# CITY COUNCIL AGENDA



### **DATE** June 28, 2010 – 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) Presentation of City of Guelph Medal to Graham Fach in recognition of winning the Youth Bowling Council of Canada National Championship.
- b) Roger Smith from Fleet Challenge Ontario to present the E3 Fleet Rating Silver Award to the City of Guelph

### **CONFIRMATION OF MINUTES** (Councillor Hofland)

"THAT the minutes of the Council Meetings held May 20, 25 and June 7, 2010 and the minutes of the Council meetings held in Committee of the Whole on May 25 and June 7, 2010 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 Development & Environmental Services Committee			
Item	<b>City Presentation</b>	Delegations	To be Extracted
CDES-1 Municipal Property and Building Commemorative Naming Annual Report			
CDES-2 Downtown Façade Improvement Grants 2010			
CDES-3 Orin Reid Park			

Conceptual Master		
Plan		

Adoption of balance of Community Development & Environmental Services Committee Fifth Consent Report - Councillor Leanne Piper, Chair

Finance, Administration & Corporate Services Committee			
Item	<b>City Presentation</b>	Delegations	To be Extracted
FACS-1 Business License By-			
law Annual Fees			
Review			
FACS-2 Request from City of			
Kawartha Lakes for			
Financial Assistance			
for an Appeal to the			
Environmental			
Tribunal			

Adoption of balance of Finance, Administration & Corporate Services Committee Fifth Consent Report - Councillor Beard, Chair

Govern	Governance Committee			
Item		City Presentation	Delegations	To be Extracted
GOV-1	2010 Council			
	Orientation and			
	Professional			
	Development			
GOV-2	Delegation of			
	Authority			
GOV-3	Corporate			
	Performance			
	Reporting Practices			
GOV-4	City of Guelph Holding			
	Company Design;			
	Memorandum of			
	Intentions (MOI) for			
	Implementation of			
	Community Energy			
	Plan (CEP) Projects;			
	and Guelph Hydro Inc.			
	(GHI) Leasing			
	Framework			

Adoption of balance of Governance Committee Fifth Consent Report – Councillor Findlay

Social	Social Services & Housing Committee			
Item		<b>City Presentation</b>	Delegations	To be Extracted
SSH-1	Staff Support to City Social Services & Housing Committee			
SSH-2	Best Start Operating and Capital Reserve Fund			

Adoption of balance of Social Services & Housing Committee Fourth Consent Report - Councillor Maggie Laidlaw, Chair

Counc	Council Consent Agenda			
Item		<b>City Presentation</b>	Delegations	To be Extracted
A-1)	Proposed Demolition of 66-68 Bagot Street, Ward 3			
A-2)	Memorandum of Understanding between the Province of Ontario and the City of Guelph – Guelph Innovation District			
A-3)	Guelph Transit Terminal: Carden Street Operations	Dave Kesler of R.J. Burnside & Associates Limited		<b>√</b>
A-4)	Carden Street Transit Terminal – Costs and Implications			
B-1)	Guelph Junction Railway 2009 Audited Financial Statements			

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 Development & Environmental Services Councillor Piper
- Finance, Administration & Corporate Services Councillor Beard
- Governance Councillor Findlay
- Social Services & Housing Committee Councillor Laidlaw
- Council Consent Mayor Farbridge

#### **SPECIAL RESOLUTIONS**

#### **BY-LAWS**

Resolution – Adoption of By-laws (Councillor Kovach)

### **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 Chambers May 20, 2010

#### Council convened in formal session at 7:00 p.m.

Present: Mayor Farbridge, Councillors Beard, Bell,

Billings, Farrelly, Findlay, Hofland, Kovach,

Piper, and Wettstein

Absent: Councillors Burcher, Laidlaw, and Salisbury

Staff Present: Mr. J. Riddell, Director of Community Design and Development Services; Ms. M. Plaunt, Manager of Policy Planning & Urban Design; Mr. G. Atkinson, Policy Planner; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

# DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

#### PLANNING PUBLIC MEETING

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

#### **Envision Guelph - Official Plan Update**

Ms. M. Plaunt, provided an overview of the process of the Official Plan, and highlighted areas of changes and additions within the proposed Official Plan including:

- strategic directions;
- creating complete and healthy communities;
- protecting the natural heritage systems, water resources, energy conservation, cultural heritage resources;
- municipal services water supply, wastewater, and solid waste management and stormwater; management;
- movement of people and goods;
- community infrastructure;
- urban design; and
- various land uses.

#### She also addressed:

implementation of bonusing;

- development permitting system; and
- provisions for including Secondary Plans.

Staff will address safety issues within urban design.

Mr. Gene Valeriote advised 94% of his property will come under the Natural Heritage Strategy (NHS) and outlined four areas of concern for his property. He requested that:

- neither the hill nor the linkage strip be in the Natural Heritage Strategy;
- that the former plantation be out of the Natural Heritage Strategy but be used for a linkage corridor;
- that the Natural Heritage Strategy boundary be adjusted to exclude grove, cottage and grounds from the NHS;
- that any PSW changes be incorporated into OP or permit automatic later revision of NHS if needed.

He stated that there are conflicting objectives within the NHS compared to other City policies. He does not believe implementing the most restrictive guidelines is the way to resolve the issues.

Kristi Mahy stated redevelopment of brownfield lands should be an integral part of the Official Plan. She highlighted pitfalls of Greenfield development and requested that City practice become more consistent with City policy.

Albert Willis addressed transportation issues and the need for consideration of the surrounding area. He stated that planning needs to occur in a more efficient manner by examining needs as a whole. He would like to see light rail service with the ability to transfer to buses and more consideration given to successes in Europe. He stated that bicycle paths and trails should be designed for bikes, pedestrians and wheelchairs and that the lane should be above the level of the road to provide a safer laneway.

Arthur Churchyard addressed the issue of student housing and stated that it helps boost density which helps pay infrastructure costs. He would like to see more alternative developments allowed within the City and offered his involvement in reviewing options. He also suggested that neighbourhood groups be provided mechanisms to create a Community Improvement Plan (CIP).

Victor Labreche, representing various restaurants raised the concern about prohibiting drive-thrus. He stated that they serve a purpose and the Ontario Restaurant

Association is concerned about the number of businesses that would lose this option which could cause a number of businesses to shut down.

Matt Soltys indicated his support for the delay in the passing of the Official Plan to allow for more public input. He stated that community gardens inclusion and brownfield studies are a positive step. He raised concerns regarding the staffing of the technical steering committee and would like to see more compromises occur so the public does not get frustrated.

Richard Chaloner, representing Guelph Urban Forest Friends emphasized the need to maintain a strong canopy. He stated that words such as "encourage", "should" and "strongly encourage" need to be replaced with stronger terminology to protect the urban forests. He would like less reliance on engineering and artificial ways to overcome issues and more on natural methods. He stated more development needs to occur that protects the Natural Heritage Strategy to start, rather than trying to do damage control afterward.

The meeting briefly recessed at 8:55 a.m.

Councillor Findlay retired from the meeting.

The meeting reconvened at 9:03 p.m.

Judy Martin expressed her belief that too many natural features are being eliminated and there is too much flexibility with development. She stated there needs to be good, better and ideal options provided to enable best decisions to be made. She requested clarification surrounding the effects of the 20% protection of slopes. She would like to see policy supporting the priority of environmental protection- and strengthening of the language for the Environmental Impact Studies requirements. She requested that storm water management be separated out of natural wetlands and more protection of mature. She advised that common natural areas such as meadows also need to be protected.

Jane Londerville, Chair, Wellington-Guelph Housing Committee, endorsed the Official Plan amendments to support the affordable housing. She stated that enclaves of affordable housing isolate low income families so it must be situated throughout the city. She stated the housing goals are reasonable targets and cover all types of housing but the City needs to continue to advocate with senior government and developers need flexibility to

design affordable housing. She offered her assistance to help develop reasonable tools to implement the policy.

Michael Hoffman, expressed the need to have more facts to support the policy statements. He suggested a reference section would be helpful and less confusing for the public to understand the policy. He stated that certain types of architecture are being discouraged and there should be more flexibility in this area. He raised concerns surrounding the process of the cultural heritage registry and the negative impact it can have on property owners listed in the registry.

Sally Ludwig outlined the vision of Transition Guelph and stated the Official Plan fits well with their vision. She made the following suggestions:

- provide recognition of the role of green infrastructure;
- clarification of the trail maps;
- encourage even more mixed use areas;
- increase the goal of percentage of transit, walking and cycling trips;
- include context monitoring and consideration of the implications to the plan;
- include community energy initiatives;
- include good monitoring goals.

Shirley Greenwood stated that the members of the Residents and 146 Downey Road Adhoc Committee do not want a blanket medium density designation. She advised they have reached an agreement regarding a development that is coming to Council in June after months of deliberation and they believe it would be inappropriate to redesignate the area when a site-specific by-law may be put in place. The community wants any future developer to be bound by the by-law being adopted rather than having the Official Plan opening up the possibility of a greater density on the property.

Laura Murr, President, Kortright Hills Community
Association, opposed changes to medium density
proposals due to potential negative impact on existing
residents. She stated that the Teal Drive property has
already gone through OMB and that decision does not
support the proposed redesignation for this property. She
requested clarification regarding how many five storey
apartments could potentially be built on Niska Road. She
raised safety issues relating to the Bailey bridge because
it cannot handle more traffic. She stated the proposed
redesignation to open space/park should not be a sports
park but passive parkland only to protect the Speed River
wetlands.

Jay Leffler requested more information regarding:

- the public art policy and implementation;
- the innovation district;
- affordable housing;

He stated he would like staff to give further consideration to emissions, green roofs and the canopy issue. He stated there needs to be more incentives to green roofs, and sustainability.

Russell White stated the corridor along Gordon Street is not identified accurately and does not reflect the features that exist on those properties. He would like to see environmental issues addressed prior to the final decision and requested a meeting with staff to address the issues.

Mike Darmon stated the Natural Heritage Strategy removes protection of the woodlot along the east side of Riverside Park and he is concerned that a proposed development application will ruin the natural features.

#### Staff will:

- strengthen language regarding protective regulations regarding canopies;
- clarify the intensification corridors;
- consult with legal staff to ensure the City is in compliance and not overstepping authority;
- examine financial impact of the social housing goals;
- address the issues raised regarding 146 Downey Road density designation;
- review the issue of community entrances.
- Moved by Councillor Kovach Seconded by Councillor Piper

THAT Report 10-59 dated May 20, 2010 from Community Design and Development Services regarding proposed Official Plan Amendment No. 42 be received;

AND THAT staff be directed to bring forward the Natural Heritage System component of the draft Official Plan Amendment to the July 27, 2010 Council meeting;

AND THAT the remainder of the draft Official Plan Amendment be deferred to provide more time for the public to review and provide comments.

VOTING FOR: Councillors Beard, Bell, Billings, Farrelly, Hofland, Kovach, Piper, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: (0)

Mr. J. Riddell

# **ADJOURNMENT**

The meeting adjourned at 10:30 o'clock p.m.
Minutes read and confirmed June 28, 2010.
Mayor

City Clerk

Council Caucus Room May 25, 2010 5:30 p.m.

### A meeting of Guelph City Council.

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

Absent: Councillors Burcher and Laidlaw

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. P. Cartwright, General Manager of Economic Development and Tourism; Ms. T. Sinclair, Manager of Legal Services; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

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

### **Litigation Status Report**

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

## Litigation or Potential Litigation & Advice that is Subject to Solicitor-Client Privilege

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

S. 239 (2) (f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

# Proposed or Pending Acquisition of Land by the Municipality

S. 239(2) (c) Proposed or Pending Acquisition or Disposition of Land by the Municipality

### **Security of City Property**

S. 239 (2)(a) Security of property of the Municipality

Carried

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

Mayo	r
Depu	ty Clerk

Council Caucus Room May 25, 2010 5:32 p.m.

# A meeting of Guelph City Council closed to the public.

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. P. Cartwright, General Manager of Economic Development and Tourism; Ms. T. Sinclair, Manager of Legal Services; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

# DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

#### <u>Litigation or Potential Litigation</u>

 Moved by Councillor Findlay Seconded by Councillor Hofland
 THAT the Litigation Status Report dated May 17, 2010, be received for information.

Ms. L.E. Payne

Carried

# <u>Litigation or Potential Litigation; Solicitor Client</u> <a href="Privilege">Privilege</a>

Moved by Councillor Kovach Seconded by Councillor Beard

Ms. L.E. Payne

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

Carried

#### **Proposed or Pending Acquisition of Land**

3. Moved by Councillor Laidlaw
Seconded by Councillor Kovach

Mr. H. Loewig Mr. P. Cartwright THAT staff be given direction with respect to a proposed or pending acquisition of land.

Carried

### **Security of Property**

The General Manager of Economic Development & Tourism provided an update with respect to security of City property.

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

Mayor	
Deputy Clerk	

Council Chambers May 25, 2010

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

Present: Mayor Farbridge, Councillors Beard, Bell,

Billings, Burcher, Farrelly, Findlay, Hofland,

Kovach, Laidlaw, Piper, Salisbury and

Wettstein

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources;

Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Mr. J. Riddell, Director of Community Design and Development Services; Ms. S. Aram, Deputy Treasurer; Ms. T. Sinclair, Manager of Legal Services; Ms. T. Agnello, Deputy 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**

The Mayor presented City of Guelph medals to members of the Guelph Huggins Real Estate Thunder Bantam BB Hockey team in recognition of winning the gold medal at the Ontario Provincial Championships:- Maddie Shipsides; Meghan Hovey; Taylor Richardson; Olivia Tuffnail; Beatrice Harrietha; Erica Costa; Kirsten, Harbin; Stephanie Sharman; Madeline De Corso; Erika McFarlane; Brooke O'Donnell; Anna Morris; Amelia Edmonds; Sarah Dunbar; Rebecca Haddaway; Kendra Pitts; Paul Morris, Head Coach; Larry Richardson, Assistant Coach; Howie Tuffnail, Assistant Coach; Geoff Haddaway, Assistant Coach; Sandra Pitts, Trainer; Wendy Shipsides, Trainer; Lynne Harbin, Manager; Don Huggins Real Estate, Sponsor

The Mayor presented City of Guelph medals to members of Team Dorey from The Guelph Country Club in recognition of winning the Ontario Provincial Masters Curling Championship and the 2010 Canadian Masters Curling Championship:- Mike Dorey, Skip; Brian Henderson, 3<sup>rd</sup>; Gary Houghton, 2<sup>nd</sup>; Paul Knight, Lead

The Mayor presented City of Guelph medals to members of the Guelph Ringette Petite Double A team in recognition of winning the Provincial Championships:-Nicole Shaw; Lorraine Vandermyden; Jordyn Farquharson; Hannah Male; Neely Jarvis; Gillian Marrow; Stacey Warner; Katrina Hart; Selina Case; Christina Nadalin; Madison Seabrooke; Madison Jarvis; Samantha Gorgi; Coaching Staff – Todd Marrow; Gary Shaw; Arlene Warner; Art Vandermyden

Margaret Martin, Regional Field Officer for the Duke of Edinburgh's Awards, South-Western Ontario was present and provided information on the criteria of the award. The Mayor presented certificates to the following Bronze

Level recipients: Nicholas Wadel-Turcotte; John Agda; Jamie Reinholt; Andrew Stewart; and Kimberly Moull.

1. Moved by Councillor Burcher Seconded by Councillor Billings

THAT the minutes of the Council meetings held on April 26 and May 3, 2010 and the minutes of the Council meetings held in Committee of the Whole on April 26 and May 10, 2010 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

**VOTING AGAINST: (0)** 

Carried

#### **CONSENT REPORTS AND AGENDAS**

The following items were extracted from the Community Development & Environmental Services Committee Fourth Consent Report to be voted on separately:

- CDES-1 Coal Phase Out
- CDES-4 Shared Rental Housing 2010-2011 Work Plan
- CDES-6 Conversion in Method of Collection of Organic Waste

# Councillor Piper presented the balance of the Community Development & Environmental Services Committee Fourth Consent Report.

2. Moved by Councillor Piper
Seconded by Councillor Burcher
THAT the balance of the May 25, 2010 Community
Development & Environmental Services Committee Fourth
Consent Report as identified below, be adopted:

#### a) Walk to School Initiatives

Mr. J. Riddell

THAT the Community Design and Development Services Report 10-56 entitled `Walk to School Initiatives' be received;

AND THAT City staff be authorized to work with Upper Grand District School Board staff, Wellington Catholic District School Board staff, and stakeholders to form a working group for promoting and facilitating walk-to-school as an attractive alternative to driving children to schools in Guelph, as outlined in this Report.

b) Regional Transportation Initiative Involving the Ministry of Transportation and the Municipalities of Brant, Brantford, Cambridge, Guelph, Kitchener, Region of Waterloo, Waterloo and Wellington

Mr. J. Riddell

THAT the Community Design and Development Services Report 10-58 entitled `Regional Transportation Initiative Involving the Ministry of Transportation and the Municipalities of Brant, Brantford, Cambridge, Guelph, Kitchener, Region of Waterloo, Waterloo and Wellington be received;

AND THAT City of Guelph staff be directed to work with their counterparts in the Ministry of Transportation and the municipalities of Brant, Brantford, Cambridge, Kitchener, Region of Waterloo, Waterloo and Wellington, in undertaking a Foundational Study as the first step towards a future Strategic Transportation Planning Initiative, as outlined in this report.

c) Hanlon Creek Business Park - Completion of 2010 Jefferson Salamander Monitoring Program

Mr. J. Riddell Mr. P. Cartwright THAT the Community Development and Design Services report dated May 17, 2010, with respect to the Hanlon Creek Business Park entitled, Completion of Jefferson Salamander Monitoring Program, be received;

AND THAT Council confirms that (a) a comprehensive salamander monitoring program for the Hanlon Creek Business Park subdivision development has been completed; (b) the results of the monitoring program indicate that there is no presence of Jefferson salamander within the Business Park; and (c) the results of the monitoring program enable the development of the Business Park to proceed immediately as a draft-approved plan of subdivision, including enhanced mitigation measures based on additional information gathered during the monitoring program, as outlined in this report;

AND THAT the Mayor convey this Report 10-61 dated May 17, 2010, along with a copy of Council's resolution, to the Minister of Natural Resources, Guelph MPP, Liz Sandals, and MNR Guelph District Office Manager.

d) Approval of Water and Wastewater Long-Range Financial Plan 017-301 (2010) as Required Under Ontario Regulation 453/07

Dr. J. Laird Ms. M. Neubauer THAT the report of the Director of Environmental Services dated May 17, 2010 entitled `Approval of Water and Wastewater Long-Range Financial Plan 017-031 (2010) as Required Under Ontario Regulation 453/07' be received;

AND THAT Council, as the owner of the Guelph municipal drinking water system, approve the Water and Wastewater Long-Range Financial Plan 017-301 (2010) in compliance with Ontario Regulation 453/07;

AND THAT staff submit the Water and Wastewater Long-Range Financial Plan 017-301 (2010) to the Province by July 1, 2010 in compliance with Ontario Regulation 453/07;

AND THAT the Water and Wastewater Long-Range Financial Plan be updated annually and included in the annual Water and Wastewater User Pay budgets presented to Council.

# e) 180 Gordon Street – Brownfield Redevelopment Community Improvement Plan – Financial Incentive Request

Mr. J. Riddell Ms. M. Neubauer Ms. L.E. Payne

THAT Community Design and Development Services Report 10-51, dated May 17, 2010 regarding requests for financial assistance pursuant to the City of Guelph Brownfield Redevelopment Community Improvement Plan for the property known municipally as 180 Gordon Street be received;

AND THAT the request for financial assistance made by 879132 Ontario Inc. under the Environmental Study Grant program pursuant to the Brownfield Redevelopment Community Improvement Plan for the property known municipally as 180 Gordon Street, to an upset total of \$10,000 upon the completion of a Phase 2 Environmental Site Assessment and an additional grant to an upset total of \$10,000 upon the completion of a Remedial Work Plan, be approved;

AND THAT the request for financial assistance made by 879132 Ontario Inc. under the Tax Assistance During Rehabilitation Program pursuant to the Brownfield Redevelopment Community Improvement Plan for the property known municipally as 180 Gordon Street, for a duration of up to 3 years from the commencement of remedial work at the property subject to the terms and conditions attached hereto as Schedule 1, be approved;

AND THAT Council direct staff to prepare a by-law to implement municipal tax assistance during rehabilitation in accordance with the Municipal Act and that the appropriate information and material be sent to the Province requesting relief from the education portion of the taxes for the property known municipally as 180 Gordon Street for a duration of up to 3 years from the commencement of remedial work at the property;

AND THAT staff be directed to proceed with the finalization of Environmental Study Grant, Tax Cancellation, and Information Sharing Agreements with 879132 Ontario Inc. to the satisfaction of the Director of Community Design and Development Services and the Director of Corporate Services/City Solicitor;

AND THAT the Mayor and Clerk are authorized to sign the Environmental Study Grant, Tax Cancellation, and Information Sharing Agreements.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

**VOTING AGAINST: (0)** 

Carried

The following items were extracted from the Emergency Services, Community Services & Operations Committee Fourth Consent Report to be voted on separately:

- ECO-3 Noise Control Bylaw Exemption Request ABS Friction Corporation, 10 Kingsmill Avenue
- ECO-5 Long Term Monthly Parking Agreement with Co-Operators General Insurance Company, Skyline Real Estate Holdings Inc., Skyline Incorporated and Skyway Estates Inc.

Councillor Findlay presented the balance of the Emergency Services, Community Services & Operations Committee Fourth Consent Report.

- 3. Moved by Councillor Findlay
  Seconded by Councillor Farrelly
  THAT the balance of the May 25, 2010 Emergency
  Services, Community Services & Operations Committee
  Fourth Consent Report as identified below, be adopted:
- a) Fire Services Office of the Fire Marshal Annual Compliance Report

Mr. S. Armstrong

THAT the Office of the Fire Marshal "Annual Compliance Report" dated May 17, 2010 be received;

AND THAT the Mayor and the Director of Emergency Services be authorized to sign the declaration of compliance in completing all the necessary requirements as stated in Clause 2(1)(a) of the Fire Protection and Prevention Act.

# b) Emergency Services Grant Opportunity - Radio Interoperability

Mr. S. Armstrong

THAT the report dated May 17, 2010 with respect to the Emergency Services grant opportunity, be received for information;

AND THAT the Director of Emergency Services (or his delegate) be authorized to apply for said grant when the next grant application release date is known, act as the primary applicant for said grant and obtain support from partnered applicants.

# c) Festival Italiano - Noise Control Bylaw Exemption

Mr. D. McCaughan

THAT an exemption from Schedule A of Noise Control Bylaw (2000)-16366, as amended, to permit noise from the various activities associated with the Festival Italiano, including the amplification of music and speech and the operation of midway rides and generators between the hours of 12:00 p.m. to 11:00 p.m. and the crowd noise from 12:00 p.m. to 1:00 a.m., from July 9<sup>th</sup> to July 11<sup>th</sup>, 2010, be approved.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

**VOTING AGAINST: (0)** 

Carried

### Councillor Beard presented the Finance, Administration & Corporate Services Committee Fourth Consent Report.

4. Moved by Councillor Beard
Seconded by Councillor Wettstein
THAT the balance of the May 25, 2010 Finance,
Administration & Corporate Services Committee Fourth
Consent Report as identified below, be adopted:

### a) Automatic Increase of Building Permit Fees

Mr. J. Riddell Mr. B. Poole 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 2 of Permit Fees, effective June 1, 2010.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

**VOTING AGAINST: (0)** 

Carried

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

GOV-1 Council Remuneration 2011-2014

# Councillor Findlay presented the balance of the Governance Committee Fourth Consent Report.

5. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT the balance of the May 25, 2010 Governance
Committee Fourth Consent Report as identified below, be adopted:

## a) Review of Mandates of Advisory Committees

Mrs. L.A. Giles

THAT the criteria outlined in the report of the Director of Information Services/Clerk dated May 10, 2010, be used in the review of the mandates of the City's advisory committees.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

**VOTING AGAINST: (0)** 

Carried

# Councillor Kovach presented the Council as Committee of the Whole Fifth Consent Report.

6. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT the balance of the May 25, 2010 Council as
Committee of the Whole Fifth Consent Report as identified below, be adopted:

a) Citizen Appointment to the Board of Trustees of the Elliott Community

Mrs. L.A. Giles

THAT Jackie Wojcicki be appointed to the Board of Trustees of the Elliot Community for a one year term expiring November 2010.

b) Citizen Appointments to the Guelph Sports
Hall of Fame Board of Directors

Mrs. L.A. Giles

THAT Sandra Pitt and Brian Tatarnic be appointed to the Guelph Sports Hall of Fame Board of Directors for a one year term ending November 2010.

c) Citizen Appointment as Director of Guelph Hydro Inc.

Mrs. L.A. Giles

THAT Jasmine Urisk be appointed as Director of Guelph Hydro Inc. for a three year term.

d) Appointment of Auditor for Guelph Hydro Inc.

Mr. B. Chuddy Ms. M. Neubauer THAT the recommendation by the Board of Guelph Hydro Inc. to appoint KPMG LLP as auditors of the Corporation to hold office until the next annual meeting of the shareholder of the Corporation, be approved.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

### **Consent Agenda**

The Mayor advised that Consent Report A-1, Proposed Demolition of 1897 Gordon Street, will be considered by Council at a subsequent meeting.

7. Moved by Councillor Kovach Seconded by Councillor Billings THAT the May 25, 2010 Council Consent Agenda as identified below, be adopted:

# a) Hanlon Creek Business Park – Phase 1, Stage 2 (Part 'A') Contract No. 2-1014

Mr. J. Riddell Mr. P. Cartwright Ms. M. Neubauer THAT the tender of Capital Paving Inc. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract No. 2-1014 for the Hanlon Creek Business Park – Phase 1, Stage 2 (Part 'A') for a total tendered price of \$3,033,237.93 including GST and contingency with actual payment to be made in accordance with the terms of the contract.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

#### **DELEGATIONS**

# **Shared Rental Housing 2010-2011 Work Plan**

Daphne Wainman-Wood was present with respect to the Shared Rental Housing Work Plan. She advised it is not acceptable for the timeline to go into 2011 as some areas are becoming destabilized as most home owners do not occupy the house or live in the neighbourhood. She concurred with the retention of outside legal counsel. She suggested that a moratorium be placed on new accessory apartments until the zoning by-law is amended.

Elizabeth Smith advised that she lives in the Hales and Moore area, one of the most concentrated areas for student housing. She said that 55% of the homes in this area are student rentals with absentee landlords. She suggested that any rental accommodation be allowed only in owner occupied homes and should have a separation distance of 100 m.

Angie Morrison suggested that the Old University Neighbourhood area has lost much of its diversity and stability due to the proliferation of student housing.

Elizabeth Meiering stated that she has watched neighbourhoods changing with long term residents moving out and properties being turned into rentals. She

suggested that cost effective sustainable solutions are needed now. She urged Council to change its priorities and shift the work plan to create balanced harmonious communities.

Oxanna Adams advised that she supports strengthening the by-laws with respect to rental properties. She suggested that rental properties having 7 renters should be considered lodging houses. She expressed concern with respect to the integrity and stability of neighbourhoods being affected by the number of absentee landlord rental properties and that the city needs strong enforceable by-laws.

Bill Hamilton requested that staff be directed to move this review forward faster. He expressed concern with property investors purchasing houses for rental income prior to any changes to the zoning bylaw. He further suggested that if a house has an absentee landlord it should be considered as a lodging house.

John Campbell advised that short term transient students out number permanent residents in some neighbourhoods. He suggested that the student's social actions are incompatible with the permanent residents. He further suggested that student housing should be spread throughout the city and that more than 3 rental bedrooms should be licensed. He thought that licensing such properties would give staff an opportunity to investigate complaints. He requested that a concrete proposal for lodging houses/accessory apartments be completed and before Council by July.

Richard Chaloner expressed concern that student housing is concentrated in areas and the proliferation of absentee landlords. He suggested a moratorium be placed on accessory apartments, and where such rentals could be considered as a lodging house and that a separation distance of 100m be considered.

Colleen Hopkins stated that the community is now in crisis. She advised of student drunkenness and mob like parties that neighbourhoods have to put up with.

Councillor Piper presented Clause 4 that was extracted from the Community Development & Environmental Services Committee Fourth Consent Report.

In response to questions, the Manager of Legal Services provided information with respect to the retention of

outside legal counsel to assist with the shared rental housing review.

8. Moved by Councillor Piper Seconded by Councillor Burcher

THAT Report 10-53 from Community Design and Development Services regarding the Shared Rental Housing Work Plan, dated May 17, 2010, be received;

AND THAT the Shared Rental Housing Work Plan for 2010 and 2011 as shown in Attachment 6 of Community Design and Development Services Report 10-53, dated May 19, 2010, be approved;

AND THAT staff be directed to conduct the approved Shared Rental Housing 2010-2011 Work Plan;

AND THAT legal staff report back to Council by May 25<sup>th</sup> with timing and costs for the retention of external legal counsel to review options for zoning regulation of two unit rental houses in order to expedite the process;

AND THAT staff report back on the feasibility of placing a moratorium on accessory apartment registration.

9. Moved in Amendment by Councillor Kovach Seconded by Councillor Wettstein
THAT staff be directed to implement a temporary moratorium on the registration of accessory apartments and licensing of lodging houses; or report back why it is not possible to implement this moratorium by the June regular council meeting.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

10. Moved in Amendment by Councillor Piper Seconded by Councillor Billings

That staff be directed to procure external legal counsel within the existing budget, to expedite a zoning by-law amendment.

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

VOTING AGAINST: Councillor Salisbury (1)

Carried

Mr. J. Riddell Ms. L.E. Payne 11. Moved by Councillor Piper
Seconded by Councillor Burcher
THAT Report 10-53 from Community Design and
Development Services regarding the Shared Rental
Housing Work Plan, dated May 17, 2010, be received;

AND THAT the Shared Rental Housing Work Plan for 2010 and 2011 as shown in Attachment 6 of Community Design and Development Services Report 10-53, dated May 19, 2010, be approved as amended;

AND THAT staff be directed to conduct the approved Shared Rental Housing 2010-2011 Work Plan;

AND THAT staff be directed to procure external legal counsel within the existing budget, to expedite a zoning by-law amendment;

THAT staff be directed to implement a temporary moratorium on the registration of accessory apartments and licensing of lodging houses; or report back why it is not possible to implement this moratorium by the June regular council meeting.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Long Term Monthly Parking Agreement with Cooperators General Insurance Company, Skyline Real Estate Holdings Inc., Skyline Incorporated and Skyway Estates Inc.

Barbara Turley-McIntyre was present on behalf of the Co-Operators General Insurance Company requesting Council support for the proposed long term parking agreement.

Jason Ashdown of Skyline advised of his support for the proposed long term parking agreement. He advised that the Co-Operators are a positive thinking community business.

Councillor Findlay presented Clause 5 that was extracted from the Emergency Services, Community Services & Operations Committee Fourth Consent Report.

Mr. D. McCaughan Ms. L.E. Payne 12. Moved by Councillor Findlay Seconded by Councillor Farrelly

THAT the Mayor and Clerk be authorized to sign an agreement with Co-operators General Insurance Company, Skyline Real Estate Holdings Inc., Skyline Incorporated and Skyway Estates Inc. for the provision of monthly parking permits subject to the final approval of the agreement by the Director of Operations and the City Solicitor.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Counc. Findlay Mr. D. McCaughan 13. Moved by Councillor Bell
Seconded by Councillor Findlay

THAT the matter of identifying additional parking in the downtown be referred to the Emergency Services, Community Services & Operations Committee.

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

VOTING AGAINST: Councillors Beard, Kovach and Wettstein (3)

Carried

#### **Council Remuneration 2011-2014**

Janet Roy on behalf of the Citizens Review Committee for Council Remuneration outlined the methodology used to establish the recommendations and the comparator group criteria and the municipalities used.

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

14. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT Council approve the Guiding Principles for Council
Remuneration as outlined in Schedule 3;

AND THAT Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report);

Mr. M. Amorosi

AND THAT no changes be made to the current benefits provided to the Mayor and Members of Council, including OMERS pension;

AND THAT the current annual method of compensation adjustments for the Mayor and Members of Council be retained (i.e. That in non-election years, the remuneration for the Mayor and Members of Council be automatically adjusted by the same percentage increase received by the City's management staff.);

AND THAT the current policy of conducting a formal market review for Council every four years during the last year of the Council's term of office be maintained;

AND THAT the members of the Citizen's Review Committee for Council Remuneration be thanked for their time and work on the committee.

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

VOTING AGAINST: Councillor Kovach (1)

Carried

Mr. M. Amorosi Ms. M. Neubauer 15. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT Council approve the 60<sup>th</sup> percentile as the competitive position for the purpose of determining the 2011 compensation Job Rate for the Mayor and Members of Council positions;

AND THAT the salary for the <u>position</u> of Mayor for the Council term commencing 2011 be set at \$88,983.86;

AND THAT the salary for the <u>position</u> of City Councillor for the Council term commencing 2011 be set at \$29,706.39.

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

VOTING AGAINST: Councillors Billings, Kovach and Salisbury (3)

Carried

Mr. M. Amorosi Ms. M. Neubauer 16. Moved by Councillor Piper Seconded by Councillor Hofland

THAT the implementation of the recommended salaries for the Mayor and Councillors be effective January 1, 2011, subject to the budget process.

VOTING IN FAVOUR: Councillors Beard, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillors Bell, Billings, Kovach and Salisbury (4)

Carried

**Councillor Piper presented Clause 1 that was** extracted from the Community Development & **Environmental Services Committee Fourth Consent** Report.

#### **Coal Phase Out**

17. Moved by Councillor Piper Seconded by Councillor Salisbury THAT the City of Guelph write to Premier Dalton McGuinty to request that the Coal Phase-Out start now;

AND THAT coal plants be placed on standby reserve to be utilized only when absolutely necessary to meet energy needs.

18. Moved by Councillor Kovach Seconded by Councillor Billings THAT the matter with respect to coal phase-out be referred to Liz Sandals, MPP for further discussion.

VOTING IN FAVOUR: Councillors Bell, Billings, Hofland, Kovach, Salisbury and Wettstein (6)

VOTING AGAINST: Councillors Beard, Burcher, Farrelly, Findlay, Laidlaw, Piper and Mayor Farbridge (7)

Defeated

19. Moved by Councillor Piper Seconded by councilor Salisbury

THAT the City of Guelph write to Premier Dalton McGuinty to request that the Coal Phase-Out start now;

AND THAT coal plants be placed on standby reserve to be utilized only when absolutely necessary to meet energy needs.

Mayor Farbridge

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Hofland, Laidlaw, Piper, Salisbury and Mayor Farbridge (9)

VOTING AGAINST: Councillors Billings, Findlay, Kovach and Wettstein (4)

Carried

Councillor Piper presented Clause 6 that was extracted from the Community Development & Environmental Services Committee Fourth Consent Report.

