

CITY COUNCIL AGENDA



DATE September 24, 2012 – 7 p.m.

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

**O Canada
Silent Prayer
Disclosure of Pecuniary Interest and General Nature Thereof**

PRESENTATION

- a) ~~Chief Bryan Larkin, Guelph Police Services: Guelph Services Update~~
Presentation to be rescheduled.

CONFIRMATION OF MINUTES (Councillor Findlay)

"THAT the minutes of the Council Meetings held July 23 and September 4, 2012 and the minutes of the Closed Meetings of Council held July 23, September 4 and 5, 2012 be confirmed as recorded and without being read."

CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED

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

Consent Reports/Agenda from:

Community & Social Services Committee			
Item	City Presentation	Delegations	To be Extracted
CSS-8 Designated Municipal Home for Long-Term Care Project			
CSS-9 Community Investment Strategy, Phase 2			

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

Corporate Administration, Finance & Enterprise Committee

Item	City Presentation	Delegations	To be Extracted
CAFE-35 Corporate Technology Strategic Plan	<ul style="list-style-type: none"> Gilles Dupuis, General Manager of Information Technology and Norah Prior of Prior & Prior Associates Ltd. <i>(revised presentation incorporating requested information from the CAFE meeting)</i>		√

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

Operations, Transit & Emergency Services Committee			
Item	City Presentation	Delegations	To be Extracted
OTES-25 Public Nuisance By-law			

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

Planning & Building, Engineering and Environment Committee			
Item	City Presentation	Delegations	To be Extracted
PBEE-33 Mixed-Use Nodes Urban Design Concept Plans: Watson Parkway / Starwood and Paisley / Imperial Community Mixed use Node			
PBEE-34 Heritage Planning: Annual Activity Report and Four Year Work Plan Update			
PBEE-35 180 Gordon Street Brownfield Tax Increment-Based Grant Upset Limit			

	Increase Request			
PBEE-36	Habitat for Humanity Funding Request for 26 and 28 Huron Street and 439 York Road Projects			
PBEE-38	Sign By-law Variance for 101 Clair Road East (Good Life Fitness)			
PBEE-39	Sign By-law Variances for 1291 Gordon Street		<u>Correspondence:</u> - Scott Higgins, Vice-President of HIP Developments	
PBEE-40	Sign By-law Variance for 226 Speedvale Avenue West (Guelph Aromatherapy Studio)			

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

Council Consent Agenda			
Item	City Presentation	Delegations	To be Extracted
A-1)	103 Lynch Circle – Upcoming Ontario Municipal Board Hearing		
A-2)	Litigation Status Report dated September 17, 2012		
A-3)	Municipal Support for Local Renewable Energy Projects		
B-1)	FCM Campaign for New Federal Infrastructure Funding Program		

Adoption of balance of the Council Consent Agenda – Councillor

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

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

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

Reports from:

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

SPECIAL RESOLUTIONS

<p>a) Councillor Bell’s notice of motion for which notice was given June 25, 2012:</p> <p>“THAT the matter of cost recovery from the activities associated with late night downtown bars be referred to the Operations, Transit & Emergency Services Committee for discussion and direction to staff.”</p>	
<p>Information Staff Report:</p> <p>Background to September 24, 2012 Special Resolution on Downtown Late Night Costs</p>	<p>Delegations:</p>

<p>b) Councillor Guthrie’s notice of motions for which notice was given July 3, 2012:</p> <p>“THAT the following motion be referred to the Corporate Administration, Finance & Enterprise Committee for consideration;</p> <p>THAT as part of Finance Department’s review and consideration of current policies/practices respecting year end surpluses and development of a corporate “Disposition of Year End Surplus” policy,</p>
--

a) That staff include consideration of returning tax supported surplus to the taxpayers first, where doing so does not drop the tax rate stabilization reserve below stable levels;	
b) That staff report back on this when bringing the proposed "Disposition of Year End Surplus" corporate policy forward in Q2 2013."	
Information Staff Report:	Delegations:
Disposition of Year End Surplus	

BY-LAWS

Resolution – Adoption of By-laws (Councillor Furfaro)

MAYOR’S ANNOUNCEMENTS

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

NOTICE OF MOTION

ADJOURNMENT

Council Caucus Room
July 23, 2012 5:00 p.m.

An Open Meeting of Guelph City Council.

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

Absent: Councillors Kovach and Laidlaw

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Mr. A. Horsman, Executive Director of Finance & Enterprise; Ms. D. Jaques, General Manager of Legal & Realty Services/City Solicitor; Mr. S. Worsfold, Deputy City Solicitor; Mr. R. Henry, General Manager of Engineering Services/City Engineer; Mr. T. Salter, General Manager of Planning Services; Mr. P. Busatto, General Manager of Water Services; Mr. M. Petricevic, General manager of Building Maintenance; and Mr. B. Labelle, City Clerk

1. Moved by Councillor Burcher
Seconded by Councillor Hofland

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Potential Acquisition of Land

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

Litigation Matter

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

Proposed Lease of Land

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

Litigation Matter

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

Potential Acquisition of Land

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

Personal Matters About an Identifiable Individual
S. 239 (2) (b) of the *Municipal Act* – personal matters
about an identifiable individual

Carried

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Mayor

.....
Clerk

Council Caucus Room
July 23, 2012 5:02 p.m.

A Closed Meeting of Guelph City Council.

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

Absent: Councillors Kovach and Laidlaw

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Mr. A. Horsman, Executive Director of Finance & Enterprise; Ms. D. Jaques, General Manager of Legal & Realty Services/City Solicitor; Mr. S. Worsfold, Deputy City Solicitor; Mr. R. Henry, General Manager of Engineering Services/City Engineer; Mr. T. Salter, General Manager of Planning Services; Mr. P. Busatto, General Manager of Water Services; Mr. M. Petricevic, General manager of Building Maintenance; and Mr. B. Labelle, City Clerk

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no disclosures.

Amendments were made to the July 3, 2012 Council Closed Meeting minutes.

Potential Acquisition of Land

Mr. P. Busatto, General Manager, Water Services provided the Committee with information.

1. Moved in Amendment by Councillor Piper
Seconded by Councillor Dennis

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

Carried

2. Moved by Councillor Piper
Seconded by Councillor Dennis

THAT Council rise and report the following motion as a special resolution during the July 23, 2012 Council open session:

THAT the Mayor and Clerk be authorized to execute an Offer to Sell and Agreement of Purchase and Sale for the property at 95 Emma Street in accordance with the

Closed Session Report of the Manager of Realty Services Dated July 23, 2012.

Carried

Litigation Matter

Mr. S. Worsfold, Deputy City Solicitor provided the Committee with and update and legal advice.

3. Moved by Councillor Burcher
Seconded by Councillor Findlay
THAT staff be given direction with respect to the settlement of a litigation matter.

Proposed Lease of Land

4. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT the report of the Manager of Realty Services dated July 23, 2012 entitled "Willowdale Daycare Lease at 58 Dawson Road" be received for information.

Carried

Litigation Matter

Mr. S. Worsfold, Deputy City Solicitor, provided the Committee with an update.

Potential Acquisition of Land

Mr. T. Salter, General Manager of Planning Services provided the Committee with information on a potential acquisition of land.

5. Moved by Councillor Burcher
Seconded by Councillor Hofland
THAT staff be given direction with respect to a potential acquisition of land.

Carried

Personal Matters About An Identifiable Individual

Ms. A. Pappert, Chief Administrative Officer, and Mr. M. Amorosi, Executive Director of Corporate & Human Resources, provided the Committee with information.

6. Moved by Councillor Wettstein
Seconded by Councillor Dennis
That the closed meeting of Guelph City Council of July 23,
2012 be adjourned.

Carried

The meeting adjourned at 6:35 p.m.

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Mayor

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Clerk

Council Chambers
July 23, 2012 7:00 p.m.

An Open Meeting of Guelph City Council

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

Absent: Councillors Kovach and Laidlaw

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Mr. A. Horsman, Executive Director of Finance & Enterprise; Mr. D. McCaughan, Executive Director of Operations, Transit & Emergency Services; Mr. R. Henry, General Manager of Engineering Services/City Engineer; Mr. B. Labelle, City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no disclosures.

1. Moved by Councillor Bell
Seconded by Councillor Hofland

THAT the minutes of the Council Meetings held June 11, 25 and July 3, 2012 and the minutes of the Closed Meetings of Council held June 11, June 25, 26, July 3, July 17, 2012 as amended, and the minutes of the June 25, 2012 Closed Meeting of Council as Shareholder of Guelph Municipal Holdings Inc. be confirmed as recorded and without being read.

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

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

The following item was extracted from the Corporate Administration, Finance & Enterprise Committee Fifth Consent Report to be voted on separately:

- CAFE-34 148-152 Macdonell Street – Downtown Guelph Community Improvement Plan (DGCIP) – Major Downtown Activation Grant (DAG) Request

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

2. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond
THAT the July 23, 2012 Operations, Transit & Emergency Services Committee Seventh Consent Report as identified below, be adopted:

a) **Janefield Avenue – On-Street Parking Follow-Up**

Mr. D. McCaughan

THAT the Operations, Transit & Emergency Services Report OT071231 Janefield Avenue – On-street Parking Follow-up dated July 16th, 2012 be received;

AND THAT on-street parking be removed on the west side of Janefield Avenue from 123m south of Mason Court to 207m south thereof.

b) **Delegated Authority for Approval of Traffic Signal Drawings**

Mr. D. McCaughan

THAT the Operations, Transit & Emergency Services Committee Report OT071232 Delegated Authority for Approval of Traffic Signal Drawings dated July 16th, 2012 be received;

AND THAT Council approve an amendment to the Delegated Authority By-law for approval of traffic signal legal drawings for traffic signal installations under the jurisdiction of the City of Guelph to the position of Executive Director of Operations, Transit & Emergency Services.

c) **Business License Fees 2013**

Mr. D. McCaughan

THAT the Operations, Transit & Emergency Services Committee Report #OT071229 regarding the Business Licence By-law Annual Fee review dated July 16, 2012 be received;

AND THAT staff be directed to prepare the necessary amendments to Business Licence By-law (2009)-18855 to incorporate the 2013 fees based on the annual fee review.

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

VOTING AGAINST: (0)

Carried

The following items were extracted from the Planning & Building, Engineering and Environment Committee Seventh Consent Report to be voted on separately:

- PBEE-P-1 Blue Community, Presentation by Robyn Hamlyn
- PBEE-31 Proposed Lease Agreement with University of Guelph Southern Ontario Water Consortium Platform Research Facility at Waste Water Treatment Plant

Councillor Piper presented the balance of the Planning & Building, Engineering and Environment Committee Seventh Consent Report.

3. Moved by Councillor Piper
Seconded by Councillor Bell

THAT the balance of the July 23, 2012 Planning & Building, Engineering and Environment Committee Seventh Consent Report as identified below, be adopted:

- a) **Limiting Distance Agreement between Skyline Real Estate Holdings Inc., Barrel Works Guelph Ltd. and The Corporation of the City of Guelph**

Dr. J. Laird

That Council authorize the execution of a Limiting Distance Agreement which would allow for the required limiting distance to be measured to a point beyond the actual property line to permit the construction of the north face of the new Gummer Building to include unprotected openings such as 26 exterior windows and one exterior door;

AND THAT the Report on Limiting Distance Agreement between Skyline Real Estate Holdings Inc., Barrel Works Guelph Ltd. and the Corporation of the City of Guelph from Planning, Building, Engineering and Environment dated July 16, 2012, be received.

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

VOTING AGAINST: (0)

Carried

Consent Agenda

The following item was extracted from the July 23, 2012 Consent Agenda to be voted on separately:

- A-1 2013 Budget Management

4. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the balance of the July 23, 2012 Council Consent Agenda as identified below, be adopted:

- a) **Willowdale Daycare Lease at 58 Dawson Road**

Ms. D. Jaques
Mr. M. Amorosi

THAT the Mayor and Clerk be authorized to execute a Lease Amending Agreement between the City and The Anna Marie Oliver School of Dancing Ltd.

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

VOTING AGAINST: (0)

Carried

DELEGATIONS

Proposed Lease Agreement with University of Guelph Southern Ontario Water Consortium Platform Research Facility at Waste Water Treatment Plant

Ms. Brenda Lucas, Southern Ontario Water Consortium, provided information regarding the components, facilities, expected investment and potential benefit to the City of Guelph as a result of the agreement as outlined in the staff report attached to the July 16, 2012 Planning & Building, Engineering & Environment agenda.

Councillor Piper presented Clause PBEE-31 that was extracted from the Planning & Building, Engineering and Environment Committee Seventh Consent Report.

5. Moved by Councillor Piper
Seconded by Councillor Bell

Dr. J. Laird
Mr. J. Stokes

THAT the Mayor and Clerk be authorized to execute a Lease Agreement between the University of Guelph and the City, as outlined in the report by the Manager of Realty Services entitled "*Proposed Lease Agreement with University of Guelph- Southern Ontario Water Consortium Platform – Research Facility at Waste Water Treatment Plant*" and dated July 16, 2012, subject to the final form of the Lease Agreement being satisfactory to the Manager

of Realty Services and the Executive Director of Planning, Building, and Environmental Services.

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

VOTING AGAINST: (0)

Carried

148-152 Macdonell Street – Downtown Guelph Community Improvement Plan (DGCIIP) – Major Downtown Activation Grant (DAG) Request

Councillor Hofland presented Clause CAFE-34 that was extracted from the Corporate Administration, Finance & Enterprise Committee Fifth Consent Report.

Mr. Ian Panabaker, Corporate Manager, Downtown Renewal provided clarification on the application.

6. Moved by Councillor Hofland
Seconded by Councillor Wettstein

Mr. I. Panabaker
Mr. A. Horsman
Ms. D. Jaques

THAT Downtown Renewal Report FIN-DR-12-06 dated July 9, 2012 regarding a Major DAG application for the property municipally known as 148-152 Macdonell Street pursuant to the Downtown Guelph Community Improvement Plan, be received;

AND THAT Council approve the Major DAG for 148-152 Macdonell Street and that the Mayor and Clerk be authorized to execute the Major Downtown Activation Grant Agreement between Carvest Properties Ltd. and the City of Guelph, subject to the satisfaction of the Corporate Manager of Downtown Renewal and the General Manager of Legal and Realty Services/City Solicitor.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillor Bell (1)

Carried

Blue Community Presentation by Robyn Hamlyn

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

7. Moved by Councillor Piper
Seconded by Councillor Bell

THAT the City of Guelph recognizes and affirms that access to clean water is a fundamental human right;

AND THAT Council will call on the federal and provincial governments to enshrine water as a human right in federal and provincial law;

AND THAT Council will call on the government of Canada to support the recognition of water as a human right in international law.

8. Moved in Amendment by Councillor Burcher
Seconded by Councillor Hofland

Be it resolved that the City of Guelph oppose privatization of water and wastewater treatment services to retain these services in the public domain.

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

VOTING AGAINST: Councillors Guthrie and Wettstein (2)

Carried

9. Moved in Amendment by Councillor Piper
Seconded by Councillor Burcher

THAT Council lobby the federal and provincial governments to fulfill its responsibility to support municipal infrastructure by investing in a national water infrastructure fund that would address the growing need to renew existing water and wastewater infrastructure and build new systems.

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

VOTING AGAINST: (0)

Carried

10. Moved by Councillor Piper
Seconded by Councillor Bell

THAT the City of Guelph recognizes and affirms that access to clean water is a fundamental human right;

AND THAT Council will call on the federal and provincial governments to enshrine water as a human right in federal and provincial law;

Dr. J. Laird
Hon. D. Lebel
Hon. B. Chiarelli

AND THAT Council will call on the government of Canada to support the recognition of water as a human right in international law;

AND be it resolved that the City of Guelph oppose privatization of water and wastewater treatment services to retain these services in the public domain.

AND THAT Council lobby the federal and provincial governments to fulfill its responsibility to support municipal infrastructure by investing in a national water infrastructure fund that would address the growing need to renew existing water and wastewater infrastructure and build new systems.

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

VOTING AGAINST: Councillors Guthrie and Wettstein (2)

Carried

2013 Budget Management

Mr. A. Horsman, Executive Director, Finance & Enterprise, summarized the report contained in the meeting agenda. He advised that staff will be reporting back to Council in September on how they will be meeting the guideline.

Ms. Susan Aram, Acting Treasurer, provided clarification on the proposed guideline.

Council members posed a number of questions relating to the proposed guideline.

11. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT Council receive Finance report FIN-12-33 2013 Budget Management for information;

AND THAT Council direct staff to develop a draft 2013 tax supported operating budget using a tax rate guideline of up to a 3% increase;

AND THAT Council direct staff to incorporate a capital funding guideline of 20% of the prior year's net tax levy into the draft 2013 tax supported operating budget;

AND THAT Council direct staff to report back on possible uses for the Capita Renewal Reserve Fund as part of the 2013 draft budget;

AND THAT Council direct staff to report back on possible alternative financing options as part of the 2013 draft budget;

AND THAT Council direct staff to report back on the potential use of user fees and associated increases and use of other funding sources in the development of the draft 2013 tax supported operating budget;

AND THAT Council provide staff with direction to consider the user of assessment growth to pay for growth as part of the draft 2013 tax supported operating budget;

AND THAT Council direct staff to report back on the draft 2013 tax supported budget at a workshop to be held in early-September 2012.

12. Moved in Amendment by Councillor Guthrie
Seconded by Councillor Furfaro

THAT the following be added to the end of Clause 2:
"but showing the potential implications at a 0%, 1% and 2% increase".

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

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

Defeated

It was requested that the clauses of the main motion be voted on separately.

13. Moved by Councillor Hofland
Seconded by Councillor Findlay

Mr. A. Horsman
Ms. A. Pappert

THAT Council receive Finance report FIN-12-33 2013 Budget Management for information.

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

VOTING AGAINST: (0)

Carried

14. Moved by Councillor Hofland
Seconded by Councillor Findlay

Mr. A. Horsman
Ms. A. Pappert

THAT Council direct staff to develop a draft 2013 tax supported operating budget using a tax rate guideline of up to a 3% increase.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Hofland, Piper, Van Hellemond, Wettstein and Mayor Farbridge (8)

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

Carried

Mr. A. Horsman
Ms. A. Pappert

15. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT Council direct staff to incorporate a capital funding guideline of 20% of the prior year's net tax levy into the draft 2013 tax supported operating budget.

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

VOTING AGAINST: (0)

Carried

Mr. A. Horsman
Ms. A. Pappert

16. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT Council direct staff to report back on possible uses for the Capital Renewal Reserve Fund as part of the 2013 draft budget.

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

VOTING AGAINST: (0)

Carried

Ms. A. Horsman
Ms. A. Pappert

17. Moved by Councillor Hofland
Seconded by Councillor Findlay
THAT Council direct staff to report back on possible alternative financing options as part of the 2013 draft budget.

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

VOTING AGAINST: (0)

Carried

18. Moved by Councillor Hofland
Seconded by Councillor Findlay
Mr. A. Horsman
Ms. A. Pappert
THAT Council direct staff to report back on the potential use of user fees and associated increases and use of other funding sources in the development of the draft 2013 tax supported operating budget.

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

VOTING AGAINST: (0)

Carried

19. Moved by Councillor Hofland
Seconded by Councillor Findlay
Mr. A. Horsman
Ms. A. Pappert
THAT Council provide staff with direction to consider the user of assessment growth to pay for growth as part of the draft 2013 tax supported operating budget.

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

VOTING AGAINST: (0)

Carried

20. Moved by Councillor Hofland
Seconded by Councillor Findlay
Mr. A. Horsman
Ms. A. Pappert
THAT Council direct staff to report back on the draft 2013 tax supported budget at a workshop to be held in early-September 2012.

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

VOTING AGAINST: (0)

Carried

SPECIAL RESOLUTIONS

21. Moved by Councillor Piper
Seconded by Councillor Dennis
Dr. J. Laird
Mr. J. Stokes
THAT the Mayor and Clerk be authorized to execute an Offer to Sell and Agreement of Purchase and Sale for the property at 95 Emma Street in accordance with the Closed Session Report of the Manager of Realty Services Dated July 23, 2012.

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

VOTING AGAINST: (0)

Carried

22. Moved by Councillor Guthrie
Seconded by Councillor Furfaro
THAT the following be referred to the appropriate Standing Committee:

That staff be directed to schedule no summer recess when drafting the annual calendar of Council and Standing Committee meetings for Council approval.

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

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

Defeated

BY-LAWS

23. Moved by Councillor Burcher
Seconded by Councillor Bell
THAT By-laws Numbered (2012)-19433 to (2012)-19443, inclusive, are hereby passed.

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

VOTING AGAINST: (0)

Carried

NOTICE OF MOTION

Councillor Guthrie advised that he will be bringing forward a notice of motion to a subsequent meeting of Council in relation to service reviews.

ADJOURNMENT

24. Moved by Councillor Burcher
Seconded by Councillor Dennis
That the meeting of Guelph City Council of July 23, 2012
be adjourned.

Carried

The meeting adjourned at 9:10 p.m.

Minutes to be confirmed on September 24, 2012.

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Mayor

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Clerk

Council Caucus Room
September 4, 2012 5:30 p.m.

An Open Meeting of Guelph City Council.

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

Absent: Councillors Burcher, Hofland, Laidlaw and Van Hellemond

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Mr. A. Horsman, Executive Director of Finance & Enterprise; Ms. D. Jaques, General Manager of Legal & Realty Services/City Solicitor; and Ms. T. Agnello, Deputy City Clerk

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

Matters Concerning Potential Litigation

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

S. 239 (3.1) of the *Municipal Act* - educational or training sessions

Litigation Matter Update

S. 239(2) (f) of the *Municipal Act* – advice that is subject to solicitor-client privilege.

Carried

.....
Mayor

.....
Deputy Clerk

Council Caucus Room
September 4, 2012 5:31 p.m.

A Closed Meeting of Guelph City Council.

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

Absent: Councillors Burcher, Hofland and Van Hellemond

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Mr. A. Horsman, Executive Director of Finance & Enterprise; Ms. D. Jaques, General Manager of Legal & Realty Services/City Solicitor; Mr. T. Salter, General Manager, Planning Services; Mr. S. Worsfold, Deputy City Solicitor and Ms. T. Agnello, Deputy City Clerk

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Councillor Piper declared a pecuniary interest with regards to the litigation update because her employer is one of the parties to the hearing at the Ontario Municipal Board and did not discuss or vote on the matter.

Matters Concerning Potential Litigation

1. Moved by Councillor Kovach
Seconded by Councillor Findlay
THAT Mr. Michael Fenn, consultant be permitted to address Council in closed session.

Carried

Mr. Michael Fenn provided the committee with information on matters concerning potential litigation.

Litigation Matter Update

2. Moved by Councillor Piper
Seconded by Councillor Furfaro
THAT Mr. Peter Pickfield be permitted to address Council in closes session.

Carried

Councillor Piper vacated the room due to her declared potential pecuniary interest.

Mr. Peter Pickfield provided the Committee with an update on a litigation matter.

3. Moved by Councillor Furfaro
Seconded by Councillor Dennis
That the closed meeting of Guelph City Council of September 4, 2012 be adjourned.

Carried

The meeting adjourned at 7:00 p.m.

.....
Mayor

.....
Deputy Clerk

Council Chambers
September 4, 2012 7:05 p.m.

An Open Meeting of Guelph City Council

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

Absent: Councillors Burcher, Hofland and Laidlaw

Staff Present: Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. T. Salter, General Manager, Planning Services; Ms. S. Kirkwood, Manager, Development Planning; Ms. T. Agnello, Deputy City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no disclosures.

Consent Agenda

The following items were extracted from the September 4, 2012 Consent Agenda to be voted on separately:

- A-2 246 Arkell Road: Proposed Draft Plan of Subdivision and Zoning By-law Amendment
- A-3 115 Fleming Road: Proposed Draft Plan of Subdivision and Zoning By-law Amendment
- A-4 Proposed Demolition of 18 Wolfond Crescent

1. Moved by Councillor Kovach
Seconded by Councillor Guthrie

THAT the balance of the September 4, 2012 Council Consent Agenda as identified below, be adopted:

- a) **0 Speedvale Avenue West: Proposed Redline Amendment to ad Draft Plan of Subdivision and a Zoning By-law Amendment (Files 23T-88009 / ZC1203) – Ward 4**

Ms. N. Shoemaker
Dr. J. Laird
Mr. T. Salter
Mr. A. Horsman

THAT Report 12-74 dated September 4, 2012 regarding applications for a redline amendment to an approved draft plan of subdivision and a zoning by-law amendment on lands municipally known as 0 Speedvale Avenue West from Planning, Building, Engineering and Environment be received;

AND THAT the application by BSRD Ltd. on behalf of Armel Corporation for a redline amendment to an approved draft plan of subdivision and a zoning by-law amendment to change the zoning from the single detached (R.1B, R.1C and R.1D) zones and the specialized single detached (R.1B-17) zone to the single detached (R.1D and R.1C), specialized single detached (R.1D-9), semi-detached (R.2) and specialized on-street townhouse (R.3B-5 and R.3B-7) zones for the lands municipally known as 0 Speedvale Avenue West and legally described as Part of Lots 6 and 7, Concession 1, Division 'B', City of Guelph be approved in accordance with the regulations and conditions set out in Schedule 1 attached.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: (0)

Carried

PLANNING PUBLIC MEETING

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

86 Lane Street: Proposed Zoning By-law Amendment (File: ZC1209) – Ward 1

Ms. Katie Nasswetter, Senior Development Planner, provided a synopsis of her report provided with the agenda for this meeting. She stated the applicant proposes to rezone the lands from the R.1B (Residential Single Detached) Zone to the R.2 (Semi-Detached) Zone to permit the development of a semi-detached dwelling.

Mr. Jeff Buisman, on behalf of the applicant provided a highlight of the proposal. He advised of the variety of surrounding housing and suggested that the proposed building would be compatible.

Ms. Kelly Caldwell, an area resident expressed concern with the proposed building design as it would not be conducive to the neighbourhood and would be invasive to the neighbour's privacy.

In response to questions raised, staff will report back with information regarding parking, if accessory apartments would be permitted, tree retention, and contacting neighbours if a resolution could be reached to address their privacy concerns such as buffer, fencing, etc.

Dr. J. Laird
Mr. T. Salter

4. Moved by Councillor Guthrie
Seconded by Councillor Furfaro

THAT Report 12-82 regarding an application for a Zoning By-law Amendment to permit a semi-detached dwelling at 86 Lane Street, legally described as Part of Lot 8, Range 2, Division 'F', City of Guelph, from Planning, Building, Engineering and Environment, dated September 4, 2012, be received.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: (0)

Carried

195 College Avenue West: Proposed Zoning By-law Amendment (File: ZC1207) – Ward 5

Ms. Katie Nasswetter, Senior Development Planner, provided a synopsis of her report provided with the agenda for this meeting. She stated the applicant proposes to rezone the lands from the I.1 (Educational, Spiritual, and Other Services) Zone to the R.1B (Residential Single Detached) Zone to permit the development of a single detached residential dwelling.

Mr. Jeff Buisman, on behalf of the applicant provided a highlight of the proposal.

Dr. J. Laird
Mr. T. Salter

5. Moved by Councillor Kovach
Seconded by Councillor Dennis

THAT Report 12-80 regarding an application for a Zoning By-law Amendment to permit a single detached residential dwelling at 195 College Avenue West, legally described as Lot 16, Registered Plan 432, City of Guelph, from Planning, Building, Engineering and Environment, dated September 4, 2012, be received.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: (0)

Carried

340 Clair Road East: Proposed Zoning By-law Amendment (File: ZC1210) – Ward 6

Mr. Al Hearne, Senior Development Planner, provided a synopsis of his report provided with the agenda for this meeting. He stated that the applicant proposed to rezone the lands to permit 54 cluster townhouse dwelling units, 42 townhouses and 122 apartments for a total of 166 dwelling units.

In response to questions, he advised of the notification clause that is included on title with respect to the agricultural use on the adjacent lands.

Mr. Ted Cieciora, on behalf of the applicant, advised that the proposal will be a condominium style of development. He further advised that the amount of greenspace provided exceeds the minimum requirement.

In response to questions raised, staff will report back if the submitted traffic studies needs to be updated.

- 6. Moved by Councillor Guthrie
Seconded by Councillor Kovach

Dr. J. Laird
Mr. T. Salter

THAT Report 12-81 regarding an application for a Zoning By-law Amendment to permit townhouses and apartments on Block A and B located at 340 Clair Road East, being lands legally described as Part of Lot 10, Concession 8, City of Guelph, from Planning, Building, Engineering and Environment, dated September 4, 2012, be received.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: (0)

Carried

246 Arkell Road: Proposed Draft Plan of Subdivision and Zoning By-law Amendment (File: 23T-10501 / ZC1003) – Ward 6

Ms. M. Staples, owner of land adjacent to the subject lands, expressed concern with respect to trespassing onto her lands, construction noise, pollution, garbage and the lack of connectivity to the property to the north.

Ms. Nancy Shoemaker, on behalf of the applicant, addresses Ms. Staples concerns relating to the connectivity to the lands to the north. She advised that

her client is agreeable to fence the boundary of the subject lands.

7. Moved by Councillor Kovach
Seconded by Councillor Findlay

Ms. N. Shoemaker
Dr. J. Laird
Mr. T. Salter
Mr. D. McCaughan
Mr. A. Horsman

THAT Report 12-78 regarding a proposed Draft Plan of Subdivision, and Zoning By-law Amendment for property municipally known as 246 Arkell Road, from Planning, Building, Engineering and Environment dated September 4, 2012, be received;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd., on behalf of Victoria Wood (Arkell) Ltd. for approval of a proposed Draft Plan of Residential Subdivision consisting of 12 lots to accommodate 24 semi-detached dwellings, 2 blocks to accommodate approximately 53 cluster townhouse units, 2 blocks to accommodate 13 on-street townhouse units and an associated stormwater management facility and open space block, as shown on Attachment 4, applying to property municipally known as 246 Arkell Road and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch), City of Guelph, be approved in accordance with Schedule 2 attached;

AND THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd., on behalf of Victoria Wood (Arkell) Ltd. for approval of a Zoning By-law Amendment from the A (Agricultural) Zone under the Township of Puslinch Zoning By-law to the R.2 (Semi-Detached Zone), R.3A-? (Specialized Cluster Townhouse) Zone, R.3B (On-Street Townhouse) Zone and the P.1 (Conservation Lands) Zone to implement a residential Draft Plan of Subdivision comprising approximately 90 units, be approved, as outlined in Schedule 2 attached;

AND THAT in accordance with Section 34(17) of The Planning Act, City Council has determined that no further public notice is required with respect to the minor modifications to the proposed Residential Draft Plan of Subdivision and Zoning By-law Amendment application (File 23T-10501/ ZC1013) as outlined in the Planning, Building, Engineering and Environment Report 12-78 dated September 4, 2012;

AND THAT a condition be included with respect to the fencing of the common boundary on the north, east and west property line.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Kovach, Wettstein and Mayor Farbridge (8)

VOTING AGAINST: Councillors Piper and Van Hellemond
(2)

Carried

**115 Fleming Road: Proposed Draft Plan of
Subdivision and Zoning By-law Amendment (File:
23T-11501 / ZC1102) – Ward 1**

Mr. H. Strobl
Dr. J. Laird
Mr. T. Salter
Mr. A. Horsman
Mr. D. McCaughan

8. Moved by Councillor Furfaro
Seconded by Councillor Guthrie

THAT Report 12-83 regarding a Draft Plan of Subdivision and Zoning By-law Amendment to permit the development of 62 on-street townhouse units, applying to property municipally known as 115 Fleming Road, and legally described as Part Lot 11, Plan 468, City of Guelph, from Planning, Building, Engineering and Environment dated September 4, 2012, be received;

AND THAT the application by Coletara Development for approval of a proposed Draft Plan of Subdivision comprising 62 residential units, as shown on Attachment 4, applying to property municipally known as 115 Fleming Road, and legally described as Part Lot 11, Plan 468, City of Guelph, be approved in accordance with the regulations and conditions set out in Schedule 3 attached;

AND THAT the application by Coletara Development for approval of a proposed Zoning By-law Amendment to change the zoning from UR (Urban Reserve) Zone to the R.3B-? (Specialized On-Street Townhouse) Zone to permit the development of 62 on-street townhouse units for the property municipally known as 115 Fleming Road, and legally described as Part Lot 11, Plan 468, City of Guelph, be approved in accordance with the regulations and conditions set out in Schedule 3 attached;

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 115 Fleming Road as set out in Report 12-83 from Planning, Building, Engineering and Environment dated September 4, 2012.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: (0)

Carried

Proposed Demolition of 18 Wolfond Crescent and Passing of Deeming By-law to Facilitate Lot Merger

Mr. Hugh Handy, on behalf of the applicant, highlighted the report that report was provided with the agenda for this meeting. He advised that it is the intent of the owner to retain as many trees as possible on the site.

