CITY COUNCIL AGENDA

DATE May 24, 2011 – 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)

CONFIRMATION OF MINUTES (Councillor Bell)

***"THAT** the minutes of the Council Meetings held April 26, May 3 and 9, 2011 and the minutes of the Council meetings held in Committee of the Whole on April 26 May 3 and 9, 2011 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:

Community & Social Services Committee			
Item	**City Presentation**	**Delegations**	**To be Extracted**
CSS-1 Sustainable Neighbourhood Engagement Framework Update			
CSS-2 Discretionary Social Services Funeral Director's Fees Update		• Doug Gilchrist from Gilchrist Chapel of McIntyre & Wilkie Funeral Home	√

Adoption of balance of Community & Social Services Committee Fifth Consent Report - Councillor Laidlaw, Chair

Corporate Administration, Finance & Emergency Services Committee			
Item	**City Presentation**	**Delegations**	**To be Extracted**
CAFES-1 501 Wellington Street West (Sleeman Manor)		• Mike Salisbury of EarthArtist Planning & Design	√
CAFES-2 Clair Road Emergency Services Centre – Naming Issue			
CAFES-3 Land Ambulance Governance and Accountability			

Adoption of balance of Corporate Administration, Finance & Emergency Services Committee Fourth Consent Report - Councillor Hofland, Chair

Operations & Transit Committee			
Item	**City Presentation**	**Delegations**	**To be Extracted**
OT -1 Temporary Allowance of Exotic Animals			
OT-2 Tree Donation Program			

Adoption of balance of Operations & Transit Committee Fourth Consent Report - Councillor Findlay, Chair

Planning & Building, Engineering & Environment Committee			
Item	**City Presentation**	**Delegations**	**To be Extracted**
PBEE-1 Annual Increase of Building Permit Fee			
PBEE-2 Sign By-law Variance for 124 Woodlawn Road West (Kelsey's Restaurant)			
PBEE-3 3-7 Gordon Street and 28-36 Essex Street – Brownfield Redevelopment			

	Community Improvement Plan – Environmental Study Grant Requests			
PBEE-4	Updated Municipal Waste Management By-law			

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

Council Consent Agenda				
Item		**City Presentation**	**Delegations**	**To be Extracted**
A-1)	Proposed Demolition of 24 Crestwood Place			
A-2)	Proposed Land Exchange – Stockford Road / Grange Road / Lee Park			
A-3)	New Guelph Civic Museum - 6 Dublin Street Property			
A-4)	Guelph Royals Negotiations Update			
A-5)	Community Energy: 2010 Accomplishments – 2011 Work Plan Summary	• Rob Kerr, Corporate Manager, Community Energy		
A-6)	License Agreement between the City of Guelph and Ecotricity Guelph Inc. to Allow Use of Certain City Lands for Solar Photovoltaic Installations			

Adoption of balance of the Council Consent Agenda – Councillor

Other			
Item	**City Presentation**	**Delegations**	**To be Extracted**
(e.g. notices of motion for which notice was given)			

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:

- Community & Social Services – Councillor Laidlaw
- Corporate Administration, Finance & Emergency Services – Councillor Hofland
- Operations & Transit – Councilor Findlay
- Planning & Building, Engineering & Environment – Councillor Burcher
- Council Consent – Mayor Farbridge

SPECIAL RESOLUTIONS

BY-LAWS

Resolution – Adoption of By-laws (Councillor Burcher)

QUESTIONS

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

Council Caucus Room
April 26, 2011 5:30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillor Burcher

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Ms. A. Pappert, Executive Director of Community & Social Services; Ms. D. Jaques, General Manager of Legal/Realty Services/City Solicitor; Mrs. L.A. Giles, General Manager of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

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

Litigation Matter
S. 239 (2) (e) Litigation or Potential Litigation, including matters before Administrative Tribunals.

Litigation Matter
S. 239 (2) (e) Litigation or Potential Litigation, including matters before Administrative Tribunals.

Carried

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

……
Mayor

……..……..
Clerk

Council Caucus Room
April 26, 2011 5:32 p.m.

A meeting of Guelph City Council closed to the public.

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

Absent: Councillor Burcher

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Ms. A. Pappert, Executive Director of Community & Social Services; Ms. D. Jaques, General Manager of Legal/Realty Services/City Solicitor; Mrs. L.A. Giles, General Manager of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Litigation or Potential Litigation

1. Moved by Councillor Hofland
Seconded by Councillor Bell

Mr. M. Amorosi
Ms. D. Jaques

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

Carried

Litigation or Potential Litigation

2. Moved by Councillor Dennis
Seconded by Councillor Findlay

Mr. M. Amorosi
Ms. D. Jaques

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

Carried

The meeting adjourned at 6:30 o'clock p.m.

……..
Mayor

……
Clerk

Council Chambers
April 26, 2011

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

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

Absent: Councillor Burcher

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Ms. A. Pappert, Executive Director of Community & Social Services; Mr. D. Godfrey, Manager, By-law Compliance & Security; Mrs. L.A. Giles, General Manager of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

PRESENTATIONS

Community Survey Summary Results

The Corporate Manager of Strategic Planning introduced Dr. Barry Watson, President and CEO of Environics Research Group, the group which conducted the citizen survey.

Dr. Watson provided information on the main topics and methodology of the survey of the city residents. He reviewed the results with respect to:

- most important issue facing Guelph today

- biggest challenge – inadequate services or high taxes & fees
- services received are good value for tax dollars
- satisfaction with City services
- preferred spending on City services
- preferred core service to be significantly improved
- contact with the City and evaluation of service
- perceptions of the City re: environmental issues
- future growth – low/mid rise vs. taller buildings

1. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT the minutes of the Council meetings held on March 14, 16, 28, 29, April 4 and 13, 2011 and the minutes of the Council meeting held in Committee of the Whole on March 28, 2011 be confirmed as recorded and without being read.

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

VOTING AGAINST: (0)

Carried

Community Survey Summary Results

2. Moved by Councillor Bell
Seconded by Councillor Findlay

Ms. B. Boisvert
Mr. H. Loewig

THAT the report entitled "City of Guelph: Survey of Residents" completed by Environics Research Group in support of Council's 2011 Strategic Plan Revision process, be received.

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

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

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

3. Moved by Councillor Dennis
Seconded by Councillor Guthrie

THAT the April 26, 2011 Community & Social Services Committee Fourth Consent Report as identified below, be adopted:

a) **Cultural Advisory Committee**

Ms. A. Pappert
Mayor Farbridge

THAT report #CSS-ACE-1111 titled "Cultural Advisory Committee" dated April 12, 2011, be received;

AND THAT the River Run Centre Board of Directors be formally dissolved effective April 30, 2011 and the current members be formally thanked by City Council;

AND THAT Council approves the establishment of the Cultural Advisory Committee;

AND THAT the proposed Terms of Reference for the Cultural Advisory Committee as outlined in this report be approved;

AND THAT staff begin the process of recruiting members to the Cultural Advisory Committee;

AND THAT the matter of the reporting structure and the role and function of the Committee be referred to the Governance Committee for review.

b) **Discretionary Social Services Grants**

Ms. A. Pappert
Ms. M. Neubauer

THAT Report #CSS-CESS-1113 entitled "Discretionary Social Services Grants" dated April 12, 2011, be received;

AND THAT the City assume responsibility for administering the funding directly for the two programs, being the City of Guelph Neighbourhood Support Coalition and the Wellington-Dufferin-Guelph Public Health Wee Talk/Action Read, that are 100% funded by the City of Guelph.

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

VOTING AGAINST: (0)

Carried

Councillor Hofland presented the Finance, Administration & Corporate Services Committee Third Consent Report.

4. Moved by Councillor Hofland
Seconded by Councillor Wettstein

THAT the April 26, 2011 Corporate Administration, Finance & Emergency Services Committee Third Consent Report as identified below, be adopted:

a) **Renewal of the Downtown Coordinating Committee Mandate and Structure**

Mr. I. Panabaker
Mrs. L.A. Giles
Mr. H. Loewig

THAT the committee report dated April 11, 2011, prepared by the Downtown Renewal regarding the City of Guelph's renewal of the Downtown Advisory Committee (DAC) Mandate and Structure, be received;

AND THAT Guelph City Council adopt the new mandate and structure for the Downtown Advisory Committee as attached to the report;

AND THAT the City Clerk commence the committee recruitment process for the renewed Downtown Advisory Committee;

AND THAT the existing Downtown Coordinating Committee (DCC) members be thanked for their efforts and the DCC be formally dissolved upon the appointment of the new DAC membership.

b) **Guelph Non-Profit Housing Corporation Tax Exemption Request**

Ms. M. Neubauer
Mr. T. McGurrin
Mr. C. Dyer

THAT Report FIN-11-15, dated April 11, 2011 regarding Guelph Non-Profit Housing Corporation's tax exemption request, be received;

AND THAT Guelph Non-Profit Housing Corporation's request for exemption of education taxes be deferred pending further investigation and discussion with the County of Wellington and the Ministry of Municipal Affairs and Housing;

AND THAT Guelph Non-Profit Housing Corporation's request to extend the current tax exemption to end of December 31, 2025, be approved and the requirement to remain an affordable housing project and owned by the Guelph Non-Profit Housing Corporation;

AND THAT staff be directed to prepare the necessary by-law.

c) **2011 Property Tax Policy**

Ms. M. Neubauer

THAT the following tax policies be incorporated into the tax rate and ratio by-laws:

1. Tax Ratios: Reduce the multi-residential tax ratio from 2.452950 to 2.309425 with all other class ratios and vacancy discounts remaining the same as in 2010.

2. That the capping parameters used for 2010 be adopted for 2011;

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-11-14) remain the same as 2010.

d) **University of Guelph Request for Contribution to The Royal Wedding Scholarship Program**

Dr. A. Summerlee
Ms. M. Neubauer

THAT no action be taken on the request of the University of Guelph for a contribution to The Royal Wedding Scholarship Program.

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

VOTING AGAINST: (0)

Carried

The following item was extracted from the Operations & Transit Committee Second Consent Report to be voted on separately:

- OT-1 By-law Service Review - Update

The Chair of Planning & Building, Engineering & Environment Committee advised that Clause 2 of the Second Report of the Committee with respect to Annual Increase of Building Permit Fees has been removed from the agenda and will form part of the May 24th Council Agenda in order to allow for public notification of this matter.

Councillor Piper presented the Planning & Building, Engineering & Environment Committee Second Consent Report.

5. Moved by Councillor Piper
Seconded by Councillor Bell

THAT the April 26, 2011 Planning & Building, Engineering & Environment Committee Second Consent Report as identified below, be adopted:

a) **Terms of Reference for the Public Advisory Committee to be Established for the Organic Waste Processing Facility**

Dr. J. Laird

THAT the Planning & Building, Engineering & Environment report dated April 18, 2011 entitled "Terms of Reference

for the Public Advisory Committee to be established for the Organic Waste Processing Facility", be received;
AND THAT the Terms of Reference for the Organic Waste Processing Facility Public Advisory Committee be endorsed for submission to the Ministry of the Environment for approval.

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

VOTING AGAINST: (0)

Carried

The following items were extracted from the Governance Committee Third Consent Report to be voted on separately:

- GOV-1 Approval of Full Time Equivalents (Full Time and Regular Part-Time)
- GOV-3 Guelph Municipal Holding Company (GMHC) Implementation Strategy
- GOV-4 CAO Recruitment Process
- GOV-6 Standing Committee Appointment Process
- GOV-9 Family & Children's Services – Appointment of City Councillor to Board of Directors

Councillor Findlay presented the balance of the Governance Committee Third Consent Report.

6. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the balance of the April 26, 2011 Governance Committee Third Consent Report as identified below, be adopted:

a) **Delegation of Authority – Tax Write-Offs and Increases**

Mrs. L.A. Giles
Ms. M. Neubauer

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedule "P" attached to the report of the Director of Information Services/Clerk, dated June 14th, 2010.

b) **CAO Remuneration**

Mr. M. Amorosi

THAT the job rate for the CAO position be adjusted to maintain the 55th percentile of the previously approved municipal comparator group for 2010.

c) **Delegation of Authority – Special Occasion Permits**

Mrs. L.A. Giles

THAT pursuant to Section 23(1) of the Municipal Act, Council delegate by by-law its authority as set out in Schedule "M" of By-law (2010)-18935, as amended.

d) **St. Joseph's Hospital – Appointment of Councillor to the Board**

Ms. M. Walker
Mrs. L.A. Giles

THAT Guelph City Council no longer appoint a member of Council to the St. Joseph's Hospital Board of Directors.

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

VOTING AGAINST: (0)

Carried

Consent Agenda

The following items were extracted from the April 26, 2011 Consent Agenda to be voted on separately:

- A-1 Proposed Demolition of 4 Floral Drive
- A-2 Proposed Demolition of 5 Wolseley Road
- A-3 Proposed Demolition of 40 Derry Street
- B-1 The Highland Companies' Melancthon Township Quarry Proposal

7. Moved by Councillor Kovach
Seconded by Councillor Findlay

THAT the balance of the April 26, 2011 Council Consent Agenda as identified below, be adopted:

a) **Annual Asphalt, Contract No. 2-1101**

Dr. J. Laird
Ms. M. Neubauer

THAT the tender of Capital Paving Inc., Guelph, be accepted and the Mayor and Clerk be authorized to sign the agreement for Contract 2-1101 for the Annual Asphalt Contract for a total tendered price of $2,656,034.52 with actual payment to be made in accordance with the terms of the contract;

AND THAT the $2,512,800.00 approved by the Federal Gas Tax and allocated to bridge and road works to the City, be dedicated to this Annual Asphalt program.

b) **Purchase of Replacement Electronic Patient Care Reporting System**

Mr. S. Armstrong
Ms. M. Neubauer

THAT Council authorize the transfer of funds of $104,000 from the Cross Border Agreement for services performed from 2001-2009 to the Emergency Services Capital Reserve;

AND THAT Contract #11-043 in the amount of $115,537 for the electronic patient care reporting be awarded to Interdev Technologies Inc.

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

VOTING AGAINST: (0)

Carried

DELEGATIONS

Guelph Municipal Holding Company (GMHC) Implementation Strategy

Richard Chaloner was present and expressed concern that the proposed holding company lacks transparency and is another layer to obstruct public access to information on these public enterprises. He suggested that the use of in camera meetings appears to be making it worse. He suggested that the structure should be reviewed to achieve maximum transparency prior to Council approving it.

Councillor Findlay presented Clause 3 that was extracted from the Governance Committee Third Consent Report.

8. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT the Guelph Municipal Holding Company Implementation Strategy be received and approved;

AND THAT the attached revised Shareholder Declaration in support of the new governance structure which is designed to provide oversight and direction to Guelph Hydro Inc. (GHI) and GHI subsidiaries, be approved;

AND THAT the Asset Transfers to Corporations Policy be approved;

AND THAT staff continue to work with representatives of Guelph Junction Railway to develop a revised Shareholder Declaration specific to their organization;

AND THAT Council appoint the Mayor of Guelph and 3 Councillors to serve as GMHC Board members;

AND THAT staff be directed to initiate a citizen selection process for an independent Board member consistent with the Council approved GMHC Board structure.

9. Moved by Councillor Bell
Seconded by Councillor Guthrie

THAT the mater of the Guelph Municipal Holding Company (GMHC) Implementation Strategy be referred back to staff to open the process to include the Guelph Junction Railway and to come back to Council prior to the 2011 Fall Provincial election.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie, Kovach and Van Hellemond, (5)

VOTING AGAINST: Councillors Dennis, Findlay, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (7)

Defeated

10. Moved in Amendment by Councillor Bell
Seconded by Councillor Kovach

THAT Section 10.5 be deleted from the Shareholder Declaration.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Kovach and Van Hellemond (4)

VOTING AGAINST: Councillors Dennis, Findlay, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (8)

Defeated

11. Moved by Councillor Findlay
Seconded by Councillor Hofland

Ms. B. Boisvert
Mrs. L.A. Giles
Mr. H. Loewig

THAT the Guelph Municipal Holding Company Implementation Strategy be received and approved;

AND THAT the attached revised Shareholder Declaration in support of the new governance structure which is designed to provide oversight and direction to Guelph Hydro Inc. (GHI) and GHI subsidiaries, be approved;

AND THAT the Asset Transfers to Corporations Policy be approved;

AND THAT staff continue to work with representatives of Guelph Junction Railway to develop a revised Shareholder Declaration specific to their organization;

AND THAT Council appoint the Mayor of Guelph and 3 Councillors to serve as GMHC Board members;

AND THAT staff be directed to initiate a citizen selection process for an independent Board member consistent with the Council approved GMHC Board structure.

VOTING IN FAVOUR: Councillors Dennis, Findlay, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (8)

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

Carried

Delegations continued

The Highland Companies' Melancthon Township Quarry Proposal

Karen Balcom was present and expressed concern with The Highland Companies' proposal for a mega quarry in northern Dufferin County as it lies directly atop the headwaters of the Grand and Nottawasaga Rivers and the Amabel-Lockport-Guelph Aquifer. She advised of concerns relating to the water taking/water returning; blast chemicals and recirculated water; Minister of Natural Resources extension of the comment period and the ongoing process and the ongoing review of the Aggregate Resources Act Projects.

12. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

Mayor B. Hill
Dr. J. Laird

THAT Guelph City Council supports Melancthon Township in its efforts to seek a more appropriate commenting period through an extension of the Aggregate Resources Act comment deadline, thereby allowing Melancthon Township and its residents an appropriate opportunity for meaningful involvement in this important matter.

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

VOTING AGAINST: Councillor Van Hellemond (1)

Carried

Councillor Findlay presented Clause 1 that was extracted from the Operations & Transit Committee Third Consent Report.

By-law Service Review – Update

13. Moved by Councillor Findlay
Seconded by Councillor Bell

Mr. D. McCaughan

THAT Report OT041111 "Bylaw Service Review – Update" dated April 18, 2011 be received;

AND THAT the recommendations contained within Attachment A of Report OT041111 "By-law Service Review – Update" be implemented with the exception of the maps to the firearms by-law which are to be updated.

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

VOTING AGAINST: (0)

Carried

Councillor Piper presented Clause 1 that was extracted from the Governance Committee Third Consent Report.

Approval of Full Time Equivalents (Full Time and Regular Part-Time)

14. Moved by Councillor Piper
Seconded by Councillor Findlay

THAT the following recommendations be approved:

That;

- New full time and regular part time positions which are reallocated from existing vacant positions in a department require approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the available FTE and job evaluation to determine the appropriate pay level (increase or decrease).

- New full time and regular part time positions which are created through efficiencies found within a department that can be accommodated within the department's approved budget and do not increase the subsequent year's budget, require the approval by the CAO and/or Executive Director of the department, subject to

verification of available funding through the Finance department and review/confirmation through Human Resources of the job evaluation to determine the appropriate pay level.

- New full time and regular part time positions which result in an increase to the approved Annual Budget (i.e. will contribute to an annualized impact in a subsequent budget) require the approval of Council (growth-related, service enhancement, or new service).

- Casual, seasonal, and part-time positions of a short term nature that can be accommodated within a department's approved budget and do not increase the subsequent year's budget, requires the approval of the Executive Director.

- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

It was requested that the clauses be voted on separately.

15. Moved in amendment by Councillor Kovach
Seconded by Councillor Guthrie

THAT the following be added to clause 1 "that can be accommodated within the department's approved budget and do not increase the subsequent year's budget"

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

VOTING AGAINST: (0)

Carried

16. Moved by Councillor Piper
Seconded by Councillor Findlay

Mr. M. Amorosi

That new full time and regular part time positions which are reallocated from existing vacant positions in a department, that can be accommodated within the department's approved budget and do not increase the subsequent year's budget, require approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the available FTE and job evaluation to determine the appropriate pay level (increase or decrease).

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

VOTING AGAINST: (0)

Carried

17. Moved in Amendment by Councillor Kovach
Seconded by Councillor Furfaro

THAT the following be added to Clause 2 "require Council approval".

18. Moved by Councillor Wettstein
Seconded by Councillor Findlay

Mr. M. Amorosi

THAT the following clauses be referred back to staff for clarification:

- New full time and regular part time positions which are created through efficiencies found within a department that can be accommodated within the department's approved budget and do not increase the subsequent year's budget, require the approval by the CAO and/or Executive Director of the department, subject to verification of available funding through the Finance department and review/confirmation through Human Resources of the job evaluation to determine the appropriate pay level.

- New full time and regular part time positions which result in an increase to the approved Annual Budget (i.e. will contribute to an annualized impact in a subsequent budget) require the approval of Council (growth-related, service enhancement, or new service).

- Casual, seasonal, and part-time positions of a short term nature that can be accommodated within a department's approved budget and do not increase the subsequent year's budget, requires the approval of the Executive Director.

- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

The motion to refer took precedence and was voted on first which resulted as follows:

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

VOTING AGAINST: Councillor Kovach (1)

Carried

Councillor Hofland presented Clause 4 that was extracted from the Governance Committee Third Consent Report.

19. Moved by Councillor Hofland
Seconded by Councillor Piper
THAT the CAO recruitment process be approved as follows:

1) That the Governance Committee identify and recommend to Council the hiring of an Executive Search Firm, following a Request for Proposal process.

2) That the CAO Selection Committee add an additional 'community' representative, as provided for in the CAO Employment Policy.

3) That the Executive Search Firm co-ordinate input/consultation into the development of the CAO position profile/qualifications.

20. Moved in Amendment by Councillor Kovach
Seconded by Councillor Guthrie
THAT the following be added to clause 2: "being Council as Committee of the Whole"

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie, Kovach and Van Hellemond (5)

VOTING AGAINST: Councillors Dennis, Findlay, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (7)

Defeated

21. Moved by Councillor Hofland
Seconded by Councillor Piper

Mr. M. Amorosi
Mayor Farbridge

THAT the CAO recruitment process be approved as follows:

4) That the Governance Committee identify and recommend to Council the hiring of an Executive Search Firm, following a Request for Proposal process.

5) That the CAO Selection Committee add an additional 'community' representative, as provided for in the CAO Employment Policy.

6) That the Executive Search Firm co-ordinate input/consultation into the development of the CAO position profile/qualifications.

VOTING IN FAVOUR: Councillors Dennis, Findlay, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillors Bell, Furfaro and Kovach (3)

Carried

Councillor Piper presented Clause 6 that was extracted from the Governance Committee Third Consent Report.

Standing Committee Appointment Process

22. Moved by Councillor Piper
Seconded by Councillor Hofland

Mrs. L.A. Giles
Mayor Farbridge

THAT the Procedural By-law be amended to:

- Establish a Nominating Committee for the purpose of making recommendations on the appointment of Council members to Standing Committees and public agencies.

- Provide that the Nominating Committee be composed of the Mayor and Chairs of the Standing Committees.

- Provide that the Mayor chair the Nominating Committee.

AND THAT an application process to the Nominating Committee be developed for appointments to the Standing Committees and public agencies.

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

VOTING AGAINST: Councillors Hofland, Kovach and Laidlaw (3)

Carried

Councillor Findlay presented Clause 9that was extracted from the Governance Committee Third Consent Report.

Family & Children's Services – Appointment of City Councillor to Board of Directors

23. Moved by Councillor Findlay
Seconded by Councillor Hofland

Mr. D. Moore
Mrs. L.A. Giles

THAT Guelph City Council no longer appoint a member of Council to the Family & Children's Services Board of Directors.

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

VOTING AGAINST: (0)

Carried

Consent Agenda

Proposed Demolition of 4 Floral Drive, Ward 5

24. Moved by Councillor Findlay
Seconded by Councillor Guthrie

Dr. J. Laird

THAT Report 11-36 regarding the proposed demolition of a detached dwelling at 4 Floral Drive, City of Guelph, from Planning & Building, Engineering & Environment, dated April 26, 2011, be received;

AND THAT the proposed demolition of the detached dwelling at 4 Floral Drive be approved.

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

VOTING AGAINST: Councillor Piper (1)

Carried

Proposed Demolition of 5 Wolseley Road, Ward 2

25. Moved by Councillor Wettstein
Seconded by Councillor Findlay

Dr. J. Laird

THAT Report 11-37 regarding the proposed demolition of a detached dwelling at 5 Wolseley Road, City of Guelph, from Planning & Building, Engineering and Environment, dated April 26, 2011, be received;

AND THAT the proposed demolition of the detached dwelling at 5 Wolseley Road be approved.

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

VOTING AGAINST: Councillor Piper (1)

Carried

Proposed Demolition of 40 Derry Street, Ward 2

26. Moved by Councillor Findlay
Seconded by Councillor Guthrie

Dr. J. Laird

THAT Report 11-42 regarding the proposed demolition of a detached dwelling at 40 Derry Street, City of Guelph, from Planning & Building, Engineering and Environment, dated April 26, 2011, be received;

AND THAT the proposed demolition of the detached dwelling at 40 Derry Street be approved.

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

VOTING AGAINST: Councillor Piper (1)

Carried

Special Resolution

27. Moved by Councillor Dennis
Seconded by Councillor Findlay

Ms. D. Jaques
Mr. M. Amorosi
Mayor Farbridge

WHEREAS the City of Guelph has concerns with regard to the governance of the Wellington-Dufferin-Guelph Board of Health;

AND WHEREAS the Board has made it clear it intends to proceed with building a new capital facility in the City of Guelph when able to do so, without having consulted with or having received the consent of Council as well as without sufficient public consultation regarding the needs of its clients and other stakeholders;

AND WHEREAS the Province traditionally pays 75% of the operating expenses of the Board and the City of Guelph pays 46% of the remaining 25% of the operating expenses of the Board;

AND WHEREAS the Province has stated it will not fund any costs related to new capital facilities for the Board;

AND WHEREAS the City has stated it will pay 46% of 25% of the Board's expenses for accommodation, provided that the City is not required to include any new debt issued by the Board for the accommodation expenses on the City's consolidated financial statements;

THEREFORE BE IT RESOLVED THAT:

1. The City shall provide written notice to the Ministry of Health and Long Term Care, the County of Dufferin and the County of Wellington that it intends to withdraw from the Wellington-Dufferin-Guelph Health Unit effective April 30, 2012, pursuant to paragraph 8 of the Agreement between the City and the Counties made January 23, 1997 and requesting that the Ministry arrange for the passing of the appropriate regulations to dissolve the Health Unit and the Board of Health.

2. The Mayor be directed to request that the Ministry appoint an assessor under the *Health Protection and Promotion Act* to investigate and evaluate the Board of Health for the purpose of facilitating the dissolution of the Health Unit to minimize any disruption in the provision of public health services and programs and, if necessary, for any of the following purposes as set out in s.82 of the Act:

   (a) Ascertaining whether the Board of Health is providing or ensuring the provision of health programs and services in accordance with the Act, the regulations and the guidelines;

   (b) Ascertaining whether the Board of Health is complying in all other respects with the Act and the regulations; and,

   (c) Assessing the quality of the management or administration of the affairs of the Board of Health.

3. The Mayor be directed to request a meeting with the Wardens of the County of Wellington and the County of Dufferin to commence a discussion of the process for the dissolution of the Health Unit.

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

VOTING AGAINST: (0)

Carried

BY-LAWS

28. Moved by Councillor Van Hellemond
Seconded by Councillor Findlay
THAT By-laws Numbered (2011)-19179 to (2011)-19195, inclusive, are hereby passed.

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

VOTING AGAINST: (0)

Carried

QUESTIONS

Councillor Bell requested a response to his question as to the point in time when GO Transit informed the City that the closure of Neeve Street would be required.

MAYOR'S ANNOUNCEMENTS

On behalf of Council, the Mayor presented Lois Giles, General Manager of Information Services/City Clerk with a bouquet of flowers in recognition of her retirement.

NOTICE OF MOTION

Councillor Piper gave notice that she will be presenting a motion at a future meeting with respect to the recycling and diversion from landfill of demolition and construction waste in the City of Guelph.

ADJOURNMENT

The meeting adjourned at 10:40 o'clock p.m.

Minutes read and confirmed May 24, 2011.

……..
Mayor

…….
Clerk

Council Caucus Room
May 3, 2011 5:30 p.m.

A 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. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Ms. A. Pappert, Executive Director of Community & Social Services; Mr. D. McCaughan, Executive Director, Operations & Transit, Ms. M. Neubauer, Chief Financial Officer/City Treasurer; Mr. P. Cartwright, Manager of Economic Development & Tourism; Ms. T. Agnello, Acting City Clerk

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

Proposed or Pending Acquisition or Disposition of Land
S. 239 (2) (c) Proposed or pending acquisition or disposition of land

Personal Matters About Identifiable Individuals
S. 239 (2) (b) and (d) Litigation or Potential Litigation

Carried

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

……
Mayor

……..
Acting City Clerk

Council Caucus Room
May 3, 2011 5:32 p.m.

A meeting of Guelph City Council closed to the public.

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Ms. A. Pappert, Executive Director of Community & Social Services; Mr. D. McCaughan, Executive Director, Operations & Transit, Ms. M. Neubauer, Chief Financial Officer/City Treasurer; Mr. P. Cartwright, Manager of Economic Development & Tourism; Ms. T. Agnello, Acting City Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Proposed or Pending Acquisition or Disposition of Land – Sale of City-Owned Land – Hanlon Creek Business Park Phase 1

1. Moved by Councillor Piper
   Seconded by Councillor Burcher

Mr. P. Cartwright

THAT the report dated May 2, 2011 regarding the sale of City-owned land in the Hanlon Creek Business Park Phase 1 from Economic Development & Tourism Services, be received.

Carried

Personal Matters About Identifiable Individuals

2. Moved by Councillor Burcher
   Seconded by Councillor Hofland

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

Defeated

The meeting adjourned at 6:25 o'clock p.m.

……
Mayor

……..
Acting Clerk

Council Chambers
May 3, 2011

Council reconvened in formal session at 6:30 p.m.

A meeting to provide an update on the City's Organization Functional Model.

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director, Corporate and Human Resources; Dr. J. Laird, Executive Director of Planning & Building, Engineering & Environment; Mr. D. McCaughan, Executive Director, Operations & Transit; Ms. A. Pappert, Executive Director, Community & Social Services; Ms. T. Agnello, Acting City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

Structural Reorganization

The Chief Administrative Officer provided an update of the City's Organization Functional Model.

He advised Tina Agnello has been appointed Acting City Clerk, and the posting for the City Clerk's position will be forthcoming. He clarified that the General Manager of Information Services portion of the position will no longer exist and the various divisions have been dispersed.

He advised of the following changes:

- the Clerk's Department and Information Technology have been integrated into Corporate and Human Resources, reporting to Mr. Mark Amorosi
- ServiceGuelph has been shifted to Community and Social Services, reporting to Ms. A. Pappert;

- Corporate Communications will continue to report to the CAO's office.

The meeting adjourned at 6:43 p.m.

……..
Mayor

…….
Acting City Clerk

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

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

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

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest

CONSENT AGENDA

The following items were extracted from the May 3, 2011 Consent Agenda to be voted on separately:

- A-2 CAO Executive Search Firm Selection Process and Recommendation

1. Moved by Councillor Findlay
   Seconded by Councillor Burcher

THAT the May 3, 2011 Council Consent Agenda, as identified below, be adopted:

a) **Dublin Street Reconstruction, From Suffolk Street to Waterloo Avenue – Contract No. 2-1113**

Dr. J. Laird
Ms. S. Aram

THAT the tender of Drexler Construction Limited, Rockwood be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-1113 for the Dublin Street Reconstruction from Suffolk Street to Waterloo Avenue Contract for a total tendered price of $2,217,683.65 with actual payment to be made in accordance with the terms of the contract.

b) **Potential Sale of City Owned Land – Hanlon Creek Business Park Phase 1**

Mr. P. Cartwright
Mr. M. Amorosi
Ms. D. Jaques
Ms. S. Aram

THAT the Mayor and Clerk be authorized to execute an Option Agreement regarding the potential sale of City-owned land in the Hanlon Creek Business Park Phase 1 to Guelph Hydro Inc., in the amount of $1,205,750.00, as described in the report of May 3rd, 2011 which has been prepared by Economic Development and Tourism Services, subject to the Option Agreement's format and content being satisfactory to the General Manager of Economic Development and Tourism as well as the General Manager of Legal Services/City Solicitor;

AND THAT the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale should Guelph Hydro Inc. exercise its option to purchase the property described in the report of May 3rd, 2011, subject to the Agreement of Purchase and Sale's format and content being satisfactory to the General Manager of Economic Development and Tourism as well as the General Manager of Legal Services/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

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.

DELEGATIONS

381 Woolwich Street: Proposed Zoning By-law Amendment (File ZC1105) - Ward 2

Ms. Stacey Laughlin, Development & Urban Design Planner, advised the applicant is proposing to rezone the property to permit office, residential and limited commercial uses within the existing building. She stated they are not proposing any changes to the site or the building, just the use of the building.

Ms. Astrid Clos, on behalf of the applicant, stated they believe the office residential zone is consistent with the neighbourhood and the Official Plan. They wish to replace the current retail use of the main floor with office space. She stated they also have a letter of support for their application from a nearby business owner.

2. Moved by Councillor Findlay
Seconded by Councillor Hofland

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-41 regarding a Zoning By-law Amendment application to permit office, residential and limited commercial uses in accordance with the 'OR' (Office Residential) zone for the property municipally known as 381 Woolwich Street, and legally described as Part of Lot 18, Registered Plan 18, from Planning & Building, Engineering and Environment dated May 3, 2011 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

781-783 Wellington Street West: Proposed Zoning By-law Amendment (File ZC1106) – Ward 4

Ms. Stacey Laughlin, Development & Urban Design Planner, advised the property is currently vacant and the applicant wishes to rezone the property to permit the development of a four storey, 15 unit residential apartment building. She stated they are requesting to reduce the parking regulation to 1.3 parking spaces per unit and to reduce the parking setback in the rear yard to 1.5 metres.

She advised that a record of site condition was filed in 2008 and will be reviewed. She confirmed that the trees will most likely be removed from the development site.

Ms. Nancy Shoemaker, on behalf of the applicant, advised the proposal will allow for the development of a brownfield site with medium density transit-supported land use and is consistent with the proposed Official Plan. She advised the building has been located away from the abutting residential properties to provide greater privacy and sunlight on those properties. She advised the applicant is requesting two variances related to parking. She stated a solid privacy fence and landscaping would be put in place

to prevent lighting issues from the cars. The trees are old and it is anticipated they will not survive so a compensation plan will be forthcoming. She also advised that the grading will be matched with the abutting properties. If a retaining wall is needed, it will be located on the development property away from the current residents. She stated the property has been remediated and is suitable for residential use. She stated the garbage collection will be conducted by a service provider. The applicant is targeting their market to seniors and empty nesters.

The applicant will consider the following issues:

- landscaping to discourage graffiti;
- designating parking spaces adjacent to the neighbouring property as visitor parking;
- increasing the parking to 1.5 spots per unit;
- increasing the buffer zone;
- meeting energy star levels.

Ms. Linda Froklage and Mr. Mike Boire advised that they would like consideration given to the access to Wellington Street due to serious traffic concerns. They suggested using one entrance onto Fife Road, closing the entrance to Wellington and making it an on-site turn-around. They also raised concerns regarding the loss of trees.

Staff were directed to address the following:

- access and egress on Wellington Street;
- whether one entrance/exit on Fife Road would suffice;
- lighting concerns;
- fence height, particularly in relation to grading;
- parking;
- buffer distance;
- cut through traffic;
- provide a map to show context of adjacent properties relating to setbacks and building height;
- snow removal;
- garbage collection; and
- landscaping.

3. Moved by Councillor Findlay
Seconded by Councillor Dennis

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-38 regarding a Zoning By-law Amendment application to allow an apartment building for the property municipally known as 781-783 Wellington Street West, and legally described as Part of Lot C, Concession 2, Division E, from Planning & Building, Engineering and Environment dated May 3, 2011 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

180 Gordon Street: Proposed Zoning By-law Amendment (File ZC1107) – Ward 5

Ms. Stacey Laughlin, Development & Urban Design Planner, advised the applicant wishes to build a 12 unit townhouse development. She advised the specialized regulations relate to:

- building height;
- density;
- number of units in a row;
- lot area per dwelling unit;
- lot coverage;
- landscaped open space; and
- building setbacks from the rear and side property lines.

She advised the alignment with Water Street was requested by city staff to address safety issues.

Mr. Bernard Luttmer, applicant, advised the Official Plan allows general residential and stated they wish to have a multi-residential building consisting of 1, 2 and 3 bedroom condominium units. He stated they have met with the GRCA and City staff and community members to get input. He advised the rooftop access would overlook the water only and not neighbouring properties. They selected the building material and style to fit with the heritage properties, and there will be new tree planting and landscaping to fit the neighbourhood. He advised their architect specializes in infill projects in older neighbourhoods. He stated that the building is categorized as 3 stories under the building code, but 4 stories under the zoning by-law. He said they located the building closer to the street to reduce the impact on the neighbours. They will be dedicating a portion of the property that will be a landscape buffer to the City and the right-of-way to Marianne's park to the GRCA. They will be providing seven more parking spaces than is required by the zoning by-law. He stated they have completed an environmental impact study that concluded there will be no negative impact from the development and an engineering site servicing and storm water management brief that indicates the site can be serviced with the existing services and meet city guidelines. He stated that since the property abuts open parkland, and

has rooftop patios and that land has been dedicated, this mitigates the deficiencies in open space. He advised they are committed to meeting energy star standards. He stated they are high end condominiums.

Dr. Karen Balcom raised concerns regarding:

- balance of student rental and owner occupied or family housing;
- size, density and design of the proposed development;
- traffic and road safety.

She believes the development may encourage student housing, and will upset the neighbourhood balance and will resemble a dorm or party zone. She is concerned about the number of exemptions being requested. She stated the building is too tall. She thinks the development is not in keeping with the heritage neighbourhood. She stated there is significant congestion at the corner of Water Street and Albert Street now, and this development will increase this problem. She is concerned that there are not enough parking spaces for potentially sixty people and does not want to see parking overflow onto Albert Street. She also raised the issue of potentially increased garbage and noise on Albert and Water Streets. She is concerned the increase traffic will increase risk for children playing at the triangular park.

Ms. Wainman-Wood, on behalf of OUNRA (Old University Neighbourhood Residents Association) advised they have no objections and see the development is a positive change and is compatible with the heritage neighbourhood. She believes the building will blend in well and that garbage placement, traffic issues and parking seem to have been given ample consideration. She does not consider this to be suited for student housing.

Dr. Hugh Whiteley raised concerns regarding the notification process and does not believe enough opportunity for input has been provided. He requested additional public meetings. He did not see the river systems management plan included in the list of documents to be used in consideration of this development and would like the City to ensure it is utilized. He would like to see the property designated as parkland to provide connectivity for a southside trail along the Eramosa River. He believes the current proposal would only benefit the residents and is not an appropriate use or good planning. He also raised the issue of the buffer and would not like to see the park used as a buffer. He

referred to the Angular Plane interpretation and stated this development cannot meet the requirements.

Mr. Rick Jamieson advised he is in favour of developing the property; however, he raised concerns regarding the snow removal and parking. He does not see the existing plan being sufficient to provide space for snow removal, garbage collection or handicapped parking. He advised that some of the parking places on the property are not viable. He inquired whether there are basements and stated concern that if so, they could be turned into rooms for rental and increase the number of residents. He believes the development is too high in density.

Mr. Dennis Jamieson believes there is over intensification on this property. He stated the height of the building is acceptable but not the number of units. He inquired whether the road will be widening to accommodate the traffic.

Staff were directed to:

- consider the river systems management plan;
- show the relationship between the property, building, buffer and the river;
- determine location of the bus stop;
- determine whether the building and road should be shifted so the entrance to the property lines up with Water Street
- try to increase the amount of green space
- address snow removal;
- address garbage removal;
- examine the angular plane;
- review the buffers;
- determine whether better delineation could happen;
- address privacy issues on the south.

4. Moved by Councillor Kovach
Seconded by Councillor Hofland

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-40 regarding a Zoning By-law Amendment application to allow an apartment building for property municipally known as 180 Gordon Street, and legally described as Part of Lot A, Plan 302, City of Guelph, from Planning & Building, Engineering and Environment dated May 3, 2011 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

CONSENT AGENDA

CAO Executive Search Firm Selection Process and Recommendation

Mayor Farbridge provided a brief synopsis of the CAO search and the reasons for selecting the search firm. She also stated the CAO search committee will meet with the search firm to determine the most effective way of including all members of council without affecting the ability to attract the highest caliber of applicants.

5. Moved by Councillor Piper
Seconded by Councillor Findlay

Mayor Farbridge

THAT the recommendation to appoint Organization Consulting Limited as the successful executive search firm to conduct the CAO search be approved.

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

SPECIAL RESOLUTION

6. Moved by Councillor Piper
Seconded by Councillor Kovach

Mr. P. Cartwright
Mr. M. Amorosi
Ms. D. Jaques
Ms. S. Aram

THAT the Mayor and Clerk be authorized to execute an Agreement of Purchase and Sale regarding the sale of City-owned land in the Hanlon Creek Business Park Phase 1, in the amount of $530,000.00, as described in the report of May 3rd 2011 which has been prepared by Economic Development and Tourism Services, subject to the Agreement of Purchase and Sale's format and content being satisfactory to the General Manager of Economic Development and Tourism as well as the General Manager of Legal Services/City Solicitor;

AND THAT the Mayor and Clerk be authorized to execute an Option to Repurchase Agreement as described in the report of May 3rd 2011 regarding the sale of City-owned land in the Hanlon Creek Business Park Phase 1 which has been prepared by Economic Development and Tourism Services, subject to the Option to Repurchase Agreement's format and content being satisfactory to the General Manager of Economic Development and Tourism as well as the General Manager of Legal Services/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

BY-LAWS

7. Moved by Councillor Wettstein
Seconded by Councillor Guthrie

THAT By-laws Numbered (2011) - 19196 to (2011) - 19198, inclusive, are hereby passed.

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

ADJOURNMENT

The meeting adjourned at 8:40 o'clock p.m.

Minutes read and confirmed May 24, 2011.

……..
Mayor

…….
Acting City Clerk

Council Caucus Room
May 9, 2011 5:45 p.m.

A meeting of Guelph City Council.

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

Absent: Councillor Laidlaw and Van Hellemond

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. A. Pappert, Executive Director of Community & Social Services; Ms. T. Agnello, Acting City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

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

Ontario Municipal Board Hearing – Shared Rental Housing
S. 239 (2) (e) Litigation or potential litigation
S. 239 (2) (f) Solicitor/client privilege

Carried

The meeting adjourned at 5:46 o'clock p.m.

……
Mayor

……..……..
Acting Clerk

Council Caucus Room
May 9, 2011 5:47 p.m.

A meeting of Guelph City Council closed to the public.

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

Absent: Councillor Van Hellemond

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. A. Pappert, Executive Director of Community & Social Services; Ms. T. Agnello, Acting City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

The Associate City Solicitor and the General Manager of Planning & Building Services provided and update on an Ontario Municipal Board hearing matter.

1. Moved by Councillor Findlay
Seconded by Councillor Hofland

Passed in Council
By Special Resolution

THAT the City take no action with respect to an offer to settle in Ontario Municipal Board File No. PL101189.

Carried

The meeting adjourned at 5:58 o'clock p.m.

……..
Mayor

……
Acting Clerk

Council Chambers
May 9, 2011

Council reconvened in formal session at 6:00 p.m.

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

Absent: Councillor Van Hellemond

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. D. McCaughan, Executive Director of Operations & Transit; Ms. A. Pappert, Executive Director of Community & Social Services; Ms. T. Agnello, Acting City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

Re-election of Councillor Burcher to the FCM Board of Directors

1. Moved by Councillor Hofland
Seconded by Councillor Findlay

Counc. Burcher

THAT Guelph City Council approves Councillor Burcher in seeking re-election to the FCM Board of Directors at the 2011 Annual General Meeting in Halifax, Nova Scotia in June, 2011.

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

VOTING AGAINST: (0)

Carried

Special Resolution

2. Moved by Councillor Findlay
Seconded by Councillor Hofland

Ms. D. Jaques
Mr. M. Amorosi

THAT the City take no action with respect to an offer to settle in Ontario Municipal Board File No. PL101189.

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

VOTING AGAINST: Councillor Guthrie (1)

Carried

ADJOURNMENT

The meeting adjourned at 6:10 o'clock p.m.

Minutes read and confirmed May 24, 2011.

……..
Mayor

…….
Acting Clerk

Room C, City Hall
May 9, 2011, 6:15 p.m.

Council convened in special session for the purpose of a strategic planning workshop at 7:00 p.m.

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

Absent: Councillor Van Hellemond

Staff Present: Mr. H. Loewig, Chief Administrative Officer, Mr. M. Amorosi, Executive Director of Corporate and Human Resources, Dr. J. Laird, Executive Director of Planning, Engineering & Environmental Services; General Manager of Planning & Building Services; Mr. D. McCaughan, Executive director, Operations and Transit Hannah, Manager of Development Planning; Ms. A Pappert, Executive Director, Community and Social Services; Ms. B. Boisvert, Corporate Manager, Strategic Planning and Corporate Initiatives; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

STRATEGIC PLAN WORKSHOP
PART 1: MISSION VISION AND VALUES

Dr. C. Bart of the Degroote School of Business was present to lead Council in a workshop to determine the corporation's mission, vision and Values.

Councillor Kovach retired from the meeting at 8:35pm.

Council recessed at 8:35pm and reconvened at 8:45pm.

ADJOURNMENT

The meeting adjourned at 9:20 o'clock p.m.

Minutes read and confirmed May 24, 2011.

……..
Mayor

…….
Acting Clerk

CONSENT REPORT OF THE
COMMUNITY & SOCIAL SERVICES COMMITTEE

May 24, 2011

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

Your Community & Social Services Committee beg leave to present their FIFTH CONSENT REPORT as recommended at its meeting of May 10, 2011.

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) Sustainable Neighbourhood Engagement Framework Update

THAT Report #CSS-CESS-1116 "Sustainable Neighbourhood Engagement Framework Update, dated May 10, 2011, be received, as amended, by amending Section B-3 to state as follows:

"Facilitate Steering Committee Work Group to develop new NSC and NG staffing plan, including review of CD Worker positions."

AND THAT staff be directed to work with the Neighbourhood Support Coalition (NSC) Steering Committee to reach a decision about the long-term status of the Neighbourhood Support Coalition to become either an independent non-profit organization, or enter into a long-term relationship with a Host Organization, and to carry out the decision as described in the SNEF Implementation Plan in this report;

AND THAT in the event that the decision is to pursue a long-term relationship with a Host Organization, that the Executive Director of Community and Social Services and the City Clerk be authorized to enter into a contractual agreement with the host organization for an initial period up to 24 months, with the purpose of implementing the framework, with an annual review to follow.

2) Discretionary Social Services Funeral Directors' Fees Update

THAT Report #CSS-CESS-1115 "Discretionary Social Services Funeral Directors Fees Update", dated May 10, 2011 be received and approved by Community and Social Services;

AND THAT status quo funding be maintained at 2010 levels for discretionary Funeral Services for the 2011 year.

All of which is respectfully submitted.

Councillor Laidlaw, Chair
Community & Social Services Committee

Please bring the material that was distributed with the Agenda for the May 10, 2011 meeting.

COMMITTEE REPORT

TO	**Community and Social Services Committee**
SERVICE AREA	Community Engagement and Social Services Liaison
DATE	May 10, 2011
SUBJECT	**Sustainable Neighbourhood Engagement Framework Update**
REPORT NUMBER	CSS-CESS-1116

SUMMARY

Purpose of Report

To provide an update on the implementation of the Sustainable Neighbourhood Engagement Framework (SNEF) available at:

http://www.guelph.ca/snef

Committee Action

To consider and receive Report # CSS-CESS-1116 and the recommendation that staff work with the Neighbourhood Support Coalition Steering Committee to make a decision regarding their long term status and carry out this decision consistent with the SNEF implementation plan.

RECOMMENDATION

THAT Report # CSS-CESS-1116 "Sustainable Neighbourhood Engagement Framework Update," dated May 10, 2011 be received;

AND THAT staff be directed to work with the Neighbourhood Support Coalition (NSC) Steering Committee to reach a decision about the long-term status of the Neighbourhood Support Coalition to become either an independent non-profit organization, or enter into a long-term relationship with a Host Organization, and to carry out the decision as described in the SNEF Implementation Plan in this report;

AND THAT in the event that the decision is to pursue a long-term relationship with a Host Organization, that the Executive Director of Community and Social Services and the City Clerk be authorized to enter into a contractual agreement with the host organization for an initial period up to 24 months, with the purpose of implementing the framework, with an annual review to follow.

BACKGROUND

Since the 1997 approval of the *'Recreation, Parks and Culture Strategic Plan – Vision 2007'* the City of Guelph has been committed to the development of neighbourhood-based programs and services through active citizen involvement and leadership. The City's support for Neighbourhood Groups was outlined in the Neighbourhood Partnership Policy adopted by City Council in 2001.

At the March 25, 2008 meeting of City Council, a unanimous motion required that "Community Services staff be directed to look at the long term plan and sustainable development of the neighbourhoods". This motion was in response to requests for increased funding to the Neighbourhood Support Coalition (NSC) arising from growth. Staff responded October 15, 2008 with Information Report CS-CD-0820 entitled "Neighbourhood Development Updates" which outlined the scope of City resources and services that support the work of Neighbourhood Groups and the NSC.

Staff identified that there was no current, integrated, sustainable or strategic plan or framework that could respond to the growth and development of neighbourhood groups or informal resident associations. The May 19, 2009 "Neighbourhood Long Term Development Strategy" Report CS-NE-0904, outlined a review to respond to these issues and to determine how the City partners with Neighbourhood Groups and Council approved proceeding with this review in 2009.

The July 19, 2010 Committee Report CS-IS-1015, "Sustainable Neighbourhood Engagement Framework" (SNEF), described the outcomes of the review process and provided an overview of the new Framework. The Framework was developed through a collaborative process by a 16 member Advisory Committee comprised of Neighborhood Group volunteers, NSC Board members, community agency partners and City staff.

At the July 26, 2010 City Council meeting, the SNEF was approved. Council's motion directed City staff to begin the transition plan to secure a "Host" organization by the end of 2010, and that "the Director of Community Services and the City Clerk be authorized to enter into a contractual agreement with the host organization for a period up to 18 months, with the purpose of implementing the framework by the end of the first quarter of 2012."

The SNEF lays out a new structure for building on the assets of Neighbourhood Groups in Guelph. This new structure involves an expanded role for the NSC as an independent organization that acts as a bridge between Neighbourhood Groups and other partners, including the City of Guelph. The Framework recognizes the need for the NSC to be an autonomous organization, and for the City to move from being the main 'facilitator and supporter' of the NSC, to being one of many community partners who share the principles of community development. The Framework consists of: a vision statement, core principles, Neighbourhood Group activities and resource requirements, criteria for Neighbourhood Groups to be eligible for City support, a governance structure and the role of partners. It also includes an Implementation Plan with actions / milestones and time lines.