# Conversion in the Method of Collection of Organic Waste

20. Moved by Councillor Piper Seconded by Councillor Burcher

THAT the report of the Director of Environmental Services concerning conversion to a cart-based curbside waste collection system for organic waste be approved;

AND THAT staff be directed to convert the method of collection of organic waste to a cart-based system and advise the Ministry of Environment accordingly;

AND THAT staff report back to Council in June 2010 with recommendations on the preferred alternative to modifying the City's waste collection system to facilitate cart-based collection.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Billings and Kovach (2)

Carried

Councillor Findlay presented Clause 3 that was extracted from the Emergency Services, Community Services & Operations Committee Fourth Consent Report.

# Noise Control Bylaw Exemption Request – ABS Friction Corporation, 10 Kingsmill Avenue

21. Moved by Councillor Findlay
Seconded by Councillor Farrelly
THAT an exemption from Schedule "A" of the Noise
Control By-law (2000)-16366, as amended, to permit

Dr. J. Laird

Mr. D. McCaughan

noise associated with the manufacturing process in association with the ABS Friction Corporation, located at 10 Kingsmill Avenue within the City of Guelph between June 1 and September 5 from 9:00 p.m. to 7:00 a.m. Monday through Friday and from 9:00 p.m. to 9:00 a.m. on Saturdays, Sundays and Holidays be approved for 2010.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

**VOTING AGAINST: (0)** 

Carried

#### **BY-LAWS**

22. Moved by Councillor Farrelly
Seconded by Councillor Bell
THAT By-laws Numbered (2010)-19000 to (2010)-19017, inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

#### **ADJOURNMENT**

The meeting adjourned at 10:50 o'clock p.m.

Minutes read and confirmed June 28, 2010.

Mayor	
Deputy Clerk	



#### 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 <u>total</u> 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, 3<sup>rd</sup> 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.



PART C: Applicant Information	
Name of Registered Property Owner:	879132 Ontario Inc.
Address of Registered Property Owner:	
11 - 2 - 1.	
Phone Number:	Fax Number:
Email Address:	L
	J.
Agent Information (If applicable)	
Name of Agent:	
Address of Agent:	
Phone Number:	Fax Number:
Email Address:	
DART D. D	
PART D: Property Information	
Address of Subject Property: /80	Gordon Street, Guelph, ON "Part of Lot A, Plan 302 together
Legal Description (e.g. Lot and Plan No.):	"Part of Lot A, Plan 302 together
with the right-of-way as	described in Inst. #743914 "
Official Plan Designation:	
Zoning: C/-19 Vehicle	Service Station
Current Use(s): Vacant	
Size of Property: 0.41 acres	
Existing Buildings:	Building 1: N/A
Yes (please specify size)	Building 2: N/A
✓ No	Building 3: N/A



Property Details (e.g. history, easements, outstanding work orders, or other relevant details):	
Since the property was once a gasoline station, work was	۶ ,
completed by MTE to address the issue of petroleum hydroca	vbons
and BTEX compounds remaining in the soil. The addition of	
Waterloo Emitters and the passage of time, the July 2008	
ground water sampling results reported no detections of	
petroleum hydrocarbons or BTEX compounds in any of the wells.	
general garden of the weis.	
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: $\mathcal{N}/\mathcal{A}$	
ART F: Environmental Information	
ART 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	
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.	
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.  Subsequent to the remediation of petroleum hydrocarbons	
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.  Subsequent to the remediation of petroleum hydrocarbons and BTEX compounds on the property, it was discovered in the	
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.  Subsequent to the remediation of petroleum hydrocarbons and BTEX compounds on the property, it was discovered in the fall of 2009 while conducting tests for a Phase II Environmental	1
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.  Subsequent to the remediation of petroleum hydrocarbons and BTEX compounds on the property, it was discovered in the	<u>J</u>
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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.  Subsequent to the remediation of petroleum hydrocarbons and BTEX compounds on the property, it was discovered in the fall of 2009 while conducting tests for a Phase II Environmental Site Assessment that land within the Table I sensitive area contained buried cinders, slag ash and debris. Further investigation has revealed that this matter was most likely deposited on the property when the City of Quelph completed retaining walls	Ĺ
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.  Subsequent to the remediation of petroleum hydrocarbons and BTEX compounds on the property, it was discovered in the fall of 2009 while conducting tests for a Phase II Environmental Site Assessment that land within the Table I sensitive area contained buried cinders, slag, ash and debris. Further investigation has revealed that this matter was most likely deposited on the property when the City of Quelph completed retaining walls along the Speed River and then backfilled the area now known	<u>J</u>
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.  Subsequent to the remediation of petroleum hydrocarbons and BTEX compounds on the property, it was discovered in the fall of 2009 while conducting tests for a Phase II Environmental Site Assessment that land within the Table I sensitive area contained buried cinders, slag ash and debris. Further investigation has revealed that this matter was most likely deposited on the property when the City of Quelph completed retaining walls	Į

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	· <u>.</u>				
Has a Phase 1 E	nvironmental S	Site Assessment bea	en conducted?	<b>⊠</b> Yes	☐ No
Has a Phase 2 E	nvironmental S	Site Assessment bee	en conducted?	X Yes	☐ No
Has any remedi	ation been cond	ducted at the Site?		X Yes	☐ No
(If the answer to	any of the above	questions is 'Yes', pl	ease attach the app	propriate Repo	ort to this application)
Environmental		formation	1 M 1 1	//	
Name of Environ	mental Consult	ant: <u>Caro</u>	1 Mitche	<u>//</u>	
Address of Enviro			Consultar		
520 Bing	emans (	entre Prive	Kitchene	er, ON.	N2B 3X9
Email Address:	cmitche	211@ mte8	5. com	,	
Phone Number:	519-74	3-6500	Fax Number	519-74	43-6513
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RT F: Project					
control, etc)?	l <sup>res</sup>	₹ No			Re-zoning, site plan
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<b>Brownfield Redevelopment Community</b>	<b>Improvement Plan</b>
<b>Environmental Study Grant Application</b>	Form



#### **ELIGIBLE COSTS**

Please indicate which eligible costs the requested funding will be applied to:

- Phase 2 Environmental Site Assessment
- Remedial Work Plan

#### 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.
- A Phase 2 Environmental Site Assessment proposal including a scope of work and cost estimate.
- Written consent from the property owner for a prospective purchaser to conduct the environmental study (if applicable).

#### **PART H: Sworn Declaration**

WE HEREBY APPLY for a grant(s) under the City of Guelph Brownfield Redevelopment Community Improvement Plan.

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).

WE HEREBY AGREE to enter into any Agreement with the City of Guelph where specified in the Brownfield Redevelopment Community Improvement Plan.

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.

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.

Y/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.

YWE 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.

Lorie	Jocius	For 87	19132	Ontario	Inc.
Name of Prop	erty Owner or Appli		Title		
Syrus Signature of I	ropetty Owner or A	eus applicant	Date	Hebruary i	22, 2010
Caro/ Name of Qual (Environment	Mitchell, F ified Person al Consultant)	Eng. Pesa	<u>Jen</u> Title	ior Environm MTE Consu	nental Engineer ultants Inc.
	Qualified Person al Consultant)	<u> </u>	<u>Fúb.</u> Date	23,2010	-
PARTI: Ne	ext Steps				
PRIOR TO IS	SUANCE OF FUNE	S (to be filled	out by City	y Staff)	
☐ Info ☐ One Ren	ironmental study gr rmation sharing ag electronic and one nedial Work Plan mu pices from the envir	reement entere hard copy of thust be submitted	d into with to se Phase 2 E d to the City	he City. nvironmental Site	Assessment and ment must be submitted
to t	ne City.				

**Schedule of Permit Fees** - Effective June 1, 2010

#### SCHEDULE "A" of By-law Number

Fees for a required Permit are set out in this Schedule and are due and payable upon submission of

	Classes of Permits	Permit Fee	Flat Fee (\$)
CONSTRUC	TION - NEW BUILDINGS, ADDITIONS, MEZZANINES	(\$ per sq. foot)	(9)
Group A:	Assembly Buildings	1.71	
	(Shell) (Finished)	1.95	
	Outdoor Patio		155.00
	Outdoor Public Pool		730.00
Group B:	Institutional	1.04	
	(Shell)	1.84 2.11	
	(Finished)	Z.11	
Group C:	Residential SDD, Semi Detached, Row, Townhouse, Duplex	1.04	
	Garage/Carport (per bay), Shed, Deck, Porch, Exterior Stairs	1,5	80.00
	Exterior Ramps, Hot Tubs		80.00
	Swimming Pools		155.00
	Apartment Building	0.99	
	Hotels/Motels	1.65 1.35	
	Residential Care Facility  Business and Personal Services	1,55	
Group D:	Office Buildings (shell)	1.40	
	Office Buildings (finished)	1.65	
Group E:	Mercantile		
Group 25.	Retail Stores (shell)	0.92	
	Retail Stores (finished)	1.16	
Group F:	Industrial		
-	Warehouse, Factories (shell)	0.58	
	Warehouse, Factories (finished)	0.72 0.62	
E D 310	Parking Garage	0.35	
Farm Building		0.10	
Foundation		0.10	
Conditional P		0.10	
INTERIOR I	INISHES: All Classifications		
	es to previously unfinished areas (including finishing of residential	0.33	
	l major renovations).		<del> </del>
ALTERATIO	ONS/RENOVATIONS: All Classifications	0.20	
Alterations an	d renovations to existing finished areas, new roof structures.	0.30	
MINOR AL7	TERATIONS:		80.00
	shrooms, new entry, minor demolitions (500 sq. ft. or less).		80.00
	ATEGORIES:	0.37	
Air Supported	Structures ents/per application, Temporary Buildings	0.57	155.00
	ents/per application, Temporary Bundings		80.00
ronautes - cai Maior Demoli	itions (more than 500 sq. ft.)	0.002/155.00 min.	
Change of Us			155.00
MISCELLA			
	odstove (each)		80.00
Exterior Ram	ps (excluding SDD Ramps)	2.00	155.00
Retaining Wa	ll (per linear foot)	3.00 0.60	
	d (replace per linear foot) or replace per square foot)	0.05	
	or Wall (per square foot)	0.05	
All Designate	d Structures (except retaining walls, public pools & signs)		315.00
Storefront (re			155.00
Elevator, Esca			315.00
Demising Wa			80.00
	AL WORK: (Work independent of building permit)		80.00
	t (residential per suite) t (non-residential)	0.10	00.00
nvac renn Sprinkler Sys	tem (N.F.P.A. 13) or Standpipe System (N.F.P.A. 14)	0.04/155.00 min.	
Commercial I	Kitchen Exhaust Systems, Spray Booths, Dust Collectors		155.00
ELECTRICA	AL WORK: (Work independent of building permit)		
Fire Alarm Sy	stem and Electrical Work	0.04/155.00 min.	
Electromagne	tic Locks (each) and Hold Open Devices (each)		35.00
	WORK: (Work independent of building permit)		12.00
	mit (per fixture)		13.00 35.00
Hot Water He			80.00
i estable Back	rflow Prevention Devices (each) Manholes/Roofdrains (each)		13.00
Catchbasins/N Building See	vices (per group) -SDD, Semi-Detached, Duplex		80.00
Building/Site	Services (per linear foot), excluding SDD, Semi-Detached, Duplex	0.63	
SEWAGE SY			
New Installati			470.00
	or Alteration	i	235.00

(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 one year.
- 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.

#### **Guiding Principles for City of Guelph Council Remuneration**

The philosophy is to base the compensation for the Mayor and Members of Council on realistic standards so that elected officials of the city may be compensated according to their roles and responsibilities.

To achieve the above, a Compensation plan reflects one that:

- Is fair and reasonable and will attract a diverse and representative pool of candidates from Guelph residents wishing to seek election to Council but also be seen as fair by taxpayers;
- Recognizes that the work of the mayor and council is demanding and important and as such they should be appropriately compensated;
- Recognizes the complexity, responsibilities, time commitments and accountabilities associated with the role of Mayor and Council;
- Is aligned to the 60<sup>th</sup> percentile (similar to the City's non-union employees) of the comparator group and is appropriate for the average full-time earnings within the community;
- Applies an appropriate ratio between the role of a part-time councilor and that of a full-time mayor;
- Must demonstrate fiscal responsibility and align to the Strategic Plan for the City of Guelph.

Council Caucus Room June 7, 2010 6:30 p.m.

#### A meeting of Guelph City Council.

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

Absent: Councillors Hofland, Kovach and Laidlaw

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. M. Neubauer, Director of Finance; Mr. J. Riddell, Director of Community Design & Development Services; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Ms. T. Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Coordinator

Moved by Councillor Findlay
 Seconded by Councillor Billings
 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 of Land by the Municipality

S. 239(2) (c) Proposed or Pending Acquisition or Disposition of Land by the Municipality

Carried

The meeting adjourned at 6:31 o'clock p.m.

 Mayor
 Deputy Clerk

Council Caucus Room June 7, 2010 6:32 p.m.

A meeting of Guelph City Council closed to the public.

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

Absent: Councillor Hofland and Laidlaw

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. P. Cartwright, General Manager of Economic Development & Tourism; Mr. J. Riddell, Director of Community Design & Development Services; Ms. M. Neubauer, Director of Finance; Ms. T. Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Coordinator

## DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

## <u>Proposed or Pending Acquisition of Land by the Municipality</u>

Councillor Kovach arrived at 6:40 p.m.

Moved by Councillor Findlay
 Seconded by Councillor Kovach

THAT the report of the General Manager of Economic

Development and Tourism Complete in record to pro-

Development and Tourism Services in regard to proposed or pending acquisition of land by the municipality dated June 7, 2010, be received.

Carried

The meeting	g adjourned at 6:50 o'clock p.m.
	Mayor
	Deputy Clerk

Council Chambers June 7, 2010

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

Mr. P. Cartwright

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

Absent: Councillors Hofland and Laidlaw

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. J. Riddell, Director of Community Design & Development Services; Mr. P. Cartwright, Manager of Economic Development & Tourism; Mr. S. Hannah, Manager of Development & Parks Planning; Ms. T. Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

## DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

#### PLANNING PUBLIC MEETING

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

#### Proposed Administrative Amendment to Zoning Bylaw Number (1995)-14864, as amended (Guelph's Comprehensive Zoning By-law

Ms. K. Nasswetter, Senior Planner, provided a brief synopsis of the proposed changes.

 Moved by Councillor Findlay Seconded by Councillor Burcher

THAT Report 10-62, regarding a proposed administrative amendment to Zoning By-law Number (1995)-14864 from Community Design and Development Services, dated June 7, 2010, be received.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

#### **Consent Agenda**

Mr. J. Riddell

The following items were extracted from the June 7, 2010 Consent Agenda to be voted on separately:

- A-1: 146 Downey Road: Proposed Zoning By-law Amendment (File ZC0906) Ward 6
- A-2: 410 Clair Road East: Proposed Zoning By-law Amendment (File ZC0912) – Ward 6
- A-4: Proposed Demolition of 1897 Gordon Street Ward 6
- A-6: Interim Control By-law for Shared Rental Housing
- Moved by Councillor Findlay
   Seconded by Councillor Kovach
   THAT the balance of the June 7, 2010 Council Consent
   Agenda as identified below, be adopted:

## a) Proposed Demolition of 108 Marlborough Road– Ward 2

THAT Report 10-64 regarding the proposed demolition of a detached dwelling at 108 Marlborough Road, City of Guelph, from Community Design and Development Services dated June 7, 2010, be received;

AND THAT the proposed demolition of the detached dwelling at 108 Marlborough Road, be approved.

#### b) The Elliott Credit Facilities

THAT Council approves The City of Guelph Guarantee of The Elliott Community's existing credit facilities as restructured in the amount of \$5,063,000.

AND THAT the Mayor and City Clerk be authorized to execute the Guarantee documentation with the Royal Bank and to execute a Credit Letter Agreement with the Royal bank and The Elliott for the existing credit facilities as proposed.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

## 146 Downey Road: Proposed Zoning By-law Amendment (File: ZC0906) - Ward 6

Al Hearne, Senior Planner, advised of the process taken to come to a consensus between the developer and the neighbourhood group. He addressed the recommendations by Mr. Whiteley and stated the reasons for not implementing the land exchange. He advised that

Mr. J. Riddell

Ms. M. Neubauer

a housekeeping amendment be made to Clause 1b of Schedule 2 by deleting `Kortright Hills Community Association' and adding `Ad Hoc Committee'.

Mr. Jeremy Grant, a representative of Seaton Ridge, advised that the increase in density was a compromise between the developer and neighbourhood. He assured Council that the developer is dedicated to preserving open space corridors and have addressed safety issues. He stated that the land swap was addressed, and concerns were raised by the Seaton group, staff and the ad hoc committee regarding safety issues.

Ms. Shirley Greenwood, on behalf of residents of 146 Downey Road Ad Hoc Committee stated they oppose the Official Plan amendment to designate the area as Medium Density after many months of negotiations to agree upon a site-specific agreement. She stated that any future developer should be bound by the same site-specific designation. She requested that staff meet with the adhoc committee to address parking and traffic concerns. She stated the ad-hoc committee agrees with the staff recommendation and does not support Dr. Whiteley's proposals.

Dr. Hugh Whiteley, stated the staff recommendation contradicts the Official Plan and is not good planning. He stated there is an unwarranted risk created by the gas line. He advised that the Official Plan states that if there are two options with the same benefits, the option with the lower risk must be used. He advised the eastern slope creates an intrusion on the open space and devalues that portion of the property and another option that does not create a disturbance should be utilized. He requested Council give consideration to the increase of public risk when making their decision.

Mr. Carl Keller, a resident in Kortright Hills, stated the adhoc committee has unanimously accepted the staff recommendation. He stated that Mr. Whiteley's report was considered but it was determined that it was not the best solution. He raised the concern that changing the zoning designation from general residential to medium density would negate work done to date on this site and requested Council leave the site designation as it stands.

## 3. Moved by Councillor Findlay Seconded by Councillor Beard

THAT Report 10-30 regarding a proposed Zoning By-law Amendment application applying to property municipally known as 146 Downey Road, City of Guelph, (File ZC0906) from Community Design and Development

Mr. J. Grant Mr. J. Riddell Mr. D. McCaughan Ms. L.E. Payne

Ms. M. Neubauer

Services dated June 7, 2010, be received;

AND THAT the application (ZC0906) by Seaton Ridge Communities Limited for approval of a Zoning By-law Amendment from the current UR (Urban Reserve) Zone to a Specialized R.3A (Townhouse) Zone to permit a multiple residential development including townhouses and multiple attached dwellings applying to property legally described as Part of Lot 16, Concession 5 and Part of the Road Allowance between Concessions 5 & 6, Geographic Township of Puslinch, City of Guelph (PIN 71219-0069LT), municipally known as 146 Downey Road, City of Guelph, be approved in accordance with the permitted uses, regulations and conditions outlined in Schedule 2 of the Community Design and Development Services Report 10-30 dated June 7, 2010, as amended as follows:

AND THAT Clause 1b of Schedule 2 be amended by deleting `Kortright Hills Community Association' and adding `Ad Hoc Committee', as attached hereto as Schedule 1;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 146 Downey Road as set out in Report 10-30 from Community Design and Development Services dated June 7, 2010

AND THAT this site remains zoned General Residential and not be changed in the upcoming Official Plan Amendment 42.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

4. Moved by Councillor Billings Seconded by Councillor Kovach

THAT staff be directed to work with the Downey Road Ad Hoc Committee with respect to traffic and parking concerns pertaining to the 146 Downey Road application.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

Mr. J. Riddell

VOTING AGAINST: (0)

Carried

## 410 Clair Road East: Proposed Zoning By-law Amendment (File ZC0912) - Ward 6

Ms. K. Nasswetter, Senior Planner, advised of the issues addressed during the process and the changes that have been made to the application to alleviate concerns raised by the neighbourhood.

Mr. John Valeriote, on behalf of the applicant, advised there have been several meetings to address issues that have been raised. He advised the expansion is very restrictive and will include further public consultation. He stated the applicant has no objection to closing off the walkway behind Goodwin Drive and providing landscaping.

Mr. Glen Carducci, an area resident, asked about the total height of the building with the domes included and said it is too tall. He stated that the residents were required to build within a constant uniformed architecture, but this site has not been subject to the same requirements and he believes this will have a negative impact on their property values. He requested restrictions on heavy vehicular traffic between 7:00 p.m. and 7:00 a.m. on Clair Road to prevent large trucks from using the property in the evenings.

Mr. Sam Moghimi, a neighbourhood resident, questioned the validity of traffic counts that were completed in 2007 due to the growth within the area. He does not believe the building is compatible with the neighbourhood and will create traffic problems.

Mr. Adam Minnion, representing Westminster Woods Neighbourhood Association, stated there was not adequate time for the public to review the matter or present opinions. He believes the report is not comprehensive enough and is unclear in sections. He advised that a second traffic study was done that does not have the same results as the study provided by staff. He expressed concern that the "small scale" definition is at the discretion of staff and advised that cases he understands the Ontario Municipal Board considers "small scale" as not being over 500 square metres. He advised parking is an issue for the residents and their interpretation of parking requirements differs from that of City staff. He also stated that if the access from Goodwin Drive was not physically closed, pedestrians would still use it.

Ms. Susan Watson stated that the Official Plan and Provincial legislation must be taken into account when making this decision. She advised most traffic for the site will be on Sunday or weekends when other traffic would be lighter. She believes a number of great changes have been made to the application and it will bring upgrades to Clair. She stated that inclusiveness, diversity and tolerance are key for the City and supports the staff recommendation.

Dr. Dennis Galon addressed the space issue as it relates to occupancy numbers. He advised more space is needed for people to sit on the floor than if they were in pews or on chairs so the numbers to fit in the area would be less than allowed. He stated that the congregation expects to double in size and will expand at that time. He stated that building standards have not adapted to multicultural diversity and actual usage needs to be considered and not just numbers. He stated that there is enough parking being provided for the number of vehicles he currently has observed at the current Sikh site.

5. Moved by Councillor Findlay Seconded by Councillor Burcher

THAT Report 10-32 dated June 7, 2010 regarding an application for a Zoning By-law Amendment for 410 Clair Road East from Community Design and Development Services be received;

AND THAT the application by Smith-Valeriote LLP for a Zoning By-law Amendment (File ZC0912) from the Specialized R.4A-34 Zone and A Zone to a new Specialized R.4A-34 Zone and R.1D Zone affecting the property known as 410 Clair Road East and legally described as Part of Part Lot 10, Concession 8, Township of Puslinch and Parts 1 and 19 on 61R-10932 City of Guelph, be approved in accordance with the permitted uses, regulations and conditions set out in Schedule 2 of Community Design and Development Services Report 10-32, dated June 7, 2010 and attached hereto as Attachment 2."

- Moved in amendment by Councillor Piper Seconded by Councillor Salisbury
   THAT Schedule 2 of Report 10-32 be amended by adding the following condition 23:
  - 23. That a building permit for Phase 2 shall be issued no sooner than 5 years from the date of the issuance of the Phase 1 building permit;

AND THAT condition 1(e) be modified to include that the Westminster Woods Neighbourhood Association be involved in the site plan review process;

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

 Moved in amendment by Councillor Wettstein Seconded by Councillor Billings
 THAT the walkway behind Goodwin Drive be removed and a fence be erected to prevent access.

A motion for deferral took precedence.

8. Moved in amendment by Councillor Kovach
Seconded by Councillor Wettstein
THAT the details of design and determination of a
walkway from Goodwin Drive be deferred to the site plan
approval process.

VOTING IN FAVOUR: Councillors Beard, Billings, Burcher, Farrelly, Kovach, and Wettstein (6)

VOTING AGAINST: Councillors Bell, Findlay, Piper, Salisbury and Mayor Farbridge (5)

Carried

9. Moved in amendment by Councillor Billings
Seconded by Councillor Salisbury
THAT the building at 410 Clair Road have a maximum capacity of 200 persons in Phase 1 and a total 400 maximum capacity in Phase 2 as a regulation of the amending zoning by-law.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Kovach, Salisbury and Wettstein (7)

VOTING AGAINST: Councillors Beard, Findlay, Piper, and Mayor Farbridge (4)

Carried

Moved in amendment by Councillor Billings
 Seconded by Councillor Wettstein
 THAT during the site plan review, staff be directed to determine if the entrance onto the property could be

three lanes wide and located to the east of the building, and have the entrance of the building facing Clair Road;

AND THAT staff follow the urban design guidelines in the Official Plan.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

**VOTING AGAINST: (0)** 

Carried

Main motion as amended.

11. Moved by Councillor Findlay Seconded by Councillor Burcher

THAT Report 10-32 dated June 7, 2010 regarding an application for a Zoning By-law Amendment for 410 Clair Road East from Community Design and Development Services be received;

AND THAT the application by Smith-Valeriote LLP for a Zoning By-law Amendment (File ZC0912) from the Specialized R.4A-34 Zone and A Zone to a new Specialized R.4A-34 Zone and R.1D Zone affecting the property known as 410 Clair Road East and legally described as Part of Part Lot 10, Concession 8, Township of Puslinch and Parts 1 and 19 on 61R-10932 City of Guelph, be approved in accordance with the permitted uses, regulations and conditions set out in Schedule 2, as amended, of Community Design and Development Services Report 10-32, dated June 7, 2010 and attached hereto as Schedule 2;

AND THAT Schedule 2 be amended to add the following condition 23:

23. That a building permit for Phase 2 shall be issued no sooner than 5 years from the date of the issuance of the Phase 1 building permit;

AND THAT condition 1(e) be modified to include that the Westminster Woods Neighbourhood Association be involved in the site plan revew process;

AND THAT the details of design and determination of the walkway from Goodwin Drive be deferred to the site plan approval process;

AND THAT the building at 410 Clair Road have a maximum capacity of 200 persons in Phase 1 and a total 400 maximum capacity in Phase 2 as a regulation of the amending zoning by-law;

AND THAT during the site plan review, staff be directed to determine if the entrance onto the property could be three lanes wide and located to the east of the building, and have the entrance of the building facing Clair Road;

AND THAT staff follow the urban design guidelines in the Official Plan.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillor Kovach (1)

Carried

12. Moved in amendment by Councillor Burcher Seconded by Councillor Wettstein THAT staff be directed to undertake a facilitated consultation process with all stakeholder groups as part of the site plan review process to attempt to resolve site design issues.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

13. Moved in amendment by Councillor Billings
Seconded by Councillor Kovach
That staff be directed to provide the definition of small
scale religious establishments within the upcoming Official
Plan Amendment 42.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

14. Moved by Councillor Kovach
Seconded by Councillor Beard
THAT the following resolution be reconsidered:

THAT the building at 410 Clair Road have a maximum capacity of 200 persons in Phase 1 and a total 400 maximum capacity in Phase 2 as a regulation of the amending zoning by-law.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillor Billings and Wettstein (2)

Carried

15. Moved in amendment by Councillor Salisbury Seconded by Councillor Piper

THAT as a condition of site plan approval, the total capacity of the religious establishment be posted as a maximum of 200 persons in Phase 1 and 400 persons in Phase 2.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Findlay, Kovach, Piper, Salisbury, and Wettstein (8)

VOTING AGAINST: Councillors Beard, Farrelly, and Mayor Farbridge (3)

Carried

16. Moved in amendment by Councillor Piper Seconded by Councillor Salisbury

THAT the issue of creating an exemption policy to allow special events to exceed the posted capacity to the maximum allowed by the Building Code be referred to the Community Development and Environmental Services Committee;

AND THAT all applicable laws, provincial regulations and building code capacities be incorporated into the exemption policy.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillor Beard, (1)

Carried

Moved by Councillor Findlay

#### Main Motion as amended

17.

Mr. J. Valeriote Mr. J. Riddell Mr. D. McCaughan Ms. L.E. Payne Ms. M. Neubauer Seconded by Councillor Burcher THAT Report 10-32 dated June 7, 2010 regarding an application for a Zoning By-law Amendment for 410 Clair Road East from Community Design and Development Services be received;

AND THAT the application by Smith-Valeriote LLP for a Zoning By-law Amendment (File ZC0912) from the Specialized R.4A-34 Zone and A Zone to a new Specialized R.4A-34 Zone and R.1D Zone affecting the property known as 410 Clair Road East and legally described as Part of Part Lot 10, Concession 8, Township of Puslinch and Parts 1 and 19 on 61R-10932 City of Guelph, be approved in accordance with the permitted uses, regulations and conditions set out in Schedule 2, as amended, of Community Design and Development Services Report 10-32, dated June 7, 2010 and attached hereto as Schedule 2;

AND THAT Schedule 2 be amended to add the following condition 23:

23. That a building permit for Phase 2 shall be issued no sooner than 5 years from the date of the issuance of the Phase 1 building permit;

AND THAT condition 1(e) be modified to include that the Westminster Woods Neighbourhood Association be involved in the site plan revew process;

AND THAT details of design and determination of a the walkway from Goodwin Drive be referred to the site plan approval process;

AND THAT during the site plan review, staff be directed to determine if the entrance onto the property could be three lanes wide and located to the east of the building, and have the entrance of the building facing Clair Road;

AND THAT staff follow the urban design guidelines in the Official Plan;

AND THAT staff be directed to undertake a facilitated consultation process with all stakeholders as part of the site plan review process to attempt to resolve site design issues;

AND THAT staff be directed to provide the definition of small scale religious establishments within the upcoming Official Plan Amendment 42;

AND THAT as a condition of site plan approval, the total capacity of the religious establishment be posted as a maximum of 200 persons in Phase 1 and 400 persons in Phase 2;

AND THAT the issue of creating an exemption policy to allow special events to exceed the posted capacity to the maximum allowed by the Building Code be referred to the Community Development and Environmental Services Committee;

AND THAT all applicable laws, provincial regulations and building code capacities be incorporated into the exemption policy.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Piper, Salisbury, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillor Billings and Kovach (2)

Carried

### Proposed Demolition of 1897 Gordon Street – Ward 6

Mr. J. Valeriote, on behalf of the owners of the property, stated they are not disputing demolishing the building, but rather the timing. It is not a heritage building, and the owner does not believe the house is habitable and a significant development will take place on the property that will include higher density. They are requesting to demolish the building now because it does not make economic sense to keep it.

18. Moved by Councillor Piper Seconded by Councillor Findlay

THAT Report 10-57 regarding the proposed demolition of a detached dwelling at 1897 Gordon Street, City of Guelph, from Community Design and Development Services, dated June 7, 2010, be received;

AND THAT the proposed demolition of a detached dwelling at 1897 Gordon Street, be approved.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

Mr. J. Riddell

VOTING AGAINST: (0)

Carried

#### **Interim Control By-law for Shared Rental Housing**

19. Moved by Councillor Wettstein Seconded by Councillor Billings

THAT Report 10-73, regarding authorization to undertake a review of Shared Rental Housing and pass an Interim Control By-law from Community Design and Development Services, dated June 7, 2010, be received;

AND THAT Council directs staff to undertake a review of the zoning regulations pertaining to accessory apartments and lodging houses in R1 and R2 (zoned portions of Wards 5 and Ward 6 east of the Hanlon Expressway, for the purpose of recommending zoning amendments to address identified issues associated with the concentration of shared rental housing in addition to complimentary strategic initiatives to address the identified issues;

AND THAT the interim control by-law on use of lands, buildings or structures for a "Lodging House Type 1" and/or an "Accessory Apartment" in R.1 and R.2 zones affects property within Ward 5 and within Ward 6, east of the Hanlon Expressway only to be in effect for one year from June 7, 2010 to June 7, 2011.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

#### **BY-LAWS**

20. Moved by Councillor Findlay
Seconded by Councillor Piper
THAT By-laws Numbered (2010)-19018 and (2010)19019 as amended, inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

Mr. J. Riddell

#### **SPECIAL RESOLUTIONS**

#### Hanlon Creek Business Park – Phase 2 – Cost Sharing and Land Exchange Agreement

Mr. P. Cartwright Ms. M. Neubauer Ms. L.E. Payne 21. Moved by Councillor Findlay Seconded by Councillor Piper

THAT Guelph City Council authorizes the Mayor and City Clerk to execute a Cost Sharing and Land Exchange Agreement between the City of Guelph and Guelph Land Holdings Ltd (a subsidiary of Cooper Construction Limited) regarding Hanlon Creek Business Park Phase 2, subject to the final form of this agreement being satisfactory to the General Manager of Economic Development and Tourism, the City Treasurer and the City Solicitor;

AND THAT proceeds from the City sale of land to Guelph Land Holdings be transferred to the Development Reserve Fund to bridge the Hanlon Creek Business Park's Phase 2 Development Reserve Fund requirements until such time that sufficient development charges are generated to recover such funds.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Carried

#### **ADJOURNMENT**

The meeting adjourned at 10:45 o'clock p.m.

Minutes read and confirmed June 28, 2010.

 Ma	ayor	
	 puty Clerk	

Recommended Zoning – Permitted Uses, Regulations and Conditions The property affected by this Zoning By-law Amendment is legally described as Part of Lot 16, Concession 5 and Part of the Road Allowance between Concessions 5 & 6, Geographic Township of Puslinch, City of Guelph (PIN 71219-0069LT), municipally known as 146 Downey Road in the City of Guelph.

The following zoning is proposed:

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

#### **Permitted Uses**

Despite the provisions of Section 5.3.1.1 of Zoning Bylaw (1995)-14864, as amended, only the following permitted uses shall be allowed:

A maximum of 45 dwelling units including:

- -1 single-detached dwelling
- -28 cluster townhouse dwellings
- -16 multiple attached dwellings in accordance with the R.3A (Stacked Townhouse) regulations in Section 5.3.2
- -Home Occupation in accordance with Section 4.19
- -Accessory Use in accordance with Section 4.23

For the purposes of this Zone, a *Multiple Attached Dwelling* shall mean a building consisting of 3 or more dwelling units which are horizontally and vertically attached, which are entered from an independent entrance directly from the outdoors and/or from an internal hall or corridor and which share common facilities such as common amenity area, parking and driveways.

#### Regulations

In accordance with Section 5.3.2 of Zoning Bylaw (1995)-14864, as amended, with the following exceptions and additions:

Minimum Front Yard

4.5m

Minimum Side Yard

Despite Section 5.3.2.2:

- -The minimum side yard for a cluster townhouse dwelling adjacent to a Residential Zone or a Park Zone shall be 7.5m.
- -The minimum side yard for a multiple attached dwelling adjacent to a Park Zone shall be 1.9m.

#### Minimum Rear Yard

Despite Section 5.3.2.2, the minimum rear yard for a multiple attached dwelling adjacent to a Park Zone shall be 7.5m.

#### Maximum Building Height

Despite Row 9 of Table 5.3.2:

- -The maximum building height for a cluster townhouse dwelling located on the north side of a private road in this zone shall be 3 storeys at the south wall of the building but a maximum of 2 storeys at the north wall of the building where dwelling units face a Residential Zone and a Park Zone.
- -The maximum building height for a cluster townhouse dwelling located on the south side of a private road in this zone shall be 2 storeys excluding basement.
- -The maximum building height for a multiple attached dwelling shall be 3 storeys at the west wall of the building and 4 storeys at the east wall of the building.

#### Minimum Distance Between Buildings

Despite Section 5.3.2.3, the minimum distance between any two buildings in this zone shall be 3m.