9. Moved by Councillor Guthrie
Seconded by Councillor Findlay

Dr. J. Laird
Mr. T. Salter
Mr. B. Poole

THAT Report 12-72 regarding the proposed demolition of a detached dwelling at 18 Wolfond Crescent, legally known as Lots 18 & 19, Plan 431; Pt Lot 20, Plan 431 as in ROS594555; City of Guelph, from Planning, Building, Engineering and Environment dated September 4, 2012, be received;

AND THAT the proposed demolition of the detached dwelling at 18 Wolfond Crescent be approved;

AND THAT a by-law to deem Lot 19, Plan 431, City of Guelph not to be a lot on a registered plan of subdivision, pursuant to Section 50(4) of the *Planning Act*, be passed;

AND THAT the applicant be requested to relocate the driveway for Lot 'B' to prevent removal of a City street tree and to design the homes and lot grading to preserve existing trees to the extent feasible;

AND THAT the applicant be requested to erect protective fencing at the dripline of the existing street tree along the frontage of the property and any existing trees on the property which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwellings;

AND THAT the applicant be requested to contact the General Manager of Solid Waste Resources, Planning, Building, Engineering and Environment regarding options for the salvage or recycling of all demolition materials.

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

VOTING AGAINST: Councillor Piper (1)

Carried

BY-LAWS

- 8. Moved by Councillor Dennis
 Seconded by Councillor Piper
 THAT By-laws Numbered (2012)-19444 to (2012)-19461,
 inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay,
 Furfaro, Guthrie, Kovach, Piper, Van Hellemond, Wettstein
 and Mayor Farbridge (10)

VOTING AGAINST: (0)

Carried

MAYOR’S ANNOUNCEMENTS

The Mayor advised that Councillors Bell and Furfaro will be holding the 3rd Town Hall meeting for Ward 1 on Thursday September 20, 2012, 7pm at the Victoria Road Recreation Centre.

ADJOURNMENT

- 9. Moved by Councillor Dennis
 Seconded by Councillor Furfaro
 That the meeting of Guelph City Council of September 4,
 2012 be adjourned.

Carried

The meeting adjourned at 8:30 p.m.

Minutes to be confirmed on September 24, 2012.

.....
 Mayor

.....
 Deputy Clerk

PART A: DRAFT PLAN OF SUBDIVISION CONDITIONS

THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd on behalf of Armel Corporation for a Red Line Amendment on a portion of the approved Draft Plan of Subdivision for Mitchell Farm (23T-88009) containing 3 blocks for on-street townhouse units, 11 lots for semi-detached and 100 lots for detached units on 7.8 hectares of land located to the north of the Canadian National Railway lands and west of the current terminus of Westra Drive, legally described as Part of Lots 6 and 7, Concession 1, Division 'B', City of Guelph, be approved, subject to the December 2, 1996 draft plan conditions for 23T-88009 and the following additional conditions:

ADDITIONAL CITY CONDITIONS

Prior to registration of the plan:

1. The Developer will convey Lot 12 to the City for a temporary emergency access road. Lot 12 will be reconveyed to the Developer without consideration when a secondary access is available to the satisfaction of the City. The Developer shall maintain this access road, not limited to but including asphalt repair, regular grass cutting and garbage pickup.
2. The Developer shall pay to the City the total cost of reproduction and distribution of the Guelph Residents Environmental Handbook to all future residents within the Plan with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
3. The Developer agrees to eliminate the use of any **covenants that would restrict the use of clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the General Manager of Planning Services that there are no restrictive covenants which restrict the use of clotheslines.
4. The Developer shall provide Planning Services with a **digital file** in AutoCAD - DWG format containing the following final approved information: parcel fabric, street network, grades and contours and landscaping of the open space and storm water management blocks.
5. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.

Additional Note:

1. That this **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of the extension of Draft Plan approval.

EXISTING DRAFT PLAN APPROVAL CONDITIONS THAT STILL APPLY TO THE SUBJECT SITE (as approved for 23T-88009)

December 5th, 1996

1. That the approval applies only to a draft plan of subdivision prepared by Black, Shoemaker, Robinson & Donaldson Limited (project number 90-7191-9) dated October 30, 1996 as modified to include:
 - a) An increase in the right-of-way width of Street No. 6 from 20 metres to 26 metres in the vicinity of Blocks 490 and 479 to the satisfaction of the Director of Works.
 - b) Changes to the road geometry and lotting at the southerly end of Street No. 10, as shown in SCHEDULE 8 (Works Department Comments) unless the City's Geometric Design Criteria are amended to permit the layout of street No. 10 as provided on the draft plan.
2. That the registration of the plan, or any part thereof, shall require approval of the City with respect to adequate water supply and sewage treatment capacity being available.
3. That the developer shall pay any outstanding debts owed to the City prior to the registration of the plan.
4. That any dead ends and open sides of road allowances created by this draft plan be terminated in 0.3 metres reserves which shall be conveyed to the City.
5. That the developer shall pay development charges to the City in accordance with By-law Number (1994)-14553, as amended from time to time, or any successor thereof, in accordance with the terms specified in the by-law and as outlined in the subdivision agreement.
6. That the developer deeds to the City any lands required by the City for Storm Water Management Facilities.
7. That site plans for all corner building lots, as determined by the Director of Works, shall be submitted to the Director of Works for approval of driveway location.
8. That the developer is responsible for the total cost of the design and construction of all services required to service all of the lands within the plan of subdivision, including sanitary, storm and water facilities, the distance and alignment to be determined by the City of Guelph, with such cost to include services required to service the subdivision which are located outside the limits of the subdivision.
9. That the developer is responsible for the total cost of the design and construction and any road work, including sidewalks, boulevards and curbs, within or surrounding the plan of subdivision.

10. That all easements and rights-of-way required within or adjacent to the proposed subdivision be granted to the satisfaction of the City of Guelph, Guelph Hydro and other Guelph utilities including:
 - a) an easement to the satisfaction of the Director of Works in the vicinity of lots 212, 418, 434 and Block 493 to provide for the construction of a storm sewer from the CNR right-of-way to Block 491.
 - b) an easement to the satisfaction of the Director of Works from Street No. 1 to Speedvale Avenue to provide for the construction of a storm sewer and trunk sanitary sewer.
11. That the developer shall pay to the City the cost of any existing services within or abutting the proposed subdivision, as determined by the Director of Works.
12. That the developer make arrangements, satisfactory to the Director of Works, concerning the scheduling of the development and the developers payment of cost for services for the subdivision.
13. That the developer phase the subdivision to the satisfaction of the City of Guelph including:
 - a) That there be no development on Street Number 8 to the west of lots 433 and 446 until Street No. 8 can be dedicated and constructed through the external lands to link into Street No. 7, satisfactory to the Director of Works.
 - b) That there be no development on the westerly end of Street No. 8 from Street No. 7 to Block 494 until Street Number 8 can be dedicated and constructed through the external lands to link into Street No. 6, satisfactory to the Director of Works.
 - c) That lots 366 to 370, Block 493, Block 494 and Block 495 be held out of development until the full or complete lot can be registered.
 - d) That the development on lots 223 to 404 and Block 483 only be allowed to proceed subject to adequate secondary means of access being available, satisfactory to the Director of Works.
 - e) That lots 446 to 451 and Blocks 479, 480, 484 and Block 493 be held out of development until the exact extent of lands needed for a rail diversion to implement an underpass on Elmira Road is known and, furthermore, that the developer grants the City and/or CNR an easement, satisfactory to the City and the CNR, for a right-of-way for the rail diversion.
14. That the developer prepare a site drainage and grading plan, satisfactory to the Director of Works, for the entire subdivision, prior to the issuance of any building permits for the subdivision.
15. That the developer constructs, installs and maintains erosion and sediment control facilities, satisfactory to the Director of Works, prior to any grading or construction on the subdivision lands in accordance with a plan that has been submitted to and approved by the Director of Works. Furthermore, the developer shall provide a qualified environmental inspector, satisfactory to the Director of Works, on this site during all phases of development and construction including grading, servicing, and building construction to monitor

and report on a weekly basis, to the City, on the erosion and sediment control measures and procedures and in compliance with the approved Environmental Implementation Report.

16. That all telephone service and Cable TV service in the plan be underground and the developer shall enter into a servicing agreement with Bell Canada providing for the installation of underground telephone service, prior to the registration of the plan.
17. That the developer pays the cost of erecting street name signs in the subdivision, to the satisfaction of the City, prior to the issuance of any building permit.
18. That the developer pays to the City the flat rate charge established by the City per metre of road frontage, to be applied to tree planting within the proposed subdivision.
19. That street lighting and underground wiring shall be provided throughout the subdivision at the developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro.
20. That the road allowances and the road widening in Block 492 included in the draft plan be shown and dedicated as public highway's and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993", as they may be amended from time to time.
21. That the road widening along Speedvale Avenue shown on the approved draft plan for the Mitchell Farm Phase 1 Subdivision be deeded to the City and dedicated as a road allowance prior to the registration of the plan.
22. That the developer pays his share of the cost of completing Speedvale Avenue to a four lane section complete with sidewalk on the south side from Elmira Road to Imperial Road to the satisfaction of the Director of Works.
23. That Elmira Road between the CNR and Speedvale Avenue and the extension of Willow Road to Elmira Road be dedicated and constructed to the satisfaction of the Director of Works.
24. That prior to registration, the developer and the City reach a mutually satisfactory agreement on the responsibility of upgrades on the portion of Speedvale Avenue along Block 491.
25. That the developer agrees to submit to the City , a plan and summary sheet prepared by an Ontario Land Surveyor or Professional Engineer, showing the original and proposed grades of the four corners of every building lot, prior to the submission of building permit applications. The developer further agrees

that any fill located below a building foundation shall be certified by a Professional Engineer.

26. That the developer shall erect signs at the entrances to the subdivision showing the proposed land uses and zoning of all lots and blocks within the proposed subdivision and predominately place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to the Department of Planning and Business Development, City Hall".
27. That the developer shall dedicate Blocks 490, 491, 499 and 501 for parks purposes in accordance with the provisions of City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof.
28. That the Developer shall demarcate Blocks 490, 491, 499, 500 and 501 in accordance with the City of Guelph property demarcation policy to the satisfaction of the Director of Community Services and Director of Works prior to the release of any building permits.
29. That the Developer shall prepare and submit for approval, drawings outlining the fences, living fences and property demarcation markers for Blocks 490, 491, 499, 500 and 501 to the satisfaction of the Director of Community Services and Director of Works, prior to registration of the plan.
30. That the Developer shall be responsible for the cost of installing all fences, living fences and property demarcation markers.
31. That the Developer shall be responsible for installing pedestrian walkways through Blocks 490, 499, 500, 501 and within the 30 metre buffer area of Block 491 to the satisfaction of the Director of Community Services and the Director of Works, prior to the release of any building permits.
32. That the Developer shall prepare and submit for approval drawings, outlining the pedestrian walkways through Blocks 490, 491, 499, 500 and 501 to the satisfaction of the Director of Community Services and the Director of Works prior to registration.
33. That the Developer shall be responsible for clearing all garbage, debris, etc. from Blocks 490, 491 and 501, to the satisfaction of the Director of Community Services and the Director of Works, prior to the release of any building permits.
34. That the Developer shall design and develop the stormwater management facility in Block 500 in accordance with the City's "Design Principles for Stormwater Management Facilities".
35. That prior to any grading or construction on the lands and prior to registration of the plan the Developer shall prepare and follow an Environmental Implementation Report (EIR) based on Terms of Reference prepared by the applicant and approved by the City in consultation with the Environmental

Advisory Committee, and the Grand River Conservation Authority. The EIR shall be prepared in accordance with the recommendations contained in the E.I.S prepared for the subdivision and shall include, but not be limited to, the following:

- a) a detailed stormwater management plan including detailed plans for the location, construction and maintenance of all filtration berms between the wetland and the rear lot lines.
 - b) a monitoring program to assess the performance of the stormwater management facilities.
 - c) rehabilitation plans for any area disturbed by the implementation of any perimeter filtration berm.
 - d) construction details for the public walkways and that the walkway within the wetland buffer area not be paved.
 - e) an erosion and siltation control plan.
 - f) a lot grading plan showing the limits of all grading including existing and proposed grades.
 - g) soils investigation to explore opportunities for infiltration best management practices within the subdivision.
 - h) recommendations for traffic calming measures and signs (wildlife and pedestrian) on Street 6 where it intersects the natural areas (Blocks 490 and 491).
 - i) recommendations for the provision of covenants prohibiting tree cutting in the deeds.
 - j) recommendations for an educational information package for new residents advising them of the adjacent wetland and the environmental techniques employed within the subdivision to minimize impact on this wetland.
36. That the developer shall complete a tree inventory and conservation plan in accordance with the City of Guelph Tree By-law (1986)-12098, satisfactory to the Director of Works and the Director of Planning and Business Development, prior to any grading or construction on the site.
37. That the developer agrees that initial grading shall be limited to road allowances and all lots and blocks within the plan without trees. Lot grading of the following lots and blocks shall be permitted following the receipt and approval of individual plot plans (or site plans as required by Section 41 of the Planning Act) showing the proposed development, existing and proposed grades, all trees to be retained and removed and methods to protect the trees to be retained during all phases of construction:
Lots 84 to 95, 126 and 127, 138 to 142, 148 to 169, 203 to 211, 419 to 433, 452 to 478 and Blocks 480, 481, 483, 484 and 485.
38. That the developer and the Wellington County Roman Catholic Separate School Board reach agreement regarding the supply and erection of a sign (at the Developer's expense) affixed to the permanent development sign advising potential separate school supporters of the location of schools serving the area and the current practice of bussing students located outside the immediate

neighbourhood should schools in the area be at capacity, prior to the registration of all or any portion of the plan.

39. That the developer agrees to advise all purchasers of residential units and/or renters of same, by including an advisory clause in the offer of purchase and sale/lease stating that this subdivision has been designated by the Wellington County Board of Education as a development area and that students from this development area may be directed to schools outside the neighbourhood.
40. That the developer and the Wellington County Board of Education shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Wellington County Board of Education specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
41. That the developer agrees to provide the Wellington County Board of Education with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information – at least 4 known UTM ground control points, parcel fabric and street network.
42. That the developer shall carry out an archaeological assessment of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significance 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 of Guelph indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
43. That the following warning clause be included in all purchasers and prospective purchasers purchase and sale agreements for Lots 55 to 84;
"The purchaser acknowledges the existing industrial uses lying to the north of Speedvale Avenue and the possibility for alterations or expansions of existing facilities and the construction of additional industrial buildings and facilities in the future and that such present and future industrial uses may affect the living environment for residents of the lands."
44. Prior to any grading or construction on the subject property and prior to registration of the plan, the Developer or their agents shall submit the following plans or reports to the satisfaction of the Grand River Conservation Authority:
 - a) a detailed stormwater management report and plans in accordance with the 1994 Ministry of Environment and Energy report entitled "Stormwater Management Practices Planning and Design Manual".
 - b) a storm servicing plan showing the layout of the storm sewer system.
 - c) a lot grading and drainage control plan showing the limits of all grading, including existing and proposed grades.
 - d) an erosion and sediment control report and plan in accordance with the Grand River Conservation Authority's Guidelines on Erosion and Sediment

- Control for Construction Sites, indicating the means whereby erosion will be minimized and sediment maintained on site throughout all phases of grading and construction, including a monitoring and maintenance plan and provision for timely revegetation of the site.
- e) an application for fill, construction and alteration to waterways regulation permit pursuant to Ontario Regulation 149 as amended by 69/93 and 669/94 for the proposed grading and construction and any storm sewer outfalls or other alterations within the Chillico Creek scheduled area (Schedule #10).
 - f) an environmental implementation report which includes a monitoring plan and mitigation techniques.
45. That the subdivision agreement between the Developer and the City contain provisions for
- a) the completion and maintenance of the works in accordance with the approved plans and reports noted in condition 44; and
 - b) the maintenance of all stormwater management systems in accordance with the approved plan throughout all phases of grading and construction.
46. That the developer shall construct a safety berm adjoining and parallel to the railway right-of-way to the satisfaction of the Canadian National Railway, prior to the issuance of any building permit.
47. That the developer shall install and maintain a 1.83 metre high chain link fence along the mutual property line of the subject property and lands owned by the Canadian National Railway, prior to the issuance of any building permit.
48. That the developer shall include in the subdivision agreement and insert in all agreements of purchase and sale or lease for each dwelling unit within 300 metres of the railway right-of-way the following warning clause:
“Warning”: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres of the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successor as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. CNR will not be responsible for any complaints or claims arising from use of such facilities and/operations on, over or under the aforesaid right-of-way.”
49. Prior to the registration of the plan, the developer shall have a detailed acoustical design and vibration attenuation study prepared to the satisfaction of the City and the Canadian National Railway outlining noise and vibration mitigation measures to be applied to the subdivision to meet the requirements of the Ministry of Environment and Energy and the Canadian National Railway.

50. The developer acknowledges and agrees that all approved noise control measures and vibration attenuation measures shall be included in the subdivision agreement and implemented as part of the approval of this subdivision.
51. That the developer enters into an Engineering Services Agreement with the City and a Subdivision Agreement with the City, registered on title, satisfactory to the City Solicitor, that covers the conditions of approval.
52. That prior to the registration of the plan, the developer agrees to provide a 3.0 wide buffer strip, consisting of three staggered rows of a variety of trees and shrubs and a post a wire fence, along the lot lines of Lots 265 to 281 and Block 483, abutting the City of Guelph, Township of Guelph corporate boundary, to the satisfaction of the Director of Planning and Business Development.
53. That cut-off collars be used in sewer trenches to prevent groundwater from following the sewer line.

PART B: ZONING REGULATIONS

That the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the current Single Detached (R.1B, R.1C, and R.1D) Zones, and Specialized Single Detached R.1D-17 Zone, to the following zoning categories:

LOTS OR BLOCKS	PROPOSED ZONING
Lots 80-88, 99-111	R.1C Detached Dwellings – minimum frontage of 12 metres
Lots 12-14, 21-79, 89-98	R.1D Detached Dwellings – minimum frontage of 9 metres
Lots 15-18,19,20	R.1D-9 Detached Dwellings – minimum frontage of 9 metres and 30 metre separation from Railway Right-of-way
Lots 1-11	R.2 Semi-detached Dwellings
Block 114	R.3B-5 On-street Townhouse Dwellings – requires 30 metre separation from Railway Right-of-way
Blocks 112, 113	R.3B-7 On-street Townhouse Dwellings – Maximum Building Coverage of 50% and Minimum Exterior Side Yard of 4.5 metres.

PART A: DRAFT PLAN OF SUBDIVISION CONDITIONS

THAT the application by Black, Shoemaker, Robinson and Donaldson Ltd., on behalf of Victoria Wood (Arkell) Ltd. for a proposed Draft Plan of Residential Subdivision applying to property municipally known as 246 Arkell Road, and legally described as Part of Lot 6, Concession 8 (Geographic Township of Puslinch), City of Guelph, BE APPROVED, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the draft plan of subdivision prepared by Black, Shoemaker, Robinson and Donaldson Ltd., Project # 06-7698-19, dated May 29, 2012, as shown on **Attachment 4**, including road widenings and reserves.

Conditions to be met prior to grading and site alteration

2. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer, in accordance with the City of Guelph By-law (2010)-19058, prior to any tree removal, grading or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if grading/earthworks is to occur prior to entering into the subdivision agreement.
4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
8. The Developer 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.
9. The Developer shall retain a qualified **environmental inspector**, satisfactory to the General Manager of Planning Services, to inspect the site during all phases

of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The environmental inspector shall report on their findings to the City.

10. The Developer shall submit a detailed **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
11. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
12. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
13. The Developer acknowledges that the City does not allow **retaining walls higher than 1.0 metre** abutting existing residential properties without the permission of the City Engineer.
14. The Developer shall prepare an **Environmental Implementation Report (EIR)** based on terms of reference approved by the City and Grand River Conservation Authority (GRCA). The EIR will include a monitoring program to assess the performance of the stormwater management facilities in the subdivision. Furthermore, the EIR will outline the implementation process including the requirement to provide information to homeowners in the subdivision concerning the stormwater management facilities and their maintenance. The Developer shall implement all recommendations of the EIR to the satisfaction of the City and GRCA.
15. That the Developer 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.

Conditions to be met prior to execution of subdivision agreement

16. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
17. The Developer shall have **engineering drawings** and final reports prepared for the approval of the City Engineer.
18. With the exception of any share determined by the City to be the City's share in accordance with its by-laws and policies, the Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This includes the Developer paying the cost of the design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.
19. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
20. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
21. The Developer shall prepare a **street tree planting plan** and implement such plan to the satisfaction of the City Engineer.
22. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
23. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
24. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform to the current Development Priorities Plan.
25. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
26. The Developer shall submit a **Noise Impact Study** to the satisfaction of the General Manager of Planning Services addressing the potential noise impacts from Arkell Road.

27. The Developer shall be responsible for the cost of design of the **Pedestrian Trail System** for the Storm Water Management & Open Space Blocks. This shall include submitting drawings for approval, identifying the trail system, interpretive signage and trail design details, to the satisfaction of the General Manager of Planning Services. This shall include the submission of drawings completed by an Ontario Association of Landscape Architect (OALA) member for approval to the satisfaction of the General Manager of Planning Services.
28. The Developer shall provide Planning Services with a **digital file** in AutoCAD - DWG format containing the following final approved information: parcel fabric, street network, grades and contours and landscaping of the open space and storm water management blocks.
29. The Developer shall install, at no cost to the City, **chain link fencing** adjacent to Lot 12 abutting Open Space Block 20. The Developer further agrees that the fencing will be installed following grading operations of the subdivision in accordance with the current standards and specification of the City and to the satisfaction of the General Manager of Planning Services. Further, all property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations. Fences shall be erected directly adjacent to the established property line within the City owned lands.
30. The Developer agrees to provide **temporary signage** describing the existing/proposed open space, trail and required fencing on all entrance signs for the development, at the street frontage of Stormwater Management 19 and Open Space Block 20, and entrance/exits of trails, to the satisfaction of the General Manager of Planning Services. The signage shall:
- a. advise prospective purchasers of dwellings in the area of the type of park, open space and/or trail and level of maintenance of these parcels of land by the City;
 - b. clearly state that the maintenance of the park block and/or trail are the responsibility of the Developer until such time as the City accepts the park and/or trail, and partially releases the associated Letter of Credit; and
 - c. clearly state that all questions relating to the maintenance of the park block and/or trail shall be directed to both Developer and the City.

The signage shall be erected when rough grading on and adjacent to the building lots has begun and must be maintained by the Developer until acceptance of the Blocks by the City. The Developer further agrees that the proposed open space block, trails and fencing be identified on any marketing or promotional materials.

Conditions to be met prior to registration of the plan

31. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
32. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.
33. Prior to the City accepting any real property interests, if contamination is found, the Developer shall:
 - a. submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Realty Services;
 - b. complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
 - c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City.
34. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
35. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993".
36. That all **easements, blocks** and **rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
37. The Developer shall pay any **outstanding debts** owed to the City.

38. The Developer shall pay **development charges** to the City in accordance with By-law Number (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 thereto.
39. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall". The signs shall be resistant to weathering and vandalism.
40. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
- a. "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
 - b. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
 - c. "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Arkell Road and Streets 1 and 2 at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages."
 - d. "Purchasers and/or tenants of all lots or units are advised that Arkell Road may be used as a truck route."
 - e. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic".
 - f. "Purchasers and/or tenants of all lots or units are advised that the boundaries of the Open Space and Stormwater Management Blocks

will be demarcated in accordance with the City of Guelph Property Demarcation Policy". The Developer shall also send written notification of proposed demarcation types to any existing homeowners in lots adjacent to open space and stormwater management blocks".

- g. "Purchasers and/or tenants of all lots or units located in the subdivision plan are advised that the stormwater management pond has been vegetated to create a natural wetland setting. The City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails".
 - h. "Purchasers and/or tenants of all lots are advised that the Open Space Block has been retained in its natural condition. Be advised that the City will not carry out regular maintenance such as grass cutting. Periodic maintenance may occur from time to time to support the open space function and public trail system".
 - i. "Purchasers and/or tenants of all lots or units abutting City owned lands are advised that abutting City owned lands may be fenced in accordance with the current standards and specifications of the City".
 - j. Purchasers and/or tenants of all lots or units abutting City owned lands are advised that no private gates will be allowed into Blocks 19 and 20.
 - k. Purchaser and/or tenants of all lots or units are advised that Street 2 will be extended at some future date when the adjacent lands are developed".
41. The Developer shall pay **cash-in-lieu of parkland** for the entire development, in accordance with the City of Guelph by-law (1989)-13410, as amended by By-law (1990)-13545, By-law (2007-18225), or any successor thereof.
42. The Developer agrees to eliminate the use of any **covenants that would restrict the use of clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the General Manager of Planning Services that there are no restrictive covenants which restrict the use of clotheslines.
43. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
44. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.

45. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
46. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.
47. The Developer shall **convey Lots 1 and 12** at the expense of the Developer to the City and held until Street 2 can be constructed and extended beyond the terminus of the road as shown on the Plan, or it is demonstrated that the Lots can be graded to final elevations to the satisfaction of the City Engineer. The Developer is responsible for maintaining these two lots including, but not limited to, weed and pest control.
48. Prior to the registration of the plan, the Developer shall install at no cost to the City a 1.5 metre high black vinyl chain link fence along the north, east and west property boundaries. The fence is to be entirely located on the 246 Arkell Road property and is to be in accordance with the current standards and specifications of the City and to the satisfaction of the General Manager of Planning Services. Further, all property lines must be accurately surveyed and clearly marked in the field prior to establishing all fence line locations.

Conditions to be met prior to site plan approval

49. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to a standard that promotes energy efficiency in order to comply with the Community Energy Initiative, to the satisfaction of the City in accordance with the letter attached as Attachment X to Report 12-78 from Planning, Building, Engineering and Environment Report 12-78 dated September 4, 2012.

Conditions to be met prior to the issuance of a building permit

50. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
51. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
52. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number,

depth of fill, top elevation of fill and the area approved for building construction from the street line.

53. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.

AGENCY CONDITIONS:

54. That prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the **Grand River Conservation Authority**:

- i. A detailed storm water management report in accordance with the Ministry of Environment Stormwater Management and Planning Design Manual (2003). This report should include geotechnical information addressing the infiltration potential on the site. In addition, a storm servicing plan for the site should be included.
- ii. An erosion and siltation control plan in accordance with the Grand River Conservation Authority Guidelines for sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on site throughout all phases of grading and construction.
- iii. Detailed lot grading and drainage plans showing existing and proposed grades.
- iv. An Environmental Implementation Report (EIR) to the satisfaction of the Grand River Conservation Authority in consultation with the City. The EIR should include the above noted reports, monitoring and mitigation outlined in the EIS.
- v. A Development, Interference with Wetlands and Alterations to Shorelines and Watercourses permit for proposed works within the regulated area.

55. That the subdivision agreement between the owners and the municipality contain provisions for:

- a) The completion and maintenance of the works in accordance with the approved plans and reports contained in condition 53.

56. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.

57. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of

busing students outside the immediate area should schools in the area be at capacity.

58. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
59. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
- “Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.
60. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising prospective residents that students may be directed to schools outside the neighbourhood.
61. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.
62. That prior to the registration of all or any portion of the plan, the **Grand River Conservation Authority** shall advise the City in writing how conditions 53 and 54 have been satisfied.
63. That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 56 has been satisfied.
64. That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 57, 58 and 59 have been satisfied.

65. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 44 and 50 have been satisfied.
66. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 60 has been satisfied.
67. That prior to the registration of all or any portion of the plan, the **Ministry of Citizenship, Culture and Recreation** shall advise the City in writing how condition 15 has been satisfied.

NOTE: That this **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of the extension of Draft Plan approval.

AND

PART B: ZONING REGULATIONS

“That the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the A (Agriculture) Zone, as referred to in the Township of Puslinch Zoning By-law to the following zoning categories as follows:

LOTS/BLOCKS	LAND USE	ZONING
Lots 1-12	Semi-Detached Residential Min Lot Frontage – 7.5 m per unit	R.2
Blocks 13, 16	Specialized Cluster Townhouse Residential Minimum front yard setback of 4.5 metres in lieu of the required 6 metres Minimum distance between buildings – 3 metres	R.3A-?
Blocks 14, 15	On-Street Townhouse Residential	R.3B
Blocks 19, 20	Conservation Land Stormwater Management Facility and Open Space	P.1

PART A: DRAFT PLAN OF SUBDIVISION CONDITIONS

THAT the application by Coletera Development for approval of a Draft Plan of Residential Subdivision (23T-11501) comprising 62 residential units on lands municipally known as 115 Fleming Road, and legally described as Part Lot 11, Plan 468, City of Guelph, BE APPROVED, subject to the following conditions:

CITY CONDITIONS

1. That this approval applies only to the revised draft plan of subdivision prepared by Van Harten Surveying Inc., Project No. 20099-11, dated July 16, 2012, as shown on Schedule 4, including road widenings and reserves.

Conditions to be met prior to grading and site alteration

2. The Developer shall complete a **tree inventory and conservation plan**, satisfactory to the City Engineer, in accordance with the City of Guelph By-law (2010)-19058, prior to any tree removal, grading or construction on the site.
3. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph By-law (2007)-18420 to the satisfaction of the City Engineer if earthworks are to occur prior to entering into the subdivision agreement.
4. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
5. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written permission from the City Engineer or has entered into a Subdivision Agreement with the City.
6. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
7. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. The approved overall grading plan shall be the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
8. The Developer 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.
9. The Developer shall retain a qualified **environmental inspector**, satisfactory to the General Manager of Planning Services and the City Engineer, to inspect the site during all phases of development and

construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The inspector shall report on their findings to the City.

10. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
11. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.
12. The Developer acknowledges that the City does not allow **retaining walls higher than 1.0 metre** abutting existing residential properties without the permission of the City Engineer.
13. The Developer shall submit a **Storm Water Management Report and Plans** to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best managements, Provincial Guidelines, and the City's current "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.