REPORT

Progress to move the SNEF forward has progressed steadily. As part of the new governance structure of the NSC, the Neighbourhood Panel and Partner Panel are in place (see Appendix 1: Neighbourhood Panel Terms of Reference; Appendix 2: Partner Panel Terms of Reference). Each Panel has chosen their members to sit on the Steering Committee, with the inaugural meeting of the Steering Committee taking place by mid May. Neighbourhood Group leaders increasingly understand the City's new eligibility requirements for City funding and have worked with City staff to revise the funds allocation process. Efforts to find a suitable Host Organization to take a major leadership role in the transition process to create the new NSC organization however have not been successful. City staff has revised the SNEF implementation process and will work with the Steering Committee to move a new transition plan forward. Sustainable funding for the Community Development Worker positions in five "high risk" Neighbourhood Groups still has not been secured. Implementation activities and milestones continue to be reviewed monthly, and timelines adjusted as the transition process moves forward, with an understanding at this point that the transition period will be another 12 months.

Main Achievements

Community Responses to the SNEF

Based on participation levels to date, the community's response to SNEF has been very positive. The former NSC Board became the Neighbourhood Panel in April 2011. It is significant that all 12 existing City-funded Neighbourhood Groups participated to work collaboratively with City staff in the 4-month process to create the terms of reference for the Neighbourhood Panel, including a revised funds allocation process (see Appendix 1) for funds from the City, and other partners and funders. In the past the funds allocation process to Neighbourhood Groups has been criticized for a lack of transparency and accountability. The revised process addresses these issues and will be reassessed by neighbourhood leaders and City staff after this year's funds allocation process is completed.

Not surprisingly there have been varying levels of anxiety in some Neighbourhood Groups around the changes that the SNEF will bring to their operations. Anxiety levels have been decreasing since the fall of 2010 however when City staff began working with individual Neighbourhood Groups and the NSC Board to address their concerns and assist them in understanding the SNEF principles, new criteria, reporting and participation requirements. City staff with the NSC Director and the Partner Panel, will continue to support capacity building of Neighbourhood Group volunteers during the transition period through training and development of new tools and templates. Staff efforts will also focus on enhancing the array of civic engagement activities that Neighbourhood Groups engage in.

During the transition period, it is also important that informal neighbourhood associations be supported. Where there is demand and interest, City staff and eventually NSC staff, will support these groups towards meeting the criteria to become a City-funded Neighbourhood Group.

Partner Panel members have also been active since this Panel was established at the end of September 2010 (see Appendix 2: Partner Panel Terms of Reference), identifying existing supports to Neighbourhood Groups, increasing their understanding of the needs of Neighbourhood Groups, and participating on joint working groups with Neighbourhood Panel members. They continue to look for ways to expand the membership of the Panel and to secure sustainable resources for the NSC and Neighbourhood Groups.

Host Organization

The original SNEF implementation plan called for a transitional Host organization to support the change from the City being the main supporter and facilitator of Neighbourhood Groups' operations, to the new NSC organization playing this role. A Joint Work Group of City staff, Partner Panel and NSC Board members provided input and feedback to the City's tender document to secure a transitional Host organization in November – December 2010, reviewed tender submissions in February 2011, and made the recommendation that the Host organization be the John Howard Society of Waterloo-Wellington. This recommendation was endorsed by both the Partner Panel and the NSC Board in February 2011.

On three occasions City staff met with John Howard Society staff to define our working relationship, clarify the SNEF implementation process and steps, and determine the selection process for the NSC Program Director position. At the third meeting, the John Howard Society and City mutually agreed to the John Howard Society withdrawing their bid to be the Host organization. Over the three meetings it became clear that the City and John Howard Society had a different understanding of the sequencing of the tasks associated with the various phases of the SNEF implementation, as approved by Council and outlined in the tender. As a result, John Howard Society determined that the funds the City had available for the tender would not cover their costs of being a transitional Host as was envisioned in the SNEF.

Community Development Workers

The SNEF identifies the high value that community partners and citizens place on the prevention and early intervention role that the Community Development Workers do with "high risk" families in five Neighbourhood Groups. Until last year 4 Community Development Worker positions were funded annually by Family and Children's Services (F&CS) for approximately $300,000. Last year when F&CS's funds for this program were cut, one-time funding from a number of Partner Panel agencies and other community funders helped to supplement F&CS funds for these positions. This year F&CS has had to reduce staff positions in Neighbourhood Groups to 2.6, and complete funding beyond June 2011 is at risk.

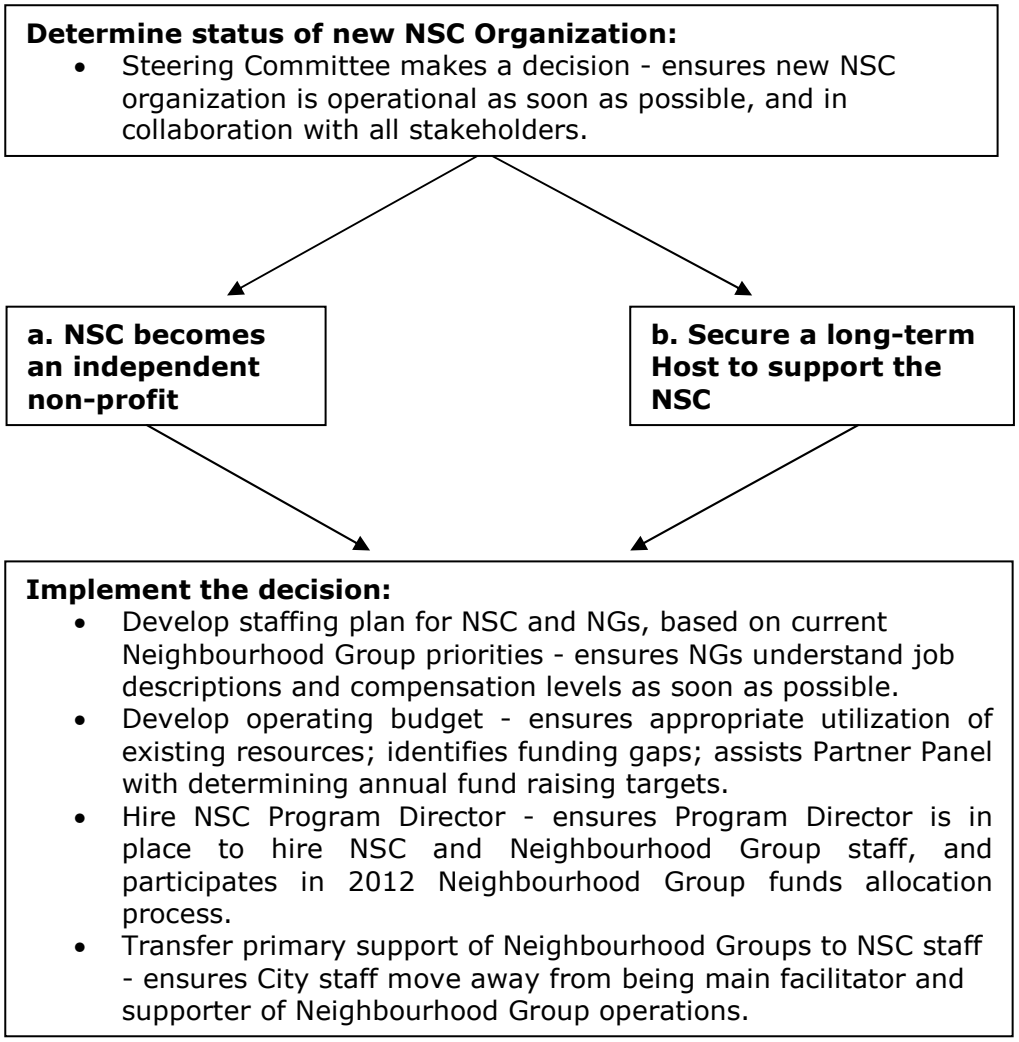
The Partner Panel continues to seek short-term strategies to sustain the important work of the Community Development Workers in the five Neighbourhood Groups while longer-term strategies are pursued. F&CS in collaboration with the Partner Panel has applied for a two year Health Canada "Healthy Communities" grant. This grant will provide the necessary short-term funding for the Community Development Worker positions while long-term sustainable funding strategies

continue to be pursued. F&CS will hear back from Health Canada about the success of this application by the end of May 2011.

SNEF Implementation Milestones and Next Steps

The SNEF Implementation Plan is a tool that helps to assess our progress (see Appendix 3: draft SNEF Implementation Plan). It is a roadmap that outlines the transition process with activities, milestones and timelines that are reviewed monthly. The elements of this plan must be flexible however because the majority of the activities / milestones require working collaboratively within the governance structure of the NSC. Community stakeholder reviews, feedback sessions, and consensus building processes take considerable time and so the time lines of the Implementation Plan must continually be adjusted to ensure authentic public involvement and support from as many stakeholders as possible. This new model of governance and service delivery to communities allows for increased responsiveness to emerging community priorities and needs, and a more effective use of available resources.

As per the revised SNEF Implementation Plan, and subject to Steering Committee approval, the next key activities / milestones for May – January 2012 include:



CORPORATE STRATEGIC PLAN

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

Goal 5: A community- focused responsive and accountable government

FINANCIAL IMPLICATIONS

The funds to support the SNEF implementation are part of the Community and Social Services base operating budget and part of Community Engagement and Social Services division.

Additionally, Community Engagement and Social Services will allocate portions of the Supervisor of Neighbourhood Engagement and three Community Engagement Coordinators' time to work with the Partner Panel, the Neighbourhood Panel, the Steering Committee and Neighbourhood Groups to build the capacity of the NSC, Partners and community volunteers to implement the SNEF.

COMMUNICATIONS

Regular meeting minutes of both the Partner Panel and NSC Board are shared between the two groups. The City Supervisor of Neighbourhood Engagement chairs the Partner Panel, and attends all NSC Board meetings. At both meetings, she provides updates and answers questions on the SNEF Implementation Plan.

ATTACHMENTS

Appendix 1: Neighbourhood Panel Terms of Reference
Appendix 2: Partner Panel Terms of Reference
Appendix 3: Revised draft SNEF Implementation Plan
Appendix 4: Glossary of Key Terms related to SNEF

Prepared By:
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Appendix 1: Terms of Reference for Neighbourhood Panel

Background:
In Guelph, there is a unique system of geographically based Neighbourhood Groups that have emerged gradually across the City, contributing to Guelph's efforts to build stronger, healthier neighbourhoods. Overtime these grassroots organizations have grown to come and be known as the Neighbourhood Support Coalition (NSC) as a result of the hard work of dedicated volunteers, combined with resources and support from The City of Guelph and other partner organizations.

A framework was created through a collaborative process by the Sustainable Neighbourhood Engagement Framework (SNEF) Advisory Committee (consisting of 16 members from Neighbourhood Groups, community agencies, F&CS, City staff and the NSC), endorsed by the NSC and supported by Community Agencies currently working with the Neighbourhood Groups. It was endorsed by Guelph City Council on July 26, 2010.

The framework consists of: a vision statement, core principles, Neighbourhood Group activities, resource requirements and criteria for Neighbourhood Groups to be eligible for City support, a governance structure and the role of partners (see Appendix A for detailed description of the framework elements).

The governance model for the NSC provides a recognized role for partners and neighbourhood leaders in the strategic use and development of resources, for the work of Neighbourhood Groups. In this new framework, and in recognition of the need for the NSC to be an autonomous organization; the City moves from being the main 'facilitator and supporter' of the NSC to being one of many community partners who share the principles of community development.

Purpose:
Advise and support the SNEF Steering Committee and NSC on high level issues of concern through information sharing, mentorship, resource and partner development, and resource allocation to realize the vision that:

> "Engaged neighbourhoods make a difference to the health and well being of the people who live in them. Every neighbourhood in Guelph should be a welcoming, inclusive place that engages its residents and involves them, in large ways and in small ways, in the shared activities that impact the circumstances, aspirations and opportunities of all who live there and raise the quality of life for Guelph as a whole."

Tasks:

- Provide advice and support to the transition of the NSC to an autonomous organization (including securing a Host organization)
- Support and manage the Participatory Budgeting Fund Allocation Process with member Neighbourhood Group representatives in collaboration with the SNEF Steering Committee (see Appendix B for the Participatory Budgeting Fund Allocation Process)
- Respond to the advocacy directions of the SNEF Steering Committee for the interest of Neighbourhood Groups
- Works jointly with the SNEF Steering Committee when called upon
- Support Partner Panel to identify financial and non-financial resources
- Ensure that Neighbourhood Groups are working towards meeting the membership criteria which includes: 1) Following the Principles 2) Participating in the NSC 3) Developing and Maintaining a Governance and Membership Structure 4) Ongoing Reporting (see Appendix C for Membership Criteria)
- Provide opportunities for Neighbourhood Groups to network, share, and receive information about activities and events

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- Support NSC and City staff to develop plans, templates, by-laws and to gather demographic information
- Build capacity in member Neighbourhood Groups and individuals through shared learning and mentoring opportunities
- Provide regular reports and/or minutes to Neighbourhood Groups, the SNEF Steering Committee and the Partner Panel on the activities and decisions of the Neighbourhood Panel

Structure and Process:

- Quorum will be 50% plus one
- Chair or Vice Chair must be in attendance
- Standing agenda items will include:
    - Declaration of conflict of interest at the start of each meeting (see Appendix D for a definition of conflict of interest)
    - Sharing ideas, information, tools, skills, mentoring and networking
- Rules for meetings, operating procedures, meeting norms and conduct in meetings shall be determined annually by Neighbourhood Group representatives at the October meeting. (e.g. cell phone usage, reporting of absenteeism, agenda and minute deadlines, rules for speaking and listening)
- Annual term is from October 1st to September 31st
- Regular meetings will be quarterly, in October, January, April and June on the second Tuesday of the month
- Participatory Budgeting Fund Allocation meetings & deadlines will be(see Appendix B for the Participatory Budgeting Fund Allocation Process):
    - Mid November – Meeting # 1 (training for tools, reports, application guidelines and other training as required i.e. negotiation)
    - Mid January - Submit tools and annual reports
    - End of January – Resubmit corrected tools and reports (if originals are flagged as incomplete or incorrectly filled out)
    - Mid February – Meeting #2 (presentations, review and questions of tools and reports)
    - Late February or March (dependant on funder budgets being approved) Meeting # 3 - Participatory Budgeting Fund Allocation decisions
    - Late March - Debrief will occur via anonymous survey available both hard copy and on line
- Support the SNEF Steering Committee by electing 5 individuals to sit on the Committee

Roles and Responsibilities:

- See Appendix E for the roles and responsibilities of the Neighbourhood Panel as outlined in the SNEF report
- Minimum of one member from each Neighbourhood Group must attend all regular meetings
- All members must have read the previous meetings minutes prior to the meeting
- All members will conduct themselves by the same principles as Neighbourhood Groups by following the four principles outlined in the SNEF Report: Inclusive, Engaging, Responsive, Building a Sense of Belonging (see page 17)
- Must be a community member volunteer of their Neighbourhood Group
- Must have authority to make decisions by consensus on behalf of their Neighbourhood Group
- Follow operating procedures, group norms and meeting conduct as determined annually by the Neighbourhood Panel
- Vice Chair, Secretary and Timekeeper positions are elected annually by the Neighbourhood Panel members

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Chair Roles and Responsibilities:

- One year term
- Must also sit on the SNEF Steering Committee
- No staff persons with a role related to Neighbourhood Groups or the NSC and their partner organization may serve as a Chair
- Set the agenda with the Vice Chair
- Act as a point of contact for the Neighbourhood Panel
- Be the public voice of the Neighbourhood Panel based on decisions made in consultation with the Panel
- Lead and guide meetings with awareness to times set on agenda
- Remain neutral in decision making processes
- Facilitate decisions using consensus process
- Mentor the Vice Chair to succeed them in the following year

Vice Chair Roles and Responsibilities:

- Two year commitment, one year as Vice Chair to move into Chair role in the second year
- If the Chair is unable to fulfill the duties of Chair the Vice Chair will assume the Chair role and all responsibilities
- No staff persons with a role related to Neighbourhood Groups or the NSC and their partner organization may serve as a Vice Chair.
- Set the agenda with the Chair
- Commit to learning the Chair role and build personal capacity to take that role

Secretary Role and Responsibilities:

- There are to be 2 secretaries who serve 1 year terms
- Shared role is to take minutes and distribute meeting related materials to all Neighbourhood Panel members

Time Keeper Role and Responsibilities:

- One year term
- Alert the Chair of the times set on the agenda during discussions

General Member Role and Responsibilities:

- One year term
- Contribute to Neighbourhood Panel discussions and decisions
- Communicate information and items requiring decisions to Neighbourhood Groups

Membership:

All Neighbourhood Groups requesting funds through the NSC are required to be members of the Neighbourhood Panel and to have representatives that sit on the panel

- Members are selected annually by their Neighbourhood Group
- Membership is made up of: (min) one – (max) two volunteers from each Neighbourhood Group
- A third Neighbourhood Group member may attend to “shadow” the neighbourhood representatives in a learning capacity
- Members must be a volunteer of the Neighbourhood Group they represent
- Staff of one Neighbourhood Group may represent another Neighbourhood Group if they are a volunteer of the other group

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- Members may be supported at meetings by staff of their Neighbourhood Group(staff are defined as Community Development Coordinators, Neighbourhood Group Program Coordinators, Program Assistants, Support Workers/Coordinators or any contracted staff of the Neighbourhood Group)

Decision Making:

- By consensus
- Each Neighbourhood Group is allowed one decision
- Every Neighbourhood Group must contribute to the discussions and decisions

Authority/Accountability:

- Make recommendations and provide advice to the SNEF Steering Committee and the Neighbourhood Groups they serve
- The Neighbourhood Panel is a part of the governance structure of the NSC and through the transition, they are accountable to the SNEF Steering Committee, and the Neighbourhood Groups they represent
- Accountable for communication between the SNEF Steering Committee, and the Neighbourhood Groups
- Until the SNEF Steering Committee is established, guide and implement the Participatory Budgeting Fund Allocation process
- Makes decisions on funding allocation through the participatory budgeting process

Review Date:

The terms of reference will be reviewed at the end of the first term (before October 1st, 2011). Further reviews to be determined by the Neighbourhood Panel.

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Appendix A

<u>Sustainable Neighbourhood Engagement Framework Elements</u>

<u>A Vision Statement:</u>

"Engaged neighbourhoods make a difference to the health and well being of the people who live in them. Every neighbourhood in Guelph should be a welcoming, inclusive place that engages its residents and involves them, in large ways and in small ways, in the shared activities that impact the circumstances, aspirations and opportunities of all who live there and raise the quality of life for Guelph as a whole."

1. <u>Core Principles for Neighbourhood Groups:</u>
   Four common principles describe the current work and underlying goals of Neighbourhood Groups. These principles also provide future direction and must be both reflected in the work of Neighbourhood Groups and consistently practiced for groups to be supported by the City and the NSC.

- Inclusive: Neighbourhood Groups create programs, provide spaces and are governed in ways that are inclusive. Neighbourhood Groups actively work towards reducing barriers that might otherwise prevent residents from participating.
- Engaging: Neighbourhood Groups work to include residents in their decision-making process and in the implementation of programs and activities.
- Belonging: Neighbourhood Groups strive to create a sense of belonging and community in the neighbourhoods they serve.
- Responsive: Neighbourhood Groups must constantly adapt and respond to the needs, interests and wishes of their growing range of participants by developing new programs and modifying existing ones.

2. Activities of Neighbourhood Groups:

Neighbourhood Groups currently undertake a multitude of activities that meet the above principles and vision. The list below catalogues the work of current Neighbourhood Groups and provides some guidance and clarity about expectations for new Neighbourhood Groups.

In the new framework, Neighbourhood Groups may now choose to undertake only one, or undertake multiple types of these activities.

The framework moves from the past ten years of work on the delivery of recreation and leisure programming and the evolving delivery of social services to include opportunities that purposefully create a sense of belonging and seek to build a stronger community voice on issues such as public policy, engagement processes, and advocacy.

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	Examples
Delivering accessible services (economic, physical, social)	- Programs with fee subsidies - Physically accessible space and supports - Variety of programs for different ethno-cultural groups
Delivering responsive services (relevant, appropriate)	- Adjusting programs and services based on need - Soliciting feedback from the community - Programs focused on social need
Basic Engagement (decision-making processes, fostering dialogue)	- Newsletter, flyers, emails for events - Activities designed to building engagement - Active recruitment of neighbourhood leaders
Creating a sense of belonging (involvement, outreach, awareness, leadership)	- Community BBQs - Festivals - Capacity building workshops

Providing a voice for the community on issues (policy process, advocacy, community issues)	- Community meetings on issues - Information sessions with government staff - Community organizing - Lobbying

3. Resources for Groups involved in the Sustainable Neighbourhood Engagement Framework:
The Framework is based on the understanding that the City, Neighbourhood Groups, other partnering community agencies and institutions, all play a part in supporting the Neighbourhood Group system. A list of the kinds of resources required by Neighbourhood Groups was provided as well as the stakeholder(s) that could potentially provide them. The list includes: space, insurance, training, neighbourhood profile data, staff, for instance.

4. A New Governance Structure for the NSC:
It is proposed that the NSC build on its existing foundation and strengths and become a new incorporated, non-profit organization acting as a bridge between the City, partner organizations and Neighbourhood Groups to achieve the shared vision for neighbourhoods and to coordinate the flow of multiple resources, while providing support for capacity development of groups.

This change provides the NSC with autonomy to make decisions and determine priorities to achieve the vision of sustainable neighbourhood engagement. A new governance model has been recommended as follows:

The NSC Board would include both elected community leaders from Neighbourhood Groups and a selection of major partners. The two panels, the Neighbourhood Panel and the Partner Panel inform the NSC Board.

A Neighbourhood Panel would be similar to the current structure of the NSC, with each Neighbourhood Group being represented on the panel to discuss issues, advise the Board, mentor and network with each other.

A newly created Partners Panel would include representatives from a selection of major partners who meet to network, discuss issues/solutions and advise the Board. Committed partners to date include:

- Family and Children Services of Guelph/Wellington,
- The Guelph Community Health Centre,
- The Upper Grand District School Board,
- The Volunteer Centre of Guelph/Wellington,
- Guelph Police Services
- Trellis Mental Health and Developmental Services
- Wellimgton Dufferin Guelph Public Health
- Wellington Catholic District School Board

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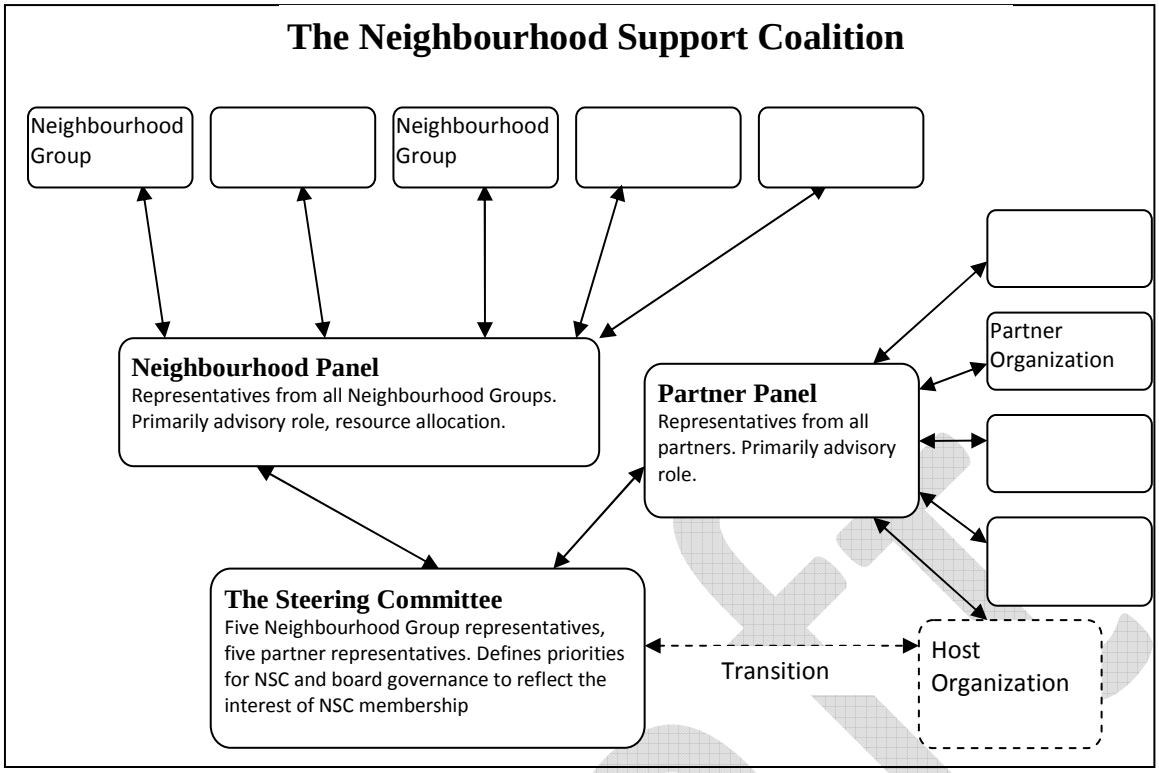
The Neighbourhood Support Coalition
Neighbourhood Group
Neighbourhood Group
Neighbourhood Panel
Representatives from all Neighbourhood Groups. Primarily advisory role, resource allocation.
Partner Panel
Representatives from all partners. Primarily advisory role.
Partner Organization
The Steering Committee
Five Neighbourhood Group representatives, five partner representatives. Defines priorities for NSC and board governance to reflect the interest of NSC membership
Transition
Host Organization

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Appendix B

Participatory Budgeting Funds Allocation

Background & History:

The Neighbourhood Support Coalition (NSC) started to use Participatory Budgeting as a system of fund allocation in 1999. Prior to 1999 the funds available to Neighbourhood Groups were evenly distributed. It was recognized by members of the NSC that even distribution of funding was not the most equitable process. Participatory Budgeting was adopted as a creative solution to this problem.

With Participatory Budgeting residents make direct decisions about the use of public funds. The NSC, made up of residents who volunteered in their local Neighbourhood Group, deliberated and decided on the allocation of funds to each Group. Decisions were based on information sharing about various factors in each neighbourhood, such as activities, demographics, challenges and geography.

As with any grassroots practice the Participatory Budgeting process used by the NSC continued to evolve and change. Due to recognized value as an equitable democratic process, it will remain as the method used by the Neighbourhood Panel, outlined as follows.

Purpose
To allocate funding to Neighbourhood Groups through a process that adjusts quickly to changing needs and priorities and is accountable, transparent, equitable and respectful of the needs of all Neighbourhood Groups, city wide. The process and use of funds by Neighbourhood Groups will be aligned with the vision, core principals, activities, requirements and criteria outlined in the SNEF report (see Appendix A of the Neighbourhood Panel Terms of Reference for a detailed description of the Framework elements).

Process
The Allocaiton Process is for the City of Guelph and the United Way funds and any other funds designated to the Participatory Budgeting Process. All applications, tools and supporting documents must be submitted complete and on time in order for the group to participate in the Participatory Budgeting Funds Allocation process. All Neighbourhood Groups need to participate in the full process of Participatory Budgeting Funds Allocation.

A. Meetings and Deadlines:

- To be reviewed before the next allocation process occurs or if new funders emerge
- Mid November Meeting # 1 -Training for tools, reports, application guidelines and other training as required i.e. negotiation
- Mid January - Submit tools and annual reports
- End of January – resubmit corrected tools and reports
- Early February - Packages containing all tools are made available for all groups
- Early to Mid February (one week before Meeting #2) - deadline for submitting questions to Neighbourhood Groups about their information
- Mid February Meeting #2 -presentations, review and questions of tools and reports
- Late February or March (dependant on funder budgets being approved) Meeting # 3 - Participatory Budgeting Fund Allocation decisions
- Late March - anonymous survey available both hard copy and on line
- Mid April Meeting #4 - Debrief meeting

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- Early October – Third quarter spending reports and reallocations of budgets

B. Funding Categories:

Funding will be allocated in the three categories outlined below.

- Cycle One: a) Community Building b) Community Engagement c) Neighbourhood Programs and Services
- Cycle Two: a) Community Building b) Community Engagement c) Neighbourhood Programs and Services
- Cycle Three: a) Community Building b) Community Engagement c) Neighbourhood Programs and Services
- The cycle continues until all the funds are used. If a Neighbourhood Group does not have an item in a cycle, then is it passed.

Neighbourhood Groups will determine their funding priorities within each category based on their annual community assessments. Requests will be prioritized based on funding from the City of Guelph and United Way and any other funds designated for the Participatory Budgeting Process.

Funding Category	**Activities Included in Category**	**Possible Costs Associated with Activities**
1. Community Building Events	• Community-wide activities including BBQ's and festivals • Community Clean-ups	• Materials/ Supplies • Advertising • Food related costs • Rentals • Program Staff
2. Community Engagement	• Soliciting feedback from the community • Integrating program and services users into leadership roles • Newsletter, flyers • Town Hall Meetings • Active recruitment of neighbourhood leaders • Organizational capacity building • Community meeting on issues • Information sessions with government and partner staff • Community organizing • Door knocking • Lobbying	• Basic operational costs (phone, website, paper, ink etc.) • Photocopying/ printing • Capital Costs (computer, furniture, cabinets etc.) • Space rentals • Administrative/ Outreach/ Volunteer Coordination staff • Facilitation fees • Food related costs
3. Neighbourhood Programs and Services (social, recreational, economic)	• Recreation Programs with fee subsidies • After school Programs • Personal Capacity Building	• Program staff • Program materials/ supplies (toys, arts & crafts, spot equipment, misc)

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	• Programs that offer irregular attendance • Programs for different ethno-cultural groups • Cross-referrals with other services • Food cupboard & clothing closets	• Capital costs (shelving, furniture, freezers) • Food related costs (snacks, and food cupboard etc.) • Space rentals

Roles and Responsibilities:

Trainer:

- Provide training to Neighbourhood Group Representatives at Meeting #1
- City of Guelph Community Engagement Coordinators will fulfill this role in the first term until the NSC is staffed

Neighbourhood Group Representative(s):

- Represent their Neighbourhood Group in the Participatory Budgeting Funds Allocation process in keeping with the vision, core principles, activities, requirements and criteria outlined in the SNEF report and the vision, core principles, activities and requirements of their Neighbourhood Group.
- Follow operating procedures, group norms and meeting conduct as determined annually by the Neighbourhood Panel
- Must be a community member volunteer of their Neighbourhood Group
- Must have authority to make decisions on behalf of their Neighbourhood Group based on familiarity with the Neighbourhood Group finances, and programs and services
- Minimum one, maximum two volunteers from each Neighbourhood Group may participate at the table to discuss, mentor or be mentored
- Every Neighbourhood Group representative may contribute to the discussions and decisions

Neighbourhood Group Staff:

- Neighbourhood Group staff are permitted to participate in all of the meetings and preparatory work of the Participatory Budgeting Funds Allocation Process except for Meeting #3 which they cannot attend (see above meetings and deadlines and Appendix D Conflict of Interest).

Facilitator:

- Manage the Participatory Budgeting Funding Allocation discussion and decisions at Meeting # 2 and #3
- The facilitator of this process needs to be a third party that is not engaged in the work of Neighbourhood Groups
- The facilitator needs to be highly skilled in managing community conversation and without bias as to any specific Neighbourhood Group or the specific activities being funded
- The facilitator will be selected by the SNEF Steering Committee

Numerical Record Keeper(s):

- Two required
- Calculate numerical data as it is presented using a computer and or calculator
- Present the numerical data visually to the participants
- Must be fluent with accounting software and math

Minute Taker:

- Record discussions and decisions

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Observers:

- May attend, but may not participate in any of the meetings.
- Observers are encouraged to provide process feedback via debrief survey

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Appendix C

Membership Criteria

	CRITERIA	WHAT IT INCLUDES	POTENTIAL SUPPORTS
1.Following the Principles: On an annual basis, Neighbourhood Groups will be required to show how their activities further the core principles.	Representation on Neighbourhood Panel	-Every Neighbourhood Group elects one representative to sit on NSC Neighbourhood Panel -Attendance requirements -Voluntary representation on task forces and ad hoc committees -Fundraising collaboration	-Neighbourhood Panel meetings will provide an opportunity for Neighbourhood Groups to share and receive information about neighbourhood activities & events -Panel meetings will deal with high level issues of concern to the NSC, as opposed to the day-to-day operations of the NSC & NG's -Childcare & transportation supports will be provided for attendance
2. Participation in the NSC: The effectiveness of the NSC as an organization depends on the participation of Neighbourhood Groups. Neighbourhood Groups will be required to participate in the NSC via the Neighbourhood Panel and work with each other to provide support and mentorship.	Action Plan	-Activities that the NG will undertake (i.e. special events, programming, services, etc.) -Description of how these activities relate to the core principles -Upcoming year's budget	-NSC assistance in developing plans -Templates
	Inclusion & Outreach Plan	-Outreach activities that the NG plans to undertake to involve members of the neighbourhoods -Description of how the NG will ensure that its activities and operations are inclusive	-NSC assistance in developing plans -Templates -Demographic information about the neighbourhood

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3. Developing and Maintaining a Governance Membership Structure: In order to remain accountable to their residents, Neighbourhood Groups will operate under a not-for-profit governance model.	Elected Board	-Annual elections -Outreach and inclusion to build membership -Open eligibility requirements	-NSC assistance in holding elections -Membership around good governance -Templates (membership forms, agendas, etc.)
	Bylaws	-Bylaws filed with the NSC and available on group websites	-NSC assistance in developing bylaws -Mentorship around good governance -Templates
	Minutes	-Groups will make publicly available the minutes of their meetings	-Templates
	Boundaries	-Groups will define the geographic areas they serve in their bylaws -When new establish the boundaries of the are they will serve -The NSC SNEF Steering Committee will have final approval over boundaries	-NSC assistance determining boundaries when new groups are proposed and when existing groups propose changes to their boundaries -NSC guidelines about establishing boundaries. These guidelines might include rules around overlapping boundaries as well as minimum size requirements (in terms of both population & area)
4. Ongoing Reporting:	Annual Report made publicly available	-Number of programs -Number of participants served -Number of volunteer hours -Membership and development of the group -Stories that highlight the success how the Neighbourhood Group contributes to the principles -Community impact activities that the NG undertook	-NSC assistance in writing the report -Reporting templates
	Annual Financial Report made Publicly Available	-Information about how previous year funds were spent or saved -Report on any fundraising activities -Summary of current accounts	-NSC assistance in writing reports -Templates

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Appendix D

Conflict of Interest

-Avoid conflict of interest, including situations where direct and indirect gains could be accrued to the member as a result of actions or decisions made in the capacity of committee membership. Examples of potential conflict of interest include: A committee member makes a decision motivated by considerations other than the "best interests of the community"; A committee member or close family member enters into a contractual agreement with a party with respect to the NSC; Due to committee membership, a member learns of an opportunity for profit which may be valuable to him/her personally or to an organization of which he/she is a member; A committee member assists a third party in their dealings with the organization, where such assistance could result in favourable or preferential treatment being granted the third party; or Due to committee membership, a member receives gifts or loans

-Where conflicts are unavoidable, members and observers will disclose any conflict or potential conflict, including:

Potential for funding for their organization as a result of a decision by the Council; Intention to seek funding independently under programs discussed by the Council

-All contact with the public, staff, clients, and committee peers will be done in an ethical, fair, and straight forward manner

-Committee members will not exercise individual authority over the committee staff or members;

-Committee members will strive to foster positive working relationships with all stakeholders and staff

-Committee members will maintain confidentiality of committee business as requested. [1]

(Allan Lowe, Ethical Guidelines for Board Members of Not-for- Profit Organizations www.axi.ca ; Association Xpertise Inc. ; 2008)

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Appendix E

Roles and Responsibilities

Roles	SNEF Steering Committee	Neighbourhood Panel	Partner Panel
Information Sharing/Mentoring	All information gets shared back to Panels	Neighbourhood Groups on the panel have the responsibility to mentor other groups when called upon	Partners can be called upon by the Board in an advisory role to provide expertise and information
Resources and Partnership Development	Determine areas of funding and partnership gaps to pursue; work with Partner Panel to source funding for CDWs	Identify local sources of funding and potential partners	Support the sourcing of new funds and partners
Resource Allocation	Guide allocation process, logistics; ensure accountability mechanisms provided by funders are adhered to	Make decisions on funding allocation through the participatory budgeting process	Can sit a allocation process as observers
Stable Staffing	Neighbourhood Group staff reports to and receives feedback from the Coordinator		
Conflict Resolution	SNEF Steering Committee acts as a conflict resolution body for disputes for both panels	Conflicts are resolved through the SNEF Steering Committee	Conflicts are resolved through the SNEF Steering Committee
Advocacy	Advocates for the interests of Neighbourhood Groups to varying levels of government; mobilizes with partners jointly	Responds to the advocacy directions of the SNEF Steering Committee; works jointly with the Board when called upon	Responds to the advocacy directions of the SNEF Steering Committee; works jointly with the Committee when called upon

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Appendix 2: Terms of Reference for Partner Panel

Background:
The framework was created through a collaborative process by the SNEF Advisory Committee (consisting of 16 members from neighbourhood groups, community agencies, F&CS, City staff and the NSC), endorsed by the NSC and supported by Community Agencies currently working with the neighbourhood groups. It was endorsed by Guelph City Council on July 26, 2010.

The framework consists of: a vision statement, core principles, neighbourhood group activities, resource requirements and criteria for neighbourhood groups to be eligible for City support, a governance structure and the role of partners. (See appendix A for detailed description of the framework elements.)

The governance model for the NSC provides a recognized role for partners and neighbourhood leaders in the strategic use and cultivation of resources, for the work of neighbourhoods. In this new framework, and in recognition of the need for the NSC to be an autonomous organization, the City moves from being the main 'facilitator and supporter' of the NSC, to being one of many community partners who share the principles of community development.

Purpose:
To provide guidance and support to the Neighbourhood Steering Committee to realize the vision that:

> "Engaged neighbourhoods make a difference to the health and well being of the people who live in them. Every neighbourhood in Guelph should be a welcoming, inclusive place that engages its residents and involves them, in large ways and in small ways, in the shared activities that impact the circumstances, aspirations and opportunities of all who live there and raise the quality of life for Guelph as a whole."

Tasks:

- To provide advice and support to the transition of the NSC to an autonomous, incorporated organization (including securing a host organization)
- To support the sourcing of new funds and partners through direct provision, advocacy or other means (see appendix B for the supports that neighbourhood groups require)
- To support and co-ordinate the efforts of partner agencies in their work in neighbourhoods
- To formalize the resources and supports that partner groups provide through written agreements and policies or procedures, which will facilitate the reliable, ongoing provision of resources and supports
- To provide a sounding board for new ideas, initiatives
- To provide membership to the Steering Committee and eventually the Board

Structure and Process:

- Meetings will be called and chaired by Kate Bishop, the Supervisor of Neighbourhood Engagement, City of Guelph
- Administrative support to the committee will be provided by the City of Guelph
- The group will determine the frequency of meetings and meeting schedule

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Roles and Responsibilities:
See Appendix C for the roles and responsibilities for the Partner Panel Members as outlined in the SNEF Report.

Membership (September 2010):
City of Guelph
Family and Children's Services
Guelph Community Health Centre
Guelph Police Service
Trellis Mental Health and Developmental Services
Upper Grand District School Board
Volunteer Centre of Guelph / Wellington
Wellington Dufferin Guelph Public Health
Wellington Catholic District School Board

Review Date:
The terms of reference will be reviewed annually.

Authority/Accountability:

- The group will make decisions based on consensus
- The group is part of the governance structure of the NSC and through the transition their accountability will be to the Host Organization and eventually the Board
- The panel will determine a fair and open process for the selection of Partner Panel Members who will serve on the Steering Committee.

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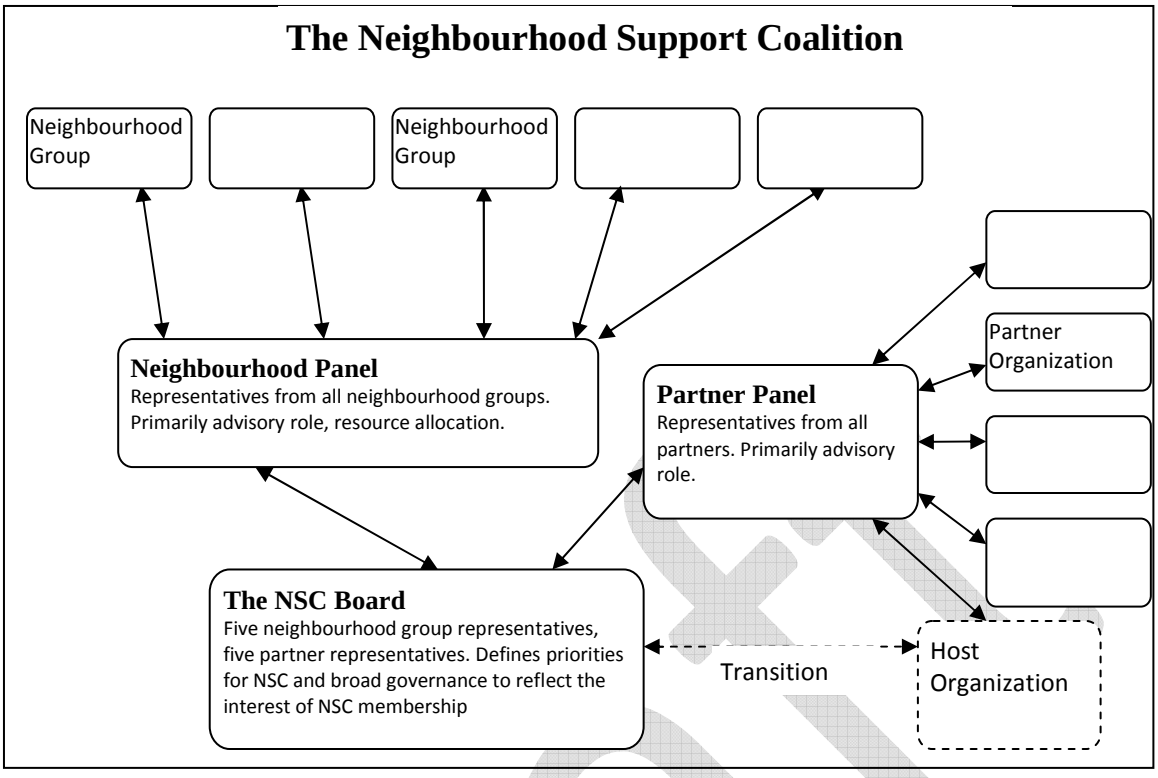
The Neighbourhood Support Coalition
Neighbourhood Group
Neighbourhood Group
Neighbourhood Panel
Representatives from all neighbourhood groups. Primarily advisory role, resource allocation.
Partner Organization
Partner Panel
Representatives from all partners. Primarily advisory role.
The NSC Board
Five neighbourhood group representatives, five partner representatives. Defines priorities for NSC and broad governance to reflect the interest of NSC membership
Transition
Host Organization

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Appendix A

Sustainable Neighbourhood Engagement Framework Elements

A Vision Statement:

"Engaged neighbourhoods make a difference to the health and well being of the people who live in them. Every neighbourhood in Guelph should be a welcoming, inclusive place that engages its residents and involves them, in large ways and in small ways, in the shared activities that impact the circumstances, aspirations and opportunities of all who live there and raise the quality of life for Guelph as a whole."

1. Core Principles for Neighbourhood Groups:
   Four common principles describe the current work and underlying goals of neighbourhood groups. These principles also provide future direction and must be both reflected in the work of neighbourhood groups and consistently practiced for groups to be supported by the City and the NSC.

   - Inclusive: Neighbourhood groups create programs, provide spaces and are governed in ways that are inclusive. Neighbourhood groups actively work towards reducing barriers that might otherwise prevent residents from participating.
   - Engaging: Neighbourhood groups work to include residents in their decision-making process and in the implementation of programs and activities.
   - Belonging: Neighbourhood groups strive to create a sense of belonging and community in the neighbourhoods they serve.
   - Responsive: Neighbourhood groups must constantly adapt and respond to the needs, interests and wishes of their growing range of participants by developing new programs and modifying existing ones.

2. Activities of Neighbourhood Groups:
   Neighbourhood groups currently undertake a multitude of activities that meet the above principles and vision. The list below catalogues the work of current neighbourhood groups and provides some guidance and clarity about expectations for new neighbourhood groups.

   In the new framework, Neighbourhood Groups may now choose to undertake only one, or undertake multiple types of these activities.

   The framework moves from the past ten years of work on the delivery of recreation and leisure programming and the evolving delivery of social services to include opportunities that purposefully create a sense of belonging and seek to build a stronger community voice on issues such as public policy, engagement processes, and advocacy.

	Examples

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Delivering accessible services (economic, physical, social)	- Programs with fee subsidies - Physically accessible space and supports - Variety of programs for different ethno-cultural groups
Delivering responsive services (relevant, appropriate)	- Adjusting programs and services based on need - Soliciting feedback from the community - Programs focused on social need
Basic Engagement (decision-making processes, fostering dialogue)	- Newsletter, flyers, emails for events - Activities designed to building engagement - Active recruitment of neighbourhood leaders
Creating a sense of belonging (involvement, outreach, awareness, leadership)	- Community BBQs - Festivals - Capacity building workshops
Providing a voice for the community on issues (policy process, advocacy, community issues)	- Community meetings on issues - Information sessions with government staff - Community organizing - Lobbying

3. Resources for Groups involved in the Sustainable Neighbourhood Engagement Framework:
The Framework is based on the understanding that the City, neighbourhood groups, other partnering community agencies and institutions, all play a part in supporting the neighbourhood group system. A list of the kinds of resources required by neighbourhood groups was provided as well as the stakeholder(s) that could potentially provide them. The list includes: space, insurance, training, neighbourhood profile data, staff, for instance.

4. A New Governance Structure for the NSC:
It is proposed that the NSC build on its existing foundation and strengths and become a new incorporated, non-profit organization acting as a bridge between the City, partner organizations and neighbourhood groups to achieve the shared vision for neighbourhoods and to coordinate the flow of multiple resources, while providing support for capacity development of groups.

This change provides the NSC with autonomy to make decisions and determine priorities to achieve the vision of sustainable neighbourhood engagement. A new governance model has been recommended as follows:

The NSC Board would include both elected community leaders from neighbourhood groups and a selection of major partners. The two panels, the Neighbourhood Panel and the Partner Panel inform the NSC Board.

A Neighbourhood Panel would be similar to the current structure of the NSC, with each neighbourhood group being represented on the panel to discuss issues, advise the Board, mentor and network with each other.