#### Minimum Common Amenity Area

In addition to the regulations in Section 5.3.2.4, one common amenity area having a minimum size of 800m2 shall be provided.

#### Minimum Private Amenity Area

In accordance with Section 5.3.2.5 and in addition to Section 5.3.2.5.1h), the private amenity area with the exception of the first 3m from the building wall, may also be defined by a row of plantings, such plantings to be exempt from the requirements of Section 5.3.2.5.3.

#### Angular Planes

Section 4.16 shall not apply in this zone.

#### Conditions

The owner shall submit to the City, in accordance with **Section 41** of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Community Design and Development Services and the City Engineer, prior to the issuance of a building permit, and furthermore the owner agrees to develop the said lands in accordance with the approved plan. The owner's submission **for site p**lan approval shall include the following conditions and requirements:

- a. The owner shall develop the site generally in accordance with the owner's Site Plan 'G' attached as Schedule 7 to the Community Design and Development Services Report 10-30 dated June 7, 2010, to the satisfaction of the Director of Community Design and Development Services. The owner shall also generally adhere to the comparable building design photos and sketches attached in Schedule 7 to the Community Design and Development Services Report 10-30 dated June 7, 2010, to illustrate the conceptual architectural design of the proposed townhouses and multiple attached dwellings, to the satisfaction of the Director of Community Design and Development Services.
- b. The owner and the City agree that neighbourhood representatives designated by the **Kortright Hills Ad Hoc Committee** shall have an opportunity to review the owner's application for Site Plan Approval and all supporting materials as well as to provide comments on behalf of the Association with respect to the application prior to a final decision being made by the City with respect to Site Plan Approval.
- c. The owner shall retain and incorporate the existing single-detached residential dwelling as part of the residential project in the form of a single-detached dwelling and forming a unit within the proposed registered residential condominium to the satisfaction of Heritage Guelph.
- d. The owner agrees that the **exterior building cladding materials** for the proposed townhouses will include one full storey of brick or stone in addition to vinyl siding. The owner further agrees that the cladding materials for the proposed multiple attached units will include one full storey of brick or stone on the rear (east) wall but the front and side walls will be brick or stone only up to knee-wall height. The owner further agrees that the cladding materials for the proposed bungalow townhouses will be brick or stone only up to knee-wall height as shown in Schedule 7 of the Community Design and Development Services Report 10-30 dated June 7, 2010.

The owner shall erect a 1.8m high screen **fence** with an additional 0.3m of lattice using either wood or vinyl materials, where such fence is required around the perimeter of the site. In cases where the owner and adjacent residential property owner agree to a reasonable alternative to the 1.8m high screen **fence** with an additional 0.3m of lattice, including a preference for a planted buffer rather than a fence, the owner shall finalize all preferred fencing details with the individual residential property owners and document the alternative fencing details for the City, to the satisfaction of the Director of Community Design and Develop**ment** Services, prior to site plan approval. A fence shall not be required within and to the east of the existing natural gas easement on this site.

- e. The owner shall include as part of the landscape plan submission, a detail of the area of the site directly to the north of 12, 14, 16 and 18 Teal Drive, that illustrates proposed privacy fencing, buffering, screening and landscaping that would protect the privacy of the residential properties in addition to a wall or substantial plantings along the visitor parking area on the site, for the purpose of blocking vehicular lights from shining directly into the rear windows of the affected residences, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.
- f. The owner shall include as part of the site plan approval submission, a detailed **outdoor lighting plan** that minimizes lighting glare, intensity and overall impact on adjacent properties and residences, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.
- g. The owner agrees that there will be no buildings constructed within a 30m buffer from the center line of **Tributary A of the Hanlon Creek** located to the east of the site, however, it is recognized that an underground storm water infiltration structure will be constructed within the buffer in the rear yard of the four proposed multiple attached unit buildings. Further, the owner shall submit detailed information prior to site plan approval, of any required fill within the 30m buffer and any proposed fill is subject to the approval of the City and the GRCA.
- h. The Owner shall submit **colour schemes** or ranges of colour that are proposed for the **exterior finishes of the buildings** and shall propose natural and soft colour tones that are complementary to the neighbouring properties, prior to site plan approval.
- i. The Owner shall submit a plan detailing proposed entrance features at the Downey Road entrance to the site that incorporate the re-use of both stone and wood if in suitable condition, from the foundation of the existing barn located on the site, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.
- j. The Owner shall submit plans or details regarding the proposed method of individual **garbage pick- up** as opposed to providing a central garbage storage location on the site and shall submit plans or details illustrating proposed **snow removal and storage** on the site, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval. Further, the owner shall attempt to co-ordinate the same day pick-up as the City garbage pick-up day for the area.
- 1. The owner commits and agrees that the proposed development will not be freehold and shall be registered as a **condominium corporation**.

- 2. The owner shall prepare a detailed tree inventory, protection, relocation, replacement and enhancement plan to identify trees to be retained, relocated and replaced either on-site or off-site, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval. Further, the owner shall provide detailed information regarding the type, location, number, size and caliper of new plantings and shall include native species to the extent possible.
- 3. The owner shall pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph **Development Charges** Bylaw (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges Bylaws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
- 4. The owner shall pay to the City **cash-in-lieu of park land dedication** in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to site plan approval.
- 5. The owner shall pay to the City, the City's total cost of reproduction and distribution of the **Guelph Residents' Environmental Handbook**, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City, prior to the registration of the condominium plan.
- 6. The owner shall prepare and submit to the City for approval, an addendum to the Environmental Impact Study that addresses the comments of the GRCA, EAC, RSAC and Environmental Planner to the satisfaction of the Director of Community Design and Development Services, prior to the site plan approval.

  Prior to site plan approval and prior to any construction or grading on the lands, the owner shall submit a detailed Stormwater

  Management Report and Plans to the satisfaction of the City Engineer which demonstrates how storm water will be controlled and conveyed.
- 8. That the owner grades, develops and maintains the site including the **storm water management facilities** designed by a Professional

Engineer, in accordance with a site plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.

- 9. Prior to any development of the lands and prior to any construction or grading on the lands, the owner shall construct, install and maintain **erosion and sediment control facilities,** satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
- 10. Prior to site plan approval and prior to any construction or grading on the lands, the owner shall have a Professional Engineer design a grading and drainage plan for the site, satisfactory to the City Engineer. The owner shall include grading and drainage information on both the Teal Drive and Hazelwood Drive sides of the site.
- 11. Prior to site plan approval and prior to any construction or grading on the lands, the owner shall have a Professional Engineer design an **emergency access route** for the site, connecting the subject site to Teal Drive, to the satisfaction of the Director of Community Design and Development Services and the City Engineer. The owner will be responsible for the total cost of constructing the emergency access and for the associated easement documentation which will be registered on title prior to final site plan approval. The owner shall also submit a dual-purpose **pedestrian walkway** landscape plan for the area along the proposed emergency access route, for the purpose of screening and protecting the privacy of the residents living at 18 Teal Drive from the walkway, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.
- 12. The owner shall pay to the City the actual cost of the construction of the **new driveway entrances and the required curb cut**, prior to any construction or grading on the lands, prior to site plan approval the developer shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway entrance and the required curb cut.

The owner shall pay to the City its share of the actual cost of constructing **municipal services on Downey Road** across the frontage of the lands including roadworks, sanitary sewer, storm sewer, curb and gutter, catchbasins, sidewalks and street lighting **as determined by the City Engine**er. Furthermore, prior to site plan

- approval, the owner shall pay to the City the estimated cost of the municipal services as determined by the City Engineer.
- 13. The owner shall construct the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a **gravity connection** to the sanitary sewer.
- 14. Prior to the site plan approval, the owner shall pay to the City the owner's share of the **cost of the existing municipal services** on Downey Road, as determined by the City Engineer.
- 15. The owner shall pay to the City the actual cost of constructing, installing or removal of any **service laterals** required and furthermore, prior to site plan approval, the owner shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
- 16. That any **domestic wells, septic systems and boreholes** drilled for hydrogeological or geotechnical investigations shall be properly abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.
- 17. That all electrical services to the lands are underground and the owner shall make satisfactory arrangements with **Guelph Hydro Electric Systems Inc.** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval.
- 18. That the owner makes satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval.
- 19. That all **telephone and Cable TV** service to the lands be underground and the owner shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground telephone service prior to site plan approval.
- 20. The owner shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations.

The owner shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the **subject property**, **p**rior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that

all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.

- 21. Prior to site plan approval, the owner acknowledges and agrees that the dwelling units on the subject site will be constructed to an ENERGY STAR standard that promotes energy efficiency standards, or the equivalent as described in the owners letter of commitment to the **Community Energy Initiative**, dated September 9, 2009, being Schedule 8 of the Community Design and Development Services Report 10-30 dated June 7, 2010, in order to comply with the Community Energy Plan, to the satisfaction of the Director of Community Design and Development Services.
- 22. Prior to site plan approval, the owner shall enter into a **Site Plan Agreement** with the City, registered on title, satisfactory to the City Solicitor, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans and reports.

#### **Zoning Regulations and Conditions**

The properties affected by this Zoning By-law Amendment are municipally known as 410 Clair Road East and legally described as Part of Lot 10, Concession 8, Township of Puslinch and Block 175, Plan 61M-143, City of Guelph.

The following zoning is proposed:

Specialized R.4A-34(Residential Apartment) Zone

R.1D (Residential Single-detached) Zone

#### Regulations

For the Specialized R.4A- Zone

#### **Permitted Uses**

In accordance with the provisions of Section 5.4.1.1 of Zoning By-law (1995) – 14864, as amended, with the following addition:

Religious Establishment

#### Regulations

#### For a Religious Establishment:

In accordance with Section 5.4.2 of Zoning By-law (1995) – 14864, as amended, with the following exceptions and additions:

Maximum Building Height

Despite Table 5.4.2 Row 10,

The maximum building height shall be 11.5 metres.

Minimum Buffer Strip

Despite Table 5.4.2 Row 15,

The minimum buffer strip along the westerly lot line shall be 7 metres wide.

#### Maximum Gross Floor Area

The maximum Gross Floor Area shall be 2000 square metres.

#### For the R.1D Zone:

#### **Permitted Uses**

In accordance with the provisions of Section 5.1.1 of Zoning By-law (1995) – 14864, as amended.

#### Regulations

In accordance with Section 5.1.2 of Zoning By-law (1995) – 14864, as amended.

#### **Conditions**

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

- 1. The owner shall submit to the City, in accordance with **Section 41** of The Planning Act, a fully detailed site plan, indicating the location of buildings, landscaping, parking, circulation, access, lighting, grading and drainage and servicing on the said lands to the satisfaction of the Director of Community Design and Development Services and the City Engineer, prior to the issuance of a building permit, and furthermore the owner agrees to develop the said lands in accordance with the approved plan. The owner's submission for site plan approval shall include the following conditions and requirements:
  - a. The owner shall develop the site generally in accordance with the owner's Proposed **Site Plan** attached as **Schedule 5** to the Community Design and Development Services Report 10-32 dated June 7, 2010, to the satisfaction of the Director of Community Design and Development Services.
  - b. The owner shall include as part of the site plan approval submission, a detailed **outdoor lighting plan** that minimizes lighting impact on adjacent properties and residences, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval.
  - c. The Owner agrees that the outdoor lights in the parking area shall automatically shut off each day between 11:00 p.m. and 6:00 a.m.

- d. That additional **landscaping and buffering** be provided between the proposed parking area and the residential properties to the west of the site.
- e. The owner and the City agree that **adjacent property owners** and the Westminister Woods Residents Association shall have an opportunity to review the owner's application for Site Plan Approval and all supporting materials as well as to provide comments with respect to the application prior to a final decision being made by the City with respect to Site Plan Approval.
- 2. The owner shall prepare a detailed tree inventory, protection, relocation, replacement and enhancement plan to identify trees to be retained, relocated and replaced either on-site or off-site, to the satisfaction of the Director of Community Design and Development Services, prior to site plan approval. Further, the owner shall provide detailed information regarding the type, location, number, size and caliper of new plantings and shall include native species to the extent possible.
- 3. The owner shall pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph **Development Charges** By-law (2004)-17361, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
- 4. The owner shall pay to the City **cash-in-lieu of park land dedication** in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to site plan approval.

The owner shall pay to the City, the City's total cost of reproduction and distribution of the **Guelph Residents' Environmental Handbook**, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City, prior to the site plan approval.

- Prior to site plan approval and prior to any construction or grading on the lands, the owner shall submit a detailed **Stormwater Management Report and Plans** to the satisfaction of the City Engineer which demonstrates how storm water will be controlled and conveyed.
- 6. That the owner grades, develops and maintains the site including the **storm water management facilities** designed by a Professional Engineer, in accordance with a site plan that has been submitted to and approved by the City Engineer. Furthermore, the owner shall have the Professional Engineer who designed the storm water management system certify to the City that he/she supervised the construction of the storm water management system, and that the storm water management system was approved by the City and that it is functioning properly.
- 7. Prior to any development of the lands and prior to any construction or grading on the lands, the owner shall construct, install and maintain **erosion and sediment control facilities,** satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
- 8. The developer shall pay to the City the actual **cost of the construction of the new driveway accesses**, including the required curb cut and or fills, prior to site plan approval and prior to any construction or grading on the lands, the developer shall pay to the City the estimated cost as determined by the City Engineer of constructing the new driveway off Clair Road East and proposed residential driveway accesses on Goodwin Drive, including the required curb cut and or fills.
- 9. The owner shall pay to the City the actual cost of constructing, installing or removal of any **service laterals** required and furthermore, prior to site plan approval, the owner shall pay to the City the estimated cost of the service laterals, as determined by the City Engineer.
- 10. The owner shall construct the new buildings at such an elevation that the lowest level of the new buildings can be serviced with a **gravity connection** to the sanitary sewer.
- 11. That any **domestic wells, septic systems and boreholes** drilled for hydrogeological or geotechnical investigations shall be properly

- abandoned in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer.
- 12. Prior to site plan approval and prior to any construction or grading on the lands, the owner shall acquire a 2.898m strip of land abutting Goodwin Drive (Block 175, 61M-143) frontage as a lot addition in order to provide **servicing and access** for the subject lands.
- 13. Prior to any development of the lands, the owner shall pay the frontage charge for the **Clair Road East upgrades** of \$741.01 per metre for 116.129 metres
- 14. Prior to any development of the lands, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to **tree planting** for the said lands.
- 15. That the owner makes satisfactory arrangements with **Union Gas** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval.
- 16. That all electrical services to the lands are underground and the owner shall make satisfactory arrangements with **Guelph Hydro Electric Systems Inc.** for the servicing of the lands, as well as provisions for any easements and/or rights-of-way for their plants, prior to site plan approval.
- 17. That all **telephone and Cable TV** service to the lands be underground and the owner shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground telephone service prior to site plan approval.
  - The owner shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
- 18. Prior to site plan approval or consent, the owner agrees that the dwelling units on the subject site will be constructed to an ENERGY STAR standard that promotes energy efficiency standards, or the equivalent; and that the owner undertakes the energy and water

efficiency measures described in the letter, dated May 11, 2010, as in **Schedule 14** of the Community Design and Development Services Report 10-32 dated June 7, 2010, in order to comply with the **Community Energy Plan**, to the satisfaction of the Director of Community Design and Development Services.

- 19. The Owner agrees to enter into discussions with the City regarding the potential for a joint use agreement to allow the City to book for the proposed playing field for sporting activities.
- 20. The owner shall enter into a **Site Plan Agreement** with the City, registered on title, satisfactory to the City Solicitor, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans and reports.
- 23. A building permit for Phase 2 shall be issued no sooner than 5 years from the date of the issuance of the Phase 1 building permit.
- 24. That a condition be included in the Site Plan Agreement that the total capacity of the religious establishment be posted as a maximum of 200 persons for phase 1 and 400 persons for phase 2.

## CONSENT REPORT OF THE COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES COMMITTEE

June 28, 2010

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

Your Community Development and Environmental Services Committee beg leave to present their FIFTH CONSENT REPORT as recommended at its meetings of May 17 and June 22, 2010.

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 Development & Environmental Services Committee will be approved in one resolution.

#### Municipal Property and Building Commemorative Naming Annual Report

THAT the Community Design and Development Services Report 10-33 dated May 19, 2010, pertaining to the Municipal Property and Building Commemorative Naming Annual Report, be received;

AND THAT the names proposed by the Naming Committee for assets listed in Appendix 1 of Report 10-33 dated April 19, 2010, be approved;

AND THAT Resolution #5 adopted by Council at their meeting of November 20, 2006 with respect to their support in principle of dedicating the proposed City open space at 59 Carden Street in front of the future POA Courthouse to Edward Johnson, be rescinded;

AND THAT staff be directed to proceed with finding an alternative asset to recognize Edward Johnson and work with Parks Canada and the Edward Johnson Music Foundation to appropriately locate the existing Edward Johnson plaque;

AND THAT staff be directed to examine opportunities during the preparation of the 2011 Parks Planning Capital Budget Forecast to fund a monument to recognize fallen police and firefighters in a future park or public space;

AND THAT staff be directed to examine opportunities during the preparation of the 2011 Parks Planning Capital Budget Forecast to fund a monument to recognize officers of the Guelph Correctional Centre in a future park or public space within the York District Lands development.

## Page No. 2 June 28, 2010 Report of the Community Development & Environmental Services Committee

#### 2) **Downtown Façade Improvement Grants 2010**

THAT the Downtown Renewal report dated June 21, 2010, regarding the Downtown Community Improvement Plan Façade Improvement Grants, be received;

AND THAT the first round of Downtown Façade Improvement Grants be awarded as listed in Appendix A attached to this report, for a total City of Guelph commitment of \$127,434.95 towards 16 applications;

AND THAT the remainder of \$12,565.05 in Capital Account SS20009 be carried forward in that account for future Downtown Guelph CIP programmes.

#### 3) **Orin Reid Park Conceptual Master Plan**

THAT the Community Design and Development Services Report 10-67 dated June 22, 2010, pertaining to the Conceptual Master Plan for Orin Reid Park, be received;

AND THAT the Conceptual Master Plan for the Orin Reid Park, as noted in Appendix 4 of the Community Design and Development Services Report 10-67, dated June 22, 2010, be approved;

AND THAT staff be directed to proceed with the implementation of Phase One of the Orin Reid Park Conceptual Master Plan.

All of which is respectfully submitted.

Councillor Piper, Chair Community Development & Environmental Services Committee

PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE AGENDA FOR THE MAY 17 AND JUNE 22, 2010 MEETING.

# COMMITTEE REPORT



TO Community Development and Environmental

**Services Committee** 

SERVICE AREA Community Design and Development Services

DATE May 17, 2010

SUBJECT Municipal Property and Building Commemorative

**Naming Annual Report** 

REPORT NUMBER 10-33

#### RECOMMENDATION

THAT the Community Design and Development Services Report 10-33 dated April 19, 2010, pertaining to the Municipal Property and Building Commemorative Naming Annual Report, be received; and

THAT the names proposed by the Naming Committee for assets listed in Appendix 1 of Report 10-33 dated April 19, 2010, be approved; and

THAT Resolution #5 adopted by Council at their meeting of November 20, 2006 with respect to their support in principle of dedicating the proposed City open space at 59 Carden Street in front of the future POA Courthouse to Edward Johnson, be rescinded; and

THAT staff be directed to proceed with finding an alternative asset to recognize Edward Johnson and work with Parks Canada and the Edward Johnson Music Foundation to appropriately locate the existing Edward Johnson plaque; and

THAT staff be directed to examine opportunities during the preparation of the 2011 Parks Planning Capital Budget Forecast to fund a monument to recognize fallen police and firefighters in a future park or public space; and

THAT staff be directed to examine opportunities during the preparation of the 2011 Parks Planning Capital Budget Forecast to fund a monument to recognize officers of the Guelph Correctional Centre in a future park or public space within the York District Lands development.

#### **BACKGROUND**

A Council Resolution was adopted January 5, 2009 stating:

"AND THAT the Municipal Property and Building Commemorative Naming Policy (Naming Policy) be approved as outlined in attached Schedule 5;

AND THAT Council approves the establishment of a Commemorative Naming Policy Committee (Naming Committee) to facilitate the Procedures of the Commemorative Naming Policy;

AND THAT Council direct staff to immediately implement the Commemorative Naming Policy, and include all unnamed assets of 2007 and 2008 with the 2009 asset review and procedures."

At a Council meeting held June 22, 2009, Members of Council appointed the two required citizens of Guelph to sit on the Naming Committee, as per the Municipal Property and Building Commemorative Naming Policy (Naming Policy).

This Report provides naming recommendations by the Naming Committee, of City owned assets, as per the Naming Policy.

### **REPORT**

The Naming Committee has prepared an Asset Naming List of proposed names for the six new City owned assets for 2010. Each asset listed is accompanied by the Naming Committee's reasoning for selecting the name (Appendix 1). In the case that the asset did not receive a request to name by the public, or the Naming Committee did not find any of the miscellaneous submissions appropriate for the asset, the Naming Committee has included their own proposal and reasoning.

The six new assets to be named were made public in early 2010 as part of the required Public Process of the Naming Policy. The six new assets to be named in 2010 are located in (1)Northern Heights Subdivision (park), (2)Morningcrest Subdivision (park), (3)Eastview Landfill (park), (4)City Hall/POA Court (square), (5)Conservation Estates Subdivision (park), (6)Westminster Woods Subdivision Phase 3 (park).

Along with the Proposed Asset Naming List, the Naming Committee has also begun a Name Reserve List (Appendix 2) for those submitted names that qualify but were not recommended for one of the 2010 assets to be named. The Reserve List is for use by the Naming Committee for instances when assets to be named in any given year receive no submissions or any appropriate submissions from the public. If a name is not chosen by the Committee from the Reserve List, the Committee will recommend a proposed name for the asset from their own research, for Council approval.

**Public Process**: As per the Naming Policy Procedures, a public notice was posted in the fourth quarter of 2009 on the City of Guelph website and in the Tribune Newspaper, informing residents of the new Municipal Property and Building Commemorative Naming Policy and future opportunities to name City owned assets in the new year. In January 2010, the Committee made public six new assets to be named, via the City of Guelph website and Tribune Newspaper Ads (Appendix 3) and invited submissions from the public to name them and any other City owned asset yet to be named, as per the Naming Policy Submission requirements. The Committee received thirty-five(35) submissions from eighteen(18) residents and had nine(9) existing submissions from five(5) residents from prior years.

Of the thirty-five(35) submissions, twenty(20) were not associated with one of the six assets of 2010. Nineteen(19) requested that the name be given consideration to any of the six assets of 2010 or a future asset, at the discretion of the Naming Committee and one(1) suggested another asset for consideration by the Naming Committee upon its completed construction(New Civic Museum). Further, of the six(6) assets listed in 2010, one(1) of them did not receive any public naming proposals (Conservation Estates Subdivision) and two assets received only one proposal each (Westminster Woods Ph.3 and Morningcrest Subdivision)(Appendix 4). The submission for Westminster Woods Ph.3 was felt to be not appropriate and therefore the Naming Committee has used a name from the miscellaneous submissions for consideration. The Naming Committee also felt none of the names submitted for one of the assets, Eastview Landfill, were appropriate, nor any of the miscellaneous submissions were appropriate, and have suggested their own name for this asset.

The Naming Committee has also created a list of all naming submissions with a brief description as to why they were not chosen in 2010 and their consideration for future naming, as part of the Reserve List (Appendix 5).

At this time the Naming Committee would also like to address a number of outstanding requests to name or recognize, in some manner, the following:

- 1. The recognition of fallen police and firefighters
- 2. The recognition of Sir Edward Johnson
- 3. The recognition of Officers of the Guelph Correctional Centre (GCC)

### The recognition of fallen police and firefighters:

To date, the Naming Committee has received five names (three firefighters and two police officers) from two residents, requesting that these individuals be recognized. It is of the opinion of the Naming Committee that the most appropriate solution would be to name a single public space in honour of all past and future individuals that sacrificed their lives for the protection and safety of Guelph citizens and/or erect a monument in a public space that could provide a similar honour or recognition. At this time, the Naming Committee does not feel any of the six assets listed in 2010 are appropriate spaces to honour these individuals and recommends that until such time as one is found or created, the Naming Committee hold these names on file. The Naming Committee also suggests that staff examine opportunities during the preparation of the 2011 Parks Planning Capital Budget Forecast to fund a monument to recognize fallen police and firefighters in a future park or public space.

### The recognition of Sir Edward Johnson:

On November 23, 2006 a Council Resolution was passed that stated:

"THAT Council support, in principle, dedicating the proposed City open space at 59 Carden St. in front of the future POA courthouse to Edward Johnson, subject to staff conferring with appropriate stakeholders, including the POA court;

AND THAT staff be directed to secure agreement on the dedication and a specific name for the site from potential partners and report back to Council in 2007."

Soon after this Resolution was passed the request by Council to create an allinclusive naming policy followed with a Resolution on June 20, 2007 stating:

"That no further namings be considered until a comprehensive naming policy has been approved by Council".

Staff placed the naming of the space out front of the future POA courthouse after Edward Johnson on hold.

With the development of the new City Hall/Carden Street and recently approved Guelph Market Place Strategic Urban Design Plan, which includes the space in front of the new POA, the Naming Committee, along with the support of City staff, agreed that naming the space in front of the POA after Sir Edward Johnson would not be appropriate. One of the objectives of the recently approved Guelph Market Place Strategic Urban Design Plan is for Carden Street to be seen as one continuous space or plaza. So as to not confuse the public, this place should then be called under one name; a name that is appropriate for the entire civic area. It should also be noted that the Sir Edward Johnson plaque, erected in front of 59 Carden St (the new home of the POA) in the late 70's was removed and placed in storage during the reconstruction of the building. The Naming Committee recommends that a more appropriate location to recognize Sir Edward Johnson be found as soon as possible, with the possibility of moving the plaque to this new location, with the support of the Edward Johnson Music Foundation, Parks Canada, who donated the plaque, and City staff.

Staff recently contacted the Edward Johnson Music Foundation and received their support on this recommendation by the Naming Committee.

### The recognition of Officers of the Guelph Correctional Centre (GCC):

To date, the Naming Committee has received one request to recognize the Officers of the GCC. It is of the opinion of the Naming Committee that the most appropriate solution would be to name a single public space to honour all officers that worked at the facility and/or erect a monument in a public space that could honour and recognize them. Another suggestion brought forth in the public submission was to name the future streets of the York District Lands and/or a future park within these lands in recognition of the Officers. At this time the Naming Committee does not feel any of the six assets listed in 2010 are appropriate spaces to honour these individuals and recommends that upon development of the York District Lands City staff and the Naming Committee consider the suggestion of naming a park or public open space in recognition of these individuals. The Naming Committee also suggests that staff examine opportunities during the preparation of the 2011 Parks Planning Capital Budget Forecast to fund a monument to recognize officers of the Guelph Correctional Centre in a future park or public space within the York District Lands development(2015).

**Conclusion:** The Naming Committee believes that the names proposed on Appendix 1 are appropriate for each asset and recommend Council approval.

The Naming Committee believes that the proposals to recognize the three outstanding requests are appropriate and recommends Council approval.

Approved names shall be implemented immediately on official documents, construction and permanent signage. Planning for the appropriate protocols (e.g. dedication ceremony) will also be implemented.

### **CORPORATE STRATEGIC PLAN**

- GOAL 2: A healthy and safe community where life can be lived to the fullest
- GOAL 4: A vibrant and valued arts, culture and heritage identity
- GOAL 5: A community-focused, responsive and accountable government

### **FINANCIAL IMPLICATIONS**

Any financial implications associated with the six named assets for 2010 (eg. Signage) will be accounted for by the approved capital budget for each asset. Financial implications of budgeting for a location or monument for fallen police officers and firefighters - TBD

Financial implications of budgeting for a location or monument for GCC officers - TBD

### **DEPARTMENTAL CONSULTATION**

Community Services, Corporate Communications, Emergency Services, Operations

### **COMMUNICATIONS**

NA

### **ATTACHMENTS**

Appendix 1 - Proposed Asset Names List by the Naming Committee

Appendix 2 – Name Reserve List

Appendix 3 - Public Process (Website and Tribune Advertisement)

Appendix 4 - Naming Submissions List

Appendix 5 - Naming Submissions\_Names Not Used in 2010

Prepared By:

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**Recommended By:** 

Jim Riddell

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# ASSET NAMING LIST



**APPENDIX 1** 

### Asset 1#

Northern Heights Subdivision Park – 80 Simmonds Drive

PROPOSED NAME: WILSON FARM PARK (submitted by the public)

RATIONALE: The Wilson Family purchased the land (108 acres) from the Canada Company back in 1836 and farmed the property up until 1968 when it was sold to Jack Ingram. For over 130 years the Wilson's provided food to the residents of Guelph and surrounding county - one of the original farmsteads of Guelph, and were an integral part of the community and its success.

### Asset 2#

Morningcrest Subdivision Park – 15 Acker Street

PROPOSED NAME: **MORNINGCREST PARK** (submitted by the public)

RATIONALE: The development is geographically higher than the surrounding lands and is located along the easterly limits of the City – lending itself nicely to being one of the first parks in Guelph to see the morning sun crest over the horizon.

### Asset 3#

Eastview Landfill - 186 Eastview Road

PROPOSED NAME: **EASTVIEW COMMUNITY PARK** (submitted by the Naming Committee)

RATIONALE: The area in which the new park is located was a landfill, so named Eastview Road Landfill. Landfilling began on the site in 1962 and halted in 2003. For the last 48 years this piece of land has been known as the Eastview Landfill. Encompassing 81 hectares of land, the site fronts Eastview Road in the east end of the City. This area of the city is also now commonly referred to as the Eastview Community.

### Asset 4#

City Hall / POA Court Square

PROPOSED NAME: **MARKET SQUARE** (submitted by the public)

RATIONALE: The area in which the new City Hall and POA are located was part of the original market square of Guelph. This was the first area cleared by the settlers in 1827 and the location of the first market house; a place in which local farmers could sell/buy produce. The

market square was also the location of the Royal Winter Fair and eventually the 'cornerstone' of the original town hall, now the POA.

### Asset 5#

Conservation Estates Subdivision Park – 55 Revell Drive

PROPOSED NAME: **LEWIS FARM PARK** (submitted the Naming Committee – no public submissions)

RATIONALE: James Lewis bought the property (160 acres) from Conrad Swartzenberger, a local shoemaker back in 1880. The Lewis family farmed a portion of the land for the next 30 years and occupied the redbrick house. The house still fronts Gordon Street and is now designated as a heritage home. The Lewis family farm was one of the original farmsteads of Guelph and like the Wilson's, provided food to the residents of Guelph and surrounding county for decades. Since being sold by the Lewis family in 1910, the property has switched hands five times, slowly severed over time, eventually being developed into the subdivisions we see today along the west side of Gordon Street, south of Arkell Road.

### Asset 6#

Westminster Woods Subdivision Phase 4 - 101 Baxter Drive

PROPOSED NAME: **PINCH PARK** (submitted by the Naming Committee from the public miscellaneous name list)

RATIONALE: Dr. J. Charles Pinch had a well known family practice which opened in 1937, in the building now known as the Woolwich Arms on Woolwich Street. During WWII, Dr. Pinch was part of a field ambulance unit stationed in Italy, but became ill and was honourably discharged in 1944 with the rank of Lt. Colonel.

Returning to Guelph, his medical practice grew – and he was instrumental in forming the Guelph Medical Group – an innovative concept at the time. He was later appointed a senior coroner in 1960. An avid musician, Dr. Pinch was also a member of the Presto Society and a founder of the Kiwanis Musical Festival.

He was also instrumental in bringing a Heart and Stroke Chapter to Guelph, served on the Guelph Humane Society and was team doctor for the Guelph Biltmores for many seasons. He served on City Council from 1953 to 1957, during which time he was chairman of the Finance Committee. In 1958 he even ran for Mayor, but conceded to David Hastings. Dr. Pinch also had a wonderful sense of humour, so when the Naming Committee suggested this asset be named to the Pinch family to honour their father, with the knowledge that not only was Dr. Pinch a worthy name for the asset, but also the fact that the park appeared to be 'pinched' between two homes – the family agreed that such a play on words would bring a smile to their father.

# COMMITTEE REPORT



**TO** Community Design and Environmental Services

**Committee (CDES)** 

SERVICE AREA Downtown Renewal, Office of the CAO

DATE June 22, 2010

SUBJECT Downtown Façade Improvement Grants 2010

REPORT NUMBER 10-01

\_\_\_\_\_\_

### RECOMMENDATION

That the Downtown Renewal report, dated June 21, 2010, regarding the Downtown Community Improvement Plan Façade Improvement Grants, BE RECEIVED,

AND THAT the first round of Downtown Façade Improvement Grants be awarded as listed in Appendix A attached to this report, for a total City of Guelph commitment of \$127,434.95 towards 16 applications.

AND THAT the remainder of \$12,565.05 in Capital Account SS20009 be carried forward in that account for future Downtown Guelph CIP programmes.

### **BACKGROUND**

At its meeting of April 6, 2010, Council adopted the "Downtown Guelph Community Improvement Plan" (CIP).

One of the programs enabled by this report is a <u>Facade Improvement Grant Program</u> which provides for a matching grant of up to \$10,000 per façade or storefront to improve or restore a building's street facing façades. A total of \$140,000 was set aside for program delivery in 2010.

### **REPORT**

The program was advertised for four weeks, including the City of Guelph website, Economic Development "Developments" e-news, City e-news, Facebook, Twitter, the Tribune and the Downtown Guelph Business Association website.

31 applications were received by the May 14, 2010 deadline. The applications represent over \$500,000 of construction value translating to \$230,000 worth of grant requests. Staff consider this a very successful response and it was well beyond the current program budget.

As defined in the Community Improvement Plan, the façade improvement proposals were evaluated by a team of staff using criteria listed in the document. (Downtown CIP: Section 4.3.1.4 'Eligibility')

Applications were reviewed by Building and Finance staff for any outstanding permit or financial issues related to the applicants. The proposals were then evaluated and ranked by staff representing Downtown Renewal, Heritage and Urban Design for the quality of the proposed improvements. Overall consideration was given to improvements to the retail/business environment, built heritage restoration and conformity to the City's urban design guidelines.

Developed as part of the eligibility criteria described in the CIP, the Urban Design / Downtown Private Realm Manual review weightings were:

- 15% Building restoration impact
- 20% Quality of design and materials proposed
- 20% Aesthetic improvement to the building
- 20% Improvement to the streetscape (impact)
- 5% Quality of the application
- 15% Location Street priority ranking for 2010 (Carden/Wilson were identified as high priority this year)

## Recommended Façade Improvement Applications for June 2010:

Appendix A lists the 16 applications that are recommended for award. These projects scored above 60% against the criteria and were within the envelope of this year's budget.

The projects are generally located within the historic sections of downtown and range from \$4,500 to \$80,000 in construction value, representing everything from signage replacement to full façade restorations.

### **Next Steps:**

Staff will be directly contacting the applicants following Council's decision -- both those awarded and those currently unsuccessful.