Conditions to be met prior to execution of subdivision agreement

14. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
15. The Developer acknowledges and agrees that **no development shall occur on Blocks 3, 10, 11 and 12** until such time as the intersection of Law Drive and Pettitt Drive can be completed to the satisfaction of the City.
16. The Developer acknowledges and agrees that **no development shall occur on Block 12** until it is adjoined with neighbouring property to the satisfaction of the City. The Developer shall be responsible for the maintaining Block 12 in accordance with the City of Guelph Property Standards By-law.
17. The Developer acknowledges and agrees to take steps to provide a **sightline triangle** without obstructions higher than 0.8 metres at the southeast corner of Fleming Road and Law Drive prior to the southerly extension of Law Drive

being opened to traffic. Alternatively, the Developer agrees to reimburse the City the cost of monitoring the intersection operation and taking steps to remove any obstruction higher than 0.8 metres.

18. The Developer shall have **engineering drawings and final reports** prepared for the approval of the City Engineer.
19. The Developer is responsible for the total **cost of the design and construction of all municipal services** within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks on the new roads and the existing Fleming Road and Frasson Drive, boulevards and curbs, with the distance, size and alignment of such services to be determined by the City. This includes the Developer paying the cost of design, construction and removal of any works of a temporary nature including temporary cul-de-sacs, sewers, stormwater management facilities, watermains and emergency accesses.
20. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impact of groundwater and provides recommendations for pavement design and pipe bedding.
21. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
22. The Developer shall prepare a **street tree planting plan** and implement such plan to the satisfaction of the City.
23. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
24. The Developer shall provide an **On-street Parking Plan** for the subdivision to the satisfaction of the City Engineer. The Developer further agrees that the siting of individual dwelling units shall reflect a "paired driveway" orientation in order to maximize potential for on-street parking and landscaping to the satisfaction of the City.
25. The Developer shall pay the cost of the installation of one Second Order, **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
26. The site plans for all **corner building lots**, as determined by the City, shall be submitted to the City for approval of driveway location.
27. The Developer shall **phase the subdivision** to the satisfaction of the City. Such phasing shall conform to the current Development Priorities Plan.

28. The Developer shall provide Planning Services with a digital file in either **AutoCAD - DWG format or DXF format** containing the following final approved information: parcel fabric, street network, and grades/contours.

Conditions to be met prior to registration of the plan

29. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity**, prior to the registration of the plan, or any part thereof.
30. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a qualified consultant to prepare a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, the consultant shall certify that all properties to be conveyed to the City are free of contamination.
31. Prior to the City accepting any real property interests, if contamination is found, the Developer shall:
- a) submit all environmental assessment reports prepared in accordance with the **Record of Site Condition** (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Realty Services;
 - b) complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
 - c) file a **Record of Site Condition** (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City
32. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
33. That the **road allowances** included in the draft plan be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993".
34. That all **easements, blocks** and **rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a

Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.

35. The Developer shall pay any **outstanding debts** owed to the City.
36. The Developer shall pay **development charges** to the City in accordance with By-law Number (2009) - 18792, 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 thereto.
37. The Developer shall **erect and maintain signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the Zoning of all lands abutting the subdivision, inquiries should be directed to Planning Services, City Hall". Further, the signs shall be resistant to weathering and vandalism.
38. The Developer shall pay **cash-in-lieu of parkland** for the entire development, in accordance with the City of Guelph By-law (1989)-13410, as amended by By-law (1990)-13545, or any successor thereof.
39. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
 - a) "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
 - b) "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
 - c) "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic."
 - d) Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Fleming Road and Frasson Drive at the discretion of the City. The location of such route and bus stops will be

determined based on the policies and requirements of the City. Such bus stops may be located anywhere along the route, including lot frontages.”

40. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
41. The Developer shall ensure that **street lighting and underground wiring** shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
42. The Developer agrees to eliminate the use of any **covenants that would restrict the use of clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the General Manager of Planning Services that there are no restrictive covenants which restrict the use of clotheslines.
43. The Developer shall pay to the City, the total cost of reproduction and distribution of the **Guelph Residents Environmental Handbook**, to all future residents within the plan, with such payment based on a cost of one handbook per residential dwelling unit as determined by the City.

Conditions to be met prior to site plan approval

44. The Owner acknowledges and agrees that the dwelling units on the subject site will be constructed to a standard that promotes energy efficiency in order to comply with the Community Energy Initiative, to the satisfaction of the City. Prior to site plan approval, the Owner is to provide the City with information on energy efficiency standards to be implemented for the dwelling units.

Conditions to be met prior to the issuance of building permits

45. All **Stage 1 Services** are to be constructed to the satisfaction of the City Engineer.
46. Prior to the issuance of a building permit, the Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the **subdivision hydro servicing** has been completed to the satisfaction of Guelph Hydro.
47. The Developer shall submit a report prepared by a professional engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum

distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.

48. The Developer shall submit a report prepared by a professional engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan of subdivision in accordance with applicable provisions contained in the Ontario Building Code.

AGENCY CONDITIONS

49. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
50. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export or DXF format containing the following information: parcel fabric and street network.
51. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:

“Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school”

52. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.
53. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and the developer shall be responsible for the installation of concrete pads in accordance with

the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.

54. That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 49 has been satisfied.

55. That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 50, 51 and 52 have been satisfied.

56. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 41 and 46 have been satisfied.

57. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 53 has been satisfied.

NOTE: This **Draft Plan Approval shall lapse** at the expiration of 3 years from the date of issuance of Draft Plan approval.

AND

PART B: ZONING REGULATIONS

“That the Zoning By-law Amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to change the subject lands from the current UR (Urban Reserve) Zone to the Specialized R.3B-? (On-Street Townhouse) Zone.

BLOCKS	LAND USE	ZONING
Blocks 1-12	Minimum lot area per dwelling unit – 150 square metres Minimum exterior side yard setback - 3.45 m Maximum building coverage - 50%	R.3B-?

Isabelle White Room, Cutten Fields
September 5, 2012 5:45 p.m.

An Open Meeting of Guelph City Council.

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

Absent: Councillor Laidlaw,

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

Also Present: Mr. M. Calzannetti, Meeting Facilitator

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

Leadership Development Training

S. 239 (3.1) of the *Municipal Act* - education or training

Carried

.....
Mayor

.....
Clerk Designate

Isabelle White Room, Cutten Fields
September 5, 2012 5:46 p.m.

A Closed Meeting of Guelph City Council.

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

Absent: Councillor Laidlaw,

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

Also Present: Mr. M. Calzannetti, Meeting Facilitator

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no disclosures.

Mayor Farbridge provided introductory remarks.

Council and staff were led through various leadership training exercises and discussions.

- 1. Moved by Councillor Burcher
Seconded by Councillor Hofland
That the closed meeting of Guelph City Council of June 26, 2012 be adjourned.

Carried

The meeting adjourned at 8:45 p.m.

Minutes to be confirmed on September 24, 2012.

.....
Mayor

.....
Clerk Designate

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

September 24, 2012

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

Your Community & Social Services Committee beg leave to present their
THIRD CONSENT REPORT as recommended at its meeting of September
11, 2012.

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

CSS-8) Designated Municipal Home for Long-Term Care Project

THAT Council directs staff to report back on the range of possible options that meet
the criteria for our designated Long Term Care Home.

CSS-9) Community Investment Strategy Phase 2

THAT Committee approve the Community Investment Strategy Strategic Policy
Framework and implementation of the five new community investment
mechanisms;

AND THAT Committee delegate authority to the Executive Director of Community
and Social Services to approve the 2013 grants as part of the Interim Community
Wellbeing Grant Program implementation;

AND THAT staff report back on the Terms of Reference for a new Community
Wellbeing Grant Allocation Committee of Council for approval in 2012;

AND THAT staff be authorized to develop, and report back annually or case by
case, as required on the status of new community benefit agreements with
accompanying transition plans for existing service agreements that expire in 2012
and 2013;

AND THAT staff be directed to provide detailed implementation plans for Facility
Discounts and the Innovation Fund mechanisms in 2013.

All of which is respectfully submitted.

Councillor Todd Dennis, Chair
Community & Social Services Committee

***Please bring the material that was distributed with the Agenda for the
September 11, 2012 meeting.***

Introduction to Long-term Care Homes

September 11, 2012

History

- Municipal legacy
 - 1880’s – “Poor Houses & Houses of Refuge”
- Homes & beds:

Sector	Homes	Beds	Percentage
Municipal	103	16,473	16 / 21
Non-profit & charities	158	19,535	25 / 25
For-profit Nursing Homes	360	41,475	57 / 53
Total	633	77,747	

Long-Term Care Homes Act, 2007

- 119(1) or single-tier municipality shall establish and maintain a municipal home. 2007, c. 8, s. 119 (1).
- 120(1) Two or more southern municipalities that are required or permitted to establish and maintain a municipal home may, under an agreement with each other, establish and maintain a joint home. 2007, c. 8, s. 120 (1).
- 121(1) a municipality may enter into an agreement with a municipality or municipalities maintaining a home or joint home to help maintain that home or joint home. 2007, c. 8, s. 121 (1)
- *Regulation 79/10, 2010*
 - Combined 538 clauses and 264 pages

Funding for LTC Homes

▪ Contract with LHIN – LSSA	
▪ Four funding envelopes (per diems)	
– Nursing & personal care*	\$86.91
– Program & support services*	\$ 8.43
– Raw food*	\$ 7.68
– Other accommodation	<u>\$52.71</u>
TOTAL	\$155.73
▪ Resident co-payment (per diem)	\$55.04
▪ Private & semi-private permitted	(60/40)

* “use it or lose it”

Context for Decision-making

- Financial considerations
- Complex funding formula
- Complex regulatory environment
- Older Adult Strategy
- Stand-alone LTCH vs. “Campus of Care”

Long-term Care Project

Project Goal & Strategy

- Develop a business case which recommends the City's best option(s) for a designated municipal home
- Ensure the City remains in compliance with all legislative requirements
- Project will be completed in 2 phases

Phase 1

- Survey key stakeholders
- Identify eligibility criteria
- Develop an inventory of all eligible homes within a defined radius
- Outline other business options
- Risk assessment of available options

Phase 2

- Evaluate options
- Conduct a risk assessment and develop mitigation strategies
- Develop an implementation plan and proposed governance model

Project Oversight

- Steering Committee composed of:
 - Community and Social Services
 - Legal Services
 - Finance
 - Clerks (as required)

Reports to Committee

- November 2012: Phase 1 report
- January 2013: Recommended option
- March 2013: Phase 2 report

COMMITTEE REPORT



TO **Community and Social Services Committee**

SERVICE AREA Community and Social Services Department
Community Engagement and Social Services

DATE September 11, 2012

SUBJECT Designated Municipal Home for Long-Term Care Project

REPORT NUMBER CSS-CESS-1223

SUMMARY

Purpose of Report:

The City is undertaking a project to develop a business case which details the City's best option(s) for the designation of a municipal home, as required under the *Long-Term Care Homes Act*. The business case will include a risk assessment, risk mitigation and implementation strategies and a proposed governance model.

Upon project completion, a recommended option(s) will be presented to Council. Implementation is scheduled to occur in a future phase of the project, which is currently out of scope.

Committee Action:

THAT Council directs staff to report back on the range of possible options that meet the criteria for our designated Long Term Care Home.

RECOMMENDATION

THAT Council directs staff to report back on the range of possible options that meet the criteria for our designated Long Term Care Home.

BACKGROUND

In 1993, changes to the provincial *Homes for the Aged and Rest Homes Act* required municipalities to fund a Municipal Home for the Aged (municipal home) to provide long-term care home (LTCH) services. At that time, the City sought to designate a local LTCH as our municipal home. However, the request was denied by the Ministry of Health and Long-Term Care (MOHLTC) on the grounds that the local LTCH under consideration operated under the *Charitable Institutions Act*, not the *Homes for the Aged and Rest Homes Act*. MOHLTC determined the City would fund Wellington Terrace.

Wellington Terrace is a not-for-profit municipal long-term care home, owned and operated by the County of Wellington and located between Elora and Fergus. Under a previous agreement, the City contributed 14.2% of operating costs to Wellington Terrace. This percentage was based on a maximum of 25 city residents placed at the facility. Implementation of Community Care Access Centres (CCAC) removed the relevancy of the 25 city-resident cap. LTCHs now have very limited ability to refuse admission as residency is not part of the eligibility criteria.

The City recently negotiated a settlement for an outstanding litigation and a new service agreement with Wellington County. In the new agreement, the City agrees to pay 20% of net operating costs of Wellington Terrace, excluding any capital costs. Additionally, should the City seek to designate a new municipal home, the unconditional support of the County has been negotiated.

REPORT

According to the *Long-term Care Homes Act*, every southern municipality must “establish and maintain a municipal home”. Currently, the City is developing a business case to recommend the City’s best option(s) for a designated municipal LTCH. The recommendation will consider:

- Sustainability
- Financial responsibility and prudence
- Governance provisions and requirements
- Legislation, MOHLTC and Local Health Integration Network (LHIN) requirements
- Other legal considerations
- Community need

The scope of the project includes the following objectives:

- Create an inventory of all homes eligible for consideration as a designated municipal home within a defined radius within the Waterloo-Wellington LHIN jurisdiction
- Identify other business options/opportunities which also satisfy legislative requirements
- Identify the risks and benefits associated with each eligible option
- Provide a recommendation to Committee on the City’s best option(s) using an open and transparent process
- Develop a strategy which meets the objectives of the City, Ministry and LHIN to designate a municipal home
- Develop a transition and implementation plan for the recommended option(s)
- Develop a governance model for the recommended option(s)

-
- Identify the City's roles and responsibilities to ensure a newly designated municipal home meets Ministry/LHIN requirements
 - Identify the City's role with the LHIN and Ministry for the recommended option(s)

The work of the project will be conducted in two phases with a written report provided at the end of each phase. Phase 1 is scheduled to occur from July to October 2012. Phase 2 is scheduled for November 2012 to February 2013. Implementation of the recommended option will occur in a third phase of the project which is currently out of scope, subject to Council approval and direction. Project oversight will be provided by a Steering Committee composed of representatives from Community and Social Services, Legal Services and Finance. Clerks will provide support on governance issues as required.

In order to achieve these objectives, the City, through a Request for Proposal, has retained the services of Klejman & Associates Consulting, Inc. to provide subject matter expertise. The team members of Klejman & Associates collectively represent over 100 years of experience, mostly in senior level positions within the long-term care sector. The consultants bring comprehensive operational and strategic knowledge of long-term care and extensive experience with government protocols and decision-making processes, especially at the provincial level.

The Phase 1 report to the Community and Social Services Committee is expected in November 2012.

CORPORATE STRATEGIC PLAN

Organizational Excellence

- 1.2 Develop collaborative work teams and apply whole systems thinking to deliver creative solutions
- 1.3 Build robust systems, structures and frameworks aligned to strategy

Innovation in Local Government

- 2.1 Build an adaptive environment for government innovation to ensure fiscal and service sustainability
- 2.3 Ensure accountability, transparency and engagement

City Building

- 3.2 Ensure a well designed, safe, inclusive, appealing and sustainable City

FINANCIAL IMPLICATIONS

The total budget for this project is \$79,687 including HST. This amount represents consulting fees of \$31,700 for Phase 1 and \$41,100 for Phase 2, plus consultant expenses. This cost will be covered through Community and Social Services' general consulting budget and Corporate and Human Resources' legal consulting budget.

DEPARTMENTAL CONSULTATION

This report was prepared in concurrence with Corporate and Human Resources and Finance and Enterprise.

COMMUNICATIONS

Key community and government stakeholders have been advised of this project.

Community stakeholders include Waterloo Wellington Community Care Access Centre (WWCCAC), Association of Municipalities of Ontario (AMO), and Ontario Association of Non-profit Homes and Services for Seniors (OANHSS).

Government stakeholders include MOHLTC, Waterloo Wellington Local Health Integration Network (WWLHIN) and the County of Wellington.

ATTACHMENTS

N/A

Prepared By:

Karen Kawakami
Social Services Policy & Program Liaison



Recommended By:

Barbara Powell
General Manager
Community Engagement & Social Services
519-822-1260 x 2675
barbara.powell@guelph.ca



Recommended By:

Colleen Bell
Executive Director
Community & Social Services
519-822-1260 x 2665
colleen.bell@guelph.ca

TO: City of Guelph Community & Social Services Committee
September 12, 2012

RE: CSS-8 Designated Municipal Home for Long-Term Care Project

SUBJECT Designated Municipal Home for Long-Term Care Project
REPORT NUMBER CSS-CESS-1223

I would like to commend the city in moving forward to designate a Municipal Home for Long Term Care.

I have reviewed Report Number CSS-CESS-1223 and have the following comments and concerns:

It is my understanding that the purpose of this process is to designate an existing Long-term care facility (LTC) within the city of Guelph as its designated municipal LTC. The city will allocate funds to this facility.

If I am correct, I have very serious concerns about the scope of this project. It is simply not enough to designate an existing LTC facility as the Municipal Home. We need more LTC facilities in Guelph.

The report before you does not even address the current existing severe shortage of long-term care beds in the City of Guelph. Waiting times for a facility in Guelph can be as long as 2-6 or more years.

I recently participated in looking for a LTC bed for a family member. I would like to make you aware of the following:

- Depending on the LTC facility, the current waiting time for a LTC bed of your choice can be more than 2 to 6 years long.
- Guelph residents are being told they cannot or should not wait for a bed of their choice in Guelph but must take the 1st available anywhere in Wellington County, Kitchener Waterloo or Cambridge.
- The available bed may be in a 4 bed ward room in Harriston (a distance of 1hr and 17 mins or over 81 kms one way or Mount Forest. – over 1hr. and 70 kms one way, even though you requested a private room and a 4 bed room in a facility this far away may inappropriate for you loved one and for your family situation.
- If you do not take the 1st available bed after being declared alternate level of care you may be told that you will have to pay \$500 a day to stay at St. Joseph's Health Center, even though this is not enforceable and inappropriate.

Designating an existing facility will not create new beds that are so desperately needed here in Guelph.

Placement in a LTC facility outside of Guelph separates a vulnerable individual from their family members and friends who may not be able to visit their loved one, because they don't drive a

car and there is no frequent public transit to North Wellington and other areas of Wellington and Waterloo.

Therefore I urge you to expand the scope of this project to include the following:

- The number of individuals on the waiting lists for LTC in hospitals , assisted living retirement homes and in private homes
- Determine the adequacy of only designating an existing facility(s) to meet the current and future needs of the residents of Guelph
- The report on Guelph's Older Adult Strategy will be coming to Council in late November 2012. Phase 1 of this project reports back in November 2012. The results of both should be brought to council same meeting as they are not exclusive of each other.
- Investigate why are Guelph citizens being sent to 4 bed ward rooms if the Ministry is funding private and semi private rooms?

I understand, that while this report must concern itself with the "business case" and "compliance with legislative requirements" , we cannot and should not forget that choices need to be made that are ethical, in the best interests of those who need LTC beds and finally considers compassionately the weight of suffering both physical and emotional distress of caregivers in the community who have loved ones on the waiting lists for a LTC bed in Guelph.

Yours sincerely

Laura Murr

COMMUNITY INVESTMENT STRATEGY PHASE 2 REPORT

By Eden Grodzinski and Rebecca Sutherns
For the Community & Social Services Committee
September 11, 2012

Project Purpose & Scope



CIS Vision

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

Phase 2 Process

- Who was involved:
 - Working groups involving 27 staff members
 - Local funders' network
- What we developed:
 - Policy parameters
 - Implementation plan

Community Building Opportunities

- Maximize City space as a community asset
- Enhance knowledge of existing and emerging community needs
- Facilitate connections between community groups
- Support joint marketing and communication efforts
- Ensure that activities in Guelph are inclusive and accessible for all citizens
- Continue to provide opportunities for community engagement
- Other small changes that could make a big difference

Investment Program Framework



Community Wellbeing Grants

- 3 categories – size of request determines rigour of application and review process
- Capital requests considered alongside operating ones
- Multi-year funding is available
- Funding decisions made by new Grants Allocation Committee of Council

Facility Rental Discount Rates

- Currently offered to particular user groups
- Will now be harmonized across sectors, demographics, facilities

Small \$ Value Waivers

- To encourage citizen engagement and ensure work is proportional to resources requested
- Up to \$100 to be applied against applicable City services
- Can't be combined with other offers

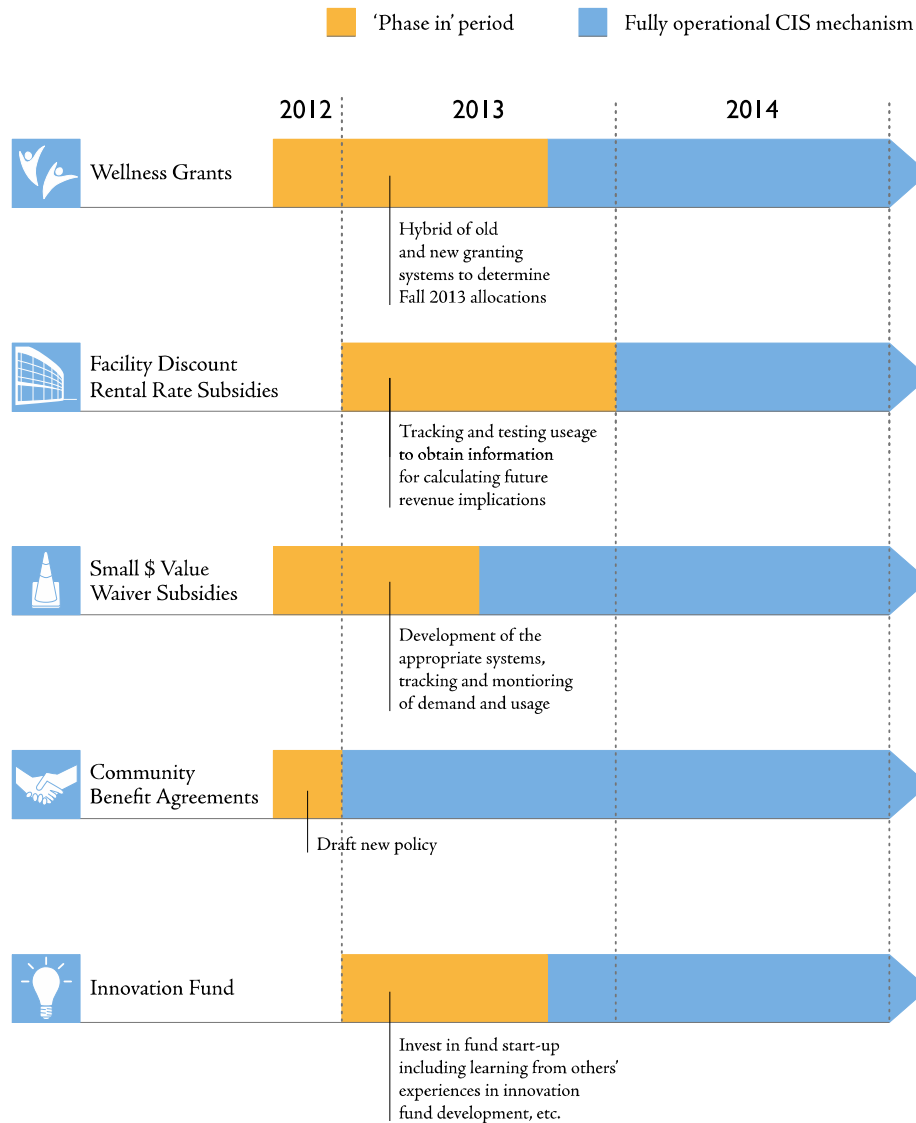
Community Benefit Agreements

- Formalization of mutually beneficial partnership arrangements
- Multi-faceted (e.g. realty, cash, staff support)
- Multi-year relationships

Innovation Fund

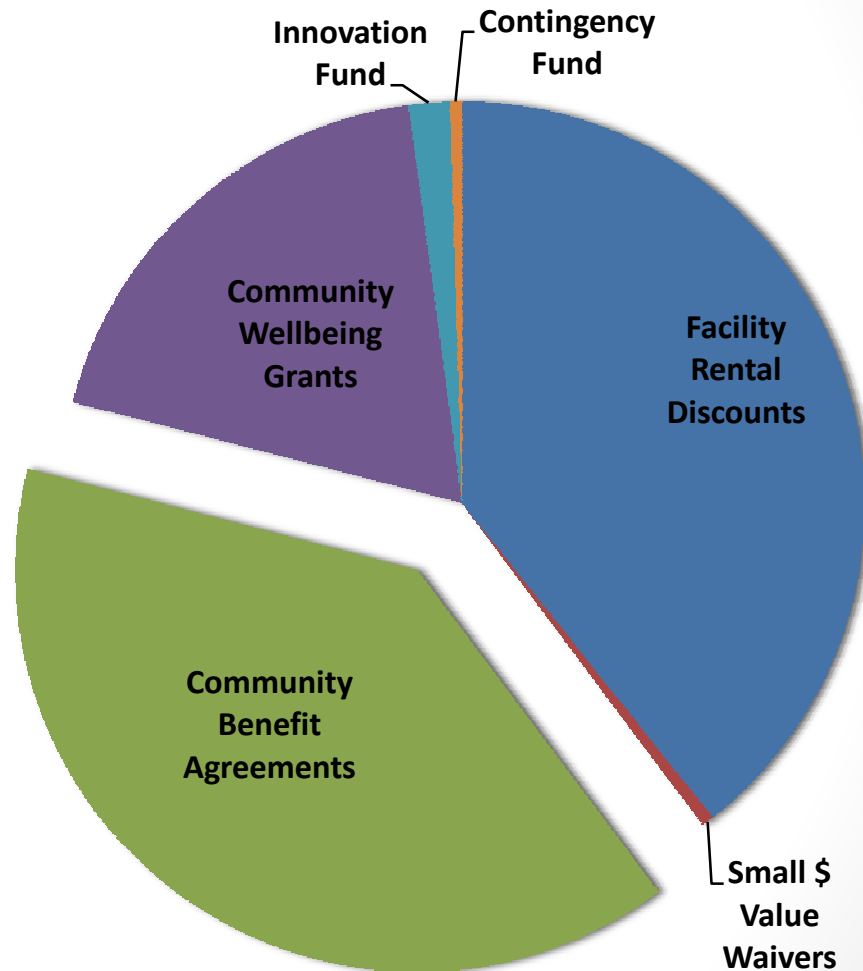
- To support new, promising ideas in community innovation
- Will be collaboratively funded

“Phase In” Implementation

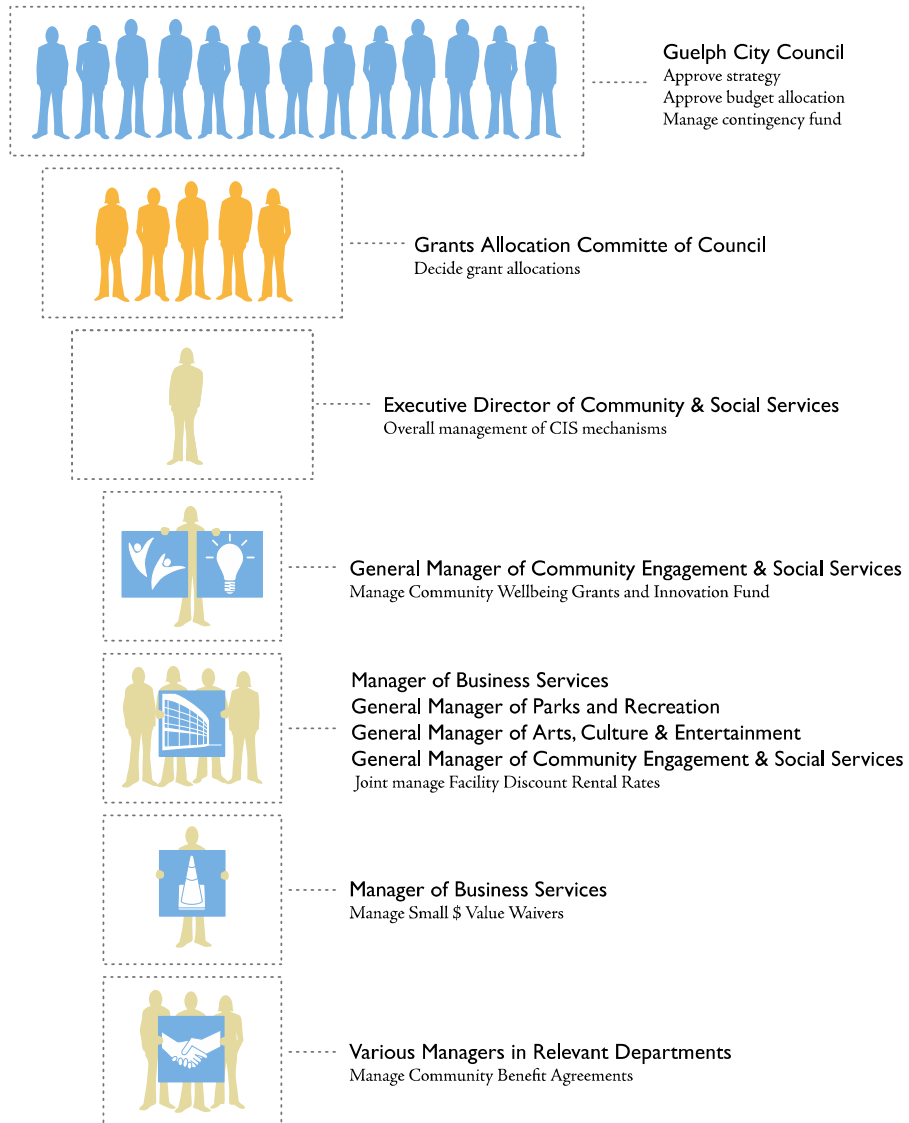


Costing and Resource Allocation

- All mechanisms to be pooled into a new CIS cost centre, with exception of CBAs
- Budget is comprised of both grants (direct funding) and subsidies (foregone revenue)



Roles & Responsibilities



Points to Consider

- Apply the CIS both strategically and operationally
- Look for opportunities to support the community beyond granting
- Ensure the CIS is well integrated with other City initiatives
- Consider applying the CIS throughout the Corporation
- Allocate new money to the community, not administration
- Make a commitment to carry out the new policies at all levels

Concluding Remarks

The CIS is about more than simply offering grants. It calls for leveraging municipal resources wisely, ensuring proportionality between the resources being disbursed and the work required to do so, in pursuit of community wellbeing.

COMMITTEE REPORT



TO **Community and Social Services Committee**

SERVICE AREA Community and Social Services Department
Community Engagement and Social Services Liaison

DATE September 11, 2012

SUBJECT **Community Investment Strategy – Phase 2 Report**

REPORT NUMBER CSS-CESS 1221

SUMMARY

Purpose of Report:

To report on Phase 2 of the Community Investment Strategy (CIS). The report builds on the Phase 1 report (#CSS-CESS-1211) which presented a draft Strategic Policy Framework. As directed by Council in April 2012, this report recommends detailed proposals for the five new investment mechanisms identified in Phase 1 with an implementation plan for the transition.

Committee Action:

THAT Committee approve the Community Investment Strategy Strategic Policy Framework and implementation of the five new community investment mechanisms which includes the development of all associated policies, procedures, governance arrangements and transition plans as outlined in the CIS Phase 2 Report.

RECOMMENDATIONS

THAT Committee approve the Community Investment Strategy Strategic Policy Framework and implementation of the five new community investment mechanisms;

THAT Committee delegate authority to the Executive Director of Community and Social Services to approve the 2013 grants as part of the Interim Community Wellbeing Grant Program implementation;

THAT staff report back on the Terms of Reference for a new Community Wellbeing Grant Allocation Committee of Council for approval in 2012;

THAT Staff be authorized to develop new community benefit agreements with accompanying transition plans for existing service agreements that expire in 2012 and 2013;

AND THAT staff be directed to provide detailed implementation plans for Facility Discounts and the Innovation Fund mechanisms in 2013.