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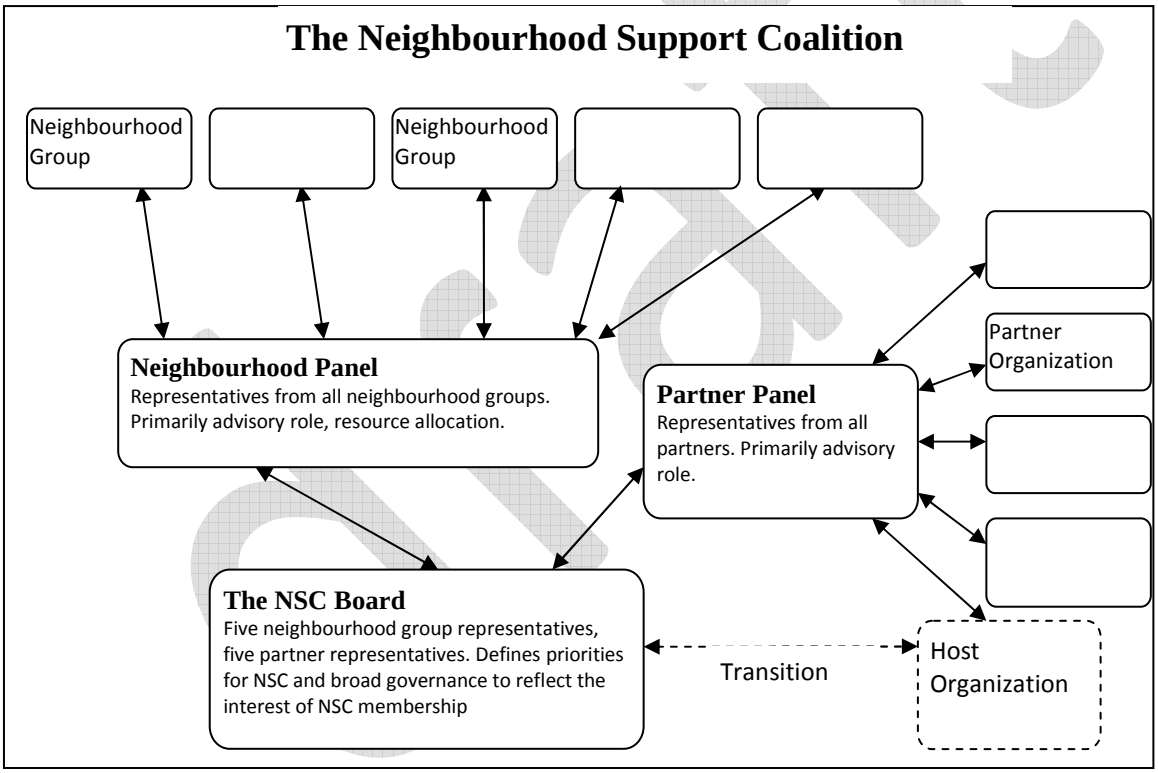
A newly created Partners Panel would include representatives from a selection of major partners who meet to network, discuss issues/solutions and advise the Board. Committed partners to date include:

- Family and Children Services of Guelph/Wellington,
- The Guelph Community Health Centre,
- The Upper Grand District School Board,
- The Volunteer Centre of Guelph/Wellington,
- Guelph Police Services
- Trellis Mental Health and Developmental Services
- Waterloo Dufferin Guelph Public Health
- Wellington Catholic District School Board



Appendix B

Resources and Supports

Resource	Details	Role of NSC	Role of City and Other Partners
Access to City Hall	• Ensuring that NGs face minimal barriers accessing appropriate departments/staff/ systems and services	• NSC would act as contact point for continuity (NG contacts NSC – NSC contacts City) • NSC would act as an advocate for NG interests to the City	• The City identifies staff to assist NGs with system access/navigation within City depts. • City staff contacts act as problem solvers
Permits/Fast Track for Municipal Services	• Related to above – City provides permits for community events, fast track for safety audits and other service requests from HGs	• NSC would act as contact point for continuity (NG contacts NSC – NSC contact City) • NSC would act as an advocate of NG interests to the City	• The city helps to identify staff to assist NGs with system access/navigation
Space	• Office space • Meeting space • Program space • Storage space	• NSC would provide common meeting space at NSC office to be used by NGs • NSC would work with NGs to define appropriate space • NSC would broker deals around space	• Partners provide and/or negotiate appropriate space for NGs to use as required • Partners seek new partners to support NGs in terms of space
Insurance	• For staff and programs • Covers liability	• NSC would purchase group insurance	• Partners explore the possibility of providing insurance to NGs under a partner's liability insurance
Staff	• For questions and	• NSC could provide	• Partners assist in

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	clarification • For programming • To assist with organizational development	:staff/resource-sharing" function across groups/partners • NSC has independent staff	the sourcing of additional resources for NSC internal staff • Partners provide resources to support NG programming staff • Host provides staff resources to assist with the transition of the NSC
Human Resources Supports	• Hiring committees • Policies and procedures • Conflict resolution	• NSC would act as resource centre to share information and resources across groups • NSC would engage in capacity building with NGs as needed • NSC would act as mediator in conflicts and problems between NGs	• Partners sit on hiring committee • Partners advise on conflicts and problem solving when called upon • Partners share information and resources with NSC
Host	• To allow individual NGs to apply for/operate grants • In transition to incorporation	• NSC would seek out an appropriate and independent host during transition to incorporation	• Partners support the sourcing of an independent host
Auditing, Bookkeeping/ Other Financial Services	• Related to above • Supports to NGs to develop capacity	• NSC could contract for services • NSC could explore other economies of scale such as mass purchasing and resource sharing	• Partners provide capacity building to NSC • Partners provide templates and tools • Partners advise on financial matters through the Partner Panel and NSC Steering Committee
Templates/ Guidelines	• Clear, short but thorough tools to use in planning and managing	• NSC could coordinate the templates and distribute to NGs	• Partners provide advisory support and templates

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	projects and funds o Budgeting/financial management tools o Inclusion o Program Planning and Evaluation o By-laws	• NSC could identify areas where new tools are needed	
Training/ Mentoring	• Skills development for volunteers (Program and governance), for staff, for NG overall, cultural competency, etc.	• NSC could be broker • NSC could have own staff as mentors • NGs mentor each other within NSC	• Partners assist in the sourcing of trainers and mentors as needed
Organizational Development	• Includes short-term allocation of CDW/Health Promotion staff to support NGs with specific challenges and development strategies (outreach/ engagement/board/committee development etc.)	• NSC could play mentoring role • NSC could source funding for CDW work – including capacity building – to continue at NSC	• Partners assist in sourcing additional resources for NSC CDW staff
Research/ Information	• Demographic information on changing populations • Service inventories • System navigation info	• NSC could act as a resource centre for a collection of information • NSC could share information on web site • NSC could conduct additional research	• Partners provide demographic data to NSC and NG on a regular basis • Partners provide other research relevant to NGs and the NSC
Communications	• Newsletter/flyers/ Transition • Web site development	• NSC could have one central web site • Economies of scale purchasing for materials and translation •	

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Special Projects	• Joint fundraising[1] • Engagement with city-wide initiatives • Communications	• NSC could play a central role in leading NGs in special projects	• Partners seek NSC support for consultations (Planning and development etc)

[1]

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[1] Also see Federation of Calgary Communities Special Projects page at http://www.calgarycommunities.com/FCCServices/fccs_specialprojects.php

Appendix C

Roles and Responsibilities

Roles	Steering Committee	Neighbourhood Panel	Partner Panel
Information Sharing/Mentoring	All information gets shared back to Panels	Neighbourhood Groups on the panel have the responsibility to mentor other groups when called upon	Partners can be called upon by the Board in an advisory role to provide expertise and information
Resources and Partnership Development	Determine areas of funding and partnership gaps to pursue; work with Partner Panel to source funding for CDWs	Identify local sources of funding and potential partners	Support the sourcing of new funds and partners
Resource Allocation	Guide allocation process, logistics; ensure accountability mechanisms provided by funders are adhered to	Make decisions on funding allocation through the participatory budgeting process	Can sit a allocation process as observers
Stable Staffing	Neighbourhood group staff reports to and receives feedback from the Coordinator		
Conflict Resolution	Steering Committee acts as a conflict resolution body for disputes for both panels	Conflicts are resolved through the Steering Committee	Conflicts are resolved through the Steering Committee
Advocacy	Advocates for the interests of neighbourhood groups to varying levels of government; mobilizes with partners jointly	Responds to the advocacy directions of the Steering Committee; works jointly with the Board when called upon	Responds to the advocacy directions of the Steering Committee; works jointly with the Committee when called upon

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Appendix 3: *draft* SNEF Implementation Plan – revised April 11, 2011

A. Determine Status of New NSC Organization

Activities / Milestones	Who	Timeline
1. Educate Steering Committee on process of incorporating, attaining charitable status, and models of long-term host relationships in non profit sector	facilitator	May - June 2011
2. Facilitate Steering Committee to identify steps involved, factors required and possible issues	facilitator	June 2011
3. Facilitate Steering Committee to determine advantages and disadvantages of each option: a) become a non-profit ; b) enter into long-term relationship with a Host organization	facilitator	June 2011
4. Make decision, communicate decision to Panels, begin implementing the decision	Steering Committee	June 2011

B. Planning the new NSC Organization

Activities / Milestones	Who	Timeline
1. Facilitate incorporation process including: develop Board by-laws, Board and operational policies and procedures; Steering Committee becomes NSC Board of Directors; OR	Steering Committee with City staff	July-Nov 2011
2. Secure long-term Host organization including: agreements with Steering Committee, funding partners	Steering Committee with City staff	July –Nov 2011
3. Develop staffing requirements and model for new NSC organization including review of CD Worker positions; identify opportunities to bring on CD Worker staff as early staff team	Steering Committee	July-Aug 2011
4. Develop operating budget for new NSC, based on staffing model	Steering Committee	Sept-Oct 2011
5. Develop job descriptions; compensation levels	Steering Committee with City staff	Oct –Nov 2011
6. Assist Partner Panel in securing new funding for NSC	Steering Committee, Partner Panel and City staff	On-going

C. Implement the Decision: Oversee Incorporation Process or Secure Long-term Host organization

Activities / Milestones	Who	Timeline
1. Hire NSC Program Director	Steering Committee Or Host organization with Steering Committee	Oct-Nov 2011
2. Transfer City's role as main trustee and transfer agent of funds to NGs from City and partners and other funders	City staff, NSC Director and Steering Committee	Dec 2011 - Jan 2012
3. Implement and oversee funds allocation process to NGs	City staff and NSC Director	Nov 2011 – Feb 2012
4. Disburse funds to NGs	NSC Director	Jan 2012
5. Hire NSC and NG staff	NSC Director, Steering Committee	Dec 2011 – Feb 2012 (start Jan 2012)
6. Ensure Payment of NG staff	NSC Director	Jan 2012
7. Secure insurance on behalf of NGs	NSC Director	Jan-Mar 2012
8. Support development of NG volunteers through development of templates, guidelines, best practices	NSC Director with City staff and Partner Panel	On-going
9. Annual review of decision.	NSC Board	On-going

Appendix 4: Glossary of Key Terms Related to SNEF

Guelph Neighbourhood Groups: A system of geographically based volunteer run organizations that have grown gradually across the city since 1991 when the first group began. Over time these groups have evolved and grown due to the work of volunteers, combined with resources and support from the City of Guelph and other partner organizations. Currently there are twelve neighbourhood groups receiving funding and support from the City of Guelph.

Neighbourhood Support Coalition (NSC): The NSC has been the main support structure, along with the City of Guelph, for the network of Neighbourhood Groups in Guelph. It historically consisted primarily of representatives from Neighbourhood Groups. Under this structure however, the ability of the NSC to support Neighbourhood Groups, provide assistance and build capacity of members was limited. The new expanded NSC structure includes a Neighbourhood Panel (of Neighbourhood Group representatives), and a Partner Panel (of external partner organization representatives), that would serve as advisory bodies to a Steering Committee (of elected representatives from both Panels).

Neighbourhood Panel: All Neighbourhood Groups are required to be members of the Neighbourhood Panel and have representatives that sit on this Panel. Representatives from Neighbourhood Groups will participate in the allocation process through the Neighbourhood Panel, as well as provide supports to Neighbourhood Groups through information sharing, resource and capacity building, and partner development.

Partner Panel: External organizations that have partnership agreements or informal working / support relationships with multiple Neighbourhood Groups sit on the Partner Panel. Currently the following organizations sit on the Partner Panel: City of Guelph, Family and Children's Services, Guelph Community Health Centre, Guelph Police Service, Trellis Mental Health and Developmental Services, Upper Grand District School Board, Wellington Dufferin Guelph Public Health, Wellington Catholic District School Board. This Panel will seek ways to expand partnerships to facilitate the growth and development of neighbourhood groups.

Steering Committee: This is the main decision-making body of the NSC, and consists of five elected representatives from each of the Neighbourhood and Partner Panels. During the transition period it will be responsible to plan and develop the functions of the new NSC.

Funds Allocation Process: A participatory budgeting process in which City of Guelph funds and funds from other partners, are allocated annually to Neighbourhood Groups. The allocation process is managed by the Neighbourhood Panel and overseen by the Steering Committee. To receive funds, a Neighbourhood Group must be a member of the Neighbourhood Panel and their activities must be aligned with the principles of the Sustainable Neighbourhood Engagement Framework.

From:	Lori Arsenault
Posted At:	May 9, 2011 9:43 PM
Conversation:	Memo to Community Services Standing Committee RE: SNEF Update Report
Posted To:	ClerksDept
Subject:	Memo to Community Services Standing Committee RE: SNEF Update Report

Hello

In response to the email below that was sent by Kate Bishop to all Neighbourhood Groups, please find attached a memo to the Community Services Standing Committee addressing West Willow Woods Neighbourhood Groups concerns regarding this process and to recommend that the Standing Committee please defer this item until meaningful input has been secured from Neighbourhood Groups. Also attached are the items sent by Kate Bishop to NGs.

Thank you.

Sincerely,

Lori Arsenault
on behalf of West Willow Woods Neighbourhood Group Board

---------- Forwarded message ----------
From: <Kate.Bishop@guelph.ca>
Date: Fri, May 6, 2011 at 3:49 PM
Subject: SNEF Joint Work Group update and endorsements - reply by Tues May 10

Hello NSC Partner Panel and Neighbourhood Panel members,

Early in April each Panel supported the creation of a Joint Work Group to continue moving the SNEF Implementation forward in the absence of a Steering Committee, (see terms of reference, attached), after both the City and John Howard Society agreed to back out of a transitional Host agreement.

Two members from each Panel agreed to sit on the Work Group as follows:

Neighbourhood Panel - Farrah Trahan (Waverley NG) Partner Panel - Erin Harvey (Family and Children's Services)

Michele Lebon (Grange Hill East NG) Andrew Seagram (Upper Grand District School Board)

The Joint Work Group had one meeting on April 19 (see minutes attached).

There are 3 recommendations the Joint Work Group needs you to endorse. These are outlined in the minutes attached, and in summary are:

1. The City will not re-tender for a transitional Host organization.

2. Neighbourhood and Partner Panel members approve the tasks and timelines outlined in the draft SNEF Implementation Plan, revised April 11, 2011 (attached), and the Steering Committee begin working on Phase One tasks as soon as possible.

3. City staff will contract a facilitator to work with the Steering Committee as outlined in the revised draft SNEF Implementation Plan (attached) and as outlined in the attached minutes above.

Please read the attached minutes and draft SNEF Implementation Plan, revised april 11, 2011.

Please send your endorsement of the Work Group's recommendations to me at your earliest convenience.

Note: If I have not heard back from you by Tues May 10 at end of day, I will assume you have endorsed the Work Group's recommendations.

I do not have email contact info for the following people. If you have one of these people in your NG kindly forward this message to them and cc me:

Shelly Krieger

Brigid Porter

Chris Robb

Exhibition Park Neighbourhood Panel member

Also: Steering committee members I will send out possible dates for the inaugural meeting asap.

If you have any questions, please do not hesitate to contact me or any member of the Joint Working Group.

Regards,

Kate

<<11 04 15 SNEF Implemetation -revised Apr 15.docx>> <<11 04 19 TofR SNEF Implementation work group Terms of Reference.docx>> <<SNEF Workng Group Minutes April 19 2011.docx>>

Kate Bishop| Supervisor of Neighbourhood Engagement
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Neighbourhood Group
Westwood School

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sent by email.

MEMO TO : Mayor Karen Farbridge and Guelph City Councilors, members of Community Services Standing Committee

COPY TO : Barb Powell, City of Guelph, City of Guelph Neighbourhood Groups, NSC Neighbourhood and Partner Panel members

DATE : May 9, 2011

RE: **CSS-CESS-1116 Sustainable Neighbourhood Engagement Framework Update Report, to be presented at the May 10, 2011 Community Services Committee Meeting**

On Friday, May 6, 2011 our volunteer NSC/ SNEF Neighbourhood Panel representative received an email from City of Guelph staff requesting endorsement of three items recommended by the [interim] Work Group at their April 19, 2011 meeting, the items are as follows:

1. The City will not re-tender for a transitional Host organization.
2. Neighbourhood and Partner Panel members approve the tasks and timelines outlined in the draft SNEF Implementation Plan, revised April 11, 2011 (attached), and the Steering Committee begin working on Phase One tasks as soon as possible.
3. City staff will contract a facilitator to work with the Steering Committee as outlined in the revised draft SNEF Implementation Plan (attached) and as outlined in the attached minutes above.

At a West Willow Woods Neighbourhood Group Board of Directors meeting held on Monday, May 9, 2011 at 6:00pm the following motions were unanimously endorsed:

> MOTION: That the WWWNG Neighbourhood Board direct our SNEF/ NSC representative to prepare a letter on behalf of the Board, addressed to the City of Guelph Councilors and staff, and that this correspondence be copied to the Neighbourhood and Partner Panels, the Steering Committee, and all other City of Guelph Neighbourhood Groups.
>
> That the correspondence express our Board's concern with the **timelines and process** underlying this endorsement request and further, that the **WWWNG formally request the Community and Social Services Committee to defer this item until meaningful input has been secured from Neighborhood Groups through their Neighbourhood Panel representatives.**

The WWWNG Board of Directors wishes to express their concern with the overall process that underpins the report and recommendations that is being presented to the City Councilors at the May 10, 2011 Community and Social Services Committee meeting, and subsequently to the NSC/ SNEF Steering Committee [mid-May], for their support and approval.

Of specific concern is the lack of consultation or an opportunity for Neighbourhood Panel members to engage their Neighbourhood Group Board of Directors in any discussion of the items presented for endorsement. The draft SNEF Implementation Plan - revised **dated April 11, 2011** is included in the Community and Social Services City Counselor packages [Appendix 3] and was included in the **May 6, 2011** email to Neighbourhood Panel members.

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It is very distressing to our Board that the draft SNEF Implementation Plan, dated April 11, 2011, was not included as a business item on the **April 12, 2011** NSC Neighbourhood Panel meeting agenda, and to date we still are not in receipt of these April 12, 2011 Meeting Minutes.

In the absence of the Host-agency, the NSC Panels and City established an interim Work Group to discuss steps to move the transition forward. This Work Group met on **April 19, 2011**, once again the draft SNEF Implementation Plan - revised April 11, 2011 was presented, and the recommendations prepared for endorsement by the Panels, City and Steering Committee [included at the beginning of this letter].

Neighbourhood Panel members did not receive the April 19, 2011 Working Group Minutes, the Work Group Terms of Reference or the draft SNEF Implementation Plan - dated April 11, 2011, until the late afternoon of **Friday, May 6, 2011**. Our Neighbourhood Board members in turn received these documents on the morning of Saturday, May 7th.

This is an unrealistic amount of time to allow for meaningful engagement of volunteer members of Neighbourhood Groups, to reach consensus, and to communicate back to the Panels, City staff and the Community and Social Services Committee.

In addition the statement in an email from City staff, "Note: If I have not heard back from you by Tues May 10 at end of day, I will assume you have endorsed the Work Group's recommendations" ensures that the recommendations will be supported under duress or default. This is insulting and unacceptable.

The WWWNG Board notes that the Neighbourhood Panel will meet on **Tuesday, June 14, 2011** and as such would request that this item be deferred until NSC Neighbourhood Panel members are able to inform and consult with their respective Neighbourhood Boards. As you are well aware the NSC Neighbourhood Panel is part of the NSC governance structure and has dual accountability responsibilities, to the NSC/ SNEF and also the Neighbourhood Group.

If this is our only opportunity to provide comment on Items # 1 and # 2 placed for endorsement at the beginning of this letter], the WWWNG Board of Directors have approved the following Motions and request that this be immediately communicated to the NSC/ SNEF Panels, Steering Committee and City of Guelph.

> MOTION: That the WWWNG Board **request that the NSC/SNEF and City re-tender the Host-arrangement rather than immediately incorporate with charitable status**.

While the long term direction and outcome is to have the SNEF/ NSC incorporated it is the belief of our Board that there is a need to focus resources and volunteer efforts on the operational transition of the local Neighbourhood Groups and not on the development of a new corporation. We understand that the Host-arrangement with the John Howard Society was unsuccessful, we also understand that the City wishes to transfer the primary responsibilities of the Neighbourhood Groups, however it is our position that a Host-arrangement with the gradual development of a new NSC/ SNEF incorporated organization is in the best interest of the Neighbourhood Group and the community that we serve.

> MOTION: That the WWWNG Board **does not support the draft Implementation Plan, revised April 11, 2011, as presented**. The WWWNG Board requests that the draft Implementation Plan [section B-3] be amended as follows: "Facilitate Steering Committee Work Group to develop new NSC **and NG staffing plan, including review of CD Worker positions**".

Once again, if this is our only opportunity to provide input into the draft SNEF Implementation Plan, revised April 11, 2011, it is the view of the WWWNG Board that the Neighbourhood Groups must

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be explicitly identified and included in the staffing process at the onset and not as an after-consideration. This is our position regardless of the Steering Committee decision to either secure another Host-organization or incorporate immediately. This is also consistent with the items outlined in the Work Group meeting minutes of April 19, 2011[page 3].

Once again, May 6, 2011 was the first time that our NSC Neighbourhood Panel member received this draft SNEF Implementation Plan. Our Neighbourhood Board has provided authority to our NSC Neighbourhood Panel representative to present our collective views. If there is no opportunity to be consulted or provide input into the direction of the NSC/ SNEF planning process we question the role of the Neighbourhood Panel.

Thank you for your consideration of these recommendations.

draft SNEF Implementation Plan – revised April 11, 2011

A. Determine Status of New NSC Organization

Activities / Milestones	Who	Timeline
1. Educate Steering Committee on process of incorporating, attaining charitable status, and models of long-term host relationships in non profit sector	facilitator	May - June 2011
2. Facilitate Steering Committee to identify steps involved, factors required and possible issues	facilitator	June 2011
3. Facilitate Steering Committee to determine advantages and disadvantages of each option: a) become a non-profit ; b) enter into permanent relationship with a Host organization	facilitator	June 2011
4. Make decision, communicate decision to Panels, begin implementing the decision	Steering Committee	June 2011

B. Planning the new NSC Organization

Activities / Milestones	Who	Timeline
1. Facilitate incorporation process including: develop Board by-laws, Board and operational policies and procedures; Steering Committee becomes NSC Board of Directors; OR	Steering Committee with City staff	July-Nov 2011
2. Secure long-term Host organization including: agreements with Steering Committee, funding partners	Steering Committee with City staff	July –Nov 2011
3. Develop staffing requirements and model for new NSC organization ; identify opportunities to bring on CD worker staff as early staff team	Steering Committee work group	July-Aug 2011
4. Develop operating budget for new NSC, based on staffing model	Steering Committee work group	Sept-Oct 2011
5. Develop job descriptions; compensation levels	Steering Committee with City staff	Sept-Oct 2011
6. Secure insurance on behalf of NGs	Steering Committee and new NSC or Host	Sept – Nov 2011

7. Assist Partner Panel in securing new funding for NSC	Steering Committee, Partner Panel	On-going

C. Implement the Decision: Oversee Incorporation Process or Secure Long-term Host organization

Activities / Milestones	Who	Timeline
1. Hire NSC Program Director	Steering Committee Or Host organization with Steering Committee	Oct-Nov 2011
2. Transfer City's role as main trustee and transfer agent of funds to NGs from City and partners and other funders, to NSC or long-term Host	City staff, NSC Director and Steering Committee	Jan 2012
3. Implement and oversee funds allocation process to NGs	City staff and NSC Director	Nov 2011 – Feb 2012
4. Disburse funds to NGs	NSC Director	Jan 2012
5. Hire NSC and NG staff	NSC Director, Steering Committee	Dec 2011 – Feb 2012 (start Jan 2012)
6. Ensure Payment of NG staff	NSC Director	Jan 2012
7.		
8. Support development of NG volunteers through development of templates, guidelines, best practices	NSC Director with City staff and Partner Panel	On-going
9. Annual review of decision.	NSC Board	On-going

SUSTAINABLE NEIGHBOURHOOD ENGAGEMENT FRAMEWORK (SNEF)

Terms of Reference:

Interim Joint Work Group on SNEF Implementation Plan Next Steps

Background: At the end of February 2011, the NSC Neighbourhood and Partner Panels endorsed the John Howard Society of Waterloo-Wellington as the interim Host Organization to take on a major leadership role in moving the SNEF Implementation Plan forward. On April 5 2011, the City of Guelph and the John Howard Society mutually agreed that the John Howard Society would withdraw its bid to be the interim Host Organization. The NSC Steering Committee has yet to have its inaugural meeting, and so cannot provide direction regarding next steps.

Purpose: Until the Steering committee is established (mid-May 2011), advise and provide recommendations to the Neighbourhood and Partner Panels for their endorsement to ensure that the SNEF Implementation Plan continues to move forward.

Tasks:

- Review SNEF Implementation Host Expectations (Apr. 4)
- Review draft SNEF Implementation Plan (Apr. 11)
- Provide advice and recommend next steps to Neighbourhood Panel, Partner Panel and Steering Committee when it is established
- Communicate recommendations to Partner and Neighbourhood Panels for endorsement

Structure and Process:

- Meetings will be called and chaired by the Supervisor of Neighbourhood Engagement, City of Guelph
- Administrative support to the group will be provided by the City of Guelph
- The group will determine the frequency of meetings and meeting schedule

Roles and Responsibilities:

- Advise and provide recommendations to Neighbourhood and Partner Panels until Steering Committee is established

- Provide Steering Committee with advice and recommendations until it is ready to carry out SNEF Implementation tasks

Membership:

- 2 members of Neighbourhood Panel
- 2 members of Partner Panel
- Supervisor of Neighbourhood Engagement, City of Guelph

Authority / Accountability:

- Until the Steering Committee is established, the group is authorized by the Neighbourhood and Partner Panels to advise and make recommendations to both Panels on the SNEF implementation process
- Recommendations will be based on a consensus decision-making model
- Is accountable to the Neighbourhood and Partner Panels, and the Steering Committee when it is established, through meeting minutes

MEETING MINUTES

MEETING	**Sustainable Neighbourhood Engagement Framework (SNEF) –Interim Joint Work Group**
DATE	Tuesday, April 19, 2011
LOCATION	City Hall, Meeting Room 277
TIME	4:00-5:30 pm
PRESENT	Andrew Seagram – Upper Grand District School Board Erin Harvey – Family and Children's Services Michelle Lebon – Grange Hill East Neighbourhood Group Farrah Trahan – Waverley Neighbourhood Group Kate Bishop – City of Guelph Becky MacDonald – City of Guelph
REGRETS	

DISCUSSION ITEMS

ITEM #	DESCRIPTION
1	**Welcome and Introductions:**
2	**Review of agenda:** Add as item #6: draft SNEF Implementation Steering Committee Facilitator Required document – review
3	**Working Group Terms of Reference:** (attached) Approved with no changes. The purpose of the Joint Work Group as per the terms of Reference is as follows: "Until the Steering Committee is established (mid-May 2011), advise and provide recommendations to the Neighbourhood and Partner Panels for their endorsement to ensure that the SNEF Implementation Plan continues to move forward."
4	**SNEF Implementation Host Expectations:** Kate reviewed what happened between the City and transitional Host organization, the John Howard Society, at the third meeting between the two organizations to discuss roles and responsibilities through the transition process. A copy of the document "SNEF Host Implementation Expectations - April 4 2010" that was brought to the third meeting was shared with the Work Group. The document outlined tasks for each of three phases, who was responsible and status of each as of April 4. At the third meeting it became clear that the John Howard Society wanted to change the sequencing and start at Phase Two, then do Phase Three, then work back to Phase One. The John Howard Society stated they could not take on what the SNEF report and City tender asked, in that sequence, for the

	amount of funds the City had available. Regarding staffing, the John Howard Society did not want to hire a long-term NSC Program Director at this point, and the Coordinator position they posted did not meet the requirements that the Partner and Neighbourhood Panel wanted. Andrew, Michele, Erin and Kate all sat on the Joint Work Group to Select a Host Organization, and discussed how from the bid submitted it seemed the John Howard Society had understood the process of what was needed. The following recommendation was agreed upon by consensus: The City will not re-tender for a transitional Host organization. The Work Group feels that any organization who wanted to apply did so the first time around. The John Howard Society was the only acceptable bid submitted. No more time should be spent on trying to find another transitional Host organization.
5	**Draft SNEF Implementation Plan:** (see attached draft SNEF Implementation Plan – revised April 11, 2011) The Work Group discussed the revised draft SNEF Implementation Plan document and agreed that the steps it outlines are the best way to proceed. In summary the steps or phases outlined in the document are: 1. Determine the long-term status of the new NSC: a. an incorporated non-profit, or b. work with a long-term Host 2. Planning the new NSC organization 3. Implementing the decision in #1 above The following recommendation was agreed upon by consensus: The tasks and timeline outlined in draft SNEF Implementation Plan – revised April 11, 2011 be endorsed by the Neighbourhood Panel and Partner Panel, and the Steering Committee begin working on Phase One as soon as possible. Kate discussed how City Council will have to approve the revised Implementation Plan as well, which is being brought to Council on May 10, 2011. The Work Group further discussed that it will be an involved and complex process for the Steering Committee to undertake step #1 above. To make the best decision, Steering Committee members will need to thoroughly understand the process for incorporating a non-profit organization, the process for gaining charitable status, and the various models of working with a long-term Host organization. They will also need to be very clear about the challenges and opportunities that each option presents. Kate suggested that using an outside facilitator with experience in developing non-profit organizations and supports would be most helpful to the Steering Committee in guiding their decision-making in Phase 1 of the Apr 11, 2011 revised draft SNEF Implementation Plan. She told the Work Group that City funds that had been allotted for payment to a transitional Host organization could be used for this purpose.
6	**Draft SNEF Implementation Steering Committee Facilitator Required-** document review The Work Group reviewed and discussed a draft document that outlined the purpose, tasks, timeline, and reporting requirements for a facilitator to work with the Steering Committee to move the draft SNEF Implementation Plan Phase 1 and parts of Phase 2 forward. These are:

Purpose

A facilitator is required to provide information and advice to the NSC Steering Committee on the positive and negative aspects of each option, and to facilitate the Steering Committee to reach a decision on which option is best for the expanded NSC. The Steering Committee also will require a facilitator to assist them in their decision –making process for the development of a new staffing model for the NSC and NGs and an operating budget to support this.

Tasks

Work with the Steering Committee, in consultation with the City of Guelph Supervisor of Neighbourhood Engagement to:

1. Provide written materials to the Steering Committee that outlines the process for incorporating, and the potential challenges or issues that may arise.
2. Provide written materials to the Steering Committee that outlines the process for gaining charitable status and the potential challenges or issues that may arise.
3. Provide written materials to the Steering Committee of 4 examples of long-term host and not-for-profit organization relationships, defining the roles and responsibilities of the host organization for each, including at least two local examples (Onward Willow Better Beginnings Better Futures and Family and Children's Services; Masai Clinic and AIDS Committee).
4. Facilitate the Steering Committee to decide which option to move forward with and why this is the best option (benefits and potential challenges).
5. Facilitate the Steering Committee to develop a communication strategy to inform all stakeholders about their decision.
6. Facilitate Steering Committee work group to develop new NSC and NG staffing plan.
7. Facilitate Steering Committee work group to develop new NSC operating budget.
8. Provide the Steering Committee with a written report that summarizes # 1-7 above.

Timeline

Task	Timeline
Phase 1: Determine Status of New NSC Organization	
1. Provide written materials to the Steering Committee that outlines the process for incorporating, and the potential challenges or issues that may arise.	June 2011
2. Provide written materials to the Steering Committee that outlines the process for gaining charitable status and the potential challenges or issues that may arise.	June 2011
3. Provide written materials to the Steering Committee of 4 examples of long-term host and not-for-profit organization relationships, defining the roles and responsibilities, benefits and challenges for each, including at least two local examples.	June 2011
4. Facilitate the Steering Committee to decide which option to move forward with, why this is the best option (benefits and potential challenges), and how to communicate	June 2011 Decision

	this decision to all stakeholders.	
	5. Facilitate the Steering Committee to develop a communication strategy to inform all stakeholders about their decision.	June 2011
	Phase 2: Planning the New NSC Organization	
	6. Facilitate Steering Committee work group to develop new NSC and NG staffing plan, including review of CD Worker positions.	July – Aug 2011
	7. Facilitate Steering Committee work group to develop new NSC operating budget, (based on staffing plan).	Sept 2011
	8. Provide the Steering Committee with a written report that summarizes "1-7 above.	Oct 2011

The Work Group suggested four possible facilitators who could be contacted to determine if they could perform these functions for the Steering Committee in the timeline outlined.

The following recommendation was agreed upon by consensus:
As soon as possible, City staff will contract a facilitator to work with the Steering Committee as outlined in the revised draft SNEF Implementation Plan and as outlined in these minutes above.

6	**Recommendations and Next Steps:** In the absence of the Steering Committee, the Joint Work Group recommends the following for endorsement by the Neighbourhood Panel and Partner Panel as soon as possible: 1. The City will not re-tender for a transitional Host organization. 2. Approve the tasks and timelines outlined in the draft SNEF Implementation Plan – revised April 11, 2011, and the Steering Committee begin working on Phase One tasks as soon as possible. 3. As soon as possible, City staff will contract a facilitator to work with the Steering Committee as outlined in the revised draft SNEF Implementation Plan and as outlined in these minutes above.
7	**Next meeting:** TBD if required.

ACTION ITEMS

ITEM #	ASSIGNED TO	DUE DATE	DESCRIPTION
1	Kate		Send to the Panels the Joint Work Group's recommendations for their immediate endorsement.
2	Kate		After Panels endorse, and City Council approves revised Implementation Plan,

			contact four suggested facilitators to see if they are interested in working with Steering Committee.
3	Kate		Will determine if a next meeting is needed and schedule this.

COMMITTEE REPORT

TO	**Community and Social Services Committee**
SERVICE AREA	Community Engagement and Social Services Liaison
DATE	May 10, 2011
SUBJECT	**Discretionary Social Services Funeral Directors Fees Update**
REPORT NUMBER	CSS-CESS-1115

SUMMARY

Purpose of Report

To provide an update on the request from funeral directors for an increase in their rates, one of the discretionary social services costs shared with the County of Wellington.

Committee Action

To receive Report # CSS-CESS-1115 and consider the recommendation that status quo funding be maintained at 2010 levels for discretionary funeral services grants for the 2011 year.

RECOMMENDATION

That Report # CSS-CESS-1115 "Discretionary Social Services Funeral Directors Fees Update," dated May 10, 2011 be received and approved by Community and Social Services;

AND THAT status quo funding be maintained at 2010 levels for discretionary Funeral Services for the 2011 year.

BACKGROUND

Report # FIN-10-05 notes that there are a number of discretionary social services programs that the City and County has supported for a number of years which are not mandated by provincial legislation. These programs have traditionally been administered by the County. Some programs involve provincial subsidy, some are funded jointly by the City/County and some are funded solely by the City. In 2011 the total budget for these discretionary programs is $3,965,000 of which the City's portion is $958,000. Funeral Services form part of these discretionary programs.

Guelph City Council, at their February 22, 2010 meeting directed staff to:

> "*maintain stable funding in 2010 for the City's portion of discretionary Social Service Programs*".

The specific costs and historic funding arrangements for funeral services are outlined in the County of Wellington Social Services Committee Report, dated October 13, 2010. This report followed a request from Funeral Directors for a 20% increase in funeral rates in each of the next two years (Appendix 1). In this report, the Special Services Manager noted that:" funeral rates were increased significantly in the early 1990's. Since that time the yearly increases have been minimal and have not accommodated the increases experienced by the funeral homes. For the last 4 years the increase has been 3% yearly and the County of Wellington is currently paying $3,321 per funeral", a survey of 56 regions, places County funding in the top 20 regions (Wellington is #18), (Appendix 2).

The report goes on to note that:" These are not the only costs the County pays for a funeral... there are costs over the basic amount they are requesting. As well the County is responsible for cemetery costs which are capped at $1000." Finally the report notes that: "This office is responsible for approximately 40 funerals a year of which two thirds are covered at the 80/20 cost share with the 20% being split between the City and the County based on residency. One third of the funerals are paid out at 100% discretionary benefits for people who are on fixed incomes and allocated to the City or County based on residency". Further, the report notes that "Staff pursues all possible reimbursement from the deceased person's estates, i.e. bank accounts, CPP death benefits."

In 2010 the cost of funeral services was $65,092. Twenty eight funerals were covered at an 80/20 cost share for the amount of $18,598 and 14 were paid at 100% of discretionary benefits for a cost of $46,494 (Appendix 3).

The City received a letter from the Clerk's Office, County of Wellington dated November 3, 2010 advising the City that the following resolution had been approved by Wellington County Council at its October 28, 2010 meeting:

" That the request of the funeral directors for a 20% increase in funeral rates in each of the next two years be approved;" and

"That the Council of the City of Guelph be requested to determine the extent to which the City is prepared to fund the cost of discretionary funeral services on an on going basis and that such direction be provided to the County of Wellington and the funeral directors by November 30, 2010" . At the time of receipt, the City advised the County that, "subject to S. 275 of the Municipal Act, it was not possible for this matter to be considered by Council before the end of the Council term on November 30th, and that the correspondence would be forwarded to the first committee meeting for discussion and recommendation to Council in the new year."

To this end, the matter was discussed at Community Social Services Committee meeting, January 11, 2011 and Committee carried the motion:

"THAT the correspondence from County of Wellington with respect to Funeral Director Funding be referred to staff to investigate and report back to the Committee." This was then referred to Finance staff.

REPORT

The City and County of Wellington are continuing their negotiations on the delivery of discretionary social services by the County of Wellington in their capacity as CMSM. These negotiations are outlined in report # CSS-CESS-1113. This report notes that the discretionary services are divided into a number of categories A - G and that funeral services would fall into category D - discretionary services with a wide range of other services including the provision of wheelchairs, dentures, incontinence pads, etc. The 2011 County of Wellington budget notes that the total funding for this category of discretionary benefits is $181,000 of which the City's portion is $104,000. These negotiations are proceeding on the premise that funding for groups or individuals in receipt of these funds will remain status quo for 2011 at 2010 levels.

The County formally requested (in a letter dated November 3, 2010), that the City determine the extent to which it was prepared to fund the cost of discretionary funeral services on an ongoing basis. This request was raised at the January 11 meeting of CSS regarding the Funeral Directors fees and was referred to Finance staff to investigate and report back to Committee.

Following this investigation, it is staff opinion that funding levels for discretionary funeral services should maintain the status quo in 2011. This recommendation is also consistent with Council's response during the 2011 budget deliberations to the requests from the Wellington-Guelph Drug Strategy and Poverty Elimination Task Force for more funding.

CORPORATE STRATEGIC PLAN

Goal 5: A community- focused responsive and accountable government

FINANCIAL IMPLICATIONS

Funeral costs are found in provincially cost shared discretionary benefits and in 100% municipally funded discretionary benefits. Based on information from the County of Wellington, the 2011 budget which includes the 20% increase to funeral directors are as follows:

City - provincially cost shared discretionary benefits gross expenditure $61,500 with a net cost to the City of $11,600

City - 100% municipally funded discretionary benefits gross expenditure $20,000 (net cost also $20,000)

Accordingly, if the recommendation to remain at the status quo is approved, the 2011 budget savings would be 20% of $31,600 ($6,320). The actual savings will vary by the number of funerals. The requested increase per funeral for 2011 is $664 and for 2012 $797.

DEPARTMENTAL CONSULTATION

The Finance Department has reviewed the report.

ATTACHMENTS

Appendix 1: Request from Funeral Directors

Appendix 2: Survey of 56 Regions
Appendix 3: Four Year Funeral Trend

_____

Prepared By:
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"original signed by Margaret Neubauer"

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_____

Recommended By:
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Thursday, October 7, 2010October 7, 2010

The following is a breakdown of what each funeral home in the county charges any family requesting similar style of services to those outlined in our agreement. This is for the full style of services and casket as outlined.

Heritage Funeral Homes	5345.00
Hardy-Lee Funeral Home	5420.00
Hendrick Funeral Home	5365.00
John Thomson & Son	5190.00
Graham A. Giddy Funeral Homes	5192.00
Crawford Funeral Home	5910.00
Butcher Family Funeral Home	5290.00
Garrett Funeral Chapel	5295.00
Gilbert MacIntyre & Son Funeral Home	4970.00
Gilchrist Chapel	5057.00
	$53034.00

Divide by 10 Funeral Homes=**$5303.40** average cost for the county residents

CASKET	*$556.00*
EMBALMING	*$227.00*
REMOVAL	*$169.00*
FUNERAL COACH	*$196.00*
CLERGY CAR	*$126.00*
FUNERAL HOME FACILITIES	
Basic Required	*$249.00*
Facilities for service/or services from place of worship	*$346.00*
Visitation	*$190.00*
FUNERAL DIRECTOR, STAFF & SERVICES	
Arrangements and Required Services	*$483.00*
Visitation	*$136.00*
Conducting of Services	*$343.00*
Register Book and Acknowledgement Cards	*$ 61.00*
Documentation	*$239.00*
	$3321.00

Average loss per call per funeral per funeral home $1982.40

We are requesting an increase of 20% ($664 for 2011) ($797 in 2012) in *each* of the next two years in order to bring fees paid by the County closer to the actual charged by the Funeral Homes, and which would raise us closer to a similar level for those counties/regions providing similar style of services.

On behalf of the Wellington County Funeral Directors

Doug Gilchrist Graham Giddy Mike MacIntyre Sr.

2010 - SURVEY OF SOCIAL SERVICES FUNERAL RATES BY REGION

COUNTY/REGION CITY/MUNICIPALITY	TRADITIONAL SERVICE ALLOWANCE	CEMETERY ALLOWANCE			
Lanark	5,169.00	750.00			
Brantford	5,027.78	Actual			
Oxford	4,994.85	Actual			
Bruce	4,834.44	1,200.00			
Leeds & Grenville	4,809.00	Actual			
St. Thomas	4,883.00	1,500.00			
Algoma DSSAB	3,500.00	Included			
Grey	3,944.00	Actual			
Prescott & Russell	3,900.00	Actual			
Kawartha Lakes/Haliburton	3,685.00	Actual			
Timiskaming DSSAB	3,600.00	1,285.00			
Durham	3,500.00	1,000.00			
Rainy River DSSAB	3,500.00	Included			
Prince Edward	3,500.00	Included			
Lennox & Addington	3,500.00	Included			
Renfrew	3,250.00	Included			
Thunder Bay DSSAB	3,250.00	Actual			
Wellington	3,224.00	1,000.00			
Kenora DSSAB	3,200.00	Included			
Huron	3,053.00	1,000.00			
Perth	3,035.00	Actual			
Bruce	3,035.00	Actual			
Oxford	4,745.11	Actual			
Stratford	3,035.00	Actual			
Windsor-Essex	3,000.00	1,000.00			
Hastings	3,000.00	Included			
Kingston	2,925.25	1,000.00			
Haldimand-Norfolk	2,900.00	1,000.00			
Nipissing	2,800.00	1,000.00			
Niagara	2,700.00	1,000.00			
Cochrane DSSAB	2,600.00	Actual			
Lambton	2,518.00	Actual			
Peel	2,500.00	1,000.00			
Chatham-Kent	2,463.00	Actual			
London	2,455.00	1,000.00			
Dufferin	2,410.00	1,000.00			
Waterloo	2,400.00	1,500.00			
York	2,389.00	Actual			
Ottawa	2,370.00	1,000.00			
Toronto	2,319.32	1,000.00			
Halton	2,318.00	1,000.00			
Hamilton	2,288.10	1,000.00			
Simcoe	2,250.00	1,120.00			
Peterborough-City	2,250.00	1,000.00			
Parry Sound	2,250.00	Included			
Manitoulin-Sudbury DSSAB	2,250.00	Included			
Cornwall	2,250.00	1,000.00			
Alexandria-Eastern	2,250.00	783.20			
London-Middlesex	2,220.00	1,000.00			
Peterborough	2,137.50	1,000.00			
Northumberland	1,950.00	1,000.00			
Muskoka	1,907.00	1,100.00			
Sault St. Marie DSSAB	1,700.00	907.00			
Northumberland-Brett	1,500.00	1,000.00			
Sudbury CMSM	1,089.65	1,000.00			
Hearst-Northern District	Same as Public	Same as Public			

Appendix 3: Four Year Funeral Trend

Total Number of Clients assisted with Funeral/Burial Services (2008-2010)

- **Statistics based on the date of death**

Municipality/Cost Category	2007	2008	2009	2010
County of Wellington – Cost Shared with Province	8	4	9	11
County of Wellington – 100% Discretionary Cost	8	11	5	9
City of Guelph – Cost Shared with Province	19	22	15	28
City of Guelph – 100% Discretionary Cost	9	14	9	14
Totals	44	51	38	62

CONSENT REPORT OF THE
CORPORATE ADMINISTRATION, FINANCE
& EMERGENCY SERVICES COMMITTEE

May 24, 2011

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

Your Corporate Administration, Finance & Emergency Services Committee beg leave to present their FOURTH CONSENT REPORT as recommended at its meeting of May 9, 2011.

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, & Emergency Services Committee will be approved in one resolution.

1) 501 Wellington Street West (Sleeman Manor)

THAT staff be directed to review the proposal submitted by Earthartist Planning and Design on behalf of the owner, with respect to the potential redevelopment of 501 Wellington Street West and report back to the Corporate Administration, Finance & Emergency Services Committee on development opportunities of this area.

2) Clair Road Emergency Services Centre – Naming Issue

THAT staff be directed to assemble a community committee with membership from the Clairfields Neighbourhood Group, Community and Social Services staff, Guelph-Wellington Emergency Medical Service, Guelph Police Service and Guelph Fire Department staff;

AND THAT the community committee identifies and returns with options for naming the community room and other areas of the facility and property that could be dedicated on the site.

3) Land Ambulance Governance and Accountability

THAT staff be directed to develop a Land Ambulance Service agreement between the City of Guelph and the County of Wellington;

AND THAT the agreement recognizes principles contained in attachment #1 of this report;

AND THAT a report containing the draft agreement be returned to the Corporate Administration, Finance and Emergency Services Committee for review.

All of which is respectfully submitted.

Councillor June Hofland, Chair
Corporate Administration, Finance &
Emergency Services Committee

Please bring the material that was distributed with the Agenda for the May 9, 2011 meeting.

EARTHARTIST

PLANNING AND DESIGN

TO	**Corporate Administration, Finance, and Emergency Services Committee**
SUBJECT	**Request for a feasibility study to develop City lands adjacent to 501 Wellington Street West (also known as the Sleeman Manor)**
DATE	**April 30, 2011**

Summary:

For almost thirty years the home of Guelph's first mayor and the founder of Sleeman Breweries has been used as a nightclub featuring nude exotic dancers. Located at the gateway to the city, the Sleeman Manor is considered by many to be the most prestigious heritage structure in Guelph and will soon be available for redevelopment.

Earthartist has been engaged to explore development opportunities on behalf of the current owner of the Manor. Because the City owns adjacent property and given the significant municipal interest with regards to the strategic location, heritage value, tourism potential and the opportunity to close the strip club in this location, we believe there is significant potential to collaborate with the City of Guelph to explore the business case for development of the joint properties.

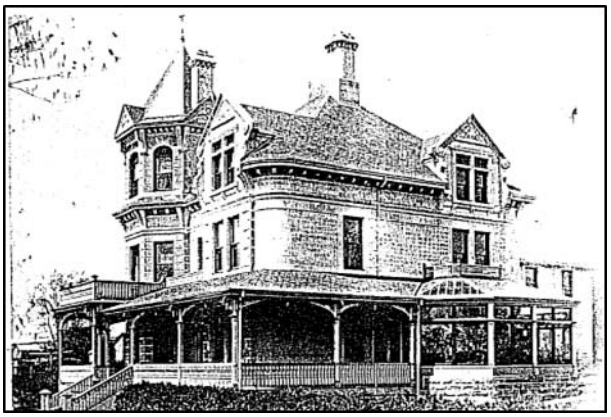
The Manor property is located adjacent to fragments of City owned and MTO property left surplus following the construction of the Wellington Street overpass. Assembled together, these parcels create a viable infill opportunity to close the nightclub and redevelop this high profile location with an adaptive reuse that both visitors and residents of our city can be proud of.

We are requesting the City's participation in a feasibility study to explore several key opportunities and constraints:

- Specific issues with regard to assembling City owned property
- Opportunities for collaboration with the City as a stakeholder including roles and responsibilities for each participant in the project
- Availability of various development incentives (municipal, provincial, federal)
- Project promotion and marketing to attract private sector investment

Our vision is to restore the Sleeman Manor as the "*Crown Jewel of Guelph*" and work together with the City to create a civic landmark that celebrates the rich heritage of our community.

The Sleeman Manor - 501 Wellington Street West:



Made of limestone quarried locally, this Queen Anne-style house was built in 1891 for Guelph politician George Sleeman and his large family. Custom-made interior finishes and state-of-the-art electrical, gas and water facilities were integrated into this grand home, as were speaking tubes and electric bells that the Sleeman family used to communicate with the servants.

George Sleeman:

- Born August 1st, 1841 son of John Sleeman, a Brew master from Cornwall, England.
- George married Sarah Hill in Guelph, September 7th, 1863 and had seven sons and five daughters.
- George joined father's brewery in 1859.
- In 1900, Sleeman, his wife, and three sons incorporated the operation as the Sleeman Brewing and Malting Company Limited and operated until Prohibition forced him to stop making beer in 1916

Civic Involvement

- George was the pitcher for the Maple Leaf Baseball Club when the game was introduced to Guelph in 1863 and was elected its president in 1874.
- In 1874, the Maple Leaf Baseball club won the world champion title in Watertown, New York and is renowned as being the first Canadian baseball team to win a world title.
- Sleeman formed Canadian Association of Base Ball Players, of which he was president.
- In 1999, he would be inducted into the Canadian Baseball Hall of Fame and Museum in recognition of his contributions.
- Guelph Turf Club,
- Guelph Bicycle Club
- Guelph Rifle Association, serving each as president.
- Founded the Royal City Curling Club in 1888.
- When the town of Guelph became a city in 1880 he was its first mayor.
- Helped bring Ontario Hydro to Guelph,
- During his third term in 1894, he spearheaded an electric streetcar operation, the Guelph Railway Company.

Current Land Use:

The once stately home of Guelph's first mayor is hidden behind cinder block additions with bright neon lights advertising nude exotic dancers.

Location:

- Located at the gateway to our City
- Intersection of Highways 6 - 7 - 24
- Primary exit off the Hanlon Expressway to the downtown
- Site of future intensification and infill development (Lafarge Property)
- Primary arterial road with planned CN underpass (Silvercreek Pkwy)

Realignment of Wellington Street:

Circa 2000

Assembled Lands = 4.36 acres / 1.76Ha

Opportunities:

The assembled City and private lands represent one of the largest developable parcels in the city centre and facilitate a higher density end use. It is likely that a higher density development will be necessary to offset the additional development costs associated with the adaptive reuse of the heritage structure. The assembled lands will also facilitate improve site access off Silvercreek to support a variety of development configurations.

The current heritage building has been maintained in good condition and the heritage elements have been preserved to the best of the owner's ability. Given the amount of time, effort and money that has gone into the upkeep of the heritage structure the current owner is determined that any future owners / developers protect the integrity Sleeman Estate.

City lands adjacent to 501 Wellington Street West posses a number of anticipated constrains making stand-alone intensification challenging. The value of these unused City assets is anticipated to appreciate significantly under this proposal.

The owner intends to sell the property. We have the opportunity to leverage the value of City owned assets and capitalise on this prime piece of real-estate or settle for potentially another 30 more years of the status quo, an alternative that meets with almost unanimous disapproval.

There are few large parcels of development land available in the core of the City

Vision:

Our vision is to restore the Sleeman Manor as the "*Crown Jewel of Guelph*" and create a civic landmark that celebrates the rich heritage of our community.

The stunning architectural elegance of the Sleeman Manor will form the centerpiece of a creative, adaptive reuse development consistent with the character of the neighbourhood and in keeping with the Provincial Places to Grow Act which promotes higher density development within the built boundary.

Located at the confluence of all major highways in and out of the City, the development has great potential to provide an important civic function as a gateway facility. Several end users have been identified to be further explored:

- City Visitor Center
- Chamber of Commerce 'Economic Connections Centre'
- Conference / Hotel Facilities
- Brewery Museum
- Dining, Entertainment, Micro Brewery facilities

The site is ideally suited for several mixed use development options including the potential for affordable home ownership, affordable rental housing, office, and institutional uses.

The site is currently zoned SC.1-21 Service Commercial with the following permitted uses:

- Art Gallery
- Commercial Entertainment
- Financial Establishment
- Hotel
- Medical Clinic
- Museum
- Office
- Recreation Centre
- Accessory Uses in accordance with Section 4.23
- Occasional Uses in accordance with Section 4.21

Proposed Feasibility Study:

We are requesting the City's participation in a feasibility study to explore a number of key opportunities and constraints to achieve the vision of this redevelopment opportunity:

- **Resolve development opportunities with regard to the City property**
    - Land assembly – MTO
    - GRCA – flood zone definition
    - Site Servicing – availability and subsurface trunk lines
    - Zoning and Planning issues
    - Property Valuation

- **Explore possible roles for City involvement in the project**
    - Leadership role – development of a City asset
    - Simple land disposition
    - Participation in a development consortium

- **Explore options for 'preferred' redevelopment options**
    - Civic uses – visitor centre
    - Affordable housing

- **Explore available development incentives**
    - Brownfield development
    - Heritage
    - Tax credit financing
    - Community energy initiative
    - Loans / grants – municipal / provincial / federal

- **Project promotion and Marketing**
    - Help create an environment which attracts private sector investment

Building a Legacy:

The successful redevelopment of the Sleeman family home creates a tangible benefit for every citizen of Guelph. The gateway to our City reflects our community pride, the importance of our past and the direction of our future.