Many of the 15 applications which have not been recommended had merit but for a variety of reasons, including that the applications were incomplete or that they raised technical issues which needed further dialogue before the application could be considered, these applications could not be recommended at this time. Staff will be working with these applicants on resubmitting for future iterations of the program.

### **Evaluation of Program to date:**

Being the first round of what is meant to be a multi-year program, staff are reviewing the effectiveness and are considering the following issues:

- Boundary: The current CIP boundary excludes properties on the west side of Norfolk Street – Staff will be reviewing options for how to enlarge the boundary for the next round of applications.
- Application Quality: The quality of the applications varied considerably
   staff will be reviewing and updating the application form and instructions to try to provide better guidance to applicants.
- Funding: The program response was excellent and there are many more projects that staff feel could be eligible with additional consultation. Downtown Renewal will be requesting this program be recommitted as a multi-year program in the 2011 budget.

### **CORPORATE STRATEGIC PLAN**

The Façade Improvement Grant program will contribute to meeting the following strategic goals and objectives:

- **Goal 1:** An attractive, well-functioning and sustainable city
  - 1.5 The downtown as a place of community focus and destination of national interest
- **Goal 3:** A diverse and prosperous local economy
  - 3.2 One of Ontario's top five and Canada's top ten places to invest.
  - 3.6 The city as a tourist destination of choice.

### **FINANCIAL IMPLICATIONS**

\$140,000 has been allocated for CIP program delivery in the Capital Budget, Project SS20009.

The total amount recommended for award this round is \$127,434.95, which leaves a remainder of \$12,565.05. Staff are recommending that this budget be retained within the account and that the fund be replenished in the 2011 budget.

### **DEPARTMENTAL CONSULTATION**

Financial Services Community Design & Development Services

### COMMUNICATIONS

Detailed memos will be going out to all applicants following Council's decision.

Original Signed by:

**Prepared & Recommended By:** 

Ian Panabaker General Manager, Downtown Renewal 519.822.1260 x 2475 ian.panabaker@guelph.ca

## APPENDIX A **Recommended Façade Improvement Grants** June 2010

	#	Street	Proposed Improvement	Construction Total	Grant Request	Score (%)
1	32	Wilson St	windows; repair/paint woodwork; signage	\$11,631.55	\$5,815.77	89%
2	10	Wyndham St N	paint removal	\$17,841.00	\$10,000.00	86%
3	125	Wyndham St N	awning; signage; lighting	\$10,000.00	\$5,000.00	82%
4	10	Wyndham St N	lower façade	\$80,000.00	\$20,000.00	82%
5	18	Wilson St	two (2) awnings	\$5,300.00	\$2,650.00	76%
6	26	Douglas St	repair/repaint woodwork and upper window; repair/repaint hanging sign	\$5,485.00	\$2,742.50	76%
7	40	Carden St	signage; awning; windows	\$15,267.11	\$7,633.55	76%
8	32	Douglas St	prep/paint woodwork; parging; concrete steps	\$9,645.00	\$4,822.50	75%
9	1	Quebec St	repair, prep, paint windows and wood trim; re-point stone; lighting	\$40,000.00	\$20,000.00	73%
10	112	Wyndham St N	signage	\$4,500.00	\$2,250.00	72%
11	115- 117	Woolwich St	remove ivy; paint all woodwork	\$15,041.25	\$7,520.63	69%
12	112- 114	Wyndham St N	repair brickwork; restore windows adding storm sashes	\$30,000.00	\$10,000.00	68%
13	19	Macdonell St	awning; signage; repairs	\$11,000.00	\$5,500.00	68%
14	6	Carden St	re-stucco and paint; front lighting; window repair	\$7,000.00	\$3,500.00	66%
15	84	Woolwich St	sign; entry; shutters	\$23,800.00	\$10,000.00	64%
16	17	Macdonell St	front window and door; stucco exterior	\$23,646.59	\$10,000.00	64%
			TOTALS	\$310,157.50	\$127,434.95	
			Investment Ratio (Private : City dollars)	1.43 : 1		

# COUNCIL REPORT



**TO** Community Development and Environmental Services

Committee

SERVICE AREA Community Design and Development Services

DATE June 22, 2010

SUBJECT Orin Reid Park Conceptual Master Plan

REPORT NUMBER 10-67

### RECOMMENDATION

THAT the Community Design and Development Services Report 10-67 dated June 22, 2010, pertaining to the Conceptual Master Plan for Orin Reid Park, be received; and

THAT the Conceptual Master Plan for the Orin Reid Park, as noted in Appendix 4 of the Community Design and Development Services Report 10-67 dated June 22 2010, be approved; and

THAT staff be directed to proceed with the implementation of Phase One of the Orin Reid Park Conceptual Master Plan.

### **BACKGROUND**

A parcel of land having an area of 4.38 hectares (10.83 acres) was dedicated to the City as parkland in the Westminster Woods Phase 2 development in June 2005 as part of registered plan 61M116. The park block, classified as a 'Community Park' under the Zoning Bylaw, is located at 120 Goodwin Drive with street frontage on Goodwin Drive and Hall Avenue (Appendix 1/2 – Location Maps).

The Park was graded and sodded in Fall of 2008 by the developer, but not accepted as Basic Park Development by the City due to outstanding deficiencies of sod and grading of the sports fields. These deficiencies will be completed before implementation of the approved Conceptual Master Plan. Basic Park Development is a Condition of a Subdivision Agreement, holding a Developer to grading and sodding of the dedicated park block, as per staff approved drawings. The intention of Basic Park Development is to ensure residents have an open space to gather, play, etc., until the park is formally developed with facilities (eg. playground, sports fields) in keeping with a Master Plan approved by City Council.

The purpose and function of a Community Park, as noted in the Official Plan, is to provide specialized recreation facilities for use by a wide segment of the population. In addition, it may serve in a dual role as a neighourhood space, serving the immediate residential area. As per the Zoning Bylaw, permitted uses include

conservation area, informal play area, outdoor skating rink, picnic areas, play equipment, public washroom, sports fields, trails, water spray area, concession stands, historic sites, outdoor theatre, parking, swimming pool and wildlife management area.

This Report provides a recommendation on the Conceptual Master Plan for the park.

### **REPORT**

The intent of the Orin Reid Park, from its inception in 2005, was to be the 'Flagship Park' of the Westminster Woods Development; a Developer/City built project that could be the central attraction of the Development. Early in the development process of Phase 2, the Developer was very eager to hire a consultant to provide the City with a Conceptual Master Plan of the park and to suggest the name Orin Reid Park – in remembrance of their founder. Conceptual Master Plans of the park were informally supported by staff in 2006, and the name Orin Reid Park was approved by Council in 2007. The Conceptual Master Plan of the park at the time included, senior and junior play equipment, a splash pad, a large monument area in honour of Orin Reid, a gazebo, parking lot, baseball and soccer fields, seating areas and extensive shrub and tree plantings.

As part of the City's financial commitment to the park development, the Parks Planning Capital Budget allocated \$200,000.00, approved by Council in 2005. An expectation at the time by staff was that the remaining financial costs would be absorbed by the Developer.

In 2008, City staff initiated discussions with the Developer on the timing of the Basic Park Development and public process of the Conceptual Master Plan. In Fall of 2008 the Developer began grading and sodding the block. In 2009, staff worked with a new Landscape Architectural consultant, hired by the developer, to refine the Conceptual Master Plan. In the Fall of 2009, City staff approached the Developer to initiate discussions of Conceptual Master Plan implementation, as there were a growing number of inquiries from surrounding residents on the status of the park. The refined Conceptual Master Plan, along with a cost estimate, was approved by the Developer, but financial support to implement the Conceptual Master Plan was significantly reduced by the Developer due to financial concerns. The revised Conceptual Master Plan of 2009 includes the same features as the original concept of 2006, with the exception of the monument space to Orin Reid. This space has been removed and replaced with a centralized gathering area that could host a monument to Orin Reid or other sculptural form.

Knowing the Conceptual Master Plan in its entirety would not be feasible, staff identified a phased approach to the development of the park and circulated the Conceptual Master Plan to the public in early 2010.

The phasing expectations are described in more detail under the title 'Phasing' of this Report.

As part of the revised Conceptual Master Plan, a joint parking lot was also planned with the proposed adjacent school. This was seen as a benefit for both City and school board as the parking lot could be used for morning drop-off and afternoon pick-up by school buses and for park users at anytime – cutting down on the amount of hard surface in the area.

Upon further discussion, the Developer was willing to carry the cost of implementing this part of the Conceptual Master Plan and ensuring all future park services (water, hydro, sewer) were brought into the park from the street.

### **Public Process**

Staff moved forward with a Public Survey in early 2010, providing a Conceptual Master Plan of the park, indicating the phasing of the park (Appendix 3). Staff received 29 responses from the public by mail, email and telephone. The results of the Survey indicated that residents were pleased to see the Conceptual Master Plan of Orin Reid Park moving forward with facilities and amenities they were expecting for a park of this size and function, but there were a number of key issues:

- 1. <u>Parking</u>: Concern with overflow parking and traffic on surrounding streets (Hall Cres. and Goodwin Dr.).
  - Staff Response There are no park standards that dictate the number of off-street parking stalls required for a park. There are 46, plus two accessible parking stalls and one limited mobility stall shown in the shared parking lot on park property. On street parking will be allowed on Hall Avenue and will be monitored and controlled by Traffic Services.
- 2. <u>Ball Diamond</u>: Dislike that it is in a future phase or the idea that it may be eliminated to accommodate more soccer kids need variety of play.

  Staff Response Due to budget, the ball diamond will have to occur in a future phase. Until such time as funding is available to implement such a facility and/or demand to install such a facility is required, staff recommend the field be used to accommodate soccer or to leave it as 'free play' space for neighbourhood use.
- 3. <u>A Balance of Active and Passive Pursuits</u>: A Community Park is to have both passive and active areas. This Master Plan does not have enough area for passive recreation.
  - Staff Response Though the majority of the park shows formal spaces, there are many passive trails in the area, as well as other smaller parks that have free play areas to use. With the demand for organized sports driving many of our larger parks to have bookable fields, staff can not guarantee a large free play field in this park.
- 4. <u>Vandalism:</u> Washroom facility, picnic shelter and monuments will be targets for vandalism and areas to 'hang out'.

Staff Response – Washroom facilities are found within almost all our Community Parks. Vandalism in any park is a concern and a reality. A future Parks Bylaw is being developed to address park occupancy times and enforcement to help limit vandalism issues. Today we can address issues of vandalism by ensuring structures and buildings are visible from the street and that the surrounding neighbourhoods assist law enforcement by reporting potential criminal behavior within our parks and open spaces.

5. <u>Public Consultation</u>: Would like to have a public open house session and further public input.

Staff Response: Due to the generally positive survey results, staff have opted not to hold an public meeting for this park. Staff have met with residents on site and in the office to discuss issues/ concerns.

- 6. <u>Lighting</u>: Don't want sports fields to be lit.

  Staff Response None of the sports fields shall be lit at this time.
- 7. Location of Play Equipment and Other Main Features: Would like to see the main park features more centrally located and away from specific residents. Staff Response This is a Community Park and therefore the facilities are scaled to meet the needs of a larger audience. The splash pad is anticipated to be on the same scale and programming as the Hanlon Creek facility. The placement of the play equipment area is to keep children away from busy streets and the parking lot. It is placed along an asphalt path, leading to both major streets and therefore will be fully accessible. It is also placed next to both picnic shelter and sports fields, to allow parents to 'multi-task' when attending the park with multiple children.
- 8. <u>Location and Number of Soccer Fields</u>: Location of soccer fields will promote on-street parking and is the number of fields justified?

  Staff Response On-street parking will occur along Hall Crescent, but only for a few hours in the summer evenings. At the present time soccer fields are highly sought after by organized groups

For more detail and a list of all public responses to the Park Survey, staff have composed a Survey Results Table which includes a staff response column (Appendix 5).

As a result of the public process, the Conceptual Master Plan was revised slightly. The baseball diamond area has been shown with a number of different 'amenity fits' based on public feedback. As this area will not be developed in Phase 1, staff recommend the best course of action is to leave this area as a 'free play area' until such time as funding becomes available to develop it. The final amenity for this area will be based on staff recommendations, with assistance from the new Recreation, Parks and Culture Strategic Master Plan, and staff's assessment of user demand. Possible amenities for the field could include: softball diamond, multi-use court/basketball court, tennis courts, mini soccer fields. (Appendix 4a, 4b, 4c, 4d).

### **Phasing**

The Conceptual Master Plan, as shown, will require a Phasing Strategy to meet the facility and amenity expectations of a Community Park. The current estimate of the Conceptual Master Plan, provided by the Landscape Architectural consultant, is estimated at 1 million dollars. Staff have tentatively set the following strategy based on existing user demand and the 'actions' set out in the new Recreation, Parks and Culture Strategic Master Plan.

**Phase 1** (2010 planned construction) will be based on an existing \$200,000.00 budget and will include the following items:

- Children's Play Area with Junior and Senior Play Structures
- Asphalt Trail System linking adjacent Streets
- Shared Parking Facility (Upper Grand District School Board)
- Two Soccer Fields (Bookable Facility)
- Deciduous and Coniferous Plantings along Street Edges
- Site Furniture: Some Benches and Trash Receptacles
- Interim use of field fronting Goodwin. Possible uses: Free Play, Two Mini Soccer Fields.

**Phase 2** (future) will be based on a \$400,000.00 budget and will include the following items:

- Splash Pad with Armour Stone Seat Wall
- Washroom Building
- Site Furniture: Some Benches and Trash Receptacles and Bike Rack

**Phase 3** (future) will be based on a \$200,000.00 budget and will include the following items:

- Central Gathering Space with option for Sculpture and/or Monument Structure
- Pavilion/Shelter with Picnic Seating Area
- Asphalt Trail System linking adjacent Woodchip Wetland Trails
- Site Furniture: Some Benches and Trash Receptacles
- Deciduous and Coniferous Plantings

**Phase 4** (future) will be based on a \$200,000.00 and will include the following items:

- Final development of field fronting Goodwin. Options include the following and will be determined based on user demand and staff review: Softball Diamond, Two Mini Soccer Fields, Tennis Courts, Half-Basketball / Multi-use hard surface.
- Deciduous and Coniferous Plantings

Staff wish to tender Phase 1 later this summer, with construction to occur late summer/early fall 2010.

Subsequent future phasing is unknown at this time, but will be reviewed during the 2011 Capital Budget process. Phases will only be developed and constructed based on future Capital Budget Envelopes and the assessment of priorities by Council within the Parks Planning Capital Forecast.

Staff are confident that the Conceptual Master Plan provides the needs of the larger community by providing off-street parking for those who need to drive and bookable facilities for organized sports teams and family gatherings, while still providing a place that the surrounding neighbourhood has strong access to and can relish in larger park facilities such as a splash pad and washroom facilities.

### 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
- GOAL 6: A leader in conservation and resource protection/enhancement

### FINANCIAL IMPLICATIONS

Existing Funding: Project funding is available for Orin Reid Park (Phase 1) construction through development charges (DC) supported Capital Budget.

• RP0145- Orin Reid Park(Capital Budget):

Funds available \$ 200,000.00

Forecasted Operating Costs (Phase 1)

• 0.49 FTE's

Annual operating cost including labour,

burden, equipment and materials. \$ 75,600.00

Forecasted Operating Costs (Phase 2)

• 0.22 FTE's

Annual operating cost including labour,

burden, equipment and materials. \$ 28,000.00

Forecasted Operating Costs (Phase 3)

0.013 FTE's

Annual operating cost including labour,

burden, equipment and materials. \$ 2500.00

Forecasted Operating Costs (Phase 4)

• 0.006 FTE's

Annual operating cost including labour,

burden, equipment and materials. \$ 2500.00

### **DEPARTMENTAL CONSULTATION**

Information Services: Corporate Communications

Operations: Parklands and Greenways, Traffic Services

### COMMUNICATIONS

Public Consultation: Mailed/ Online Survey, Tribune Advertisements. Follow up letter/email to those residents requesting to be kept informed of the approval process.

### **ATTACHMENTS**

Appendix 1/2 Location Maps (two scales)

Appendix 3 Orin Reid Park Master Plan – Survey

Appendix 4 Orin Reid Park – Conceptual Master Plan (with Option A, B, C for

field fronting Goodwin Drive)

Appendix 5 Survey Results Table

**Prepared By:** 

Rory Barr Templeton

Parks Planner

(519) 837 5616 x 2436 rory.templeton@guelph.ca

Recommended By:

Scott Hannah Manager

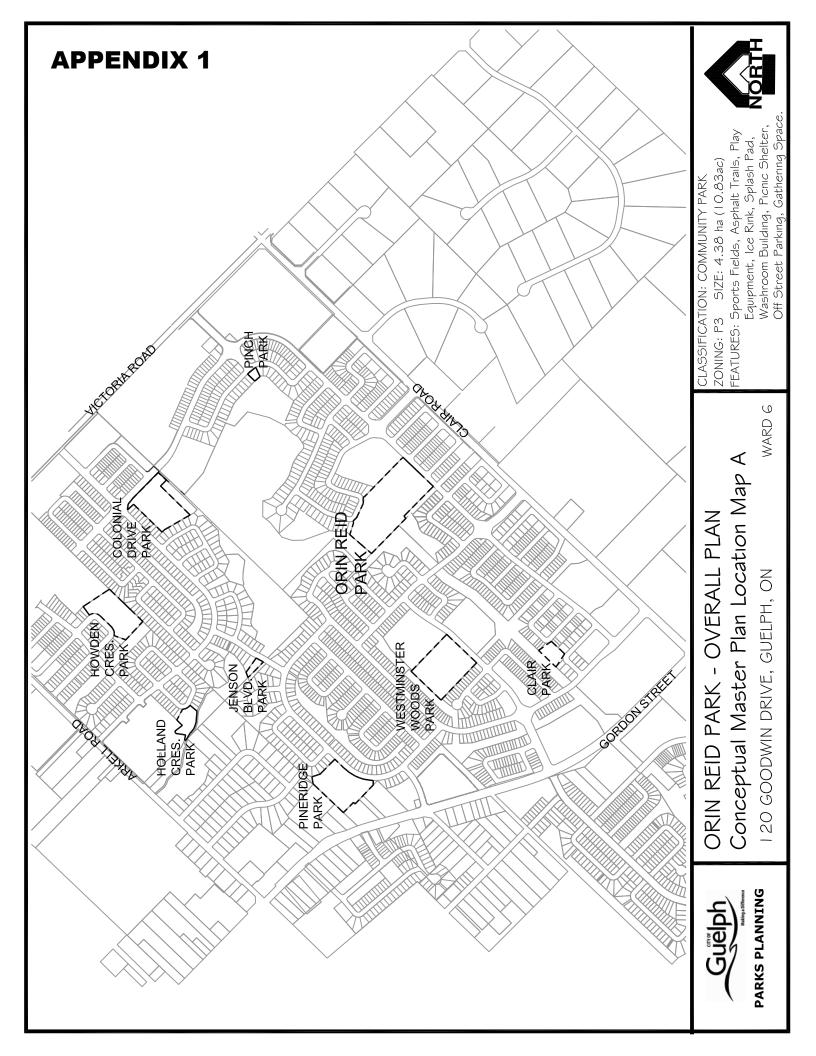
(519) 837 5616 x 2359 scott.hannah@guelph.ca

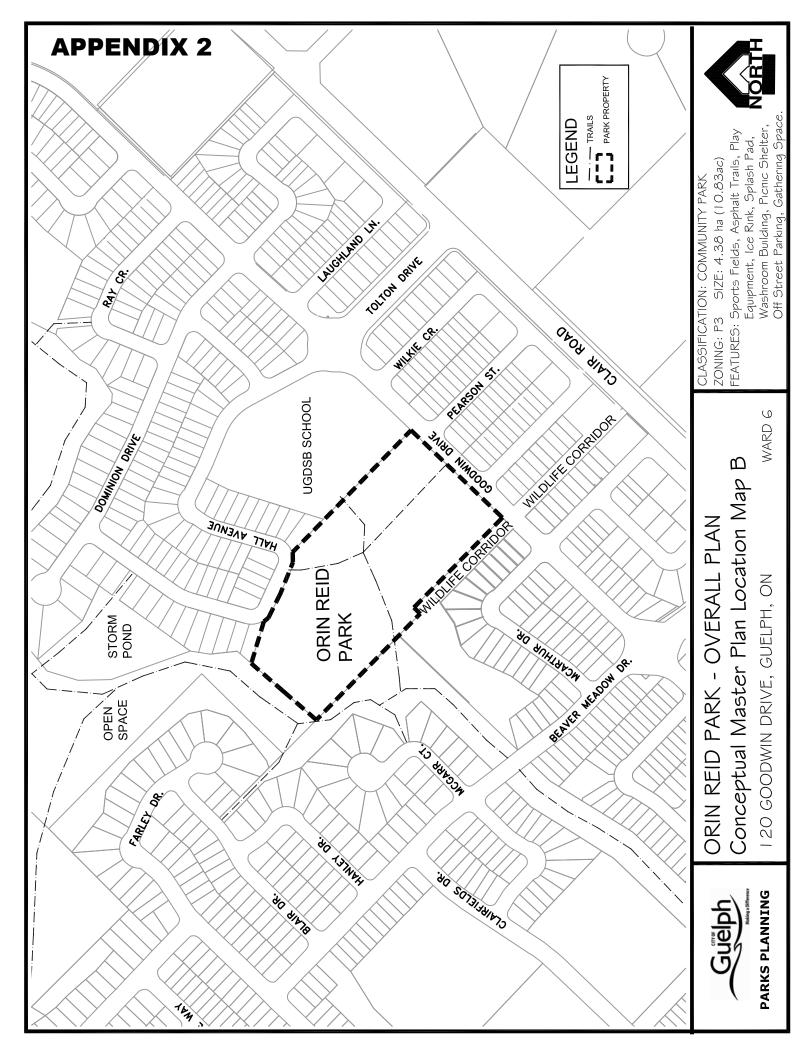
Recommended By:

Jim Riddell Director

(519) 837 5616 x 2361 jim.riddell@quelph.ca

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## **Orin Reid Park Master Plan**

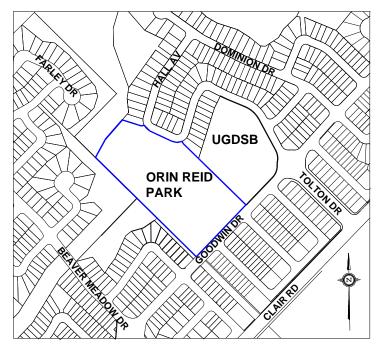


## Have your say about your community park

The City of Guelph is seeking public input into the proposed master plan of a new Community Park. Your household is invited to participate in this survey. Information gathered will help City staff refine the master plan before it is presented to the Community Development & Environmental Services Committee for approval.

The proposed parkland is an existing parcel of land known municipally as 120 Goodwin Drive in the Westminster Woods Subdivision in the south end of the City.

The parkland has street frontages on Goodwin Drive and Hall Avenue and is adjacent to the Upper Grand District School Board's (UGDSB) new school, which is currently under construction.



Location map: not to scale

The parkland has an area of 4.38 hectares (10.83 acres) and has been zoned as a Community Park (P.3 Zone).

Due to the size of the park, the enclosed 11"x17" plan is very difficult to read and should be used for general layout purposes only. A larger version of the plan can be viewed online *guelph.ca/survey* or at the Community Design and Development Services Department, City Hall, 1 Carden Street.

### Orin Reid Park Master Plan



### The Park Master Plan includes the following elements:

- Shared Parking Facility with the Upper Grand District School Board
- Asphalt Trail System linking adjacent Streets and Woodland Trail
- Central Gathering Space with option for Sculpture and/or Monument Structure
- Splash Pad with Armour Stone Seat Wall
- Washroom Building
- Pavilion/Shelter with Picnic Seating Area
- Children's Play Area with Junior and Senior Play Structures
- Two Soccer Fields (bookable)
- Softball Diamond with Backstop
- Deciduous and Coniferous Plantings
- Entrance Feature: Stone Wall marking pedestrian entrance off Goodwin Drive
- Site Furniture: Benches, Picnic Table, Trash Receptacles and Bike Rack

### PHASING STRATEGY:

Implementation of the Park Master Plan will need to occur in Phases. Future Phasing will be budgeted in the Parks Planning 10 Year Capital Budget Forecast (2011-2021). It is the intention of staff to implement the remaining facilities as soon as funding is available.

**Phase 1** (2010 planned construction) will be based on an existing \$200,000.00 budget and will include the following items:

- Children's Play Area with Junior and Senior Play Structures
- Asphalt Trail System linking adjacent Streets and Woodland Trail
- Shared Parking Facility (Upper Grand District School Board)
- Two Soccer Fields (Bookable Facility)
- Deciduous and Coniferous Plantings along Street Edges
- Site Furniture: Some Benches and Trash Receptacles

### Phase 2 (future) will include the following items:

- Splash Pad with Armour Stone Seat Wall
- Washroom Building
- Site Furniture: Some Benches and Trash Receptacles and Bike Rack

### Phase 3 (future) will include the following items:

- Central Gathering Space with option for Sculpture and/or Monument Structure
- Pavilion/Shelter with Picnic Seating Area
- Site Furniture: Some Benches and Trash Receptacles

### Phase 4 (future) will include the following items:

- Softball Diamond with Backstop or other (eg. soccer pitch depending on public demand).
- Remaining Deciduous and Coniferous Plantings
- Entrance Feature (stone hip wall) off Goodwin Drive

Community Design and Development Services

Development and Parks Planning

## **Orin Reid Park Master Plan**



## ORIN REID PARK MASTER PLAN - SURVEY

1. What do you like about the proposed master plan?  (Please use the lines below or provide a separate sheet)	
2. What do you dislike about the proposed master plan? (Please use the lines below or provide a separate sheet)	

E planning@guelph.ca

## **Orin Reid Park Master Plan**



3. Please	provide any other comments	
Please pro this project	ovide your preferred method of communication if you wish to receive update.	tes about
	Phone	
Name	(daytime)	
E-mail		
Address		
Apt/Unit	Postal Code	

Please submit this survey by Tuesday, April 13, 2010.

Mail or City Hall, Community Design and Development Services

In Person 1 Carden St, Guelph, ON, N1H 3A1

Online guelph.ca/survey 519-837-5640 Fax

rory.templeton@guelph.ca E-mail

FOR MORE INFORMATION

**Rory Templeton** Parks Planner T 519-822-1260 x 2436 E rory.templeton@guelph.ca

# **PARK SURVEY PLAN** BLACK VINY -V LINK FENCE (PHASE 1) SOCCER FIELD (PHASE 1) 8 SOCCER FIELD (PHASE 1) - OPEN SPACE GOODWIN DRIVE • Project No. 160310158 Client/Project REID'S HERITAGE HOMES Stantec LM-1 Guelph ON Canada Westminister Woods East ORIN REID PARK ASPHALT TRAIL (PHASE 1) CONIFEROUS TREE PLANTING (FUTURE PHASE) SHRUB PLANTING (FUTURE PHASE)

Sheet 1:500

1 of 1

LANDSCAPE MASTER PLAN

This density forms part of a set and may not be separated. The armony is to be read in conjunction with all other densitys, not not an objection with all other densitys, and specialization included in the separated occurrents.

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3:1 LANDFORM BERM (PHASE 1) STONE MASONRY STONE WALL (FUTURE PHASE)



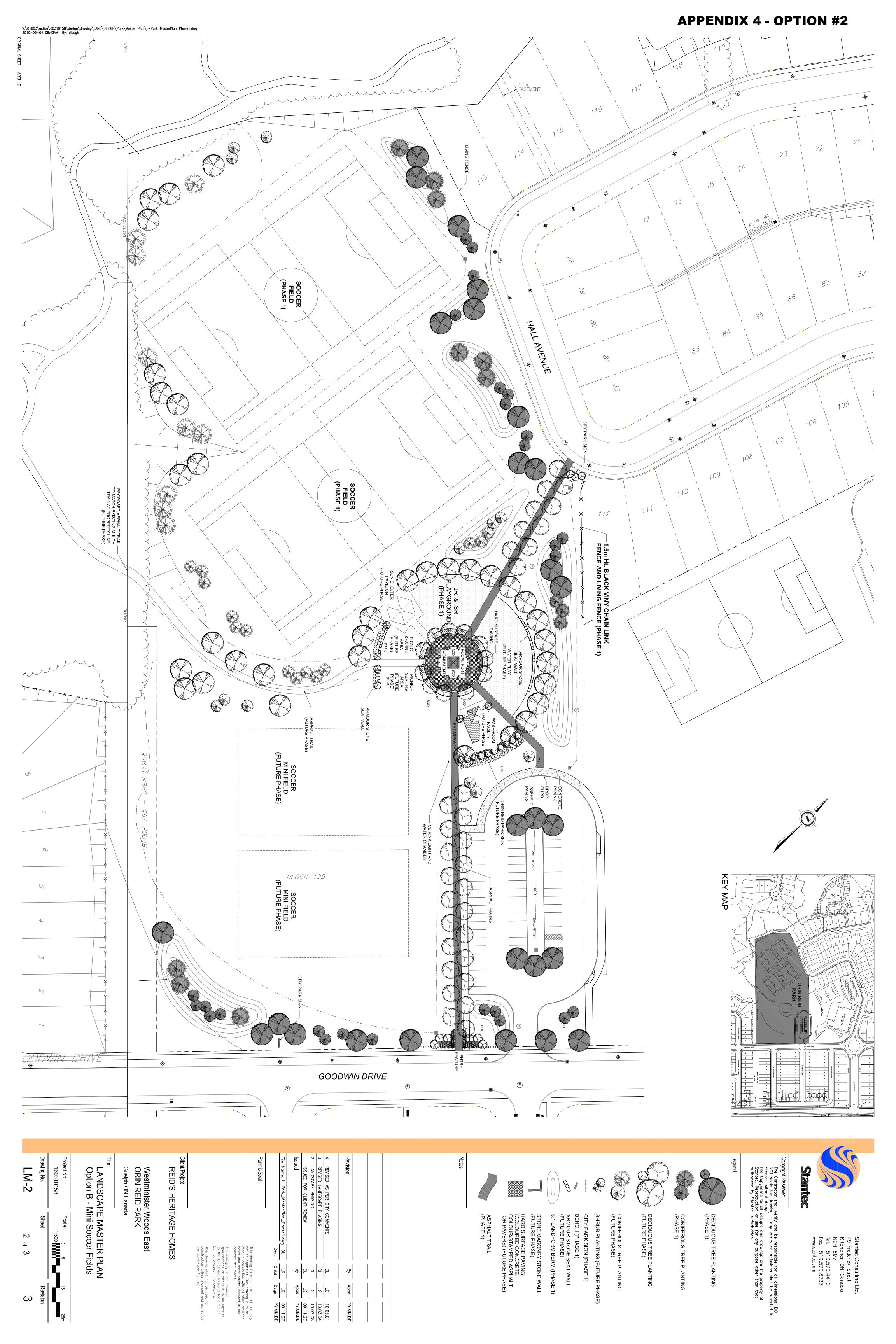
CONIFEROUS TREE PLANTING (PHASE 1)

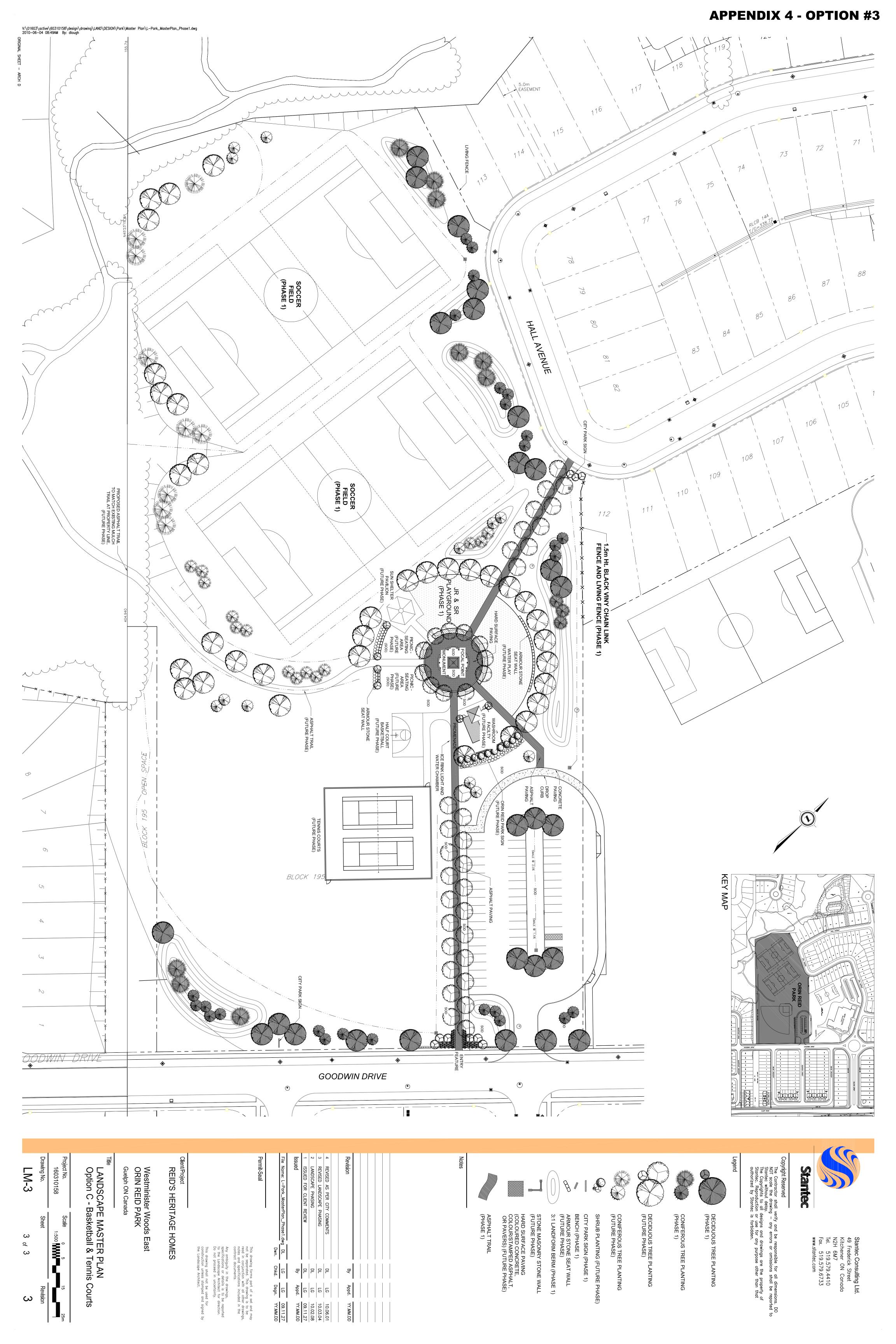
DECIDUOUS TREE PLANTING (PHASE 1)





10.06.01 10.03.04 10.02.08 09.11.27 YY.MM.DD





	Form of	Comments			Staff Response
	Submission	Likes	Dislikes	Other	
-	Email	Overall thrilled with plan	Reservations about parking provided and issues with overflow onto surrounding streets (Hall Cres/Goodwin Dr)		There are no park standards that dictate the number of off-street parking stalls required for a park. There are 46, plus two accessible parking stalls and one limited mobility stall shown in the shared parking lot on park property. On street parking will be allowed on Hall Avenue and will be monitored and controlled by Traffic Services.
2	Faxed	Love that playground is part of phase one.	Dislike that softball diamond is in future phase or the idea that it may be eliminated to accommodate more soccer - kids need a variety of physical activities.	Make Jr and Sr. play equipment the same size.	Due to budget, the ball diamond will have to occur in a future phase. Until such time as funding is available to implement such a facility and/or demand to install such a facility is required, staff will use the field to accommodate soccer or leave it as 'free play' space for neighbourhood use.
		Amount of trees The sun shelter		Make sun shelter part of phase one for families to rest - it gets hot out there.	Due to budget, the picnic shelter can not be installed in phase 1. Staff have currently shown it in Phase 3.