BACKGROUND

In April 2012, Council approved a Strategic Policy Framework as the foundation for the development of Community Investment programs and tools. The key components of the Strategic Policy Framework included:

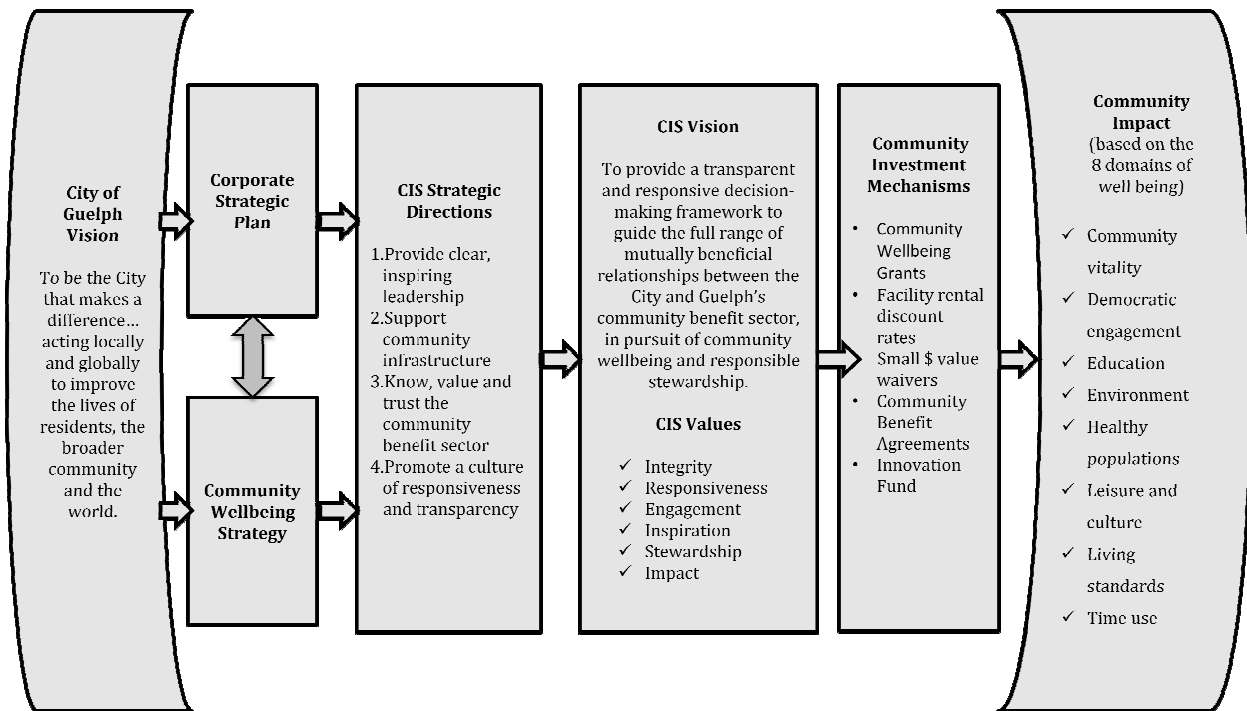
- Strategic Directions
- Community Investment Strategy Vision Statement
- Values and Guiding Principles
- Community Investment Mechanisms
- Community impact based on the eight domains of wellbeing (currently under development through the Community Well Being Initiative).

This report recommends the Community Investment Strategy implementation plans as the next phase.

REPORT

This Report recommends the next phase of work for the Community Investment Strategy including: the establishment of the five CIS funding mechanisms, in-kind supports, interim grant program for the transition period and implementation plan 2012 – 2014.

The Strategic Policy Framework



1. CIS Funding Mechanisms

Comprehensive operational outlines and governance arrangements have been developed for the five new community investment mechanisms. A full summary can be found in Attachment 1.

o **Community Wellbeing Grants**

A new integrated, multi-disciplinary program with a focus on delivering community wellbeing priorities as defined in the City's Strategic Plan and the emerging Community Wellbeing Initiative. The program will fund operating costs and capital needs of a wide variety of community organizations, with a focus on multidisciplinary benefits for the community.

There will be three categories of funding depending on the value of the request.

- Category 1: One-time grants of \$100 - \$5,000 in value
- Category 2: One-year grants of \$5,000 - \$50,000 in value; OR two-year grants of up to \$100 - \$50,000 per year
- Category 3: Grants valued at more than \$50,000, up to four years in duration.

Groups will be able to apply twice annually for category 1 grants. All other applications will be received once a year.

This is a significant shift from the current annual Community Grant Program which has three sector grant streams and focuses only on providing operating grant funding. The current program does not have a clear set of priorities for funding, has vague eligibility criteria and does not track the impact of the investment.

○ **Innovation Fund**

The City will be one of many funders for this fund to support promising but untried ideas in the realm of community innovation that warrant financial support but do not qualify for other CIS investment mechanisms.

○ **Facility Rental Discounts**

This mechanism will provide a transparent and harmonized set of discount rental rates for City owned and managed facilities. The goal is to ensure that these facilities are accessible and affordable for all types of community organizations. This change will replace policies that are over 20 years old, outdated and not always reflective of current practices. It will also reduce confusion around the current range of different rates for community organizations

○ **Small Dollar Value Waivers**

The purpose of this mechanism is to encourage a municipal culture that supports the community, while ensuring proportionality of costs to benefits. This mechanism will enable successful applicants to receive up to \$100 per year for applicable City services/products for their community events. Some examples might be to rent pylons for a road hockey tournament or road closures for street parties.

Currently organizations can apply for a fee waiver through the Community Grant program. These requests are usually for medium to large dollar values and the process to award the waivers has resulted in a highly complex accounting system. Based on the feedback received during Phase 1 of the project it was decided that fee waivers of this nature should no longer be available and that groups should apply for a Community Wellbeing Grant that they may (or may not) apply against the cost of City rental.

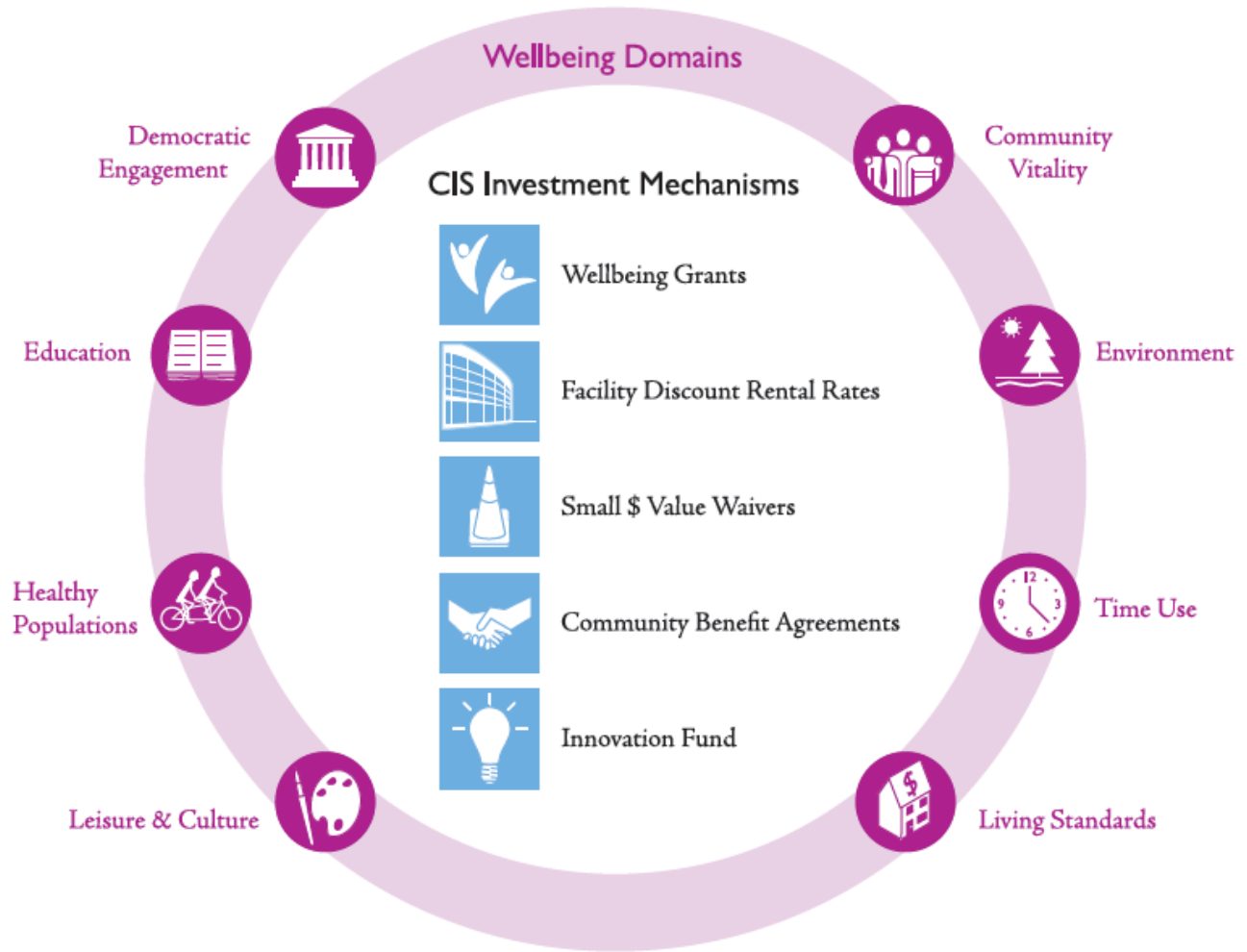
○ **Community Benefit Agreements (CBA)**

These agreements will enable the City to work with the community benefit sector to foster community wellbeing and/or enhance City services and programming. The mechanism will guide developing and ongoing collaborative relationships with community organizations where there is:

- Mutual or complementary benefits;
- Joint investment of resources (e.g. time, funding, expertise, information);
- Shared definition of authority, risk and responsibility.

Ideas for prospective Community Benefit Agreements may be solicited by the City or be unsolicited from the community. They must be accompanied by a thorough business case (proposal). The CBAs will be legal agreements between the City and the community partner.

Diagram 1: Community Investment Strategy Mechanisms



2. In –Kind Supports

Recommendations for the development of in-kind support beyond the five proposed investment mechanisms include:

- **maximizing City space as a community asset.** The most frequently identified role for the City is to invest in community infrastructure. This includes the construction and upkeep of cultural recreational and social facilities but also involves watching for opportunities where existing facility assets could be used by the community benefit sector.
- **supporting enhanced community knowledge** through the collection and analysis of community research and social planning data. For example the City is undertaking significant local research to support the Community Wellbeing Initiative (Community Survey and a Community Indicator Project) and it will be important to involve local organizations in these projects and to share the findings widely.
- **facilitating connections and sharing information** between community groups is seen as an important role for the City because of its position as the keeper of the 'big picture'. The City should intentionally convene conversations, often between unlikely parties with similar mandates or passions to help build relationships and share ideas.
- **marketing and communications** support is often suggested as something the City can provide to community groups. One example would be The Fab 5 festival campaign. Celebrating and sharing information on the City website about community organizations and the City's work with them would be one effective way to help achieve this.
- **supporting inclusion and accessibility** is considered another key City role to ensure that activities are inclusive of those who experience barriers to civic participation. The report recommends that the City develop a strategy to foster inclusion, recognizing that the CIS might provide one vehicle for enacting this strategy.
- **small changes that make a big difference** could include facilitating 'back office' functions and profiling organizations on the City website
- **continued focus on the CIS value of engaging the community** in the development of the CIS and also engaging them in the work of the City with community benefit organizations.

2. Interim Grant Program

It is recommended that an interim Wellbeing Grant program be rolled out for 2013 (see page 9 of this report for full details).

3. An Implementation Plan 2012 – 2014

This includes anticipated costing and resource requirements; staffing impact; timelines and communications details.

CIS Implementation – Key considerations

The implementation of the CIS will take a number of years to be fully realized. This is due to a number of different factors including:

- The complexity and breadth of the strategy which covers a number of diverse work areas and impacts a significant number of external stakeholders and internal staff;
- The roll out needs to ensure that all groups that receive support currently from the City have reasonable time to adapt to the new arrangements;
- The development of new business systems and processes;
- Dependency on the completion of other City projects such as the Community Wellbeing Initiative; the User Rates and Fees Review; and Business Case Development project;
- The development of detailed policy and procedural guides; and
- Staff and volunteer training and orientation. (This includes identifying and training Community Navigators).

There are also a number of significant steps to undertake. These are highlighted as follows.

Governance and oversight

There are a number of changes which will be introduced to ensure that the CIS is governed appropriately and that oversight is open, transparent and accountable. This reflects feedback from Councillors, staff and the community in Phase 1.

Council is responsible for approving the Community Investment Strategy and annual budget. Council will no longer be involved in the majority of individual granting and investment decisions. Council will have oversight of a \$15,000 contingency fund set aside for community emergencies. This reflects current practice. Council will also have a primary role in the monitoring of the strategy and its impact upon the community. There will be an annual report on CIS progress and impacts to Community and Social Service Committee.

It is recommended that a new Community Wellbeing Grants Allocation Committee of Council be established to approve the individual allocations for that funding mechanism. It is envisaged that the new Committee will commence its role in the fall of 2013 to prepare to adjudicate grants for 2014.

The responsibility for the operational management of the CIS will be led by the Executive Director of Community and Social Services. The Executive Director will convene a management group to oversee the implementation and ongoing

development of the strategy. Housing the CIS in Community and Social Services reflects recent divisional changes that included the integration of Parks and Tourism into the Community and Social Services Department. Departmental leads have been identified to manage the various components of the strategy.

Under the leadership of the Executive Director of Community and Social Services, it is recommended that the CIS total budget be allocated across the various investment mechanisms at a departmental level to reflect changing community need. This process will be in consultation with Council, staff and community.

Financial implications and staffing requirements

Phase 1 of the project showed that in 2011 the City invested approximately \$3,000,000 in grants, fee waivers, individual partner agreements, sports and recreation subsidies and in kind services. However a new CIS cost centre pooling current investment dollars, should be created to ensure more efficient and effective management of the budget across the mechanisms in line with changing local priorities.

It is recommended in the Phase 2 Final Report that the 2012 CIS budget should be separated into two categories as described in the table below – subsidies valued at approximately \$1.2 million, direct funding for community organizations of \$1.64 million, (Community Wellbeing Grant applications and the development of the Innovation Fund).

Current and Proposed CIS Budget					
Current Budget (2011-2012)			Proposed Budget (2013)		
Existing Community Investment Mechanisms	Direct Funding (grant and waivers)	Subsidies (foregone revenue)	NEW CIS Mechanisms	Direct Funding (grants)	Subsidies (foregone revenue)
Health & Social Service Grants	\$56,300				
Arts & Culture Grants	\$73,500				
Community Event Grants	\$95,600				
Capital Grants	\$400,000 (Capital figure was reduced to \$200,000 in 2012)		Wellbeing Grants (operating & capital)	\$375,400 (see note 1)	
			Innovation Fund	\$50,000	
Special Projects	\$15,000		Contingency Fund	\$15,000	
Existing Agreements	\$1,200,000		Existing Agreements	\$1,200,000 (see note 1)	
Facility Discount Rental Rates		\$1,200,000	Facility Discount Rental Rates		\$1,200,000 (see note 2)
			Small \$ Value Waivers		\$2,500
Subtotal	\$1,840,400	\$1,200,000		\$1,640,400	\$1,202,500
TOTAL	\$3,040,400			\$2,842,900	

Notes

¹ For a complete listing of existing agreements refer to the consultant CIS Phase 2 Report appendix G (attachment 2). In 2013 it is recommended that the CIS Management Group identify existing civic celebrations and non-prescribed social service grants with which it would be appropriate to form Community Benefit Agreements, and then begin the process for doing so.

² The 2013 budget figure for Facility Discount Rental Rates is based in the current rates and usage by youth, school, disability and neighbourhood groups. It does not include the usage of the River Run Centre and the Sleeman Centre (ticketed-events) by arts groups and other community organizations. It is recommended that the financial impact of the new policy be assessed in 2013.

There will be no requirement to increase the department's current staffing level. The CIS implementation will be accomplished through developing current roles, maximizing capacity and by the ongoing development of improved business systems.

2013 – The Transition Year

During the implementation period there will be a number of interim arrangements that will help the transition to the new model. This will ensure a smooth transition for both internal staff and external organizations. These arrangements are fully detailed in Attachment 2, but a number of key points are highlighted below.

a) Interim Community Wellbeing Grant Program

During 2013, the current Community Grant Program will be phased out and an interim Community Wellbeing Grant Program will be established. The funding available for the interim year will remain unchanged at \$375,400 and the usual timelines for the program will be continued, which means that groups will be able to apply grants in September 2012. The changes to the program are summarized as follows:

- Only categories one and two will be granted in 2013 as part of the transition program. No multi-year funding will be allocated.
- Previously groups were able to apply for a waiver as part of the Special Events grant stream. Groups will no longer be able to apply for a waiver. Rather groups should apply for a grant that they can use to offset the cost of related City charges.
- Two new interim review panels will be created to review eligible grant applications – reducing the number of panels from three. The two interim panels will cover:
 - Social and Health
 - Arts, Culture and Special EventsMembership of these interim panels will in part be drawn from existing panel membership from both staff and community.
- Community and Social Services will oversee the process, which originally resided with the Finance Department, and have identified a single member of staff to administer the process. This will provide improved supports and communications to applicant organizations.
- The Executive Director of the Community and Social Services would have delegated authority from Council to make the final decision for the 2013 grants only and report to Council (see Attachment 3).

b) Review of current partnership agreements

Community and Social Services has a number of current agreements with not-for-profit organizations. These range from agreements funded through a variety of channels such as the County of Wellington, as Consolidated Municipal Service Manager (CMSM) for social services, and through the Civic Celebrations program.

There are also a number of unique arrangements such as those with the Guelph Wellington Seniors Association and Wyndham House.

Currently, Community and Social Services (CSS) is reviewing those agencies jointly funded through the County of Wellington. This process will be completed by spring 2013. The department has committed to continue the existing program funding for 2013 to assist agencies with the transition to the new CIS funding framework.

It is recommended that CSS conduct a full review of all current legal agreements with not-for-profit agencies and organizations. These reviews should be carried out within the context of the new CIS Framework and in consultation with the respective organizations. The timetable for this work will be informed by the expiry date of each agreement.

These reviews will identify the most appropriate mechanism for future City investment and help to orientate organizations to the new processes. The department will work closely with all impacted organizations to ensure that they are given the appropriate time and support required to adjust.

c) Facility Rental Discounts and the Innovation Fund

The Facility Rental Discount investment mechanism will be further developed in 2013, based on the findings and recommendations of the Community and Social Services User Rates and Fees review project. Following this review, staff will report back to Council with a more detailed implementation report, clarifying the proposed discount rates. This analysis will ensure the affordability of the mechanism.

The Innovations Fund requires the development of an entirely new collaboration of funders. This work will involve exploration of funding models, possible partnership opportunities and the establishment of governance and administrative structures. Staff will bring forward a more in depth implementation report in 2013 summarizing the outcome of this work.

d) Communications

Staff will develop a comprehensive communications plan to support the successful implementation of the new CIS over the first three years:

- Communications to all impacted stakeholders.
- Letters to organizations impacted by the proposed review of all current agreements – some organizations have already received these communications.
- Enhanced CIS information web pages on Guelph.ca
- Targeted internal communications to impacted staff and broader communications to all staff to increase awareness of the strategy and its goals.
- Current grant review panels have been informed of the forthcoming plans to reconfigure and ultimately disband the three grant panels.

Some members will continue to review applications for the 2013 Community Wellbeing Grant transition year.

- Information sessions will be organized for internal and external stakeholders in line with roll out timetable of mechanisms

Conclusion

The implementation of the CIS will support the City to work with the local community benefit sector in a more focused and transparent way, achieving improved wellbeing for Guelph residents. It will enable the City to effectively contribute to the sustainability of current community assets, services and programs and also guide City investment towards achieving the new Corporate Strategic Plan.

CORPORATE STRATEGIC PLAN

Organizational Excellence

- 1.1 Engage employees through excellence in leadership
- 1.2 Develop collaborative work teams and apply whole systems thinking to deliver creative solutions
- 1.3 Build robust systems, structures and frameworks aligned to strategy

Innovation in Local Government

- 2.2 Deliver Public Service better
- 2.3 Ensure accountability, transparency and engagement

City Building

- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City
- 3.3 Strengthen citizen and stakeholder engagement and communications

FINANCIAL IMPLICATIONS

It is recommended that the 2013 budget for the Community Investment Strategy is maintained at the current 2012 level of City community investment but takes into account the \$200,000 withdrawal of the time limited capital funding approved in the 2013 budget guideline July 23, 2012. Implementation of the initiative will be managed within current staff resources.

There is the potential that some of the category 2 and 3 grants (multi-year) could impact our debt ratios if they are interpreted to form a financial obligation to the City.

DEPARTMENTAL CONSULTATION

Community Engagement and Social Services
Culture and Tourism
Parks and Recreation
Budget and Financial Services
Economic Development

Policy Planning and Urban Design
Public Works
Legal Services
Clerks Services

COMMUNICATIONS

Information about the new proposed arrangements has been circulated to those who participated in CIS consultations. Information has also been included on guelph.ca. Following Council deliberation, more detailed information about the CIS will be made available as outlined in the Phase 2 Report.

ATTACHMENTS

Attachment 1 – Summary of CIS Investment Mechanisms
Attachment 2 – Guelph’s Community Investment Strategy – Phase 2 Report
Attachment 3 – Delegation Schedule

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CIS Phase 2 Report - Attachment 1 It should be noted that Table 1 outlines the desired end state once the CIS is fully operational, which will take a number of years to come into effect. Details about the transition process and resources required to support the CIS follow in section 6.

	Facility Rental Discount Rates	Small \$ Value Waivers	Innovation Fund	Community Wellbeing Grants			Community-Benefit Agreements
Maximum request (\$ and duration)	Set % discount rates	Up to \$100 for applicable City services/products per event per year	TBD	1-year grant of \$100 - \$5,000 in value	1-year grant of \$5,000-\$50,000 in value; OR 2-year grants of \$100 - \$50,000 per year	An average of over \$50,000 per year, up to 4 years in duration	Varies; may be in-kind (staff, reality, etc.) and/or cash support. Up to 4 years in length, reviewable with possibility of renewal
Purpose "To foster community wellbeing by...."	Ensuring that City-owned and managed facilities are accessible and affordable for all types of community organizations	Encouraging a municipal culture that is supportive of community engagement, while ensuring proportionality of costs to benefits	Supporting promising, untried, innovative ventures. To be supported by a collaborative of funders.	Supporting events, programs, operating costs and capital needs of community organizations, with a focus on multi-faceted community impacts			Recognizing mutually beneficial arrangements, which foster community wellbeing and/or enhance City operations and programming
Application process	Through existing facility booking procedures	Through existing special event permit application	"Make your pitch"	Simple application form	Funding proposal, and interview (site visit) if requested by review panel	Business case and interview (site visit)	Thorough community needs assessment and business case development. Partner selection in accordance with City's procurement by-laws, policies and procedures.
Multiple requests ("double dipping")	No limit (cap) on # of rental requests per group. Groups may also be eligible for grants.	Not eligible for other mechanisms (i.e. event cannot also receive grant; waiver cannot be applied to rental costs)	Grant is available once (per lifetime) per idea. Eligibility for other mechanisms TBD.	One grant per program/project per year. May also be eligible for discount rates. New	Agency may apply for more than one program/project grant, if total request is under	Agency may apply for more than one program/project grant. Business case	Contract supersedes all mechanisms; eligibility for other types of City support to be spelled out in written agreement.

CIS Phase 2 Report - Attachment 1 It should be noted that Table 1 outlines the desired end state once the CIS is fully operational, which will take a number of years to come into effect. Details about the transition process and resources required to support the CIS follow in section 6.

	Facility Rental Discount Rates	Small \$ Value Waivers	Innovation Fund	Community Wellbeing Grants			Community-Benefit Agreements
				requests may also be eligible for mid-year grant.	\$50,000. May also be eligible for discount rates.	required for each individual program/project request exceeding \$50,000.	
Reviewers	Booking staff approve, if eligibility met	Booking staff approve, if eligibility met and funding available	"Unusual suspects" plus funding reps	Grants Allocation Committee of Council			Staff plus reps from the Grants Advisory Committee of Council
Intake (funding period)	Ongoing	Ongoing	TBD	Twice per year: <ul style="list-style-type: none"> Fall (funded Jan-Dec) Spring (funded Jul-Dec) 	Fall (funded Jan-Dec) <ul style="list-style-type: none"> Multi-year are conditional on financial availability and budget approval 	Fall (funded Jan-Dec) <ul style="list-style-type: none"> Multi-year are conditional on financial availability and budget approval 	Ongoing intake, applications reviewed as needed
Eligibility overview	<ul style="list-style-type: none"> Benefits residents of Guelph Incorporated non-profit (with or without charitable status) Volunteer board of 	<ul style="list-style-type: none"> Benefits residents of Guelph Non-profit generating (no personal gain) Voluntary community group 	TBD	<ul style="list-style-type: none"> Benefits residents of Guelph Incorporated non-profit (with or without charitable status) Volunteer board of directors Releases annual audited financial statements In operation for at least one year In good standing with City and its own governing bodies 	<ul style="list-style-type: none"> Mutually beneficial Fosters community wellbeing Protects public interests in the short and long term Aligns with City strategy Not done elsewhere in community (fills a gap/need) Partner is incorporated; venture is non-profit 		

CIS Phase 2 Report - Attachment 1 It should be noted that Table 1 outlines the desired end state once the CIS is fully operational, which will take a number of years to come into effect. Details about the transition process and resources required to support the CIS follow in section 6.

	Facility Rental Discount Rates	Small \$ Value Waivers	Innovation Fund	Community Wellbeing Grants	Community-Benefit Agreements
	<ul style="list-style-type: none"> directors Releases annual audited financial statements In operation for at least one year In good standing with the City 				<ul style="list-style-type: none"> generating Multi-year
Exclusions	<ul style="list-style-type: none"> Individuals For-profit organizations Political organizations Other levels of government No subletting is permitted 	<ul style="list-style-type: none"> Individuals For-profit organizations Political organizations Other levels of government 	TBD	<ul style="list-style-type: none"> Individuals For-profit organizations Political organizations Other levels of government Programs that other levels of government have legislated responsibility for funding Debt retirement, deficit reduction, depreciation or financing charges Retroactive payments Organizations whose activities could be deemed discriminatory as defined by the Ontario Human Rights Code 100% of the budget of an activity Secondary allocations 	<ul style="list-style-type: none"> P3s Activities that impact City's collective agreements
Assessment (decision-making) criteria	<ul style="list-style-type: none"> Meets all eligibility criteria Funding availability Complies with City's policies and 	<ul style="list-style-type: none"> Meets all eligibility criteria Funding availability Complies with City's policies and 	TBD	<ul style="list-style-type: none"> Anticipated community impact Evidence of community support Evidence of financial need Evidence that request is appropriate for municipal funding Sound organizational track record Leverages additional resources No duplication 	<ul style="list-style-type: none"> Anticipated community impact Evidence of community support Supports achievement of City's strategic goals and/or official/master plans

CIS Phase 2 Report - Attachment 1 It should be noted that Table 1 outlines the desired end state once the CIS is fully operational, which will take a number of years to come into effect. Details about the transition process and resources required to support the CIS follow in section 6.

	Facility Rental Discount Rates	Small \$ Value Waivers	Innovation Fund	Community Wellbeing Grants			Community-Benefit Agreements
	procedures	procedures		<ul style="list-style-type: none"> • Sustainability plan • Held on City-owned or managed facilities, if applicable • Funding availability 			<ul style="list-style-type: none"> • Addresses unmet community needs • Creates additional community and social service opportunities • Enhances City operations and programming • New or innovative approach • Organizational capacity of partner(s) • Partner(s) is committed to cause, and willing to commit resources • Resource availability (financial and in-kind) • Leverages additional resources • Sustainability • Overall return on investment
Accountability expectations	Supplies list of board members, plus audited financials	n/a	TBD	Some acknowledgment expectations; brief evaluation report	Conversation midway; agreed-upon acknowledgment expectations; annual evaluation report	Ongoing conversation (site visit); agreed-upon acknowledgment expectations; comprehensive annual evaluation report	Spelled out in legal contract
Appeal	n/a	n/a	TBD	In writing within 30 days to the Chair of the			n/a

<p>CIS Phase 2 Report - Attachment 1 It should be noted that Table 1 outlines the desired end state once the CIS is fully operational, which will take a number of years to come into effect. Details about the transition process and resources required to support the CIS follow in section 6.</p>					
	Facility Rental Discount Rates	Small \$ Value Waivers	Innovation Fund	Community Wellbeing Grants	Community-Benefit Agreements
process				CIS Management Group, if a legitimate basis for appeal exists	

Guelph's Community Investment Strategy

Phase 2 Report

Prepared by Eden Grodzinski and Rebecca Sutherns

August 25, 2012

jpmmc

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Executive Summary

The Community Investment Strategy (CIS) is being developed to improve how the City of Guelph funds, supports and partners with community organizations to achieve shared social and community goals. JPMC Inc. was retained by the City to support the delivery of the CIS project in two phases. This report presents the findings and recommendations of Phase 2 of the CIS project – the **Investment Program Framework** and supporting implementation plans. It builds on the results of Phase 1 – the **Strategic Policy Framework**, which was approved by Council on April 23, 2012.

Methodology

The focus for Phase 2 was on developing the operational details of the investment model approved in Phase 1, and assembling relevant information and tools that could assist the City with implementation. This phase was carried out in close collaboration with City staff. Working groups for each of the investment mechanisms were established, and numerous focus groups and interviews involving 27 members of staff were held. In addition, the idea of an Innovation Fund was discussed with the local Funders' Network – a group of granting agencies that fund community investment in Guelph.

Framing the CIS

Several intentions underpin the report, and they have been articulated at the outset, as follows:

- The CIS is intended to be **broad and inclusive**. It is recommended that it encompass the full range of ways, monetary and otherwise, that the City partners with and supports the community benefit sector. It needs to be comprehensive enough to be applicable to various kinds and sizes of arrangements and relationships. As well, it needs to be integrated with other related City initiatives, including for example the Community Wellbeing Initiative (CWI) and the Corporate Strategic Plan. Although it applies primarily to Community and Social Services at this time, consideration should be given to applying elements of the CIS to other parts of the corporation.
- The CIS is designed to be both **strategic and operational**. It needs to be visionary yet practical, while helping the City foster a collaborative approach to improving community wellbeing. In addition, it should leverage municipal resources wisely, ensuring proportionality between the resources being disbursed and the work required to do so.
- It is recommended that the implementation of the CIS be **phased in**. Consideration should be given to treating the first few years (2012-2014), intentionally and explicitly, as a transition and learning period. This would allow adequate

time for policy development, testing, tracking, staff training and orientation, financial planning, and communications. In addition, it would allow for sufficient notice to be given to affected community organizations. (A detailed implementation plan can be found in Appendix H.)

The Investment Program Framework

The report explains the Investment Program envisioned to enact the Strategic Policy Framework. It begins with a depiction of how community organizations could approach City Hall with their proposals, and then transitions into detailed descriptions of the investment opportunities that would be available for them. These mechanisms include: **Community Wellbeing Grants, Facility Rental Discount Rates, Small Dollar Value Waivers, Community Benefit Agreements, and an Innovation Fund**. An extensive table comparing and contrasting all the features of the CIS mechanisms can be found in the report, and considerations for policy and procedure development are detailed in the Appendices A through E.