The successful redevelopment of the Sleeman family home has become a personal mission for me over the last two years, first as a City Councillor and later as a private citizen. I can remember exactly what I said the first time I came to Guelph because it's the same thing almost everybody utters the first time they see the Manor:

"Nice building… too bad it's a strip joint"

The successful redevelopment of the Sleeman family home is an opportunity to create a testament to the entrepreneurial vision that built our city and to welcome visitors and new businesses that will help build our future.

We cannot let this opportunity pass us by. Allocating staff resources to explore the business case for this project will not require additional financial resources, and is vitally important to ensure the many municipal interests in this project are realised.

We look forward to working with the City to achieve the vision of restoring the Sleeman Manor as the "Crown Jewel of Guelph" and creating a civic landmark that celebrates the rich heritage of our community.

Contact:

Mike Salisbury
Earthartist Planning and Design
email@earthartist.com

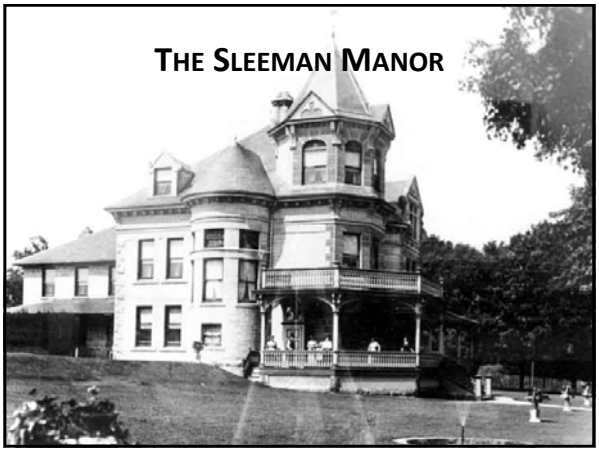
EARTHARTIST

PLANNING AND DESIGN

CORPORATE ADMINISTRATION, FINANCE, AND EMERGENCY SERVICES COMMITTEE

- Request for a feasibility study to develop City lands adjacent to 501 Wellington St. West (also known as the Sleeman Manor)

THE SLEEMAN MANOR



THE SLEEMAN MANOR

- Built in 1895
- Queen Anne revival
- Octagonal tower
- Slate roof
- "Exceptional" hand carved details
- Locally quarried limestone

GEORGE SLEEMAN

- Born August 1st, 1841
- Married Sarah Hill in 1863 and had twelve children
- 1900 - Sleeman Brewing and Malting Company
- Prohibition forced him to stop making beer in 1916

WELCOME TO GUELPH

LOCATION

- Gateway to our City
- Highways 6 - 7 - 24
- Primary Hanlon exit to the downtown
- Adjacent to future intensification
- CN underpass at Silvercreek Pkwy

WELLINGTON STREET REALIGNMENT

WELLINGTON STREET REALIGNMENT

4.36 ACRES / 1.76HA

LAND ASSEMBLY

- Together they represent one of the largest developable parcels in the city centre
- Facilitate a higher density end use
- Necessary to offset the additional development costs associated with the adaptive reuse of the heritage structure
- Improve site access off Silvercreek to support a variety of development configurations.

LAND ASSEMBLY

- City lands posses a number of anticipated constrains making stand-alone intensification challenging.
- The value of these unused City assets is anticipated to appreciate significantly
- Potential for development cost neutral or even generate revenue for the City

Opportunity

- Current heritage building has been maintained in good condition and the heritage elements have been preserved
- Owner is determined to protect the integrity Sleeman Estate.

Inside the Manor

Opportunity

- The owner intends to sell the property.
- Opportunity to leverage the value of City owned assets and capitalise on this prime piece of real-estate…

  or settle for another 30 years of the status quo

"The Crown Jewel of Guelph"

Vision

- Create a civic landmark that celebrates the rich heritage of our community.
- The Sleeman Manor will form the centerpiece of a creative, adaptive reuse development

A Gateway Facility

- Located at the confluence of all major highways
- Great potential to provide an important civic function
  - City Visitor Center
  - Chamber of Commerce 'Economic Connections Centre'
  - Conference / Hotel Facilities
  - Brewery Museum
  - Dining, Entertainment, Micro Brewery facilities
- Mixed use development options including the potential for affordable home ownership, affordable rental housing, office, and institutional uses.

Feasibility Study

- This project will NOT require additional financial resources – Allocation of existing staff resources to explore the business case
- It is vitally important to ensure the many municipal interests in this project are realised
  - Strategic location
  - Heritage value
  - Tourism potential
  - Close the strip club in this location

FEASIBILITY STUDY

- Resolve development challenges with regard to the City owned property
  - Land assembly (MTO)
  - GRCA (flood zone definition)
  - Site servicing
  - Subsurface trunk lines
  - Zoning and planning issues
  - Property valuation

FEASIBILITY STUDY

- Explore possible roles for City involvement in the project
  - Leadership role
  - Creation of a City asset
  - Simple land disposition
  - Participation in a development consortium

FEASIBILITY STUDY

- Explore options for 'preferred' redevelopment options
  - Civic uses (visitor centre)
  - Affordable housing
  - Community Energy Initiative

FEASIBILITY STUDY

- Explore available development incentives
  - Brownfield development
  - Heritage
  - Tax credit financing
  - Green energy
  - Loans / Grants (municipal, provincial, federal)

FEASIBILITY STUDY

- Project Promotion and Marketing
  - Help create an environment which attracts private sector investment

BUILDING A LEGACY

- The successful redevelopment of the Sleeman family home creates a tangible benefit for every citizen of Guelph.
- The gateway to our City reflects our community pride, the importance of our past and the direction of our future.

COMMITTEE REPORT

TO	**Corporate Services, Administration, Finance and Emergency Services Committee**
SERVICE AREA	Emergency Services
DATE	May 9, 2011
SUBJECT	**Clair Road Emergency Services Centre - Naming Issue**
REPORT NUMBER	

RECOMMENDATION

"That staff be directed to assemble a community committee with membership from the Clairfield's Neighbourhood Group, Community and Social Services staff, Guelph-Wellington Emergency Medical Service, Guelph Police Service and Guelph Fire Department staff;

And that the community committee identifies and returns with options for naming the community room and other areas of the facility and property that could be dedicated on the site."

BACKGROUND

Councillors Piper, Dennis and Hofland were approached and consequently expressed interest in naming components of the Clair Road Emergency Services Centre.

The Corporate Policy entitled "Municipal Property and Building Commemorative Naming Policy" specifically excludes Fire Halls and Police Stations. It is concluded that there is therefore no policy in place that speaks to this current issue.

REPORT

There is interest from the community in naming components of the Clair Road Emergency Services Station. Emergency Services will work with all concerned to coordinate and report back to Council on recommendations relating to naming these components. The completion of the committee's work would closely coincide with opening activities occurring on June 20th, 2011. (Dedication of individual components would not necessarily have to occur on the same day as the opening of the overall Station).

Potential naming would be limited to specific rooms or facilities in the Clair Road Emergency Services Centre (e.g. community room, garden, board room etc), but would not name the Clair Road Emergency Services Centre itself which was jointly agreed to by Fire, EMS and Police.

Other emergency services facilities within Guelph are not dedicated under a naming policy. Due to the collision reporting centre housed within the facility it was determined that a name reflective of the location would assist potential customers in locating the service as well as any other member of the public wishing to attend the facility.

CORPORATE STRATEGIC PLAN

Goal 2 -A healthy and safe community where life can be lived to the fullest
2.4 - The lowest crime rate and best emergency services record of any comparable-sized Canadian city
Goal 5 – A community – focused responsive and accountable government.
5.3 - Open, accountable and transparent
conduct of municipal business

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

Community and Social Services and Guelph Police Service will be requested to assist with community liaisons.

COMMUNICATIONS

A media release will be coordinated through Corporate Communications when the committee concludes its work.

ATTACHMENTS

N/A

"original signed by Harry Dunning"

_____

Prepared By:
Harry Dunning,
Manager of Administration,
Emergency Services.
Harry.dunning@guelph.ca
519-822-1260 Ext. 2127

"original signed by Shelagh Morris

_____

Prepared By:
Shelagh Morris,
Director of Corporate Services,
Guelph Police Service.
Shelagh.morris@police.guelph.on.ca
519-824-1212 Ext. 255

"original signed by Shawn Armstrong"

_____

Recommended By:
K. Shawn Armstrong,
General Manager,
Emergency Services.
shawn.armstrong@guelph.ca
519-822-1260 Ext. 2125

COMMITTEE REPORT

TO	**Corporate Services, Administration, Finance and Emergency Services Committee**
SERVICE AREA	The Office of the CAO
DATE	May 9, 2011
SUBJECT	**Land Ambulance Governance and Accountability**
REPORT NUMBER	

RECOMMENDATION

That staff be directed to develop a Land Ambulance Service agreement between the City of Guelph and the County of Wellington,

And that the agreement recognizes principles contained in attachment # 1 of this report,

And that a report containing the draft agreement be returned to the Corporate, Services, Administration, Finance and Emergency Services Committee for review.

BACKGROUND

The City of Guelph is the Delivery Agent for land ambulance and is responsible for the provision of Land Ambulance Service across the coverage area. The area served is comprised of The City of Guelph and Wellington County and crosses both geographic and political governance boundaries. A recent arbitration award has provided a mechanism for cost sharing based on location of calls within the coverage area. A mechanism for sharing information and being accountable to all populations served is still required.

The delivery of ambulance service within the coverage area is the direct responsibility of the administrative staff and paramedics employed by the City of Guelph, subject to the supervision and oversight of Guelph's City Council. Ambulance Service is highly regulated by the Province of Ontario and Guelph operates Land Ambulance services pursuant to a certificate issued by the Ministry of Health, in accordance with the Ambulance Act.

The City administers all costs for the provision of the service. Funding to deliver the service is provided through the City's and County's approved operating and capital budget. The City receives a Provincial funding

grant for 50% of approved costs. The provincial grant reduces the annual gross budget and the remaining expenditures are divided between City and the County.

REPORT

Guelph – Wellington Emergency Medical Service responds to approximately 49,000 service requests per year across the coverage area.

With an extremely large coverage area it is very important to identify shared goals and common positions ensuring continuous provision of quality service and patient care. An accountability agreement will assist in clarifying and detailing responsibilities for all concerned

Attachment # 1 contains principles for the development of a Service/Accountability Agreement between the City of Guelph (Delivery Agent) and the County of Wellington (County) with respect to the delivery of Land Ambulance Services (LAS). The principles set the framework and clarify accountabilities and responsibilities for service delivery. This includes: Provincial, Municipal and County responsibilities for receiving and sharing information with the populations served.

The agreement would be drafted with consultation from City/County staff and the final draft agreement would be returned for review by Council.

CORPORATE STRATEGIC PLAN

Goal 2 -A healthy and safe community where life can be lived to the fullest
2.4 The lowest crime rate and best emergency services record of any comparable-sized Canadian city

Goal 5 – A community – focused responsive and accountable government.
5.3 Open, accountable and transparent
conduct of municipal business

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

The County will be consulted during the development of the agreement. Administration, Legal and Finance will be consulted during the development of the agreement.

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment # 1 - Principles for the development of a Service/Accountability Agreement between the City of Guelph (Delivery Agent) and the County of Wellington (County) with respect to the delivery of Land Ambulance Services (LAS).

"original signed by Shawn Armstrong"
_____

Prepared By:
K. Shawn Armstrong
General Manager,
Emergency Services.

"original signed by Hans Loewig"
_____

Recommended By:
Hans Loewig,
Chief Administrative Officer

Principles for the development of a Service/Accountability Agreement between the City of Guelph (Delivery Agent) and the County of Wellington (County) with respect to the delivery of Land Ambulance Services (LAS)

The agreement will reflect/recognize:

Governance

- The role of the Province of Ontario in:
    - the regulation of services
    - setting, monitoring and evaluating standards
    - licensing (and, pending legislative amendment, certification) of services
    - investigating complaints regarding the delivery of patient care
    - evaluating services
    - continuing quality assurance

- The five fundamental principles established for the delivery of land ambulance services
    - Accessibility
    - Integration
    - Seamlessness
    - Accountability
    - Responsiveness

- The role of the Delivery Agent (see attached Internal Memo from the General Manager of Emergency Services), for example, in:
    - Certification
    - Submitting response time performance plans and annual financial reporting to the Province
    - Training of paramedics as per Provincial Base Hospital Guidelines.
    - Submitting deployment plans to the Ambulance Communication Centre

- The agreement is between the Delivery Agent and the County

Accountability & Transparency

- The accountability and responsibility of the Delivery Agent to the Province of Ontario to manage LAS as a seamless system for the service delivery area and within the policies and standards established by the Province

- The reporting requirements of the Delivery Agent to the Province of Ontario

- The accountability of the General Manager of Emergency Services to Guelph City Council

- The accountability of the County to its lower tier municipalities and taxpayers for the efficient and effective use funding provided to the Delivery Agent for LAS

- The establishment of a reporting framework between the Delivery Agent and the County.

Stakeholder Engagement

- A commitment to involve all stakeholders in the provision of LAS in issue identification, development of shared goals, shared positions when advocating to the Province

- The establishment of a Service Advisory Committee to provide a forum for citizens to raise issues and concerns, provide informed advice to the Delivery Agent and to identify and monitor community needs with respect to LAS

Administration

- A commitment to delivering a cost effective service that aims to reduce waste and duplication in the system within the requirements established by Provincial policies and standards

Funding

- The ruling of the arbitrator unless there is mutual agreement between the two parties to alter the methodology for allocating costs between the City and the County

CONSENT REPORT OF THE
OPERATIONS & TRANSIT COMMITTEE

May 24, 2011

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

Your Operations & Transit Committee beg leave to present their FOURTH CONSENT REPORT as recommended at its meeting of May 16, 2011.

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 Emergency Services, Community Services & Operations Committee will be approved in one resolution.

1) Temporary Allowance of Exotic Animals

THAT the Operations & Transit Committee Report 'Temporary Allowance for Exotic Animals', OT051122 dated May 16, 2011, be received;

AND THAT exemption from By-law (1988)-12960 be granted to the operators of the Faery Fest and Peregrine International to have exotic animals within the City limits for the purpose of staging educational bird of prey shows during the Faery Fest June 17, 18 and 19, 2011.

2) Tree Donation Program

THAT the Operations & Transit Committee Report OT051119 'Tree Donation Program", be received;

AND THAT the Tree Donation Program outlined in Operations & Transit Committee Report OT01119 be approved and implemented;

AND THAT staff review the memorial plaques process, including timeline and report back to committee.

All of which is respectfully submitted.

Councillor Bell, Acting Chair
Operations & Transit Committee

PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE AGENDA FOR THE MAY 16, 2011 MEETING.

COMMITTEE REPORT

TO	**Operations and Transit Committee**
SERVICE AREA	Operations & Transit
DATE	May 16, 2011
SUBJECT	**Temporary Allowance of Exotic Animals**
REPORT NUMBER	OT051122

SUMMARY

Purpose of Report:

To request an exemption from Bylaw By-law Number (1988)-12960 for Peregrine International to have exotic animals within the City limits for the purpose of staging an educational bird of prey show as part of the Faery Fest.

Council Action:

Grant exemption from By-law Number (1988)-12960 to allow exotic animals (raptors) in the City limits for the duration of the Faery Fest.

RECOMMENDATION

THAT the Operations & Transit Committee Report Temporary Allowance of Exotic Animals OT051122 dated May 16, 2011 be received.

AND THAT exemption from By-law (1988)-12960 be granted to the operators of the Faery Fest and Peregrine International to have exotic animals within the City limits for the purpose of staging educational bird of prey shows during the Faery Fest June 17, 18 and 19.

BACKGROUND

Each summer since 2006, the Faery Fest has been held in Guelph. Part of the Faery Fest is the Bird of Prey show provided by Peregrine International.

As presented by the animal handlers of Peregrine International, visitors will be introduced to a number of birds of prey including the falcon and the owl. Peregrine International are dedicated to the preservation, conservation and protection of falconry, birds of prey and the environment in which the art is practiced, including the quarry species. It is their aim through education to inspire conscientious, capable and informed environmental custodians.

REPORT
The exotic animals, including but not limited to an owl, hawk and peregrine, are the major portion of the performance. Not allowing the exotic animals would prevent the Bird of Prey show from participating in the Faery Fest.

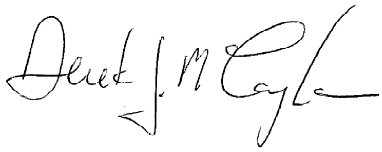
CORPORATE STRATEGIC PLAN
Goal 1: An attractive, well functioning and sustainable city
Goal 4: A vibrant and valued arts, culture and heritage identity.

FINANCIAL IMPLICATIONS
There is no financial implication to the City

DEPARTMENTAL CONSULTATION
Staff consulted with the Guelph Humane society on April 17, 2011 with respect to the Bird of Prey performance. GHS Animal Services Supervisor Mary Fera, confirmed they have no concerns.

COMMUNICATIONS
N/A

ATTACHMENTS
N/A



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COMMITTEE REPORT

TO **Operations and Transit Committee**

SERVICE AREA Operations & Transit
DATE May 16, 2011

SUBJECT **Tree Donation Program**
REPORT NUMBER OT051119

SUMMARY
Purpose of Report:
To provide a policy and program to accept donations, for the purpose of planting trees, by providing clear guidelines to ensure everyone has an opportunity to donate.

Committee Action:
Committee members are asked to consider the proposed tree donation policy and program for implementation.

RECOMMENDATION

THAT the Operations & Transit Committee Report OT051119 Tree Donation Program be received.

AND THAT the Tree Donation Program outlined in Operations & Transit Committee Report OT051119 be approved and implemented.

BACKGROUND

The scope and condition of a community's urban forest is usually the first impression a community projects to its visitors. Many see the urban forest as an extension of a community's pride and spirit.

Guelph residents have expressed much interest in the urban forest over the past number of years. In fact, the community's interest was captured during the formulation of the City's current Strategic Plan, specifically Goal 6, Objective 6.6 which speaks to striving for the highest tree canopy among comparable municipalities.

Trees, as a part of the green infrastructure, within urban settings, provide ecological services of value to nature and that can greatly improve the quality of life for urban dwellers *(2010:LEAD Canada)*. Such services include:

- filtration of airborne and waterborne contaminants
- provision of wildlife habitat
- conservation of energy used in buildings

- urban noise reduction
- "calming" of motor vehicle traffic
- promotion of human health
- enhancement of property values

A number of residents have asked whether the City facilitates donations intended to increase the number of trees planted annually. Unfortunately, at the present time, the City only has a program for the purchase of memorial trees, and that program is somewhat dated.

This report outlines a proposed tree donation program that creates an environment where civic-minded residents and businesses can contribute directly to the further greening of Guelph either on a park-specific or community-wide basis. The Program is intended to compliment, not compete, with other community initiatives.

This policy/program may become more comprehensive once the Urban Forest Plan is completed.

REPORT

Through municipal reviews (including Waterloo, Orillia, Richmond Hill, Greater Sudbury, Thunder Bay, Niagara Falls, Oshawa, Oakville, London and Hamilton Ontario, Richmond BC, Portland OR, and Marion FL.) and interviews with Park Maintenance and Development staff, staff have developed a proposed Tree Donation Program (Appendix A) that is hoped to encourage residents and businesses to take a more active role in the greening of our City.

The program has taken an approach that:

- Is sensitive to socio-economic diversity of community
- Addresses multiple donation options
    - Small and Large donations
    - Donations In-kind
    - R.O.W. upgrade purchases *(Right of Way)*
    - Commemorative purchase
- Promotes sponsorships
- Defines appropriate recognition protocol for all levels of donations
- Considers the donors' need to have personal relationship with places and spaces

Like many new initiatives, this Program as recommended should be considered a 'work in process' as there is considerable logistics involved in getting the program up and running. Staff believe this program will succeed and be welcomed by many. Upon approval, staff will implement a Tree Donation Communication Plan in conjunction with Communications.

The program in its entirety will be outlined to Committee through a staff presentation.

CORPORATE STRATEGIC PLAN

Goal 6, Objective 6.6: *This policy will help ensure the City of Guelph is a leader in conservation and resource protection/ enhancement, with the highest tree canopy percentage among comparable municipalities*

Goal 1: *To ensure the City of Guelph is an attractive, well functioning and sustainable city*

FINANCIAL IMPLICATIONS

The Tree Donation Program will be self sustaining from the monies donated to the fund.

Communication and Implementation costs of approximately $7,500 will be managed through the approved 2011 Operating Budget.

DEPARTMENTAL CONSULTATION

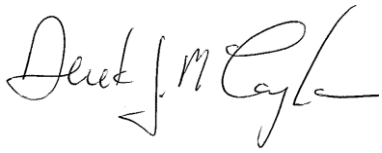
Finance
Corporate Communications
Information Technologies

COMMUNICATIONS

Community Groups (Rotary Club, Trees for Guelph, Guelph Horticultural Society) have been made aware this matter is before Committee on this date.

ATTACHMENTS

Appendix A: Tree Donation Program Report



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TREE DONATION PROGRAM

2011

City of Guelph – Tree Donation Program

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TREE DONATION PROGRAM
CITY OF GUELPH

PURPOSE

To establish a policy and program (which supports the City of Guelph's Strategic Plan (SP)) for accepting, soliciting and promoting donations to increase the number of urban trees within the City of Guelph.

To ensure the City of Guelph is a leader in conservation and resource protection/ enhancement, with the highest tree canopy percentage among comparable municipalities (SP Goal 6 objective 6.6).

To ensure the City of Guelph is an attractive, well functioning and sustainable city (SP Goal 1).

SCOPE

The scope of the policy includes monetary donations, tree purchases and large scale donations/events.

OBJECTIVES

The policy/program shall;

- Have a responsible approach that is sensitive to socio-economic diversity of community
- Address multiple donation options
    - Monetary donations
    - Donations in kind
    - R.O.W. upgrade purchases *(Right of Way)*
    - Memorial purchase
- Address and promote sponsorships
- Define appropriate recognition protocol for all levels of donations
- Address donors' need to have a personal relationship with places and spaces

APPROACH

Staff interviews, data analysis, workflow analysis and best practice research.

DEFINITIONS

Green Infrastructure: *includes soil, wetlands, shrubs, individual trees, and whole forests that, within urban settings, provide ecological services of value to nature and that can greatly improve the quality of life for urban dwellers.*

Donor: *person, group or institution that provides a monetary donation for the purpose of planting trees.*

DBH: *diameter at breast height*

BACKGROUND

The scope and condition of a community's trees and, its urban forest, is usually the first impression a community projects to its visitors. A community's urban forest is an extension of its pride and community spirit.

Studies have shown that:

- Trees enhance community economic stability by attracting businesses and tourists.
- People linger and shop longer along tree-lined streets.
- Apartments and offices in wooded areas rent more quickly and have higher occupancy rates.
- Businesses leasing office spaces in developments with trees find their workers are more productive and absenteeism is reduced. *(Michigan State University Extension, Urban Forestry #07269501, "Benefits of Urban Trees")*

Trees, as a part of the green infrastructure, within urban settings, provide ecological services of value to nature and that can greatly improve the quality of life for urban dwellers *(2010:LEAD Canada)*. Such services include:

- filtration of airborne and waterborne contaminants
- provision of wildlife habitat
- conservation of energy used in buildings
- urban noise reduction
- "calming" of motor vehicle traffic
- promotion of human health
- enhancement of property values

BUSINESS MODEL

Current Service Model

Guelph currently has a commemorative tree donation process; where for $923.93 (2010 rate) a tree (1.82m tall Evergreen, 45-50mm diameter Deciduous) and a commemorative plaque (bronze with 4 lines of text) can be purchased and planted in one of the parks in Guelph.

Once a donation request is made a representative from the Park Maintenance and Development Division will contact the donor and review tree selection, location and the process for planting. The donor is notified of the planting date and time, and can choose to attend the planting.

The plant material/tree guarantee, currently offered, is 3 years. In the event that the tree should die, become diseased or vandalized, the Corporation of the City of Guelph will guarantee to replace the tree with a landscape size (76mm dbh and 1.83m tall) tree of the same species (if available) for a period of three (3) years after the date of installation

There are no other donation options available directly through City Hall for residents of Guelph at this time.

Service Groups: The Rotary Club conducts two (2) plantings per year (spring and fall), with City support. The plantings are arranged with Park Maintenance and Development, to identify the park(s) receiving the trees annually. The Rotary Club provides the volunteers for planting (both plantings) and the City provides staff and the equipment to dig the required holes.

The trees for the spring planting are purchased by the Rotary Club, through the City and the trees for the fall planting are donated by the City to the Rotary club.

The intent of this program is not to compete with existing and new community groups and initiatives, rather to compliment and potentially support them.

Community groups include (but are not limited to);

- Trees for Guelph
- Rotary Club
- Guelph Horticultural Society
- Scouts Canada
- Arboretum
- School Yard Programs

Review of other municipalities

A review of 17 other municipalities and not-for-profit organizations was conducted to identify best practices including adoption programs, tree donation and purchase programs as well as other types of commemorative gift programs. Most municipalities reviewed have a commemorative/memorial tree program. The average cost is $550/tree.

Proposed Policy/Process for the City of Guelph*

*(*Based on comparable municipal reviews and input from Park Maintenance and Development)*

The proposed policy for the City of Guelph would allow for broad community participation, regardless of income levels.

The recommended process is as follows;

Monetary Donations: *monetary donations of $10 (minimum donation to cover the administration cost for processing) and up would feed a "tree fund" that supports general tree plantings throughout Guelph. The fund would be managed by City Staff who would ensure the fund is equitably disbursed throughout all parks.*

Process: A donation process that would allow the public to donate to this fund. The donation could be any denomination greater than $10 and the donation could be made in someone's name or honour.

The process would be similar to the donation systems managed by the Canadian Food Bank and Canadian Cancer Society.

Donors would be able to choose from a list of parks, where they would like their donation used. The City would ensure that the equivalent amount is utilized in that park, during the plantings. *This list of parks would be maintained by Park Maintenance and Development based on inventory levels and needs of the parks.*

If the monies raised exceed the available planting window (tree quantity, staffing/equipment resources for planting) then investigations would be made to purchase larger trees, or the monies could be re-disbursed to other local planting events.

Actual E-Card to be designed through a contest open to the public. Most donation sites have a minimum of three types of cards for a donor to choose from.

Recognition: The recognition given to the donor would be a printable E-card (from the website) or mailed card/certificate from City Hall.

There would be donation cards, '*in honour of', 'in memory of', 'in celebration of', etc.*

For large scale donations (greater than $500) a certificate would be generated, suitable for framing, and sent to the donor.

Donors would be listed on the Guelph website for 12 months from the time of donation.

Implementation/Resource Requirements: For implementation, the following recommendations have been made and/or requirements identified;

Create a capital fund/account for all donations to be applied. Collect donations for 2011 and initiate tree purchases in 2012.

Tax receipts will provided per the Donation Policy being created by Finance.

Utilizing a service such as CanadaHelps.org to conduct the donation collection *(this service is currently used by the City of London's "ReForest London" program, as well as the Food Bank of Canada).*

If there is no partnership with an outside service for this, the management of this fund would have to be conducted by City Staff. If this becomes extremely successful there is the risk of increased resources being required to administer this aspect of the program.

Conduct a contest with the public to name the program and design the E-cards, to increase awareness and promote education. A review of five (5) donation programs (including Canadian Cancer Society, Heat and Stroke and Canadian Food bank) show that most donation programs have a minimum of three E-card choices for donors.

An annual sponsorship drive needs to be developed through Park Maintenance and Development in cooperation with local service groups or Community and Social Services to solicit larger donations. This may require resource allocation from the affected departments for approximately 1 to 4 weeks, dependant on the type of drive initiated.

There would need to be a webpage developed and maintained to allow for donations, sign-up for volunteering and adoptions as well as provide information and recognition.

Additional resources and volunteers would be needed for planting. If the current plantings done with the Rotary club are utilized the volunteer drive could be done through that group.

Current planting (times provided from the Rotary Club) takes 25-30 people approximately 2 hours to plant 500 trees.

Annual Fund Sponsorship: Repetitive/annual monetary donations, from companies/ groups/ institutions.

Process: Donations are given annually by companies, groups or institutions; much the same as the United Way or other organizations.

Recognition: Contribution levels or recognitions would be developed and listed on the plaques/certificates given to the donor(s). Plaques similar to the ones distributed by the United Way could be given to the donor(s) to promote annual donations (to fill the plaque).The donor(s) would be listed on the City webpage, annually, to promote goodwill and continued donations.

Contribution levels/names could be similar to those used by London

- Sapling = donation up to $999
- Sugar Maple = donations $1,000 to $4,999
- Tall Oak = donations $5,000 to $9,999
- Forest = donations $10,000 or greater

Implementation/Resource Requirements: For implementation, the following recommendations have been made and/or requirements identified;

Community contests would be held to name these donation categories and/or levels.

An annual sponsorship drive needs to be developed through Park Maintenance and Development in cooperation with local service groups or Community Services to solicit larger donations. This would require resource allocation from the affected departments for approximately 1 to 4 weeks, dependant on the type of drive initiated.

There would need to be a webpage developed and maintained to allow for donations, sign-up for volunteering as well as provide information and recognition.

Donations In-Kind: *This is the donation of trees to the City from persons or business.*

Process: The donor contacts the City (through phone or website) to inform of the potential donation. A representative from Parklands & Greenways will review the donation with the donor (for applicability – species, health and season) and upon approval of the donation, arrange for pick up or delivery. The trees will be used in the current/next available planting.

Recognition: A certificate suitable for framing would be provided to the donor identifying the donation to increasing the green canopy of Guelph.

Implementation/Resource Requirements: For implementation, the following recommendations have been made and/or requirements identified;

City staff would be required to administer this part of the program. If this becomes a success and there are large annual donations, additional resources could be required.

A database of donors would have to be developed and maintained.

Additional resources and volunteers would be needed for planting. If the current plantings done with the Rotary club are utilized the volunteer drive could be done through that group. As well additional monies, in excess of what can be planted, can be saved for the following year, or donated to other groups for their planting programs.

Current planting takes 25-30 people approximately 2 hours to plant 500 trees.

Commemorative Trees: To purchase a tree in memoriam for a loved one.

Process: Donors may purchase trees and have them planted in specific *(to be defined if this is all parks or restricted to specific parks)* areas. The cost to purchase the tree is $520.00 (2010 memorial tree cost).

The Park Maintenance and Development Forestry Supervisor would contact the donor and set-up the planting. A picture (suitable for framing 5x7) could be taken of the donor (or the donation representative) and be forwarded to the donor.

The City would guarantee the tree for 3 years if planted in parks, trees planted in naturalized areas are not guaranteed. If after three years the tree dies, City Staff would attempt to contact the donor regarding the potential purchase of a replacement tree.

Recognition: When a specific tree is purchased a commemorative plaque can also be purchased (at additional cost), as an option (this plaque will be placed by the tree for a limit of 3 years then can be forwarded/given to the donor), and if requested the donor (or designated individual) can be present at the planting and a picture (suitable for framing) will be sent to the donor.

A certificate of donation can also be provided to the purchaser/designate that is suitable for framing.

Implementation/Resource Requirements: For implementation, the following recommendations have been made and/or requirements identified;

Research commemorative plaques to ensure a new type is selected that will allow for removal from the tree/area with no damage to the tree/area.

This policy/program is already in place, this report is recommending a change to the recognition process.

R.O.W. Trees: This provides homeowners or neighborhood associations with the options to have larger or additional trees planted on their boulevards, for new developments or replacement trees. *(Subject to available planting room)*

Process: A homeowner/donor can purchase a larger tree for their boulevard than the current standard. The donor would pay the difference between the selected tree and bare root cost currently covered by the City. Each tree would be priced by Staff and the donor would be charged the amount above the bare root stock cost.

In the case of additional trees, the cost of one tree would be covered by the City and the homeowner/donor would pay for the additional tree(s).

Recognition: There would be no additional recognition of the purchase.

Implementation/Resource Requirements: For implementation, the following recommendations have been made and/or requirements identified;

Service Groups: The current agreement with the Rotary Club will continue with regards to the two annual plantings.

COMMUNICATION PLAN

To make this policy/program work there must be an information program developed to ensure all members of the community know the possibilities.

The communication program would include;

- Information and Instructional Pamphlets

- Posters
- Advertisement (print and broadcast)
- Contests for naming the program and donation levels/types

Flyers and information to be available at various locations throughout the City

Enlist the assistance of the local service groups (such as the Rotary Club, Trees for Guelph and Kiwanis Group), and Neighbourhood Associations to assist in delivering the information about and promotion of the donation process.

The communication plan will be developed in conjunction with the Communications Department.

SPONSORSHIP DRIVES

Partnerships: with local corporations/businesses for donations.

- Local garden centers/nurseries could run programs such as "toonies for trees"

Annual Sponsorship drive (use Earth Week or Arbour Week as a launch for the drive)

- Open house and advertising campaign during Earth/Arbour week
- Investigate the potential to work with local high schools to for volunteers. Potential to work towards the students' community service requirements by working on the sponsorship drive and assisting with mass plantings.

PROGRAM SET-UP REQUIREMENTS

City Staff would have to be provided to set-up this program. A cross functional-team would need to be assembled to ensure all aspects are implemented and tested. Recommend members of the following groups are represented on the team;

- Park Maintenance and Development
- Community and Social Services
- Communications
- IT
- Potentially a representative from the public/services groups to champion the program

Guelph.ca: IT, to design and implement an online webpage to provide information/ education and the donation collection process.

Potential Costs

There will be costs associated with the following:

- Web Page Development
- Certificate Set-up and inventory
- Literature
- Contests

Specific costs to be identified by the implementation team.

Program Launch

Launch date of Summer/Fall 2011, dependant on Council approval.

ANNUAL REPORTING PLAN

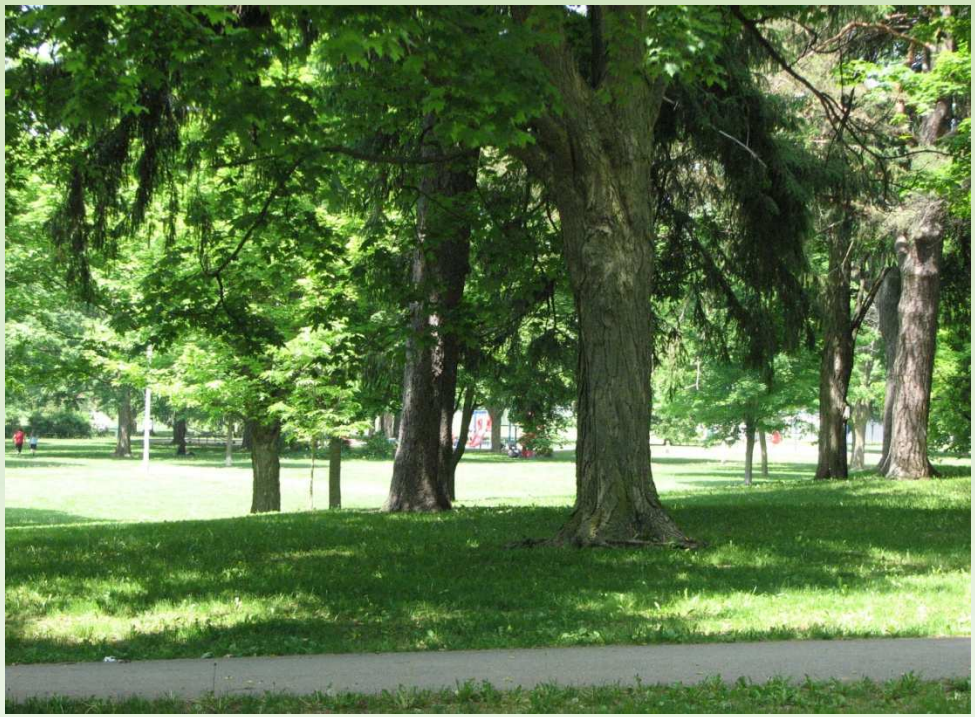
A report to Council to be developed and delivered, annually, to include;

- Total donations ($) collected in current year
- Plan to distribute fund in the next calendar year

After one year of collection and plan distribution, solicit public feedback on program/policy.

Note: This policy/program may become more comprehensive once the Urban Forest Plan is completed.

Tree Donation Program



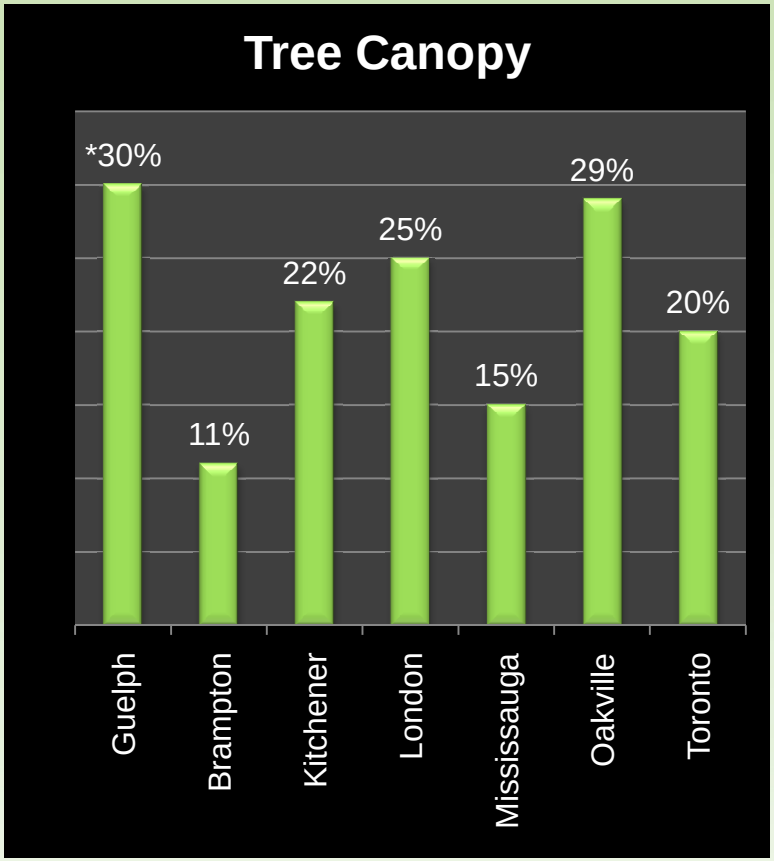
Agenda

- Strategic Plan
- Green Infrastructure (the value of trees)
- Current Program
- Proposed Program

Strategic Plan

Why a Tree Donation Program

- Goal 6 Objective 6.6 of the Strategic Plan
  - *To be a biodeverse city with the highest tree canopy percentage among comparable municipalities*.
- Most comparator municipalities have programs or are developing programs to increase their tree canopy.



**Guelph % from Framework For The Strategic Urban Forest Management Plan .*

Green Infrastructure (Value of Trees)

Trees within urban settings provide value through

- Filtration of airborne and waterborne contaminants
- Provision of wildlife habitat
- Conservation of energy used in buildings
- Urban noise reduction
- “Calming” of motor vehicle traffic
- Promotion of human health
- Enhancement of property values

Current Program

Current program for increasing the tree canopy

- The City of Guelph currently supports or donates to
  - Trees for Guelph
  - Rotary Forest
- Planned and Budgeted City plantings
  - New developments, replacement trees, parks and trails
- Memorial Tree Program

Proposed Program

Program Objectives

- Have an approach sensitive to socio-economic diversity of community (inclusive)
- Define appropriate recognition protocol
- Address donors' need to have a personal relationship with places and spaces
- Multiple options to participate
- Financially Self-sustaining

Proposed Program

Building Blocks

- Monetary donations
- Donations in kind
- R.O.W. Tree Upgrades
- Memorial purchases
- Sponsorships

Proposed Program

Monetary Donation

- Monetary Donations feed a “Tree Fund” that supports planting
- Minimum $10 donation
  - Can be gifted, honorarium, etc
- Donation can be targeted to specific park
- Recognition would be an E-card
- Large donations (one time corporate or group) would receive a certificate

Proposed Program

Donation in Kind

- For those who wish to donate actual trees
- Park staff review donation for applicability
  - Species, health, season
- Approved donations would be used in the current/next planting season
- Donors would received a certificate

Proposed Program

R.O.W. Upgrade

- Provide an opportunity to the homeowner, neighbourhood group, donor to increase the size or quantity of trees
- For new developments or replacement trees only
- Subject to available planting room
- No additional recognition for this activity

Proposed Program

Memorial

- Allows a donor to purchase a tree in memoriam
- Various recognition options would be available
  - A commemorative plaque (at addition cost) to be placed at the tree
  - Limit of three years then the plaque would be returned to the donor
  - Certificate of donation suitable for framing would be provided to the donor
  - A picture at the planting (suitable for framing) to be provided to the donor

Proposed Program

Sponsorship

- Annual sponsorships, recurring donations from companies, groups, institutions
- Sponsorship would be directly to the City, to support this fund.
- Recognition would include plaques/certificates

Proposed Program

Approval to Proceed

- Program does not currently exist.
- Cross functional staff team approach to address logistics.
- There will be costs *(funded through existing 2011 approved budget)* associated with the following:
  - Web Page Development
  - Certificate Set-up and inventory
  - Literature
  - Contests
- Launch date of Fall 2011, dependant on Council approval

Proposed Program

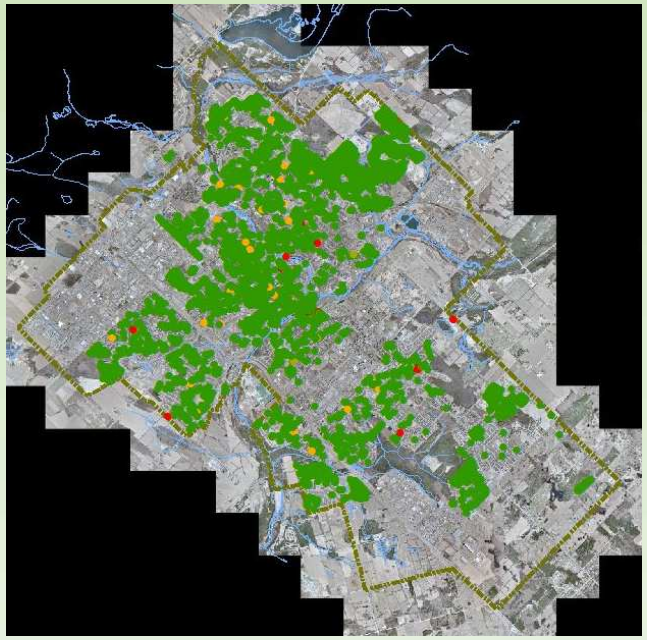
Reporting Plan

- Annual Program reporting to Council
  - Tree Fund Total (donation collected)
  - Activities undertaken during the year (# trees planted, where etc)
- Public feedback on program/policy after first full year of implementation

Thank You

Goal 6: *A leader in conservation and resource protection/enhancement*

- Objective 6.6*: A biodiverse City with the highest tree canopy percentage among comparable municipalities*



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

May 24, 2011

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

Your Planning & Building, Engineering and Environment Committee beg leave to present their THIRD CONSENT REPORT as recommended at its meetings of April 18, 2011 and May 16, 2011.

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 & Environment Committee will be approved in one resolution.

1) Annual Increase of Building Permit Fees

THAT Council approve the Permit Fees attached as Appendix A to the "Annual Increase of Building Permit Fees" report, effective June 1, 2011;

AND THAT the Report No. 11-35 on Annual Increase of Building Permit Fees from Planning & Building, Engineering & Environment dated April 18, 2011, be received.

2) Sign By-law Variance for 124 Woodlawn Road West (Kelsey's Restaurant)

THAT Report 11-44, regarding a sign variance for 124 Woodlawn Road West from Planning & Building, Engineering and Environment, dated May 16, 2011, be received;

AND THAT, the request for a variance from the Sign By-law for 124 Woodlawn Road West to permit one freestanding sign with a separation distance of 20 metres from an existing freestanding sign on another site in lieu of the required 30 metres, be approved.

3) 3-7 Gordon Street and 28-36 Essex Street – Brownfield Redevelopment Community Improvement Plan – Environmental Study Grant Requests

THAT Planning & Building, Engineering and Environment Report No. 11-43, dated May 16, 2011 regarding requests for financial assistance pursuant to the City of Guelph Brownfield Redevelopment Community Improvement Plan for the properties known municipally as 3-7 Gordon Street and 28-36 Essex Street be received;

AND THAT the requests for financial assistance made by Creating Homes Inc., on behalf of Gordon Street Co-operative Development Corporation and Market Green Developments Inc., under the Environmental Study Grant program pursuant to the Brownfield Redevelopment Community Improvement Plan for the properties known municipally as 3-7 Gordon Street and 28-36 Essex Street, in an amount up to 50% of the cost of the follow-up Phase 2 Environmental Site Assessments to an upset total of $10,000 for each site and up to 50% of the cost of Remedial Work Plans, if necessary, to an upset total of $10,000 for each site be approved;

AND THAT staff be directed to proceed with the finalization of Environmental Study Grant agreements with Gordon Street Co-operative Development Corporation and Market Green Developments Inc. or any subsequent owners to the satisfaction of the General Manager, Building & Planning Services and the City Solicitor;

AND THAT the Mayor and Clerk be authorized to sign the Environmental Study Grant agreements.

4) Updated Municipal Waste Management By-law

THAT Council approve and enact the new "Municipal Waste Management By-law", as amended and attached to the report to Council;

AND THAT By-law (2003)-17070, as amended, be repealed.

All of which is respectfully submitted.

Councillor Piper, Chair
Planning & Building, Engineering &
Environment Committee

PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE AGENDA FOR THE MAY 16, 2011 MEETING.

COMMITTEE REPORT

TO	**Planning & Building, Engineering and Environment Committee**
SERVICE AREA	Planning & Building, Engineering and Environment
DATE	April 18, 2011
SUBJECT	**Annual Increase of Building Permit Fees**
REPORT NUMBER	11-35

SUMMARY

Purpose of Report:
To outline new Building Permit fees being proposed for 2011 – 2012.

Council Action:
To decide whether to approve recommended fees.

RECOMMENDATION

"THAT Council approve the attached Schedule of Permit Fees, effective June 1, 2011;

AND THAT the Report No. 11-35 on Annual Increase of Building Permit Fees from Planning & Building, Engineering and Environment dated April 18, 2011, be received."

REPORT

In 2009, City Council approved an increase to Building Permit fees – the first since January 1, 2005. In the report to Council, staff also advised that they were currently reviewing all viable options for the implementation (in 2010) of an automatic increase of Building Permit fees on an annual basis.

Automatic Increase of Building Permit Fees:

In 2010, City Council adopted the following three resolutions:

> "THAT the Report (No. 10-26) on Automatic Increase of Building Permit Fees from the Community Design and Development Services Department, dated April 12, 2010, be received;

AND THAT Council approve the automatic increase of Building Permit Fees to be equal to the increase to the City of Guelph's Tax-Supported Operating budget plus 20 percent of the increase;

AND THAT Council approve the attached Schedule of Permit Fees, effective June 1, 2010."

The new fees come into effect on June 1st of each year to allow time for staff to compare the Year-end Building Stabilization Reserve Fund balance to the established cap on the reserve fund, consult with our Industry Partners and advertise the required Public Notice.

Purpose of Fees:
The Building Code Act allows permit fees to be set to cover only the costs associated with the administration and enforcement of the Building Code Act, as well as reasonable contributions to a reserve fund. The reserve fund can be used to offset lean years, implement service enhancements and to cover unexpected expenses related to the administration and enforcement of the Building Code Act.

Public Notice:
As required by the Building Code Act, when a municipality is proposing changes to their Building Permit fees, the municipality must hold a public meeting concerning the proposed changes and must provide a minimum of 21 days notice prior to the public meeting, which will be the Council meeting on May 24, 2011. A public Notice will be advertised in the Guelph Tribune on April 28, 2011.

Review in 2011:
Building Permit fees will be reviewed when staff from Planning & Building Services and the Finance Department study the pros and cons of transferring the Ontario Building Code Administration Operating Budget and the Building Stabilization Reserve Fund to a User Pay Budget. Impacts of applying the Ontario Municipal Benchmarking Initiative (OMBI) methodology will be considered at that time.

CORPORATE STRATEGIC PLAN
Government & Community Involvement
Goal #5: A community-focused, responsive and accountable government.

FINANCIAL IMPLICATIONS
An increase in Building Permit fees will assist staff in balancing Building Code revenues against costs and maintaining a related Building Stabilization Reserve Fund.

DEPARTMENTAL CONSULTATION
N/A

COMMUNICATIONS

- A Public Notice will be advertised in the Guelph Tribune on April 28, 2011, as required by the Building Code Act.
- An Information Notice will be sent to Industry partners affected by the increase in Building Permit fees.

ATTACHMENTS

- Appendix A - Schedule of Permit Fees

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Schedule of Permit Fees
- Effective June 1, 2011

SCHEDULE "A"

of By-law Number (2011) –
being new Schedule "A" of By-law (2005)-17771

Appendix A

Fees for a required Permit are set out in this Schedule and are due and payable upon submission of an application for a Permit.