	Form of	Comments			Staff Response
	Submission				
		Likes	Dislikes	Other	
က	Email	Like the Master Plan in general and the splash pad	Don't like baseball field and would like tennis courts instead		The baseball diamond will not be built in phase 1. Until such time as budget allows, this field will be used for soccer or free play. Tennis courts were not considered an option in this park due to the proximity of the two new, lite and surfaced courts at the Southend Community Park and the one court at Howden Crescent Park.
4	Mailed			Ensure there is a water source for A City standard water chamber winter ice rink  will be installed with a ice rink light.	A City standard water chamber will be installed with a ice rink light.
သ	Mailed	Looks like a relaxed environment Nothing Will get the kids out more and doing activities	Nothing	Plant some flowers	
ω	Mailed	Well used/good layout	Would like a tennis court (bookable)		Tennis courts were not considered an option in this park due to the proximity of the two new, lite and surfaced courts at the Southend Community Park and the one court at Howden Crescent Park.

	Form of	Comments			Staff Response
	Submission				
		Likes	Dislikes	Other	
<b>^</b>	Mailed	Love concept and trees along walkway.  Love picnic area close to play area.  Great to have parking so street isn't packed Great idea to have a splash pad.	The baseball pitch should not face the street - major safety concern		The orientation of the baseball diamond allows for a 300 foot outfield. This is sufficient for the level of play anticipated for this facility.
ω	Faxed	Diverse features Linking paths to trails Central gathering point	Splash pad should be in phase one for stay-at-home moms with kids this summer	Lights from baseball and soccer should not shine into people's windows. No outfield fence for baseball should be installed	The baseball and soccer pitches will not be lite.  There will be no outfield fence.  Budget restraints for phase 1
		Lots of trees			place the splash pad in a future phase. Shown currently as a phase 2 implementation.
o o	Faxed	Looks like a strong plan	Parking may be an issue on streets	An ice rink would be welcome with hockey and pleasure skating and a light	A water chamber and ice rink light will be installed. Layout of rinks will be at the discretion of the community group involved, with City Operations staff approval.
10	Mailed	Like the vision	The proposed chain link fence along property line The reality of phasing the park		Consultation with residents abutting park has taken place. Planting and fence options will be resolved before construction begins.

	Form of	Comments			Staff Response
	Submission				
		Likes	Dislikes	Other	
<del>-</del>	Email	Plan looks great	Add splash pad to phase one		The existing park budget does not accommodate for a splash pad in phase 1. Staff will review future phasing time lines and budget during the review of the 2011 Capital Budget later in the year.
7	Email	Good primary trail connections	Park does not achieve a balance of active and passive pursuits	Would like to see a public information session take place	Though the majority of the park shows formal spaces, there are many passive trails in the area, as well as other smaller parks that have free play areas to use. With the demand for organized sports driving many of our larger parks to have bookable fields, staff can not guarantee a large free play field in this park.  With the majority of the survey results indicating a positive response to the proposed master plan, staff have opted not to hold an public meeting for this park. Staff are willing to meet residents on site or in the office to discuss futher options and/or residents can be delegates at the Committee and Council meetings.

	Form of	Comments			Staff Response
	Submission				
		Likes	Dislikes	Other	
		Location of the parking area	Park seems crowded with little informal play areas	When will this be going to Committee for approval	As noted above, though there is little informal play areas shown in this park, there are trails and other smaller, unbooked parks in the area. The neighbourhood also has use of all facilities when not booked during the few hours in the summer evenings.
					This Master Plan has been scheduled for the June 21, Community Development and Environmental Services Committee.
		Focal point a nice feature		Does the developer still have input into the overall plan	The developer no longer has input into the overall plan.
<u>£</u>	rs	Good location for splash pad next  to parking and washroom  Alternatively a joint use agreement with school board meliminate the need for two in the park	as	Has the need for soccer and baseball been justified	The overall approved grading plan of the park, which has been implemented, dictates the location and layout of the two soccer fields to the rear of the park. At this time staff may require both to be bookable to accommodate demands from sports groups. An Agreement with the Public School Board to use their fields as bookable facilities is not an option at this time. Recently the Board has taken back the responsibility of booking their own fields.

Form of	Comments			Staff Response
Submission				
	Likes	Dislikes	Other	
				The need for soccer fields has been justified through our Operations Dept. who currently book all park facilities. The demand for a new ball diamond is not high and the space may be used as a soccer field(s) in the interm to further aleviate demand. The ball diamond was shown on the proposed Master Plan sent in the survey package to show that accommodations have been made to ensure future use is possible. The revised Conceptual Master Plan also shows a number of other alternative facilities for the area and final implementation will be based on user demand and the needs set out by Operations and the New Strategic Master Plan.
	Jr. and Sr. play ground appropriate for a community park	If soccer fields are installed as part of phase one washrooms should too or at least portable units should be available	Has the amount of parking provided been based on anticipated traffic for all facilities shown	Portable washroom facilities will be supplied by the City depending on permitted use times on the fields. If a tournament was to occur, responsibility to supply facilities would be at the discetion of the sports group organizing the day.

Form of	Comments			Staff Response
Submission				
	Likes	Dislikes	Other	
				There are no park standards that dictate the number of off-street parking stalls required for a park of this size. There are 46, plus two accessible parking stalls and one limited mobility stall shown in the shared parking lot on park property. On street parking will be allowed on Hall Avenue and monitored/enforced by Traffic Services.
	Memorial/sculpture appropriate for recognition of Orin Reid	Need a better landscaping treatment along Hall Av.	Will fields be irrigated	The landscaping treatment along Hall Avenue consists of trees and land berms. Residents flanking the park along Hall Avenue will be provided plantings and berming to increase privacy to rear yards.
				Fields will not be irrigated at this time, but servicing into the park as part of phase 1 shall accommodate for any future need.
		Picnic shelter is located in an active area of park and does not allow for passive use	Any future intent to light these sports fields	The location of the picnic shelter allows for a 360 degree view of the park and is situated close to active facilities such as the sports fields and play ground to allow parents to 'multi-task' when attending the park with multiple children - in the comfort of shade.

	Form of	Comments			Staff Response
	Submission				-
		Likes	Dislikes	Other	
			Trails should connect to school site too.		The proposed sidewalk that encompasses the parking lot, links to the park trail system and will be adequate linkage to the school.
41	Telephone			Possible parking issues on Hall Ave - Can we have only one side signed for parking	Parking along Hall Avenue will be signed and monitored by Traffic Services similar to any other residential street in the City.
15	Mailed	Great use of land	Public restrooms may become problematic for vandalism	Will parking be adequate	
		Soccer fields are great use of space		Need lots of light around monument	The actual design of the monument has not been developed, but lighting may be considered in a future phase.
		Playground facilities are excellent like use of lots of trees and landscaping around focal point		Another soccer field instead of a ball diamond Will there be street parking on Goodwin and Hall Ave	
16	Faxed	Love playground and splash pad areas.	Need splash pad built in first phase.	Would like rubber surfacing in play equipment area.	Rubber surfacing in the play equipment areas is not an option for this park budget. Our standard treated wood chip mulch will be used.
		Plan looks beautiful	Dislike soccer fields going in first. Bishop Mac has plenty of fields to play on.		Soccer fields at Bishop Mac are not City bookable facilities. The City needs its own fields to book to meet the growing demand for field related sports.

	Form of	Comments			Staff Response
	Submission				
		Likes	Dislikes	Other	
12	Faxed	Generally OK	Monument or sculpture will be target for vandals	Shade is important. I few large Vandalism in any park is a trees around equipment would be concern and a reality. A future good.  Parks Bylaw has been slated to address park occupancy times and enforcement to help limit vandalism issues.	Vandalism in any park is a concern and a reality. A future Parks Bylaw has been slated to address park occupancy times and enforcement to help limit vandalism issues.
					Trees have been shown around play equipment areas. Our standard, 60mm diameter (10-12 foot tall) deciduous trees will be installed.
			Entrance feature is a waste of money	Washroom facilities should be fully accessible	The washroom facilities will meet the Facility Accessibility Design Manual requirements for full accessible public facilities.

Bosilikes  Be junior and Washroom facilities and picnic area planned. I shelters. Unlink this may parents to take their children to. I see of various and pays structure ancourage people to parely/ drink would be very upset if the senior in the park. I also worry about word about and a lenjoy of various and radialsm. My home is located suitable for on Haney Drive and I enjoy of various and passerions will be locked and the field area. The trees are the world be nice if only be available when the soccer fields and baseball diamnond are being used. I hope that there are the the hot plans to light the soccer fields concerned residents informed. I or baseball diamnond.  Boodwin Street but my home backs onto the proposed area from Haney Drive. I hope the city will include residents on my street and on McGarr Court as well as Hall Avenue and Goodwin Drive as part of the consultation process. I think the city should include these streets in the map so that people are more aware of what may be happening in their back yard.		Form of	Comments			Staff Response
Likes that there is a junior and senior kids play area planned. I washroom facilities and plicnic senior kids play area planned. I shelters. I think this may hope that means a play structure hard. I shelters. I think this may hope that means a play structure turns out to be a heights, surious that includes sildes of various wandalism. My home is located heights, surious controlled area to and a heights, surious controlled area. The trees are a that exists today toddlers and for older children. I peaceful and quiet nights. If these on the land between my home also like the benches. I hope the acreain how respect their exists today coddlers and for older children. I peaceful and quiet nights. If these on the land between my home also like the benches. I hope that a play. It would be nice if only be available when the soccer of these trees or removing any of there were trees near the hot peaceful amond are peaceful and more as or any street and between the peaceful and peaceful and and the field area. The trees are benches for shade in the hot peaceful area of the controlled residents informed. I or baseball diamond.  A part of the consultation or baseball diamond. Backs onto the proposed area from Haney Drive. I hope the city will consult a my street and on McGart Court as well as the map are peaceful and on McGart Court as well as and on McGart consultation process. I think the city should include residents informed. I also the map so that people are more aware of what may be happening in their back and back and.		Submission				-
like that there is a junior and sheltens. I think this may parent blanned. I sheltens. I think this may hope that means a play structure encourage people to party/ drink prope that means a play structure encourage people to party/ drink prope that means a play structure encourage people to party/ drink prope that means a play structure turns out to be a heights, swings suitable for on Haney Drive and I enjoy wilderness area that exists today toddlers and for older children. I peaceful and quiet nights. If these on the land between my home also like the benches. I hope the activations will be locked parents can easily observe their a certain hour (say 6 My) of deservit movive cutting down any children at play. It would be nice if only be available when the soccer fields and baseball diamond are the vegetation in this area I hope benches for shade in the hot oplans to light the soccer fields only these valiable when the soccer fields only the valiable when the soccer fields only the sustained in the hot or baseball diamond.  Coodwin Street but my home phases are a from the proposed area from the mode or observed in the hot or baseball diamond.  Goodwin Street but my home phases area from the proposed			Likes		Other	
	<u>+</u>	Online	I like that there is a junior and senior kids play area planned. I hope that means a play structure that includes slides of various heights, climbing of various heights, swings suitable for toddlers and for older children. I also like the benches. I hope the benches will be positioned so parents can easily observe their children at play. It would be nice if there were trees near the benches for shade in the hot summer.	Washroom facilities and picnic shelters. I think this may encourage people to party/ drink in the park. I also worry about vandalism. My home is located on Haney Drive and I enjoy peaceful and quiet nights. If these facilities are put in the park I hope after a certain hour (say 6 PM) or only be available when the soccer fields and baseball diamond are being used. I hope that there are no plans to light the soccer fields or baseball diamond.	like the idea of a park for barents to take their children to. I would be very upset if the senior blay structure turns out to be a skateboard park. I like the wilderness area that exists today on the land between my home and the field area. The trees are gorgeous. I hope that this plan doesn't involve cutting down any of these trees or removing any of the vegetation in this area I hope the city will do a good job keeping concerned residents informed. I don't live on Hall Avenue or Soodwin Street but my home backs onto the proposed area from Haney Drive. I hope the city will include residents on my street and on McGarr Court as well as Hall Avenue and Goodwin Drive as part of the consultation or orcess. I think the city should norlude these streets in the map so that people are more aware of what may be happening in their back yard.	See above comments regarding the future Consolidated Parks Bylaw which will enforce park occupancy times.

	Form of	Comments			Staff Response
	Submission				
		Likes	Dislikes	Other	
2	Online	waterplay/splash pad component. It has the playground a seating waterplay area are close to the washrooms. I like that there is separation from the school property. I like that there is lots of natural shade incorporated into the plan.	I don't like that there is no seating at the playground area like there is at the waterplay area. It is frustrating to go to parks and find there is no seating for adults to watch the kids play.	Is the waterplay area going to be a full splashpark like the 2 other splash parks in the city?	Benches will be provided close to the play equipment area. The exact size and programming of the splash pad is not known at this time, but staff anticipate a facility similar to the Hanlon Creek facility.
Σ	20 Online	I love the "community feel" of the proposed park area. Living on Hall Ave near the Hall Ave with kids of my own, I soccer fields. I am hoping that love that there will be a playground and especially love and enforced along the curve of the water play area. Great way for the field opening as it is a very kids to play together and make triends.  Parked alon Hall Ave near the parking on Hall Ave near the street and make and enforced along that were play area. Great way for the field opening as it is a very kids to play together and make tight on both corners. Cars parked along it will be a concert for safety of the many kids that live on the street.	Somewhat concerned about the parking on Hall Ave near the soccer fields. I am hoping that there will be "no parking allowed" and enforced along the curve of the field opening as it is a very tight on both corners. Cars parked along it will be a concern for safety of the many kids that live on the street.	I would suggest that a high fence be placed between Goodwin Drive and the baseball diamond given that the baseball diamond appears to be close to the road. A high fence would hopefully stop baseballs from leaving the park and hitting cars or pedestrians. I would also suggest that the parking lot at the park be available to residents in Westminster Woods who have overnight guests, given that onstreet parking is not allowed between November 1st and May 1st.	Parking along Hall Avenue will be signed and monitored by Traffic Services.
					The design of the baseball diamond will not require any fencing along the road.

	Form of	Comments			Staff Response
	Submission				
		Likes	Dislikes	Other	
21	Online	I like the overall design of the park and the layout.	Two soccer fields are slightly too linstalling the same su tight in space. It would be better in my opinion if only one soccer field is built, this way we can have seating area would be more space surrounding the appreciated soccer field and add some facility for basketball and tennis etc. in the rest of the space.	Installing the same surface as at Nick's Dragonfly Park would be very nice large shade trees near seating area would be appreciated	Though the space between the two sports fields appears tight, it meets our standards for save run out areas.
					See above comments regarding play area surfacing and trees
22	Online	I think this is a wonderful idea! It will be the perfect addition to our community.	Nothing, everything looks great!	Would like to have seen tennis courts	See above comments regarding tennis courts.
23	Online	Socceer fields junior and senior play equipment site is linked to surrounding trails paved trails	Baseball Diamond	Suggestions: Permeable surface for parking lot and pathway, or storm water pond. Why do we need to put rain water into storm drains? Space for community vegetable gardens or fruit trees. Fenced / off leash area for dogs to run.	The parking lot is a joint use facility with the adjacent school. As they will be using the parking lot as a bus turn around and drop off area, the need for a deriable surface that could be plowed in the winter and allow for fully accessible access led us to use asphalt paving.

Form or	Comments			Staff Response
Submission				
	Likes	Dislikes	Other	
				Staff are currently working on a
				Community Garden Policy and
				have initiated a number of pilot
				projects around Guelph. Upon
				approval by Council, community
				groups in your area may be able
				to apply for and move through a
				public approval process for a
				community garden in Orin Reid
				Park.
				The current Off Leash Bylaw will
				permit sports fields in Orin Reid
				Park to be used as off leash
				areas at certain times of the day
				and year. For more information
				regarding the Bylaw refer to the
				City of Guelph website.

	•				
	Form of	Comments			Staff Response
	Submission				
		Likes	Dislikes	Other	
[CI	Online	Washrooms and the covered pavilion	We do not like the placement of the overall play area. It should be placed more centrally in the park, so it is more accesible to all and has less of an impact on specific residences. The location of the soccer fields will lead to significant on the street parking and will impact the homes on Hall. Locating the soccer fields closer to the parking lot will encourage people to use the parking lot instead of the street where many children who play will be at risk. We also dislike the chain link fence - this should be wrought iron in keeping with the rest of the neighbourhood (all pathways and common areas related to Reid's are wrought iron). We are one of the two lots impacted by the fence and definitely would like to explore other options with the City.	We have some concerns about the scope and scale of the water play area. This is meant to be a neighbourhood park. We are hoping that this is not on the scale like Hanlon Creek park. If it is included, it should be free (this will reduce the demand from outside the neighbourhood) and on a much smaller scale then some of the others in the city. If it is to be large, parking will definitely be a problem and change rooms will be required immediately. It is definitely preferred to either not have a water play area or keep it to the level of not needed washrooms/changerooms. The baseball field is unecessary as there is a surplus in Guelph already. The addition of tennis courts or a basketball court would be preferred. Is there a plan for an ice rink in the winter? Where would it be placed and will there be water available for flooding it? This would be ideal and I already know of many in the neighbourhood that will care for it. It would be ideal to ensure that many of	This park is a Community scale park and therefore the facilities are scaled to meet the needs of a larger audience. The splash pad is anticipated to be on the same scale and programming as the Hanlon Creek facility. The placement of the play equipment area is to keep children away from busy streets and therefore will be fully accessible. It is also placed next to both picnic shelter and sports fields, to allow parents to 'multi-task' when attending the park with multiple children.

Form of	Comments			Staff Response
Submission				
	Likes	Dislikes	Other	
			the trees that are planted are a decent size - this will provide shade and atmosphere while the other plant material is added.  Most trees and shrubs should also be planted in phase 1 (as opposed to in later phases) to give them time to mature.	This park is a Community scale park and therefore the facilities are scaled to meet the needs of a larger audience. The splash pad is anticipated to be on the same scale and programming as the Hanlon Creek facility. It will be a free facility. The baseball diamond will not be constructed as part of phase one. In the mean time this area will either be a free play space or another bookable soccer field. Tennis courts can be found at the Southend Community Park and Howden Crescent Park. See above for comments regarding an ice rink.

	Form of	Comments			Staff Response
	Submission				
		Likes	Dislikes	Other	
25	25 Online	Soccer Fields Garbage Cans (seems like there are no garbage cans anywhere in Westminsterwoods, or the South End for that matter) Splash Pad & Washroom Facilities	The lack of specific timelines for Phase 2-4	We are concerned about overflow Future Phasing timelines for the parking on Hall Avenue during park will be developed during the Soccer games - currently, the cocer fields are covered in dog year.  Poop and people let their dogs propose - can we please get signs put up to discourage thisalso, how often will the trash receptacles get emptied?	Future Phasing timelines for the park will be developed during the Capital Budget Review later this year.
					Parking along Hall Avenue will be signed and monitored by Traffic Services. The sports fields are designated off leash areas at certain times of the day and year, as per the Off Leash Bylaw. Signage will be installed regarding park etiquette upon construction of Phase 1. Trash receptacles and general park clean up will be scheduled by Operations.
26	26 Online	We like the overall design, including the placement of trees and the overall look and feel. We also like the play structure and the soccer fields. We also like the sun shelter pavillon (this is a great thing in this day of strong UV rays). We also lee the mix of materials and the pathways in and out of the park.	Nothing. I just hope there aren't going to be huge lights going in for the soccer fields and baseballs diamond.	I would like to know a date for the future splash park going in. Also, a timeline of when everything will be started and done/complete.	Lighting of the fields is not part of this Master Plan.

	Form of	Comments			Staff Response
	Submission				•
		Likes	Dislikes	Other	
					Future Phasing timelines for the park will be developed during the Capital Budget Review later this year.
10	27 Online	The splashpad - the trees - the play structure - the soccer fields and baseball diamond - the seating and trash receptacles - overall, it looks fantastic!			
2	28 Online	I like the splash pad the most. I also like the fact that more trees are being added.			
2	29 Mailed	Like all elements shown in the plan	Plant trees early on in the development, especially near play area.	How about a skating rink	Trees along the periphery of the park are to be installed as part of Phase 1 to help strengthen the park edges and create a pleasant view in and out of the park. If budget permits, trees will be installed next to the play equipment area.

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

June 28, 2010

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

Your Finance, Administration & Corporate Services Committee beg leave to present their FIFTH CONSENT REPORT as recommended at its meeting of June 14, 2010.

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 Finance, Administration & Corporate Services Committee will be approved in one resolution.

### 1) Business License By-law Annual Fees Review

THAT the information report of the Director of Information Services/ Clerk regarding the annual review of business licensing fees dated June 14, 2010, be received;

AND THAT the inspection and application, new application for business license and renewal of business license fees remain at the current rates for the 2011 licensing period.

### 2) Request from City of Kawartha Lakes for Financial Assistance for an Appeal to the Environmental Tribunal

THAT the request from Kawartha Lakes requesting financial assistance with respect to an appeal to the Environmental Tribunal, be received.

All of which is respectfully submitted.

Councillor Vicki Beard, Chair Finance, Administration & Corporate Services Committee

Please bring the material that was distributed with the Agenda for the June 14, 2010 meeting.

### COMMITTEE REPORT



**TO** Finance, Administration and Corporate Services

Committee

SERVICE AREA Information Services, Office of the City Clerk

DATE June 14, 2010

SUBJECT Business Licence By-law Annual Fees Review

REPORT NUMBER

### RECOMMENDATION

That the information report of the Director of Information Services/City Clerk regarding the annual review of business licensing fees dated June 14, 2010 be received; and,

That the inspection and application, new application for business license and renewal of business license fees remain at the current rates for the 2011 licensing period.

### **REPORT**

On July 27, 2010 Council passed the current Business Licensing By-law (2010)-18855. Council chose to approve a fee structure based on actual costs with an annual review of the fee schedule.

A comprehensive cost recovery formula was established which includes, inspection, application and renewal rates based on costs directly attributable to inspections, application and enforcement. Council also approved a 20% corporate administrative overhead for costs such as legal, court and technological support services. In doing so, the business license process is sustainable and not partially funded by the general tax base.

Fees for subsequent years are based on the current year actual expenditures and include staff compensation costs to process the applications, and ongoing by-law enforcement fees and vehicle costs. (The cost of the vehicle is calculated according to the average time for an inspection.)

As the net result in compensation costs in 2010 over 2009 is nominal, and there has been no increase in vehicle rates, staff are not recommending an increase in the business licensing fees for 2011.

### **CORPORATE STRATEGIC PLAN**

This report supports the following goals in the strategic plan:

- 1.2 Municipal Sustainability practices that become the benchmark against which other municipalities are measured
- 5.3 Open, accountable and transparent conduct of municipal business; and
- 5.6 Organizational excellence in planning, management, human resources and people practices

### FINANCIAL IMPLICATIONS

As the status quo is recommended to be maintained there are no financial implications.

### **DEPARTMENTAL CONSULTATION**

Staff in Human Resources and Operations were consulted.

### **COMMUNICATIONS**

N/A

"original signed by Tina Agnello"

**Prepared By:** 

Tina Agnello Deputy Clerk 519 822-1260 x 2811 tina.agnello@guelph.ca "original signed by Lois Giles"

**Recommended By:** 

Lois Giles Director of Information Services/City Clerk 519 822-1260 x 2232 lois.giles@guleph.ca



The Corporation of the **City of Kawartha Lakes**P.O. Box 9000, 26 Francis St.,
Lindsay, Ontario K9V 5R8
Tel: (705) 324-9411 ext 1320, 1 888-822-2225

Fax: (705) 324-8110 rmcgee@city.kawarthalakes.on.ca

Ric McGee, Mayor

May 1<sup>st</sup>, 2010

Dear Head of Council and members of Council,

I am writing to you today to bring to your attention a very serious matter that will negatively impact all municipalities within Ontario if the practice I am about to bring to your attention becomes "Standard Operating Procedure" (SOP) for the Ministry of Environment.

From the attached briefing notes, you will see that a private property owner received a furnace oil delivery from a private business in December of 2008. A furnace oil leak ensued and clean up operations began, led by the private property owners insurance company and supervised by MOE personnel.

When the property owners insurance funds were exhausted, the MOE issued orders against the City of Kawartha Lakes, (the municipality) to assume responsibility (operationally and financially) for the entire cleanup of the road allowances and Sturgeon Lake, despite the fact that the municipality had no involvement or responsibility for the furnace oil leak occurring. This is clearly a matter of principle that we believe "the polluter should pay" not the municipality and our property taxpayers! Especially when they have acknowledged we are an innocent victim in this matter. If this becomes MOE standard practice, it may be your municipality and your constituents footing the bill for the next spill.

With the preceding in mind, on behalf of Kawartha Lakes Council, our solicitor has appealed the MOE orders to the Environmental Tribunal as we see these actions as unfair and potentially crippling to Ontario municipalities if this MOE practice continues. We appreciate AMO's support in sharing this concern through the AMO Watch File to date recognizing that this could be precedent setting for all municipalities.

The costs of defending, not only the City, but the rights of all municipalities is significant. Therefore, we would respectfully request that your Council consider investing a small, yet significant donation to this legal defense fund to ensure that no other municipality is placed in the position that Kawartha Lakes has been. If you would consider contributing even \$0.02 (two cents) per resident to the Defense Fund or a minimum of a \$500.00 contribution, it would greatly assist with our collective defense.

Further, should any surplus exist at the conclusion of legal proceedings, you have our commitment that these funds will be transferred to AMO with a request to consider the creation of a Municipal Legal Defense Fund to prepare for the next time a fund is needed by Ontario municipalities.

I am confident that you will see the need to work together to prevent this from affecting any other municipality. I would like to thank you in advance for your consideration and commitment to preventing Ontario municipalities from the unfair burden of increased responsibilities such as the one I have shared with you. Again, many thanks for your contribution and please feel free to contact me should you have any questions relating to this matter.

Ric McGee, Mayor City of Kawartha Lakes

RM:dw

EC:

Members of Council Jane Reynolds, CAO Municipal Clerks



The Corporation of the **City of Kawartha Lakes** 

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Ric McGee, Mayor

February 17<sup>th</sup>, 2010

Association of Municipalities of Ontario (AMO) 200 University Ave., Suite 801 Toronto, ON M5H 3C6

Attention: Peter Hume, President

Dear Mr. Hume:

RE: 93 Hazel Street Oil Spill, Thurstonia, City of Kawartha Lakes

The Thurstonia spill has generated considerable attention in the local media as well as broader legal, regulatory and insurance circles regarding the implications for increased future municipal liability.

Following the release of approximately 700 litres of furnace oil from a private residence within the City of Kawartha Lakes, the City was served an order by the Ministry of the Environment to clean up the spill related contamination on an adjacent city roadway.

The spill occurred on December 18<sup>th</sup>, 2008 and the Order was served to the City on Friday March 27<sup>th</sup>, 2009. The City has since challenged the Order on the grounds that the municipality is an innocent party and the Order would better be served to any number of other parties having direct ownership, use or control of the pollutant. In response, the Environmental Tribunal has limited the municipality's right to put forward evidence to support our position. On November 20<sup>th</sup>, 2009, the Tribunal ruled that "all parties agree that the **City was and is an innocent owner**" and "the Tribunal is aware that **the City is not the polluter**". Nevertheless, the effect of the Tribunal's decision was to require the municipality to comply immediately with the Ministry of the Environment's remediation order, then attempt to recover the costs of doing so from the responsible parties.

As a result of the legal ruling, the City has since been forced to remediate the public property (road and shoreline) at considerable cost and will continue to bear the costs of ongoing monitoring and remediation directed by the Province.

The City has appealed this ruling to the Divisional Court on the basis of 2 prior Divisional Court rulings supporting its position, however, the cost to mount this challenge from a legal perspective could be significant and without any recourse for cost recovery. We believe that

this case has implications for every municipality in the Province. Imagine the implications of numerous spills that could occur on municipal roads and highways and the impending orders that would be issued by the MOE against Ontario municipalities if this practise is not stopped .... and stopped right now!.

We are appealing to the Province to enact legislative change to protect municipalities from being financially responsible for such clean ups and prevent municipalities from being forced to pursue legal costs from the very people we are mandated to serve. A copy of the Briefing Note we hope to present at the upcoming OGRA/ROMA conference to the Ministers of the Environment and Municipal Affairs and Housing is attached for your information.

While we are hopeful the Province will address this unfairness, we are burdened with costs to defend our position and the position of all municipalities which, could result in serious ramifications for all Ontario municipalities. Therefore, Council for the City of Kawartha Lakes is respectfully requesting that AMO support our cause and/or endorse a request to all municipalities to contribute to our legal costs because this defence is in defence of all Ontario municipalities. The appeal before the Environmental Review Tribunal is set for April 2010, so time is of the essence.

This case will set a precedent and dictate, from a policy perspective, how the Province will deal with municipalities in the future. We believe the current stand is unfair and places a burden on innocent taxpayers with added liability and cost. It is for these reasons that the City has requested the advice and assistance of AMO (and AMO member municipalities) to appeal the Tribunal ruling. If our appeal is successful, there will be a significant financial burden eliminated for all municipalities in the Province, should a similar spill occur in another Ontario municipality.

We have also provided you with a copy of an article entitled "Tribunal Spurns 'Polluter Pays' Principle" that was published in The Lawyers Weekly by Dianne Saxe, an Environmental lawyer.

We recognize the importance of AMO's role in assisting and supporting municipalities from an advocacy perspective. We look forward to hearing from you no later than March 8<sup>th</sup> regarding your ability to either support our appeal and/or to suggest ways to pursue this with our colleagues so that we may consider our next steps. If you have any questions in this regard, please feel free to contact myself or Jane Reynolds, CAO at (705) 324-9411, ext. 1296. Otherwise, our thanks to you and the Board for considering this very important matter.

Yours truly

Ric McGee, MAYOR City of Kawartha Lakes

CC: Council

Mr. Roger Anderson, Chair of Regional and Single Tier Caucus Mr. Barry Devolin, M.P., Haliburton-Kawartha Lakes-Brock

Mr. Rick Johnson, M.P.P., Haliburton-Kawartha Lakes-Brock

Ms. Jane Reynolds, CAO, City of Kawartha Lakes

RM:dw



The Corporation of the **City of Kawartha Lakes** P.O. Box 9000, 26 Francis St., Lindsay, ON K9V 5R8 Tel: (705) 324-9411, 1-888-822-2225

Fax: (705) 324-5417

**SUBMISSION TO:** 

The Honourable John Gerretsen

**Minister of the Environment** 

The Honourable Jim Bradley

Ministry of Municipal Affairs & Housing

SUBJECT:

Thurstonia Oil Spill, City of Kawartha Lakes-

"Polluter Pays" Principle

### **RECOMMENDATION:**

That the Ministries commit to changes in legislation to ensure "Polluters Pay" and a level of "Fairness" occurs for municipalities and other innocent victims of environmental spills.

### **BACKGROUND:**

On December 18, 2008 a spill to the environment of approximately 700 litres of furnace oil from a private residence within the City of Kawartha Lakes occurred. On Friday March 27, 2009 at 4PM the City was served an order by the Ministry of the Environment to cleanup the spill related contamination on the adjacent city roadway and take measures to protect the adjacent lake from contamination. Since this time the City has incurred over \$300,000 in cleanup and investigation related costs to comply with the order.

At the same time the City has also legally challenged the appropriateness of being served the order on the grounds that they are an innocent party and the order would better be served to any number of other parties having direct ownership, use or control of the pollutant. In response, the Environmental Tribunal has limited the City's right to put forward evidence to support its position and on November 20, 2009 ruled that "all parties agree that the City was and is an innocent owner" and "not the polluter". Nevertheless, the effect of the Tribunal's decision was to require the municipality to comply immediately with the Ministry of the Environment's remediation order. It has then been left to us, the innocent owner, to then attempt to recover the costs of the remedial work from the responsible parties.

As a result of the legal ruling the City has been forced to investigate, remediate and monitor the public property (road and shoreline) at considerable cost and will continue to bear the costs of ongoing monitoring and remediation directed by the Province.

The City has appealed this ruling to the Divisional Court on the basis of two prior Divisional Court rulings supporting its position and the matter is scheduled to be heard in April of this year. However, the cost to mount this challenge from a legal perspective could be significant and without any recourse for cost recovery. The City is seeking support from AMO and other municipalities for legal costs, because all municipalities should be concerned that they may end up dealing with a similar situation should a spill occur adjacent to one of their roads and/or properties.

This case will set a precedent and dictate, from a policy perspective, how municipalities will be dealt with in the future. We believe it is unfair to burden innocent taxpayers with added liability and cost. If an appeal was successful there would be benefit to all municipalities in the province as well as the City should a similar situation re-occur.

This case has inspired considerable media attention as well as interest in the insurance and regulatory fields. We have provided a copy of a recent article entitled "Tribunal Spurns 'Polluter Pays' Principle" that was published in The Lawyers Weekly by Dianne Saxe, an Environmental lawyer

### **ISSUE:**

As a result of a heating oil spill on a private residence (in which the City has been legally declared **an innocent party** by the Environmental Tribunal) the City has since been forced to remediate the public property (road and shoreline) at considerable cost and continues to bear the costs of ongoing monitoring and remediation directed by the Province... in spite of MOE's recognition that **the City is not the polluter.** 

We would rather not legally challenge the Province. Instead, we are hopeful that it would be in the best interests of the Ministry of the Environment along with the Ministry of Municipal Affairs and Housing to work together to change legislation to protect municipalities and others and ensure municipalities are not placed in this very difficult situation.

### **CONCLUSION:**

As a result of the legal ruling a precedent is being set as to how MOE may deal with municipalities with spills that occur adjacent to municipal properties and roads. We believe this approach is unfair and will burden innocent taxpayers with added liability and costs. Levels of Government should be working together to solve this concern for all municipalities, not only on this one issue, but for everyone in the future. The polluter should pay...not an innocent party!



DIANNE SAXE Should the Ontario Ministry of the Environment (MOE) be allowed to impose unfair liability of the parties who are actually responsible? What happened to on innocent landowners instead polluter pays" and to "fairness"?