Additional Opportunities

One of the important observations through the community consultations in Phase I was that community members see the City as far more than a funding agency. The report highlights some of the key community investments that the City should continue/initiate, document and celebrate, in order to ensure that the CIS extends beyond traditional granting. These include:

- Maximizing City space as a community asset
- Enhancing knowledge of existing and emerging community needs
- Facilitating connections between community groups
- Supporting joint marketing and communications efforts
- Ensuring that activities in Guelph are inclusive and accessible for all citizens
- Continuing to provide opportunities for citizen engagement

Costing

It is recommended that a new cost centre within Community and Social Services be set up for the CIS. It is envisioned that this budget include line items for four of the above-mentioned investment mechanisms – Community Wellbeing Grants, Facility Discount Rental Rates, Small Dollar Value Waivers, and the Innovation Fund – plus a CIS Contingency Fund (to be used at Council discretion for community emergencies); the budgets for Community Benefit Agreements would remain in departmental budget lines.

In keeping with the recommendations of the Phase I Report, it is envisioned that the CIS budget would remain unchanged in 2013. However, it is recommended that “direct funding” be pooled within the new CIS cost centre, and then redistributed among the new granting mechanisms.

Roles and Responsibilities

The CIS calls for City personnel to play continued or enhanced roles in areas such as: community navigation of City Hall, grants administration, account management, social planning, communications, and monitoring and evaluation. A listing of new roles and responsibilities required to support the CIS is detailed in the report.

It is recommended that responsibility for the overall management of the CIS fall under the leadership of the Executive Director of Community and Social Services, with different General Managers assigned lead responsibility for the various CIS mechanisms. It is envisaged that Council would be responsible for approving the overall CIS strategy and budget allocation, including the amount of money available to be disbursed in the coming budget year. Subsequently, Council would receive an annual report outlining the value and impact of the City’s direct contributions to the community benefit sector. In keeping with the consultation feedback from Phase I, it is suggested that Council no longer be involved in individual granting decisions. Instead, allocations should rest with a new Grants Allocation Committee of Council.

It is important that all City Councillors and staff understand that they have a role to play in making the CIS successful. In this regard, education and training is needed to help City personnel become knowledgeable about the new CIS policies and processes, so that they are better equipped to support the community benefit sector; thus building a culture of collaboration in community wellbeing and innovation.

Evaluation

It is recommended that the City approach the CIS with a learning orientation, as an opportunity to engage the community benefit sector, to celebrate what’s been learned (both positive and negative) and to make ongoing improvements to the CIS.

Evaluation indicators, in alignment with the eight domains of community wellbeing, should be established to assess funding outcomes. Direct funding recipients should be required to submit an annual evaluation report outlining their outcomes against these performance measures. The elements (details) of the evaluation reports should vary according to the funding

category. It is envisioned that a report summarizing the overall evaluation results would be reported to Council and the Grants Allocation Committee of Council on an annual basis.

Challenges

As with any new initiative, transitioning to a new system may result in challenges along the way. The report highlights some of the assumptions, dependencies and changes that have been made, with brief suggestions of how challenges could be mitigated if they arise.

Conclusion

The resulting Strategic Policy and Investment Program Framework is about more than simply offering grants. It calls for leveraging municipal resources wisely, ensuring proportionality between the resources being disbursed and the work required to do so, in pursuit of community wellbeing.

A considerable amount of staff time and capacity will be required for the CIS to be phased in over the next three years. In the context of limited time, restricted resources and competing priorities, it is recommended that the City make a conscious decision to allow the CIS to find its way to the top of priority lists over the next months.

Acknowledgements

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1. Introduction

The Community Investment Strategy (CIS) is being developed to improve how the City of Guelph funds, supports and partners with community organizations¹ to achieve shared social and community goals. More specifically, the CIS project was undertaken in order to provide the City with a strategic and operational framework that:

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

This report presents the findings and recommendations of Phase 2 of the CIS project – the **Investment Program Framework** and supporting implementation plans. It builds on the results of Phase 1 – the **Strategic Policy Framework**, which was approved by Council on April 23, 2012.

The first section of this paper describes the approach taken in Phase 2. This is followed by a recap of the approved Strategic Policy Framework, a detailed description of the proposed Investment Program Framework, as well as considerations for implementation. In comparison to the Phase 1 report, this document is a more technical one, as it focuses on the details and recommendations required to enact the Strategic Policy Framework.

1.1 Methodology

In June 2011, JPMC Inc. was retained by the City of Guelph through a competitive process to support the delivery of the CIS project in two phases. This report outlines the results of Phase 2, which took place between April and July 2012.

The focus for Phase 2 was on developing the operational details of the investment model approved in Phase 1, and assembling relevant information and tools that could assist the City with implementation. This phase was carried out in close

¹ Across the world, community organizations are referred to in many ways – non-profit, not-for-profit, voluntary, charitable, social benefit, public benefit, community, and the third sector. For the purposes of the CIS study, the broad term “community benefit sector” has been employed, and those agencies working in this sector are referred to as “community organizations”.

collaboration with City staff. Working groups for each of the investment mechanisms were established, and numerous focus groups and interviews involving 27 members of staff were held. In addition, targeted research about investment mechanism details was conducted, in order to supplement the background research from Phase I.

In addition, the idea of an Innovation Fund was discussed with the local Funders' Network – a group of granting agencies that fund community investment in Guelph. Alongside the City, other representatives include the United Way of Guelph Wellington Dufferin, the Guelph Community Foundation, the Ontario Trillium Foundation and the Government of Ontario.

2. Summary of Phase 1

As the research findings and outcomes of Phase I greatly informed the work of Phase 2, this report begins with a brief summary of the Strategic Policy Framework, which was approved by Council in Phase I. This framework is encapsulated in Figure 1, and each of the components – strategic directions, vision, values, mechanisms, and evaluation criteria - are highlighted here. More details can be found in the Phase I reports referred to below (available at <http://guelph.ca/cityhall.cfm?itemid=80417andsmocid=1940>).

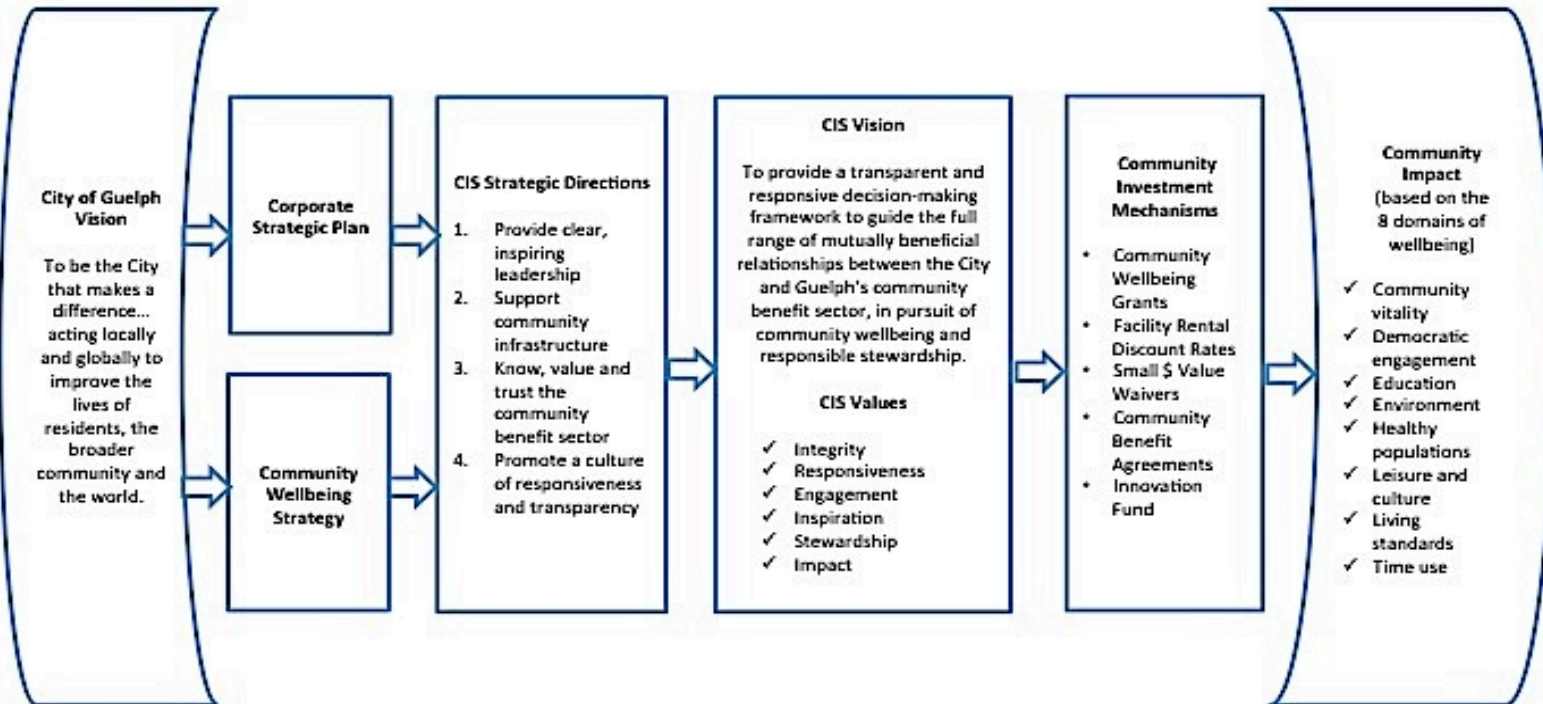
2.1 The Strategic Policy Framework

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

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

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

Figure 1 - Strategic Policy Framework



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

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

The CIS includes a simplified set of mechanisms for community investment. These mechanisms include Community Wellbeing Grants, Facility Rental Discount Rates, Small Dollar Value Waivers, Community Benefit (partnership) Agreements, and an Innovation Fund.

And lastly, evaluation criteria should be established to assess proposals and the overall impact of the City’s investments. In accordance with the City’s Community Wellbeing Initiative (CWI), these criteria should be based primarily on the eight domains of community wellbeing (i.e. community vitality, democratic engagement, education, the environment, healthy populations, leisure and culture, living standards, and time use).

2.2 Background Research

In addition to the Strategic Policy Framework, three background research reports (summarized below) were prepared in Phase I. This research information was instrumental in the development of the investment program framework.

I. Promising Practices in Municipal Community Investment

The first background research report involved a review of the City’s comparator municipalities to gain an understanding of other civic community investment policies and practices. To supplement this learning, examples of

socially innovative practices from published literature, policy think tanks and non-municipal collaborations were also explored.

2. Inventory of Guelph's Community Investment Policies and Practices

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

3. A Portrait of Guelph's Community Benefit Sector

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

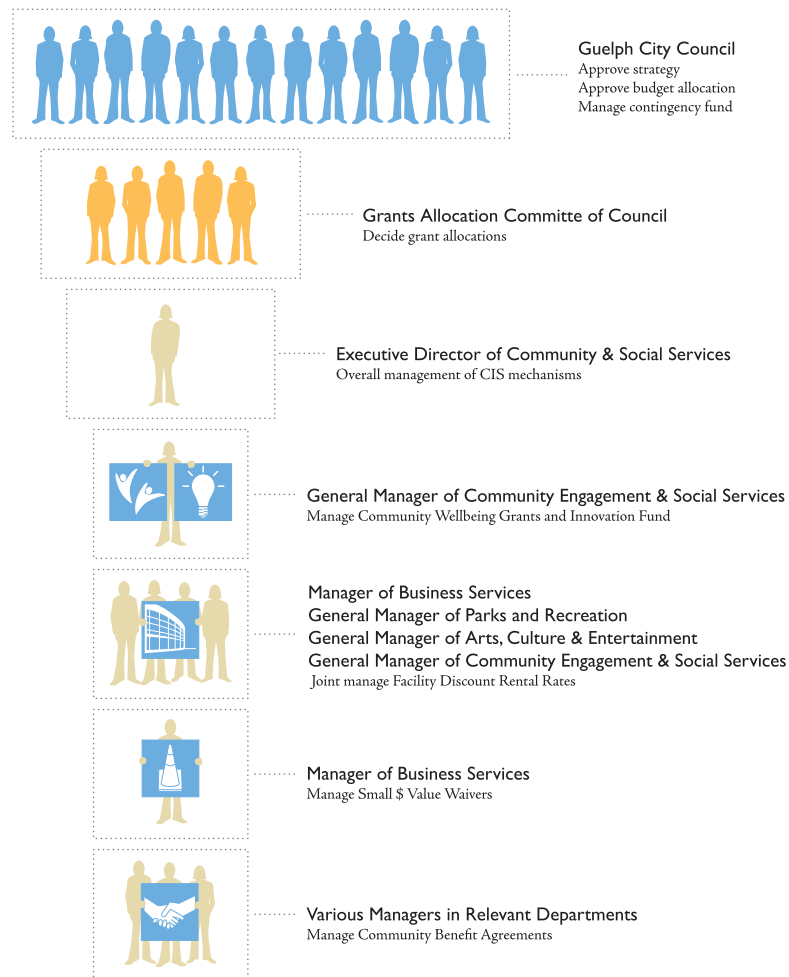
3. Framing the CIS

This Phase 2 report begins to bridge the gap between the broad values and strategic directions outlined in Phase 1 and the “nuts and bolts” of implementing them in City Hall and in the community.

Several intentions underpin the approach outlined here, and so it is important to articulate them at the outset:

- The CIS is intended to be **broad and inclusive**. It is recommended that it encompass the full range of ways, monetary and otherwise, that the City partners with and supports the community benefit sector. It needs to be comprehensive enough to be applicable to various kinds and sizes of arrangements and relationships. As well, it needs to be integrated with other related City initiatives, including for example the Community Wellbeing Initiative (CWI) and the Corporate Strategic Plan. Although it applies primarily to Community and Social Services at this time, consideration should be given to applying elements of the CIS to other parts of the corporation.
- The CIS is designed to be both **strategic and operational**. It needs to be visionary yet practical, while helping the City foster a collaborative approach to improving community wellbeing. In addition, it should leverage municipal resources wisely, ensuring proportionality between the resources being disbursed and the work required to do so.
- It is recommended that the implementation of the CIS be **phased in**. Consideration should be given to treating the first few years (2012-2014), intentionally and explicitly, as a transition and learning period. This would allow adequate

Figure 2 - CIS Leadership Roles & Responsibilities



time for policy development, testing, tracking, staff training and orientation, financial planning, and communications. In addition, it would allow for sufficient notice to be given to affected community organizations.

3.1 Governance and Oversight

It is recommended that responsibility for the overall management of the CIS fall under the leadership of the Executive Director of Community and Social Services, with different General Managers assigned lead responsibility for the various CIS mechanisms (see Figure 2 and section 6.4).

It is envisioned that Council through the Community and Social Services Committee would be responsible for approving the overall CIS strategy and budget allocation, including the amount of money available to be disbursed in the coming budget year. Subsequently, Council would receive a report outlining the City’s direct contributions to the community benefit sector during the year, and be invited to participate in the setting priorities with others (see Appendix A).

In keeping with the consultation feedback from Phase I, it is recommended that Council no longer be involved in individual granting decisions. Instead, allocations should rest with a new

Grants Allocation Committee of Council (see Appendix A). However, it is recommended that Council continue to set aside a small amount of funding in the annual Community Wellbeing Grants budget to address unforeseen community emergencies. Funding decisions for these “special projects” should be considered by Council on as needed basis, in accordance with the Community Wellbeing Grant eligibility and assessment criteria (see 6.3.4).

3.1.1 CIS Management Group

The development of the CIS has been overseen by an interdepartmental Management Group. It is recommended that this Group continue to meet to provide advice and support to the Executive Director of Community and Social Services regarding the CIS. Suggested responsibilities for this committee include overseeing: the implementation plan, the communications strategy, the priority setting process for grant funding, costing and resource allocation, the appeals process, and ongoing evaluation and monitoring.

The proposed membership of the CIS Management Group includes:

- General Manager, Community Engagement and Social Services (Chair)
- General Manager, Culture & Tourism
- General Manager, Finance
- General Manager, Legal Services
- General Manager, Parks and Recreation
- General Manager, Public Works
- Manager, Business Services

If the scope of the CIS expands over time, then membership of this group would need to change accordingly.

4. Investment Program Framework

This section of the report explains the Investment Program envisioned to enact the Strategic Policy Framework. It begins with a depiction of how community organizations could approach City Hall with their proposals, and then transitions into descriptions of the investment opportunities that should be available for them.

Each of the CIS Mechanisms is described briefly here. More details can be found in Appendices A through E. The features of the CIS mechanisms outlined in the Appendices are intended to guide detailed policy development, and hence, draft policies and procedures have been proposed where applicable.

4.1 Community Navigation

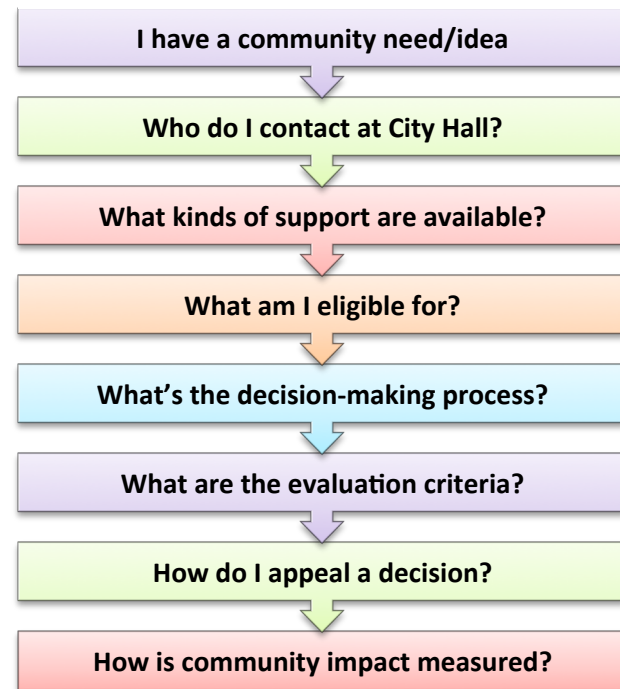
One of the defining features of the new CIS should be a greater user friendliness that comes from improving the experience of community groups navigating City Hall.

It is important that all City Councillors and staff understand that they have a role to play in making the CIS successful. In this regard, education and training should be provided to help City personnel become knowledgeable about the new CIS policies and processes, so that they are better equipped to support the community benefit sector; thus building a culture of collaboration in community wellbeing and innovation.

In addition, a simple triage system should be devised to ensure that all inquiries (in person, by telephone or electronic) are directed to appropriate staff person(s), who are equipped to handle the inquiry. These individuals should act as “Community Navigators”. They should possess expertise in customer service, knowledge of municipal processes, and likely some sectoral/community expertise. It should be their responsibility to simplify groups’ interactions with City Hall – to explain the processes, make the calls, find the forms or convene the meetings that might previously have fallen to the group itself to decipher. This triage system should be built on the capacities of Service Guelph, and as needed, existing roles within Community and Social Services should be revised to incorporate Community Navigation functions.

Online access should be enhanced, and new communications materials, which clearly describe the types and amounts of support available as well as the decision-making process, should be developed. Consideration should be given to using the

Figure 3 - Community Navigation Flow Chart



flowchart, shown as Figure 3 above, as a template for a new CIS section on the City’s website, as well as a new CIS handbook for community groups.

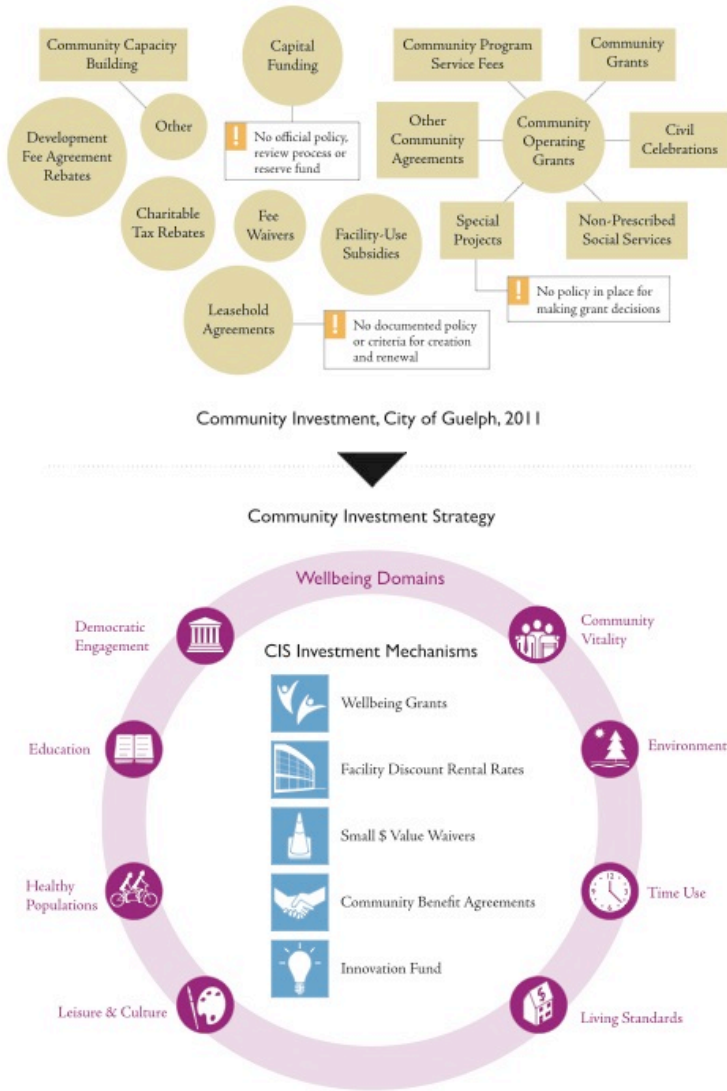
4.2 Configuration of the Investment Mechanisms

The City currently uses a wide array of community investment mechanisms to support community organizations. These include community grants and waivers, special projects, capital funding, facility use subsidies, leasehold agreements, development fee agreements and waivers, and various in-kind supports. Phase I called for a consolidation of these into four mechanisms – community grants, facility rental discount rates, small dollar value waivers, and partnership agreements.

As work in Phase 2 progressed, it became evident that the naming and grouping of these mechanisms should shift slightly. It is important to note that no new mechanisms have been introduced, and none has been taken away. Rather, they have been reconfigured (see Figure 4). The rationale for this rearrangement is outlined briefly here, and made clearer in the detailed descriptions of the support mechanisms that follow:

1. In keeping with a commitment to proportionality between the resources requested and the effort required to access them, the new granting processes should differ according to the size of grant requests rather than by the nature of the content of those requests. Capital grants should be integrated into the same application and adjudication process as grants for operating, program and event costs. And these capital projects should encompass social, cultural and recreational requests as well as health-related ones (see Appendix F).
2. The CIS should capture the range of collaborations that the City enters into with community organizations. Long-term contractual arrangements should be referred to as Community Benefit Agreements, instead of Partnerships because the legal definition of “partnership” is different than the one intended in this context.
3. Because the Innovation Fund is envisioned to be collaboratively supported by a group of several funders, the processes involved may take longer to finalize and may be different than the ones relating to the other grants. As a result, the Innovation Fund should be separated into a distinct mechanism rather than included in the Community Wellbeing Grants category.

Figure 4 - CIS Mechanism Configuration



4.3 Community Wellbeing Grants

Up to now, the City has reviewed community grant applications through a variety of means. Special events grants have been assessed by a mixed panel comprised of staff and citizens, primarily representing tourism interests. Arts and culture grants have been adjudicated by a community panel overseen by the Guelph Arts Council on the City’s behalf. Social service grants, which were previously adjudicated by the United Way on the City’s behalf, have in recent years been handled by a staff committee within Community and Social Services. Requests for capital funding (primarily related to health) have been treated separately, through delegations to Council. The eligibility, assessment processes, and evaluation criteria among these streams and have differed to varying degrees.

The CIS should bring these four granting streams together into an integrated, multi-disciplinary process that allows for a more holistic approach to community investment. The work involved for applicants should be proportional to the resources requested. Multi-year grants should be introduced. And as mentioned above, capital projects should be considered alongside requests for operating, program and event funding.

The CIS budget apportioned to Community Wellbeing Grants should be divided into three categories:

- 1) One-Time Grants of \$100-\$5,000 in value
- 2) One-Year Grants of \$5,000-\$50,000 in value; or Two-Year Grants of \$100-\$50,000 per year
- 3) Grants valued at more than \$50,000

Groups should be able to apply twice annually for Category I grants. Other applications should be accepted once a year. A summary of the desired features of the Community Wellbeing Grants can be found in section 4.8 below. For more information, including detailed policy and procedure considerations, eligibility and assessment criteria, and funding application guidelines, refer to Appendices A and B.

4.4 Facility Rental Discount Rates

One niche that the City fills in the community is as the supplier and custodian of recreational and cultural facilities. In order to foster community wellbeing and in accordance with the City's *Strategic Master Plan for Recreation, Parks and Culture* (July 2009) public facilities owned and operated by the City should be accessible and affordable for all community groups. This is perhaps the City's most significant community investment, as it provides community organizations with the spaces to do what they do best.

At present, the City offers facility-use subsidies for pre-approved user groups (e.g. youth, disability and neighbourhood groups). Some of the existing subsidy policies are over 20 years old, and in certain cases are not reflective of current practices. Under the CIS, community organizations should receive a discount rate on the City of Guelph's approved schedule of "User Rates and Fees" when renting City owned and/or managed properties/facilities. This subsidy should be harmonized across sectors, demographics and facilities.

For more information, refer to section 4.8 below and Appendix C.

4.5 Small Dollar Value Waivers

Historically, the City has provided fee waivers to community groups organizing special events and civic celebrations on property owned or managed by the City. These grants credits have covered items like vendor licenses, park rentals, potable

water supplies, port-a-potties, garbage bins, road closures, picnic tables, etc. Community organizations needed to apply for these fee waivers, and they did so historically through the Community Grant Program - Special Events stream. It is important to note that there was not a separate application process for fee waivers; the groups actually applied for a community grant – the review committee decided whether or not to award a waiver versus a grant, or a combination thereof. This process has resulted in a complex accounting system involving a mixture of invoices, grants and waivers.

Based on feedback received from both community stakeholders and staff, fee waivers should no longer be available. Instead, community organizations should apply for a wellbeing grant that they may (or may not) apply against the cost of City services (even if the full value of the grant returns to the City). The exception to this rule should be in the case of small community events that are not eligible for other CIS mechanisms, which is the case outlined here. Approved community groups should receive a waiver of up to \$100 in value to be applied against applicable City services/products. This waiver should be available once per event per year. The waiver should not be applied to staff, admission and rental costs, and should not be available in combination with other CIS supports.

Examples of products and services for which Small Dollar Value Waivers could be applicable include:

- Pylons
- Road barricade saw horses
- Signs
- One load of woodchip mulch
- Neighbourhood street closures

This new investment mechanism is intended to encourage citizen engagement and active participation in community life, while ensuring that the work involved, for both community members and City staff, is proportional to the resources requested.

For more information, refer to section 4.8 below and Appendix D.

4.6 Community Benefit Agreements

Over the years, the City has entered into a number of multi-year agreements with community organizations. These agreements have been created on a case-by-case basis, based on community need and resource availability. The reasons for these collaborations have been numerous and multifaceted, and have included:

- Addressing unmet community and social service needs
- Creating additional public recreational and cultural amenities
- Enhancing City operations and programming (improving the effectiveness and efficiency of service delivery)

The overarching vision of the CIS is about encouraging ***mutually beneficial relationships between the City and Guelph's community benefit sector***. In this manner, a new policy should be established to guide developing and ongoing collaborative opportunities with community organizations that:

- Are mutually beneficial;
- Foster community well being;
- Support the City's strategic and official/master plans;
- Protect public interests in the short and long term; and
- Provide opportunities that are open and accessible to all citizens of Guelph.

For more information, refer to section 4.8 below and Appendix E.

4.7 Innovation Fund

The Innovation Fund is envisioned to be a collaboratively supported mechanism to support as-yet untried, promising ideas in the realm of community innovation that warrant assistance but do not easily fit within other CIS investment mechanisms. It is anticipated that the administration of the Fund will mirror the intent of the Fund itself, by incorporating non-traditional means of application and adjudication.

As an initial step, the Innovation Fund has been discussed with the local Funders' Network – a group of funding organizations that support the community benefit sector in Guelph. In addition to the City of Guelph, other representatives include the United Way of Guelph Wellington Dufferin, the Guelph Community Foundation, the Ontario Trillium Foundation and the

Government of Ontario. Initial response to the idea from other members of the Network has been very positive. Follow-up discussions have been initiated with individual organizations that have shown particular interest in being involved.

Because the Innovation Fund is both brand new and intended to be a joint venture with other funders, 2013 should be used to set up the Fund, with disbursements to begin henceforth. Further details about the size, governance and procedures of the Fund should be available in 2013.

4.8 CIS Mechanism Summary

The following table compares and contrasts the desired characteristics of the CIS, which are mentioned briefly above and detailed in Appendices A – E. It should be noted that Table 1 outlines the desired end state once the CIS is fully operational, which will take a number of years to come into effect. Details about the transition process and resources required to support the CIS follow in section 6.