Classes of Permits		Permit Fee ($ per sq. foot)	Flat Fee ($)
CONSTRUCTION - NEW BUILDINGS, ADDITIONS, MEZZANINES			
Group A:	**Assembly Buildings**		
	(Shell)	1.77	
	(Finished)	2.02	
	Outdoor Patio		160.00
	Outdoor Public Pool		755.00
Group B:	**Institutional**		
	(Shell)	1.91	
	(Finished)	2.19	
Group C:	**Residential**		
	SDD, Semi Detached, Row, Townhouse, Duplex	1.08	
	Garage/Carport (per bay), Shed, Deck, Porch, Exterior Stairs		80.00
	Exterior Ramps, Hot Tubs		80.00
	Swimming Pools		160.00
	Apartment Building	1.03	
	Hotels/Motels	1.71	
	Residential Care Facility	1.40	
Group D:	**Business and Personal Services**		
	Office Buildings (shell)	1.45	
	Office Buildings (finished)	1.71	
Group E:	**Mercantile**		
	Retail Stores (shell)	0.95	
	Retail Stores (finished)	1.20	
Group F:	**Industrial**		
	Warehouse, Factories	0.75	
	Parking Garage	0.64	
Farm Building		0.36	
Foundation		0.11	
Conditional Permit		0.11	
INTERIOR FINISHES: All Classifications			
Interior finishes to previously unfinished areas (including finishing of residential basements and major renovations).		0.34	
ALTERATIONS/RENOVATIONS: All Classifications			
Alterations and renovations to existing finished areas, new roof structures.		0.31	
MINOR ALTERATIONS:			
Partitions, washrooms, new entry, minor demolitions (500 sq. ft. or less).			80.00
SPECIAL CATEGORIES:			
Air Supported Structures		0.38	
Temporary Tents/per application, Temporary Buildings			160.00
Portables - each (excludes port-a-pak)			80.00
Major Demolitions (more than 500 sq. ft.)		0.02/160.00 min.	
Change of Use Permit			160.00
MISCELLANEOUS:			
Fireplace/Woodstove (each)			80.00
Exterior Ramps (excluding SDD Ramps)			160.00
Retaining Wall (per linear foot)		3.11	
Balcony Guard (replace per linear foot)		0.62	
Ceiling (new or replace per square foot)		0.05	
Reclad Exterior Wall (per square foot)		0.05	
All Designated Structures (except retaining walls, public pools & signs)			320.00
Storefront (replace)			160.00
Elevator, Escalator, Lift			320.00
Demising Wall/Firewall			80.00
MECHANICAL WORK: (Work independent of building permit)			
HVAC Permit (residential per suite)			80.00
HVAC Permit (non-residential)		0.11	
Sprinkler System (N.F.P.A. 13) or Standpipe System (N.F.P.A. 14)		0.04/160.00 min.	
Commercial Kitchen Exhaust Systems, Spray Booths, Dust Collectors			160.00
ELECTRICAL WORK: (Work independent of building permit)			
Fire Alarm System and Electrical Work		0.04/160.00 min.	
Electromagnetic Locks (each) and Hold Open Devices (each)			38.00
PLUMBING WORK: (Work independent of building permit)			
Plumbing Permit (per fixture)			13.00
Hot Water Heaters (each)			38.00
Testable Backflow Prevention Devices (each)			80.00
Catchbasins/Manholes/Roofdrains (each)			13.00
Building Services (per group) -SDD, Semi-Detached, Duplex			80.00
Building/Site Services (per linear foot), excluding SDD, Semi-Detached, Duplex		0.65	
SEWAGE SYSTEMS:			
New Installations			485.00
Replacement or Alteration			245.00

(continued)

(Schedule A – continued)

- A minimum Permit fee of $80.00 shall be charged for all work where the calculated Permit fee is less than $80.00.
- For classes of Permits not described in this Schedule, a reasonable Permit fee shall be determined by the Chief Building Official.
- Floor area of the proposed work is to be measured to the outer face of exterior walls (excluding residential attached garages) and to the centre line of party walls, firewalls or demising walls.
- In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work, e.g. tenant suite.
- Mechanical penthouses and floors, mezzanines, lofts, habitable attics and interior balconies are to be included in all floor area calculations.
- Except for interconnected floor spaces, no deductions are made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, etc.).
- Unfinished basements for single detached dwellings (including semi, row, townhouse and duplex) are not included in the floor area.
- Attached garages and fireplaces are included in the Permit fee for single detached dwellings (including semi, row, townhouse and duplex).
- Where interior alterations and renovations require relocation of sprinkler heads, standpipe components or fire alarm components, no additional charge is applicable.
- Ceilings are included in both new shell and finished (partitioned) Buildings. The Permit fees for ceilings only apply when alterations occur in existing Buildings. Minor alterations to existing ceilings to accommodate lighting or HVAC improvements are not chargeable.
- Where Demolition of partitions or alterations to existing ceilings are part of an alteration or renovation Permit, no additional charge is applicable.
- Corridors, lobbies, washrooms, lounges, etc. are to be included and classified according to the major occupancy for the floor area on which they are located.
- The occupancy categories in this Schedule correspond with the major occupancy classifications in the Ontario Building Code. For multiple occupancy floor areas, the Permit fees for each of the applicable occupancy categories may be used, except where an occupancy category is less than 10% of the floor area.
- For rack storage use, apply the square footage charge that was used for the Building.
- A temporary Building is considered to be a Building that will be erected for not more than three years.
- Additional Permit fees are not required when the Sewage System is included with the original Building Permit.

Refund of Permit Fees

In the case of withdrawal or abandonment of an application or abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall, upon written request of the Owner or Applicant, determine the amount of paid Permit fees that may be refunded to the Owner or Applicant, if any, as follows:

a) 80 percent (80%) if administrative functions only have been performed;
b) 70 percent (70%) if administrative and zoning functions only have been performed;
c) 50 percent (50%) if administrative, zoning and plans examination functions have been performed;
d) 35 percent (35%) if the Permit has been issued and no field inspections have been performed subsequent to Permit issuance;
e) 5 percent (5%) shall additionally be deducted for each field inspection that has been performed after the Permit has been issued;
f) No refund shall be made of an amount that is less than the minimum Permit fee applicable to the work;
g) No refund shall be made after two years following the date of Permit Application where the Permit has not been issued or one year following the date of Permit issuance.

COMMITTEE REPORT

TO	**Planning & Building, Engineering and Environment Committee**
SERVICE AREA	Planning & Building, Engineering and Environment
DATE	May 16, 2011
SUBJECT	**SIGN BY-LAW VARIANCE FOR 124 Woodlawn Road West (Kelsey's Restaurant)**
REPORT NUMBER	11-44

SUMMARY

Purpose of Report:
To obtain Council approval for permission to have a 20 metre separation distance between a proposed freestanding sign at 128 Woodlawn Road West and an existing freestanding sign at another site (in lieu of the required 30 metres).

Council Action:
To approve the request for a variance from the Sign By-law for 124 Woodlawn Road West.

RECOMMENDATION

"THAT Report 11-44, regarding a sign variance for 124 Woodlawn Road West from Planning & Building, Engineering and Environment, dated May 16, 2011, be received;

AND THAT, the request for a variance from the Sign By-law for 124 Woodlawn Road West to permit one freestanding sign with a separation distance of 20 metres from an existing freestanding sign on another site in lieu of the required 30 metres, be approved."

BACKGROUND

Kelsey's Restaurant has submitted a sign permit application for a new freestanding sign at 124 Woodlawn Road West (see Schedule A- Location Map). The Sign By-law No. (1996)-15245 in Table 2, Row 1 requires a minimum separation distance of 30 metres between a freestanding sign on one property and a freestanding sign on any adjacent property. Kelsey's Restaurant is applying for permission to have a 20 metre separation distance between the proposed sign and an existing sign at 128 Woodlawn Road West.

REPORT

The proposed new freestanding sign (see Schedule "B" Proposed Sign) is part of the overall development of the restaurant. A variance is required from the Sign By-law because the freestanding sign is in a SC. 2-4 (Service Commercial) zone requiring a 30 metre (98.42') separation distance between a sign on one property and a sign on an adjacent property. The requested separation distance proposed is 20 metres (65.6').

Kelsey's Restaurant has requested the variance to the Sign By-law in order to permit advertising on a freestanding sign, which is common practice in Service Commercial zones. The existing gas bar sign at 128 Woodlawn Road West has been in existence since 1982 and has approximately a 2 metre setback from the side property line (see Schedule "C"- Woodlawn Road West Streetscape). The requested variance is as follows**:**

Freestanding Sign (Service Commercial SC.2 zone)	**By-law Requirements**	**Request**
Minimum Required Separation Distance between signs	30.0 metres	20.0 metres

The requested variance from the Sign By-law for separation distance is recommended for approval because:

- There are no sight line issues with the proposed placement of the sign
- The proposed sign meets all other regulations for freestanding signs in a Service Commercial zone.
- The lot frontage of subject property is 38.1 metres (125'). In order for the sign to comply, it would need to be shifted to the far eastern part of the property and may be obscured by existing trees and may confuse patrons of which entrance to use. This variance allows for the sign to be centered on the property.

CORPORATE STRATEGIC PLAN:

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- Proposed Sign
Schedule C- Woodlawn Road West Streetscape

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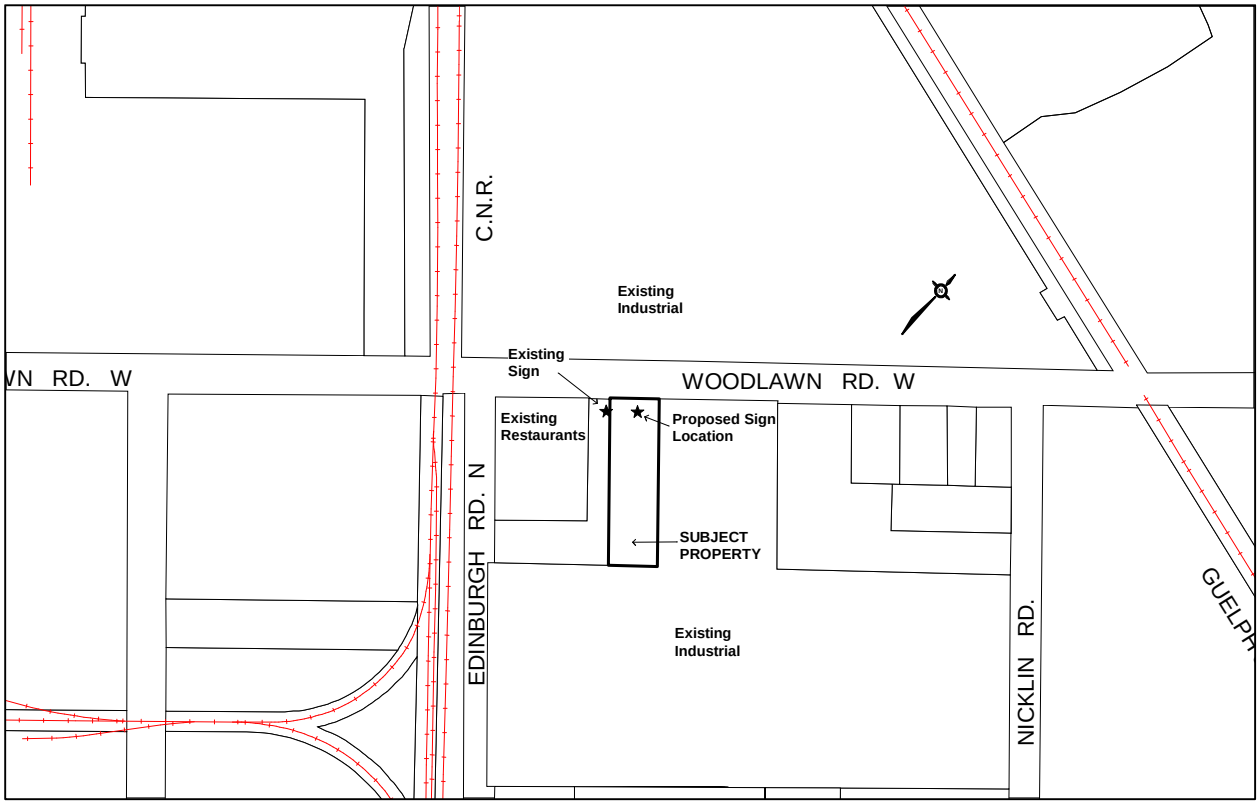
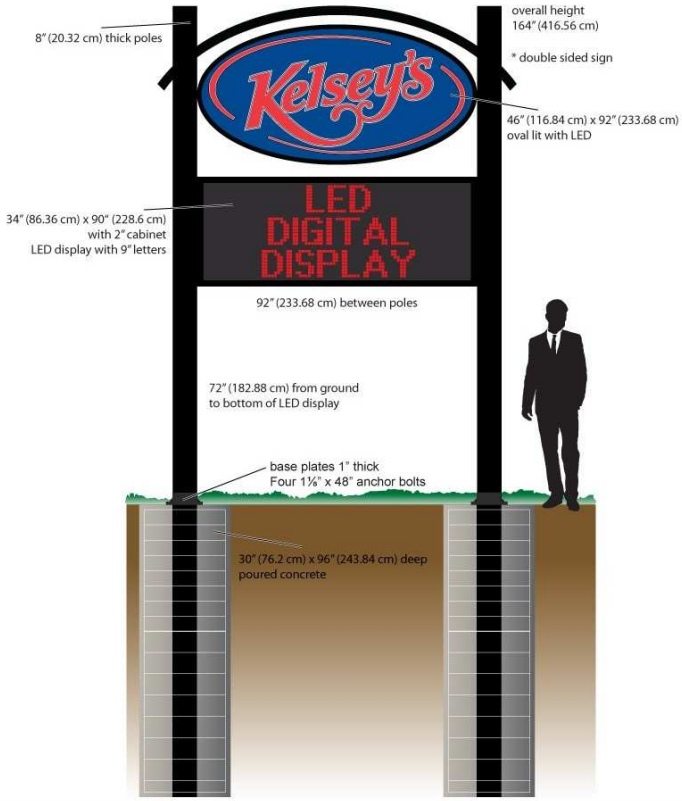
SCHEDULE A- LOCATION MAP



SCHEDULE B- PROPOSED SIGN

Date: April 7, 2011 | Client: | Business: Kelsey's | Other Info: pylon permit | Colours:



Please ensure all spelling and information is correct. Westmount Signs & Digital Imaging will not be held responsible for any errors once the proof has been approved by the customer. Colours on the finished product may not be exactly as shown on your monitor since all monitors vary in contrast and brightness.

Westmount Signs & Digital Imaging 347 Weber Street North | Waterloo, Ontario | N2J 3H8 | Ph. 519-885-1400 | Fax 519-885-8897 www.westmountsigns.com

SCHEDULE C- WOODLAWN ROAD WEST STREETSCAPE

View from east

Front view

SCHEDULE C- WOODLAWN ROAD WEST STREETSCAPE

View showing neighbouring sign

COMMITTEE REPORT

TO	**Planning & Building, Engineering and Environment Committee**
SERVICE AREA	Planning & Building, Engineering and Environment
DATE	May 16, 2011
SUBJECT	**3-7 Gordon Street and 28-36 Essex Street - Brownfield Redevelopment Community Improvement Plan – Environmental Study Grant Requests**
REPORT NUMBER	11-43

SUMMARY

Purpose of Report:
To obtain Council approval for requests for financial assistance under the City's Brownfield Community Improvement Plan (CIP). The Environmental Study Grants for 3-7 Gordon Street and 28-36 Essex Street cover up to 50% of the cost of the follow-up Phase 2 Environmental Site Assessments (ESA), to an upset total of $10,000 for each site and up to 50% of the cost of Remedial Work Plans, if necessary, to an upset total of $10,000 for each site.

Council Action:
To approve the Environmental Study Grant requests for 3-7 Gordon Street and 28-36 Essex Street.

RECOMMENDATION

"THAT Planning & Building, Engineering and Environment Report No. 11-43, dated May 16, 2011 regarding requests for financial assistance pursuant to the City of Guelph Brownfield Redevelopment Community Improvement Plan for the properties known municipally as 3-7 Gordon Street and 28-36 Essex Street be received;

AND THAT the requests for financial assistance made by Creating Homes Inc., on behalf of Gordon Street Co-operative Development Corporation and Market Green Developments Inc., under the Environmental Study Grant program pursuant to the Brownfield Redevelopment Community Improvement Plan for the properties known municipally as 3-7 Gordon Street and 28-36 Essex Street, in an amount up to 50% of the cost of the follow-up Phase 2 Environmental Site Assessments to an upset total of $10,000 for each site and up to 50% of the cost of Remedial Work Plans, if necessary, to an upset total of $10,000 for each site be approved;

AND THAT staff be directed to proceed with the finalization of Environmental Study Grant agreements with Gordon Street Co-operative Development Corporation and Market Green Developments Inc. or any subsequent owners to the satisfaction of the General Manager, Building & Planning Services and the City Solicitor;

AND THAT the Mayor and Clerk be authorized to sign the Environmental Study Grant agreements."

BACKGROUND

The City's Brownfield Redevelopment Community Improvement Plan (CIP) was approved by the Minister of Municipal Affairs and Housing in March of 2004 and subsequently amended by City Council on July 7, 2008.

The purpose of the CIP is to stimulate private sector investment in the reuse and redevelopment of brownfield sites that otherwise would not be redeveloped. The CIP programs partially offset the costs associated with ESAs and remediation. The premise of the CIP is that modest City investment in the investigation and remediation of brownfield sites will enable redevelopment of these sites resulting in improved environmental and neighbourhood conditions while creating additional tax revenues in the longer term that would not otherwise be realized if the brownfield site remained vacant or underutilized. The redevelopment of brownfield sites also removes the stigma associated with contaminated sites and provides for increased property values on both remediated/redeveloped sites and neighbouring properties.

Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the significant costs of site investigation and cleanup. Brownfield sites also pose a potential threat to the quality of Guelph's groundwater-based drinking water supply and surface water resources, such as the Speed and Eramosa Rivers. Redevelopment of these sites helps to eliminate the potential negative impacts to the City's water supply and the water quality of the City's rivers.

As brownfield sites are generally located in the built up areas of the City where hard and soft infrastructure services are already available, additional infrastructure expenditure may not be required to service them.

As the City moves forward with the implementation of its Growth Management Strategy, Community Energy Initiative and Source Water Protection planning, the redevelopment of brownfield sites will play an increasingly important role in achieving the City's strategic goals and in particular the intensification targets for the built-up areas of the City.

REPORT

Creating Homes Inc. on behalf of Gordon Street Co-operative Development Corporation and Market Green Developments Inc. is seeking approval for Environmental Study Grants for 3-7 Gordon Street and 28-36 Essex Street respectively. Follow-up ESA's are being conducted independently on each site, as 3-

7 Gordon Street is currently owned by Gordon Street Co-operative Development Corporation and 28-36 Essex Street is owned by Market Green Developments Inc. It is the intention that Gordon Street Co-operative Development Corporation will own and develop both sites together. These sites are eligible for Environmental Study Grants under the City's Brownfield CIP.

3-7 Gordon Street Background

The 3-7 Gordon Street site is located on the west side of Gordon Street with frontage on Essex Street to the north and Gordon Street to the east. It is immediately south of the Gordon Street and Waterloo Avenue intersection (see Attachment A).

According to the Phase 1 Environmental Site Assessment (ESA), this property was historically used for commercial purposes including retail, grocery, upholsterers, and used car sales. The property is currently vacant and is used primarily as a parking lot. In 2010, the applicant conducted a Preliminary Phase 2 ESA to investigate potential contamination. The ESA concluded that additional groundwater sampling is needed to determine if remedial action is required and to file for a Record of Site Condition.

The site is designated General Residential and Commercial Mixed use in the City's Official Plan and is zoned CR-8 (Specialized Commercial Residential), which provides for a variety of uses such as art gallery, school, office, apartments, library, religious establishment, etc. (See Attachment B). The Zoning also specifies that the building must consist of ground floor commercial and a maximum of 70 apartment units. Redevelopment of the site will require minor variances and site plan approval.

28-36 Essex Street Background

This site is located approximately 40 metres west of 3-7 Gordon Street on the south side of Essex Street (see Attachment A). One property currently divides the two sites.

According to the Phase 1 ESA, the site has historically been used for a number of auto related uses including an auto service station, auto sales and continues to be occupied by Wilson's Service Station, Alpha-Omega Graphics and Print Media Services. In 2007, an initial Phase 2 ESA was conducted to investigate potential sources of contamination identified in the Phase 1 ESA. The initial Phase 2 ESA indicates that there is contamination in the soil and groundwater in excess of the Ministry of the Environment standards; however, the extent of the contamination needs to be further defined. A follow-up Phase 2 ESA is required to further assess the environmental conditions of the site.

This site is designated General Residential in the City's Official Plan and is zoned R.4 D-1 (Infill Apartment). The zoning allows for the existing uses, an apartment building, nursing home, home for the aged, retirement residential facility and a maisonette.

Environmental Study Grant Applications

As indicated above Creating Homes Inc. has submitted an Environmental Study Grant application for each of 3-7 Gordon Street and 28-36 Essex Street (see attachments C & D). Environmental Study Grants are available to offset part of the cost of preparing a Phase 2 ESA and/or a Remedial Work Plan under the City's Brownfield Redevelopment CIP.

The agent for 3-7 Gordon Street has submitted a Phase 1 ESA and a preliminary Phase 2 ESA in support of the Environmental Study Grant application. The preliminary Phase 2 ESA report concludes that additional groundwater sampling is required to determine if remedial actions are required and to support filing of a Record of Site Condition (RSC) under Ontario Regulation 511/09. The estimated cost to conduct the follow-up Phase 2 ESA and prepare a Remedial Work Plan for 3-7 Gordon Street is $9,100.

In addition, with permission from the current owner of 28-36 Essex Street, Creating Homes Inc. has submitted a second Environmental Study Grant application to conduct a follow-up Phase 2 ESA on the site. A follow-up Phase 2 ESA is required to determine the extent of site contamination and to prepare a Remedial Work Plan. The estimated cost to conduct the follow-up Phase 2 ESA and prepare a Remedial Work Plan for 28-36 Essex Street is $22,500

If these grant requests are approved, the Environmental Study Grant would reimburse up to 50 percent of the final cost of the follow up Phase 2 ESA work for each site, up to a maximum of $10,000 each upon the submission of the follow-up Phase 2 ESA Reports. If the follow-up Phase 2 ESAs identify contamination that needs to be cleaned up prior to redevelopment, the applicant would also be eligible for a second Environmental Study Grant for each site of up to 50 percent of the cost of the preparation of a Remedial Work Plan, up to a maximum of $10,000 each for 3-7 Gordon Street and 28-36 Essex Street sites.

All program application requirements have been satisfied for these requests and staff support the grant requests.

CORPORATE STRATEGIC PLAN

The approval of financial assistance will achieve the following Strategic Plan Goals:

Goal 1: An attractive, well-functioning and sustainable city;
Goal 2: A healthy and safe community where life can be lived to the fullest; and
Goal 6: A leader in conservation and resource protection/enhancement.

FINANCIAL IMPLICATIONS

Environmental Study Grant Application

The total potential upset limit of 2 study grants each site is $40,000 (up to $10,000 for the follow-up ESA and up to $10,000 for Remedial Work Plan for each site).

The brownfield reserve fund currently has sufficient funds to accommodate the grant request.

DEPARTMENTAL CONSULTATION

Planning & Building, Engineering and Environment
Finance
Legal Services

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment A: Location Map
Attachment B: Zoning Map
Attachment C: Environmental Study Grant Application – 3-7 Gordon Street
Attachment D: Environmental Study Grant Application – 28-36 Essex Street

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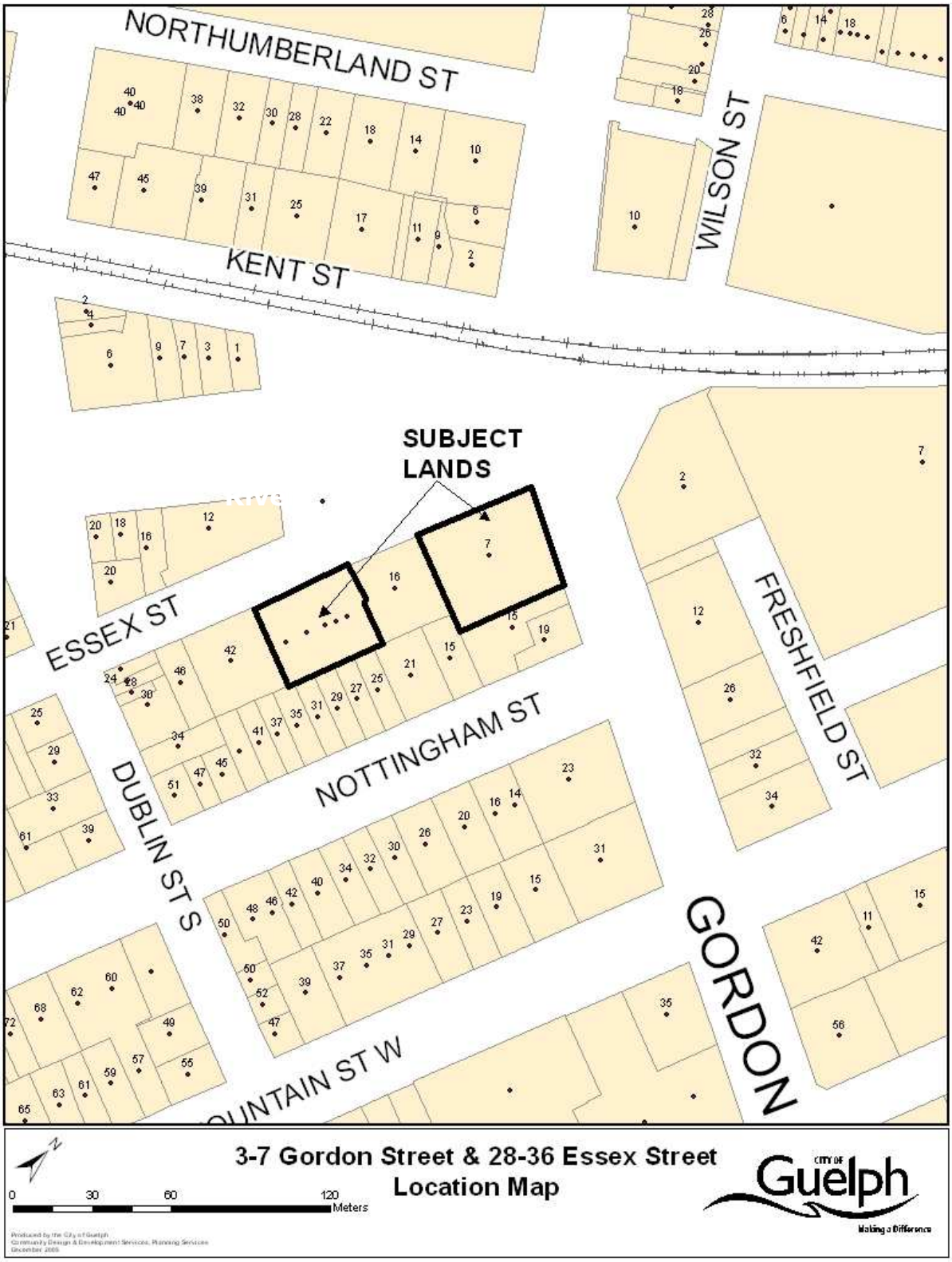
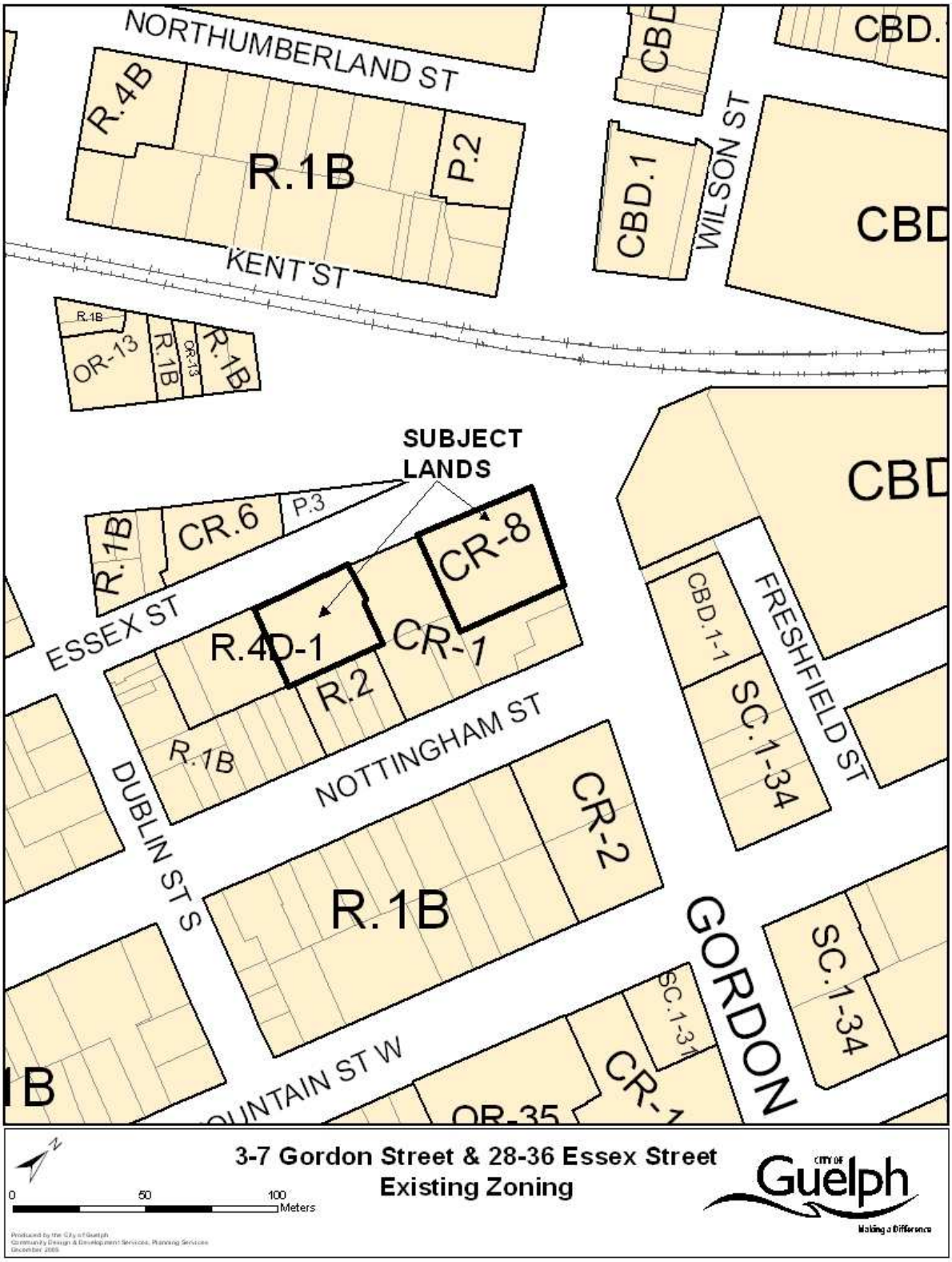
Attachment A: Location Map



Attachment B: Zoning Map



Attachment C: Environmental Study Grant Application – 3-7 Gordon Street

Brownfield Redevelopment Community Improvement Plan
Environmental Study Grant Application Form

PART A: General Instructions

- Community Design and Development Services Staff must be consulted prior to completing and submitting this application.
- As much detail as possible should be submitted regarding a proposed brownfield project. If you require more space than is provided on this form, please attach additional pages and/or documents. Do not simply reference sections in appended reports or documents.
- All environmental reports submitted to the City must be signed and sealed by a Qualified Person as defined by Ontario Regulation 153/04 under the *Environmental Protection Act* as amended from time to time.
- Applications must be acknowledged by Community Design and Development Services Staff as being 'complete'. Applications will not be acknowledged until all required information and material is submitted with the application form.
- Completed applications are accepted and processed on a first come first served basis.
- The total amount of financial assistance provided by the City for the purpose of brownfield redevelopment (i.e. including financial contributions obtained outside of the Brownfield Redevelopment Community Improvement Plan) cannot exceed the eligible costs set out in the Community Improvement Plan.
- All requests for financial assistance under the Brownfield Redevelopment Community Improvement Plan require City of Guelph Council approval.
- Applications should be submitted to:

Community Design and Development Services
Location: 1 Carden Street, 3rd Floor
Phone: 519-837-5616
Fax: 519-837-5640
Email: planning@guelph.ca

PART B: CONDITIONS & RESTRICTIONS

- Grants must be approved prior to the start of any applicable environmental study.
- Funds will not be issued until the City receives the results of the study. If the environmental study is not submitted within two (2) years the grant will be reallocated.
- The amount of any Environmental Study Grant(s) will be deducted from the eligible redevelopment costs available for tax increment-based grant funding.
- Grants related to the costs of completing a Phase 2 Environmental Site Assessment (ESA) and or Remedial Work Plan will be reimbursed up to 50% or to a maximum of $10,000 (See BRCIP for exception).
- Studies submitted to the City must be completed by a qualified, independent consultant.
- Properties having a Minister's Order for clean-up are not eligible.
- No more than two (2) Environmental Study Grants will be awarded for a particular redevelopment.
- Properties in tax arrears are not eligible.

Brownfield Redevelopment Community Improvement Plan
Environmental Study Grant Application Form

PART C: Applicant Information

Name of Registered Property Owner: Gordon Street Cooperative Development Corporation

Address of Registered Property Owner: [redacted]

Phone Number: [redacted] Fax Number: [redacted]

Email Address: [redacted]

Agent Information (Authorized Agent)

Name of Agent: John Farley – Creating Homes Inc.

Address of Agent: 123-35 Mountford Drive, Guelph ON N1E 0G6

Phone Number: 519.994.1221 Fax Number: 519.624.5556

Email Address: jdfarley@creatinghomes.ca

PART D: Property Information

Address of Subject Property: 3-7 Gordon Street Guelph ON

Legal Description (e.g. Lot and Plan No.): City of Guelph, County of Wellington
Lot 194 and Part Lot 178, Registered Plan 8 (Canada Company Survey)

Official Plan Designation: Specialized Commercial Residential

Zoning: CR-8

Current Use(s): Vacant Lot

Size of Property: 1782 Square Meters; 0.178 Hectares; 0.440 Acres

Existing Buildings:

☐ Yes (please specify size)

☐ **NO**

Building 1: _____

Building 2: _____

Building 3: _____

Property Details (e.g. history, easements, outstanding work orders, or other relevant details):

History:

MTE was provided with a Phase I completed at the Site in 2006. MTE was also provided a Phase II ESA for an adjacent property located at 28-36 Essex Street (to the west of the Site). The Phase I ESA for the Site was completed on behalf of Sierra Building Group Inc. by V.A. Wood Associates Inc.. Based on the results of that Phase I ESA, the following areas of potential environmental risk to the property were identified:

1. The site was historically operated by commercial uses including retail, grocers, and used car sales.
2. Adjacent properties include: Guelph Farmers' Market, commercial uses, car wash and automotive service stations to the south and a CNR railway line to the west.
3. This property is completely asphalt covered with no buildings onsite.
4. It is believed that there are no ASTs or USTs in the site. Some surface staining was noted on the asphalt.
5. The Site is in close proximity to a closed waste disposal site on Wellington Street, and a former coal gasification plant on Fountain Street.

The Phase II ESA for the property to the south of the Site at 28-36 Essex Street was completed by Gamsby and Mannerow Limited on behalf of Peter Beranek and Brady Dunlop. A review of the Phase II ESA indicated the following:

1. The property located at 28-36 Essex Street operated as a former retail fuel station including four former USTs and related pumps (reportedly removed in 1993).
2. Former in ground hydraulic hoists and existing pits/drains in the floor within the garage at 28 Essex.
3. Shallow fill onsite overlying native soils to depths of 2.36-3.66 meters below ground surface. Dolostone bedrock found below native soils.
4. Water table encountered in bedrock at 3.97 meters below ground surface.
5. Soil samples on the west of the property had petroleum related compound above the MOE Table 2 Standards.
6. Soil samples collected beneath the garage floor had petroleum related compound above the MOE Table 2 Standards.
7. Groundwater samples collected from the single monitoring well indicated petroleum related compound above the MOE Table 2 Standards. MTE notes that this monitoring well is in an up-gradient location, and would not reflect groundwater conditions at the down gradient property boundary which could potentially be worse.

Reference: Proposal Phase II Environmental Site Assessment, 3-7 Gordon Street, Guelph Ontario (Site) prepared by MTE Consultants Inc. (October 2010); Phase II Environmental Site Assessment, 28-36 Essex Street, Guelph Ontario prepared by Gamsby and Mannerow Ltd. (June 2007).

Easements: Private Right of Way – Eight foot (8') strip along southwesterly property boundary.

Work Orders: None on record or outstanding.

Has or will this property received grants/loans or other financial assistance from the City or other level of Government? ☐ Yes ☐ **No**

If yes, please specify type and amount of financial assistance received: _____

_____

PART E: Environmental Information

Please describe any known or suspected environmental contamination issues (e.g. soil or groundwater related) affecting the site including the types of contaminants, extent, causes (brief site history), underground storage tanks, above ground storage tanks, etc.

Supplemental

MTE completed a Phase II ESA at the Site in November 2010 that included drilling and installation of three monitoring wells into the bedrock surface. Laboratory analytical results indicated concentrations of F3 and F4 in groundwater above the MOE 2004 Table 1 Standards. These petroleum hydrocarbon impacts were found in the monitoring well that was installed at the western property boundary, adjacent to the car wash property. The location of these impacts could indicate that petroleum hydrocarbons are migrating onto the Site from the adjacent property. In order to confirm this, and to determine whether these impacts extend beyond the south property boundary onto another adjacent property, MTE recommended additional drilling and investigation.

Reference: Supplemental Phase II Environmental Site Assessment 3-7 Gordon Street, Guelph, Ontario (Site) prepared by MTE Consultants Inc. (November 2010); Executive Summary - Phase I Environmental Site Assessment, Lot 194 and Part of Lot 178, Registered Plan 8 3-7 Gordon Street, City of Guelph Ontario prepared by V.A. Wood Associates Ltd. (November 2006).

Final Report - Summary and Recommendations

This Phase II ESA was not designed to delineate the extent of contamination but rather to assess the potential for contamination at the Site.

Based on the presence of shallow soil conditions at the Site, the MOE 2004 Table 1 Standards currently apply for soil and groundwater evaluation. Given the reported levels of benzene, dichloromethane, toluene and xylenes in soil, there are exceedances of the MOE 2004 Table 1 Standards. These compounds do not exceed the MOE 2009 Table 6 Standards which come into force on July 1, 2011. No other concerns in soil have been identified.

In groundwater, chloroform exceeds the MOE 2004 Table 1 Standards, but not the MOE 2009 Table 6 Standards. PHC F3 and F4 were detected at MTE-MW102 during the initial groundwater sampling round.

As a result a Record of Site Condition (RSC) cannot be filed at this time under Regulation 153/04 using the MOE 2004 Table 1 Standards.

Remediation of soil and groundwater at the Site to meet the MOE 2004 Table 1 Standards is not warranted or recommended since it would not be cost effective nor would it be completed prior to Regulation 511/09 coming into force in July 2011.

Therefore, in order to file a RSC according to Regulation 511/09 using the MOE 2009 Table 6 Standards, the following steps are recommended:

1. Follow-up sampling of groundwater at MTE-MW102, MTE-MW104, MTE-MW105 and MTE-MW106 for PHC F1 to F4 and BTEX in the spring of 2011 to confirm the most recent non-detect values of these compounds at these locations.
2. Completion of a Phase I ESA to meet the requirements of Regulation 511/09 to support the RSC filing.

Proposal - Final Report Recommendations

- Scope of work and estimated costs to complete (attached).

Reference: Final Phase II Environmental Site Assessment 3-7 Gordon Street, Guelph, Ontario (Site) prepared by MTE Consultants Inc. (January 2011); Proposal Subsurface Environmental Investigation 3-7 Gordon Street, Guelph, Ontario (Site) prepared by MTE Consultants Inc. (March 14, 2011).

Has a Phase 1 Environmental Site Assessment been conducted?	**Yes**	No
Has a Phase 2 Environmental Site Assessment been conducted?	**Yes**	No
Has any remediation been conducted at the Site?	Yes	**No**

(*If the answer to any of the above questions is 'Yes', please attach the appropriate Report to this application*)

Environmental Consultant Information

Name of Environmental Consultant: David Innocente, Div. Man. Global Tox/Environmental

Address of Environmental Consultant: MTE Consultants Inc., 255 Speedvale Avenue West, Guelph, Ontario

Email Address: dinnocente@mte85.com

Phone Number: 519.766.1000 Ext. 2231 Fax Number: 519.766.1100

Qualified Person: Robert Fedy Director Environmental MTE Consultants Inc.

Email Address: rfedy@MTE85.com Phone Number: 519-766-1000 Ext 1322

PART F: Project Information

Is this property currently or previously subject to any City approvals (e.g. Re-zoning, site plan control, etc)? ☐ **Yes** ☐ No

If Yes, please provide brief description and file number: Previous SPA (1998) attached; file number unknown.

Please provide a description of the proposed redevelopment (attach site sketch):

- A 57-unit multi-residential condominium development.
- Gordon Street ground floor commercial space.
- Surface parking in courtyard and 28-36 Essex Street property.
- Four (4) floors stepped-back to 6 floors on the east, north and southern elevations.
- Building to be poured-in-place reinforced concrete construction below-grade, and 8" concrete block shear-wall construction with precast concrete hollow-core floor slabs.

ELIGIBLE COSTS

Please indicate which eligible costs the requested funding will be applied to:

☐ Phase 2 Environmental Site Assessment **Yes**

☐ Remedial Work Plan **Yes**

PART G: Complete Application Checklist

The following information and material must accompany a complete application:

☐ Phase 1 Environmental Site Assessment that recommends a Phase 2 Environmental Site Assessment is required to investigate potential on-site contamination. **Attached**

☐ A Phase 2 Environmental Site Assessment proposal including a scope of work and cost estimate. **Attached**

☐ Written consent from the property owner for a prospective purchaser to conduct the environmental study. **Not Applicable**

PART H: Sworn Declaration

I/WE HEREBY APPLY for a grant(s) under the City of Guelph Brownfield Redevelopment Community Improvement Plan.

I/WE HEREBY AGREE to abide by the terms and conditions of the City of Guelph Brownfield Redevelopment Community Improvement Plan (please refer to Plan for additional details).

I/WE HEREBY AGREE to enter into any Agreement with the City of Guelph where specified in the Brownfield Redevelopment Community Improvement Plan.

I/WE HEREBY CERTIFY that the information contained in this application is true, correct and complete in every respect and may be verified by the City of Guelph by such inquiry as it deems appropriate, including inspection of the property for which this application is being made.

I/WE HEREBY GRANT PERMISSION to the City, or its agents, to inspect the subject property prior to, during, and after environmental remediation, site rehabilitation and project construction.

I/WE HEREBY AGREE that the program(s) for which application has been made herein is subject to cancellation and/or change at any time by the City in its sole discretion, subject to the terms and conditions specified in the Program. Participants in the program whose application has been approved and who have entered into the Agreement(s) with the City, will continue to receive grant payments, subject to their Agreement.

I/WE HEREBY AGREE that all grants will be calculated and awarded in the sole discretion of the City. Notwithstanding any representation by or on behalf of the City, or any statement contained in the program, no right to any grant arises until it has been duly authorized, subject to the applicant meeting the terms and conditions of the Brownfield Redevelopment Community Improvement Plan and any Agreement. The City is not responsible for any costs incurred by the Owner/Applicant in any way relating to any program, including, without limitation, costs incurred in anticipation of a grant.

JOHN FARLEY	AUTHORIZED AGENT
Name of Property Owner or Applicant	Title
Signature of Property Owner or Applicant	Date
ROBERT FEDY	DIR. ENVIRONMENTAL - MTE CONSULTANTS INC.
Name of Qualified Person (Environmental Consultant)	Title
Signature of Qualified Person (Environmental Consultant)	Date

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Attachment D: Environmental Study Grant Application– 28-36 Essex Street

Brownfield Redevelopment Community Improvement Plan
Environmental Study Grant Application Form

PART A: General Instructions

- Community Design and Development Services Staff must be consulted prior to completing and submitting this application.
- As much detail as possible should be submitted regarding a proposed brownfield project. If you require more space than is provided on this form, please attach additional pages and/or documents. Do not simply reference sections in appended reports or documents.
- All environmental reports submitted to the City must be signed and sealed by a Qualified Person as defined by Ontario Regulation 153/04 under the *Environmental Protection Act* as amended from time to time.
- Applications must be acknowledged by Community Design and Development Services Staff as being 'complete'. Applications will not be acknowledged until all required information and material is submitted with the application form.
- Completed applications are accepted and processed on a first come first served basis.
- The total amount of financial assistance provided by the City for the purpose of brownfield redevelopment (i.e. including financial contributions obtained outside of the Brownfield Redevelopment Community Improvement Plan) cannot exceed the eligible costs set out in the Community Improvement Plan.
- All requests for financial assistance under the Brownfield Redevelopment Community Improvement Plan require City of Guelph Council approval.
- Applications should be submitted to: **Community Design and Development Services**
  Location: 1 Carden Street, 3rd Floor
  Phone: 519-837-5616
  Fax: 519-837-5640
  Email: planning@guelph.ca

PART B: CONDITIONS & RESTRICTIONS

- Grants must be approved prior to the start of any applicable environmental study.
- Funds will not be issued until the City receives the results of the study. If the environmental study is not submitted within two (2) years the grant will be reallocated.
- The amount of any Environmental Study Grant(s) will be deducted from the eligible redevelopment costs available for tax increment-based grant funding.
- Grants related to the costs of completing a Phase 2 Environmental Site Assessment (ESA) and or Remedial Work Plan will be reimbursed up to 50% or to a maximum of $10,000 (See BRCIP for exception).
- Studies submitted to the City must be completed by a qualified, independent consultant.
- Properties having a Minister's Order for clean-up are not eligible.
- No more than two (2) Environmental Study Grants will be awarded for a particular redevelopment.
- Properties in tax arrears are not eligible.

Page 1

Brownfield Redevelopment Community Improvement Plan
Environmental Study Grant Application Form

PART C: Applicant Information

Name of Registered Property Owner: Market Green Developments

Address of Registered Property Owner: [redacted]

[redacted]

Phone Number: [redacted] Fax Number: N/A

Email Address: [redacted]

Agent Information (Authorized Agent)

Name of Agent: John Farley – Creating Homes Inc.

Address of Agent: 123-35 Mountford Drive, Guelph ON N1E 0G6

Phone Number: 519.994.1221 Fax Number: 519.624.5556

Email Address: jdfarley@creatinghomes.ca

PART D: Property Information

Address of Subject Property: 28-36 Essex Street Guelph ON

Legal Description (e.g. Lot and Plan No.): City of Guelph, County of Wellington
Lot 196 and Part Lots 195 and 197, Registered Plan 8 (Canada Company Survey)

Official Plan Designation: Specialized Infill Apartment Zone

Zoning: R.4D-1

Current Use(s): Commercial and Residential

Size of Property: 1269 Square Meters; 0.127 Hectares; 0.3135 Acres

Existing Buildings:

☐ **Yes** (please specify size)

☐ No

Building 1: 2-story concrete and steel frame; 950 square meters (10,255 sqft)

Building 2:

Building 3:

Property Details (e.g. history, easements, outstanding work orders, or other relevant details):

History:

A Phase II ESA for the property at 28-36 Essex Street was completed by Gamsby and Mannerow Limited 2007 on behalf of Peter Beranek and Brady Dunlop. A review of the Phase II ESA indicated the following:

1. The property located at 28-36 Essex Street operated as a former retail fuel station including four former USTs and related pumps (reportedly removed in 1993).
2. Former in ground hydraulic hoists and existing pits/drains in the floor within the garage at 28 Essex.
3. Shallow fill onsite overlying native soils to depths of 2.36-3.66 meters below ground surface. Dolostone bedrock found below native soils.
4. Water table encountered in bedrock at 3.97 meters below ground surface.
5. Soil samples on the west of the property had petroleum related compound above the MOE Table 2 Standards.
6. Soil samples collected beneath the garage floor had petroleum related compound above the MOE Table 2 Standards.
7. Groundwater samples collected from the single monitoring well indicated petroleum related compound above the MOE Table 2 Standards. MTE notes that this monitoring well is in an up-gradient location, and would not reflect groundwater conditions at the down gradient property boundary which could potentially be worse.

Reference: MTE review of Phase II Environmental Site Assessment, 28-36 Essex Street, Guelph Ontario prepared by Gamsby and Mannerow Ltd. (June 2007).

Easements: Party Wall ownership with adjacent property to the south 42-44 Essex Street.

Work Orders: None on record or outstanding.

Has or will this property received grants/loans or other financial assistance from the City or other level of Government? ☐ Yes ☐ **No**

If yes, please specify type and amount of financial assistance received: _____

_____

PART E: Environmental Information

Please describe any known or suspected environmental contamination issues (e.g. soil or groundwater related) affecting the site including the types of contaminants, extent, causes (brief site history), underground storage tanks, above ground storage tanks, etc.

Final Report - Summary and Recommendations

The Phase II ESA was conducted to determine with more confidence the potential liabilities associated with areas of concern discovered during the Phase I ESA, which were identified as follows:

1. The handling of petroleum products and four former underground storage tanks and related pumps associated with a former service station located at 28 Essex Street (reportedly removed in 1993).
2. Former in ground hydraulic hoists and existing floor pits/drains within the garage at 28 Essex Street.

Based on the subsurface investigations conducted as part of the Phase II ESA it was determined that:

1. The shallow fill material consists primarily of loose poorly-sorted fill and gravel.
2. Native soil consisted of silty sand and gravel with cobbles overlying silt and dolostone bedrock, found to be between 2.36 and 3.66 m bgs.
3. The watertable was encountered in the bedrock at 3.97 m bgs.
4. Samples of soil taken approximately 10.23 m in front of Wilson's Auto Centre, within the parking lot, was reported to have concentrations of ethylbenzene and F1 PHCs which exceed the Table 2, Residential/Parkland Standard.
5. Groundwater obtained from the same above location was reported to contain concentrations of benzene, toluene, ethylbenzene, xylene, F1 and F2 petroleum hydrocarbons which exceeded the Standard. The extent and source of impacts associated with this test site were unknown.
6. Samples of soil obtained from underneath the garage, near the esat wall, were reported to exceed the Standard for ethylbenzene and F1-F4 petroleum hydrocarbons. The extent of impacts are unknown.
7. A soil sample taken at the reported location of the former underground storage tanks, was found to meet the Standard for petroleum hydrocarbons. It appears the USTs had not been leaking.

Based on the findings of the Phase II ESA, further investigation is recommended to determine the extent of identified impacts. Further investigations should also include the inspection of the condition of the oil/water separator system.

Proposal – Final Report Recommendations

- MTE was provided with a Phase II completed by Gamsby and Mannerow at the 28-36 Essex Street Site in 2007.

- The conversion of the Site to a use that includes residential will require the completion of a Record of Site Condition (RSC) according to Ontario Regulation 511/09. This requires a mandatory Phase I and Phase II ESA given the past use of the property. A RSC can only be filed with the Ministry of the Environment if the results of the Phase II ESA meet the applicable standards, or if remediation and/or Risk Assessment are completed to mitigate any soil or groundwater impacts on the Site.

- The Phase I and II ESAs will be completed in accordance with Ontario Regulation 511/09 as these new standards will come into force on July1, 2011.
- Scope of work and estimated costs to complete (attached).

Reference: Phase II Environmental Site Assessment 28-36 Essex Street Guelph Ontario prepared by Gamsby and Mannerow Limited (March 2007); Proposal Phase II Environmental Site Assessment 28-36 Essex Street, Guelph, Ontario (Site) prepared by MTE Consultants Inc. (March 9, 2011).

Has a Phase 1 Environmental Site Assessment been conducted?	**Yes**	No
Has a Phase 2 Environmental Site Assessment been conducted?	**Yes**	No
Has any remediation been conducted at the Site?	Yes	**No**

(*If the answer to any of the above questions is 'Yes', please attach the appropriate Report to this application*)

Environmental Consultant Information

Name of Environmental Consultant: David Innocente, Div. Man. Global Tox/Environmental

Address of Environmental Consultant: MTE Consultants Inc., 255 Speedvale Avenue West, Guelph, Ontario

Email Address: dinnocente@mte85.com

Phone Number: 519.766.1000 Ext. 2231 Fax Number: 519.766.1100

Qualified Person: Robert Fedy Director Environmental MTE Consultants Inc.