Fifteen years ago, in Ontario Court insisted that fairness is a proper and relevant criterion for Energy) v. 724597 Ontario Inc. (Appletex), [1995] O.J. No. 3713, appeal board and the Divisional what was then the environmental

report the spill. Their home 2008. Allegedly, they did not cial officer's order requiring the No. 59 began with a furnace oil spill in the basement of Wayne and Liana Gendron on Dec. 18, nsurance company, Farmers' brough the municipal sewer sysem and culverts into Sturgeon Mutual, retained a cleanup con-3y then, spilled fuel had flowed Lake. The MOE issued a provinractor, DL services, on Dec. 30. Gendrons to clean up the spill liability. They therefore set aside the imposition of environmental most of an expensive cleanup meaning every Minister of the order against innocent parties Appletex was based on, and conoles on environmental liability that had not caused the contamination of a bankrupt textile mill sistent with, nationwide princiadopted by the Canadian Counci of Ministers of the Environment Environment in the country.

such as roadways, storm drains Three months later, DL Services had exhausted the insurance, but furnace oil still conraminated municipal property, ind the lakefront has rejected the Appleter principles, and accepted the MOE's argument that fairness is largely Environmental Review Tribunal however. irrelevant. Now,

elevant.

Kawartha Lakes (City) v.

Ministry of the Environment) [2009] O.E.R.T.D. Ontario (Ministry

According to the city, "Each of

an opportunity to prevent the Fuels, the homeowner's insurance adjuster, the Ministry of the fuel oil from reaching Sturgeon Lake, greatly reducing the remenating the need for an order being issued against the taxpayers of the City of Kawartha Environment and the TSSA had diation costs and virtually elimiProvincial staff appear to have had a significant influence on how the insurance money: was spent, and chose to spend none of it cleaning up municipal proper-

The ministry then ordered the municipal property. Adding insult to injury, the order was issued to the city in its capacity as to compensation for its costs Environmental Protection. Act s. 97. If the cleanup order had tions from liability (s. 98), a right city to take over the cleanup of all landowner of the contaminated and under s. 157.1 of the and not under the spill rules -been issued under s. 97, the city would have had certain protecfrom those responsible (s. 99) the homeowner, Thompson.

and a right to compensation from the provincial Crown (s. 101). It would also have had a clearer right to recover its costs and order under s. 100.1. Was it an accident that the province designed its order in a way that denied the municipality these expenses using a cost recovery rights and protections?

wanted to argue that it is unfair to download the cleanup cost onto the innocent, heavily bur-The city appealed the order. It The city also wished to argue that dened municipal taxpayer. by, those responsible for creating this spill and for allowing it to Instead, the cleanup cost should be imposed on, or at least shared contaminate municipal property the insurance funds had been squandered.

essence, it ruled that allowing because they don't fairly allocate ronmental review tribunal blocked the city from adducing innocent parties to appeal orders iability could make its hearings On Nov. 20, 2009, the envi evidence on these points. Ir See Kawartha Page 15

ion torces companies to manage chemica

posed by chemicals and providing registration dossier, which must

Lawyers advising companies

# Tribunal says inquiry would delay cleanup

more costly and complex. This might interfere with the rapid imposition of environmental cleanup requirements. Innocent parties forced to pay environmental costs should seek their remedies, such as they may be, in the civil courts. If they are left without a remedy, that's unfortunate, but not the tribunal's concern. The tribunal stated:

"A detailed inquiry into fault would prejudice the ability of the (and perhaps the environmental problems in a Trovincial Officer or Director in the first instance) to deal with prompt and efficient manner... Pribunal

seeks to ensure that appropriate "At the end of the day, the EPA environmental measures are caried out by one or more of those who are properly named under who have the capacity to do the the relevant ordering section and work. While it may be interesting that others could have been ers (or in the case of innocent owners, not at all), those are not named or that one party contributed to a problem less than othreally issues that are germane to questions Tribunal...

"In many ways, the Tribunal is not the ultimate decider of whether a polluter, owner, beneficiary or other responsible person 'pays'... ultimate liability may

be determined in a civil action, a court proceeding under section 99 of the EPA, an order (and possible appeal) under section 100.1 of the EPA... If the Tribunal were determining who will ultimately pay...it is doubtful that it could do to significantly expand its role... so in a 'quick and specialised pro-

The tribunal denied the city a stay, so the cleanup will likely be before the appeal hearing begins complete, at municipal expense,

If you received a cleanup order insurance policies probably don't for a neighbour's spill, how would you pay for it? Conventional CGL protect innocent landowners against orders to clean up contamination that didn't originate on their property and that they did not cause. Municipalities have more cost recovery options than other innocent owners, which is fortunate considering how often private spills contaminate municipal property.

But the bottom line message for municipalities and other innocent victims of a neighbour's spill is simple: neither the MOE nor the tribunal will look after you. You'd better get involved early and with gusto—your money is at stake. m

mental law specialist and heads the environmental law boutique Dianne Saxe is an environ-Saxe Law Office in Toronto.

Continued From Page 14

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### CONSENT REPORT OF THE GOVERNANCE COMMITTEE

June 28, 2010

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

Your Governance Committee beg leave to present their FIFTH CONSENT REPORT as recommended at its meeting of June 14, 2010.

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

### 1) **2010** Council Orientation and Professional Development

THAT the proposed 2010 Council Orientation and Professional Development plan be approved.

### **Delegation of Authority**

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

### 3) Corporate Performance Reporting Practices

THAT the progress report on Corporate Performance Reporting practices, be received;

AND THAT staff continue with ongoing efforts to improve the tracking and reporting of performance data to strengthen the capacity of management, advance the effectiveness of governance and further improve collaborative efforts with residents and stakeholders;

AND THAT staff be directed to develop a corporate wide framework for reporting.

4) City of Guelph Holding Company Design; Memorandum of Intentions (MOI) for Implementation of Community Energy Plan (CEP) Projects; and Guelph Hydro Inc. (GHI) Leasing Framework

THAT the proposed design of a Holding Company for current and future owned city assets, including Guelph Hydro Incorporated (GHI) and Guelph Junction Railway (GJR), as outlined in the attached Business Case Study, be approved;

AND THAT staff be directed to prepare an Implementation Strategy for the proposed Holding Company to be approved by Council that includes financial and resource requirements planned for through the 2011 budget process;

### Page No. 2 June 28, 2010 Report of the Governance Committee

AND THAT 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) be approved;

AND THAT the tender process as set out in the City's Purchasing Policy be waived for energy efficiency and renewable energy generation projects that require access to City-owned lands, buildings and rooftops, and that the projects be managed through Guelph Hydro Inc. as outlined in the MOI;

AND 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.

All of which is respectfully submitted.

Councillor Ian Findlay, Acting Chair Governance Committee

Please bring the material that was distributed with the Agenda for the June 14, 2010 meeting.

### COMMITTEE REPORT



**TO Governance Committee** 

SERVICE AREA Information Services

DATE June 14, 2010

SUBJECT 2010 Council Orientation and Professional Development

REPORT NUMBER

### **RECOMMENDATION**

**THAT** the proposed 2010 Council Orientation and Professional Development plan be approved.

### **BACKGROUND**

In previous terms of Council, the focus of orientation was more on the administrative structure of the City, roles of departments, services, etc. In 2005, City Council requested that future Council orientation also include provisions for a number of activities, including:

- Governance responsibilities of Council;
- Ethics review;
- · Update on key City projects and issues; and
- Strategic planning.

Since that time, new legislation has also been enacted in Ontario relative to accountability and transparency that set the stage for how municipal councils conduct their business. Keeping the above in mind, staff have sourced a number of options that cover the above items and will be helpful to Council.

### **REPORT**

The proposed orientation and professional development plan will consist of several modules:

- 1. Overview of the Governance Role
  - The Decision Making Process
  - Roles, Responsibilities, Accountabilities
  - Legal World of Councillors
  - Strategic Planning
  - Measurement, Accountability and Reporting
  - Maximizing the Effectiveness of Meetings
  - Creative Problem Solving
- 2. Overview of Ethics in Local Government
  - Accountability & Transparency Legislation
  - Municipal Conflict of Interest
  - Council Code of Conduct
  - Closed Meetings

- 3. Overview of the Strategic Plan, Priority Projects, Current Issues and City Services
  - Strategic Plan
  - Priority Projects
  - Meeting Procedures
  - Current Issues
  - Service Delivery
  - Facility Tours if Desired
- 4. Overview of Municipal Finances
  - Operating and Capital Budgets
  - Reserves
  - Audit Function
- 5. Overview of Organizational Culture
  - City of Guelph Values
  - Occupational Health & Safety Basics
  - AODA Customer Service
  - People Practices Strategy

Module 1 has been outsources, and tentative arrangements are being made for this module to be delivered by Dr. Chris Bart of McMaster University's DeGroote School of Business. Dr. Bart is of the faculty of the Municipal Councillors College which offers a dynamic, cross-disciplinary, research-based executive program focusing on the role of Councillors in driving and sustaining the success of their municipalities. This will be a day-long session. Dr. Bart has also expressed an interest in continuing work with our Council in 2011.

Module 2 has also been outsourced, and tentative arrangements are being made for this module to be delivered by Mr. Rick O'Connor. Mr. O'Connor is both the City Clerk and City Solicitor for the City of Ottawa, and has been a very popular presenter at conferences and seminars sponsored by the Association of Municipal Managers, Clerks & Treasurers of Ontario with respect to ethics in local government. This will be a half-day session.

Modules 3, 4 and 5 will be developed and presented by various City departments. These sessions could range from half to full days, depending on the level of detail required, as determined by the numbers of returning members and newly elected members who will form the 2010-14 Council.

With the exception of the municipal finance module, we are targeting these sessions to take place during the month of November. Feedback from the Committee would be appreciated as to timing of these sessions, and any additional topics that would be of interest.

### CORPORATE STRATEGIC PLAN

This recommendation supports Goal 5 of the Strategic Plan to have a community-focused, responsive and accountable government.

### FINANCIAL IMPLICATIONS

Funds were provided in the 2010 Operating Budget.

### DEPARTMENTAL CONSULTATION

Human Resources, Finance

### **COMMUNICATIONS**

n/a

"original signed by Lois Giles"

Recommended By:
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Director of Information Services/Clerk
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### COMMITTEE REPORT



TO Governance Committee

SERVICE AREA Information Services

DATE June 14, 2010

**SUBJECT** Delegation of Authority

REPORT NUMBER

### **RECOMMENDATION**

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

### **BACKGROUND**

In January of this year, City Council passed a by-law to delegate authority to approve several routine administrative matters. At that time, staff had indicated that they would continue to look for opportunities for Council to delegate other minor approval making authority.

### **REPORT**

This report is intended to deal with the delegation of two routine administrative matters, which are of a minor nature, and which would contribute to the efficient management of the City while still adhering to the principles of accountability and transparency.

Areas of delegation include authority to approve:

- Execution of agreements for use of training facilities by Emergency Services, including the authority to amend or terminate such agreements.
- Exemptions to the Noise Control By-law for events that have been exempted in the past, and where such events have not substantially changed since the previous exemption was granted.

These schedules have been prepared in the standard format which was developed for delegation of authority, and provides for conditions, limitations, and reporting requirements.

### **CORPORATE STRATEGIC PLAN**

Supports Goal 5 of the Strategic Plan of having a community-focused, responsive and accountable government.

### **FINANCIAL IMPLICATIONS**

n/a

### **DEPARTMENTAL CONSULTATION**

Senior management of all departments were consulted in the development of this report.

### **COMMUNICATIONS**

n/a

### **ATTACHMENTS**

"original signed by Lois Giles"

**Prepared By:** 

Lois A. Giles Director of Information Services/Clerk. (519) 822-1260 x 2232 lois.giles@guelph.ca

### SCHEDULE "N" DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION OF AGREEMENTS FOR USE OF EMERGENCY SERVICES TRAINING FACILITIES

### Power to be Delegated

Authority to approve the execution by the Mayor and Clerk of agreements for the use of emergency services training facilities by the City. The delegation also applies equally to any amendment or termination of such agreements.

### Reasons in Support of Delegation

- Contributes to the efficient management of the City of Guelph.
- Meets the need to respond to issues in a timely fashion.
- Maintains accountability through conditions, limitations and reporting requirements.
- o Minor in nature.
- Supports Goal 5 of the Strategic Plan of having a community-focused, responsive and accountable government.

### Delegate(s)

- Director of Emergency Services
- A person who is appointed by the CAO or selected from time to time by the Director of Emergency Services to act in the capacity of the delegate in the delegate's absence.

### Council to Retain Power

No

### Conditions and Limitations

- Fees for such services are approved as part of the annual operating budget by Council.
- Form of agreement has been reviewed by Legal Services.

### Review or Appeal

Not applicable.

### Reporting Requirements

Annual information report on agreements executed during the year pursuant to this delegation of authority.

### SCHEDULE "O" **DELEGATION OF AUTHORITY TO APPROVE EXEMPTIONS TO THE**

### NOISE CONTROL BY-LAW FOR EVENTS THAT HAVE BEEN EXEMPTED **IN THE PAST**

### Power to be **Delegated**

Authority to approve exemptions to the Noise Control Bylaw for events that have been exempted in the past. The delegation also applies equally to any minor amendment of such an exemption.

### Reasons in Support of **Delegation**

- o Contributes to the efficient management of the City of Guelph.
- Meets the need to respond to issues in a timely fashion.
- o Maintains accountability through conditions, limitations and reporting requirements.
- Minor in nature.
- Supports Goal 5 of the Strategic Plan of having a community-focused, responsive and accountable government.

### Delegate(s)

- Director of Operations
- o A person who is appointed by the CAO or selected from time to time by the Director of Operations to act in the capacity of the delegate in the delegate's absence.

### Council to **Retain Power**

Nο

### Conditions and Limitations

- This delegation does not extend to an event that has changed substantially in nature since the previous exemption was granted.
- Notice for all exemptions shall be published in a local newspaper, and on the City's web site.

### Review or Appeal

- Where the Direction has not approved a request for an exemption, the applicant may request that the decision be reviewed by Guelph City Council.
- A person who has reason to believe that they will be negatively impacted by an approved exemption may request that the decision to approve be reviewed by Guelph City Council.

### Reporting Requirements

Annual information report on exemptions granted during the year pursuant to this delegation of authority.

### COMMITTEE REPORT



TO Governance Committee

SERVICE AREA Corporate Administration

DATE June 14, 2010

**SUBJECT** Corporate Performance Reporting Practices

REPORT NUMBER

\_\_\_\_\_

### **RECOMMENDATION**

That the Committee receive the following progress report on Corporate Performance Reporting practices; and

That staff continue with ongoing efforts to improve the tracking and reporting of performance data to strengthen the capacity of management, advance the effectiveness of governance and further improve collaborative efforts with residents and stakeholders.

### **BACKGROUND**

In the public, private and not for profit sectors, the quality and scope of available organizational information is a critical determinant of how well companies are managed, whether executive boards can exercise effective governance and if levels of public trust and confidence are increasing or decreasing.

This fact, in addition to the current environment of fiscal uncertainty, strongly highlights the need for staff to continue to understand, monitor, manage and explain emerging risks and opportunities as the corporation progresses into the future. An increasing number of divisions and departments are reporting performance data and related information on a regular basis. The data often moves beyond the traditional financial reporting and provides an increasingly comprehensive view to enable more strategic decision making.

### REPORT

The 2010 Governance Committee Work Plan includes the requirement for an annual review of corporate performance reporting practices to ensure progress on this important management and governance matter. The following list continues to grow and includes performance reports completed and/or approved over the 2009/2010 timeframe:

- ✓ Information Services Annual Report
- ✓ Building Services Annual Report
- ✓ Human Resources Annual Report
- ✓ Making a Difference Annual Report

- ✓ Annual Auditors Report
- ✓ Litigation Status Report
- ✓ Energy Conservation Report
- ✓ Parklands & Greenways Performance Review
- ✓ Quarterly County POA reports: 1) status of POA construction including quarterly invoices; and 2) statistical and revenue tracking updates
- ✓ Year End Variance Report
- ✓ Regular Operating Variance Report
- ✓ Regular Capital Variance Report
- ✓ Quarterly Council Priorities Report
- ✓ Annual Investment Report
- ✓ Debt and Reserve Continuity Schedules
- ✓ Budget Documents: Year End Financial Statement, Budget Transmittals, Municipal Performance Measures Program (MPMP) and Financial Information Return (FIR)
- ✓ City of Guelph Wastewater Services 2009 Annual Report
- ✓ Guelph Waterworks Division 2009 Annual and Summary Report
- ✓ Annual Report Solid Waste Transfer Station, and Wet-Dry Recycling Centre
- ✓ Annual Report for the Closed Eastview Road Landfill Site

### **Benefits**

Overall, improvements to corporate performance reporting practices result in greater accountability as well as:

- Strengthened Management greater scope and reliability of available information enables the creation of effective strategies that are well aligned with resources and take into account cross-organizational impacts, interdependencies and associated risks;
- > **Effective Governance** streamlined, reliable and current performance information supports the oversight role required of Council;
- Stakeholder Engagement residents and stakeholders can continue to receive an increasingly clear and coherent picture of the operations of the corporation as a whole that goes above and beyond simply financial or compliance related material;
- ➤ Employer of Choice Recognition clear and informative data can aid in the attraction of employees in a time when competition for talent continues to increase; and
- ➤ **Community Collaboration** more regular and transparent information can help to build strong business and community relationships as well as facilitate the resolution of business issues that require joint action.

As staff move forward, efforts will continue to increase the amount and quality of performance data to enable improved organizational effectiveness as well as a consistent and well aligned understanding of the direction of the organization.

### **CORPORATE STRATEGIC PLAN**

This report relates to Strategic Objective 5.6 – [o]rganizational excellence in planning, management, human resources and people practices; recognized as a top employer in the community.

### FINANCIAL IMPLICATIONS

n/a

### **DEPARTMENTAL CONSULTATION**

The Senior Management Team was consulted on the development of this report.

### **COMMUNICATIONS**

n/a

### **ATTACHMENTS**

n/a

"original signed by Brenda Boisvert"

"original signed by Hans Loewig"

**Prepared By:** 

Brenda Boisvert Manager, Strategic Planning and Corporate Initiatives **Recommended By:** Hans Loewig, CAO

### COMMITTEE REPORT



TO Governance Committee

SERVICE AREA

Corporate Administration

DATE

SUBJECT City of Guelph Holding Company Design; Memorandum

of Intentions (MOI) for Implementation of Community Energy Plan (CEP) Projects; and Guelph Hydro Inc.

(GHI) Leasing Framework.

REPORT NUMBER

### **RECOMMENDATION**

THAT Council approve the proposed design of a Holding Company for current and future owned city assets, including Guelph Hydro Incorporated (GHI) and Guelph Junction Railway (GJR), as outlined in the attached Business Case Study;

THAT Council direct staff to prepare an Implementation Strategy for the proposed Holding Company to be approved by Council that includes financial and resource requirements planned for through the 2011 budget process;

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 the tender process as set out in the City's Purchasing Policy be waived for energy efficiency and renewable energy generation projects that require access to City-owned lands, buildings and rooftops, and that the projects be managed through Guelph Hydro Inc. as outlined in the MOI.

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.

### **BACKGROUND**

On November 24, 2008, Council directed the following:

"THAT a steering committee representing the Mayor and four members of City Council (as shareholder) and the Guelph Hydro Inc. Board be established to explore the future direction and opportunities of the Guelph Hydro business enterprise."

"THAT Councillors Bell, Findlay, Salisbury and Mayor Farbridge be appointed to the steering committee to explore the future direction and opportunities of the Guelph Hydro business enterprise."

To that end, a Guelph Hydro Steering Committee was struck and in February of 2009 and Council approved its Mandate and Charter detailing core responsibilities and duties. As part of the Committee work, GHI members of the committee considered staff recommended modifications to the current asset management approach and related changes to the existing GHI Shareholder Declaration. Proposed benefits included streamlined shareholder approvals, improved asset management, strengthened strategy alignment and more regular communications.

On October 26, 2009, the model framework agreed upon by the Committee members along with the revised GHI Shareholder Agreement was presented to Council. At that time, and with respect to the legislatively required Business Case Study and MOU with GHI, Council directed staff as follows:

"THAT Council approve the development of a business case study to support the formation of a Holding Company for current and future owned city assets and that staff proceed with identified next steps as prescribed under the Municipal Act;

AND THAT Council direct the establishment of an MOU within the current term of Council with GHI to articulate their role in the implementation of the Community Energy Initiative.

Since that time, the Business Case Study has been completed and the public consultation component was initiated. As well, the MOI was completed for Council review and approval.

### **REPORT**

### I. Holdco Business Case Study

### **Business Case Study**

The required business case study details the objectives, mandate, guiding principles, proposed structure, reporting and financial considerations for approval by Council. The new model is a strategic approach designed to achieve higher levels of excellence in asset management practices. It will primarily work towards improved communication and information flow between the shareholder and operating companies, capitalize on potential synergies and help to maximize value provided to the community. The full study is attached as Appendix A.

### **Public Consultation**

The Study was made available for public comments during the months of May and June. An on-survey was prepared, a three hour information session took place and opportunities for commenting directly to Council were communicated. Local media provided valued assistance in helping to ensure greater awareness. A report detailing feedback received is attached as Appendix B.

### **Next Steps**

Should Council approve the proposed Holding Company design, staff will initiate work on an implementation plan that includes the identification and confirmation of related resource requirements. In addition, the following would take place:

- Completion of an asset transfer policy;
- o Presentation of the implementation plan to Council for approval; and
- Submission of articles of incorporation with the Province.

### II. Memorandum of Intentions (MOI) for the Community Energy Initiative (CEI)

The October 26, 2009 Council direction refers to the establishment of a Memorandum of Understanding (MOU). The attached document in Appendix C is labeled a Memorandum of Intentions (MOI) at the preference of the GHI Board to reflect the action-based orientation of the document.

The Community Energy Plan (CEP) broadly refers to the planning period from 2007 to 2009. The implementation phase of the CEP is well underway. The MOI attached to this report represents the intentions of an organizational relationship with GHI that is largely focused on implementation activities that fall under the umbrella of the Community Energy Initiative (CEI).

The MOI attached in Appendix C sets out clearly defined roles for both the City and GHI with respect to implementation of projects related to the CEI. It designates GHI as the main developers of projects related to the CEI and calls for cooperative decision making between the City and GHI that furthers both community and utility objectives.

GHI has a rigorous procurement process, with Board oversight, which will be adhered to for all CEI-related projects.

The MOI is not a legal contract. It sets out a proposed remedy for disputes and calls for a review of the content within one year of Council approval.

### **III. GHI Leasing Framework**

GHI has been an integral part of the development of the CEP from the very beginning and continues to be a critical ally as the City moves to implementation through the Community Energy Initiative.

GHI has aligned their strategic business planning, as approved by their Board of Directors, to support the objectives of the Community Energy Plan by being strategic partners in developing projects under the Community Energy Initiative (CEI).

### On the basis that:

- 1. The City is the sole shareholder in Guelph Hydro Inc. and that all potential profits stay within the group of operating companies under Holdco.
- 2. GHI has developed technical expertise and has established relevant cooperative relationships with the City, and City property, in the development of energy generation projects at the existing methane capture and electrical generation facility (Ecotricity) at the former Eastview Road Landfill site and the proposed Anaerobic Digester Generation Plant located on city-owned land next to Cargill Meat Solutions' Guelph plant.

It is expected that the recommended Lease Framework will be modeled after the Ecotricity LEASE and GAS UTILIZATION AGREEMENT of September 15, 2004. The Agreement spells out the terms and conditions that "benefit the residents of the City of Guelph and to promote the generation of "green energy".

The Lease Agreement will be developed in consultation with CAO's Office, the Director of Finance and the City Solicitor.

### **CORPORATE STRATEGIC PLAN**

The development of a holding company addresses the Strategic Plan objective 5.6 focused on organization excellence in planning and management.

### FINANCIAL IMPLICATIONS

n/a

### **DEPARTMENTAL CONSULTATION**

This report was reviewed by the Senior Management Team.

### COMMUNICATIONS

n/a

### **ATTACHMENTS**

Appendix A – Guelph Municipal Holding Company – Business Case Study Phase 1: Structure and Design

Appendix B – Holdco Business Case – Public Consultation Questions and Responses

Appendix C - Memorandum of Intentions between the City and Guelph Hydro Inc.

"original signed by Brenda Boisvert"

"original signed by Rob Kerr"

#### **Prepared By:**

Brenda Boisvert,

Manager, Strategic Planning and Corporate Initiatives

"original signed by Hans Loewig"

#### **Recommended By:**

Hans Loewig, CAO

#### **Prepared By:**

Rob Kerr, General Manager, CEP Projects Appendix A: Guelph Municipal Holding Company – Business Case Study Phase 1: Structure and Design

# GUELPH MUNICIPAL HOLDING COMPANY

**BUSINESS CASE STUDY** 

PHASE 1: STRUCTURE AND DESIGN



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#### INTRODUCTION

Effective corporate governance is essential to the success of all organizations, regardless of whether they exist in the public, private or not-for-profit sectors. Strong governance practices can generate several benefits including revenue maximization through strategic resource deployment, risk minimization from more integrated planning, communications enhancements, increased market responsiveness and higher levels of trust and confidence for all stakeholders including residents and employees.

In an effort to strengthen corporate governance practices regarding the management of current and future City-owned assets and further contribute to community well being, the City of Guelph is proposing the creation of a new municipal service corporation — Holdco. Development of such an entity is permitted under the 2001 Municipal Act Legislation (O.R. 599/06) which gives local governments the powers to establish a range of corporations.

It is proposed that the new holding company, structured under the Ontario Business Corporations Act (OBCA), will share core operating principles with its subsidiary companies including collaboration, transparency, efficiency and effectiveness. Leadership, open communications and accountability are foundational values upon which the operating principles are based. Consistent with the experiences and best practices of other Ontario municipalities, the new company will be governed by a board of directors including the Mayor, acting as chair, three City Councillors, the Board Chairs from subsidiary companies and one independent community member. All directors will be appointed and approved by City Council. The Chief Executive Officer (CEO) of the holding company will be the Chief Administrative Officer (CAO) of the City of Guelph with the City Solicitor acting as General Counsel and Secretary and the City Treasurer acting as the Treasurer of Holdco.

The holding company model is a strategic approach designed to achieve higher levels of excellence in asset management practices. It will primarily work towards improved communication and information flow between the shareholder and the operating companies, capitalize on potential synergies, and help to maximize value provided to the community.

#### **Background**

In February 2009, Guelph City Council approved a mandate and charter for the Guelph Hydro Steering Committee detailing its responsibilities and duties which included the determination of an appropriate structure between the City, as sole shareholder, and its operating companies. It was anticipated that the appropriate model would continue driving the City towards higher levels of excellence in asset management and service quality.

The Committee agreed that the creation of a holding company, as recommended by staff, would be of significant benefit to all parties moving forward and examined the proposal and shareholder agreement implications thoroughly. In addition, related legislation was also reviewed including the *Ontario Business Corporations Act* and the *Municipal Act*, 2001 (Sec. 203 O.R. 599/06) which includes a new regulation and related rules enabling municipalities to establish corporations. Holdco will comply with this and applicable laws,

regulations and performance standards passed or imposed by law or regulation by the Province of Ontario.

#### **Purpose**

This document has been developed to provide additional and comprehensive information on the proposed new governance model. Specifically this document:

- a) sets out the objectives of the a new municipal holding company, its mandate, guiding principles, governance options, structure, relationship to the City, reporting activities and financial considerations; and
- b) constitutes the provincially required business case for the proposed municipal holding company.

The holding company model represents a vital step forward in meeting the strategic objectives of the City's Strategic Plan, and long term sustainability and economic prosperity goals.

#### **OBJECTIVES**

The City of Guelph recognizes that it is prudent to investigate alternate governance models for the management of current and future City-owned assets to ensure the greatest value to the City as the primary shareholder. A number of benefits can be realized from more strategic management and co-ordination through the following objectives:

- a) Holdco, reporting to the Shareholder, will work to build value for the community through synergistic collaboration that strengthens the individual and collective position of City-owned assets and investments.
- b) Operating in a business environment, Holdco will play an integral role in achieving enhanced operational excellence through a continuum of improved communications between the operating companies and the Shareholder.
- c) By capitalizing on synergies and unlocking greater potential, Holdco, through its management and oversight role, will help to ensure the continued generation of reliable returns and benefits from its assets.

#### **MANDATE**

Holdco will strive to achieve the stated objectives. Specifically:

a) Holdco will work with operating companies, investors and private partners as appropriate to maximize the value of current and future City-owned assets for the benefit of the community as a whole.

- b) In its oversight role, Holdco will act as a catalyst for operational excellence.
- c) Holdco will regularly and as required, advise, inform and make recommendations to the City as Shareholder on matters and opportunities pertaining to the operating companies reporting to Holdco.

#### **GUIDING PRINCIPLES**

The Directors and Officers of all OBCA corporations have a duty to act honestly, in good faith and in the best interests of the corporation. Holdco will be wholly owned by the City and will be subject to established objectives aligned with the City's interests. The following principles will govern the operations, services and activities of Holdco in that context:

- a) **Collaboration** Holdco Directors will work to foster and reinforce a collaborative relationship and shared values among all parties and recognize that the interface between the worlds governed by the *Municipal Act* (public sector) and the OBCA (private sector) requires mutual respect, understanding, flexibility and regular communication between Holdco and its subsidiaries concerning business activities.
- b) **Transparency** The holding company board of directors will adhere to clearly articulated reporting and approval requirements as detailed in the Council approved shareholder agreements to ensure transparency and accountability.
- c) **Independent and skills-based boards** The boards of the subsidiary companies reporting to the holding company will be recognized and regarded as independent and skills-based. They will be responsible for ensuring effective management of their own interests and contributing to the efficacy of the operations as well as other subsidiary companies by sharing experiences and best practices.
- d) **Integration and co-ordination** The unique overlapping community interests and professional capabilities of the "family of companies"—including the City—are important components of an integrated and co-ordinated approach to excellence in asset management.
- e) **Comprehensive measurement of returns** Shareholder return and benefits will be measured by several metrics including but not limited to dividends to ensure a broader understanding of operational success. In general, a long term, strategic view will be applied to the measure of shareholder return.

The guiding principles flow from the foundational values of leadership, accountability, sustainability and regular, open communication.

#### Confidentiality

Except as required by applicable law or any government authority and except for the annual report to City Council, the City will treat as confidential each Holdco business plan and all other information provided to it in confidence, subject to the Ontario Business

Corporations Act, the *Municipal Act* and applicable laws. Information that is in the custody or under the control of the City or Holdco is subject to the access provisions of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

#### **ALTERNATIVES**

In exploring the concept of improved governance alternatives for current City-owned assets, a number of both form and function options were considered by staff as detailed in the table below. The options included developing a corporate governance division, continuing with established practices, selling of the assets, and creating an independent development corporation, consistent with the provisions of the *Municipal Act* (O.R. 500/06).

#### **Identified Options** Corporate governance division within the City - A new division with a specific mandate and staff expertise could be established. This would result in a more centralized authority but would also require additional resources for staffing and operational functions. 2. **Status quo** – Continuing with current operations presents a risk in terms of a missed opportunity for strengthening the City's corporate governance practices, collaboration and strategic asset management. 3. Sale/Merger of corporation assets – Annual revenues generated from operations of Guelph Hydro represent a reliable source of regular dividends that can be leveraged against the annual tax levy. Independent development corporations – The holding company 4. model allows for the development of skills-based boards for the regular management of individual interests, yet brings all parties together to capitalize on potential synergies. Without this unifying entity, the benefits of collaboration are lost. The holding company model allows for additional corporations to be included over time, creating potential opportunities for increased revenue streams.

Overall assessment against evaluation criteria (including public accountability, transparency, flexibility of structure, funding constraints and requirements, financing opportunities, statutory requirements, potential conflicts of interest, risk and liability) led to the following conclusions:

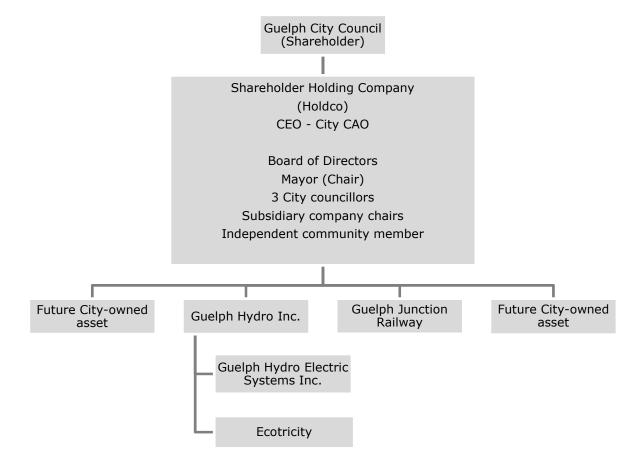
1) That the benefits associated with a holding company model are significant and that this direction represents a necessary step in advancing prosperity and management excellence goals that will benefit the city as a whole.

- 2) That the current approach is not serving the current and future needs of existing subsidiaries or the residents of Guelph to the level that is possible.
- 3) That to achieve greater success going forward and realize the full potential of City-owned assets, the City believes that a new structure is required. Leadership, partnership and collaboration are the keys to success that will help continue to produce better and more reliable results.

#### PROPOSED STRUCTURE

The following diagram depicts the recommended structure of the holding company. It is anticipated that the centralized structure will allow for strengthened co-ordination of issues management, well informed decision making and the realization of common goals consistent with the mandate and objectives for Holdco.

Figure 1: Proposed holding company structure



#### **GOVERNANCE**

#### **Applicable legislation**

The holding company will be governed in compliance with the following legislation, rules and regulations:

**Director duties** – As required by the *Ontario Business Corporations Act* (OBCA), the holding company board will supervise the management of the business and affairs of Holdco, and, in so doing, will act honestly and in good faith with a view to the best interests of the holding company and its subsidiaries and will exercise the same degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

**Standards of governance** – In addition, the City expects the boards of Guelph Junction Railway (GJR), Guelph Hydro Inc. (GHI) and any GHI subsidiary to observe substantially the same standards of corporate governance as may be established by the Canadian Securities Administrators or any other applicable regulatory or government authority in Canada for publicly traded corporations with such modifications as may be necessary to reflect the fact that GJR, GHI and any GHI subsidiary are not publicly traded corporations.

#### **Board of Directors and Officers**

**Qualifications** – In addition to sound judgment and personal integrity, the qualifications of candidates for the board of the holding company may include:

- awareness of public policy issues related to the holding company;
- relevant business expertise and industry knowledge;
- experience on boards of significant commercial corporations;
- financial, legal, accounting and/or marketing experience; and
- knowledge and experience with risk management strategy.

**Residency** – Preference may be given to qualified board candidates who are residents of Guelph, however candidates that are not residents of Guelph will not be excluded from serving as board members.

**Number of directors** – The board of the holding company will consist of a minimum of seven (7) directors to be appointed by and approved by City Council.