Table 1 – CIS Mechanism Summary

	Facility Rental Discount Rates	Small \$ Value Waivers	Innovation Fund	Community Wellbeing Grants			Community-Benefit Agreements
Maximum request (\$ and duration)	Set % discount rates	Up to \$100 for applicable City services/products per event per year	TBD	1-year grant of \$100 - \$5,000 in value	1-year grant of \$5,000-\$50,000 in value; OR 2-year grants of \$100 - \$50,000 per year	An average of over \$50,000 per year, up to 4 years in duration	Varies; may be in-kind (staff, realty, etc.) and/or cash support. Up to 4 years in length, reviewable with possibility of renewal
Purpose “To foster community wellbeing by....	Ensuring that City-owned and managed facilities are accessible and affordable for all types of community organizations	Encouraging a municipal culture that is supportive of community engagement, while ensuring proportionality of costs to benefits	Supporting promising, untried, innovative ventures. To be supported by a collaborative of funders.	Supporting events, programs, operating costs and capital needs of community organizations, with a focus on multi-faceted community impacts			Recognizing mutually beneficial arrangements, which foster community wellbeing and/or enhance City operations and programming

	Facility Rental Discount Rates	Small \$ Value Waivers	Innovation Fund	Community Wellbeing Grants			Community-Benefit Agreements
Application process	Through existing facility booking procedures	Through existing special event permit application	“Make your pitch”	Simple application form	Funding proposal, and interview (site visit) if requested by review panel	Business case and interview (site visit)	Thorough community needs assessment and business case development. Partner selection in accordance with City’s procurement by-laws, policies and procedures.
Multiple requests (“double dipping”)	No limit (cap) on # of rental requests per group. Groups may also be eligible for grants.	Not eligible for other mechanisms (i.e. event cannot also receive grant; waiver cannot be applied to rental costs)	Grant is available once (per lifetime) per idea. Eligibility for other mechanisms TBD.	One grant per program/ project per year. May also be eligible for discount rates. New requests may also be eligible for mid-year grant.	Agency may apply for more than one program/ project grant, if total request is under \$50,000. May also be eligible for discount rates.	Agency may apply for more than one program/ project grant. Business case required for each individual program/project request exceeding \$50,000.	Contract supersedes all mechanisms; eligibility for other types of City support to be spelled out in written agreement.
Reviewers	Booking staff approve, if eligibility met	Booking staff approve, if eligibility met and funding available	“Unusual suspects” plus funding reps	Grants Allocation Committee of Council			Staff plus reps from the Grants Advisory Committee of Council
Intake (funding period)	Ongoing	Ongoing	TBD	Twice per year: <ul style="list-style-type: none"> Fall (funded Jan-Dec) Spring (funded Jul-Dec) 	Fall (funded Jan-Dec) <ul style="list-style-type: none"> Multi-year are conditional on financial availability and budget approval 	Fall (funded Jan-Dec) <ul style="list-style-type: none"> Multi-year are conditional on financial availability and budget approval 	Ongoing intake, applications reviewed as needed

	Facility Rental Discount Rates	Small \$ Value Waivers	Innovation Fund	Community Wellbeing Grants	Community-Benefit Agreements
Eligibility overview	<ul style="list-style-type: none"> • Benefits residents of Guelph • Incorporated non-profit (with or without charitable status) • Volunteer board of directors • Releases annual audited financial statements • In operation for at least one year • In good standing with the City 	<ul style="list-style-type: none"> • Benefits residents of Guelph • Non-profit generating (no personal gain) • Voluntary community group 	TBD	<ul style="list-style-type: none"> • Benefits residents of Guelph • Incorporated non-profit (with or without charitable status) • Volunteer board of directors • Releases annual audited financial statements • In operation for at least one year • In good standing with City and its own governing bodies 	<ul style="list-style-type: none"> • Mutually beneficial • Fosters community wellbeing • Protects public interests in the short and long term • Aligns with City strategy • Not done elsewhere in community (fills a gap/need) • Partner is incorporated; venture is non-profit generating • Multi-year
Exclusions	<ul style="list-style-type: none"> • Individuals • For-profit organizations • Political organizations • Other levels of government • No subletting is permitted 	<ul style="list-style-type: none"> • Individuals • For-profit organizations • Political organizations • Other levels of government 	TBD	<ul style="list-style-type: none"> • Individuals • For-profit organizations • Political organizations • Other levels of government • Programs that other levels of government have legislated responsibility for funding • Debt retirement, deficit reduction, depreciation or financing charges • Retroactive payments • Organizations whose activities could be deemed discriminatory as defined by the Ontario Human Rights Code • 100% of the budget of an activity • Secondary allocations 	<ul style="list-style-type: none"> • P3s • Activities that impact City's collective agreements

	Facility Rental Discount Rates	Small \$ Value Waivers	Innovation Fund	Community Wellbeing Grants			Community-Benefit Agreements
Assessment (decision-making) criteria	<ul style="list-style-type: none"> • Meets all eligibility criteria • Funding availability • Complies with City's policies and procedures 	<ul style="list-style-type: none"> • Meets all eligibility criteria • Funding availability • Complies with City's policies and procedures 	TBD	<ul style="list-style-type: none"> • Anticipated community impact • Evidence of community support • Evidence of financial need • Evidence that request is appropriate for municipal funding • Sound organizational track record • Leverages additional resources • No duplication • Sustainability plan • Held on City-owned or managed facilities, if applicable • Funding availability 			<ul style="list-style-type: none"> • Anticipated community impact • Evidence of community support • Supports achievement of City's strategic goals and/or official/master plans • Addresses unmet community needs • Creates additional community and social service opportunities • Enhances City operations and programming • New or innovative approach • Organizational capacity of partner(s) • Partner(s) is committed to cause, and willing to commit resources • Resource availability (financial and in-kind) • Leverages additional resources • Sustainability • Overall return on investment
Accountability expectations	Supplies list of board members, plus audited financials	n/a	TBD	Some acknowledgment expectations; brief evaluation report	Conversation midway; agreed-upon acknowledgment expectations; annual evaluation report	Ongoing conversation (site visit); agreed-upon acknowledgment expectations; comprehensive annual evaluation report	Spelled out in legal contract
Appeal process	n/a	n/a	TBD	In writing within 30 days to the Chair of the CIS Management Group, if a legitimate basis for appeal exists			n/a

5. Additional Opportunities

One of the important observations through the community consultations in Phase I was that community members see the City as far more than a funding agency. Many other ways of investing in the community were identified beyond simply offering grants, and it is important that the CIS highlight and strengthen non-monetary and in-kind supports.

This section highlights some of the key community investments that the City should continue/initiate, document and celebrate, in order to ensure that the CIS extends beyond traditional granting.

5.1 Space as a Community Asset

The most frequently identified community investment role for the City is to invest in community infrastructure. While this can include the construction and upkeep of cultural, recreational and social facilities such as arenas, parks and public squares, it can also involve watching for opportunities where existing facility and spatial assets could be used to leverage the work of the community benefit sector. Providing accessible office and meeting space, and/or giving priority to community groups when City assets become available for sale or rent are two examples of how this investment could occur. The way existing spaces are allocated should also be oriented so as to support the community benefit sector more intentionally.

5.2 Enhanced Community Knowledge

The City desires to target its investments in response to community needs, but in order to do so, it must ensure that it has adequate mechanisms and practices in place to know what those needs are. The City should invest in enhancing its capacity to collect and analyze community research and social planning data. Continuing participation at local planning tables and the community survey and indicator work being done as part of the CWI are positive examples of ways the City can accomplish this.

5.3 Facilitating Connections and Sharing Information

Residents see an important role for the City in facilitating connections between community groups because of its position as the keeper of the “big picture.” Intentionally convening conversations, often between unlikely parties, is an investment in community building that the City is well positioned to offer. For example, through its other community reconnaissance activities, the City should be aware of disparate community groups with similar mandates or passions, and could organize a meeting for them to share ideas.

5.4 Marketing and Communications

One specific suggestion that was made repeatedly when community groups were asked about the City’s best role was to provide enhanced support to marketing and communications efforts. The Fab 5 festival campaign was an example frequently cited, and there was considerable agreement that the City’s website could be used more effectively to promote community activities.

5.5 Inclusion and Accessibility

Residents and staff were clear that another of the City’s roles is to ensure that activities in Guelph are inclusive of those who experience barriers to civic participation for a variety of reasons, such as poverty, disability, ethnicity, age or other forms of marginalization. The City should develop a strategy to foster inclusion, recognizing that the CIS might provide one vehicle for enacting that strategy.

5.6 Small Changes that Make a Big Difference

At town hall gatherings, a number of ideas of other non-financial roles that the City could play that would enhance the impact of the community benefit sector were offered. Examples included: facilitating shared “back office” functions; profiling one community agency at a time on the City website; keeping a “playbook” of what has been funded and what types of support are available for new groups; inviting representatives from neighbouring communities to sit on the Grants Allocation Committee of Council; finding ways to make the City more fun; and helping community groups demonstrate the impact of their work more creatively.

5.7 Citizen Engagement

One of the values of the CIS is engagement. Guelph residents have been involved in the development of the CIS and should continue to have a voice in its evolution. The following is a list of potential opportunities for citizens to engage in the CIS as it moves forward:

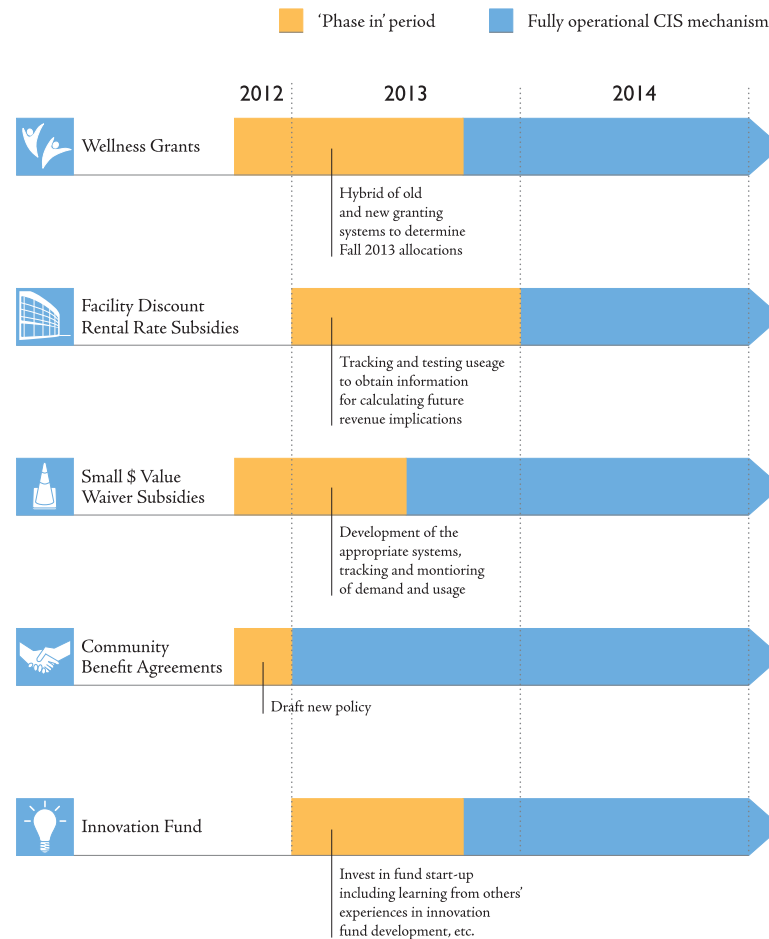
- Attending public information session(s) about the CIS, and in particular, the new granting process
- Applying to sit on the Grants Allocation Committee of Council
- Participating in the CWI
- Volunteering for a local community organization

Citizens should also be invited to participate in the funding priority setting processes, and in celebrating the successes and lessons of the CIS in creative and enjoyable ways as the strategy unfolds.

6. Implementation of the CIS

The above-mentioned Investment Program Framework (section 4) outlines the desired end state once the Program is fully operational. This section includes implementation details for all the CIS mechanisms (i.e. costing, staffing,

Figure 5 - Implementation Plan



communications, and auditing and tracking) to help the City make the transition from the current reality to the Investment Program as outlined.

6.1 Learning Years

It is recommended that the first few years (2012-2014) be treated, intentionally and explicitly, as a transition and learning period. This would allow adequate time for policy development, testing, tracking, staff training and orientation, financial planning, and communications. In addition, it would allow for sufficient notice to be given to affected community organizations.

During the learning years, it is recommended that the City track and monitor the effects of the new system (i.e. demand and use by particular user groups and sectors; whether the granting thresholds are appropriate; staffing implications; etc.), as this information will be needed to determine future budgets. In addition, it is suggested that during the learning years the boundaries among the direct funding categories be flexible so that resources can be shifted in response to community need and the quality of proposals received.

6.2 Implementation Plan, 2012-2014

It is envisioned that the implementation of the CIS be phased in over the next three years, and accompanied by thorough and frequent communications to community organizations, so as not to unduly jeopardize the financial health of their programs. A summary of key rollout dates and implementation activities is provided in Table 2 and Figure 5. For a more detailed implementation plan and timeline for August 2012 to December 2014, refer to Appendix H.

Table 2 – Key Rollout Dates by CIS Mechanisms

CIS Mechanism	Date New Policy is Enacted	Implementation Details
Community Wellbeing Grants	2013 (partial implementation to begin fall 2012)	<p>The new granting system should be fully operational by Fall 2013. In the interim, a hybrid of the old and new granting systems should be initiated in the fall of 2012 to determine the 2013 allocations (see 6.2.1 for detail).</p> <p>In 2013, notice should be given to those currently involved in reviewing grant proposals that</p>

CIS Mechanism	Date New Policy is Enacted	Implementation Details
		their roles may be changing, as well as the details of those changes.
Facility Rental Discount Rates	2014 (tracking and testing in 2013)	<p>The new discount rate policy should come into effect in 2014, as the City presently has many rental bookings already lined up for 2013. Any rental contracts that are in existence at the time the policy comes into effect should be honored at the more preferential rate.</p> <p>In 2013, the City should begin tracking and monitoring usage of the new discount rate(s) for all facilities, groups and sectors. This information will be needed to calculate the revenue implications of the new policy.</p>
Small Dollar Value Waivers	Mid 2013	<p>This mechanism should be implemented partway through 2013 to allow time for development of the appropriate systems.</p> <p>During the learning years, the amount of available funding for Small Dollar Value Waivers should be limited, and should be available on a first come, first served basis. For 2013, this amount should be set at 25 events (assumes a maximum waiver of \$100 per event). As with facility discount rental rates, the City should begin tracking and monitoring demand and usage in 2013. This information will be needed to calculate future budget requirements.</p>
Community Benefit Agreements	2013	<p>The new Community Benefit Agreement policy should be drafted in Fall 2012, as some existing agreements (e.g. Guelph Wellington Seniors Association) are due for review and renewal. The new policy and procedure should be rolled out in 2013. Any agreements with community organizations that are in existence at the time the policy comes into effect should be honored.</p> <p>In 2013, the CIS Management Group should identify existing civic celebrations and non-prescribed social service grants with which it would be appropriate to form Community Benefit Agreements, and then begin the process for doing so. Any dollars associated with events or grants that are not deemed eligible should be transferred to the Community Wellbeing Grants as part of the 2014 CIS budget allocation.</p>
Innovation Fund	2014	2013 should be used for the City to invest in the start-up of this Fund, including learning from others' experiences in innovation fund development, exploring partnership opportunities with potentially interested local stakeholders, and establishing governance and administrative structures for the fund, including a budget. Disbursements to support innovation in the community benefit sector should begin in late 2013.

6.2.1 Interim Wellbeing Grant Process

Timing for the full implementation of the new Community Wellbeing Grants process is dependent on a variety of factors, including the readiness of the CWI to be used for priority setting, the establishment of the new Grants Allocation Committee of Council, and the transition to online application and review processes. In the interim, a hybrid of the old and new granting systems should be initiated in the fall of 2012 to determine the 2013 allocations.

This amalgam should involve one-time funding requests for Categories One and Two only. The review process for Category Two (multi-year) and Category Three grants should be deferred till 2013, following the establishment of the new grants policy and the Grants Allocation Committee of Council, and appropriate funding should be placed into a reserve (see 6.3.5 for detail). In addition, fee waivers should no longer be offered.

Consideration should also be given to using the new eligibility and assessment criteria, as well as updating the application form and reporting/auditing requirements (see Appendices A and B).

6.3 Costing and Resource Allocation

6.3.1 Accounting for the CIS as a Whole

It is recommended that a new cost centre within Community and Social Services be set up for the CIS. This budget should include line items for four of above-mentioned investment mechanisms – Community Wellbeing Grants, Facility Discount Rental Rates, Small Dollar Value Waivers, and an Innovation Fund – plus a CIS Contingency Fund (see 6.3.4). The exception would be Community Benefit Agreements.

As with responsibility (see 6.4), any operational expenses associated with Community Benefit Agreements should reside in the respective departmental/program operating budget lines, and be part of the usual budget process. However, the costs associated with these agreements should be tracked and reported as part of the overall CIS to Council on an annual basis, in order to allow for a full accounting of the City's direct community investments (see Figure 6).

In the event that a future Community Benefit Agreement expires and a decision is made not to renew the contract, then any operating dollars associated with the agreement should remain in the respective department's operating budget.

6.3.2 Subsidized Budget Lines

Two of the line items in this new CIS cost centre – Facility Discount Rental Rates and Small Dollar Value Waivers – are considered to be subsidized budgets (foregone revenue). It is suggested that a new system, similar to the accounting system for affordable bus passes, be set up for these mechanisms, so that the value of the subsidy is transferred from the appropriate CIS budget line to the applicable facility (CLASS) budget line. The net impact on facility budgets should be zero.

For example, if the regular rental rate for ice is \$250, and a community organization receives a 25% discount off this rate, then the user should pay \$187.50 (75%) and the CIS budget should be charged \$62.50 (25%).

If user rates are raised in the future, then the CIS subsidy budget lines will need to be increased proportionally. For example, if the regular rental rate of ice time increased to \$300, the CIS budget would be charged \$75 (25%). Without such an overall increase in the CIS budget, there would be fewer subsidies available for community groups.

6.3.3 Resource Allocation amongst and within the Granting Pots

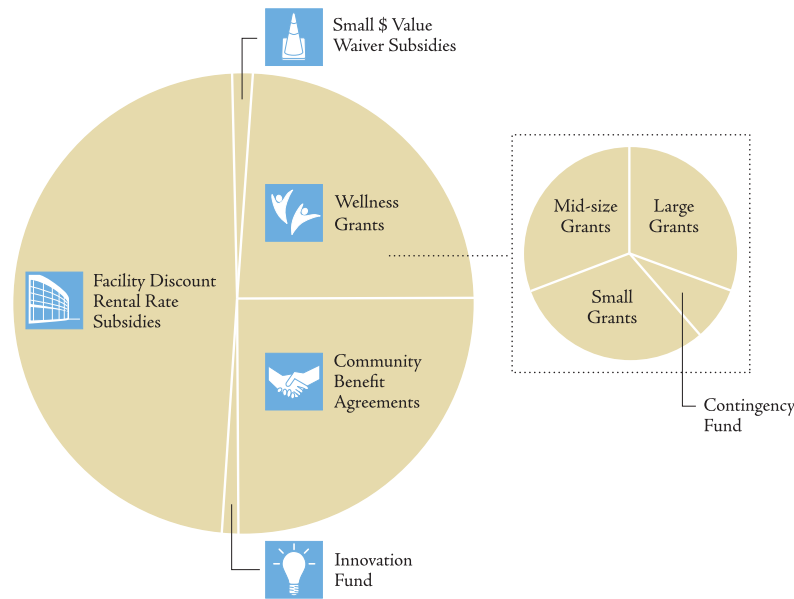
It is recommended that the amount of money that is available to be disbursed through the grant mechanisms be set during the annual budgeting process, and approved by Council. This amount should be based on data collected and tracked through the CIS (i.e. community need, demand, historical utilization, outcomes, etc.), as well as resource availability.

It is envisioned that a proportion of this grant funding would be set-aside for the Innovation Fund. Then, the remaining dollars would be split among the three Community Wellbeing Grant categories.

To start with, it is recommended that each category receive roughly one-third of the overall wellbeing grants allocation. This would allow for an appropriate equilibrium between small and large grants (i.e. lots of small grants and a handful of large ones), in keeping with the feedback from the community consultations held in Phase I. With respect to multi-year grants, a guideline should be put in place to ensure that previous years' commitments do not fully exhaust the Category Two and Three budgets in any given period.

With respect to the Category One funding pot (i.e. one-time grants of up to \$5,000 in value), which has two intake periods per year, two-thirds of the funding should be allocated during the first cycle, and the remaining one-third set aside for second review period. The rationale for this split is that requests in the first cycle may be up to 12 months in duration, whereas the

Figure 6 - Resource Allocation



second set would be for a maximum period of six months.

This information, along with the amounts that are already committed through multi-year allocations, should be forwarded to the Grants Allocation Committee of Council for consideration. It is important, particularly during the learning years, for the boundaries among the wellbeing funding categories be flexible so that the Committee can shift resources in response to community need and the quality of proposals received.

6.3.4 CIS Contingency Fund

At present, Council typically sets aside \$15,000 in the annual community grants budget for special requests. It is recommended that this practice continue, and that this money be used to address community emergencies. It is envisioned that funding decisions would be made by Council, in accordance with the Community Wellbeing Grant eligibility and assessment criteria.

6.3.5 Proposed Budget for 2013

In order to develop a budget estimate for 2013, a number of assumptions have been made. They are as follows:

- Funding for both operating and capital programs/projects will be included in the Community Wellbeing Grants
- The CIS requires adequate staffing and administrative support, but these costs will be addressed within existing positions until a review/assessment indicates otherwise
- The review process for Category Three Community Wellbeing Grants will be deferred, following the establishment of the Grants Allocation Committee of Council (i.e. only one-year Category One and Two funding requests will be accepted in the fall of 2012)
- During the learning years, the amount of available funding for Small Dollar Value Waivers will be limited, and will be available on a first come, first served basis. For 2013, this amount has been set at 25 events (assuming \$100 per event)
- The new Facility Rental Discount Rate policy will not come into effect till 2014; however, the potential financial impact of the new policy will be monitored and tracked in 2013

In keeping with the recommendations of the Phase I Report, it is envisioned that the CIS budget will remain unchanged in 2013. However, it is recommended that “direct funding” be pooled within the new CIS cost centre, and then redistributed among the new granting mechanisms, as illustrated in Table 3 below.

It is important to note that the 2013 budget estimate is based on historical practices, and should not be seen as the basis for moving forward. It is recommended that future budgets be informed by learnings from the data tracked and analyzed during the transition years, and be developed with the following considerations in mind:

- The CIS should receive an annual cost of living adjustments as do other City budget lines
- New money should largely be directed to the community, not administration
- As funding increases, the threshold for the wellbeing grant categories should be increased too

Table 3 – Current and Proposed CIS Budget

Current Budget (2011-2012)			Proposed Budget (2013)		
Existing Community Investment Mechanisms	Direct Funding (grants & waivers)	Subsidies (foregone revenue)	NEW CIS Mechanisms	Direct Funding (grants)	Subsidies (foregone revenue)
Health & Social Service Grants	\$56,300		Wellbeing Grants (operating and capital)	\$375,400 ²	
Arts & Culture Grants	\$73,500				
Community Event Grants	\$95,600				
Capital Grants	\$400,000				
			Innovation Fund	\$50,000	
Special Projects	\$15,000		Contingency Fund	\$15,000	
Existing Agreements	\$1,200,000		Existing Agreements	\$1,200,000 ³	
Facility Discount Rental Rates		\$1,200,000	Facility Discount Rental Rates		\$1,200,000 ⁴
			Small \$ Value Waivers		\$2,500
TOTAL	\$1,840,400	\$1,200,000		\$1,640,400	\$1,202,500

² During the budgeting process, \$200,000 from the original capital grants line was withdrawn for 2013. It is recommended that this funding be reinstated in the future.

³ For a complete listing of existing agreements, refer to Appendix G. In 2013, it is recommended that the CIS Management Group identify existing civic celebrations and non-prescribed social service grants with which it would be appropriate to form Community Benefit Agreements, and then begin the process for doing so. Any dollars associated with events or grants that are not deemed eligible should be transferred to the Wellbeing Grants as part of the 2014 CIS budget allocation.

⁴ The 2013 budget figure for Facility Discount Rental Rates is based on the current rates and usage by youth, school, disability and neighbourhood groups. It does not include the usage of the River Run Centre and the Sleeman Centre (ticketed-events) by arts groups and other community organizations. It is recommended that the financial impact of the new policy be assessed in 2013.

6.4 Staffing

The Investment Program Framework calls for City personnel to play continued or enhanced roles in areas such as community navigation, grants administration, account management, social planning, communications, and monitoring and evaluation.

A listing of new roles and responsibilities required to support the CIS can be found in the tables 4 and 5 below. It is recommended that these functions be addressed within existing positions until a review/assessment indicates otherwise. It should be noted that this list does not refer to existing functions like Event Planning and Facility Booking, which although critical to the success of the CIS, are not envisioned to change. Rather, these staff should receive additional orientation and training re the CIS to help City staff understand the importance of their roles as facilitators of community wellbeing and innovation.

Table 4 – CIS Staffing Responsibilities

New CIS Duties	Description of Tasks	Individuals to be Involved	Accountability
Policy Development	Draft policies, procedures, application forms, terms of reference, conflict of interest guidelines, delegates of authority, etc. May also include developing a business process map for the CIS.	Research Policy Analyst; Internal Auditor	General Manager of Community Engagement and Social Services
Initial Triage	Handle incoming inquiries (electronically, in-person and by telephone) regarding activities that might qualify for CIS support. Send eligible ideas to applicable Community Navigator.	Service Guelph; Facility booking staff	Manager of Business Services
Community Navigation	Assist community organizations to navigate their idea through City Hall, from start to finish. Act as the City liaison for Community Benefit Agreements. May also be called upon to review funding applications (within their area of expertise) and provide some initial analysis and context to assist community Reviewers in their role.	City staff with particular sectoral expertise (i.e. sports, arts and culture, social services etc.)	Managers of Culture and Tourism; Community Engagement and Social Services; and Parks and Recreation
Grants Administration	Liaise with funded groups, social planning, assist with community navigation, and provide administrative support to the Grants Allocation Committee of Council. This	Social Services Policy and Program Liaison and Administrative Support	General Manager of Community Engagement and Social

New CIS Duties	Description of Tasks	Individuals to be Involved	Accountability
	<p>should include:</p> <ul style="list-style-type: none"> • Checking all funding applications for eligibility and completeness, assigning ID#,s, etc. • Scheduling meetings and enforcing deadlines • Arranging interviews or site visits • Monitoring and follow-up, compliance and reporting with grantors • Preparing staff reports for Council • Coordinating the appeals process 		Services
Communications	Develop and implement a communications strategy, and a staff orientation program. Updating the website to include online application forms and review processes.	Research Policy Analyst; Social Services Policy and Program Liaison; Communications; IT; Business Services	General Manager of Community Engagement and Social Services
Accountability and Oversight	Overseeing the implementation plan, the communications strategy, the priority setting process for grant funding, costing and resource allocation, the appeals process, and ongoing evaluation and monitoring.	<p>CIS Management Group:</p> <ul style="list-style-type: none"> • General Manager, Community Engagement and Social Services • General Manager, Culture & Tourism • General Manager, Finance • General Manager, Legal Services • General Manager, Parks and Recreation • General Manager, Public Works • Manager, Business Services 	Executive Director of Community and Social Services

Table 5 – CIS Management Roles and Responsibilities

CIS Mechanism	Lead Responsibility
Community Wellbeing Grants (3 categories)	General Manager of Community Engagement and Social Services
Facility Discount Rental Rates	Jointly managed by the Manager of Business Services, General Manager Culture and Tourism, and General Manager of Parks and Recreation
Small Dollar Value Waivers	Manager of Business Services
Community Benefit Agreements	Various ⁵
Innovation Grants	General Manager of Community Engagement and Social Services

6.5 Communication Strategy

Based on the experiences of other comparable municipalities, internal compliance and external lack of awareness are two of the biggest risk factors when it comes to implementing a new CIS. A communication strategy should therefore be put in place to inform and educate staff, Councillors, community organizations and the general public about the new CIS. Consideration should also be given to presenting the outcome of this CIS development process more widely among other municipalities, particularly those who participated in the earlier review of promising practices.

Generally speaking, in order to foster a culture of integrity and stewardship, the City should publicize all available grants and non-monetary investments, policies and procedures, performance indicators, funding priorities, resource availability, user rates and fees, applicable services/products for small dollar value waivers, etc. proactively and as early as possible. Other communications-related ideas include the following:

- Given the fact that many community groups plan their programming, fee schedules and book facilities up to a year in advance, new policies should be communicated at least six months prior to their commencement
- Staff should meet with individual groups who may be impacted by policy changes directly (e.g. community benefit agreements, civic celebrations, etc.)
- A public information session should be held prior to the call for grant proposals to answer any questions
- Communication materials specifically for City Councillors should be created, and an information session should be offered

⁵ Each Community Benefit Agreement should be housed and administered by the most relevant department, and an “Account Manager” should be identified. For example, the agreement with MacDonald Stewart Art Centre should reside with Culture and Tourism, whereas Snow Angels should reside with Operations. For agreements that cross multiple departments, a lead department should be identified.

- The City's website should be updated to reflect CIS content. Electronic applications (for various mechanisms) as well as information about current policies, user fees and rates, should be readily available.

Once the CIS is up and running, the focus of communications should shift to sharing and celebrating the success and outcomes of the CIS.

6.6 Evaluation

It is recommended that the City approach the CIS with a learning orientation, as an opportunity to engage the community benefit sector, to celebrate what's been learned (both positive and negative) and to make ongoing improvements to the CIS.

Evaluation indicators, in alignment with the eight domains of community wellbeing, should be established to assess funding outcomes. Direct funding recipients should be required to submit an annual evaluation report outlining their outcomes against these performance measures. The elements (details) of the evaluation reports should vary according to the funding category (i.e. Category Three evaluation reports should be more comprehensive than Category One). It is envisioned that a report summarizing the overall evaluation results would be reported to Council and the Grants Allocation Committee of Council on an annual basis.

As mentioned above, the City should begin tracking, auditing and reporting on the demand and usage of all CIS mechanisms effective immediately. This information should be used to determine future resource needs, as well as form the basis for Council reports about the impact the City's direct contributions to the community benefit sector have made.

Other evaluation activities should include:

- Setting up a centralized database(s) to track and flag required documents for discount rental contracts and Community Benefit Agreements
- Updating the CLASS system to track the demand and usage of applicable CIS mechanisms, according to the new rental classification system as well as by select user groups
- Auditing Community Benefit Agreements
- Conducting a utilization review of the Community Wellbeing Grants process (i.e. actual versus requested allocations by category, by sector and by funding priorities; monitoring outcomes according to the wellbeing domains; etc.). And

sharing these results with the Grants Allocation Committee of Council so that they can make better decisions in the future.

- Regularly reviewing CIS policies, and conducting a full review of the CIS every three to five years

6.7 Potential Implementation Challenges

As with any new initiative, transitioning to a new system may result in challenges along the way. This section highlights some of the assumptions, dependencies and changes that have been made, with brief suggestions of how challenges could be mitigated if they come up.

- Some components of the Investment Program Framework are dependent upon other corporate initiatives such as the CWI, the Business Development Framework, and the User Rates and Fees study. City staff should ensure that those initiatives happen as intended, and remain linked and in alignment with the CIS.
- Currently the CIS only applies to Community and Social Services. Unless or until the CIS is applied Citywide, a risk exists for its integrity to be undermined by community groups circumventing the CIS process and using other non-aligned channels.
- There has been a lack of clarity around whether the City should fund health-related initiatives because health is considered to primarily be a responsibility of the provincial government. In fact, municipalities play a key role in supporting health through activities aimed at achieving healthy communities, healthy cities, and healthy environments. In accordance with the CWI, health in the municipal context should be broadly defined to include the social determinants of health⁶, and therefore, health requests should be considered alongside social, cultural and recreational ones. However, the City should not support programs that other levels of government have legislated responsibility for funding. Applicants should be responsible for providing evidence that their request is appropriate for municipal support (e.g. for health related requests, organizations should include a letter confirming the extent to which other levels of government support the request). See Appendix F for more information.

⁶ The social determinants of health are the economic and social conditions – and their distribution among the population – that influence individual and group differences in health status. They are risk factors found in one's living and working conditions (such as the distribution of income, wealth, influence, and power), rather than individual factors (such as behavioural risk factors or genetics) that influence the risk for a disease, injury, or vulnerability to disease or injury (Wikipedia, 2012).

- Many capital projects (particularly health infrastructure ones) are expensive, and so multiple funding partners are required to make the project a reality. Municipal support is often vital in leveraging other levels of government funding. Even if the City’s contribution represents only a small proportion of the overall budget, it provides a level of endorsement that can be critical to the success of a capital campaign. The City should be more strategic and proactive with respect to identifying community infrastructure needs; for example, the City should work with community organizations to develop a long-range (5-year) list of capital needs, which should inform the budget allocation process for the Community Wellbeing Grants. See Appendix F for more information.
- There have been some concerns expressed regarding the ability of a single review panel to adjudicate grants from multiple sectors. In addition to a fair review process, guidelines and priorities should be provided to reviewers that make it clear that Guelph residents are supportive of a “complete community” where diverse priorities and a range of needs are met.
- One of the primary beneficiaries of the City’s current subsidy policy has been youth groups. It is anticipated that some may question the proposed elimination of the current youth non-profit rate in favour of an overall community benefit rate. The City’s vision and strategic directions do not identify youth (or any other demographic group or sector) as a priority, and thus, there is no foundation upon which to warrant a preferred rate for one user group over another. In fact, the City’s *Strategic Master Plan for Recreation, Parks and Culture* (July 2009) calls for: “A complete community with affordable services and programs for people of all ages, including children, youth, adults, and seniors.”