Email Address: rfedy@MTE85.com Phone Number: 519-766-1000 Ext 1322

PART F: Project Information

Is this property currently or previously subject to any City approvals (e.g. Re-zoning, site plan control, etc)? ☐ Yes ☐ **No**

If Yes, please provide brief description and file number: _____

Please provide a description of the proposed redevelopment (attach site sketch):

- A 57-unit multi-residential condominium development.
- Gordon Street ground floor commercial space.
- Surface parking in courtyard and 28-36 Essex Street property.
- Four (4) floors stepped-back to 6 floors on the east, north and southern elevations.
- Building to be poured-in-place reinforced concrete construction below-grade, and 8" concrete block shear-wall construction with precast concrete hollow-core floor slabs.

ELIGIBLE COSTS

Please indicate which eligible costs the requested funding will be applied to:

☐ Phase 2 Environmental Site Assessment **Yes**

☐ Remedial Work Plan **Yes**

PART G: Complete Application Checklist

The following information and material must accompany a complete application:

☐ Phase 1 Environmental Site Assessment that recommends a Phase 2 Environmental Site Assessment is required to investigate potential on-site contamination. **Attached**

☐ A Phase 2 Environmental Site Assessment proposal including a scope of work and cost estimate. **Attached**

☐ Written consent from the property owner for a prospective purchaser to conduct the environmental study. **Letter of Permission (March 11, 2011) Attached.**

PART H: Sworn Declaration

I/WE HEREBY APPLY for a grant(s) under the City of Guelph Brownfield Redevelopment Community Improvement Plan.

I/WE HEREBY AGREE to abide by the terms and conditions of the City of Guelph Brownfield Redevelopment Community Improvement Plan (please refer to Plan for additional details).

I/WE HEREBY AGREE to enter into any Agreement with the City of Guelph where specified in the Brownfield Redevelopment Community Improvement Plan.

I/WE HEREBY CERTIFY that the information contained in this application is true, correct and complete in every respect and may be verified by the City of Guelph by such inquiry as it deems appropriate, including inspection of the property for which this application is being made.

I/WE HEREBY GRANT PERMISSION to the City, or its agents, to inspect the subject property prior to, during, and after environmental remediation, site rehabilitation and project construction.

I/WE HEREBY AGREE that the program(s) for which application has been made herein is subject to cancellation and/or change at any time by the City in its sole discretion, subject to the terms and conditions specified in the Program. Participants in the program whose application has been approved and who have entered into the Agreement(s) with the City, will continue to receive grant payments, subject to their Agreement.

I/WE HEREBY AGREE that all grants will be calculated and awarded in the sole discretion of the City. Notwithstanding any representation by or on behalf of the City, or any statement contained in the program, no right to any grant arises until it has been duly authorized, subject to the applicant meeting the terms and conditions of the Brownfield Redevelopment Community Improvement Plan and any Agreement. The City is not responsible for any costs incurred by the Owner/Applicant in any way relating to any program, including, without limitation, costs incurred in anticipation of a grant.

John Farley	Authorized Agent
Name of Property Owner or Applicant	Title
Signature of Property Owner or Applicant	Date
David Innocente	MTE Consultants Inc.
Name of Qualified Person (Environmental Consultant)	Title
Signature of Qualified Person (Environmental Consultant)	Date

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COMMITTEE REPORT

TO	**Planning & Building, Engineering and Environment Committee**
SERVICE AREA	Planning & Building, Engineering and Environment
DATE	May 16, 2011
SUBJECT	**Updated Municipal Waste Management By-law**
REPORT NUMBER	

SUMMARY

Purpose of Report:
To obtain Council approval to repeal By-law Number (2003)-17070, as amended, in order to adopt a new Municipal Waste Management By-law;

Council Action:
To repeal By-law Number (2003)-17070, as amended, and to adopt a new Municipal Waste Management By-law.

RECOMMENDATION

"THAT Council approve and enact By-law (2011)-XXXXX: Municipal Waste Management By-law;

AND THAT By-law (2003)-17070, as amended, be repealed."

BACKGROUND

Staff have been monitoring administrative and program changes with respect to the Municipal Solid Waste Collection By-law (2003)-17070, as amended. Staff recommend repealing the current By-law, as amended, and the adoption of an updated Municipal Waste Management By-law (see attached), to address the following administrative and operational changes:

- Implementation of the recommended changes to the Waste Management By-law identified in the Solid Waste Management Master Plan (SWMMP);
- Administrative changes to reflect current departmental and position titles;
- Ensure compliance with the conditions of the Certificate of Approval for the new Organic Waste Processing Facility (OWPF); and
- Conversion to an automated cart collection program, as approved by Council on August 30, 2010.

The amendments as presented are limited in nature. The Municipal Waste Management By-law in its entirety will be subject to a full review as part of the

overall by-law review process currently underway through the Operations & Transit Committee.

REPORT

The intent of the updated By-law is improved usability for the community and staff, to promote and encourage the minimization of waste being generated and disposed of in the City, and to ensure effective and efficient waste management practices.

Proposed changes include implementing the recommendations from the approved SWMMP (e.g. mandating multi-residential and special event diversion and maintaining the waste collection enforcement program). The enforcement sections of the By-law need to be clarified and strengthened to balance City objectives (e.g. high capture of materials with minimal contamination) while meeting the needs of the general public and the business industry. Proposed changes to enforcement include allowing notices on private property (e.g. inside cluster townhouse complexes, improper set out of waste beyond the road allowance), providing for notices to property owners in cases where the generator cannot be clearly defined (e.g. shared rental housing), and enabling the ability to charge without notice for repeat offenders.

In August, 2010, the City of Guelph was issued an amended Certificate of Approval (CofA) from the Ministry of Environment to permit the City to construct and operate a new Organic Waste Processing Facility (OWPF). One of the many conditions of approval in the amended C of A is a requirement that the compost facility not accept organic waste that is collected via a waste collection program that allows the use of bags. In addition, the conditions in the CofA specifically do not allow diapers and hygiene products to be collected in the organic waste stream (green bag). The changes to the collection method for organics, as well as the changes to the sorting lists are incorporated in the proposed changes to the By-law.

The proposed By-law also incorporates the required program changes to convert the curbside waste collection program from a manual plastic bag collection program to a fully-automated cart collection program, as approved by Council August 2010.

CORPORATE STRATEGIC PLAN

1.2 Municipal sustainability practices that become the benchmark against which other cities are measured
5.1 The highest municipal customer service satisfaction rating of any comparable-sized Canadian community
6.4 Less waste per capita than any comparable Canadian city

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION/CONCURRENCE

Community and Social Services – Administration and Customer Services;
Human Resources and Legal Services - Legal Services and POA Services;
Operations and Transit – By-law Enforcement;
Planning & Building, Engineering and Environment – Planning & Building Services

COMMUNICATIONS

N/A

ATTACHMENTS

Municipal Waste Management By-law.

Prepared By:

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Recommended By:

Janet L. Laird, Ph.D.
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Planning & Building, Engineering and Environment
519-822-1260, ext 2237
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THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2011)-**XXX**
A By-law to provide for the management of waste within the City of Guelph, and to adopt Municipal Code Amendment # , which amends Chapter 157, Section 3 of the Corporation of the City of Guelph Municipal Code, and to repeal By-law Number (2003)-17070, as amended.

WHEREAS Subsection 10(1) of the *Municipal Act, 2001,* S.O. 2001, c. 25 authorizes a single-tier municipality to provide any service that the municipality considers necessary or desirable for the public;

AND WHEREAS the City considers the management of Waste as necessary or desirable for the public;

AND WHEREAS Subsection 10(2), paragraph 7 of the *Municipal Act, 2001* authorizes a single-tier municipality to pass by-laws respecting services that the municipality is authorized to provide under Subsection 10(1);

AND WHEREAS Subsection 8(3), paragraphs (a) and (b) of the *Municipal Act, 2001* provide that a by-law under Section 10 respecting a matter may regulate or prohibit respecting the matter and may require persons to do things respecting the matter;

AND WHEREAS Section 127 of the *Municipal Act, 2001* further authorizes a local municipality to prohibit the depositing of refuse on land without the consent of the owner or occupant of the land, and to define "refuse" for this purpose;

AND WHEREAS Section 128 of the *Municipal Act, 2001* authorizes a local municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances, and provides that the opinion of council, if arrived at in good faith, is not subject to review by any court;

AND WHEREAS City Council has determined that Waste which is in such a condition that it can be blown in the wind, allows odour to escape, is likely to attract animals, including, but not limited to, insects or birds, or presents a health, safety or fire risk, is, or could become or cause a public nuisance;

AND WHEREAS Subsection 446(1) of the *Municipal Act, 2001* provides that if a municipality has the authority under a by-law to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

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

INTERPRETATION

1. (1) For the purposes of this By-law, the following terms shall have the corresponding meanings:

(a) "**Automated Collection Method**" means the collection of Waste by means of the mechanical lifting and tipping of Carts into specially designed collection vehicles;

(b) "**Bulky Item**" means a large or heavy article such as a stove, refrigerator, furnace, bed spring, mattress, furniture, box, barrel, water tank, tire and the like;

(c) "**By-law**" means this By-law including any Schedules forming part of it, together with any amendments to this By-law or its Schedules;

(d) "**Cart"** means a Waste Container, approved by the General Manager, designated for the Automated Collection Method;

(e) "**City**" means The Corporation of the City of Guelph;

(f) "**City Waste Collection Service**" means collection of Waste by or on behalf of the City;

(g) "**City Waste Collection Service Agreement**" means an agreement between a Waste Generator or Property Owner and the City;

(h) "**City Waste Collector"** means a Person who, on behalf of the City, collects, removes, transports or disposes of Waste;

(i) "**Collection Point**" means that part of a property which has been designated by the General Manager for the setting out and collection of Waste;

(j) "**Container**" means a container that can contain Waste, and includes a Cart, a Reusable Container and a Single-Use Container;

(k) "**Council**" means the municipal council of the City;

(l) "**Downtown Collection Area**" means the area delineated in Schedule "A" to this By-law;

(m) "**Dwelling Unit**" means any building or structure, or any part of a building or structure consisting of a room or suite of rooms, that is used, or designed or intended to be used, for residential purposes;

(n) "**Garbage**" means Waste, other than Organics, Recyclables and Special Collection Waste, that is collectable pursuant to this By-law, and includes, but is not limited to, the materials set out in Schedule "B" to this By-law;

(o) "**Garbage Cart**" means a Cart for Garbage;

(p) "**General Manager**" means the General Manager of Solid Waste Resources of the City or his or her designate;

(q) "**Goods Exchange Day**" means a day, designated by the General Manager, when Waste Generators occupying Residential Properties may place usable unwanted materials at Collection Points for removal by other members of the public;

(r) "**IC&I Property**" means an industrial, commercial, and/or institutional property, including, but not limited to, a retail shopping establishment or complex, office building, restaurant, hotel, motel, hospital, educational institution or manufacturing facility;

(s) "**Jute Bag**" means a bag constructed of jute, or like material;

(t) "**Kraft Bag**" means a large bag constructed of easily decomposable paper;

(u) "**Lower Density Residential Property**" means a property which contains 1 to 5 Dwelling Units;

(v) "**Manual Collection Method**" means the collection of Waste by means of the manual lifting of Waste and the manual lifting and tipping of Waste containers into collection vehicles;

(w) "**Municipal Hazardous or Special Waste**" means municipal hazardous or special waste as defined in *Ontario Regulation 542* under the *Waste Diversion Act, 2002*, S.O. 2002, c. 6 and includes, but is not limited to, a wet or dry cell battery, pressurized container, aerosol container, propane container, portable fire extinguisher, fertilizer, pesticide, oil filter, fluorescent light bulb or tube, pharmaceutical, medical syringe, mercury switch or thermostat, household cleaner or detergent, wax or polish;

(x) "**Multi-Residential Property**" means a property, including, but not limited to, an apartment, row house, townhouse complex or condominium property, which contains 6 or more Dwelling Units;

(y) "**Non-Collectable Waste**" means Waste other than Garbage, Organics, Recyclables or Special Collection Waste, and includes, but is not limited to, the materials set out in Schedule "C" to this By-law;

(z) "**Occupant**" means any Person apparently in occupation of property, or any portion thereof, or of a building or structure or any portion thereof;

(aa) "**Officer**" means a By-law Enforcement Officer appointed by the City to enforce the provisions of this By-law, and a Police Officer of the Guelph Police Service;

(bb) "**Organics**" means solid non-hazardous Waste derived from plants or animals, including Waste consisting of compounds of carbon, all readily biodegradable, and limited to the materials listed in Schedule "D" to this By-law;

(cc) "**Organics Cart**" means a Cart for Organics;

(dd) "**Outdoor Waste Storage Receptacle**" means a container in which Waste is stored outdoors;

(ee) "**Paper Bag or Liner**" means a bag or liner constructed of easily decomposable paper;

(ff) "**Person**" includes an individual, partnership or corporation;

(gg) "**Plastic Bag**" means a transparent plastic bag;

(hh) "**Plastic Liner**" means a transparent plastic liner;

(ii) "**Private Waste Collection Service**" means collection of Waste by or on behalf of a Person other than the City;

(jj) "**Property Owner**" means the registered owner of property, including leased premises, and the owner's agent or property manager, or any other Person having charge or control of the property;

(kk) "**Public Lane**" means any lane designated by the General Manager for use by Collection vehicles;

(ll) "**Recyclables**" means Waste, other than Garbage, Organics, Special Collection Waste or Non-Collectable Waste, capable of being recycled, and including, but not limited to, the materials set out in Schedule "E" to this By-law;

(mm) "**Recyclables Cart**" means a Cart for Recyclables;

(nn) "**Refuse**" means Waste which appears to have been abandoned;

(oo) "**Refuse Constituting a Public Nuisance**" means any Refuse that is in such a condition that it can be blown in the wind, allows odour to escape, is likely to attract animals, including insects or birds, or presents a health, safety or fire risk;

(pp) "**Residential Property**" means a Lower Density Residential Property or a Multi-Residential Property;

(qq) "**Reusable Container**" means a durable container, but not a Cart, capable of being reused to contain Waste in the Manual Collection Method;

(rr) "**Sharp Object**" includes broken glass, a razor or other blade, sewing needle, clinical glass, knife, scissors, straight razor, screw, nail, axe, hatchet, lawn mower blade and the like;

(ss) "**Single-Use Container**" means a Plastic Bag, Cord, Plastic Liner, Kraft Bag, Paper Bag or Liner or Jute Bag capable of containing Waste and intended to be disposed of along with the Waste it contains;

(tt) "**Source Separation Program**" means a program to facilitate the separation of Garbage, Organics, Recyclables, Special Collection Waste and Non-Collectable Waste at the source of generation;

(uu) "**Special Collection Waste**" means Waste collected under a program designated by the City for the Collection of Bulky Items, Yard Waste, or other Waste as designated by the General Manager;

(vv) "**Waste**" includes Garbage, Organics, Recyclables, Special Collection Waste and Non-Collectable Waste;

(ww) "**Waste Collection Method**" means a specific Waste collection method and includes the Automated Collection Method, the Manual Collection Method and any other method or combination of methods, as designated by the General Manager;

(xx) "**Waste Generator**" means any Person who generates Waste and includes a Property Owner and an Occupant;

(yy) "**Waste Management Plan**" means a plan for managing Waste generated on a property or at an event; and

(zz) "**Yard Waste**" includes a mixture of leaves, brush, branches, tree limbs, hedge trimmings, grass clippings and woody plants including vines, rose bushes and the like.

(2) In this By-law, words importing the singular number shall include the plural and vice versa and words importing one gender (masculine, feminine or neuter) shall import the other genders, unless the context requires otherwise.

(3) If a court of competent jurisdiction declares any provision of this By-law to be invalid, illegal, unenforceable or of no force and effect, the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

(4) Any reference herein to any statute, regulation, by-law or other law shall be construed as a reference thereto as amended or re-enacted from time to time or as a reference to any successor thereto.

(5) This By-law shall not be interpreted as exempting any Person from the requirement to comply with any other City by-law. In the event of conflict between the provisions of this By-law and any other City by-law, the provisions which are more protective of the environment shall apply.

(6) Notwithstanding any other provision of this By-law, this By-law shall not apply to the City, and the City shall not be interpreted as an Occupant, Person, Property Owner or Waste Generator pursuant to this By-law.

REQUIREMENTS FOR SETTING OUT WASTE FOR COLLECTION

Waste Set Out for Collection

2. Every Waste Generator and Property Owner shall ensure that:

(a) Ashes are not set out for collection until at least 5 days after they have been removed from fire and are kept separate from other Waste for Generators on Manual Collection;

(b) Waste is drained of liquids before it is placed in a Container for collection and the liquids are managed appropriately;

(c) Recyclables are free of any solid, semi-solid or liquid contaminant which would render them non-recyclable;

(d) Waste set out for collection is separated into Garbage, Organics, Recyclables and Special Collection Waste;

(e) Each type of collectable Waste (Garbage, Organics, Recyclables and Special Collection Waste) is placed in a separate Container when set out for collection; and

(f) The door or lid of each Bulky Item that is an appliance is removed.

Times to Set Out Waste for Collection

3. (1) Except in the Downtown Collection Area, every Waste Generator and Property Owner shall ensure that:

(a) No Waste is set out for collection before 5:00 p.m. on the day preceding the day scheduled for collection; and

(b) Waste to be collected is set out for collection no later than 6:30 a.m. on the day scheduled for collection.

(2) In the Downtown Collection Area every Waste Generator and Property Owner shall ensure that:

(a) Waste is set out for collection before 5:00 p.m. on the day preceding the day scheduled for collection; and

(b) Waste to be collected is set out for collection no later than 5:00 a.m. on the day scheduled for collection.

(3) No Waste Generator or Property Owner shall set out, or permit to be set out, any Waste for collection, except in accordance with the times described above.

Removal of Waste Not Collected and Containers

4. Every Waste Generator and Property Owner shall ensure that Waste not collected and all Containers are removed from the Collection Point before 7:00 p.m. on the day of collection, except that in the Downtown Collection Area every Waste Generator and Property Owner shall ensure that Waste not collected and all Containers are removed from the Collection Point before 10:30 a.m. on the day of collection.

Containers Required to be Used for Setting Out Waste

5. (1) Every Waste Generator and Property Owner shall ensure that no Waste is set out for collection except in Containers in accordance with the following applicable Collection Methods:

Type of Waste	Manual Collection Method	Automated Collection Method
1. Garbage:		
(a) General	- loose in a Reusable Container identifying the contents as Garbage; - in a colourless Plastic Bag placed inside a Reusable Container identifying the contents as Garbage; - in a colourless Plastic Bag	- loose in a Garbage Cart; - in a colourless Plastic Bag or Colourless Plastic Liner placed inside a Garbage Cart
(b) Sharp Objects	- in a separate rigid container, no larger than 0.6 metres (2.0 feet) in any dimension, securely taped to secure the contents, clearly labelled as containing Sharp Objects	- in a rigid container, no larger than 0.6 metres (2.0 feet) in any dimension, securely taped to secure the contents, clearly labelled as containing Sharp Objects, placed inside a Garbage Cart
(c) Pet Faeces	- in a bag in a colourless Plastic Bag placed inside a Reusable Container indentifying the contents as Garbage; - in a bag placed inside a colourless Plastic Bag	- in a bag in a colourless Plastic Bag placed inside a Garbage Cart
2. Organics		
(a) General	- loose in a Reusable Container identifying the contents as Organics; - in a green Plastic Bag placed inside a Reusable Container identifying the contents as Organics; - in a green Plastic Bag	- loose in an Organics Cart; - in a Paper Bag or Liner placed inside an Organics Cart
(b) Pet Faeces	- loose in a Reusable Container identifying the contents as Organics;	- loose in an Organics Cart
3. Recyclables		
(a) General	- loose in a Reusable Container indentifying the contents as	- loose in a Recyclables Cart

	Recyclables; - in a blue Plastic Bag placed inside a Reusable Container indentifying the contents as Recyclables; - in a blue Plastic Bag	
(b) Cardboard	- loose in a Reusable Container indentifying the contents as Recyclables; - in a blue Plastic Bag placed inside a Reusable Container indentifying the contents as Recyclables; - in a blue Plastic Bag; - broken down and securely tied in a separate bundle no more than 1.0 metre (3.28 feet) long by 0.6 metres (2.0 feet) in any other dimension	- loose, but broken down to be no more than 1.0 metre (3.28 feet) long by 0.6 metres (2.0 feet) in any other dimension, in a Recyclables Cart
(c) Shredded paper	- in a separate blue Plastic Bag	- in a blue Plastic Bag placed inside a Recyclables Cart
4. Bulky Items	- loose	- loose
5. Yard Waste	- loose in a Reusable Container indentifying the contents as Yard Waste; - loose in a Kraft Bag or Jute Bag; - securely tied in a separate bundle no more than 1.0 metres (3.28 feet) long by 0.6 metres (2.0 feet) in any other dimension	- loose in an Organics Cart

(2) Every Waste Generator and Property Owner shall ensure that:

(a) No Reusable Container or Single-Use Container containing Garbage, Recyclables or Yard Waste, including contents, weighs more than 20 kilograms (44 pounds);

(b) No Reusable Container or Single-Use Container containing Organics, including contents, weighs more than 15 kilograms (33 pounds);

(c) Every Reusable Container set out for Waste collection is:

(i) Rust-resistant;

(ii) Non-absorbent;

(iii) Water-tight;

(iv) In good repair and good working order;

(v) Covered with a close-fitting lid or cover;

(vi) No less than 0.6 metres (24 inches) and no more than 0.76 metres (30 inches) tall;

(vii) No more than 0.57 metres (22.5 inches) in any other dimension;

(viii) Of a dimension at the top greater than the dimension at the bottom;

(ix) Of a capacity of no more than 100 litres (26 U.S. gallons); and

(x) Equipped with at least two handles;

(d) Every Plastic Bag set out for Waste collection is:

(i) Capable of carrying the Waste contained therein without tearing or splitting;

(ii) Secured so as to prevent spillage;

(iii) No more than 0.77 metres (30 inches) wide; and

(iv) No more than 0.97 metres (38 inches) long;

(e) Every Cart set out for Waste collection is:

(i) Approved by the General Manager;

(ii) In good repair and good working order;

(iii) Of a weight, including contents, not more than 0.24 kilograms per litre (2.0 pounds per U.S. Gallon);

(iv) Of a weight, including contents, not more than 159 kilograms (350 pounds) in total or as specified in a City Waste Collection Service Agreement; and

(v) Of a capacity of no more than 360 litres (95 U.S. Gallons), or as specified in a City Waste Collection Service Agreement;

(f) No Waste is set out for collection in such a manner that it is accessible to any animal or can be blown by wind;

(g) No Waste is set out for collection in such a manner that any liquid leaks from such Waste;

(h) No Plastic Bag, Reusable Container or Cart is set out for collection filled with Waste above the top of such Plastic Bag, Reusable Container or Cart;

(i) No Reusable Container or Cart of Waste is set out for collection unless it is closed with a tight-fitting lid or cover; and

(j) No Waste is set out for collection on top of, underneath or abutting a Cart.

Location for Waste to be Set Out

6. (1) Every Waste Generator and Property Owner shall ensure that all Waste set out for collection is set out at a Collection Point located on, adjacent to or in front of the property where the Waste was generated.

(2) Unless otherwise determined by the General Manager, the Collection Point for a property is where pedestrian traffic is not impeded and:

(a) Where the property is beside a road and the road has a curb, within 0.3 metres (12 inches) away from the road behind the curb;

(b) Where the property is beside a road and the road has a gravel shoulder, at the outside edge of the shoulder;

(c) Where the property is beside a Public Lane, as close as possible to the edge of the Public Lane; and

(d) In the Downtown Collection Area, on the sidewalk directly adjacent the curb.

(3) Every Waste Generator and Property Owner shall ensure that:

(a) All Waste set out for collection is placed so as not to impede or obstruct pedestrian or vehicular traffic or road maintenance operations, or so as to endanger the safety of the City Waste Collector or any other person;

(b) No Waste is set out for collection on top of any snow bank exceeding 0.3 metres (1 foot) in height, and the area in which such Waste is placed is clear of snow and ice to provide for ready and safe access by the City Waste Collector;

(c) All Special Collection Waste set out for collection is placed adjacent to, but apart from, any Garbage, Organics or Recyclables set out for Collection;

(d) All Containers containing Garbage are set out adjacent to each other;

(e) All Containers containing Organics are set out adjacent to each other;

(f) All Containers containing Recyclables are set out adjacent to each other;

(g) All Containers containing Special Collection Waste are set out adjacent to each other; and

(h) All Containers of each of the foregoing types of Waste are placed apart from all Containers of each of the other foregoing types of Waste.

(4) Every Waste Generator and Property Owner participating in the Automated Collection Method shall ensure that any Cart set out for collection, is placed so that there is at least 1.0 metre (3 feet) of clearance on each side of the Cart and at least 5.0 metres (16.4 feet) clearance above the Cart.

(5) Every Waste Generator and Property Owner participating in the Manual Collection Method shall ensure that any cardboard bundle or rigid container of Sharp Objects set out for Collection is placed adjacent to, but apart from, any other Containers set out for collection.

DUTIES OF WASTE GENERATORS AND PROPERTY OWNERS

General

7. Every Waste Generator and every Property Owner shall comply with all applicable provisions of this By-law.

Compliance with Collection Method

8. (1) Every Waste Generator and Property Owner shall ensure compliance with the provisions of this By-law respecting the Waste Collection Method which is applicable to the Waste Generator’s or Property Owner’s property.

(2) Every Waste Generator and Property Owner of a Multi-Residential Property or an IC&I Property, shall ensure that a Private Waste Collection Service is employed in respect of Waste generated on his or her property, unless such Waste Generator or Property Owner enters into a City Waste Collection Service Agreement in respect of the property.

9. For every property which is leased, the Property Owner shall provide, for the use of every tenant, sufficient Reusable Containers (if the property is participating in the Manual Collection Program) or sufficient Carts (if the property is participating in the Automated Collection Program) for Garbage, Organics and Recyclables.

10. Every Waste Generator and Property Owner to whom a Cart has been provided by the City shall:

    (a) Ensure such Cart is kept in good condition, and not in a condition that is noxious, offensive or dangerous to public health;

    (b) Ensure the safekeeping of such Cart;

    (c) Promptly notify the General Manager if such Cart is lost or stolen;

    (d) Be responsible for the cost of repairing such Cart if it is damaged, or of replacing such Cart if it is lost or stolen, if either occurs through the negligence of the Waste Generator or Property Owner, or if the damage or loss is not covered by warranty; and

    (e) Promptly return each Cart to the General Manager upon request.

Waste Management Plans

11. (1)The organizer of a special event to be held in or on City property shall, at the time of applying for permission to use the City property, provide to the General Manager upon request a Waste Management Plan for the special event.

    (2) The said Waste Management Plan shall identify in respect of the special event:

        (a) An estimate of the types and volumes of Waste to be generated;

        (b) Any opportunities for Waste minimization;

        (c) The steps to be taken to maximize the use and collection of Organics, Recyclables and re-usable materials;

        (d) The Garbage, Organics and Recyclables storage and transportation equipment to be used;

        (e) The method of, and individual organizer responsible for, the collection and diversion of Organics and Recyclables, and the collection and disposal of Garbage; and

        (f) The arrangements made for the provision of post-event Waste analysis and the reporting of that information to the General Manager.

    (3) Every organizer of a special event to be held in or on City property shall comply with the Waste Management Plan as provided to the General Manager.

12. (1)Every Property Owner of a leased property shall designate, and identify to the General Manager, an individual who shall be responsible for ensuring the management of Waste for such property.

    (2) Every Property Owner of a leased property shall ensure that source separation instructions, provided by the General Manager, are posted on such Property.

13. Every Property Owner of a Multi-Residential Property for which City permission to construct the building is granted or site plan approved on or after January 1st, 2012, shall ensure,

regardless of whether the property was planned for City Waste Collection Service or for Private Waste Collection Service, that:

(a) Adequate provision, to the satisfaction of the General Manager, is made for the management and storage, on the property, of all Waste generated on the property;

(b) A Waste Management Plan is provided for the property, which Waste Management Plan shall include a Source Separation Program for the property, which Source Separation Program shall include:

(i) Provision of information to users and potential users of the program:
A. Describing performance of the program; and
B. Encouraging effective source separation and full use of the program;

(ii) Provision of facilities on the property adequate, in the opinion of the General Manager, for the collection, handling and storage of the anticipated quantities of Source Separated Waste;

(iii) Measures to ensure that the collected source-separated Waste is removed from the property and reused or recycled; and

(iv) Measures to ensure that full use is made of the program; and

(c) The said Source Separation Program is implemented and maintained on the property.

14. (1) Every Property Owner or Waste Generator who proposes to the City to change Collection Points, change collection methods, change a building's use, expand a building by more than one-third of its existing size or construct a new building, shall submit a copy of the proposal to the General Manager.

(2) The City may consult the General Manager with respect to waste management plans in respect of development matters including applications for development, redevelopment, rezoning, condominium, site plan approval, building permit or Committee of Adjustment approval.

Source Separation

15. Every Waste Generator shall ensure that Waste set out for collection is separated into Garbage, Organics, Recyclables and Special Collection Waste as provided in this By-law.

Participation in City Waste Collection Service

16. (1) Every Waste Generator and Property Owner who participates in the City Waste Collection service shall ensure that all Waste that is collectable by the City as part of the City Waste Collection Service is set out for collection in accordance with this By-law.

(2) Where a Waste Generator or Property Owner opts out of the City Waste Collection Service for one or more types of collectable Waste, he or she shall provide written notice to the General Manager, in a form satisfactory to the General Manager, that the Waste Generator or Property Owner shall withdraw his or her specified property from collection by the City of the specified type or types of Waste, effective on a specified date.

(3) Upon opting out, the Waste Generator or Property Owner shall not be entitled to any rebate or decrease of any tax, fee or charge in respect of the City Waste Collection Service.

(4) If a Waste Generator or Property Owner provides Organics or Recyclables generated on his or her property to any Person other than the City, without first opting out as set out in

this section, the General Manager may determine that the City shall not provide any City Waste Collection Service to that property.

Outdoor Storage of Waste

17. (1) Every Waste Generator and Property Owner shall ensure that Waste stored outdoors is stored in Outdoor Waste Storage Receptacles which:

(a) Are constructed of durable, non-porous, easily cleanable material;

(b) Are closed with tight-fitting lids or covers;

(c) Do not permit Waste contained therein to become Refuse Constituting A Public Nuisance;

(d) Do not permit any liquid to escape, leak or spill;

(e) Are not located so that they block any doorway or fire route; and

(f) Are not located at a Collection Point.

(2) No Person shall store, or permit the storage of, Waste in an Outdoor Waste Storage Receptacle located within the Downtown Collection Area unless such Outdoor Waste Storage Receptacle is kept locked.

(3) Any Person who stores grease in an Outdoor Waste Storage Receptacle shall ensure that the Outdoor Waste Storage Receptacle is kept locked and free of grease on the outside, that no grease escapes, leaks or spills, and that no odour escapes.

(4) Notwithstanding any other provision of this By-law, no person shall store, or permit the storage of, Municipal Hazardous or Special Waste outdoors in the Downtown Collection Area.

(5) If Waste stored outdoors on a property produces an odour which affects a neighbouring property, then the Waste Generator who generated the Waste and the Property Owner of the property where the Waste is stored shall control such odour.

Refuse Constituting a Public Nuisance

18. Every Property Owner shall at all times keep the Property Owner's property free and clear of Refuse Constituting a Public Nuisance.

DUTIES OF THE PUBLIC

No Scavenging

19. (1) No Person shall pick over, interfere with or remove any Waste set out for collection pursuant to this By-law, whether on public or private property, without the consent of the General Manager and the applicable Property Owner.

(2) The immediately foregoing provision of this By-law, relating to scavenging, does not apply to a Goods Exchange Day.

(3) No person shall scatter any Waste set out for collection pursuant to this By-law, whether on public or private property.

No Depositing of Refuse

20. (1) In addition to and without limiting the provisions of any other City by-law, no person shall throw, place or deposit Refuse on any public or private property in the City, including but not limited to City-owned property, except with the consent of the Property Owner of such property.

(2) No Person shall:

(a) Place, permit to be placed or permit to remain on or in any street or road allowance abutting the property which the Person owns or occupies, any Waste, unless authorized by this By-law and in accordance with City By-law 17017 (Traffic By-law);

(b) Throw, cast or otherwise deposit, or permit any contractor, agent or employee to throw, cast or otherwise deposit, any Refuse whatsoever on or in any street or other public property, except as expressly authorized in this By-law;

(c) Place Refuse on public property for collection as part of a Private Waste Collection Program, unless approved by the General Manager; or

(d) Deposit Refuse generated by the Person on private property, into public street or park receptacles, Containers or Carts.

DUTIES OF WASTE TRANSPORTERS

21. (1) No Person engaged in the business of collecting, removing or transporting Waste shall transport such Waste within the City unless such Person has received a Certificate of Approval from the Ministry of the Environment and does so with a vehicle specifically designed, constructed and intended for such purpose, and unless such vehicle has an enclosed body or a covering securely fastened to the body of the vehicle or, in the case of a packer-type vehicle, has hopper doors tightly and securely closed so as to prevent the escape of the contents of the vehicle to the outside.

(2) No Person shall transport any Waste within the City in an open vehicle of any kind, including a trailer, unless such Waste is completely covered by a tarpaulin, canvas covering or the like and such covering is secured to the vehicle in such a manner as to prevent the escape of the contents of the vehicle to the outside.

POWERS OF THE CITY

Inspections

22. The General Manager and Officers may conduct all inspections (including the monitoring of Waste) necessary to administer and ensure compliance with the provisions of this By-law.

Entry

23. Entry by the General Manager and Officers onto private property for the purpose of enforcing the provisions of this By-law is governed by the City's Power of Entry By-law No. (2009)-18776 and the General Manager and Officers pursuant to this By-law shall be interpreted as "Officers" pursuant to the said Power of Entry By-law.

Orders

24. The Person who is the subject of an Order issued pursuant to this By-law shall comply with such Order no later than midnight on the deadline day for compliance provided for in the Order.

25. If an Officer finds Waste which is either not stored or not set out in accordance with the provisions of this By-law, the Officer may issue an Order to the responsible Waste Generator or Property Owner, requiring the Waste described in the Order to be removed at the expense of the Waste Generator or Property Owner, or to be properly stored or set out in accordance with the provisions of this By-law.

Remedial Actions

26. If a Waste Generator or Property Owner fails to keep the Waste Generator's or Property Owner's property free and clear of Refuse Constituting a Public Nuisance, an Officer may, without prior notice to such Waste Generator or Property Owner, cause the property to be cleared of such Refuse Constituting a Public Nuisance at the expense of the Waste Generator or Property Owner, and the City may recover the costs of so doing from such Waste Generator or Property Owner, and in the case of the Property Owner, the City may recover such costs by adding them to the tax roll for the property and collecting them in the same manner as property taxes.

27. If an Officer finds Refuse thrown, placed or deposited on property without the consent of the Waste Generator or Property Owner, the Officer may, in the case of City-owned or City-occupied land, and may with the consent of the Property Owner of the property in all other cases, cause the Refuse to be removed from the property at the expense of the Person who threw, placed or deposited it thereon, and the City may recover the costs of so doing from such Person.

28. If an Officer finds waste which is either not stored or not set out in accordance with the provisions of this By-law, the Officer may, instead of issuing an Order, and without prior notice to the Waste Generator or Property Owner, cause the area identified to be cleared of such Waste at the expense of the Waste Generator or Property Owner, and the City may recover the costs of so doing from any such Waste Generator or Property Owner. In the case of the Property Owner, the City may recover such costs by adding them to the tax roll for the property and collecting them in the same manner as property taxes.

29. If a Waste Generator or Property Owner fails to ensure that no Waste leaks any liquid onto City-owned land, an Officer may cause such land to be cleaned of the liquid at the expense of the Waste Generator, and the City may recover the costs of so doing from the Waste Generator. In the case where the Waste Generator is also the Property Owner of the property on which the Waste was generated, the City may recover such costs by adding them to the tax roll for the property and collecting them in the same manner as property taxes.

30. If the person who is the subject of an Order issued pursuant to this By-law fails to comply with such Order by the deadline for compliance, the City may have the matter or thing, directed or required in the Order, done at the Person's expense, and the City may recover the costs of doing the matter or thing from the Person who is the subject of the Order, or, if such Person is the Property Owner of the property to which the Order relates, the City may recover such costs by adding them to the tax roll and collecting them in the same manner as taxes.

Service Discontinuance

31. Where a Waste Generator or Property Owner has not complied with any applicable provision of this By-law, the City may discontinue the collection of Waste from that Waste Generator's or Property Owner's property.

OFFENCE

32. (1) Any Person who contravenes any provision of this By-law is guilty of an offence.

(2) Any director or officer of a corporation who knowingly concurs in the contravention by the corporation of any provision of this By-law is guilty of an offence.

(3) Every offence under this By-law is designated as a continuing offence.

PENALTY

33. Except as otherwise provided in this By-law, any Person who is convicted of an offence under any provision of this By-law shall be liable to a fine not to exceed $10,000 per day or each part of a day, that the offence continues.

SERVICE OF DOCUMENTS

34. An Order, or any other notice or document provided pursuant to this By-law, shall be served upon the Person to be served by means of:

(a) Personal service, in which case it shall be deemed to have been served on the date and at the time when hand-delivered in accordance with this By-law;

(b) Facsimile transmission or email transmission, in which case it shall be deemed to have been served on the date and at the time when it is so transmitted;

(c) Regular mail, in which case it shall be deemed to have been delivered on the fifth business day after the day it is mailed; or

(d) Registered mail, in which case it shall be deemed to have been delivered on the date and at the time set out on the Canada Post confirmation record indicating successful delivery.

35. Personal service of a document may be provided as follows:

(a) Where the Person to be served is an individual, by hand-delivering a copy of the document to that individual or an individual who appears to be at least sixteen years of age, at the last known address of the individual, or, if the individual to be served is to be served in the capacity of Waste Generator or Property Owner in respect of a property, the document may be left with an individual who appears to be at least sixteen years of age, at the property; or

(b) Where the Person to be served is a corporation or partnership, by hand-delivering a copy of the document to an officer thereof or an individual who appears to be in charge of an office of the corporation or partnership, or, if the corporation or partnership to be served is to be served in the capacity of Waste Generator or Property Owner in respect of a property, the document may be left with an individual who appears to be in charge of the property.

GENERAL PROVISONS

Delegation

36. (1) The General Manager and all persons designated by the General Manager are hereby authorized to administer and enforce the provisions of this By-law.

(2) Officers are hereby authorized to enforce the provisions of this By-law.

Prior By-Laws Repealed

37. By-law Number (2003)-17070 is hereby repealed, along with By-law Number (2004)-17360, By-law Number (2005)-17902, Municipal Code Amendment Number 291, Municipal Code Amendment Number 324 and Municipal Code Amendment Number 384, of Chapter 157, Section 3 of the Corporation of the City of Guelph Municipal Code.

Municipal Code Amendment

38. This By-law is hereby adopted as Municipal Code Amendment Number XXX amending Chapter 157, Section 3 of the Corporation of the City of Guelph Municipal Code.

Effective Date of By-Law

39. This By-law shall come into effect on the 1st day of August, 2011.

Schedules

40. The following Schedules form part of this By-law:

Schedule “A” – Downtown Collection Area
Schedule “B” – Examples of materials included in the definition of “Garbage”
Schedule “C” – Examples of materials included in the definition of “Non-Collectable Waste”
Schedule “D” – Exhaustive list of materials comprising “Organics”
Schedule “E” – Examples of materials included in the definition of “Recyclables”

Short Title

41. This By-law may be referred to as the “Waste Management By-law".

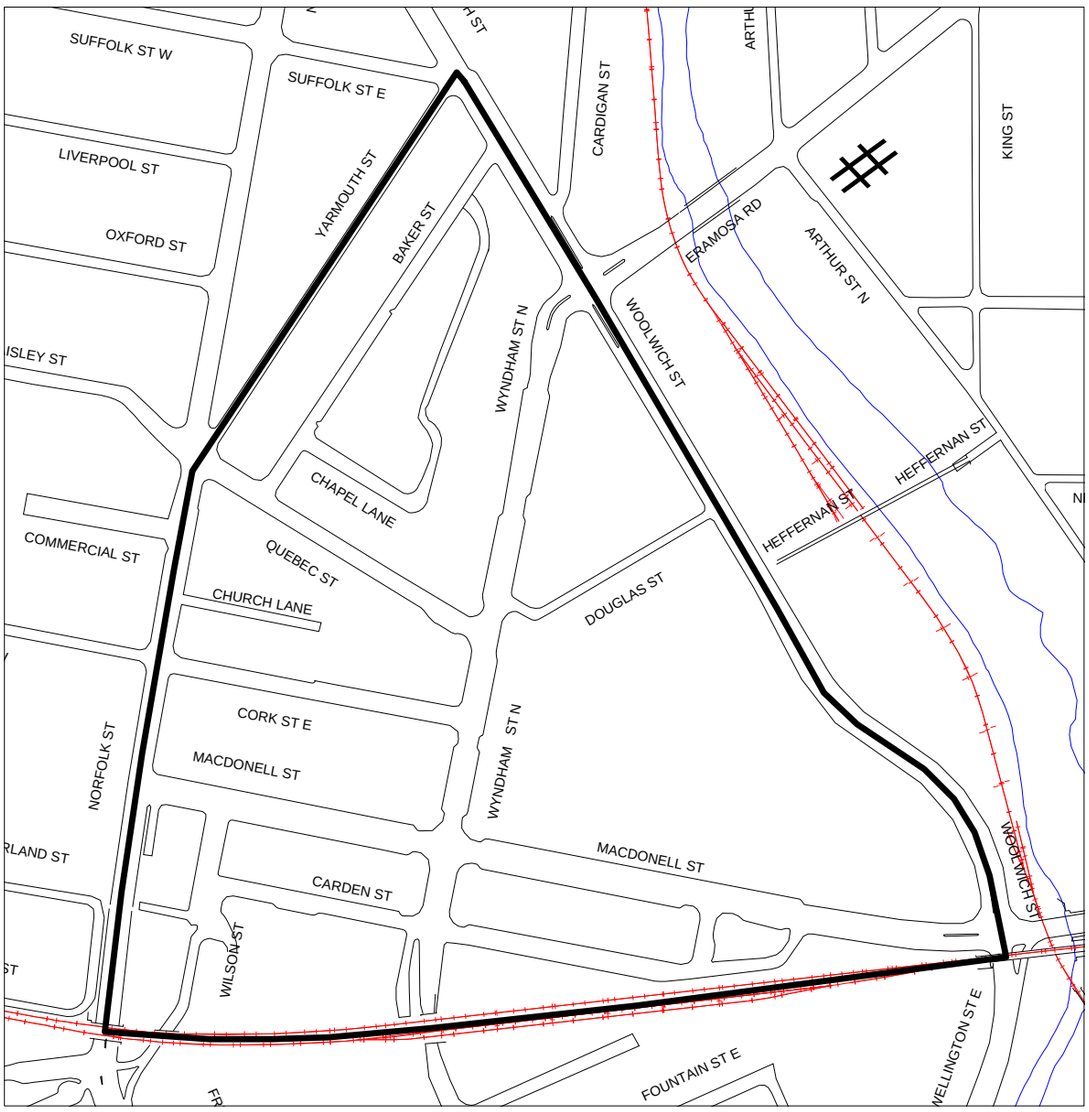
PASSED THIS…..DAY OF……., 2011

KAREN FARBRIDGE - MAYOR

TINA AGNELLO – ACTING CITY CLERK

SCHEDULE "A"

The **"Downtown Collection Area"** means the area of the City depicted on the following map within the boundaries created by the thick black line:



SCHEDULE "B"

Examples of materials included in the definition of "Garbage"

- pet faeces, litter, litter waste and bedding waste, whether separate or intermingled enclosed in a Plastic Bag or bag;
- artwork, a poster, vellum, a cleaned paint brush, and the like;
- an empty plastic bag, cookie bag, cereal box liner, coffee package, foil pouch or packet, milk bag, butter wrapper, potato chip bag, piece of carbon paper, plastic wrap, candy wrapper, wrapper, and the like;
- waxed paper, plastic lined fibre, a polycoated coffee cup;
- a balloon, board game, card, electronic game part, crayon, sticker, piece of sporting equipment, toy, and the like;
- a binder, calculator, piece of chalk, elastic band, marker, overhead transparency, paper clip, pencil, pen, printer cartridge, computer diskette, staple, video or audio cassette, piece of tape, and the like;
- a coat hanger, empty pot or pan, disposable or electric razor, scouring pad, twist tie, utensil, tool, shovel, a piece of cutlery, jewellery, wire, rope, cord, hardware, and the like;
- a curtain, blind, dish cloth, glove, scarf, sheet, pillow, rag, shoe, boot, sponge, table cloth, towel, a piece of clothing, fabric, leather, linen, nylon, yarn, and the like;
- a small appliance no greater than 5 Kilograms in weight, such as a hair dryer, kettle, toaster, clock, and the like;
- a candle, empty cooler, cork, dryer sheet, furnace filter, lawn chair, match, photographic negative, picture frame, rubber glove, plastic straw, toothpick, piece of string, rubber or water softener salt, and the like;
- a hair brush, comb, toothbrush, empty toothpaste tube, item of cosmetics, deodorant, soap, and the like;
- a piece of lint, dirt, dust, vacuum bag contents, and the like;
- a condom, piece of dental floss, and the like;
- a dressing, bandage, gauze, swab, pipette, cast, speculum, urine, colostomy or enema bag, intravenous bag, catheter or other tubing, dentures, alginate impression or like material, piece of surgical clothing including a gown, mask, glove, patient bib or sheet, from a Residential Property only, and the like;
- any type of diaper, feminine hygiene product, sanitary product, wipe, and the like;
- Polylactic Acid plastic (PLA), biodegradable plastic, certified compostable plastic (including a bag, liner, container, utensil, plate), and the like;
- a Petri dish, test tube, microscope slide, scope, electrode, and the like; and
- any other item designated as Garbage by the General Manager.

SCHEDULE "C"

Examples of materials included in the definition of "Non-Collectable Waste"

- explosive or highly combustible material such as a celluloid cutting, moving picture film, or an oil-soaked or gasoline-soaked rag and the like;
- carpet, carpet under padding, plaster, drywall, fibreglass insulation, lumber, concrete, a boulder or other waste residue resulting from construction, building renovation or a demolition operation;
- soil, a rock, stone, gravel, and the like;
- a stool sample, flesh or tissue from any animal or human, bodily fluid-stained material, infectious or otherwise, including clothing and bedding, an incontinence or feminine hygiene product known to be infectious, a liquid or solid medicine including a pill or vaccine, a container or vial from which a pill or vaccine is extracted that contains any amount of such pill or vaccine, surgical equipment, any of which is generated from a clinic, hospital, surgery, an office of a physician, surgeon, dentist, veterinarian or the like;
- hay, straw, manure or night soil;
- pet faeces, litter, litter waste and bedding waste, whether separate or intermingled, from properties other than Residential Properties;
- an animal carcass, other part or any portion thereof of any dog, cat, fowl or any other creature with the exception of *bona fide* kitchen or food waste;
- Waste brought into the City from outside its boundaries;
- Municipal Hazardous or Special Waste
- Garbage, Organics, Recyclables or Special Collection Waste which has not been drained, prepared or packaged for Collection in accordance with the provisions of this By-law;
- any material which may be classed as a "designated substance" pursuant to the *Occupational Health and Safety Act*, R.S.O. 1990, Chapter 321;
- a tire, car battery, a large (greater than 5 kilograms) automotive part or body;
- any material which is frozen or stuck to a Waste receptacle or container and cannot be removed by shaking manually, or by the automated arm in the Automated Collection System;
- any material or substance which may cause damage to the natural environment;
- any septic tank pumping, raw sewage, sewage sludge or industrial process sludge;
- any tree limb, trunk or the like having a diameter greater than 5 centimetres (2 inches);
- any radioactive material;
- ashes from properties other than Residential Properties;
- solidified cooking oils and cooked or raw grease and fats from properties other than Residential Properties; and
- any other item designated as a Non-Collectable Waste by the General Manager.

SCHEDULE "D"

Exhaustive list of materials comprising "Organics"

- *bona fide* kitchen or food waste: fruit, vegetable and general table scraps, meat and fish/shellfish products, dairy products, eggs and egg shells, herbs, nuts and seeds, sugars and spices, confectionery products, sauces, bones, pet food, bread, grains, rice, pasta, flour, coffee grounds and tea bags;

- solidified cooking oils and cooked or raw grease and fats from Residential Properties only;

- paper fibres: soiled paper towels, tissues, paper plates, coffee filters, soiled paper food packaging items such as boxboard, cardboard, newspaper, and other paper fibre packaging materials;

- fresh flowers, houseplants and their soil, hair, pet fur, feathers and sawdust, wood shavings;

- Ashes from Residential Properties only;

- pet faeces, litter, litter waste and bedding waste, whether separate or intermingled, but from Residential Properties only;

- Yard Waste, brush, having a diameter not greater than 5 centimetres (2 inches) from Generators on the Automated Collection Method only; and

- any other item designated as Organics by the General Manager.

SCHEDULE "E"

Examples of materials included in the definition of "Recyclables"

- aluminum: foil, a pie plate, pop can, and the like;
- boxboard: a tissue or cereal box, paper towel roll, frozen juice container, and the like;
- cardboard: a flattened box, pizza box, brown Kraft paper bag, and the like;
- glass: a bottle or jar (any colour), and the like;
- newsprint: a newspaper including a flyer or insert, an egg carton or flat, a magazine or catalogue, a telephone book, and the like;
- paper: writing paper, an envelope (includes windowed), calendar (spiral binding removed), book (covers removed), and the like;
- a gable top: a milk or juice carton, and the like;
- an aseptic container: a juice or other drink box (tetra pack), and the like;
- a plastic container: any plastic container, such as a bottle or jar, food or beverage container, tub and lid (margarine, yogurt, etc.);
- steel: food or beverage can or tin (soup, juice, etc.);
- an empty, dry paint can (lid removed); and
- any other item designated as a Recyclable by the General Manager.

CONSENT AGENDA

May 24, 2011

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT	DIRECTION
A-1) **PROPOSED DEMOLITION OF 24 CRESTWOOD PLACE** THAT Report 11-47 regarding the proposed demolition of a detached dwelling at 24 Crestwood Place, City of Guelph, from Planning & Building, Engineering and Environment, dated May 24, 2011, be received; AND THAT the proposed demolition of the detached dwelling at 24 Crestwood Place, be approved.	Approve
A-2) **PROPOSED LAND EXCHANGE – STOCKFORD ROAD / GRANGE ROAD / LEE PARK** THAT the Mayor and Clerk be authorized to execute a Land Exchange Agreement between the City and the Upper Grand District School Board in respect of lands in the vicinity of Grange Road and Stockford Road as identified in the report of the Manager of Realty Services dated May 24, 2011 and based on the terms and conditions as outlined in the Closed Meeting report of the Manager of Realty Services dated May 24, 2011; AND THAT staff be authorized to take all steps necessary to effect the stopping-up and closing of Stockford Road and part of Grange Road and bring forward any required by-laws for the consideration of Council; AND THAT staff be authorized to bring forward any by-laws necessary to deem the lands comprising Plan 462 to be not part of a registered plan of subdivision.	Approve

A-3) **NEW GUELPH CIVIC MUSEUM - 6 DUBLIN STREET PROPERTY** | Approve

THAT Report #CSS-ACE-1117, dated May 24, 2011 and titled "New Guelph Civic Museum - 6 Dublin Street Property", be received;

AND THAT staff proceed with the sale of the property located at 6 Dublin Street South by way of listing with a real estate broker;

AND THAT the proceeds of the sale be designated to offset any cost overrun on the construction of the new Civic Museum.