**Composition of the board** – Unless otherwise determined by the Shareholder in its discretion, the holding company board will consist of the mayor, three municipal members (City councillors), the Chair of the Board of GHI, the Chair(s) of the Board of any other direct subsidiary of Holdco, and an independent member who will not be a municipal member. The chief executive officer, president or general manager, as the case may be,

of a subsidiary or of Holdco will not be eligible to serve as a Director on, nor Chair of, the Holdco Board nor Chair of the Board of its subsidiary companies.

**Chair of the Board** – The Chair of the Holding Company Board shall be the Mayor.

**Officers** – The CEO of the Holding Company shall be the Chief Administrative Officer of the City or such other person as the City may determine from time to time. The Treasurer of Holdco will be the Treasurer of the City or such other person as the City may determine from time to time. The general counsel and Secretary of Holdco will be the Solicitor of the City or such other person as the City may determine from time to time.

**Term of municipal members** – The term for each municipal member of the Holdco Board shall be concurrent with the municipal term of each council, and each municipal member of the holding company board shall be appointed for such term, provided that:

- following the expiry of such term of council, each director will continue to serve on the board until replaced by the City at the effective date of the appointment of a replacement director;
- the City may, in its discretion, terminate the term of a member of the Holdco Board prior to the end of the municipal term of council and appoint a replacement director; and
- where a Director of the holding company board resigns or his or her term is terminated for any reason prior to the end of the municipal term of council then in effect, the term of the replacement director will be concurrent with the balance of the municipal term of council then in effect.

**Successive terms** – Any member of the holding company board may serve for successive terms as determined by the City in its discretion.

**Holdco board committees** – The holding company board may establish committees of the board in the holding company board's discretion. These committees may include but not limited to the following:

- Audit and finance committee to review financial results; and
- Governance committee to address governance matters.

#### Compensation

• Directors – No member of the holding company board will receive any remuneration or other compensation of any kind, other than as expressly approved by the Shareholder, for serving as a director on the holding company board or on any committee thereof, or carrying out any activities or providing services in relation thereto. Each member of the holding company board will be entitled to incur reasonable expenses for travel and/or training in respect of the director's role

on the holding company board, in accordance with policies established by the holding company board and approved by the Shareholder.

- Officers Any officer of the holding company who is also a municipal member or an employee of, or consultant to, the City or any agency, board, commission or corporation of the City, will not receive any compensation for serving in such capacity in addition to such officer's compensation, if any, as an employee of or consultant to the City.
- Annual resolutions The Shareholder will, at an in-camera meeting of City
  Council (as Shareholder), consider candidates for the Holdco board as proposed by
  the Holdco nominating committee and the appointment of the auditors of Holdco
  and receive the audited financial statements of Holdco for the last completed
  financial year;
- The Shareholder, by resolution in writing, will appoint the necessary members of the holding company board and appoint the auditors for the holding company and complete such other business as would normally be completed at an annual meeting of shareholders under the OBCA; and
- Holdco, by resolution in writing, will appoint the necessary members of the board and appoint the auditors for GHI and its subsidiaries and complete such other business as would normally be completed at an annual meeting of shareholders under the OBCA, subject to approval of Council.

**Responsibilities** – The Holdco board will establish policies addressing the following matters:

- **Dividends** To ensure the payment of an annual dividend from Holdco consistent with the dividend policy included in the approved shareholder declarations.
- Risk management To ensure that each subsidiary has adopted appropriate risk
  management strategies and internal controls consistent with industry norms in
  order to manage all risks related to the businesses conducted by Holdco
  subsidiaries.

#### Additional responsibilities include:

- **Strategic objectives** To provide input to subsidiaries as to the City's long term strategic objectives which are consistent with the maintenance of a viable, competitive business and preservation of the value of the businesses of its subsidiaries.
- Corporate governance committee Establish a corporate governance committee of the board and such other committees as the board determines are appropriate, and delegate to the committees such authority as the board determines is appropriate, provided that the delegation of authority is permitted under the OBCA.

- Annual approval and insurance coverage Approve the business plan for Holdco and the annual budget to ensure that Holdco acts in accordance with these plans; maintain adequate insurance coverage and other requirements to ensure Risk Management.
- **Conflict of interest** Each Director and Officer of Holdco will inform the board immediately when he or she has an interest in a matter to be considered by the board or a committee of the board and take appropriate action in accordance with the provisions of the *Municipal Conflict of Interest Act*, and any other applicable laws or City or board policies.

#### RELATIONSHIP TO THE CITY

As the sole shareholder, the City of Guelph expects that Holdco will take responsibility for oversight of both Guelph Hydro and Guelph Junction Railway in addition to any additional subsidiary companies that may be added from time to time, subject to the specific terms and conditions as laid out in the shareholder agreements. The holding company does not have the capacity to act as an agent of the City unless the City gives express written authorization to the holding company to do so. The holding company will not conduct itself so as to create or purport to create an agency relationship with the City except in accordance with such written authorization.

**Shareholder authority** – Similar to other municipalities that have restructured governance of their utility and/or other functions such as transit or economic development, the City of Guelph CAO will act as the CEO of the Holding Company and be directly responsible, along with board members, to the City as primary Shareholder.

**Shareholder approval** – Approvals or decisions of the City required pursuant to the shareholder declarations or the OBCA will require a resolution or by-law of Council passed at a meeting of Council and shall be communicated in writing to the Holdco Board and signed by the shareholder representative and/or the Mayor.

**Holdco approvals** – Approvals or decisions of Holdco required pursuant to the shareholder declarations will require a resolution of the Holdco Board and, where expressly required pursuant to the shareholder declarations, the approval of the City and communicated in writing to the boards of Guelph Hydro and Guelph Junction Railway as well as any other subsidiaries.

**Matters requiring shareholder approval under the OBCA** – Without approval of its shareholder, the City, the holding company itself will not take any of the following actions:

- a) amend or repeal its articles of incorporation;
- b) amalgamate with another corporation, apply to continue as a body corporate under the laws of another jurisdiction, merge, consolidate or reorganize, or approve or effect any plan of arrangement, in each case whether statutory or otherwise;

- c) take or institute proceedings for any winding up, arrangement, reorganization or dissolution;
- d) create new classes of shares or reorganize, consolidate, subdivide or otherwise change its outstanding securities;
- e) sell or otherwise dispose of, by conveyance, transfer, lease, sale and leaseback, or other transaction, all or substantially all of its assets or undertaking;
- f) change the treasurer's role as auditor;
- g) make any changes to the number of directors comprising the board; or
- h) enter into any other transaction or take any other action that requires shareholder approval pursuant to the OBCA.

The board may make, amend, or repeal any of its by-laws and the changes take effect at such time as the board approves. Such changes will be submitted to the City as Shareholder, immediately upon approval by the board for Council approval. If Council makes any amendments, the amendments will take effect when approved by Council and are not retroactive.

#### Other matters requiring Shareholder approval

Without the prior written approval of the City, Holdco will not:

- a) seek financial support without approval or any changes to legislation or regulation from any governmental authority other than the City;
- b) make representations or promises of any financial incentives or similar inducements that are binding on the City;
- c) issue publicly traded debt, or any debt instruments with real or implied recourse to, or guarantees from the City or any borrowing that in the opinion of the City Treasurer have a negative impact on the City's credit rating; or
- d) make or hold investments outside of Canada.

#### PUBLIC ACCOUNTABILITY AND REPORTING

**Regular reporting** – Holdco will, from time to time, but at least annually, report to City Council on major business developments or materially significant results in respect of Holdco or any subsidiary. Chairs of subsidiaries will attend such meetings of Council where reports are made in respect of any subsidiaries, and such reports may be received and

considered by the City at an in-camera meeting of Council subject to the requirements of the *Municipal Act* and other applicable laws.

**Business plan** – Holdco will provide the City with the business plan for Holdco and its subsidiaries on an annual basis prior to the end of each financial year. The Holdco business plan will include all of the following:

- the strategic objectives, priorities and business objectives that Holdco and its subsidiaries will undertake;
- the metrics for monitoring accomplishments;
- an operating budget for Holdco for the next financial year and an operating and capital expenditure budget on a consolidated basis for the subsidiaries next financial year and an operating and capital expenditure projection on a consolidated basis for the subsidiaries for each of the two subsequent financial years, including the resources necessary to implement the Holdco business plan;
- the projected annual revenues and net income for Holdco and its subsidiaries for the following financial year; and
- any material variances from the Holdco business plan then in effect.

**Annual report to Council** – Within six months after the end of each financial year of the holding company, Holdco will report to a public meeting of City Council and the chair will attend such meeting and provide the following information with respect to Holdco and its subsidiaries:

- financial statements for subsidiaries respecting privacy provisions under the OBCA Act; and
- such additional information as the City may specify from time to time including accomplishments during the fiscal year along with explanations, notes and information as required to explain and account for any variances.

Chairs of the subsidiary companies will also be present at such public meeting.

**Audit and evaluation report** – The City Treasurer is the auditor of the holding company and an annual report will be submitted at the end of the fiscal year (March 31).

**Confirmation of compliance** – The Holdco board will, in a confidential report to Council, annually confirm by the end of each financial year that it has complied with the requirements of the shareholder declaration, that it is in compliance with applicable laws and that it has received a similar confirmation of compliance from the board of subsidiaries.

#### FINANCIAL CONSIDERATIONS

The development of a holding company to help achieve excellence in asset management works towards City goals related to long term financial sustainability and economic prosperity. Not only is the model one that will strengthen governance but also the collective effectiveness and potential of all subsidiaries, thereby creating long term economic benefits for Guelph residents.

Holdco will be self-financing with operating costs coming from the regular dividend payment stream of subsidiary companies.

Although various City staff will provide significant resources to Holdco, it is expected that specific external expertise may be required on occasion to assist with special projects. These additional resources could be cost-shared, if necessary, between Holdco and the City with approval of Council.

#### Winding up provisions of the corporation

Upon liquidation, winding-up or dissolution of the proposed holding company, whether voluntary or involuntary, the property of Holdco will revert back to the City as primary shareholder.

#### Operating budget

The creation and management of a five year operating budget will be the responsibility of the new board of directors. It is anticipated that labour and program expenditures will be minimal given the use of existing staff as officers of the company. Any expenditures related to the new structure will flow through dividend payments derived from the subsidiary companies.

#### CONCLUSION

A new governance model for the management of current and future City-owned assets is recommended to realize the full potential of City assets and long term economic benefits for the city. The new model represents a more strategic approach to asset management and would be self financing from regular dividend payments.

The proposed model addresses the need for increased accountability, responsiveness, greater strategic alignment and improved communications. While keeping subsidiaries directly linked through shared policy and strategic direction, the model still embraces the concept of skills-based boards and allows for the right degree of independence so that operating companies continue to be flexible and self-reliant.

Consistent with other municipalities, specific requirements for key competencies among the holding company directors will ensure a variety of perspectives and skill sets to guide

decision making and provide sound leadership. The new governance structure will enable the fulfilment of stated objectives and the achievement of outcomes focused on the long term economic prosperity of the community.							

## Appendix B: Holdco Business Case – Public Consultation Questions and Responses

#	Question	Response
1	Is Holdco a public or a private entity?	Holdco will be a private sector entity structured under the Ontario Business Corporations Act (OBCA) as permitted under the 2001 Municipal Act Legislation (O.R 599/06).
2	How are Shareholder benefits currently measured, or are they?	The measurement of benefits has often largely been focused on short term dividends. Under the Holdco model, Shareholder return and benefits will be measured by several metrics such as governance and risk management practices, return on capital, growth etc. to ensure a broad understanding of operational success.
3	Are the business plans of Guelph Hydro and Guelph Junction Railway currently matters of public record? Are they Council approved? Will they be Council approved under the new model?	Currently the business plans for Guelph Hydro (GHI) and Guelph Junction Railway (GJR) are Shareholder approved documents with Council receipt of the documents taking place in closed public meetings consistent with the legislative acts governing these organizations. Under the Holdco model, this process will not change.
4	The businesses are currently viewed as civic services, the model seems to be changing them (i.e. Shareholder benefits, dividends) to for profit entities, is this the case?	Both GHI and GJR are currently private sector models and the Holdco concept will not change their current status.
5	Page 12 of the Business Case outlines Matters requiring Shareholder Approval under the OBCA. Item e) states that Holdco will not "sell or otherwise dispose of, by conveyance, transfer, lease, sale and leaseback, or other transaction, all or	This language is not intended to bypass approval rights of the Shareholder. The Shareholder Agreement for GHI sets out specific provisions requiring regular reporting that will ensure Shareholder awareness and approval of any such matters. Efforts will be made to include similar provisions in the GJR Shareholder Agreement which is still currently under review.

	substantially all of its assets or undertaking". What constitutes substantially all? This implies that Holdco could sell a large portion of Guelph Hydro.	
6	Why do changes that Holdco makes take effect immediately rather than after Council approval?	The Business Case states that any changes made by the Holdco board to amend or repeal any of its by-laws will be submitted to the City as Shareholder immediately upon approval by the board for Council approval. Any Council amendments will take effect when approved by Council and are not retroactive. The immediate notification to Mayor and Council enables the Shareholder to act quickly if so desired, consistent with rules and regulations governing meeting protocols, should the majority of Council members have any concerns with a Holdco board approved change to any of its by-laws.  It is important to note that role of Holdco is to act in the best interests of the Shareholder and the immediate notification in addition to greater Council involvement at the board level and more regular reporting is designed specifically to ensure continued Shareholder involvement.
7	Page 12 of the Holdco Business Case relating to 'Other Matters requiring Shareholder Approval' – item c) states that Holdco will not "issue publicly traded debt, or any debt instruments with real or implied recourse to, or guarantees from the City or any borrowing that in the opinion of the City Treasurer have a negative impact on the City's credit rating". Does this mean that Holdco can borrow without Council	Holdco is proposed to primarily function as an oversight board to strengthen the governance of corporate assets. In the unlikely event that the borrowing of funds would occur, it would be based on a business case provided to the Shareholder for approval, leverage GHI and GJR assets and not impact the tax levy.

	approval?	
8	Why not simply institute another Committee of Council to deal with corporate asset management matters?	Public Committee meetings would not provide the private forum required for the discussion of competitive information declared confidential under the Ontario Business Corporations Act.
9	This seems like "just another layer of government that can hide from the public radar".	Closed meetings are provided for under the Ontario Business Corporations Act so that proprietary and competitive information can be discussed openly and freely. Both GHI and GJR currently operate in the private sector and full public disclosure of all business related discussions would present a significant risk to the corporation as a whole.
10	Synergies are referred to several times yet no synergies are identified. What are the expected synergies? What are the contemplated future city-owned assets? How do Guelph Hydro Inc and Guelph Junction Railway currently fail to maximize value? Will adding a layer of bureaucracy tend to separate the City from its oversight responsibility for these assets? [I am] concerned that the holding company will not be transparent to the scrutiny of tax payers, especially for salary amounts and expense claims. I always had the feeling that holding companies are created to hide things from the public eye.	Anticipated synergies could include, for example, the sharing of best practice management approaches, the optimization of capital expenditures, the potential realignment of free cash flow, and an enhanced position to access the capital market should the need or interest in borrowing arise.  No future assets are being contemplated at this time.  GHI and GJR do maximize their value individually but working more closely together, will enhance the total accumulated value that can be realized.  Regular reporting requirements will ensure that the Shareholder, and by extension the public, is always well informed. More direct Council involvement and more joint, well informed discussions will strengthen the corporation's oversight and governance role.  The holding company is designed to always act in the best interest of the Shareholder.

#### Appendix C: Memorandum of Intentions between the City and Guelph Hydro Inc.

#### 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 Plan ("CEP") 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:

- 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;
  - 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 CEP 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 CEP; 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 CEP
- 3. Share information that may impact the goals of the CEP 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 CEP, 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

Hans Loewig, CAO, City of Guelph	Barry Chuddy, CEO Guelph Hydro
Date:	Date:

### CONSENT REPORT OF THE SOCIAL SERVICES & HOUSING COMMITTEE

June 28, 2010

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

Your Social Services & Housing Committee beg leave to present their FOURTH CONSENT REPORT as recommended at its meeting of June 22, 2010.

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 Social Services & Housing Committee will be approved in one resolution.

#### 1) Staff Support to City Social Services & Housing Committee

THAT the Director of Community Services be assigned the responsibility to lead the development of a constructive working relationship between the Consolidated Municipal Services Manager (CMSM) and the City of Guelph through the Community Services Department;

AND THAT the Director of Community Services provides the City's Social Services and Housing Committee with a work plan and request for required resources in the summer of 2010.

#### 2) **Best Start Operating and Capital Reserve Fund**

THAT the Best Start Reserve fund be used to support City/County eligible expenditures in the same proportion as the proportion of City/County children benefitting from prescribed programs in 2005 and 2006, when the grant was originally received:

AND THAT the County be requested to restore the City share of Provincial and Federal funds to the Best Start Reserve Fund, including interest, and to use its own source funds for the portion of the Mount Forest Child Care Centre (a discretionary service) that would exceed its proportion of the Best Start Reserve Fund.

All of which is respectfully submitted.

Councillor Laidlaw, Chair Social Services & Housing Committee

PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE AGENDA FOR THE JUNE 22, 2010 MEETING.

## COMMITTEE REPORT



**Social Services & Housing Committee** 

SERVICE AREA Community Services

DATE June 22, 2010

**SUBJECT** Staff Support to Social Services & Housing Committee

REPORT NUMBER CS-SS-1013

#### **RECOMMENDATION**

THAT the Director of Community Services be assigned the responsibility to lead the development of a constructive working relationship between the Consolidated Municipal Service Managers (CMSM) and the City of Guelph through the Community Services Department;

AND THAT the Director of Community Services provide the City's Social Services & Housing Committee with a work plan and request for required resources in the summer of 2010.

#### **BACKGROUND**

In January 2010, City Council established the City's Social Services and Housing Committee. Subsequently, Council approved the Committee's mandate and charter, and authorized funding for specialized third party advice and support to staff in the area of Child Care, Social Housing, Ontario Works, Employment, legal and legislated policy matters, financial advice and auditing support.

#### **REPORT**

The County of Wellington provides Ontario Works, Employment, Child Care and Housing Services for the City. In addition to prescribed services, the County has been delivering several discretionary programs (2010 Gross Expenditures \$4.6 million; net City share \$1.1 million) as the CMSM for both Wellington County and the City of Guelph.

Many of the service agencies and programs managed by the CMSM also share a relationship with City of Guelph's staff through the Community Services Department.

As City of Guelph staff continues to evolve a more comprehensive understanding of, and framework for social services, it is recommended that the Director of the Community Services Department be tasked with leading the development of a constructive working relationship with her counterparts at the CMSM through Wellington County's Social Services & Housing.

The Director of Community Services will report back to the City's Social Services & Housing Committee with a work plan and needed resources required to assume this responsibility.

The City's Director of Finance will continue to respond and provide analysis on financial matters associated with Social Services and Housing.

#### CORPORATE STRATEGIC PLAN

A number of strategic goals in the City's strategic plan can be enhanced by a coordinated approach to the delivery of Social Services & Housing to City of Guelph residents.

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

Goal 3: A diverse and prosperous local economy

- 3.1 Thriving and sustainable local employment opportunities
- 3.5 A diverse and skilled local workforce

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

- 5.2 A consultative and collaborative approach to community decision making
- 5.3 Open, accountable and transparent conduct of municipal business
- 5.4 Partnerships to achieve strategic goals and objectives

#### FINANCIAL IMPLICATIONS

The 2010 tax levy includes approximately \$23 million for Ontario Works, Child Care, Housing and Employment programs delivered by the County on behalf of the City. This represents approximately 15% of the 2010 tax levy.

Resources required to implement the work plan identified in this report, will be brought forward in the summer of 2010.

#### DEPARTMENTAL CONSULTATION/CONCURRENCE

This report has been prepared in consultation with the CAO.

Men Paga-

**Prepared By:** 

Ann Pappert
Director of Community Services
519-822-1260 ext. 2665
ann.pappert@guelph.ca

A

**Recommended By:** 

Hans Loewig Chief Administrative Officer 519-822-1260 ext. 2220 hans.loewig@guelph.ca

## COMMITTEE REPORT



**Social Services and Housing Committee** 

SERVICE AREA Social Services & Housing

DATE June 22, 2010

**SUBJECT** Best Start Reserve Fund

REPORT NUMBER FIN-10-18

#### RECOMMENDATION

**THAT** the Best Start reserve fund be used to support City/County eligible expenditures in the same proportion as the proportion of City/County children benefiting from prescribed programs in 2005 and 2006, when the grant was originally received, and further

**THAT** the County be requested to restore the City share of Provincial and Federal funds to the Best Start Reserve fund, including interest, and to use its own source funds for the portion of the Mount Forest Child Care Centre (a discretionary service) that would exceed its proportion of the Best Start Reserve fund.

#### **BACKGROUND**

As the Consolidated Municipal Service Manager (CMSM), the County of Wellington through its Child Care Services Division of the County's Social Services Department is responsible for the planning and management of the delivery of child care services throughout Guelph and Wellington County. Attached to this report as Appendix 1 is an extract from County documents provided during the arbitration, providing an overview of the Child Care Services delivered.

The document provides data as of June 2009 regarding subsidized child care spaces and service level statistics. The document indicates that the percentage split of overall program usage including subsidized child care spaces, Special Needs and Wage Subsidies is 85% City and 15% County.

#### **REPORT**

On February 16, 2010 the City of Guelph requested a continuity schedule for the one time funding and on-going investment of funds from the Best Start Reserve.

On May 12, 2010 the County of Wellington Social Services Committee received a report which included a continuity schedule for the reserve. The continuity schedule discloses that the distribution of Provincial and Federal funds between the City of Guelph and County of Wellington has not respected the formula for cost allocations.

The County has provided the following continuity schedule for the Best Start Reserve Fund:

#### **Best Start Reserve Fund**

	2005	2006	2007	2008	2009
Opening Balance	\$ -	\$ 2,684,918.19	\$ 3,599,516.19	\$ 3,754,272.72	\$ 1,759,495.85
Inflows: Provincial Best Start funding Interest Transfer from Capital project (3)	\$ 2,678,185.00 \$ 6,733.19	\$ 877,500.00 \$ 121,536.00	\$ 154,756.53	\$ 132,023.13	\$ 63,201.65 \$ 566,100.00
Total Inflows	\$ 2,684,918.19	\$ 999,036.00	\$ 154,756.53	\$ 132,023.13	\$ 629,301.65
Outflows: Transer to Operating Budget (1) Transfer to capital project (2)		\$ (84,438.00)		\$ (2,126,800.00)	
Total Outflows	\$ -	\$ (84,438.00)	\$ -	\$ (2,126,800.00)	\$ -
Ending Balance	\$ 2,684,918.19	\$ 3,599,516.19	\$ 3,754,272.72	\$ 1,759,495.85	\$ 2,388,797.50

**Notes:** The table summarizes the reserve balance since the funds were received by the County in 2005.

- (1) Transfer to operating budget in 2006 was used to offset net Best Start Operating costs
- (2) Transfer to capital project in 2008 was for the County of Wellington Community Service Centre in Mount Forest (based on the original budget estimate)
- (3) Transfer from capital project in 2009 reflects funds returning to the reserve based on actual costs incurred to the end of the year relating to the child care centre portion of the County of Wellington Community Service Centre in Mount Forest.

The percentage allocation of the 2006 transfer to the Operating budget is unknown, however the allocation in 2008/2009 is a benefit of 100% to the County. While the Mount Forest Child Care Centre may have been a high priority to the CMSM in 2005, the responsibility for funding this discretionary service was 100% a County responsibility, and should have been funded 100% by the County.

It is recommended that the funds be restored to the Best Start Reserve and that the Reserve fund be apportioned to reflect the funds available to support City and County children in the same proportion as the proportion of City/County children supported in CMSM prescribed Child Care programs.

#### **CORPORATE STRATEGIC PLAN**

5.3 Open transparent and accountable government

#### **FINANCIAL IMPLICATIONS**

According to the 2009 County arbitration documents, in 2009, the County paid 16% of 2009 prescribed net expenditures, and 28% of discretionary programs. Total revenues in the reserve exceed \$4 million. Almost 40% was spent on the Mount Forest Centre, and the split of the 2006 Operating transfer is unknown.

#### **DEPARTMENTAL CONSULTATION**

This report has been prepared in consultation with the CAO, the Director of Community Services and the Director of Corporate Services.

ATTACHMENT: County Arbitration Document

M. Teubauer

**Recommended By:** 

Margaret Neubauer Director of Finance 519-822-1260 x 5606 margaret.neubauer@quelph.ca

#### 9.3 Child Care Services

#### 9.3.1 Service Overview

- 61. The Child Care Services Division of the County's Social Services Department is responsible for the planning and management of the delivery of child care services throughout Guelph and Wellington County. Services provided include child care subsidy for financially eligible families; special needs resourcing; wage subsidies to increase the overall level of wages paid to child care workers; and quality monitoring, training and support and community service planning for children birth to age six years. The County also operates two child care centres (one in Guelph and one in Wellington). Governance is provided by the Joint Social Services Committee.
- 62. Total expenditures for child care services which are subject to this arbitration are estimated to be \$10.6 million in 2009. Total net municipal expenditures in 2009 for these services are estimated to be \$2.0 million. The net municipal share is apportioned between the County and the City based on the residence of the recipient and the location of the child care centres in accordance with the 1995 and 1998 agreements, and is estimated to be \$1.7 million to Guelph and \$336,000 to Wellington.

#### 9.3.2 Service Statistics and Distribution

63. Exhibit 9 shows the total number of licensed child care spaces in Guelph and Wellington. This includes both centre-based spaces and private home child care spaces. Exhibit 9 also shows the number of children who are being provided with a fee subsidy and/or special needs resources, as well as the number of child care centre employees (measured as full time equivalents) receiving wage subsidy, all as of June 2009.

Exhibit 9 Subsidized child care spaces and service level statistics as of June 2009							
	Guelph	Wellington	Total				
Total number of licensed child care spaces by location							
Child Care Centres	2198	694	2892				
Private Home Child Care	<u>151</u>	<u>54</u>	<u>205</u>				
Total	2349	748	3097				
% of total	76%	24%	100%				
Subsidized child care spaces by place of residence	556	183	739				
% of total	75%	25%	100%				
Special Needs Resourcing (# of children served) by place of residence Trellis Mental Health and Development Services KidsAbility Centre for Child Development Public Health - Wee Talk	176 125 137	32 30 <u>12</u>	208 155 <u>149</u>				
Total	438	74	512				
% of total	86%	14%	100%				
Wage subsidies (# of full time equivalent positions) by location of centre	607	107	714				
% of total	85%	15%	100%				

<sup>64.</sup> A total of 76% of the licensed child care spaces are in the City of Guelph and 24% are in Wellington County.

#### 9.3.3 Child Care Services Expenditures and Allocation of Costs

65. The full set of services delivered and/or funded through the Child Care Services Division, along with corresponding total expenditures and net municipal costs, are set out in Exhibit 10.

Exhibit 10

Child Care Services Expenditure and Net Municipal Cost Allocation
Based on 2009 County Budget (all \$ figures in \$000's)

	Description		09 Total	%of	2009 net municipal cost			
Service			penditure	total	Guelph		Wellington	
Services included in	n this arbitration (1)							
Subsidized child care	Partial or full fee subsidy for financially eligible parents in licensed child care programmes with a Purchase of Service Agreement for Fee Subsidy with the County of Wellington	\$	3,794	30.3%	S	699	\$	119
Wage subsidies	Wage enhancement to child care programme staff working in licensed child care programmes with a Purchase of Service for Wage Subsidy Agreement with the County of Wellington.	Ş	2,925	23.4%	\$	337	\$	46
Special Needs Resourcing	Inclusive support services to licensed child care programmes. Special Needs Resourcing also supports the Quality Child Care Initiative to promote higher quality standards in all child care programmes.	\$	2,087	16.7%	\$	301	\$	102
Child Care Administration	See foolnate (3)	S	1,749	14.0%	\$	365	\$	70
***	Subtotal	\$	10,555	84.3%	\$	1,702	\$	336
Other related service Child Care Grant programme (2)	es provided by the County but not included in this arb Funding to a variety of agencies through an annual Grant Programme (formerly the National Child Benefit Reinvestment programme)		<u>on</u> 455	3.6%	\$	362	\$	93
Willowdale Child Care and Leaming Centre (Guelph)	Provides high quality licensed child care for 46 children ages 18 months to six years	\$	795	6.4%	\$	131	****	
Mount Forest Child Care and Learning Centre (Wellington)	Provides high quality licensed child care for 51 children ages 18 months to twelve years co-located with Ontario Early Years and Public Health in the new County of Wellington Community Services Centre.	\$	713	5.7%		<del></del>	\$	105
	Subtotal	\$	1,963	15.7%	\$	493	\$	198
	Total	s	12.518	100.0%	s	2,195	\$	534

#### Footnotes:

(1) 2009 Total expenditure includes 100% provincial funding provided under the Best Start Programme)

(2) Grant recipients include the following

Guelph Neighborhood Support Coalition

Children's Foundation of Guelph and Wellington

East Wellington Community Services

Guelph-Wellington Women in Crisis

Wellington-Dufferin-Guelph Public Health: Action Read/Wee Talk, Dental Programme

Community Resource Centre of North and Centre Wellington

Guelph Community Health Centre Programmes: Early Learning, Kindergarten/Parent survey, Garden Fresh Box, Quality Child Care Initiative

Data Analysis Coordinator (through Guelph Community Health Centre)

(3) Administration costs include: Director, managers and support staff; general office expenses; staff training and development

#### **CONSENT AGENDA**

June 28, 2010

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

DIRECTION
Approve
Approve
Approve

AND THAT Council authorize staff to prepare an amending By-law, to Traffic By-law (2002)-17017, to restrict vehicular traffic and allow only buses, delivery vehicles, and drop-off and pick-up taxi cabs on Carden Street, east of Wyndham Street, as part of the operation of the new Transit Terminal on Carden Street.

Information relating to the Safety Audit will be delivered under separate cover.

### A-4) CARDEN STREET TRANSIT TERMINAL – COSTS AND IMPLICATIONS

Report will be distributed under separate cover.

#### **B** ITEMS FOR DIRECTION OF COUNCIL

### B-1) GUELPH JUNCTION RAILWAY 2009 AUDITED FINANCIAL STATEMENTS

Approve

THAT the request from Guelph Junction Railway that the presentation of their 2009 Financial Statements be deferred to August 30, 2010.

#### C ITEMS FOR INFORMATION OF COUNCIL

attach.

## COUNCIL REPORT



TO Guelph City Council

SERVICE AREA Community Design and Development Services

DATE June 28, 2010

SUBJECT Proposed Demolition of 66-68 Bagot Street, Ward 3,

Guelph

REPORT NUMBER 10-63

#### RECOMMENDATION

"THAT Report 10-63 regarding the proposed demolition of a legal non-conforming triplex at 66-68 Bagot Street, City of Guelph, from Community Design and Development Services dated June 28, 2010, BE RECEIVED; and,

THAT the proposed demolition of the legal non-conforming triplex at 66-68 Bagot Street, BE APPROVED."

#### **BACKGROUND**

An application to demolish the existing legal non-conforming triplex building at 66-68 Bagot Street has been received by Community Design and Development Services.

The subject property is located on the westerly side of Bagot Street, north of Paisley Road (see **Schedule 1** - Location Map). The property is zoned R.1B (Residential Detached) which permits detached dwellings. The existing triplex is considered to be legal non-conforming.

The existing building on the subject property is a 1  $\frac{1}{2}$  storey building that was constructed in approximately 1870. The building appears to have been constructed initially as a detached dwelling and was subsequently converted to a three-unit dwelling. The dwelling is not listed on the City's Inventory of Heritage Properties. However, due to the age of this building, the property is of interest from a Heritage Planning perspective.

On June 8, 2010, the Committee of Adjustment granted conditional approval of severance and minor variance applications for this property. The development proposal is to demolish the existing building, sever this parcel of land to create two properties each having a frontage of 13.49 m (44.26 ft.) and construct two detached dwellings. Planning staff supported the applications and recommended conditions to deal with issues related to tree retention, density and heritage as follows:

- Tree preservation conditions have been imposed to ensure that three large trees on the subject property will be protected and retained throughout the demolition of the existing building and construction of the new detached dwellings;
- 2) Number of dwelling units the replacement of a triplex with two detached dwellings is consistent with the current R.1B zoning but could result in a net loss of residential units. A condition has been imposed which requires the new dwellings to be designed to accommodate accessory apartments which will allow for the possibility to increase the total number of dwelling units on the subject lands from three to four. This supports the Growth Plan and the Local Growth Management Strategy;
- 3) Potential Heritage Resource the existing building is approximately 140 years old making it of interest from a Heritage Planning perspective. In reviewing the Committee of Adjustment applications, the City's Heritage Planner had the opportunity to conduct a preliminary inspection of the interior and exterior of the existing building. The City's Heritage Planner has indicated that many unsympathetic alterations have been made to the original heritage structure which have substantially reduced the physical heritage integrity of the building. Accordingly, there is no objection to the severance of the land and demolition of the building from a heritage perspective provided that a photographic record of the building and demolition are provided to the City and salvage of quality materials occurs.

The Committee of Adjustment approval is also conditional upon the demolition of the existing building. If the demolition is not approved, the Committee's approval of the severance and associated minor variances for frontage will lapse.

See **Schedule 4 – Committee of Adjustment Decision for B-16/10** which includes all of the conditions imposed on the approval of the severance.

#### **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 approval of the demolition application is recommended as the existing legal non-conforming triplex is to be replaced with two new detached dwelling units, and as discussed above, provisions will be made for accessory apartments to be accommodated in each of the proposed detached dwellings for a potential total of four dwelling units. Therefore, the potential residential capacity of the subject site could be increased as a result of this application.

Detailed plans have not yet been developed for the proposed replacement dwellings, however, based on the severance sketch submitted with the Committee of Adjustment applications, the proposed building footprints comply with the R.1B zoning regulations (see **Schedule 3** – Severance Sketch).