In order to address concerns about how particular community groups may be affected by the changes outlined in this report, City staff should identify and meet with those groups proactively in order to discuss the real implications of the CIS on their work rather than waiting for complaints, perhaps based on perceptions or partial information, to come to them.

7. Conclusion

In conclusion, the CIS project has been undertaken in order to provide the City with a strategic and operational framework that improves how the City funds, supports and partners with community organizations. The resulting Strategic Policy and Investment Program Framework is about more than simply offering grants. It calls for leveraging municipal resources wisely, ensuring proportionality between the resources being disbursed and the work required to do so, in pursuit of community wellbeing.

A considerable amount of staff time and capacity will be required for the CIS to be phased in over the next three years. In the context of limited time, restricted resources and competing priorities, it is recommended that the City make a conscious decision to allow the CIS to find its way to the top of priority lists over the next months.

Appendices

Appendix A – Policy Parameters for Community Wellbeing Grants

Purpose

Up to now, the City has reviewed community grant applications through a variety of means. Special events grants have been assessed by a mixed panel comprised of staff and citizens, primarily representing tourism interests. Arts and culture grants have been adjudicated by a community panel overseen by the Guelph Arts Council on the City's behalf. Social service grants, which were previously adjudicated by the United Way on the City's behalf, have in recent years been handled by a staff committee within Community and Social Services. Requests for capital funding (primarily related to health) have been treated separately, through delegations to Council. The eligibility, assessment processes, and evaluation criteria among these streams and have differed to varying degrees.

The CIS should bring these four granting streams together into an integrated, multi-disciplinary process that allows for a more holistic approach to community investment. The work involved for applicants should be proportional to the resources requested. Multi-year grants should be introduced. And as mentioned above, capital projects should be considered alongside requests for operating, program and event costs.

Priority Setting

The focus for the Community Wellbeing Grants should be based on funding priorities that are in alignment with the City's strategic plan and the CWI. A priority setting process, which is overseen by the CIS Management Group, should occur every three years.

To begin with, a list of potential funding priorities should be generated by City staff. This list should be based on the following three interrelated streams of data:

1. Priorities for community impact as determined through the CWI
2. Formal and informal community research and/or social planning data
3. The City's strategic and master/official plans

Ideally, these three streams should be in strong alignment with each other, particularly to the extent that community research data informs the CWI.

The potential funding priorities might involve current and emerging community issues and needs, preferred programs, sectors, approaches, or whatever other guidelines the City consider to be important.

Once a list of options has been generated, a priority-setting process that incorporates the following should be clearly defined:

- Criteria on which to compare options (e.g. importance, urgency, reach, impact)
- The method for ranking options (e.g. dotmocracy, paired comparisons, grid analysis)
- Roles and expectations of all involved (e.g. are “votes” binding, or simply recommendations?)

This process should involve consultation with City Councillors, staff, other funding bodies, community organizations, and residents. Consideration should be given to appointing a neutral facilitator who is familiar with the community, and who is skilled in navigating differences of opinions, drawing out those whose voice might at times be lost, and managing any conflict or issues that might arise during discussion. Being able to manage both the process and the people will help ensure that the priorities set are not only the right ones, but also endorsed by relevant stakeholders.

The resulting funding priorities should then be reviewed on annual basis in advance of the budgeting process so that they can inform allocation decisions (see section 6 for information on costing and resource allocation).

Proposed Policy Statement

The Community Wellbeing Grants should support community activities aligned with the funding priorities (described above).

The CIS budget apportioned to Community Wellbeing Grants should be divided into three categories:

- 1) One-Time Grants of \$100-\$5,000 in value
- 2) One-Year Grants of \$5,000-\$50,000 in value; or Two-Year Grants of \$100-\$50,000 per year
- 3) Grants valued at more than \$50,000

Category One

Category One should provide one-time grants of \$100-\$5,000 in value to community organizations aligned with the City's wellbeing funding priorities. (Organizations requesting more than one program/project grant should apply through Category Two.)

All applicants should submit a simple, online application form (see Appendix B). Organizations should be able to re-apply for the same initiative (in this category) for no more than three consecutive years (after which time, organizations should apply for a multi-year grant through Category Two).

A proposal call for Category One grants should be issued twice per year (see funding timeline below). Organizations that have applied for funding in round one should be eligible to re-apply in round two, if the request is for a new initiative or was not successfully funded previously (i.e. top-up funding for a request that received support in round one should not qualify).

Category Two

Category Two should provide both one-year grants of \$5,000-\$50,000 in value; or two-year grants of \$100-\$50,000 per year to community organizations aligned with the City's wellbeing funding priorities.

Organizations should be eligible to apply for funding to support more than one program/project, if the agency's combined request totals less than \$50,000 per year. Organizations requesting more than \$50,000 in funding support from the City (regardless of the number of programs/projects) must apply through Category Three.

Organizations should complete a more extensive on-line application form, and may be required to attend an interview (see Appendix B).

A proposal call for Category Two grants should be issued once per year (see funding timeline below). Two-year grants should be conditional on funding availability¹ and annual budget approval by City Council.

Category Three

Category Three should provide funding grants (of up to 4 years) valued at an *average* of over \$50,000 per year, to community organizations aligned with the City's wellbeing funding priorities (e.g. \$55,000 for 2 consecutive years; or \$30,000 in year 1

¹ A guideline should be put in place to ensure that multi-year commitments do not fully exhaust the Category Two and Three budgets in any given year.

and \$75,000 in year 2).

Organizations should complete a detailed application form and attend an interview (see Appendix B). For each individual program/project request of more than \$50,000, a business case should also be required.

A proposal call for Category Three grants should be issued once per year (see funding timeline below). Multi-year grants should be conditional on funding availability and annual budget approval by City Council.

Eligibility & Assessment Criteria

Table A1 outlines the criteria that the City should use to determine allocations.

Table A1 – Criteria for Community Wellbeing Grants

Eligibility Criteria	Exclusions	Assessment Criteria
<p><u>All</u> criteria must be met in order to qualify for support:</p> <ul style="list-style-type: none"> • Benefits residents of Guelph • Incorporated non-profit (with or without charitable status) • Volunteer board of directors • Releases annual audited financial statements • In operation for at least one year • In good standing with the City of Guelph 	<p><u>Not</u> eligible for support if <u>any</u> of these characteristics apply</p> <ul style="list-style-type: none"> • Individuals • For-profit organizations • Political organizations • Other levels of government • Programs that other levels of government have legislated responsibility for funding • Debt retirement, deficit reduction, depreciation or financing charges • Retroactive payments • Organizations whose activities could be deemed discriminatory as defined by the Ontario Human Rights Code • 100% of the budget of an activity • Secondary allocations (i.e. proceeds from the City-funded component of the program/event are allocated to other community groups) 	<p>To be used by reviewers to assess funding proposals:</p> <ul style="list-style-type: none"> • Anticipated community impact • Evidence of community support • Evidence of financial need • Evidence that request is appropriate for municipal funding • Sound organizational track record • Leverages additional resources • No duplication • Sustainability plan • Held on City-owned or managed facilities, if applicable • Funding availability

Review Panel and Delegates of Authority

A Grants Allocation Committee of Council should be established to review grant applications. This Committee should be comprised of multi-disciplinary community experts, and should operate according to clear Terms of Reference that includes procedures for selection and succession, as well as conflict of interest guidelines. This Committee should have the delegated authority to make funding decisions, once Council has approved the size of the overall granting budget each year.

Staff support for this Committee (and grants administration) should be provided by staff in Community Engagement and Social Services. In addition, City staff with particular sectoral expertise (e.g. sports, arts and culture, social services, etc.) may be called upon to provide assistance and advice to the Committee (for more details about staffing roles and responsibilities, refer to section 5.4).

Procedure

1. The City should issue a funding call, outlining the amount of available funding and annual priorities, at least six weeks prior to the submission deadline. Consideration should be given to holding a public meeting for prospective applicants to clarify the granting criteria and process.

Before applying, community organizations should be encouraged to speak to the City's grants coordinator and/or relevant community navigator (staff member with sectoral expertise) to obtain as much information as possible, receive advice about eligibility, be linked with other organizations that may be engaged in similar work, etc.

2. All organizations should complete an on-line funding application form; the elements (details) of which should vary according to the funding category (see Appendix B). Each organization should demonstrate how the expected results would serve the residents of Guelph as well as impact community wellbeing (see assessment criteria above). Late submissions should not be accepted.

Proposals for community events/programs being held on City-owned or managed properties should be eligible for facility rental discount rates, and these discount rates should be accounted for in the budget of their funding applications.

3. City staff should review the applications for eligibility and completeness.

Where applicable, City staff should provide supplementary contextual information to assist reviewers with their decision-making.

4. The grants coordinator should distribute the proposals (business cases) and staff notes to the reviewers. All Committee members should have access to all complete funding applications, but at least two reviewers should be identified as having primary responsibility for each proposal. The grants coordinator should recommend review teams (pairs) from within the Committee to the Committee Chair².
5. An interview (or site visit) should be arranged to discuss applications to Categories Two and Three, at the discretion of the reviewers.
6. The primary reviewers should prepare a critique based on a template, score the proposal based on a High/Medium/Low scale, and recommend a level of funding. These recommendations should be compiled by the grants coordinator, and circulated to all Committee members for review.
7. The full Committee should review the recommendations, and determine what level of scoring is required to qualify for further deliberation. Those proposals scoring above the threshold should be considered by the full committee, in the context of the funding priorities, assessment criteria and available resources.
8. The decision of the Committee is final and the reasons for the decision should be provided to the applicant.

Applicants should be welcome to discuss the reasons for funding being denied with the City's grants coordinator, who should be able to provide guidance with respect to any future applications.

² Consideration should be given to ensuring that each review team has appropriate sectoral expertise (i.e. a reviewer with an arts background should be involved in assessing proposals from an arts organizations), and that the workload is equitable (i.e. the reviewers of Category One proposals should review more applications than the reviewers of Category Three proposals). Multiple requests from one organization should be assessed by the same review team.

Appeals

Appeals should be made in writing, within a set amount of time, to the Chair of the CIS Management Group³. The appeal should describe a flaw in the review process such as bias, conflict of interest, or factual error that could have substantially altered the outcome. Dissatisfaction with the funding decision should not constitute a legitimate basis for an appeal.

Timeline

Category One grants should be available twice per year; Category Two and Three grants should be available only once per year. The total amount of funding available and the application deadlines should be published each year, but in general, the timeline should be as follows:

Table A2 – Community Wellbeing Grants Timeline

	Category 1, 2 and 3	Category 1 (round two)
Request for proposal (funding applications) released	Early August	Early March
Preparation of proposals by community organizations	August/September	March/April
Application deadline	Late September	Late April
Applications reviewed by City Grants Administrator for completeness	September/October	April/May
Applications assessed by Grants Allocations Committee of Council (interviews held)	October/November	May/June
Applicants notified of funding decisions	December	June
Appeals process	December	June
Finalization of funding contract	January	July
Funding period	January – December (Multi-year grants should be conditional on annual budget approval by City Council.)	July - December

³ Alternatively, appeals could be considered by Council.

Accountability Expectations

Evaluation indicators, in alignment with the eight domains of community wellbeing, should be established to assess funding outcomes. Grant recipients should be required to submit an annual evaluation report outlining their outcomes against these performance measures. The elements (details) of the evaluation reports should vary according to the funding category (i.e. Category Three evaluation reports should be more comprehensive than Category One). The overall evaluation results should be reported to Council and the Grants Allocation Committee of Council on an annual basis.

The grants coordinator should be responsible for reviewing the approved funding agreements for compliance.

All grant recipients should acknowledge City support in appropriate ways, such as in marketing and communication materials. Acknowledgement expectations should be outlined in funding agreements.

Appendix B – Guidelines for Community Wellbeing Grant Applications

Funding application forms for the Community Wellbeing Grants requirements should differ according to the funding category.

All applicants should be required to submit:

- An organizational profile (e.g. contact information, mission/vision, etc.)
- List of current volunteer board members
- Proof of incorporation
- Most recently audited financial statement
- Budget form (for each program request showing actual/anticipated funding sources, plus quotations for each capital expense over \$5,000)⁴
- Declaration from an authorized signing officer

Category One applicants should also be required to submit a brief program request form that should address the following:

- Purpose (what you want to do with the funding)
- Scope of work (brief description of proposed activities, where it will take place, who will be served, etc.)
- Deliverables (how the event will foster community wellbeing, how you will know you have been successful, etc.)
- Timeline (when the event will take place)
- Cost (how much financial support you are seeking)

Category Two applicants should be required to submit a more detailed application form for each program request. In addition to Category One requirements, this may include:

- Rationale (evidence of need, why the City should fund this, why you are the right organization to do this work, why this project needs to happen now)
- Correlation with funding priorities (how this initiative aligns with the City's strategic plan and annual funding priorities, what will be the anticipated community impact)
- Evaluation plan (what measurements will help you determine if you have been successful)

⁴ Consideration should be given to using a budget form consistent with other funders (e.g. CADAC).

- Partnerships, if applicable (what other organizations are contributing, what role they will play)
- Volunteers (roles they will play, how they will contribute to the work)
- Sustainability (whether activities will continue beyond the time of your grant request; for capital requests - plan to maintain and replace the equipment)

Category Three applicants should prepare a Business Case, consistent with the City’s emerging “Business Development Framework”, for each program/project request over \$50,000. In addition to Category One and Two requirements, this may include:

- Justification of community need
- A description of the specific objectives to be achieved
- A statement of the benefits and risks that address the concerns of all relevant stakeholders (value proposition)
- Project plan and schedule, and key milestones
- Roles and responsibilities
- Project controls and reporting schedule
- Evidence of public support

Reporting and Recognition Requirements

Successful applicants should be required to provide evaluation reports (the elements of which should vary according to the funding category), to assist the City with tracking and reporting results and accomplishments. Each Letter of Agreement should include a reporting schedule. Grant payments should be dependent on the submission of timely reports.

In order to be transparent in its distribution of public funds, all grantees should be required to recognize the City’s support. This includes recognition in all printed materials, such as annual reports and news releases, and at all events such as public announcements and award presentations. Specific recognition requirements should be outlined in a Letter of Agreement.

Appendix C – Policy Parameters for Facility Rental Discount Rates

Purpose

One niche that the City fills in the community is as the supplier and custodian of recreational and cultural facilities. In order to foster community wellbeing and in accordance with the City’s *Strategic Master Plan for Recreation, Parks and Culture* (July 2009) public facilities owned and operated by the City should be accessible and affordable for all community groups. This is perhaps the City’s most significant community investment, as it provides community organizations with the spaces to do what they do best.

At present, the City offers facility-use subsidies for pre-approved user groups (e.g. youth, disability and neighbourhood groups). Some of the existing subsidy policies are over 20 years old, and in certain cases are not reflective of current practices. Under the CIS, the City should offer harmonized discount rates across sectors, demographics and facilities.

Proposed Policy Statement

Approved community organizations should receive a discount rate on the City of Guelph’s approved schedule of “User Rates and Fees” when renting City owned and/or managed properties/facilities. This subsidy should be applicable for rental rates only, for the purposes of organizational meetings and group-oriented activities; it should not be applied to staff and service costs.

Eligibility & Assessment Criteria

Table B1 outlines the criteria that the City should use to determine if community organizations qualify for support.

Table B1 - Criteria for Facility Rental Discount Rates

Eligibility Criteria	Exclusions	Exceptions
<p>All criteria must be met in order to qualify for support:</p> <ul style="list-style-type: none"> Benefits residents of 	<p>Community organization are <u>not</u> eligible for support if any of these characteristics apply:</p>	<ul style="list-style-type: none"> An unincorporated community organization could apply under the sponsorship of an incorporated non-profit organization that meets all the eligibility criteria. The sponsoring organization should sign the rental/funding contract, and assume all responsibilities, including insurance

Eligibility Criteria	Exclusions	Exceptions
<p>Guelph</p> <ul style="list-style-type: none"> • Incorporated non-profit (with or without charitable status) • Volunteer board of directors • Releases annual audited financial statements • In operation for at least one year • In good standing with the City of Guelph 	<ul style="list-style-type: none"> • Individuals • For-profit organizations • Political organizations • Other levels of government <p>Subletting of space is not permitted.</p>	<p>obligations.</p> <ul style="list-style-type: none"> • A commercial (private, for-profit) organization that is hosting an activity to benefit a charitable cause could be eligible for facility discount rental rates if: <ul style="list-style-type: none"> a) The private organization applies for the rental rate under the sponsorship of a registered charity that meets all the eligibility criteria. The sponsoring charity should sign the rental contract, and assume all responsibilities, including insurance obligations; OR b) <i>Applicable only for ticketed events where the City is the exclusive ticketing agency</i> - The charity should sign a letter of support (on organizational letterhead) indicating that the event is a fundraiser to benefit them. A representative of the charity should attend the event. All promotional material (i.e. posters, newspapers ads, etc.) should acknowledge the charity. Promotional space should be provided in the lobby for the charity. All ticket proceeds should be payable directly to the charity.

Discount Rate Classifications

The following is a proposed classification system for determining which types of community organizations should be eligible for Facility Rental Discount Rates.

Table B2 – Discount Rate Classifications

Category	Definition	Examples	Eligible for Discount Rate?
City of Guelph programs	An activity that is organized and run by the City of Guelph.	– City of Guelph summer camps or swimming lessons	No
Guelph-based Community Organizations	An activity that is organized by a community organization that is located in Guelph and/or is mandated to serve Guelph as part of its catchment area. The activity may involve the sale of goods or	– Guelph Jazz Festival – Guelph Giants Hockey – Guelph Youth Soccer	Yes

Category	Definition	Examples	Eligible for Discount Rate?
	services or may require a registration fee prior to participation, but all proceeds must be used exclusively to achieve the organization's mission.	<ul style="list-style-type: none"> - Stanley Stick Hockey Association - Volunteer Centre of Guelph/Wellington training workshops 	
Out-of-area Community Organizations	An activity that is organized by a community organization that is not located in Guelph. The activity must benefit residents of Guelph, by involving residents of Guelph and/or providing an economic development/tourism benefit to the community. The activity may involve the sale of goods or services or may require a registration fee prior to participation, but all proceeds must be used exclusively to achieve the organization's mission.	<ul style="list-style-type: none"> - KW symphony - Provincial softball tournament 	Yes
Private groups	An activity that is non-profit generating, and is intended for select members of the community. May be organized by an individual or group.	<ul style="list-style-type: none"> - Men's recreational hockey - Pool rental for private birthday party - Weddings 	No
Commercial Organizations	An activity that has the intent of generating a profit and/or is organized by a private enterprise. The activity may involve the sale of goods or services or may require a registration fee prior to participation.	<ul style="list-style-type: none"> - Private dance studio recitals - Live Nation Concert - Co-operator's meetings 	No
Non-resident	An activity that does not primarily serve the residents of Guelph. May be organized by an individual or group (private or non-profit).	<ul style="list-style-type: none"> - Cambridge Youth Soccer 	No

Although it is beyond the purview of the CIS, this project unveiled a number of questions about the City's provision and allocation of sports and recreation facilities and fields (e.g. Should community organizations get priority over private groups? Should youth groups receive priority access over adult ones? If there is more than one community group per sport, should the City enter into rental agreements with both groups?).

It is understood that the development of an Affiliation/Allocation Policy is pending the outcome of the CIS. Consideration should be given to using this same classification system (Table B2) for determining space allocation priorities.

Setting the Discount Rate

The City of Guelph is in the process of reviewing its User Rates and Fees. Phase 1 of this study, which is currently underway, is investigating the direct and indirect costs associated with providing all Community and Social Services programs, services and rentals offered to the community. Phase 2, which is anticipated to start later in 2012, will be a public policy pricing strategy. This latter phase will involve an exploration of what proportion of fees should be tax supported versus user pay.

Through the CIS discussions, a number of factors were identified which should be taken into account in this study. These include:

- Market value
- Affordability
- Operating costs
- Revenue requirements
- Comparator rates (e.g. University of Guelph, Marden, etc.)
- Facility type (i.e. meeting rooms, sports fields, ice pads, pools, parklands, concert halls, etc.)
- User groups (i.e. youth, adult, seniors, etc.)
- Internal usage (for city programming)
- Demand
- Frequency of use (i.e. number of hours per year/month/week)
- Time of use (i.e. peak versus non-peak hours/days/seasons)
- Overall amount of CIS budget available to support community benefit (non-profit) discount rates

Given the impacts the base rental price will have on community demand, usage and affordability, it is imprudent to set the discount rate(s) for community organizations at this time. Instead, target ranges have been identified (see table B3 below). The finalization of these rates should be part of Phase 2 pricing strategy.

Table B3 – Target Ranges for the Discount Rental Rates

	Community Facilities	Premier Facilities ⁵
Guelph-based Community Organizations	35-45%	25-35%
Out-of-area Community Organizations	25-35%	15-35%

Procedure

Current procedures for booking facilities should continue to apply. City staff with booking authority should apply the discount rate to any rental that meets the eligibility criteria. Consistent with current practice, there should be no cap on discounts granted per group or per year.

A new database should be established to track all required documents for approved groups (i.e. incorporation numbers, audited statement, lists of volunteer board of directors). It should be housed centrally, and include a feature that flags when relevant information expires, so that it only needs be updated once a year at maximum.

Accountability Expectations

Community organizations should be required to supply up-to-date incorporation numbers, audited financial statements, and lists of volunteer boards of directors on annual basis. The City should conduct regular audits of this information.

All discount rate recipients should acknowledge City support in relevant marketing and communication materials.

The community impact, value and utilization of the City’s facility rental discount rate should be reported to Council on an annual basis.

⁵ The City’s premier facilities include the Sleeman Centre, the River Run Centre, and Centennial Bowl.

Appendix D – Policy Parameters for Small Dollar Value Waivers

Purpose

Historically, the City has provided fee waivers to community groups organizing special events and civic celebrations on property owned or managed by the City. These grants credits have covered items like vendor licenses, park rentals, potable water supplies, port-a-potties, garbage bins, road closures, picnic tables, etc. Community organizations needed to apply for these fee waivers, and they did so historically through the Community Grant Program - Special Events stream. It is important to note that there was not a separate application process for fee waivers; the groups actually applied for a community grant – the review committee decided whether or not to award a waiver versus a grant, or a combination thereof. This process has resulted in a complex accounting system involving a mixture of invoices, grants and waivers.

Based on feedback received from both community stakeholders and staff, fee waivers should no longer be available. Instead, community organizations should apply for a Community Wellbeing Grant that they may (or may not) apply against the cost of City services (even if the full value of the grant returns to the City). The exception to this rule should be in the case of small community events that are not eligible for other CIS mechanisms, which is the case outlined here.

Examples of products and services for which Small Dollar Value Waivers could be applicable include:

- Pylons
- Road barricade saw horses
- Signs
- One load of woodchip mulch
- Neighbourhood street closures

This new investment mechanism is intended to encourage citizen engagement and active participation in community life, while ensuring that the work involved, for both community members and City staff, is proportional to the resources requested.

Proposed Policy Statement

Approved community groups should receive a waiver of up to \$100 in value to be applied against applicable City services/products. This waiver should be available once per event per year. The waiver should not be applied to staff, admission and rental costs, and should not be available in combination with other CIS supports.

Eligibility & Assessment Criteria

Table C1 outlines the criteria that the City should use to determine if community organizations qualify for support.

Table C1 – Criteria for Small Dollar Value Waivers

Eligibility Criteria	Exclusions	Assessment Criteria
<p>All criteria must be met in order to qualify for support:</p> <ul style="list-style-type: none"> • Benefits residents of Guelph • Non-profit generating (no personal gain) • Voluntary community group 	<p>Not eligible for support if <u>any</u> of these characteristics apply:</p> <ul style="list-style-type: none"> • Individuals • For-profit organizations • Political organizations • Other levels of government 	<p>To be used by staff to determine allocations:</p> <ul style="list-style-type: none"> • Meets all eligibility criteria • Funding availability • Complies with City’s policies and procedures

Applicable Services

City staff should review the list of products and services for which the waivers could be applied on an annual basis, to determine if the set dollar value is appropriate. This list should be made publicly available to community organizations.

Procedure

1. Applications should be submitted online, similar to the special event permit application.
2. City staff with booking authority should be delegated the authority to approve a “grant credit” of up to \$100 in value for eligible groups. Consideration should be given to placing a time limit on this authorization.

3. Finance should debit the “small dollar value waiver” budget line, and credit the corresponding accounts receivable.
4. The community group should book the date of their event (including equipment request). This request should be entered into the CLASS system, and a point-of-sale transaction should be issued.
5. On the day of the event, the community group should pick up the requested items, and return them by the agreed upon time.

Accountability Expectations

All Small Dollar Value Waiver recipients should acknowledge City support in relevant marketing and communication materials.

The community impact, value and utilization of the City’s Small Dollar Value Waivers should be reported to Council on an annual basis.

Appendix E – Policy Parameters for Community Benefit Agreements

Purpose

Over the years, the City has entered into a number of multi-year agreements with community organizations. These agreements have been created on a case-by-case basis, based on community need and resource availability. The reasons for these collaborations have been numerous and multifaceted, and have included:

- Addressing unmet community and social service needs
- Creating additional public recreational and cultural amenities
- Enhancing City operations and programming (improving the effectiveness and efficiency of service delivery)

The overarching vision of the CIS is about encouraging ***mutually beneficial relationships between the City and Guelph's community benefit sector***. In this manner, a new policy should be established to guide developing and ongoing collaborative relationships with community organizations where there is:

- Shared definition of authority, risk and responsibility
- Joint investment of resources (e.g. time, funding, expertise, information)
- Mutual or complementary benefits

Proposed Policy Statement

The City should actively encourage and support collaborative opportunities with community organizations that:

- Are mutually beneficial;
- Foster community well being;
- Support the City's strategic and official/master plans;
- Protect public interests in the short and long term; and
- Provide opportunities that are open and accessible to all citizens of Guelph.

Eligibility Criteria

Table D1 outlines the criteria that the City should use to assess proposals for Community Benefit Agreements.

Table D17 – Eligibility, Exclusions and Assessment Criteria for Community Benefit Agreements

Eligibility Criteria	Exclusions	Assessment Criteria
<p>All criteria must be met in order to qualify:</p> <ul style="list-style-type: none"> • Mutually beneficial • Fosters community wellbeing • Protects public interests in the short and long term • Aligns with City strategy • Not done elsewhere (fills a gap/need) • Partner is incorporated; venture is non-profit generating • Multi-year 	<p>Not eligible if <u>any</u> of these characteristics apply:</p> <ul style="list-style-type: none"> • P3s • Activities that impact City’s collective agreements 	<p>To be used by reviewers to assess business cases (proposals):</p> <ul style="list-style-type: none"> • Anticipated community impact • Evidence of community support • Supports achievement of City’s strategic goals and/or official/master plans • Addresses unmet community needs • Creates additional community and social service opportunities • Enhances City operations and programming • New or innovative approach • Organizational capacity of partner(s) • Partner(s) is committed to cause, and willing to commit resources • Resource availability (financial and in-kind) • Leverages additional resources • Sustainability plan • Overall return on investment

Business Case Development

Ideas for prospective Community Benefit Agreements may be solicited (City identified) or unsolicited (community generated). The Proponent of the idea could be:

- a) A community group(s)
- b) City personnel (e.g. through a Service Review); OR
- c) A collaborative group of which the City is a member

In order to be considered for a new Community Benefit Agreement⁶, the Proponent of the idea should prepare a Business Case (proposal), consistent with the City's emerging Business Development Framework. This may include, but is not limited to:

- Community need assessment⁷
- A description of the specific objectives to be achieved
- A description of how the initiative aligns with the City's strategic plan
- A statement of the benefits and risks that address the concerns of all relevant stakeholders (value proposition)
- Expected deliverables and key milestones
- Project plan and schedule
- Partner roles and responsibilities
- Required resources, cost estimates and sources of funding
- Project controls and reporting schedule
- Evidence of public support

⁶ For existing agreements with community groups, which are up for review and renewal, a business case should be completed if one does not exist or is no longer current.

⁷ As part of the Business Case development, an Environmental Scan should be completed which answers the following questions:

- How would the collaboration/initiative benefit the community?
- What evidence is there to support the need for this collaboration/initiative?
- Is the community supportive of the venture?
- What sort of resistance (if any) might exist?
- Are there any regulations or governance matters to be considered?
- Who are the individuals or community groups that might be interested and appropriate to have involved?
- From the community's perspective, what is the best possible outcome? What is the worst?

Selection of Community Partners

Community partners should be identified and selected in accordance with the City's Purchasing By-Law, policies and procedures. The procurement process for confirming community partners may differ depending on whether the Community Benefit Agreement is new, a renewal, a solicited idea (request for proposal), or based on an unsolicited proposal.

Delegates of Authority

An ad hoc committee should be established to review business cases (proposals) for Community Benefit Agreements. This committee should be comprised of staff representatives from Community and Social Services, Finance, Legal, Realty, and other relevant departments (e.g. Planning, Public Works, etc.). As well, two representatives from the Grants Allocation Committee of Council should be invited to participate in an ex-officio capacity, in order to ensure integrity with other CIS mechanisms. This committee should operate according to clear Terms of Reference, in accordance with the City's forthcoming Business Development Framework.

This committee should make recommendations to the General Manager of the department for which the proposed Community Benefit Agreement is most relevant (i.e. from where the proposed budget would come). This General Manager would be granted the authority to enter into Community Benefit Agreements within their area of responsibility.

Contractual Agreement

For all Community Benefit Agreements, the City's Legal department should prepare a written agreement based on the approved business case. This legal contract may include, but is not limited to:

- Goals and objectives
- Description of contractual arrangement
- Roles and responsibilities of each party
- Funding levels
- Sharing of risk and liability
- Acquisition and ownership issues
- Duration of agreement and procedures for reviewing and/or terminating it

- Reporting requirements, including outcome measurements
- Eligibility for support through other CIS mechanisms

All agreements should adhere to federal or provincial statutes and applicable City policies and by-laws, and be executed prior to any funding occurring.

Accountability Expectations

A point person for each Community Benefit Agreement should be assigned. This individual should be responsible for reviewing the agreement for compliance at least annually, and when conditions change.

A new database should be established to track Community Benefit Agreements. It should be housed centrally, and include a feature that flags when relevant documents expires.

Community partners should be required to report annual performance outcomes and supply audited financial statements and other documents as required. The City should conduct audits as needed.

The community impact and value of the City's Community Benefit Agreements should be reported to Council on an annual basis.

Appendix F - Municipal Support for Capital and Health-Related Projects

Background

Since 2008, Guelph’s City Council has allocated over \$2.2 million through the annual budgeting process to support local community organizations with capital funding projects. The City’s contributions have allowed for the purchase, construction and renovation of several important community assets, for example: the acquisition of an MRI for Guelph General Hospital, the construction of a new residential hospice (Hospice Wellington); the expansion of Shelldale Community Centre; renovations for ARC Industries; as well as maintenance and repairs for the MacDonald Stewart Art Centre.