A-4) **GUELPH ROYALS NEGOTIATIONS UPDATE** | Approve

THAT Report #CSS-PRPF-1119 "Guelph Royals Negotiations Update", dated May 24, 2011, be received;

AND THAT the Council directs staff to proceed with the negotiations on the basis of the principles contained within the Report #CSS-PRPF-1119;

AND THAT the Mayor and Acting City Clerk be authorized to sign any agreements related to negotiations between the City and the Guelph Royals, subject to the satisfaction of the Executive Director, Community and Social Services.

A-5) **COMMUNITY ENERGY: 2010 ACCOMPLISHMENTS – 2011 WORK PLAN SUMMARY** | Receive

THAT the Community Energy report regarding 2010 accomplishments and a 2011 work plan, dated May 3, 2011, be received.

A-6) **LICENSE AGREEMENT BETWEEN THE CITY OF GUELPH AND ECOTRICITY GUELPH INC. TO ALLOW USE OF THE CERTAIN CITY LANDS FOR SOLAR PHOTOVOLTAIC INSTALLATIONS** | Approve

THAT in respect of a proposed License Agreement between the City of Guelph and Ecotricity Guelph Inc. to use certain City-owned lands for solar photovoltaic installations:

a) The Mayor and Clerk be authorized to execute the License Agreement;

b) The Corporate Manager of Community Energy be directed to review Feasibility and other Plans, in consultation with the City Solicitor and appropriate City Staff, and be authorized to approve installations proposed by Ecotricity under the License Agreement; and

c) That revenues generated from the proposed License Agreement be

directed to a reserve fund for the Community Energy Initiative.

B ITEMS FOR DIRECTION OF COUNCIL

C ITEMS FOR INFORMATION OF COUNCIL

attach.

COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Planning & Building, Engineering and Environment
DATE	May 24, 2011
SUBJECT	**Proposed Demolition of 24 Crestwood Place**
REPORT NUMBER	11-47

SUMMARY

Purpose of Report:

To provide background and a staff recommendation related to a request for demolition approval for a detached dwelling.

Council Action:

Council is being asked to approve the demolition request.

RECOMMENDATION

"THAT Report 11-47 regarding the proposed demolition of a detached dwelling at 24 Crestwood Place, City of Guelph, from Planning & Building, Engineering and Environment, dated May 24, 2011 be received;

AND THAT the proposed demolition of the detached dwelling at 24 Crestwood Place, be approved."

BACKGROUND

An application to demolish the existing detached dwelling at 24 Crestwood Place has been received by Planning & Building, Engineering and Environment.

The subject property is located on the westerly side of Crestwood Place, north of Grange Street and St. George's Park (see Schedule 1 – Location Map). The property is zoned R.1A (Residential Detached) which permits detached dwellings.

The existing dwelling on the property is a split-level dwelling that was constructed in 1940. A detached garage that was constructed in the 1970s also exists on the property. The dwelling is not listed on the City's Inventory of Heritage Properties.

REPORT

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.

The existing property is two whole lots on a Registered Plan, therefore two dwellings could be constructed on this property provided that all zoning regulations were met on each whole lot. It is not the applicant's intent to have two dwellings on the subject property. Rather they intend to construct the new dwelling on the southerly side of the property and continue to live in the existing dwelling until construction is complete. Once the new dwelling is complete, the applicant intends to demolish the existing dwelling.

The proposed replacement dwelling is a two-storey dwelling with an attached garage (see Schedule 3 - Proposed Concept for Replacement Dwelling). The approval of the demolition application is recommended as the existing house is to be replaced with a new dwelling unit, therefore there is no loss of residential capacity proposed as a result of this application.

CORPORATE STRATEGIC PLAN
Goal 1: An attractive, well-functioning and sustainable city.

FINANCIAL IMPLICATIONS
N/A

DEPARTMENTAL CONSULTATION
None

COMMUNICATIONS
A sign was posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information.

ATTACHMENTS
Schedule 1 - Location Map
Schedule 2 - Site Photograph
Schedule 3 - Proposed Site Layout and Replacement Dwelling

Prepared By:
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"original signed by James Riddell"

Recommended By:
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General Manager
Planning & Building Services
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"original signed by Janet Laird"

Recommended By:
Janet L. Laird, Ph.D.
Executive Director
Planning & Building,
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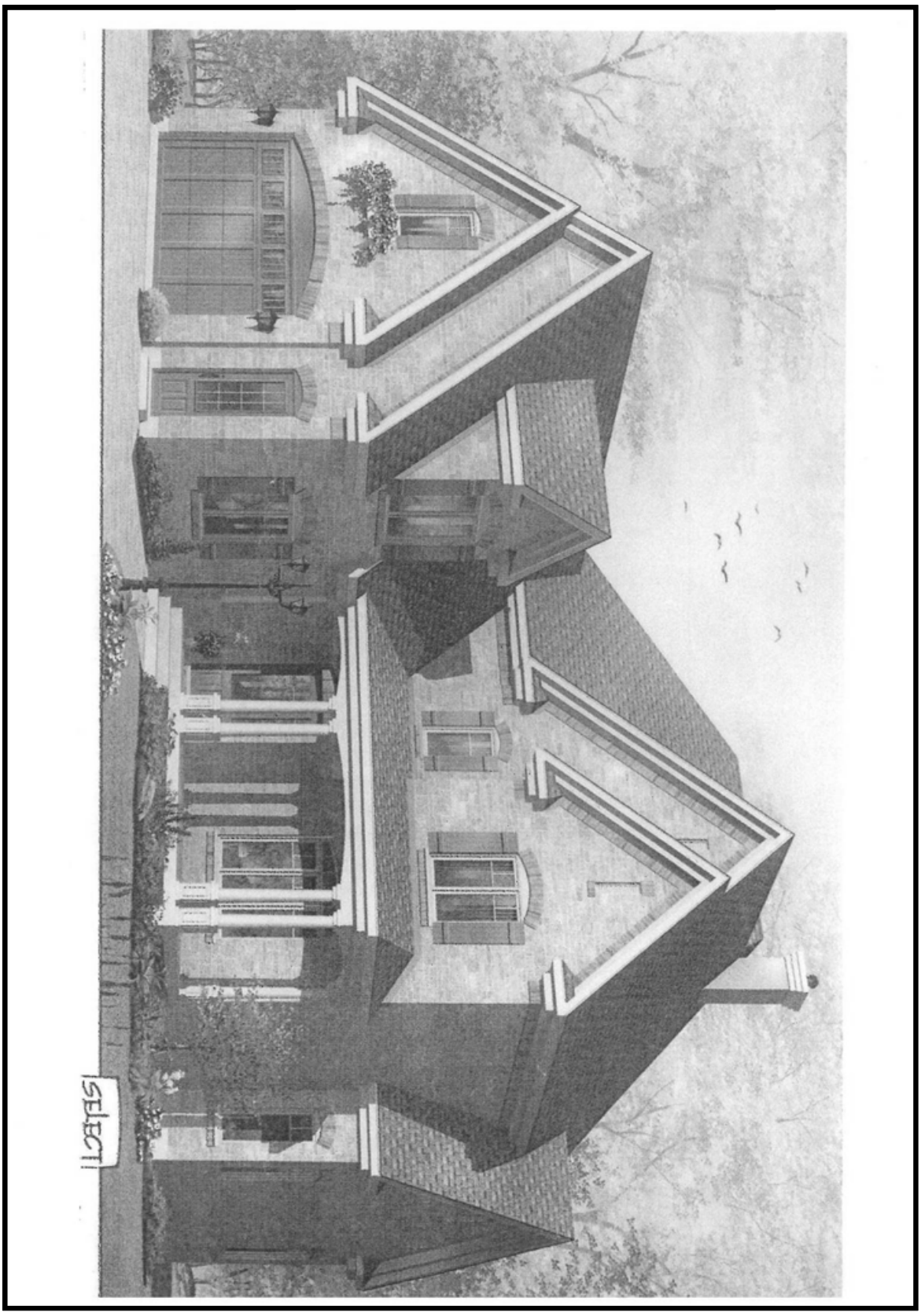
SCHEDULE 1 – Location Map

SCHEDULE 2 – Site Photograph (April 2011)

SCHEDULE 3 – Proposed Concept for Replacement Dwelling



COUNCIL REPORT

TO	**Council**
SERVICE AREA	Corporate & Human Resources
DATE	May 24, 2011
SUBJECT	**PROPOSED LAND EXCHANGE STOCKFORD ROAD/GRANGE ROAD/LEE PARK**

RECOMMENDATION

THAT the Mayor and Clerk be authorized to execute a Land Exchange Agreement between the City and the Upper Grand District School Board in respect of lands in the vicinity of Grange Road and Stockford Road as identified in the report of the Manager of Realty Services dated May 24, 2011 and based on the terms and conditions as outlined in the in Closed Meeting report of the Manager of Realty Services dated May 24, 2011;

AND THAT staff be authorized to take all steps necessary to effect the stopping-up and closing of Stockford Road and part of Grange Road and bring forward any required by-laws for the consideration of Council;

AND THAT staff be authorized to bring forward any by-laws necessary to deem the lands comprising Plan 462 to be not part of a registered plan of subdivision.

REPORT

The Upper Grand District School Board has expressed an interest in acquiring certain City lands as shown on Appendix 1 as the Stockford Road Lands, Grange Road Lands, and Lee Park Lands. The Board's intent is to merge adjacent lands with these City lands into a single parcel for development of a new high school.

<u>Stockford Road Lands</u>
Stockford Road is an undeveloped road allowance and 1' reserve that was transferred to the City and dedicated as public highway with the registration of Plan 462 in 1954. With ownership by the Board on east and west sides, this transfer completes a site large enough to accommodate the proposed school. These lands are currently dedicated as public highway and it will be necessary to provide notice of the closure and for Council to consider a by-law to authorize closure as a condition of the sale.

Grange Road Lands
The Grange Road Lands comprise the end of the former alignment of Grange Road. This parcel of land is not used for road purposes, but will serve to provide a straight easterly boundary to the proposed school site. These lands are currently dedicated as public highway and it will be necessary to provide notice of the closure and for Council to consider a by-law to authorize closure as a condition of the sale.

Lee Park Lands
The Lee Park Lands (approx. 0.005 acres) comprise a very small triangle of Lee Park that, if included in the Board's holdings, provide for a straight easterly boundary that connects with Lee Street.

The Board Lands
The Board is agreeable to conveying a triangular portion of land to the City shown on Schedule A as the "Board Lands". This is required by the City for the eventual realignment and configuration of the Lee Street and Cityview Drive intersection.

Registered Plan 462
The Board's Lands and Stockford Road are all part of a registered plan of subdivision. In order to allow for the consolidation of all the various parts of land into a single parcel, it is appropriate for the City to pass a by-law deeming the lands comprising Plan 462 as not being part of a registered plan of subdivision for the purposes of the Planning Act.

City Policy for the Sale and Disposition of Real Property Interests
The Stockford Road Lands, Grange Road Lands, and Lee Park Lands that are subject of this report are not considered to be generally marketable or viable on their own. As such, no notice is required to the public regarding the proposed sale. Utility companies have been contacted and any easements required to protect existing infrastructure will be reserved prior to the sale.

Section 3.6 of the Policy also states:

> *All Real Property Interests of the Corporation are assets of the City and are not owned by any individual department. Monies arising from the disposition of any Real Property Interests shall flow to the Corporation, generally, and not to the user or managing Department.*

Section 42(15) of the Planning Act, however, requires that proceeds from the sale of parkland (such as the Lee Park Lands on Schedule A) shall be put into a parkland reserve. The balance of the proceeds from the sale of this property will be deposited into the Capital Taxation Reserve.

Specific terms and conditions of the proposed agreement have been provided to the Committee in a Closed Meeting report of the same name.

CONSULTATION

Staff circulated this request among relevant City departments and have confirmed that there is no objection to the proposed transactions. On this basis, staff have proceeded to negotiate a Land Exchange Agreement and are recommending approval.

CORPORATE STRATEGIC PLAN

This initiative supports the following Strategic Goals:

1. An attractive, well-functioning and sustainable city.
2. A healthy and safe community where life can be lived to its fullest.
3. A community-focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

Proceeds from the sale of the Lee Park Lands will be deposited into the Parkland Reserve. Proceeds from the sale of the Stockford Road Lands and Grange Road Lands, less costs of acquiring the Board lands, appraisals, and registration costs, shall be deposited into the Capital Taxation Reserve.

ATTACHMENTS

Appendix 1 – Sketch - Subject Lands

"original signed by Jim Stokes"

Prepared By:
Jim Stokes
Manager of Realty Services
Resources and Legal Services
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"original signed by Donna Jaques"

Recommended By:
Donna Jaques
City Solicitor and General Manager
of Legal and Realty Services
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"original signed by Mark Amorosi"

Submitted By:
Mark Amorosi
Executive Director Corporate
& Human Resources
519-822-1260 Ext. 2281
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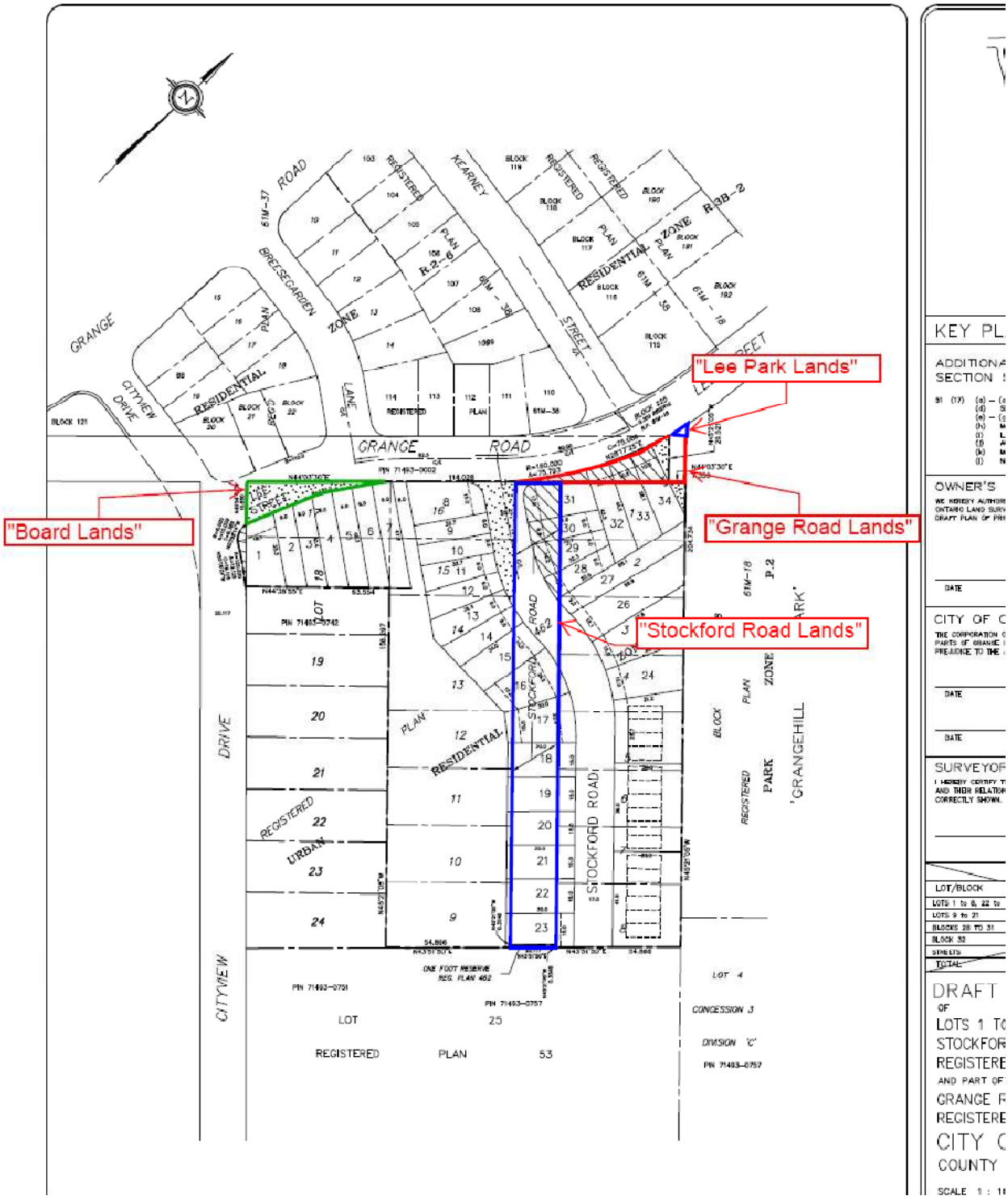
Appendix 1 – Subject Lands



COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Community and Social Services – Arts, Culture & Entertainment
DATE	May 24, 2011
SUBJECT	**New Guelph Civic Museum - 6 Dublin Street Property**
REPORT NUMBER	CSS-ACE-1117

SUMMARY

Purpose of Report: To provide Council with information regarding the options for the current Museum property located at 6 Dublin Street South.

Council Action: Receive the report and consider the recommendation that staff proceed with the sale of the property located at 6 Dublin Street South and that the proceeds be used to offset any cost overrun on the construction of the new Civic Museum.

RECOMMENDATION

THAT Report # CSS-ACE-1117, dated May 24, 2011 and titled "New Guelph Civic Museum – 6 Dublin Street Property" be received;

AND THAT staff proceed with the sale of the property located at 6 Dublin Street South by way of listing with a real estate broker;

AND THAT the proceeds of the sale be designated to offset any cost overrun on the construction of the new Civic Museum.

BACKGROUND

Report CSS-ACE-1105 that was received at the March 8 Community and Social Services Committee and titled New Guelph Civic Museum Update directed that staff report back in regard to a proposed process for the sale of the current Museum building, located at 6 Dublin Street South.

REPORT

The building at 6 Dublin Street South is approximately 11,000 square feet in size and the property is approximately 0.24 acres with 12 on-site parking spaces. The property is well located for a variety of uses (currently zoned OR-13 - Office / Residential) and is close to the downtown. There has been much interest from the community in the potential uses for the space.

Current annual operating costs, including such things as electricity, gas, water, sewer, maintenance, repairs are in the range of $35,000 to $50,000 per year, or $3.18 to $4.55 per square foot. These costs were calculated based on the 2010 expenses for the Guelph Civic Museum.

While the Civic Museum will be closed to the public starting on July 1, 2011 to prepare for the move to the new location, it is expected that the property will not be fully vacated by Guelph Museums until November 2011.

Staff reviewed a variety of options, including leasing the property at full-cost recovery and partial-cost recovery models, and retaining the property for municipal use.

For the following reasons, staff are recommending that the property be sold:

- The original intention was to sell the property, based on the original recommendation to proceed with construction of the new Museum from 2007

- The proceeds of the sale are needed to offset the projected project overrun on the construction of the new Museum. Without these proceeds, the City would have to issue additional debt to cover the $500,000 - $700,000 projected overrun at a debt servicing cost of at least $61,645 per year (calculated at 4% per annum on $500,000 of debt for a period of 10 years)

- There is no alternative municipal use currently identified for the property

The sale would be by way of a listing with a real estate broker.

<u>City Policy for the Sale and Disposition of Real Property Interests</u>
The subject property is considered to be generally marketable on its own. As such, Section 2.1 of the Policy requires that notice to the public of the proposed sale need be given by way of a publication in a local newspaper not less than five business days prior to the Council approval of such sale.

Section 3.6 of the Policy also states:

> *All Real Property Interests of the Corporation are assets of the City and are not owned by any individual department. Monies arising from the disposition of any Real Property Interests shall flow to the Corporation, generally, and not to the user or managing Department.*

In this instance, however, the proceeds are required to cover the shortfall associated with the new museum and the recommendations of this report support such use of the proceeds.

CORPORATE STRATEGIC PLAN

5.3 Open, accountable and transparent conduct of municipal business

FINANCIAL IMPLICATIONS

See above

DEPARTMENTAL CONSULTATION

Corporate Building Maintenance
Finance
Realty Services
Executive Team reviewed and supported the recommendation unanimously

COMMUNICATIONS

N/A

ATTACHMENTS

None

Prepared By:
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Recommended By:
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COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Community & Social Services – Parks and Recreation Programming and Facilities
DATE	May 24, 2011
SUBJECT	**Guelph Royals Negotiations Update**
REPORT NUMBER	CSS-PRPF-1119

SUMMARY

Purpose of Report

To provide an update on the negotiations with the Guelph Royals and seek guidance on the principles of an agreement.

Council Action

To receive report CSS-PRPF-1111, review and provide guidance on the principles of the negotiation and direct staff to proceed with negotiations and agreements, on the basis of the principles discussed.

RECOMMENDATION

THAT Report # CSS-PRPF-1119 "Guelph Royals Negotiations Update," dated May 24, 2011 be received;

AND THAT the Council directs staff to proceed with the negotiations on the basis of the principles contained within the Report # CSS-PRPF-1119;

AND THAT the Mayor and Acting City Clerk be authorized to sign any agreements related to negotiations between the City and the Guelph Royals, subject to the satisfaction of the Executive Director, Community and Social Services.

BACKGROUND

Report #CSS-PRPF-1110 was submitted to the April 12, 2011 meeting of the Community and Social Services Committee on the status of the Royals accounts (Appendix 2). At that meeting, Committee heard from a delegation from the Royals who confirmed that the Royals were shifting to a not-for-profit status. That delegation also offered to share financial and attendance information with the City.

The following resolution was adopted by the Committee:
"THAT Report CSS-PRPF-1110, dated April 12, 2011, titled "Guelph Royals", be received;

AND THAT staff be directed to bring back principles for an agreement with the Guelph Royals with the assumptions of:

- confirming "not for profit" status of the Guelph Royals
- Royals providing information with respect to attendance, gate and concession
- Time limit of agreement being up to a maximum of 5 years
- debt assumption by Guelph Royals."

With the Royals requesting that negotiations needed to be done by July 1, in order for them to secure sponsorship and support in the community, Staff were instructed to bring reports on this matter directly to Council if required to meet this deadline.

REPORT

Staff met with the Royals on Tuesday April 26, 2011 to discuss the basic principles of any potential agreement (based on the direction given by the CSS Committee). Subsequent email exchanges have expanded and refined on the points discussed at the meeting.

Agreement of Principles:

1. Any agreement will only be signed by the City if the Royals can show documentation that they are now a registered not-for-profit (NFP) at the time of signing;
2. Also at the time of signing, the new NFP must have documentation from the league showing that it is the recognized owner of the franchise;
3. The length of the agreement would be five years;
4. Outstanding accounts from 2010 are still owed by the Royals and are payable subject to clarification of the hours billed;
5. Rentals will be on a 5-hour block basis and include use of dressing rooms, score clock, etc.;
6. The Royals will operate the Exhibition Concession as part of this agreement;
7. The Royals will have the exclusive right to sell infield and outfield advertising, as they City currently do with rink boards in the arenas, at Hastings Stadium for the length of the agreement. Such advertising will be subject to City guidelines for appropriate content;
8. 50-50 draws or contests at the Royals games need to have the appropriate licenses by the charities running them and are independent of the City of Guelph. Such contests will not benefit the Royals as all proceeds go to the charities operating them;
9. The fees for daytime games are recommended by both staff and the Royals to be changed to $40/hr in the Fee Schedule for the 2012 regular season. A staff review shows that the rates currently charged for Hastings are considerably higher than comparable fields and that the rates suggested by the Royals are comparable with other league venues.

Still to be discussed/agreed upon:

- The rental rate for night games with use of the lights;

- The rental rate for playoff games. The Royals have suggested a percentage of gate for these games but staff are still analyzing this;
- Specific amount owed for the 2010 season and details of the repayment plan;
- The potential for the selling of alcohol and food at the games through a licensed catering partner;
- Use of storage facilities on site;
- Equipment for the concession;
- Agreement to reflect that potential changes in the hourly rate are possible through Council mandated fee schedule changes. The hourly rate in this agreement will be tied to the rate for Hastings in the fee schedule;
- Event specific advertising for other users will be allowed during the other users' rentals. This would be a similar policy to what we now have in the City arenas.

Information provided to the City by the Royals (Appendix 1):

- Revenue per game for 2010;
- Total attendance per game for 2010 (includes a number of group ticket holders, volunteers and others);
- 2010 Total Revenue and Total Expenses.

A list of those directors involved with the proposed NFP has also been provided to Staff. This would include who can vote/control the new NFP corporation. We currently do not have any of the bylaws of the proposed NFP.

As of the writing of this report, a detailed 2010 listings of revenue and expenditures for the company have not yet been received, although staff anticipates receiving them prior to the Council meeting.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

The Royals have indicated that they will not return without a multi-year agreement. In 2010 the Royals were charged fees of $13,358 for the use of Hastings and the concession. This money has been lost for 2011. Without an adjustment to the hourly rate this loss will be permanent.

Further the Royals had been booking their game times for seven hours. They have indicated that they would, if they return, book for five hours/game, which would be more consistent with the other stadium users. This change would have resulted in a drop in revenue of $1,196 had this been applied to the 2011 season at current rates.

It is anticipated that the combination of a reduced rate and the anticipated reduction in hours would reduce revenue from the Royals in 2012 from $13,358 to about $11,100. The revenue in the remaining years of the agreement would be dependent changes in the Fee Schedule rate for Hastings.

To keep the rates consistent among users, staff are recommending that the proposed Royals rates be applied to Hastings Stadium's other primary users. This would change the current base rate of $52.00/hr to a new rate of $40.00/hr. Hastings Stadium is a unique facility in the City and staff do not anticipate that this change will necessitate a change in other field rates.

The change will affect mostly the Guelph Silvercreeks and Guelph Minor Baseball, and will result in a loss of revenue, based on their current rentals, of approximately $2,000 annually.

In summary, if the Royal do not come back in 2012 the City will lose approximately $11,000 in fees per year thereafter. If the new rates are implemented for all stadium users and the Royals stay, the City will receive approximately $9,000 annually in fees that it otherwise would not.

Staff are of the opinion that the potential exists to make up some of these fees with new rental bookings who will be attracted by the new lower rates. Both the University of Guelph team and Guelph Minor Baseball have the potential to pick up a number of dates, although not in significant enough numbers to replace the Royals.

DEPARTMENTAL CONSULTATION
N/A

COMMUNICATIONS
N/A

ATTACHMENTS
Appendix 1: Guelph Royals 2010 Season Statistics
Appendix 2: CSS Report CSS-PRPF-1110

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Appendix 1

Guelph Royals 2010 Season Statistics

May 12th, 2011

	Game Date	Royals Attendance Estimate	Concession Sales	Ticket Sales
GAME 1	May-04	99	$ 210.00	$ 345.00
GAME 2	May-15	136	$ 350.00	$ 475.00
GAME 3	May-18	139	$ 395.00	$ 485.00
GAME 4	May-29	217	$ 649.00	$ 760.00
GAME 5	Jun-01	160	$ 435.00	$ 560.00
GAME 6	Jun-05	117	$ 639.00	$ 410.00
GAME 7	Jun-08	64	$ 370.00	$ 225.00
GAME 8	Jun-18	124	$ 288.00	$ 435.00
GAME 9	Jun-19	139	$ 383.00	$ 485.00
GAME 10	Jun22**	230	$ 408.00	$ 805.00
GAME 11	Jun26**	165	$ 436.00	$ 577.00
GAME 12	Jun-29	101	$ 375.00	$ 355.00
GAME 13	Jul-03	198	$ 525.00	$ 692.00
GAME 14	Jul-06	211	$ 393.00	$ 740.00
GAME 15	Jul-10	193	$ 708.00	$ 676.00
GAME 16	Jul-13	176	$ 317.00	$ 617.00
GAME17	Jul-17	189	$ 563.00	$ 662.00
	Tot Regular Season	2,658	$ 7,444.00	$ 9,304.00
	Reg Game Average	156	$ 437.88	$ 547.29

Attendance Estimates Note

The Royals do not have a direct attendance count. They calculate it by dividing the gate revenue by 3.5, in the regular season, and 4.5 during the

	Game Date	Total Attendance	Concession Sales	Ticket Sales
Playoffs 1	Jul-28	499	$ 647.00	$ 2,245.00
Playoffs 2	Jul-31	581	$ 1,030.00	$ 2,614.00
Playoffs 3	Aug-02	691	$ 1,310.00	$ 3,110.00
Playoffs 4	Aug-06	1,027	$ 1,585.00	$ 4,620.00
Playoffs 5	Aug-10	823	$ 1,313.00	$ 3,704.00
	Total Playoffs	3,621	$ 5,885.00	$ 16,293.00
	Playoff Game Average	724	$ 1,177	$ 3,259
	Overall Totals	6,279	$ 13,329.00	$ 25,597.00

2010	
Gross Revenue	$46,199
Gross Expenses	$81,199
Net Loss	-$35,000

Please Note: The financial figures do not include the outstanding amounts due to the City.

COMMITTEE REPORT

TO	**Community & Social Services Committee**
SERVICE AREA	Community & Social Services Department - Parks & Recreation Programming & Facilities
DATE	April 12, 2011
SUBJECT	**Guelph Royals**
REPORT NUMBER	CSS-PRPF-1110

SUMMARY
Purpose of Report: To provide Council with the results of staff negotiations, with the Guelph Royals, regarding a long-term lease as earlier directed by Council .
Council Action: Staff is asking Council to receive the report.

RECOMMENDATION

THAT Report # CSS-PRPF-1110, dated April 12, 2011, titled "Guelph Royals" be received.

BACKGROUND

The Guelph Royals baseball team has been booking Hastings Stadium since 1986. They are a professional baseball team that is a member of the Southern Ontario Inter-county Baseball League. Guelph has had a professional (or semi-professional) baseball team since 1861 when the Guelph Maple Leafs first played in the City. Since then the team has operated under a variety of names including the CJOYs, Merchants, Plymouths, Guelph-Waterloo Royals and the Royals.

The team is currently operated as a for-profit business with (as of the 2010 season) a Managing Partner representing an ownership group. Two of the eight teams in the league are incorporated as not-for-profit while the others are for-profit enterprises. Staff have been advised by the team's management that the ownership is in a state of transition.

For a number of years the team was owned by a single owner. That owner informed staff in early 2010 that a new managing partner would now be the primary contact and they were be given signing authority on the Royal's contracts.

Since the Royals have always entered into single year, standard rental "permits' with the City, staff were not required to secure information related to ownership, financials or attendance. The team has historically booked Hastings Stadium on an annual basis and paid the standard rental fees and provided insurance as per the approved fee schedule.

The Royals have also bid on and operated the concession at neighbouring Exhibition Arena for a number of years, although the actual billing is to MSW Developments of Mississauga. That company, to best of staff's knowledge, is owned or controlled by the Royal's owner.

The team played the 2010 season at Hastings Stadium but are currently in arrears for the rental of the stadium and the concession in the amount of $8,858.53. City staff met with the Royals management several times over the course of the 2010 playing season to discuss the amounts owing but no resolution was reached. The Royal's Managing Partner did assure staff that all invoices would be paid.

On September 20, 2010, a report was submitted to the Emergency Services, Community Services & Operations Committee informing Council that the Royals had asked for a five-year license, for both the Stadium and the adjacent concession, to replace the existing annual booking agreements.

The report specified that any new arrangement would "*result in no change to the amount of revenue generated by the City for the use of the Stadium and for the use of the concession stand*". Furthermore, the report said that "*The proposed License Agreement would therefore not change the current situation, but it would solidify an already long-standing arrangement, and give assurance to the prospective owner that he would be able to operate both the team and the concession stand as a package*". On this basis, Council passed a resolution authorizing staff to negotiate a five-year license agreement with the Royals.

The report also stated that the Royals were incorporated as a not-for-profit but this was later determined to be an error on the part of staff as the Royals are registered as a for-profit business.

Within the parameters specified in the report, the actual details of the licensing agreement were left to the Manager of Realty Services and the Executive Director of Community and Social Services to approve.

REPORT

Staff communicated with the Royals throughout 2010 and 2011, including four meetings, in an attempt to negotiate a five-year licensing agreement that followed the principles of Council's resolution. Staff also contacted the Royals an additional four times, and held one meeting with them, about their account balance. A chronology of staff's interactions with the Royals is attached as Appendix 1. Appendix 2 and 3 are the Royals' early terms for City review.

In response to discussions, staff forwarded three draft agreements to the Royals (e.g. November 18, January 10 and January 27). After each draft agreement, staff understood that an agreement was close, that the Royals concerns were addressed and that the terms were within staff's ability to grant. Each time the Royals rejected the agreements yet did not provide back to staff any specific amendments to the drafts that would address the Royals concerns.

By the December 14, 2010 meeting with the Royals, it became clear that the Royals were looking for a partnership relationship with the City; one that included a level of financial risk being accepted by the City which was beyond the parameters of the Council resolution. Staff encouraged the Royals to approach Council directly about a new relationship however those invitations were not accepted.

In January 2011, it appeared that once again an agreement was close. On January 31, 2011 the Royals advised that the team was now in agreement on the five year term, the City's existing alcohol policies and our rate schedule (contingent upon reaching agreement on the booked times). However they also advised that it was "critical and essential" to agree to the financial terms (i.e. amount owed) and "the other terms in an agreement". Despite a request from staff for clarification of the "other terms" there was no response provided by the Royals.

On February 2, 2011 Community and Social Services staff advised the Royals that if they wished to book their preferred times for the 2011 season, they should provide the City with those dates. The 2011 season could be secured using the standard annual rental 'permit' which had been used in the past, while a longer-term agreement was being discussed. Failing to do so would risk that those dates might be booked by other teams.

In response, the Royals advised City staff that they would not be playing the 2011 season.

The Royals were offered the opportunity to attend the February 8 meeting of the CSS Committee and address their concerns to Council, but that offer was declined.

In summary, staff were unable to come to a five year agreement with the Royals. To address the loss of the 2011 season, the Royals were offered the same booking arrangements as they previously had, but they declined to play the 2011 season under the existing terms.

CORPORATE STRATEGIC PLAN
Goal 5: A community-focused, responsive and accountable government

FINANCIAL IMPLICATIONS
Currently the Royals have an overall outstanding debt to the City of $8,858.53.

DEPARTMENTAL CONSULTATION
Human Resources and Legal Department – Realty Services
Operations and Transit Department
Finance Department

COMMUNICATIONS
N/A

ATTACHMENTS
Appendix 1: 2010/2011 Guelph Royals Chronology
Appendix 2: Royals Request for Implementation
Appendix 3: Draft Points for Lease
Appendix 4: License Agreement Response

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Appendix 1: 2010/2011 Guelph Royals Chronology

Background

Hasting Stadium

- Records from the Class Booking system show the Royals leasing Hastings Stadium, per rates and fees set by the City of Guelph, since 1999 season. Anecdotal evidence indicating the Royals have played there since the stadium opened around 1986.

Exhibition Concession

- The Royals have operated the summer concession at least since 1999.

2010 Season

April

- April 1 – 2009 fees in arrears ($2,300) paid. New Managing Partner.
- April 29 – Standard booking permit signed for the 2010 season's play dates (field and lighting fees as per the fee schedule).

June

- June 7 – The Royals propose a new license arrangement to staff that might include a beer garden and percentage of gate and/or concession.

July

- July 5-26 – Staff contact the Royals on their account four times.
- July 27 – The Royals and staff meet regarding account. Royals book additional time for the playoffs.
- July 28 – The Royals request an extension on arrears to end of 2010.

August

- August 6 – The Royals book extra time for the playoffs.
- August 10 – More time is booked for the playoffs (arrears of $10,377).
- August 16 – Royals reduce remaining playoff game hours to five/game.
- August 17 – Payment of $2,000 applied to account.
- August 30 – Staff report (CSS-FP-1021), asking for authority to negotiate a five-year license, submitted to Council.

September

- September 20 & 27 – CSS-FP-1021 approved by Committee/Council.
- September 27 - Operations staff and Royals meet on stadium repairs.

October

- October 14 –Staff and Royals meet to continue license discussions.

November

- November 2 – the Royals submit written list of their needs for a license.
- November 18 – Staff meet with Royals and provide 1st draft agreement.
- November 24 –Royals advise that 1st draft agreement is not workable. (Letter to the City re; License Agreement Response – see attachment #4)

December

- December 14 – Royals and City staff meet (including the CSS Executive Director and Realty Services) and 1st draft license terms are reviewed. Clarity was provided with respect to Council policies and what staff were authorized to approve.
- December 14 – the Royals advise they need 48 hours to review.
- December 14 – Invoice issued to MSW Developments for the operation of the concession during the 2010 season. (MSW Developments is operated by the Royals owner.) Overall, Royals' arrears is now $8,858.53.
- December 16 – the Royals advise they need another 48 hours to review.
- December 21 – Staff advised that the Royals will reply in January.

January 2011

- January 10 - CSS staff forward the latest draft of the agreement reflecting the meeting December 14.
- January 11 – Royals acknowledge receipt of 2nd draft agreement.
- January 19 – Request from the Royals requesting a meeting.
- January 24 – Royals meet with staff to discuss 2nd draft agreement.
- January 27 – Revised draft agreement (3rd draft) sent by staff to the Royals incorporating comments from meeting on January 24

February

- February 1 – the Royals advise CSS Executive Director that outstanding debt remains the sticking point. Executive Director offers that some miscommunication may have occurred and is willing to recommend a reduction of $1,200 to Council as part of overall agreement. This would have reduced the arrears from $8,858.53 to $7,658.53. Royals decline.
- February 2 – Executive Director of CSS advises the Royals of the need to begin booking fields by February 7, and asks for a decision on the 2011 season. Later in the day, the Royals advise that they have asked the ICL to suspend the team for 2011.

Appendix 2: Royals Request for Implementation

Royals BASEBALL

HASTINGS REQUESTS for implementation

Increase seating portable stands- home plate-left and right field lines

Rebuild mounds-pitching and in bullpens

Expand Press box-must be able to accommodate up to 10- spray-mold is growing-fix overhead hanging door

Better lighting-especially left and right field+bullpen areas

Scoreboard-remove Frozen Ropes sign- replace burned out lights

Dugouts? Make them as they should-rebuild bat and helmet racks

Wireless all weather speakers

Television 'ready' centre field/home plate

Front Gate- move

Smoking signs

Graffiti on signs in outfield

Washrooms?

Portable concessions?

Beer tent?

Parking on grounds

Appendix 3: Draft Points for Lease

Draft points to City for Lease

TERM **5 year rental agreement/permit**

2011-2015

AGREEMENT TO INCLUDE THE FOLLOWING:

Rental of Hastings Stadium to include dressing rooms, officials room, washrooms, concessions and upstairs room in Exhibition Arena if/as necessary.

Rental time to encompass a 5 hour period on Game Day

Stadium to have a staff member present during all games

The City of Guelph will:	**The Royals will:**
***Prepare field for play**	***set up for games, e .g batting cage**
***Keep the grounds in game ready condition**	***monitor security of park for safety of fans and patrons**

***Provide clean/safe environment for Fans, players, volunteers and media**	***Continue to operate as not for profit**
*** Royals to be primary tenant**	***Reach out to community to allow charities to use Royals as a source of revenue**
***Provide additional seating (portable Stands) to increase seating**	***Work with Minor Baseball to offer clinics for coaches and players**
***Allow for Royals signage to Promote games (e.g. city entrances)**	***Work with Rogers's television to provide city with2.5- 3 hour commercials for selling benefits of city**
***Collaborate with Royals to create Additional revenue streams for city**	***Provide a competitive and first class operation to enhance the City of Guelph.**
***Provide equipment, e.g. fryer to ensure revenue streams can be reached**	***The Royals will work to bring new sponsors to the community.**

FINANCIAL TERMS:

1) **The City of Guelph will receive a per game rental rate of $200.00. Fees to be paid monthly (within five business days at the start of a new month)**
2) **The City of Guelph will collect a fixed rate for sets of keys used by the Royals personnel**
3) **The City of Guelph will receive a maximum of 100 tickets/game to be distributed according to city policy**
4) **The City of Guelph will receive $400.00 a year for the concession rights in the Arena**
5) **The City of Guelph will receive a fixed percentage (10%) of any Tournament sponsored by the Royals**

Addenda:

The City of Guelph and the Guelph Royals Baseball Club will collaborate and meet regularly to ensure the implementation and partnership development grows and becomes a model for other community groups

Appendix 4: License Agreement Response

November 24, 2010

Re: License agreement-city draft

Dear Jim and Rich

Thank you for the opportunity to meet last week. I regret that we did not accomplish the formation of an agreement.

I have reviewed the 'draft' that you shared and find it unacceptable as most clauses do not represent our needs to be viable. It does not reflect the points forwarded to you or the earlier dscussions. To attempt to modify this document would take months. We do not have the luxury of time at this point.

In all my discussions and submissions, I had indicated a drop dead date of November 1, 2010. Last night I reported at the League meeting that we have not reached an agreement. The League has extended our deadline to December 1, 2010. They will confirm with you about the IBL's position.

At this point in time, I reiterate that we must meet and agree on a few basic points, if we are to operate in 2011. I welcome your timely reply.

Sincerely,

Jim Rooney
Managing Partner of the Guelph Royals Baseball Club

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COMMITTEE REPORT

TO	**Guelph City Council**
SERVICE AREA	Office of the CAO
DATE	May 24, 2011
SUBJECT	**Community Energy 2010 Accomplishments – 2011 Work Plan Summary**
REPORT NUMBER	11-02

RECOMMENDATION

"That the Community Energy report regarding 2010 accomplishments and a 2011 work plan, dated May 3, 2011, BE RECEIVED"

BACKGROUND

The Community Energy Division of Corporate Administration was announced in mid-2010. The position of Community Energy Plan Program Manager, originally located within Environmental Services, was re-titled Corporate Manager, Community Energy and moved to Corporate Administration.

Also in mid-2010, the position of Program Manager, Corporate Energy was reassigned to be under the management of the Corporate Manager, Community Energy. Further, the position, re-titled as Program Manager, Energy, has been redefined with a revised job description which maintains the existing corporate energy responsibilities but include additional scope to assist in the implementation of the Community Energy Initiative (CEI).

These actions address a fundamental objective. The City's corporate energy management is not a separate function from the objectives of the Community Energy Initiative. In fact, the City's corporate activities can play a key role in building synergies and leveraging results in the broader community in coordination with the many stakeholder that are contributing toward the goals of the CEI.

The key corporate functions are:

- **Leadership:** The City has played a leadership role throughout the development of the Community Energy Plan through to the current implementation phase under the CEI. As a corporation, it is imperative that the City maintain its leadership position by demonstrating best-practices in energy management.

- **Mayor's Task Force on Community Energy:** The City acts as the "secretariat" to the Task Force and its committees to provide a strong governance structure in support of implementation of the CEI and oversee cooperation among member stakeholders.

- **Planning:** The Planning Division plays a critical role in incorporating the goals of the CEI into Official and Secondary Plans as well mobilizing planning procedures and tools to drive development in the community that supports the goals of the CEI.

- **Economic Development:** The City's Economic Development and Tourism Division has played a key corporate role in promoting to, and interacting with, business interests that are attracted to Guelph because of the expected economic activity that is stimulated by the CEI.

- **Communications:** The Communications Division continues to play an important role in reporting both corporate and community level activity to the citizens of Guelph and broader audiences in other jurisdictions.

REPORT

The following summary outlines the accomplishments related to Community Energy in 2010.

1. Initiated Mayor's Task Force on Community Energy – recruited community leaders, industry and government experts and staff members; drafted charter documents; organized, administered and managed three major meetings with Mayor as Chair.
2. Initiated four sub-committees to the Mayor's Task Force on Community Energy – recruited Chairs, organized, administered and managed committee meetings.
3. Initiated through the Task Force, and in cooperation with Task Force members, a number of projects in support of the Community Energy Initiative, including: community energy and GHG baseline study (GHI), municipal toolkit for community energy (OPA, QUEST), district energy study (GHI), CEI Community Awareness Survey (OPA)
4. Conducted three presentations to Council and/or Committees of Council.
5. Personally presented or supported the Mayor in giving 25+ presentations on the Community Energy Initiative to supporting stakeholders, industry professionals, municipal peers and the public at large.
6. Represented the City in negotiating the City's corporate involvement in

attracting Canadian Solar Solutions Inc. to Guelph with up to 500 manufacturing and related production jobs. Also acted as main point of contact for Sustainable Energy Solutions who have chosen Guelph to locate up to 100 solar manufacturing jobs.

7. Took the lead in developing a Memorandum of Intent and a Council-approved recommendation to have Guelph Hydro Inc. develop energy efficiency and renewable energy generation projects that require access to City-owned lands, buildings and rooftops.
8. Initiated and managed, in coordination with Guelph Hydro Inc., the process of developing projects representing approximately 1 MW of solar photovoltaic systems on City owned facilities.
9. Managed to completion a phase I project of developing a GIS-based energy density mapping tool in cooperation and coordination with the Planning Department.
10. Managed to completion a project, in cooperation and coordination with the Planning department, to begin the process of integrating the goals of the Community Energy Initiative into the Official Plan, and other planning and planning application processes.
11. Fund-raised $45K from Ontario Power Authority in support of energy mapping projects.
12. Managed to completion the development of a series of application guidelines, produced by Garforth International (the main consultants in the development of the CEI).
13. Participated formally in external working groups : QUEST – Ontario Caucus, NRCan Community Energy Implementation Study, CSA Greenhouse Gas Measurement Protocol Working Group, AMO Energy Committee, Can. Urban Institute Energy Mapping Working Group.
14. Received CEI recognition: Third Milestone from FCM's Partners for Climate Protection, Recognition in NRCan's "Integrate Community Energy Solutions – A Ministerial Roadmap", ICLEI International Case Study, FCM National Case Study, Approx. 10 instances of local media interviews and other published coverage.
15. Acquired management responsibility of Program Manager, Energy – the corporate energy manager position. Revised job description to reflect synergies between corporate and community energy objectives.

The following table outlines the work plan for 2011 for both community and corporate level activity cooperatively working toward the goals of the Community Energy Initiative.

Community Energy	
Goal	**Action**
Continue to support, administer and manage an effective, self supporting governance structure for the CEI through the Mayor's Task Force on Community Energy.	• Develop 2011 work plan for the Task Force and its committees • Support six meetings in 2011 for the Task Force and its four committees

Formalize a CEI Communication and Stakeholder engagement strategy	• In coordination with City Communications department, Guelph Hydro and others, determine key messages, key audiences and an execution strategy for 2011 communications – including media outreach, community events, Council and Committee deputations. • In coordination with the Mayor's Task Force, develop a formal strategy to engage the community, through community groups.
Maintain strong and results-oriented inter-governmental relationships	• Through networks, established through the Task Force and other vehicles, maintain relationships with legislative and regulatory bodies for the purpose of advocating continued direct support for the CEI. • Pursue the growing opportunity to accelerate provincially mandated, rate-based, Conservation and Demand Management (CDM) funds to City related activities.
Continue to evolve a well funded, self-supporting governance structure for the CEI	• Maintain high-level relationships with Guelph Hydro Inc. through the City's CAO. • Participate in Holdco development activities to further develop governance and business models for the CEI. • Continue to identify and develop ongoing revenue generating activities in support of the City's contribution to the CEI – beyond those identified to date. • Pursue project funding through various networks outside of the normal incentive programs. Achieve budget objective of $60K of revenue acquired this way.
Continue to participate and nurture networks that provide expertise, resources and recognition for the CEI.	• Provincially via QUEST – Ontario Caucus and AMO • Nationally through QUEST and FCM • Internationally via Transatlantic Urban Climate Dialogue
Maintain leadership position of the CEI and the City of Guelph	• Utilize networks to promote the City and the CEI • Apply for recognition awards, i.e. City for Climate Protection – Milestone 5, FCM's Sustainable Communities Award

Corporate Energy	
Goal	**Action**
Integrate CEI goals into City Planning Activities	• Coordinate with Official Plan completion – Q4 2011. • Develop planning application process and administration using results of 2010 project outputs (see Achievements above).

	• Analyze and develop planning incentive tools – CIP's, etc.- as appropriate. • Begin development of "green" building inspection process related to 2012 building code.
Integrate CEI goals into Vision 2020 and related Economic Development activities	• Develop promotional material to cleantech and green energy companies. • In coordination with Economic Development, participate in interaction with appropriate private sector proponents seeking to develop in Guelph.
Leveraging existing corporate systems, develop an energy data management system that is fully integrated across departmental functions	• Improve data flow from gas and electric utilities • Centralize automatic collection of facility energy data • Establish monitoring, tracking and reporting (M,T&R) capabilities • Streamline preparation of reports on corporate energy performance, customized to audience (targeted stakeholders, public and corporation at large).
Develop and mobilize corporate CEI communication and capacity building strategy	• Design corporate communications strategy for CEI initiatives using existing tools. • Develop framework for training and information sessions, in cooperation with HR, across the corporation.
Continue to identify and support energy conservation and efficiency projects in City facilities.	• Work with building managers to develop and implement energy conservation, efficiency and renewable generation projects. • Provide support in securing incentive funding for above projects.

CORPORATE STRATEGIC PLAN

Goal 3: A diverse and prosperous local economy
Goal 6: A leader in conservation and resource protection/enhancement

FINANCIAL IMPLICATIONS

The following budget for Community Energy was approved by Council on March 3, 2011:

Operating: 707-0143 $212,143.00

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

Power Point presentation – Community Energy Initiative Overview

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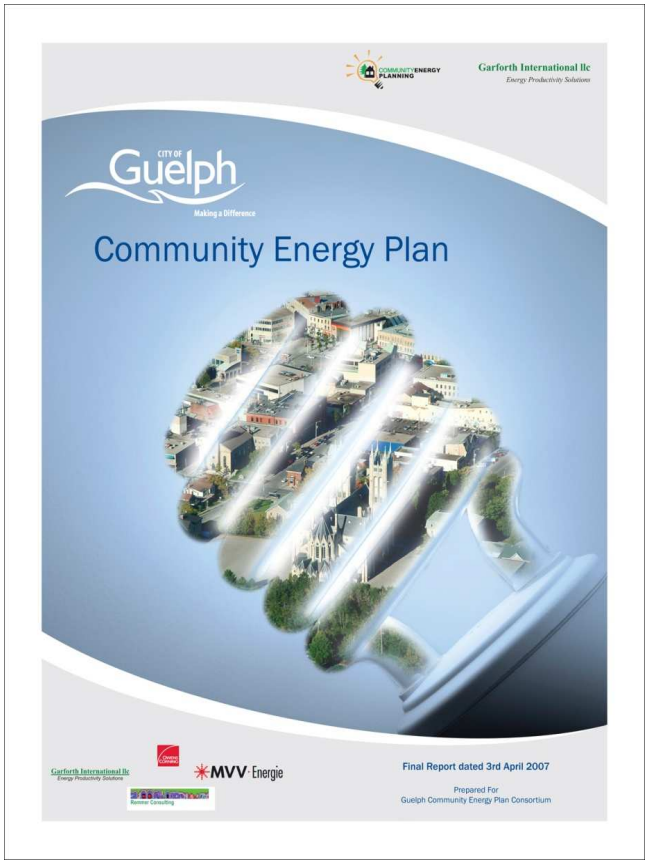
The City of Guelph's Community Energy Initiative

Strategic Direction and Activities to Date

Guelph City Council
May 24, 2011



Overview

The Community Energy Plan

Principles, Objectives, Goals, Targets.

