; installing the east side of Norfolk St. commencing 15m south of Suffolk St. to 9m south thereof in the 15 Minute/Public Loading Zones Schedule XVIII; installing both sides of Buckthorn Cres. commencing from Grange Rd. to 15m north thereof in the No Stopping Schedule XVI), and adopt Municipal Code Amendment #465, amending Chapter 301 of the Corporation of the City of Guelph's Municipal Code.</p>	
<p>By-law Number (2012)-19367 A by-law to authorize the execution of a Transfer Release and Abandonment of an Easement with respect to lands described as Lots 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,17, 18, 19, 20, 21, 22 and 23, Plan 61M177 and Part Lot 10, Concession 8 (formerly Puslinch Township), (being the lands described in PIN 71186-3398), City of Guelph.</p>	<p>To execute a transfer release and abandonment of an easement.</p>
<p>By-law Number (2012)-19368 A by-law to amend the Official Plan for the Corporation of the City of Guelph as it affects property known municipally as 1475-1483 and 1499 Gordon Street and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph to redesignate a 3181 square metre portion of the lands from the current "Medium Density Residential" to "Commercial Mixed Use" to permit a range of commercial uses and mixed residential/commercial uses (File: OP1102).</p>	<p>To amend the Official Plan for land known municipally as 1475-1483 and 1499 Gordon Street as approved by Council.</p>
<p>By-law Number (2012)-19369 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 1475-1483 and 1499 Gordon Street</p>	<p>To amend the Zoning By-law as approved by Council for property known municipally as 1475-1483 and 1499 Gordon Street.</p>

and legally described as Part of Lots 1, 2 and 3, Registered Plan 74, Geographic Township of Puslinch, City of Guelph to permit a range of commercial uses and mixed residential/commercial uses (File: ZC1111).	
By-law Number (2012)-19370 A by-law to authorize the purchase of an Easement in favour of the Corporation of the City of Guelph, on Part of Lot 5, Concession 2, Division "G" (formerly Guelph Township), designated as Part 1, Reference Plan 61R11833, City of Guelph.	To authorize the purchase an easement.
By-law Number (2012)-19371 A by-law to remove Lot 20, Plan 61M164, designated as Parts 7 and 8, and Lot 21, Plan 61M164, designated as Parts 9 and 10, Reference Plan 61R11532 in the City of Guelph from Part Lot Control. (23 and 25 Oakes Cres.)	To remove land from part lot control to create separate parcels for semi-detached dwellings to be known municipally as 23 and 25 Oakes Cres.
By-law Number (2012)-19372 A by-law to remove Part of Lot 20, Registered Plan 231, designated as Parts 1 and 2, Reference Plan 61R11821 in the City of Guelph from Part Lot Control. (26 and 28 Huron St.)	To remove land from part lot control to create separate parcels for semi-detached dwellings to be known municipally as 26 and 28 Huron Street.
By-law Number (2012)-19373 A by-law to remove Block 41, Plan 61M167, designated as Parts 34 to 57 inclusive, Reference Plan 61R11603 in the City of Guelph from Part Lot Control. (114, 116, 118, 120, 122, 124, 126 and 128 Curzon Cres.)	To remove land from part lot control to create separate parcels for an eight unit on-street townhouse block to be known municipally as 114, 116, 118, 120, 122, 124, 126 and 128 Curzon Cres.
By-law Number (2012)-19374 A by-law to authorize the execution of an Agreement between Cox Construction Limited and The Corporation of the City of Guelph. (Contract No. 2-1201 for the annual asphalt contract).	To execute Contract No. 2-1201 for the annual asphalt contract as per Consent Report A-2.
By-law Number (2012)-19375 A By-law to provide rules for governing the order and procedures of the Council of the City of Guelph, to adopt Municipal	To adopt a Procedural By-law for Guelph City Council as per Clause 3 Governance Consent Report.

Code Amendment #466 and to repeal By-law (2011)-19300.	
<p>By-law Number (2012)-19376</p> <p>A by-law to authorize the execution of an Agreement between Drexler Construction Ltd. and The Corporation of the City of Guelph. (Contract No. 2-1209 for Speedvale Avenue Reconstruction between Stevenson Street and Sheridan Street)</p>	<p>To execute Contract No. 2-1209 for Speedvale Avenue Reconstruction between Stevenson Street and Sheridan Street as per Consent Report A-3.</p>