#### **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 - Severance Sketch

Schedule 4 - Committee of Adjustment Decision for B-16/10

"original signed by Stacey Laughlin"

"original signed by Scott Hannah"

#### **Prepared By:**

Stacey Laughlin Development and Urban Design Planner 519.837.5616 x2327 stacey.laughlin@guelph.ca

#### **Recommended By:**

R. Scott Hannah Manager of Development and Parks Planning 519.837.5616 x2359 scott.hannah@quelph.ca

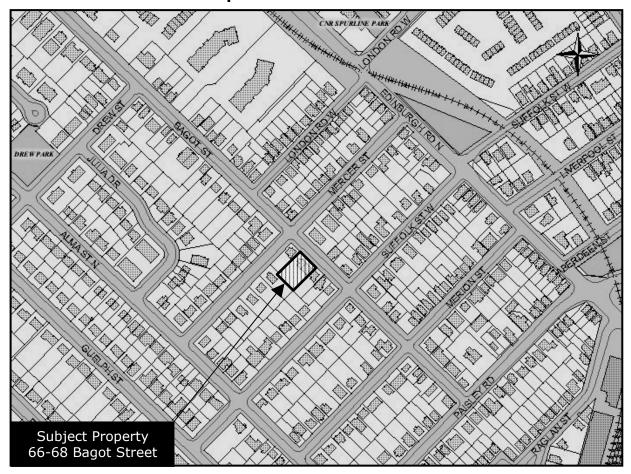
#### **Recommended By:**

James N. Riddell Director of Community Design and Development Services 519.837.5616 x2361 jim.riddell@guelph.ca

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<sup>&</sup>quot;original signed by James Riddell"

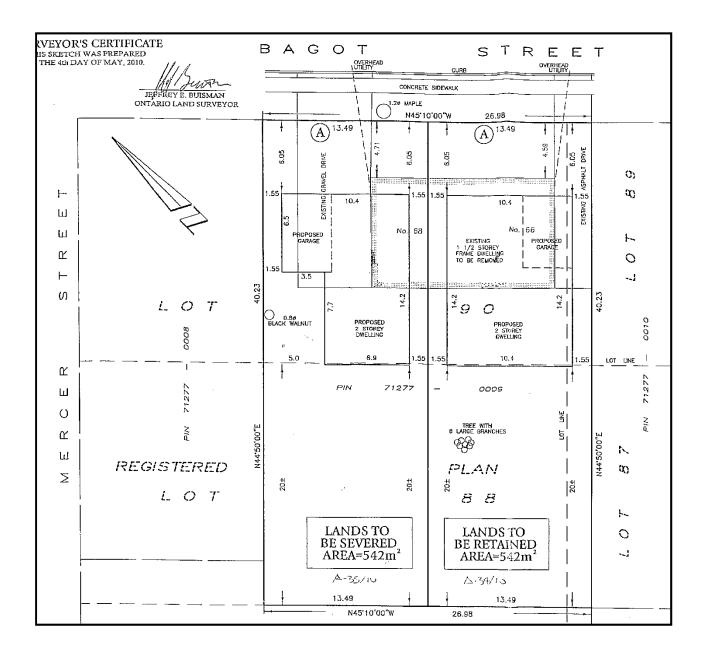
#### **SCHEDULE 1 – Location Map**



**SCHEDULE 2 - Site Photograph (June 2010)** 



#### **SCHEDULE 3 - Severance Sketch**



#### SCHEDULE 4 - Committee of Adjustment Decision for B-16/10

## **DECISION**

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-16/10



The Committee, having had regard to the matters that are to be had regard to under Section 51(17) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and having considered whether a plan of subdivision of the land in accordance with Section 51 of the said Act is necessary for the property and orderly development of the land, passed the following resolution:

"THAT in the matter of an application under Section 53(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, consent for severance of Part of Lots 88 and 90, Registered Plan 23, to be known as 68 Bagot Street, a parcel with a frontage along Bagot Street of 13.49 metres (44.3 feet) and a depth of 40.23 metres (132 feet), be approved, subject to the following conditions:

- 1. That the owner pays the watermain frontage charge of \$8.00 per foot of frontage for 88.52 feet (26.98 metres), prior to endorsation of the deeds.
- 2. That the owner pay to the City, as determined applicable by the City's Director of Finance, development charges and education development charges, in accordance with City of Guelph Development Charges By-law (2009)-18729, as amended from time to time, or any successor thereof, and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board, as amended from time to time, or any successor by-laws thereof, prior to issuance of a building permit, at the rate in effect at the time of issuance of the building permit.
- 3. That the owner pays the actual cost of constructing a new sanitary sewer lateral to the retained lands including the cost of any curb cuts or curb fills, with the estimated cost of the works as determined necessary by the City Engineer being paid, prior to the issuance of any building.
- 4. That the owner pays the actual cost of constructing a new sanitary sewer lateral and a new water service lateral to the severed lands including the cost of any curb cuts or curb fills, with the estimated cost of the works as determined necessary by the City Engineer being paid, prior to the issuance of any building permit.
- 5. That the owner shall pay the actual costs associated with the removal of a portion of the existing asphalt driveway and a portion of the gravel driveway on the road allowance and be replaced with topsoil and sod, with the estimated cost of the works as determined necessary by the City Engineer being paid, prior to the issuance of a building permit.
- 6. That the owner pays all the costs associated with the removal of the existing gravel and concrete walk on the lands to be severed, prior to endorsation of the deeds
- 7. That the owner enters into a Storm Sewer Agreement, as established by the City, providing for a grading and drainage plan, registered on title, prior to endorsation of the deeds.
- 8. That the owner constructs the new dwellings at such an elevation that the lowest level of the building can be serviced with a gravity connection to the sanitary sewer.

Page 1 of 4

COMMITTEE OF AJUSTMENT DECISION

(cont'd)

# **DECISION**

COMMITTEE OF ADJUSTMENT APPLICATION NUMBER B-16/10



- 9. That prior to the issuance of any building permits on the retained lands and the severed lands, the owner shall pay the flat rate charge established by the City per metre of road frontage to be applied to tree planting for the said lands.
- 10. That the owner pays the actual cost of the construction of the new driveway entrances and the required curb cuts and curb fills, with the estimated cost of the works as determined by the City Engineer being paid, prior to the issuance of a building permit.
- 11. That a legal off-street parking space be created on the retained lands and the severed lands at a minimum setback of 6-metres from the Bagot Street property line.
- 12. That the owner shall pay for all the costs associated with the removal of the existing building, prior to endorsation of the deeds.
- 13. That prior to the endorsation of deeds, the owner receive a demolition permit and remove the existing legal non-conforming triplex at 66 Bagot Street.
- 14. That prior to the demolition of the triplex, an arborist report be submitted to the Director of Community Design and Development Services that makes recommendations regarding preventative measures/treatment and methods to protect the three large trees identified on the severance sketch, including an appropriate tree protection zone.
- 15. That prior to the demolition of the triplex, that preventative measures/treatment for the trees be completed and tree protection fencing be erected on-site and inspected by staff to the satisfaction of the Director of Community Design and Development Services.
- 16. That the building envelope for the proposed dwelling on the severed parcel be in keeping with the severance sketch provided as it relates to providing additional setback for the Black Walnut tree.
- 17. That the proposed dwellings on the severed and retained parcels be designed to accommodate accessory apartments in accordance with the regulations set out in the Zoning By-law.
- 18. That the elevation and design drawings for the new dwellings on the severed and retained parcels be submitted to, and approved by the Director of Community Design and Development Services, prior to the issuance of a building permit for the new dwellings in order for staff to ensure that the design of the new dwellings respects the character of the surrounding neighbourhood.
- 19. That a site plan be submitted to, and approved by the Director of Community Design and Development Services, prior to the issuance of a building permit for the new dwellings on the severed and retained parcels indicating:
  - a) The location and design of the new dwellings.

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COMMITTEE OF AJUSTMENT DECISION

(cont'd)

# **DECISION**

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER B-16/10



- b) All trees impacted by the development, identifying trees to be retained, removed or replaced and methods to protect the trees to be retained during all phases of construction.
- c) That the location of the new dwellings maintains a setback that is in character with the surrounding area
- d) Grading, drainage and servicing information.
- 20. That prior to the issuance of a building permit for the severed and retained parcels, tree protection fencing be erected on-site and inspected by staff to the satisfaction of the Director of Community Design and Development Services.
- 21. That the applicant shall pay to the City cash-in-lieu of park land dedication in accordance with By-law (1989)-13410, as amended from time to time, or any successor thereof, prior to the endorsation of the deeds, at the rate in effect at the time of the endorsation.
- 22. Prior to the issuance of any building permit for the lands, the owner shall pay to the City, the City's total cost of reproduction and distribution of the Guelph Residents' Environmental Handbook, to all future homeowners or households within the project, with such payment based on a cost of one handbook per residential dwelling unit, as determined by the City.
- 23. That the owner provide a photographic record of the site and the subject structure, including photographic documentation of any subsequent demolition, to the City for its records.
- 24. That salvage of quality materials be carried out where possible.
- 25. That prior to issuance of a building permit, the applicant makes arrangement for provision of overhead or underground hydro servicing to the severed parcel, satisfactory to the Technical Services Department of Guelph Hydro Electric Systems Inc. Any modifications to the overhead distribution system to accommodate for the newly created lots, will be at the owner's expense.
- 26. That the owner shall make arrangements satisfactory to the Engineering Department of Guelph Hydro Electric Systems Inc. for the servicing of the lands, prior to endorsation of the deeds.
- 27. That prior to the endorsation of the deeds, the owner shall enter into an agreement with the City, registered on title, agreeing to satisfy the above-noted conditions and to develop the site in accordance with the approved plans.
- 28. That the documents in triplicate with original signatures to finalize and register the transaction be presented to the Secretary-Treasurer of the Committee of Adjustment along with the administration fee required for endorsement, prior to June 11, 2011.
- 29. That all required fees and charges in respect of the registration of all documents required in respect of this approval and administration fee be paid, prior to the endorsement of the deed.

Page 3 of 4

COMMITTEE OF AJUSTMENT DECISION

## **DECISION**

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER B-16/10



- 30. That the Secretary-Treasurer of the Committee of Adjustment be provided with a written undertaking from the applicant's solicitor, prior to endorsement of the deed, that he/she will provide a copy of the registered deed/instrument as registered in the Land Registry Office within two years of issuance of the consent certificate, or prior to the issuance of a building permit (if applicable), whichever occurs first.
- 31. That a Reference Plan be prepared, deposited and filed with the Secretary-Treasurer which shall indicate the boundaries of the severed parcel, any easements/rights-of-way and building locations. The submission must also include a digital copy of the draft Reference Plan (version ACAD 2000 2002) which can be forwarded by email (cofa@guelph.ca) or supplied on a compact disk."

Members of Committee Concurring in this Decision

I, Kimberli Fairfull, Secretary-Treasurer, hereby certify this to be a true copy of the decision of the Guelph Committee of Adjustment and this decision was concurred by a majority of the members who heard this application at a meeting held on <u>June 8, 2010</u>.

Signed:

Dated: June 11, 2010

The last day on which a Notice of Appeal to the Ontario Municipal Board may be filed is <u>June 28</u>, 2010.

Community Design and Development Services
Building Services

T 519-837-5615 F 519-822-4632 E cofa@guelph.ca



TO Guelph City Council

SERVICE AREA Economic Development and Tourism Services

DATE June 28, 2010

SUBJECT Memorandum of Understanding Between the

Province of Ontario and the City of Guelph - Guelph

**Innovation District** 

Report Number

#### RECOMMENDATION

THAT Guelph City Council receive the report of June 28, 2010 prepared by the Department of Economic Development and Tourism Services with respect to the Memorandum of Understanding for the Guelph Innovation District, and

THAT Guelph City Council authorizes the Mayor to execute the Memorandum of Understanding for the Guelph Innovation District as described in this report prepared by the Department of Economic Development and Tourism Services.

#### **BACKGROUND**

Staff of the City of Guelph and the Province of Ontario have been working to develop a Memorandum of Understanding (MOU) which will establish the roles, responsibilities and protocols between the City and the Province of Ontario, as represented by the Ministry of Energy and Infrastructure (MEI) with respect to the establishment and implementation of future land use planning policies for the York District of the City of Guelph. Furthermore, Ontario Realty Corporation (ORC), as a crown agent for realty matters, may be asked to carry out MEI's obligations with respect to the future use of provincially owned property within the York District. This MOU will serve as the basis for the City and the Province to leverage and coordinate resources in order to re-position the York District property, which will now be referred to as the Guelph Innovation District (GID), to address the objectives of the City's Growth Management Plan and the Province's Places to Grow.

This MOU clarifies the respective roles, responsibilities, decision-making powers and processes of MEI/ORC, as an owner/manager of land within the GID and the City, acting in its municipal capacities, both as an approval authority for certain matters and as a proponent of economic development. This MOU also clarifies the coordination and communication requirements and timelines. The MOU also



contemplates the need to enter into subsequent agreements with each other for implementation of the GID.

#### **REPORT**

In summary the MOU addresses the following matters:

#### 1. PURPOSE

The purpose of the MOU is to establish the roles, responsibilities and protocols between the City and the Province.

#### 2. GOAL

The following goal statement will guide the MOU:

The Guelph Innovation District will be a new kind of employment area in the city. It will strive to be carbon neutral; house an innovation cluster with thousands of employment opportunities; and offer an urban village with appealing places to live, work, play and learn in a setting that is rich in natural and cultural heritage.

#### 3. COMMITMENTS

## a) Joint Obligations

- Develop and integrate an implementation strategy including schedule, milestones, communication, reporting, public consultations, etc.;
- Commit to regular meetings and schedules
- Develop and implement coordinated marketing strategies.

## b) Provincial Obligations

- Coordinate with the City the conducting of studies related to the Province's property.
- Coordinate a one window approach to communicate with provincial entities that have responsibilities or interests in provincial property within the GID (e.g. the Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA), the Ministry of Training, Colleges and Universities (MTCU), Ministry of Research and Innovation (MRI) ), Agriculture Research Institute of Ontario (ARIO))



 Coordinate with the City the development and implementation of economic development and marketing strategies.

### c) City Obligations

- Coordinate the creation of a secondary land use plan
- Coordinate with the Province the conducting studies and other initiatives related to City's property.
- Act in its municipal authority to process land use planning applications;
- Work with provincial ministries responsible for economic development (eg. OMAFRA, MEDT, MRI) in creating a plan for the marketing of the province's property;
- Coordinate with and provide a one window approach to City services that have responsibility for economic development, planning, transportation and engineering, real estate, environmental services, community services and others that may be identified;
- Conduct local planning and policy work to enable future land use within the GID; and
- Coordinate the involvement of local citizens, businesses, research and education institutions, and other public and private sector organizations as it deems necessary to advance the goal statement for the GID.

### 4. Project Management and Coordination

Project Managers assigned to this project include:
MEI Project Manager –Director, Real Estate Policy Branch
City Project Manager –General Manager, Economic Development
and Tourism Services

### 5. Project Team

The MEI and ORC will appoint representatives with expertise in: Real estate management and infrastructure planning and development.

The City will appoint representatives with expertise in:

- Land use planning
- Economic development
- Engineering & transportation
- Environmental services (including community energy planning)
- Real estate management



Community services

### 6. Funding

- Each party is responsible for funding its own activities, except as agreed to from time to time.
- Funding of any development or construction of any infrastructure or structures is not included as part of this MOU

#### 7. Term

• This MOU shall be in effect until December 31, 2014.

#### 8. Renewal

 Renewal options, outstanding matters, and possible improvements regarding the MOU will be discussed by the parties 120 to 60 days prior to the end of the term of the MOU.

#### 9. Termination

 At any time during the term of the MOU, except during the renewal period, either party may initiate consultations with the other party to discuss proposed termination of the agreement.

#### CORPORATE STRATEGIC PLAN

#### Goal 1 - An Attractive, Well Functioning and Sustainable City

• Strategic Objective 1.6 – A Balanced Tax Assessment Ratio

#### **Goal 3 - A Diverse and Prosperous Local Economy**

- Strategic Objective 3.1 Thriving and Sustainable Local Employment Opportunities
- Strategic Objective 3.2 One of Ontario's Top Five and Canada's Top Ten Places to Invest



 Strategic Objective 3.3 - The Highest Ratio of any Southern Ontario City of People Who Work and Live in the Same Community

# Goal 5 – A Community-focused, Responsive and Accountable Government

• Strategic Objective 5.4 – Partnerships to Achieve Strategic Goals and Objectives.

#### FINANCIAL IMPLICATIONS

Guelph City Council has approved funds in the 2010 capital budget for the purpose:

 Guelph Innovation District - Cluster Development Strategy - Project SS0008 - \$46,300(current status budget)

#### **DEPARTMENTAL CONSULTATION**

The creation of this MOU included consultation and input provided by:

- Community Design and Development Services
- Corporate Legal Services (Legal Services and Realty Services)
- Ministry of Energy and Infrastructure

**Prepared By:** 

Barbara Maly Business Development Specialist Agri-Food and Innovation Sectors Telephone: 519 822 1260 ext 2822

Email: <a href="mailto:barbara.maly@quelph.ca">barbara.maly@quelph.ca</a>



And with

**Recommended By:** 

Peter Cartwright, PLE, MCIP, RPP

General Manager of Economic Development and Tourism Services

Telephone: 519 822 1260 ext 2820 Email: <a href="mailto:peter.cartwright@quelph.ca">peter.cartwright@quelph.ca</a>

# COMMITTEE REPORT



**TO** Community Development and Environmental Services

Committee

SERVICE AREA Community Design and Development Services

DATE June 22, 2010

**SUBJECT** Guelph Transit Terminal: Carden Street Operations

REPORT NUMBER 10-75

#### RECOMMENDATION

"THAT the Community Design and Development Services Report dated June 22, 2010, BE RECEIVED;

AND THAT Council authorize staff to prepare an amending By-Law, to Traffic By-Law 2002-17017, to restrict vehicular traffic and allow only buses, delivery vehicles, and drop-off and pick-up taxi cabs on Carden Street, east of Wyndham Street, as part of the operation of the new Transit Terminal on Carden Street."

#### **REPORT**

At present Carden Street east of Wyndham Street is a 2-lane roadway terminating at MacDonell Street. It is a low volume road, with on-street parking on both sides. There are 6 properties fronting on Carden Street on the north side, while the VIA train station and CN lands are located on the south side. The Greyhound Terminal is located to the east of Carden Street on MacDonell Street; the rail locomotive is to the south of the Greyhound Terminal.

Attachments 1 and 2 respectively illustrate the existing Carden Street, east of Wyndham Street, and the layout of the new Transit Terminal on Carden Street. The construction of the new terminal involves the following changes to Carden Street, east of Wyndham Street:

- Relocation of the rail locomotive;
- b. Demolition of the Greyhound bus terminal;
- c. Removal of on-street parking and off-street VIA station parking (alternative parking for VIA patrons has been arranged);
- d. Construction of the new bus platform, with saw-tooth bus bays, from MacDonell Street to a point 45 metres east of Wyndham Street;
- e. Vehicular turnaround configuration at the Wyndham Street end in front of the VIA Station;
- f. Realignment to a new intersection location at the MacDonell Street end with traffic signal control;

- g. Improved sidewalk on the north side and landscaping;
- h. Network of pedestrian connections between the bus platform, VIA Station and the sidewalks on Carden Street, Wyndham Street and MacDonell Street; and
- i. Bike shelters at both ends of the terminal to accommodate bicycle parking by transit users.

With these changes, the geometry of Carden Street can accommodate the following vehicular movements:

- 1) Two-way traffic between Wyndham Street and the westerly end of the new Bus Platform.
- 2) One-way (eastbound only) traffic between the westerly end of the Bus Platform and MacDonell Street.

The Transit Terminal Concept plan approved by Council and the detailed design for construction are based on allowing only one-way eastbound traffic beyond the westerly end of the new Bus Platform.

The purpose of this Report dated June 22, 2010, is to recommend to Council that the future one-way eastbound section of Carden Street be restricted through signing to only buses, delivery vehicles, and drop-off/pick-up taxi cabs serving properties located on the north side of Carden Street. All vehicular traffic will be allowed on the two-way section of Carden Street between Wyndham Street and the west end of the Bus Platform.

The requirements for this restriction involving transit operations, and its impacts to properties and vehicular traffic currently using Carden Street, are discussed herein.

#### Transit Operations:

The principal reason for restricting vehicular traffic on the future one-way section of Carden Street is to enable safe, efficient, and more frequent bus operations adjacent to the Bus Platform, based on the following considerations:

- The design of the bus platform provides for one-way westbound bus-only movement on the south side of the platform without any conflict with vehicular traffic. The purpose of restricting vehicular traffic on the north side to delivery and drop-off/pick-up (taxi cabs) vehicles is to minimize conflict between transit and vehicular traffic and facilitate safe bus operations.
- The volume of bus traffic anticipated at the new terminal is higher than what was envisaged at the time when the Concept Plan was developed, allowing one-way (eastbound) all vehicular traffic. The expected increase in bus movements is due to greater frequency of Guelph Transit buses and a higher level of operations by GO and Greyhound buses than anticipated earlier.
- Guelph Transit buses operate to a coordinated time schedule and delays in entering and exiting the terminal will contribute to bus delays and customer inconvenience. The proposed restriction will enable buses to move with minimal interruptions on the one-way section of Carden Street. It should be noted that buses will be given traffic signal priority at the two Carden Street intersections at Wyndham Street and at MacDonell Street. The effectiveness of providing traffic signal priority will be reduced if buses are delayed in mixed traffic on Carden Street.
- The design of the terminal provides for locations for pedestrian crossings between the bus platform and the surrounding sidewalks. The safety of pedestrian crossing will be enhanced if vehicular traffic on Carden Street is restricted.

 The interaction of transit vehicles, private automobiles and pedestrians in a confined area poses a significant risk management issue for the City. The proposed restriction of vehicular traffic will greatly reduce this risk.

#### Vehicular Traffic Impacts:

The restriction of vehicular traffic on the future one-way eastbound section of Carden Street will have minimal impacts on traffic circulation and is justified from a transportation planning and TDM standpoint, as noted below:

- Carden Street east of Wyndham Street at present carries a two-way peak hour volume of 120 vehicles in the morning and 160 vehicles in the afternoon. These volumes are low and the traffic pattern indicates that the vehicles entering Carden Street at Wyndham Street proceed all the way to MacDonell Street, and vice versa. When Carden Street is closed to vehicular traffic, the vehicles currently using Carden Street will be redistributed and can be easily accommodated at the intersection at Wyndham Street and MacDonell Street.
- As the City's main transit node, the new terminal will provide for the
  movement of about 1600 persons per hour during the morning and afternoon
  peak periods, and about 800 persons during off-peak periods. In contrast to
  this, the maximum person-throughput achieved by cars on Carden Street at
  present is about 180 persons in the morning peak hour and 240 persons in
  the afternoon peak hour. From a transportation planning and TDM
  standpoint, it is justifiable that bus movements around the terminal are given
  priority by restricting vehicular traffic on Carden Street.

#### Property Impacts:

There are six properties located on the north side of Carden Street, with entrances onto Carden Street. Only one of the properties, namely Travelodge hotel at the east end of Carden Street, has its own parking lot with full access on to MacDonell Street. None of the other properties which include a residential apartment located midblock on Carden Street and other commercial uses provide on-site parking.

The hotel parking lot will not be impacted by the proposed restriction on Carden Street and all the properties will continue to be served by delivery vehicles and taxi cabs as drop-off/pick-up vehicles on Carden Street. The design of the transit terminal and Carden Street provide a lay-by area for such vehicles in front of the properties.

It should also be noted that the proposed modifications to Carden Street have potential benefits to the properties on Carden Street. The relocation of the transit transfer point from St. George's Square to Carden Street has not been welcome among those commercial property owners at the Square who are located close to the existing bus layoff areas. Their concern is that taking transit out of the Square will reduce pedestrian circulation and activities and will negatively impact their businesses. By the same token, relocating the transit transfer point to Carden Street will potentially create positive impacts for businesses on Carden Street. Equally, the integration of Guelph transit operation and the arrival of GO train service to the VIA Station will make residential and hotel properties on Carden Street attractive to transit commuters.

There are many cities in Canada and the United States where vehicular movements are restricted on downtown streets to privilege transit and/or pedestrian mobility. Examples include Calgary, Ottawa, Vancouver and Winnipeg in Canada, and Denver, Los Angeles, Minneapolis, Portland and Seattle in the US.

The transit terminal construction will start in August this year and will be completed by March 31, 2011, the deadline for ISF projects. During construction Carden Street will be closed to vehicular traffic, but Greyhound and GO bus operations will continue to be accommodated. Guelph Transit is anticipated to relocate from St. George's Square to the new terminal in late Spring 2011. The recommended restrictions will be included in the Traffic By-Law following Council authorization and the By-Law will be in place prior to the commencement of full transit operations at the new terminal.

#### **CORPORATE STRATEGIC PLAN**

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

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

#### FINANCIAL IMPLICATIONS

N/A

#### **DEPARTMENTAL CONSULTATION**

Report circulated to and input received from Traffic and Parking Division, Guelph Transit, Design and Construction Division and General Manager, Downtown Renewal

#### COMMUNICATIONS

The Downtown Guelph Business Association and property owners have been advised of the proposed changes and staff will keep them informed of future developments.

**Prepared By:** 

Rajan Philips, P.Eng.

Manager, Transportation Planning Coordinator and Development Engineer (519) 822-1260, ext 2369

rajan.philips@quelph.ca

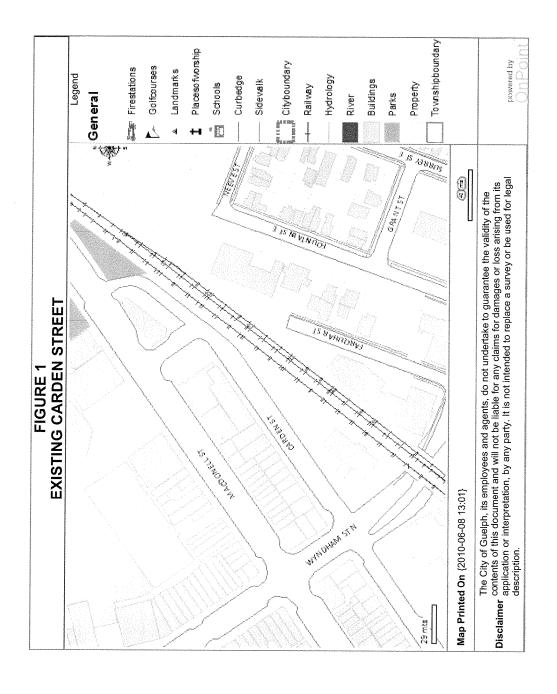
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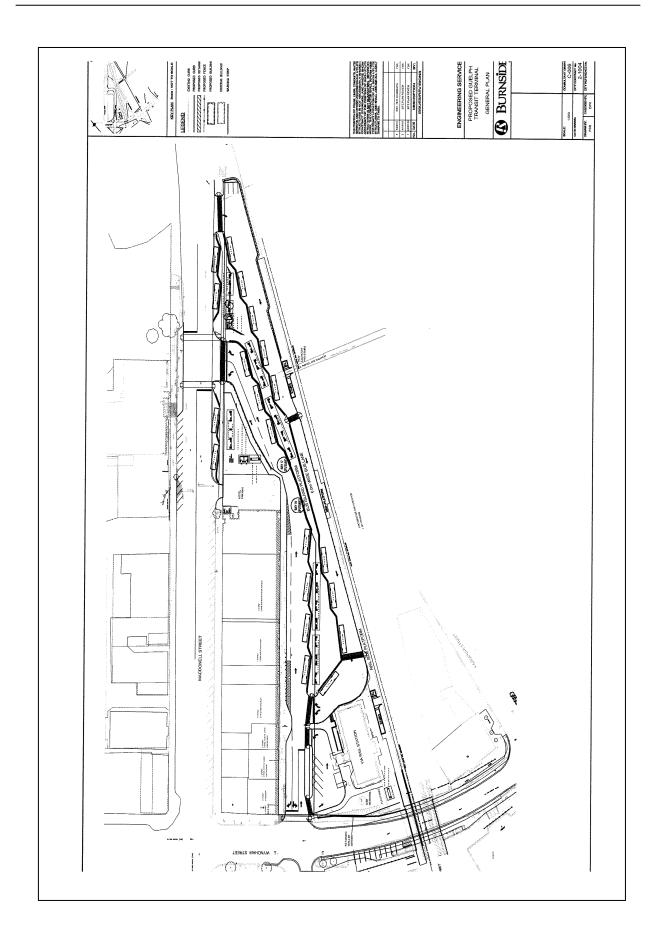
**Recommended By:** 

Richard Henry, P.Eng. City Engineer (519) 822-1260, ext. 2248 richard.henry@guelph.ca Recommended By:

James N. Riddell Director, Community Design and Development Services (519) 822-1260, ext. 2361 jim.riddell@guelph.ca

T:\ENGINEER\Engineering Council\2010







June 4, 2010

Lois Giles
Director of Information Services, City Clerk
City Of Guelph
1 Carden Street
Guelph, ON N1H 3A1

Dear Ms Giles:

#### Re: Guelph Junction Railway's 2009 Audited Financial Statements

In accordance with the Shareholder Declaration, the GJR Board is required to report in a public meeting of Council, its audited consolidated financial statements and a capital budget performance report for the preceding calendar year. For the 2009 year end, this public meeting would normally take place by June 30, 2010.

The City's Finance Department prepares GJR's financial 2009 statements. Due to additional workload requirements associated with implementing the PSAB requirements for capital asset reporting, and changes in key personnel coinciding with the year end audit, the Finance Department requires additional time to finalize both the City's and GJR's statements.

The Board respectfully requests that City Council formally authorize deferral of the public meeting for presentation of GJR's financial information to August 30, so that it can remain in compliance with the Shareholder Declaration.

Yours truly,

Margaret Neubauer

**Guelph Junction Railway Treasurer** 

MN:cah

cc GJR Board

### - BYLAWS -

- June 28, 2010 -	
By-law Number (2010)-19020  A by-law to dedicate certain lands known as Part of Block 102, 61M146, designated as Part 4, 61R11346 as part of Clough Crescent, City of Guelph.	To dedicate land as part of Clough Crescent.
By-law Number (2010)-19021 A by-law to dedicate certain lands known as Part of Block 78, 61M114, designated as Part 1, 61R11395, Part of Block 77, 61M114, designated as Part 2, 61R11395 and Part of Block 74, 61M114, designated as Part 3, 61R11395, City of Guelph as part of Arkell Road.	To dedicate land as part of Arkell Road.
By-law Number (2010)-19022 A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property known municipally as 146 Downey Road to permit a residential development (File ZC0906).	A by-law to amend the Zoning By-law as approved by Council June 7, 2010.
By-law Number (2010)-19023 A by-law to authorize the execution of an agreement between The Corporation of the City of Guelph and Her Majesty the Queen in Right of the Province of Ontario represented by the Minister of Transportation. (dedicated gas tax funds for public transportation program)	To execute an agreement with respect to the dedicated gas tax funds for public transportation program.
By-law Number (2010)-19024 A by-law to authorize the execution of an Agreement between The Corporation of the City of Guelph and J.G. Goetz Construction Limited. (Contract No. 2-1027 for the servicing and road construction of Morning Crest Phase 2A Subdivision)	To execute Contract No. 2-1027 for the servicing and road construction of Morning Crest Phase 2A subdivision.

By-law Number (2010)-19025 A by-law to provide for the temporary closure of Couling Crescent and Severn Drive within the Morning Crest Phase 2A Subdivision. (Contract No. 2-1027)	To provide for the temporary closure of Couling Cres. And Severn Dr. during the servicing and road construction of Morning Crest Phase 2A Subdivision, under Contract No. 2-1027.
By-law Number (2010)-19026 A by-law to authorize the execution of an Agreement between The Corporation of the City of Guelph and Nathan Reid Homes Ltd. (Dawn Avenue Subdivision Extension – 61M135)	To execute an agreement with respect to the Dawn Avenue Subdivision Extension – 61M135.
By-law Number (2010)-19027 A by-law to authorize the execution of a Lease Agreement between Dominion Voting Systems Corporation and The Corporation of the City of Guelph. (for electronic voting equipment for the 2010 Municipal Election)	To execute a lease agreement for the electronic voting equipment for the 2010 Municipal Election.
By-law Number (2010)-19028 A by-law to remove Part of Block 153, Plan 61M152 designated as Parts 61 to 72 inclusive, Reference Plan 61R11254 in the City of Guelph from Part Lot Control. (78-90 Edwards St.)	To remove land from part lot control to create 7 on-street townhouse lots to be known municipally as 78-90 Edwards Street.
By-law Number (2010)-19029 A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property known municipally as 410 Clair Road East and legally described as Part of Pt. Lot 10, Concession 8, Township of Puslinch and Parts 1 and 19 on 61R-10932, City of Guelph (ZC0912).	To amend the Zoning By-law as approved by Council June 7, 2010.
By-law Number (2010)-19030 A by-law to authorize the execution of an Agreement between The Corporation of the City of Guelph and Capital Paving Inc. (Contract No. 2-1003, Part "A", for Stone / Gordon Bike Lane Project for the	To execute Contract No. 2-1003, Part "A" for Stone / Gordon Bike Lane Project for the Gordon Street portion.

Gordon Street portion)	
BY-law Number (2010)-19031 A by-law to authorize the execution of an Agreement between The Corporation of the City of Guelph and E & E Seegmiller Limited. (Contract No. 2-1003, Part "B", for Stone / Gordon Bike Lane Project for Stone Road between Edinburgh and Gordon portion)	To execute Contract No. 2-1003, Part "B", for Stone / Gordon Bike Lane Project for Stone Road between Edinburgh and Gordon portion.
By-law Number (2010)-19032 A by-law to authorize the execution of an Amending Subdivision Agreement between 2014707 Ontario Inc. and 1021294 Ontario Limited and the Corporation of the City of Guelph in respect of the lands described as Lot 26, Plan 53, Division "C", designated as Part 1, 61R11098, City of Guelph.	To execute an amending subdivision agreement.
By-law Number (2010)-10933 A by-law to amend By-law Number (2002)-17017 (installing a No-Parking section on the north side of Palmer Street from Queen Street to 140m east thereof and installing a No-Parking section on the east side of Kathleen Street from Barton Street to 62m south thereof in the No Parking Schedule XV; installing a No-Stopping section on the east side of Stevenson Street from Balsam Drive to 53m south thereof in the No Stopping Schedule XVI; and installing a school bus loading zone on the east side of Stevenson Street from Balsam Drive to 53m south thereof in the School Bus Loading Zones Schedule XIX; turn restrictions at intersections under construction – Eramosa/Delhi, Speedvale/Eramosa – in the Prohibited Turns Schedule II), and adopt Municipal Code Amendment #519, amending Chapter 301 of the Corporation of the City of Guelph's Municipal Code.	To amend the Traffic By-law.
By-law Number (2010)-19034 A By-law to authorize the acquisition of	To authorize the acquisition of property with respect to the Delhi/Eramosa

property described as Part of Lot 43, Plan 133, designated as Part 1, Reference Plan 61R11411, City of Guelph. (Delhi/Eramosa Intersection Improvements)	Intersection Improvements.
By-law Number (2010)-19035 A by-law to authorize the execution of an Agreement between Dagmar Construction Inc. and The Corporation of the City of Guelph. (Contract No. 2-1029 for the servicing and road construction from Carden Street to Farquhar Street and CN Bridge construction).	To execute Contract No. 2-1029 for the servicing and road construction from Carden Street to Farquhar Street and CN Bridge construction.
By-law Number (2010)-19036 A by-law to authorize the execution of an Agreement between Drexler Construction Limited and The Corporation of the City of Guelph. (Contract No. 2-1008 for the Eramosa and Delhi Intersection Improvements)	To execute Contract No. 2-1008 for the Eramosa & Delhi Intersection Improvements.
By-law Number (2010)-19037 A by-law to authorize the execution of an Agreement between Cox Construction Limited and The Corporation of the City of Guelph. (Contract No., 2-1016 for Maltby Road Reconstruction, Gordon Street to Hanlon Expressway)	To execute Contract No. 2-1016 for the Maltby Road Reconstruction, Gordon Street to Hanlon Expressway.