New Approaches

Governance, Partnerships, Cooperation, Agreements

Activities

Projects, Proposals, Planning, Local Economy

Local Drivers

- Increase competitiveness
- Community resiliency
- Energy security
- Environmental sustainability
- Managing population growth
- Political and social pressure
- Demonstrating municipal leadership ("Making a Difference")

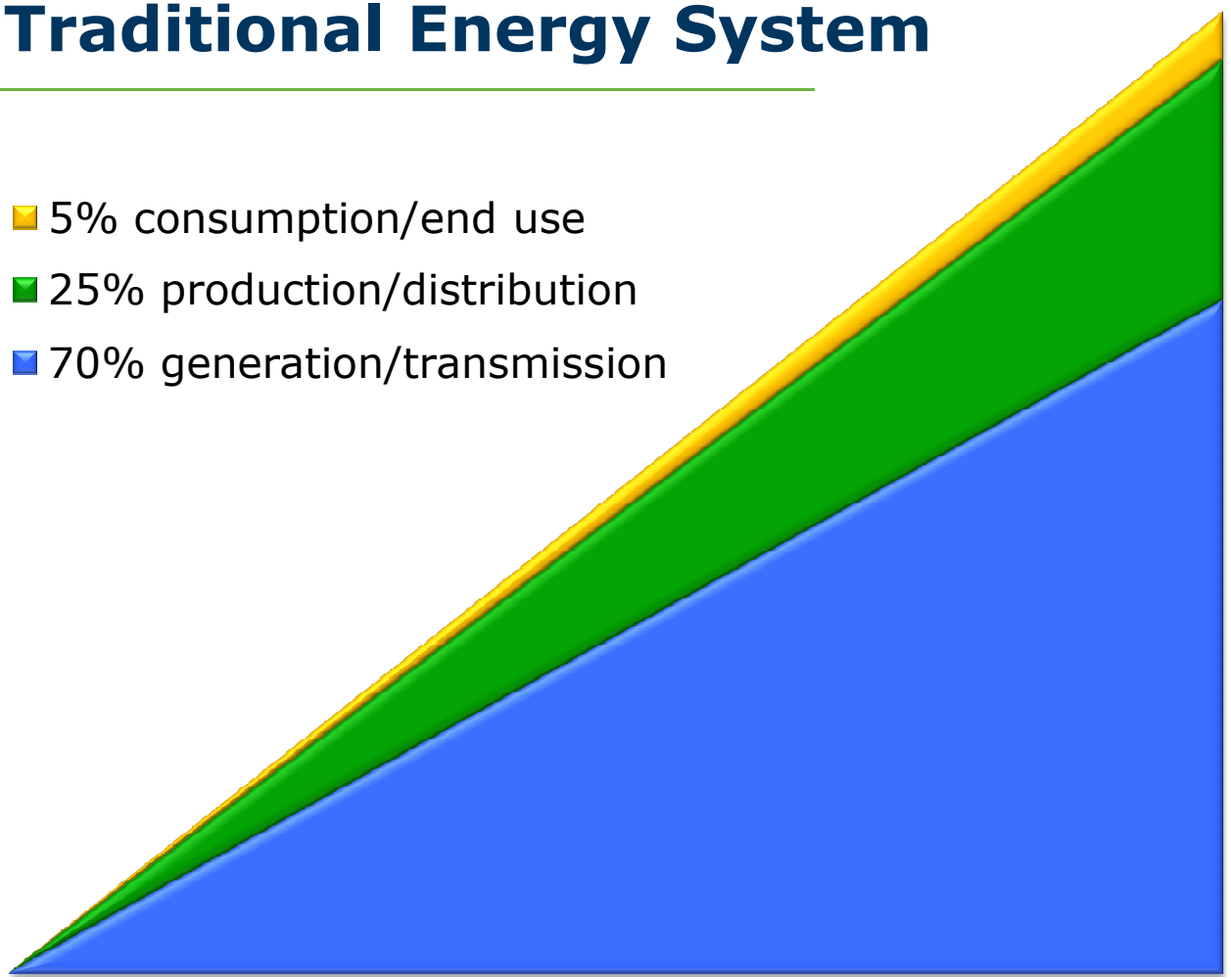
CEP Vision and Goals

Guelph will create a healthy, reliable and sustainable energy future by continually increasing the effectiveness of how we use and manage our energy and water resources.

1. ***Guelph will be the place to invest, supported by its commitment to a sustainable energy future***
2. ***Guelph will have a variety of reliable, competitive energy, water, and transport services available to all***
3. ***Guelph energy use per capita and resulting greenhouse gas emissions will be less than the current global average***
4. ***Guelph will use less energy and water per capita than comparable Canadian cities***
5. ***All publicly funded investments will visibly contribute to meeting the other four CEP goals***

Traditional Energy System

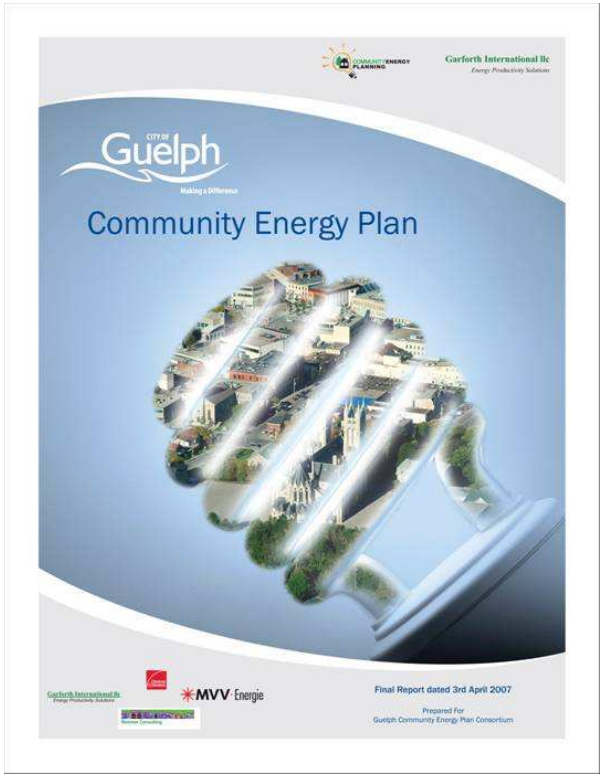
- 5% consumption/end use
- 25% production/distribution
- 70% generation/transmission



Community Energy

- **Means local integrated infrastructure and services**
- **Reducing demand and increasing conservation**
- **Attracting infrastructure and services investment**
- **Greening infrastructure and services**
- **Stimulating a local green economy**

Community Energy Plan (2007 – 2031)



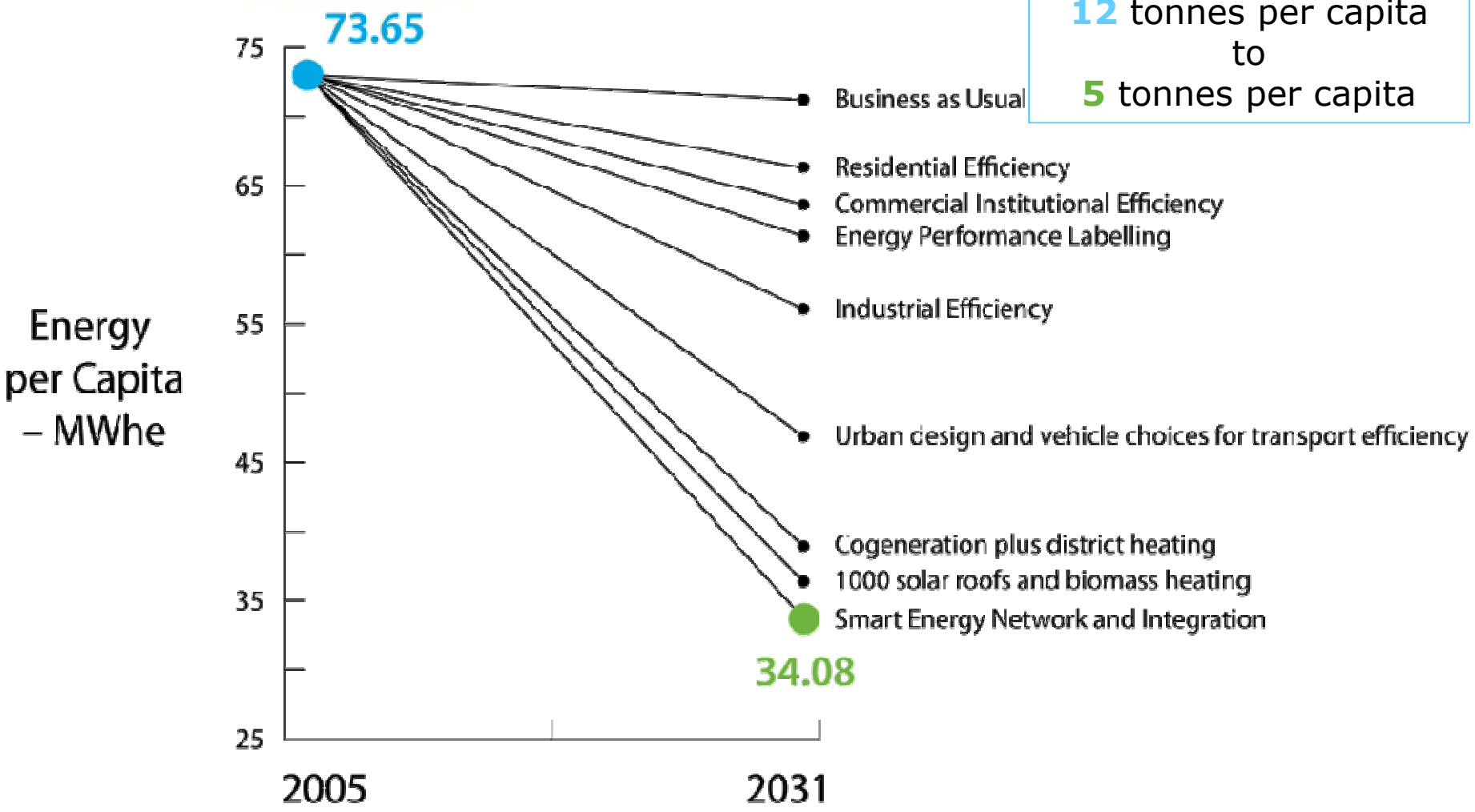
50% less energy use per capita

60% less GHG emissions per capita

Population expected to grow by 50% by 2031 to 175,000 persons

1. **Generation**
2. **Transmission**
3. **End-Use Efficiency/Conservation**
4. **Urban Form/Density**
   - **Transportation**
   - **Energy Services**

GHG reduction from:
12 tonnes per capita
to
5 tonnes per capita



From Planning to Implementation

- **Council endorsement, April 23rd, 2007**
- **In 2008, Community Energy Plan was ranked Council's #1 priority project for achieving the goals of the City's Strategic Plan**
- ***Think Tank* - A Consultation and Decision Process for Implementation**
- **Green Energy Act – January 2009**
- **Hiring of Community Energy Plan Program Manager (now Corp. Manager – Community Energy)**
- **Community Energy *Plan* (CEP) relabeled to Community Energy *Initiative* (CEI) to reflect implementation activity**

High Level Challenges to Implementation

1. **CEI is largely affected by Provincial legislation (Green Energy Act), creating:**
   - **Administrative program challenges**
   - **Wide-ranging public debate**
   - **Regulatory conflicts**
2. **Multi-stakeholder coordination**
3. **Resources**
   - **Finance**
   - **Skills**
   - **Administration**

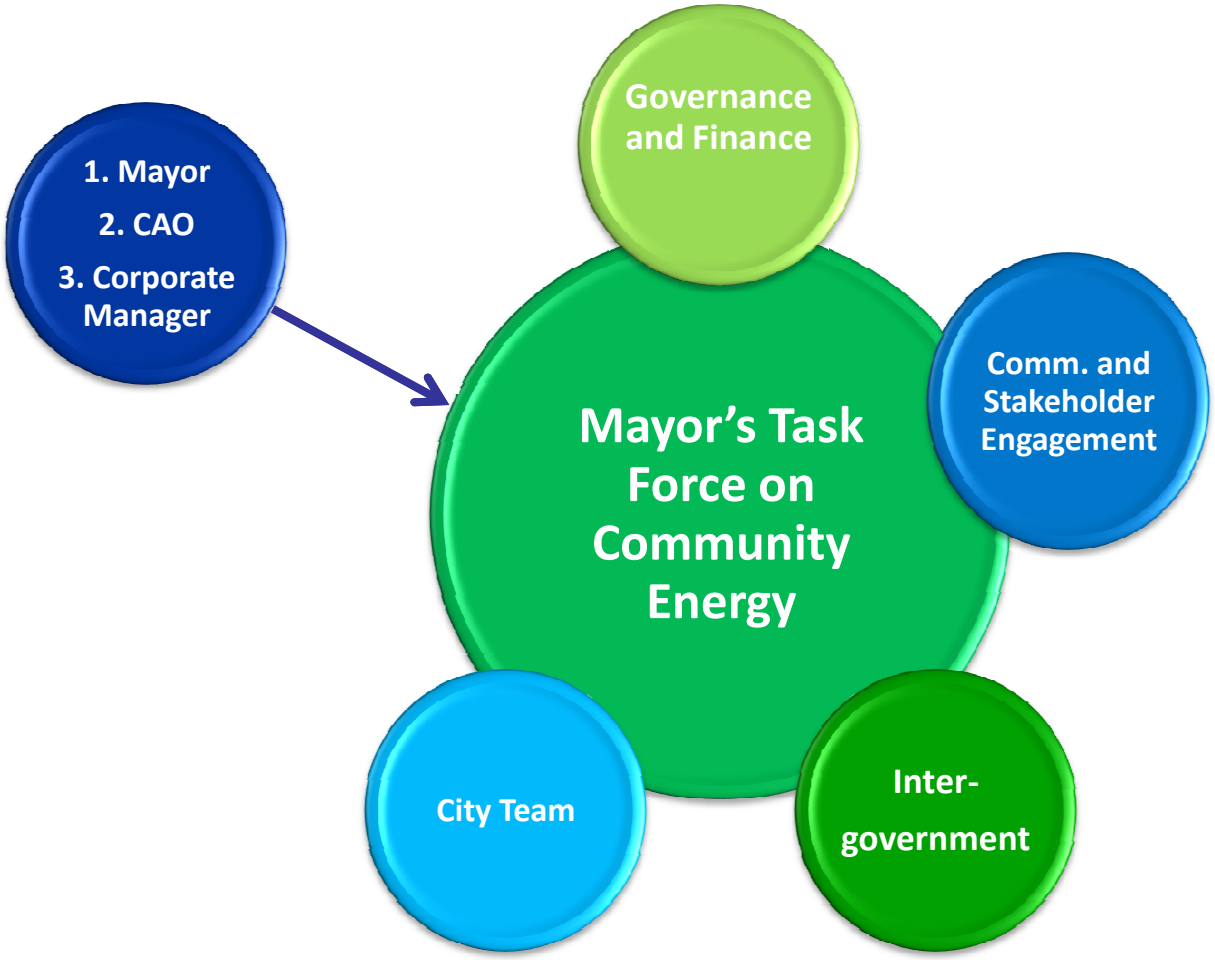
Mayors Task Force on Community Energy

At it's meeting of September 28, 2009 Council approved:

- **The creation of a Mayor's Task Force on Community Energy to provide a governance structure to the multi-stakeholder implementation of the CEP;**
- **The management and administration of the Task Force be under the direction of the City's Chief Administrative Officer in consultation with the Mayor's Office;**
- **Council receive quarterly update reports from the Task Force.**

Task Force - Charter and Mandate

- **Sharing the CEI vision and goals with a wide range of community members and stakeholders**
- **Establishing sustainable funding;**
- **Developing and overseeing the implementation of a comprehensive stakeholder engagement strategy**
- **Coordinating resources**
- **Ensuring alignment of activities and initiatives**
- **Communicating CEI process and progress**


1. Mayor
2. CAO
3. Corporate Manager
Governance and Finance
Mayor's Task Force on Community Energy
Comm. and Stakeholder Engagement
City Team
Inter-government

Current Task Force Membership

Canadian District Energy Association	Canadian Solar Solutions Inc.	Canadian Urban Institute
City Staff	The Co-operators	Guelph Chamber of Commerce
Guelph Environmental Leadership	Guelph Hydro Inc.	Linamar
Ontario Centres of Excellence	Ontario Power Authority	QUEST
RLB	Rowan Williams Davies and Irwin Inc. (RWDI)	School of Engineering, University of Guelph
Union Gas Limited	Wellington Catholic District School Board	

City – GHI Memorandum of Intentions

- Approved by Council, June 28, 2010
- Common goals related to the CEI
- Active participation and resourcing of CEI activities – i.e. Task Force
- Identifying and taking the lead in developing energy-related opportunities within city-owned assets
  - Licenses in place for solar photovoltaics on City-owned rooftops
  - License before Council May 24 for City-owned vacant land
  - Option for land purchase in Hanlon Creek Business Park for potential development of Combined Heat and Power

Guelph Municipal Holding Co. (GMHC)

- **MOI is "not considered a legally binding contract and shall be replaced over time with specifically legal binding agreements that effect to the parties intentions"**

- **GMHC creates a single entity for the common CEI-based goals shared by GHI and the City with transparent and commonly developed:**
  - **Strategic directions and recommendations it shareholder**
  - **Management structures**
  - **Administrative structures**

Task Force Created Opportunity

Task Force Offers:

- Creativity
- Coordination
- Common community energy vision
- Expanded funding opportunities
- Creative proposal writing
- Solid program and project governance and oversight

Developmental Funding

Federation of Canadian Municipalities

- **$70K (received)**

Ontario Power Authority (OPA)

- **$45K (received)**

OPA and NRCan – Energy Density Mapping

- **$900K project (complete)**

OPA Conservation Fund

- **$375K (short-list)**

Ont. Centres of Excellence – SmartGrid Program

- **Up to $1 Million (proposal in development)**

Ministry of Environment - Showcasing Water Innovation

- **Up to $1 Million (proposal in development)**

Major Activity: Local Generation

Renewable Generation

- Eastview methane generation (in place)
- Wastewater Treatment Plant (in place)
- Cargill Bioenergy (in development)

Combined Heat and Power

- West End Community Centre
- Partnership: Guelph Hydro Inc. and Dalkia Canada
  - Three sites: Guelph General, U o G, HCBP, Downtown

Total Generation Potential: +/- 30 MW

CEP Target: +/- 75 MW

Hospital District Energy System – Phase 1

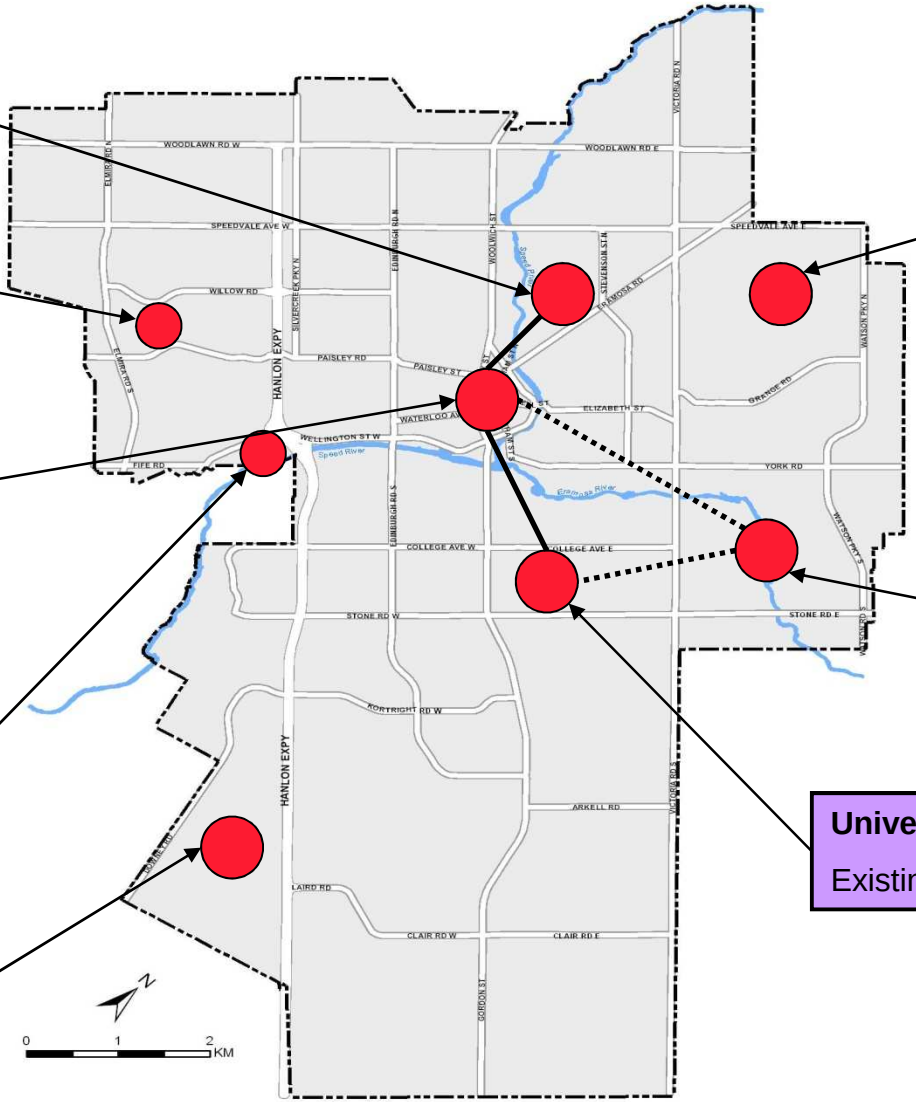
Natural gas cogeneration

CHP West End Community Centre

Downtown District Energy System – Phase 2

Wastewater Treatment Plant

Hanlon Creek Business Park District Energy System



Ecotricity

Landfill gas cogeneration with CHP Potential

Guelph Innovation District Energy System

University Cogeneration

Existing District Heating

Major Activity: Community Conservation

Green Impact Guelph (GIG):

- **Integrated Conservation and Demand Management Program**

Major Features:

- **Integration and delivery of existing conservation programs by Guelph Hydro Energy Systems Inc., Union Gas, City Water.**
- **Creation of community-based entity to establish and build relationships with individuals, homes and neighbourhoods.**
- **Facilitate the development and support of a local supply chain of energy conservation products and services.**

Major Activity: Solar

Corporate facilities

- 12 facilities, total exceeding 1 MW

Corporate-owned and vacant land

- 3 sites, total potential of 12 MW

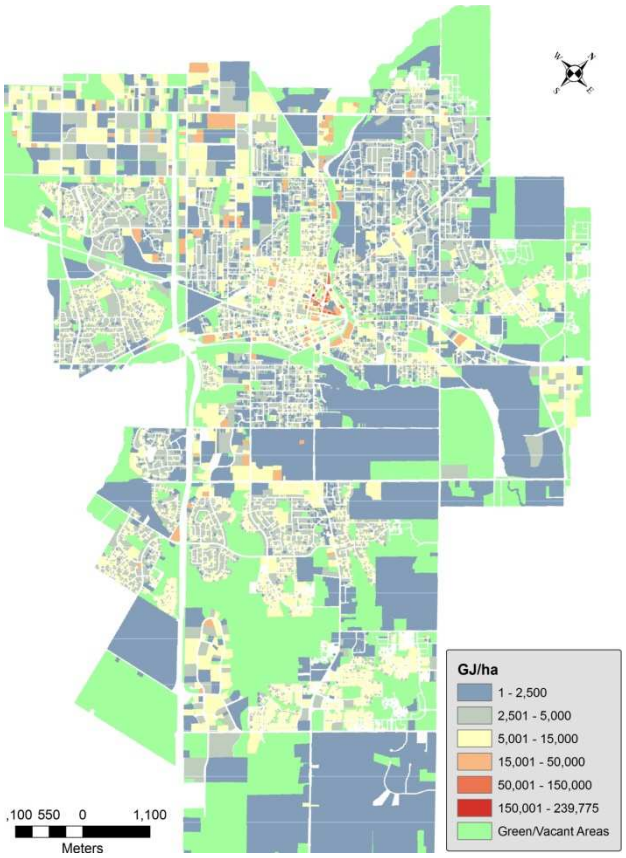
Community-Public solar projects

- Residential: 30 connected, 200 in process (est. 1 MW)
- Land-based: +/- 7 MW
- Large Commercial: +/- 10 MW

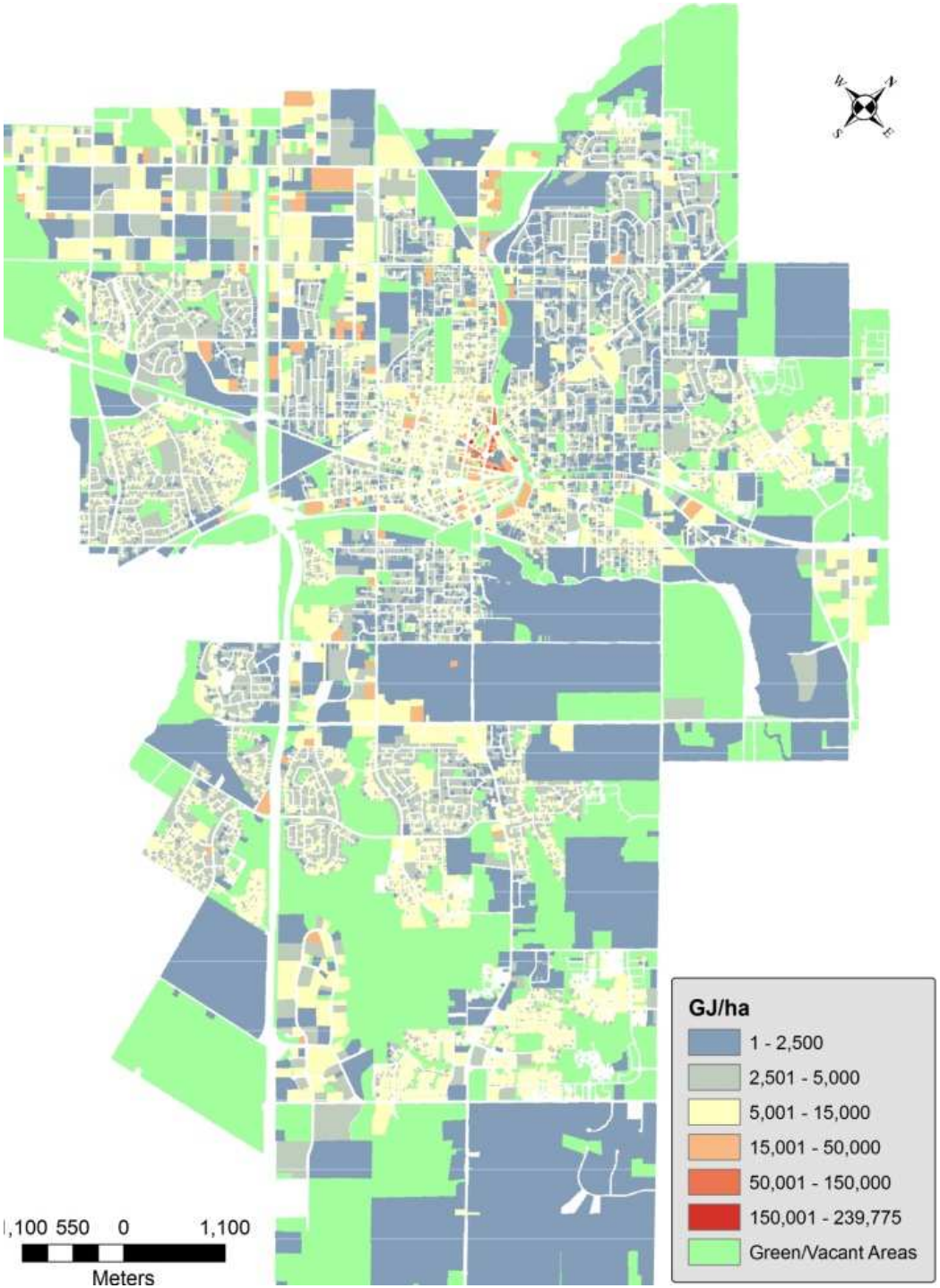
Total Generation Potential: +/- 30 MW

CEP Target: +/- 75 MW

Major Activity– Energy and Planning



1. Coordinate with Official Plan and Secondary Plans.
2. Develop planning application process and administration using results of 2010 study as supported by the OPA in coordination with the Can. Urban Institute.
3. Analyze and develop planning incentive tools (CIP's, etc.) as appropriate.
4. Begin development of "green" building inspection process related to 2012 building code.


GJ/ha
1 - 2,500
2,501 - 5,000
5,001 - 15,000
15,001 - 50,000
50,001 - 150,000
150,001 - 239,775
Green/Vacant Areas
,100 550 0 1,100
Meters

Major Activity: Economic Development

- **Canadian Solar Solutions Inc.**
  - **500 jobs**
  - **First of growing number of renewable companies and suppliers**
- **Sustainable Energy Technologies**
  - **+ 100 jobs**
- **Innovation Guelph – Solar Cluster**
- **Renewable Energy Co-ops**
  - **Individual and organizational investments and continued renewable development**

Corporate Energy Goals 2011

1. **Improve corporate energy accounting functions and related reporting and communication strategies**
2. **Integrate CEI goals into City Planning Activities**
3. **Integrate CEI goals into Vision 2020 and related Ec. Dev. Activities**
4. **Develop and mobilize corporate CEI communication and capacity building/training strategy**
5. **Continue to identify and support energy conservation and efficiency projects in City facilities and operations**

COUNCIL REPORT

TO	**Guelph City Council**
SERVICE AREA	Corporate Administration
DATE	May 24, 2011
SUBJECT	**License Agreement Between the City of Guelph and Ecotricity Guelph Inc. to Allow Use of Certain City Lands for Solar Photovoltaic Installations**

RECOMMENDATION

THAT, in respect of a proposed License Agreement between the City of Guelph and Ecotricity Guelph Inc. to use certain City-owned lands for solar photovoltaic installations:

(a) The Mayor and Clerk be authorized to execute the License Agreement;

(b) The Corporate Manager of Community Energy be directed to review Feasibility and other Plans, in consultation with the City Solicitor and appropriate City Staff, and be authorized to approve installations proposed by Ecotricity under the License Agreement; and

(c) That revenues generated from the proposed License Agreement be directed to a reserve fund for the Community Energy Initiative.

BACKGROUND

On June 28, 2010 Council directed the following:

> THAT Council approve the attached Memorandum of Intentions (MOI) between Guelph Hydro and the City of Guelph to enable implementation of projects related to the Community Energy Initiative (CEI);
>
> THAT staff be directed to develop a leasing framework for Lease Agreements with Guelph Hydro Inc. to provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of energy efficiency and renewable energy generation projects.

Since that time, the Memorandum of Intentions (MOI) between Guelph Hydro Inc. and the City has been executed and is appended as Attachment #1. Specifically relevant to this report are items 1 and 1.c of the MOI:

1. *"Acting as the primary developer and having overall responsibility for the development and implementation of energy related projects in the City with respect of City initiatives and consistent with the Shareholder Agreement:"*

1.c. "identifying and taking the lead in developing energy-related opportunities within city-owned assets;"

Currently, both City staff and Guelph Hydro staff have strategically targeted the development of solar photovoltaic systems. On February 28, 2011, Council approved the recommendations that authorized staff to enter into a license agreement with GHI for certain City rooftops. Since the rooftop license has been finalized, GHI has identified over 1 Mega-watt of solar photovoltaic projects on 13 city-owned facilities. Applications for these projects have been submitted to the Ontario Power Authority. Approval of the rooftop projects, by the OPA is expected mid-2011. Once approved projects can go forward and be developed under the provisions of the rooftop license agreement.

This report and its recommendations are similar but address certain vacant city-owned lands.

Similar to the rooftop solar opportunities, before any project can go forward an application to the Ontario Power Authority's Feed-In-Tariff program is required. The application process to the OPA requires the applicant (Ecotricity, as per item 1.c. above) to demonstrate legal rights to the host lands. The proposed License Agreement is expected to satisfy this requirement.

There is mounting evidence that the rules and rates related to the current OPA programs are under review and are likely to change. The proposed License Agreement and the processes described therein are designed to maximize the opportunity for the City to allow the installation of appropriate photovoltaic systems on City –owned lands and to visibly demonstrate community leadership toward the goals of the Community Energy Initiative.

REPORT

The general framework for the working relationship with Guelph Hydro is that Hydro, through its subsidiary, Ecotricity, will be the developer and owner of the projects. The City will allow use of the City-owned lands under a proposed License Agreement.

In the past several months, Guelph Hydro has been active, in cooperation with City staff, in undertaking cursory reviews of vacant City lands for solar photovoltaic

systems. These reviews have resulted in the list appended as Attachment #2 to this report and which list will be included in the proposed License Agreement. This list does not obligate the City to commit to solar projects on the named facilities. It's main purpose is to indicate to the Ontario Power Authority that Ecotricity has access.

The economic risk associated to any given project, or groups of projects, will be borne by Ecotricity.

Projects, or groups of projects, will be assessed as to their potential risk to City operations, infrastructure and the public interest in general. Ultimate support of design and installation will be subject to the review of the Corporate Manager of Community Energy, the City Solicitor and appropriate City Staff as per the recommendation of this Report. This team will consult with the Executive Management Team as required to ensure the best decisions are made.

Key highlights to the proposed License Agreement are:

- The term of the Agreement will run for a maximum of 25 years starting on June 1 2011. This will allow sufficient time for design, installation, 20-years operation under the FIT Contracts, and decommissioning;

- The City is saved harmless from any financial impact, howsoever caused, arising from the installation of any project;

- Ecotricity will bear the costs related to the planning, construction, financing, operation and maintenance of all approved solar systems;

- Ecotricity will bear the cost of all pre-feasiblity and engineering studies and will execute such studies in a timely fashion;

- Ecotricity will bear the cost of any site preparation required as a result of solar system installations;

- Ecotricity is provided access to certain City facilities subject to adherence to security protocols and the City's unrestricted right to inspect and supervise Ecotricity's activities;

- Ecotricity will bear the costs of taxes arising from the solar installations on any City property.

- Ecotricity will acknowledge and coordinate with the City any and all consultations with the City as they relate to other activities planned for the named sites.

- Ecotricity will bear the costs related to OPA Feed-In-Tariff applications.

CORPORATE STRATEGIC PLAN

Goal 1 - An attractive, well-functioning and sustainable City

Goal 6 - A leader in conservation and resource protection/enhancement

FINANCIAL IMPLICATIONS

Initial site reviews have indicated that up to three projects will be identified in the initial round of applications to the Ontario Power Authority. License Fee revenues will be consistent with industry rates for similar installations. Staff are recommending that this revenue stream be put aside specifically for City-led initiatives relating to the Community Energy Initiative.

DEPARTMENTAL CONSULTATION

Legal, Realty Services, members of the City Implementation Management Team.

COMMUNICATIONS

Should the recommendations be approved, the City will communicate developments to the community, as acceptance of the license agreement will represent another significant milestone toward the goals of the Community Energy Initiative.

ATTACHMENTS

1. Memorandum of Intentions ("MOI") between The Corporation of the City of Guelph (the "City") and Guelph Hydro Inc. ("GHI").
2. List of City-owned Lands in the Proposed License Agreement

Recommended By:
Hans Loewig
Chief Administrative Officer
519-822-1260 Ext. 2220
hans.loewig@guelph.ca

Recommended By:
Donna Jaques
General Manager of Legal Services/City Solicitor
519-822-1260 Ext. 2288
donna.jaques@guelph.ca

Prepared By:
Rob Kerr
Corporate Manager – Community Energy
519-822-1260 ext. 2079
rob.kerr@guelph.ca

Prepared By:
Jim Stokes
Manager, Realty Services
519-822-1260 ext. 2279
jim.stokes@guelph.ca

Memorandum of Intentions ("MOI")
between
The Corporation of the City of Guelph (the "City") and
Guelph Hydro Inc. ("GHI")

GHI as a wholly owned entity of the City, shares the goals of the City's Council approved Community Energy Initiative ("CEI") and supports the economic development objectives in the environmental technology sector of Prosperity 2020.

The City and GHI agree that GHI can contribute to these shared goals by:

1. Acting as the primary developer and having overall responsibility for the development and implementation of energy related projects in the City with respect of City initiatives and consistent with the Shareholder Agreement:
    a) marketing opportunities to partners as appropriate;
    b) identifying and taking the lead in developing energy-related opportunities within city-owned assets;
    c) undertaking the procurement process of products and services consistent with acceptable standards and practices and the approved procedures of GHI;
    d) conferring and providing regular updates to the designated City representative(s) on matters relating to the development of initiatives in which GHI is involved relative to the CEI or Prosperity 2020;
    e) assessing, evaluating and reporting to Council on the success of energy projects undertaken;
    f) sharing non-commercially sensitive data and information with the City for the purposes of the CEI; and
    g) serving as a foundation member of the Mayor's Task Force on Community Energy and provide resources for its operation as appropriate at its cost.

Both GHI and the City will:

2. Assign staff resources to the administration of the cooperative efforts required for implementation of the CEI.
3. Share information that may impact the goals of the CEI with each other and Council as the Shareholder, consistent with the requirements and expectations set out in the Shareholder Agreement and customary commercial practices.
4. Review the Terms of the MOI on no less than an annual basis should modifications be required as all parts of this document are open to modification and negotiation.
5. Settle any disputes through an independent agreed upon third party with costs being shared equally by both partners.
6. Under terms and conditions acceptable to the City and GHI acting reasonably, provide long term leased or similar access to those lands, buildings and rooftops owned by the City necessary for the implementation of a energy efficiency and renewable energy generation programs in the City of Guelph.
7. While this MOI expresses the intentions and goals of the City and GHI with respect to the CEI, is not considered a legally binding contract and shall be replaced over time with specific legally binding agreements that give effect to the Parties intentions.

Karen Farbridge, Mayor, City of Guelph

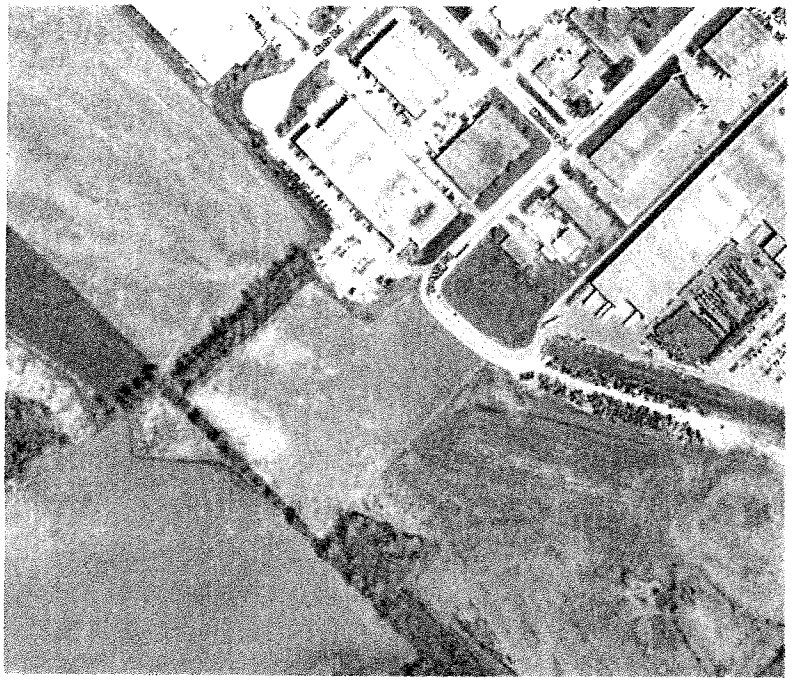
Jasmine Urisk, Board Chair, Guelph Hydro Inc.

Hans Loewig, CAO, City of Guelph

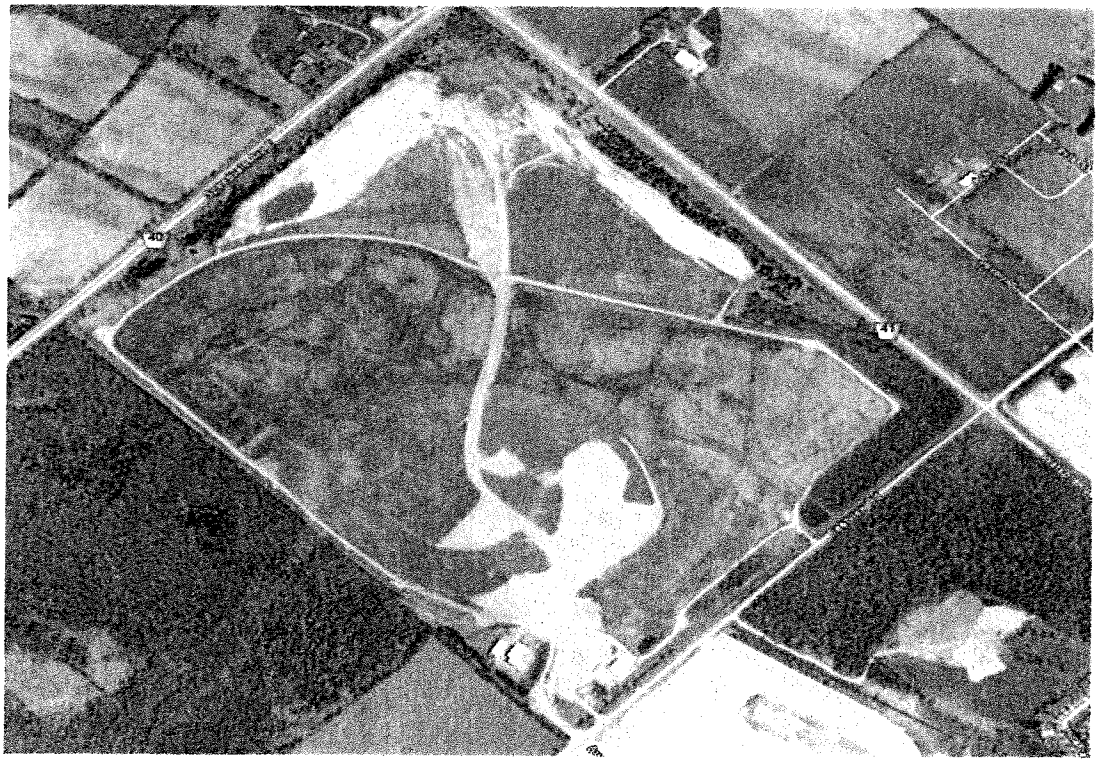
Barry Chuddy, CEO, Guelph Hydro Inc.

Date: July 28 2010

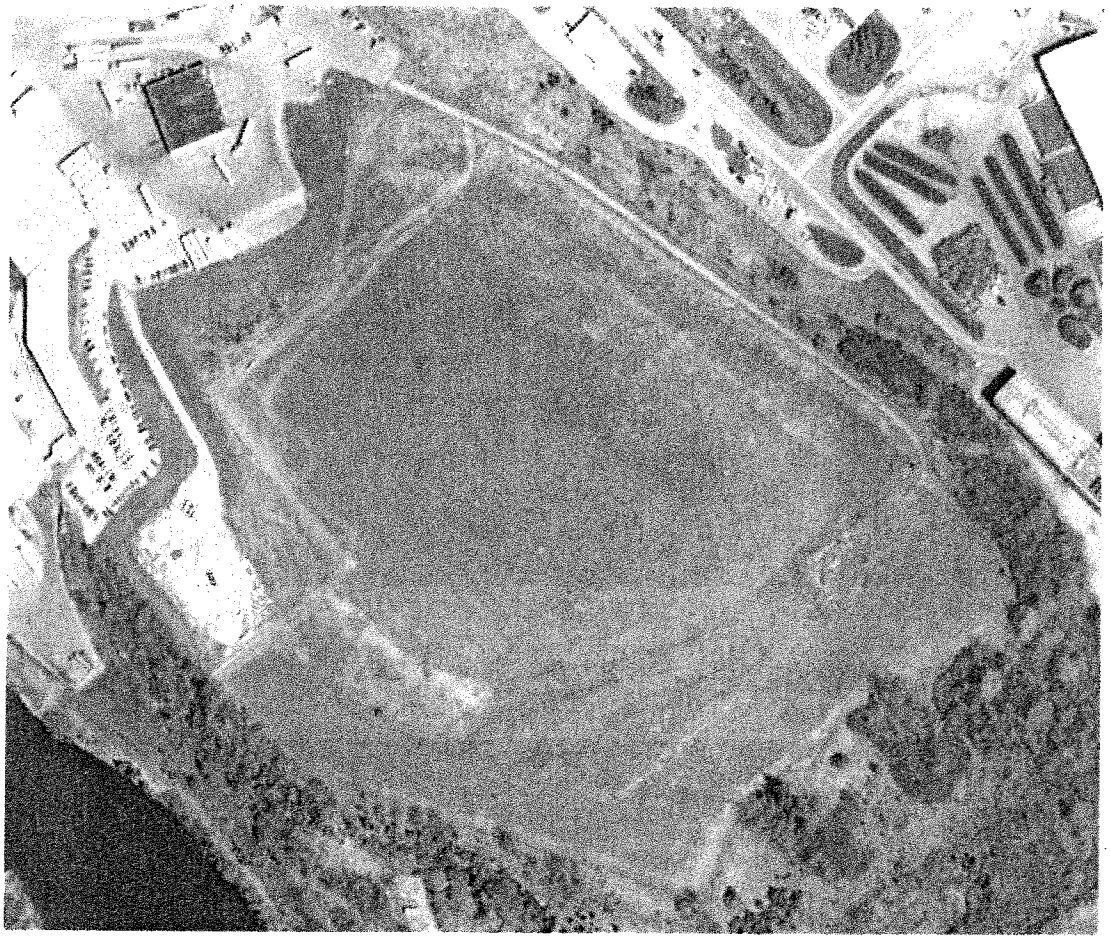
1) **Massey Road – North West Area of the City**



2) **Eastview Landfill Site**



3) **Guelph Innovation District – Immediately West of the Waste Innovation Resource Centre**



Please recycle!

- **BYLAWS** –

- **May 24, 2011 –**	
By-law Number (2011)-19199 A by-law to provide for the management of waste within the City of Guelph, and to adopt Municipal Code Amendment #534, which amends Chapter 157, Section 3 of the Corporation of the City of Guelph Municipal Code, and to repeal By-law Number (2003)-17070 as amended.	To provide for waste management in the City of Guelph as per Clause 4 of the Planning & Building, Engineering and Environment Committee Report.
By-law Number (2011)-19200 A by-law to authorize the execution of a Partial Release of Development Covenants and Restrictions with respect to Lot 50, Registered Plan 618, City of Guelph. (545 Elmira Rd. N.)	To execute a partial release of development covenants and restrictions as the conditions have been met to the satisfaction of the City.
By-law Number (2011)-19201 A by-law to remove Blocks 10, 11 and 14, Registered Plan 61M169; in the City of Guelph from Part Lot Control. (Hanlon Creek Business Park)	To remove lots from Part Lot Control.
By-law Number (2011)-19202 A by-law to cancel municipal and education taxes for a period of 3 years for the property known municipally as 5 Arthur Street South, Guelph.	To cancel municipal & education taxes for 3 years as approved by Council, in accordance with the Brownfield Redevelopment Community Improvement Plan.
By-law Number (2011)-19203 A by-law to amend by-law (2005)-17709, being a by-law to declare the housing project by Guelph Non-Profit Housing Corporation at 747 Paisley Road, Guelph, as a municipal housing project facility and to authorize the provision of certain financial assistance and tax and development charge exemptions in respect of the facility pursuant to Section 110 of the Municipal Act.	To declare Guelph Non-Profit Housing Corporation at 747 Paisley Road as a municipal housing project facility to provide certain financial assistance and tax and development charge exemptions, as approved by Council.
By-law Number (2011)-19204 A by-law to amend By-law Number	To amend the delegation of authority by-law as approved by Council.

(2010)-18935, being a by-law to delegate authority pursuant to the Municipal Act. (Schedule 'M' Community Festivals/Special Occasion; Schedule 'P' Tax-Writes and Increases)	
By-law Number (2011)-19205 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 2011 taxation year and to repeal By-law Number (2011)-19186.	To impose and levy a rate of taxation for the Board of Management for the Downtown Business Improvement Area and to repeal the previous by-law.
By-law Number (2011)-19206 A by-law to remove Lot 18, Plan 61M164, designated as Parts 3 and 4, Reference Plan 61R11532, in the City of Guelph from Part Lot Control. (107 and 109 Oakes Crescent)	To remove land from part lot control to create separate parcels for semi-detached dwellings to be known municipally as 107 and 109 Oakes Crescent.
By-law Number (2011)-19207 A by-law to authorize the execution of an Agreement between 1123491 Ontario Inc., o/a United Contracting and The Corporation of the City of Guelph. (Contract No. 2-1102 for annual sidewalk construction – various locations)	To execute Contract No. 2-1102 for the annual sidewalk construction at various locations.
By-law Number (2011)-19208 A by-law to authorize the execution of an Agreement between J.G. Goetz Construction Limited and The Corporation of the City of Guelph. (Contract 2-1110 for Ferguson Street Reconstruction, Huron Street to Stevenson Street South)	To execute Contract No. 2-1110 for Ferguson Street Reconstruction, Huron Street to Stevenson Street South.
By-law Number (2011)-19209 A by-law to authorize the execution of an Agreement between Network Sewer and Watermain and The Corporation of the City of Guelph. (Contract No. 2-1116 for the servicing and road construction of Speedvale Avenue from Victoria Road to Eramosa Road)	To execute Contract No. 2-1116 for the servicing and road construction of Speedvale Avenue from Victoria Road to Eramosa Road.
By-law Number (2011)-19210 A by-law to authorize the execution of an Agreement between Guelph General	To execute an agreement with respect to hospital paramedic training.

Hospital and The Corporation of the City of Guelph. (hospital paramedic training)	