Table F1 – City of Guelph’s Capital Community Grant Allocations, 2008-12

Organization	2008	2009	2010	2011	2012	Total
Hospice Wellington	\$200,000	\$128,000	\$272,000	\$200,000	\$200,000	\$1,000,000
Guelph General Hospital	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,000,000
MacDonald Stewart Art Centre	\$20,000	\$20,000	\$20,000	\$20,000		\$80,000
ARC Industries			\$80,000			\$80,000
Kindle Communities (Shelldale Centre)		\$72,000				\$72,000
Total	\$420,000	\$420,000	\$572,000	\$420,000	\$400,000	\$2,232,000

These contributions have come in the form of both one-time grants and multi-year agreements, several (but not all) of which have been for “health-related” purposes. In fact, the City had previously hoped to establish a capital reserve fund for community health requests. Such a reserve fund, however, has never been realized as requests for capital grants always surpass available funds.

More recently, City Council has raised questions about the appropriateness of the City in providing funding to health care initiatives, particularly projects/programs where other levels of government have primary responsibility for funding.

This paper briefly explores the meaning of capital and health funding in the municipal context, and discusses its relevance for Guelph’s Community Investment Strategy (CIS).

Process

In Phase I of the CIS, a municipal comparator survey was conducted. Through that survey, a number of municipalities indicated that they do provide “capital” support to community organizations. Based on those responses and on who was willing and available to provide further information, a more detailed review was conducted in Phase 2, of the practices of Barrie, Kingston, Kitchener and Sudbury.

Concurrent to this comparative research, a search for available policy and position papers related to municipal funding for health care in Ontario was conducted. No relevant literature on this subject was found.

Terminology

To begin with, it is important to distinguish between capital and operating grants. Capital funding is money earmarked to build and renovate things (real property) or to purchase new equipment (personal property). For example, a government grant used to construct a new community arts centre would be considered a capital contribution.

Operating funding, on the other hand, is money used to support the general expenses of running an organization, such as staffing and heating the above-mentioned community arts centre. Operating grants may also be earmarked to support a specific program or project of an organization.

Government transfer payment programs, such as Ontario’s hospital budgets, clearly designate whether funds are to be used for either capital or operating purposes.

How Comparable Municipalities Handle Similar Requests

No clear direction emerged from the comparator research. The types of health and capital support offered by comparable municipalities varies in a number of ways, for example:

- Several municipalities state that they do not support programs that are funded primarily by other levels of government (i.e. transfer payment programs). This refers to more than just provincial health care funding; it also encompasses education and training, settlement, and heritage projects.

- Some municipalities explicitly state in their granting guidelines that they do not support medical research or equipment
- Some municipalities have established written policies that specifically state that they do not provide capital grants to community organizations for non-City owned assets, yet their Councils have approved capital funding requests on an ad hoc basis
- Some municipalities only provide capital grants to community organizations for non-profit housing
- Some municipalities report that they do not provide capital support to community organizations, yet they have allocated millions of dollars towards new hospital construction
- One municipality provides only small capital grants (valued at less than \$12,500), such as for roof repairs, landscaping projects, etc.
- One municipality established a Community Economic Development fund to provide capital support to community organizations. Examples of funded projects have included: a new point of sale system for an arts group which led to increased tourism; and the renovation of a church into a local theatre.
- One municipality provides each Councillor with a \$50,000 Community Fund, which they can distribute as they see fit within their ward. The money can be used for either capital or non-capital projects, and any unspent money can be carried forward year after year. Most of the money goes to parks projects.

Lessons Learned

- ***Capital funding needs are broader than health***
In Guelph, capital funding requests have often been viewed synonymously with health requests, by both City Councillors and staff. However, the City's past capital grants were found to encompass more than just health-related projects. In the past, arts and social service organizations (e.g. MSAC and ARC Industries) have benefited from capital grants, while other community organizations (e.g. Wyndham House and Guelph Soccer) have accessed financial support for municipal capital facilities through other means.
- ***Municipal governments do support health***
The World Health Organization (WHO) defines health as, "a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity." If health is understood in these broad terms, then the context in which an individual lives takes on great importance in determining overall health status and quality of life. As such, municipalities play a key role in supporting population health through activities aimed at achieving healthy communities, healthy cities, and healthy environments. To say that health is a provincial jurisdiction is an

oversimplification.

- ***Municipal endorsement is necessary for leveraging other levels of funding***

Many capital projects are expensive, and so multiple funding partners are required to make the project a reality. For example, Guelph's new Civic Museum was made possible by large grants from all three levels of government, as well as a community fundraising campaign.

City of Guelph funding support for local capital projects is often vital in leveraging additional resources from other sources. Even if the City contribution represents only a small proportion of the overall budget, it provides a level of endorsement that can be critical to the success of a capital campaign.

Considerations for the CIS

The following is a list of considerations for the CIS, which have been incorporated into the Phase 2 recommendations:

- In accordance with the City's Community Wellbeing Initiative, health in the municipal context should be broadly defined to include the social determinants of health
- The City should provide support for capital projects, and these should include social, cultural and recreational projects as well as health-related ones
- The City should be more strategic and proactive with respect to identifying community infrastructure needs; for example, the City should work with community organizations to develop a long-range (5-year) list of community capital projects
- In keeping with a commitment to proportionality between the resources requested and the effort required to access them, the new CIS grant processes should differ according to the size of grant requests rather than by the nature of the content of those requests. Capital grants should be integrated into the same application and adjudication process as grants for operating, program and event costs.
- The City should not support programs that other levels of government have legislated responsibility for funding. Applicants should provide evidence that their request is appropriate for municipal support (e.g. for health related

requests, organizations should include a letter confirming the extent to which other levels of government support the request).

Appendix G – Existing Agreements

Community Organization/Program	2011
Guelph Arts Council	\$33,000
Guelph Cemetery Commission	\$2,000
Lawn Bowling Club	\$15,000
MacDonald Stewart Art Centre	\$168,700
Volunteer Centre of Guelph/Wellington - Snow Angels	\$55,000
Wyndham House	\$360,554 ⁸
Civic Celebrations	
Downtown Guelph Business Assoc. - Santa Claus Parade	\$12,884
Guelph and District Labour Council - Labour Day Picnic	\$2,058
John Galt Day	\$18,000
Rotary Club of Guelph - Canada Day	\$32,000
Rotary Club of Guelph - Sparkles in the Park	\$6,334
Royal Canadian Legion - Remembrance Day	\$2,950
Non-prescribed Social Services	
Action Read - Early Literacy Program	\$18,000
Children's Foundation - Recreation Funding	\$21,748
Family & Children's Services - Give Yourself Credit	\$61,500
Guelph CHC - Wellington & Guelph Drug Strategy	\$83,000
Guelph CHC - Early Learning Program	\$81,100
Guelph CHC - Garden Fresh Box	\$27,000
Guelph CHC - Early Years Data Analysis Coordinator	\$15,098
Trellis - Seniors at Risk Coordinator	\$53,000
United Way - Poverty Coalition	\$59,700

⁸ This figure is as reported in Wyndham House Annual Report, April 1, 2010 – March 31, 2011. The City allocates Wyndham House a total of \$502,000 (\$482,000 in operating costs and \$20,000 for building maintenance and repairs) per year for the Youth Emergency Shelter, and that amount is readjusted based on “per diems” Wyndham House receives from the County of Wellington.

Community Organization/Program	2011
Various - Consolidated Homelessness Prevention Program	\$48,000
WDG Public Health - Growing Great Kids Network	\$9,613
WDG Public Health - Dental Program	\$10,500
Women In Crisis - Child care for victims of domestic violence	\$13,500
Total	\$1,210,239

Task	Lead Responsibility	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	2013	2014	
FACILITY RENTAL DISCOUNT RATES									
Develop the discount rate policy, alongside the User Rates & Fees Study and forthcoming space allocation policy	Manager of Business Services; General Manager of Arts, Culture, and Entertainment; and General Manager of Parks and Recreation								
Establish a subsidized accounting system for tracking the value of discount rates									
Develop a centralized database that houses and flags expiration of required documents for approved groups									
Orient and train relevant booking and customer service staff about the new policy									
Track and test the new policy, to assess potential impact on existing user groups and facility/CIS budgets									
Forecast the 2014 rental subsidy budget									
Communicate the new policy(s) to community groups, including the publication of the new discount rates and policy on the City's website									
Enact the new Facility Rental Discount Rate mechanism ("go live")									
SMALL \$ VALUE WAIVERS									
Develop the new policy, and corresponding application forms, processes, etc.		Manager of Business Services							
Communicate the new policy(s) to community groups									
Orient and train relevant booking and customer service staff about the new policy									
Enact the new Small \$ Value Waiver mechanism ("go live")									
Track and assess the new policy (to assess future budget needs)									
INNOVATION FUND									
Develop and implement a new collaborative grant funding application and review process, application forms, funding partner agreements, evaluation requirements, etc.	General Manager of Community Engagement and Social Services								

Task	Lead Responsibility	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12	2013	2014
Enact new Innovation Fund mechanism ("go live")	Social Services							
COMMUNITY BENEFIT AGREEMENTS	Various							
Develop and implement a Community Benefit Agreement policy, in accordance with the City's emerging business development framework								
Enact new Community Benefit Agreement mechanism ("go live")								
Transition existing relationships into Community Benefit Agreements, as required								
Evaluate, track and audit agreements (ongoing)								
GENERAL	CIS Management Group							
Develop and implement an internal and external communication strategy								
Develop a business process map for the CIS, and align job duties								
Develop and implement a staff training and orientation program regarding the new CIS mechanisms and community navigation								
Identify civic celebrations to form Community Benefit Agreements								
Identify non-prescribed social services to form Community Benefit Agreements								
Develop, test and implement a CIS tracking system for reporting, auditing and budgeting purposes								
Set annual priorities for funding/support in accordance with the community wellbeing initiative								
Set a base budget for the CIS, and recommend distribution of resources among the various mechanisms								

**DELEGATION OF AUTHORITY TO APPROVE THE EXECUTION OF
COMMUNITY WELLBEING GRANT ALLOCATIONS**

Power to be Delegated	Authority to approve the execution of Community Wellbeing Grant allocations as part of the Interim Community Wellbeing Grant Program in 2013. The delegation also applies equally to any amendment or termination of such allocations.
Reasons in Support of Delegation	<ul style="list-style-type: none">○ Contributes to the efficient management of the City of Guelph.○ Meets the need to respond to issues in a timely fashion.○ Supports the City's Corporate Strategic Plan focus areas of Organizational Excellence; Innovation in local Government; and Critical Issues and City Building.
Delegate(s)	<ul style="list-style-type: none">○ Executive Director of Community and Social Services.○ A person who is appointed by the CAO or selected from time to time by one of the above delegates to act in the capacity of the delegate in the delegate's absence.
Council to Retain Power	No
Conditions and Limitations	<ul style="list-style-type: none">○ The grant must contribute to the wellbeing of the community through one of the following areas; Arts and Culture; Health and Social Services; Special Events. Grants must be funded through a current year's operating or capital budget which has been approved by Council; or○ The grant was identified as a funding source at the time of approval by Council.
Review or Appeal	Not applicable.
Reporting Requirements	Annual information report on agreements executed during the year pursuant to this delegation of authority.

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

September 24, 2012

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

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

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

CAFE-35 Corporate Technology Strategic Plan

THAT Council approve the Corporate Technology Strategic Plan;

AND THAT the implementation plan included in the Corporate Technology Strategic Plan is approved;

AND THAT the Capital and Operating Budget resources required to implement the plan be referred to the 2013 budget process.

All of which is respectfully submitted.

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

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



Corporate Technology Strategic Plan

Re-thinking Technology



Prior & Prior
Associates Ltd.

Corporate Technology Strategy Framework

- December 2011 Council approved development of the IT Strategic Plan and Framework
 - Open Government Data/e-Government
 - IT Governance
 - IT Sustainability
 - Service Delivery Standards
- Established senior level Steering Committee
- Endorsed broad corporate consultation

Better City Services

“Canadians want **better government services** and they expect an experience at least equal to what they receive from the **private sector**. The challenge is to meet the new level of service delivery expectations, but find a **cost effective** way of doing so.”

PWC, Next Generation of eServices Report, 2012

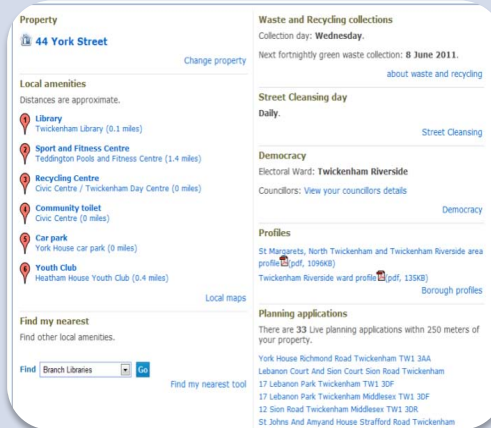
Tech Savvy City

- A modern, tech-savvy City uses technology to:
 - offer customers choices about the way they interact with the City
 - deliver seamless, efficient, cross functional customer centric services on a digital platform
 - be open and transparent to connect with customers
 - enable a mobile workforce
 - manage performance by monitoring and measuring the effectiveness of all City processes



311
 Online
 Smartphone Apps

Toronto,
 Edmonton,
 Ottawa,
 Newmarket,
 Oshawa



Customer
 Dashboard

What's Happening
 Near Me?

Local Notifications

UK Municipalities



Crowdsourcing
 Community
 Engagement

Miami Dade,
 Vancouver, San
 Francisco

Corporate Strategic Plan Framework (2012-2016)

VISION

To be the City that makes a difference...acting locally and globally to improve the lives of residents, the broader community and the world.

MISSION

To build an exceptional City by providing outstanding municipal service and value.

VALUES

INTEGRITY EXCELLENCE WELLNESS

STRATEGIC FOCUS AREAS

Organizational Excellence

Innovation in Local Government

City Building

STRATEGIC DIRECTIONS

1.1 Engage employees through excellence in leadership.

1.2 Develop collaborative work teams and apply whole systems thinking to deliver creative solutions.

1.3 Build robust systems, structures and frameworks aligned to strategy.

2.1 Build an adaptive environment for government innovation to ensure fiscal and service sustainability.

2.2 Deliver Public Service better.

2.3 Ensure accountability, transparency and engagement.

3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City.

3.2 Be economically viable, resilient, diverse and attractive for business.

3.3 Strengthen citizen and stakeholder engagement and communications.

How is Guelph positioned to become a smart, tech-savvy City?

Current State

- Historic lack of corporate commitment to technology
- While technology infrastructure is solid, basic business processes don't operate effectively
- Business systems are failing to meet the needs of the organization (WAM, GIS, Finance, HR)
- City cannot offer efficient, streamlined customer centric services with current state business systems
- City must invest in business system foundations to support the direction of becoming a smart city
- City is building the future on the back of weak current investments
- The City must walk before it can run

Strategy

The City needs to rethink its approach to technology

First thing it must do is shore up current business systems on which to build the digital platform that will underpin flexible customer service in future

What is needed?

- *Modern* business systems that work (HR/ Payroll, Financial, Work Management System, GIS)
- A focus on *business process re-engineering*
- Enable a mobile workforce
- A digitized platform to support flexible customer service
 - A move from *electronic filing systems* to modern information management tools
 - Open government – citizen engagement
- New collaboration tools & devices to improve communications

Keys to Re-thinking Technology

How to get there!

Technology Governance

- A governance framework led by senior management & designed to align priorities and allocate the right resources to the right business problems

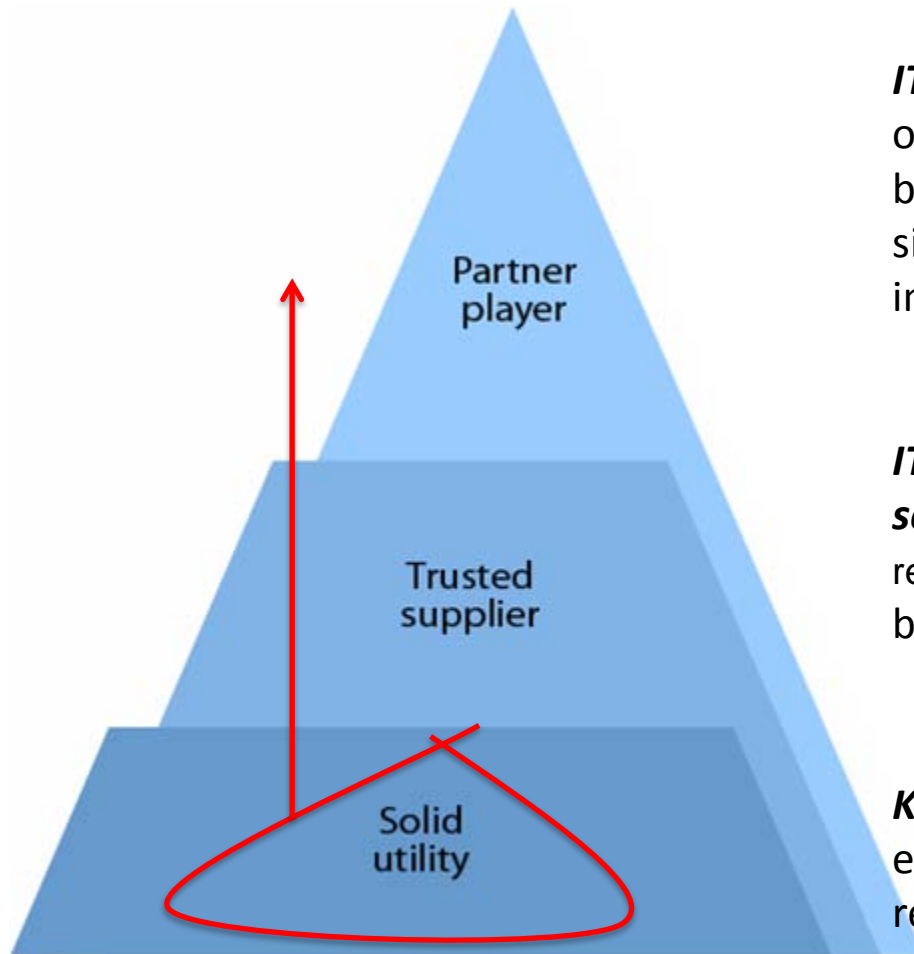
IT Department

- A re-energized IT Department with a new mandate and new resources to lead technology enabled projects that improve business service delivery

Technology Investment

- Increased investment in business technologies to improve and streamline services and build a platform for the future

Changing the Role of IT



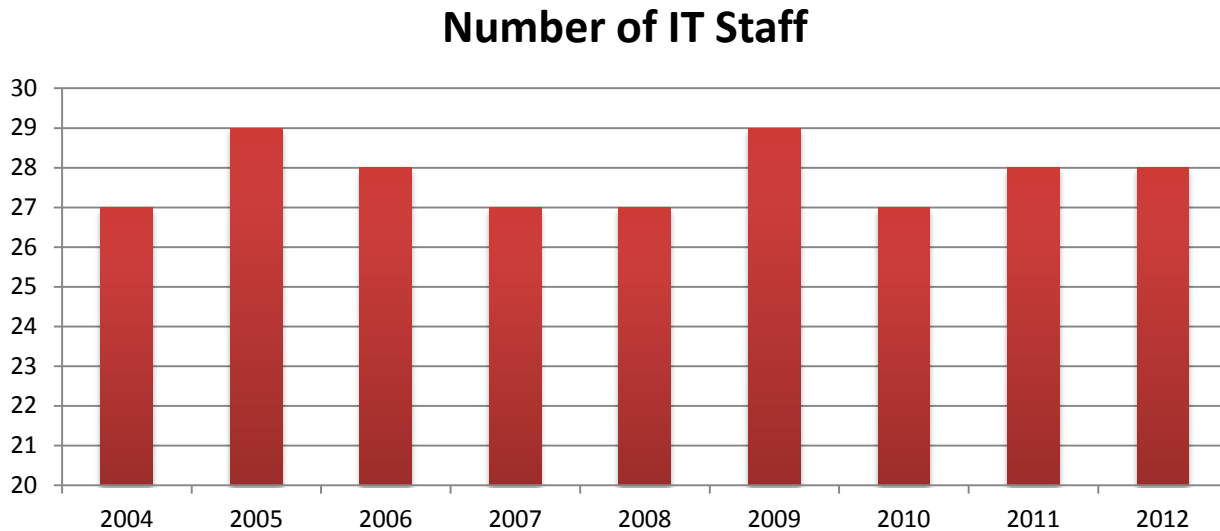
IT is integral to how we do business: The IT organization is expected to partner with the business to help identify, plan and deliver significant business transformation initiatives plus be a trusted supplier.

IT delivers critical functionality and services: Projects based on the operating units requirements and priorities on time and on budget plus be a solid utility.

Keep the lights on: The IT organization is expected to provide cost effective-dial tone reliability of all technology infrastructure.

City Trends in Technology Funding

2009 – 10 Year Capital	2012 – 10 Year Capital
18,982,000	12,171,000



Strategy Funding

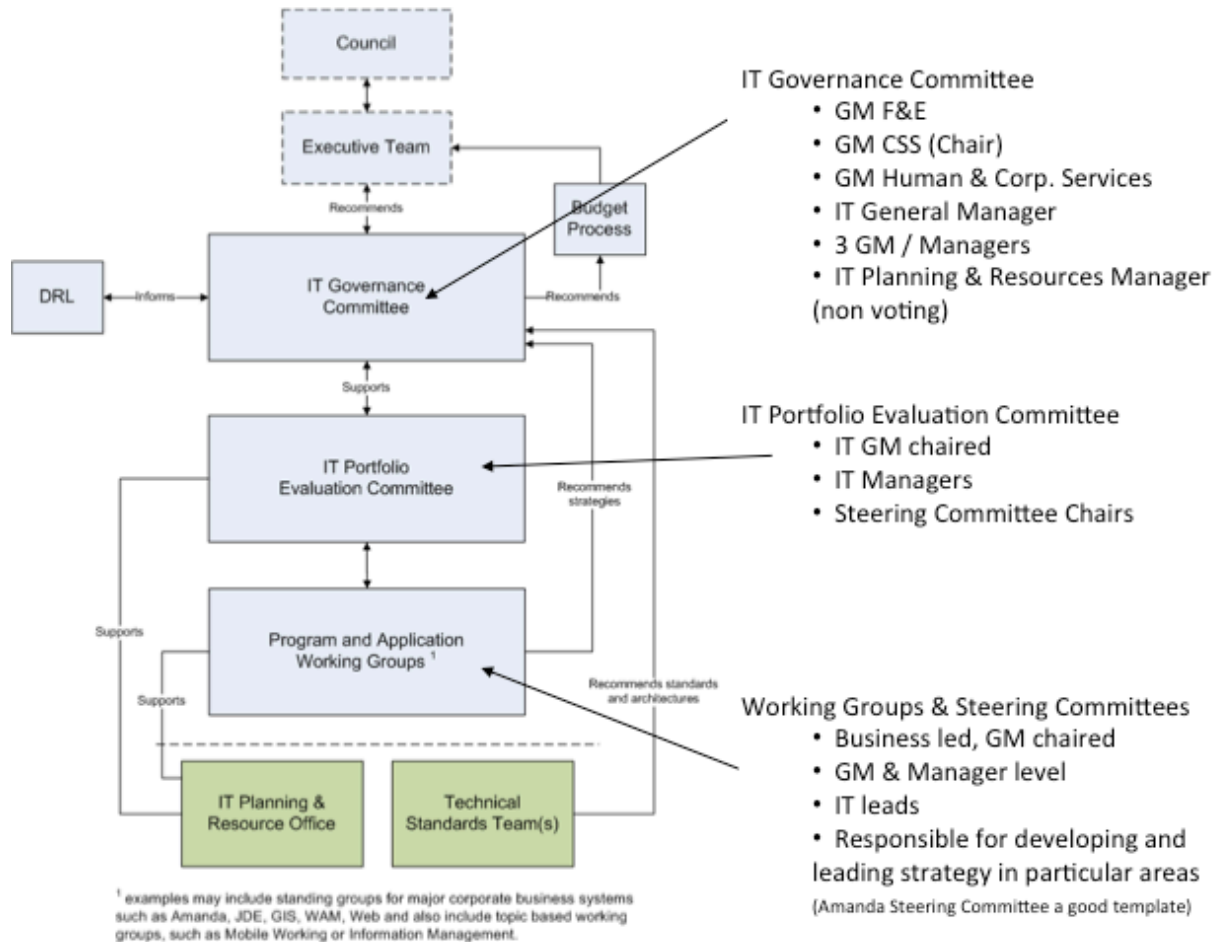
- Allocate \$855k in additional funding for 7 new IT staff (phased over 4 years)

Year	Operating (Cum.)
2013	\$500k
2014	\$750k
2016	\$855k

- \$3.4M additional capital funding for **business solutions** over 3 years

Year	Capital
2013	\$998k
2014	\$1,418k
2015	\$999k

Proposed Governance Model







































Role of the Governance Committee

- Owns and directs the corporate IT Strategy - coordinates departmental technology strategies), monitors project delivery and performance
- Reviews business cases & determines prioritization of IT enabled investment programs
- Tracks status of projects and resolves resource conflicts
- Monitors service levels and service improvements
- Reviews & recommends policies and standards
- Manages IT risk

Deliverables Timeline

2013	2014	2015
<ul style="list-style-type: none"> • Establish IT governance framework • Re-tool/ organize IT • IT service enhancements (e.g. helpdesk) • Initiate Finance, HR/Payroll, WAM renewal/replacement • Time & Attendance • Info Mgmt planning • Develop Open Gov. plan / strategy • Develop mobile strategy • Data warehouse plan and implementation • New collaboration tools (e.g. video conference, desktop sharing) • GIS plan development 	<ul style="list-style-type: none"> • Major Finance system renewal (incl. purchasing migration from WAM) • Re-implement work management for all assets (incl. GIS integration) • Amanda enhancements linking planning & engineering & online services) • Deploy new mobile solutions for field workers • Corporate reporting / dashboards • Open gov policy / standards & open data portal • SharePoint collaboration • GIS strategy initiatives (integration) 	<ul style="list-style-type: none"> • Develop customer service technology plans • HR / Payroll reimplementation • Ongoing enhancements to major business systems) • HR - Health & Safety • Document management planning & implementation • GIS plan implementation

Information Technology Annual Report Dashboard KPI's	2011	2013	2014	2015
IT Governance				
Strategic Alignment				
Business Value Delivery				
Risk Management				
Resource Management				
Performance Measurement				
IT Sustainability				
Applications Management				
Project Performance				
Financial Performance				
Compliance				

Information Technology Annual Report Dashboard KPI's	2011	2013	2014	2015
Service Delivery				
Customer Satisfaction				
Customer Partnership				
Business Process Support				
Infrastructure Availability				
IT Innovation and Learning				
Workforce Competency				
Advanced Technology Use				
Methodology Currency				
Employee Retention				

Strategy Benefits

- Delivers savings from streamlining business processes
- Increases staff productivity
- Supports performance effectiveness improvements
 - Define, measure, improve, measure
- Increases return on current investments
- Strengthens how the City works
- Lays foundations for simpler customer services
- Creates a digital platform for flexibility, future needs and innovation

Benefits from Technology Plans

- Hamilton – Hamilton has reduced its major capital works spending by 6% or \$12 million per annum by adopting a technology aided approach to asset management
- City of Guelph estimates a total of \$200k from mobile computing alone (\$100k direct savings)
- Mississauga – replaced old legacy systems with high performance enterprise solutions
- Cambridge – 1st municipality in Canada to be recognized by IBM as a smarter city using new intelligence systems for infrastructure management
- Burlington – e-government initiative (digitized platform) approved by Council & under development
- Newmarket – forces municipality to assess current investments before buying best of breed

Kitchener - Post Technology Strategic Plan

(Recommendations & Major Benefits)

1. Capitalize on existing Investments
 - Leverage enterprise applications vs Best of Breed
 - Consistent engagement in the project proposal process
2. Integrate technology planning into the business planning cycle
 - Significant time savings for IT Resources
3. Implement a technology governance framework
 - Corporate Leadership Team (CLT) fully supports the IT Governance process
 - Reduced project list from an unmanageable list (290>60)
 - Better business relationships as IT not just always saying “no”
4. Align the IT Division organization to support this new environment
 - IT working on the right things at the right time
 - Projects align to the corporate strategic plan
 - Better able to communicate with Council and stakeholders

Conclusions

- *Do Nothing* is not an option – going backwards
- Continuing on current path:
 - Risk that customer service to the public will suffer
 - Systems may fail or become increasingly ineffective
 - Costs will rise with increased complexity
 - Potential loss of public confidence in City data and information

Effective technology is required to achieve the City's vision of the corporate strategic plan.

**Change is needed.
The window of opportunity is now!**

COMMITTEE REPORT



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

SERVICE AREA Corporate and Human Resources
DATE September 10, 2012

SUBJECT Corporate Technology Strategic Plan
REPORT NUMBER CHR – 2012 – 47

SUMMARY

Purpose of Report: The overarching intent of The Corporate Technology Strategic Plan is to provide the conditions for the City to deliver public services better, through recommendations for Open Government, IT Governance, IT Service Standards and IT Sustainability – the four pillars of the Strategy.

Better service to the public can be achieved by taking advantage of the benefits and opportunities available through technology. This is an imperative currently faced by the City of Guelph and one that many organizations are currently dealing with, including other municipal and provincial/federal governments as they strive to keep pace with citizen expectations and demands for service excellence, real time data/information and multiple methods to access services.

The strategy itself represents a bold transformative change for the organization that repositions Information Technology (IT) from a resource/cost center to an innovation partner center. Departmental efficiencies and improved service delivery can be realized through technology, systems integration and improving management reporting capabilities.

Implementation of the strategy recommendations will require Council endorsement through the 2013 and subsequent budget processes so that the City's core business systems can be modernized and create the foundation for better public service through mobile technology, and for the provision of multiple methods to provide service to and engage the public in municipal government.

Committee Action: To approve the Corporate Technology Strategic Plan.

RECOMMENDATION

That Council approves the Corporate Technology Strategic Plan;

AND THAT the implementation plan included in the Corporate Technology Strategic Plan is approved;

AND THAT the Capital and Operating Budget resources required to implement the plan be referred to the 2013 budget process.

SUMMARY

Strategy Development Process

In committee report CHR-2011-14, dated December 5, 2011, The Corporate Administration, Finance and Enterprise Committee approved an IT strategic plan framework and authorized staff to develop an IT Strategic Plan. This Corporate Technology Strategic Plan is the result of that exercise.

The consulting firm, Prior & Prior Associates, was engaged to conduct an independent review of the City's use of technology, review information technology municipal best practices and make recommendations to the City for a Corporate Technology Strategic Plan aligned with the Corporate Strategic Plan.

A steering committee comprised of the following members was established to provide oversight to the project:

- Executive Director, Corporate and Human Resources
- Executive Director, Community and Social Services
- Corporate Manager, Strategic Planning and Corporate Strategic Initiatives
- General Manager, Economic Development
- General Manager, EMS/Fire Chief
- General Manager, Engineering
- Manager, Information Technology
- Supervisor, ITS Projects Management and Business Systems

The above members are thanked for their participation and support in this important exercise.

The Executive Summary attached to this report outlines the current state, the imperative for change, the future state and opportunity the City has to align the IT function to support the Corporate Strategic Plan to deliver public services better.

Overarching Recommendations

The following summarizes the 'strategic directions' or road map needed to accomplish the Corporate Technology Strategic Plan:

- Re-invest in the corporate business systems to support city operations as they are intended to (i.e. GIS, WAM, JDE Finance and HR Systems)
- Develop an enterprise Information Management Strategy
- Employ new technologies to better manage data and information sharing, collaboration among staff (e.g. mobile technology to enhance work asset management) and with the public, achieve operational efficiencies and improve overall service delivery through e-services
- Improve the IT department's service delivery capacity and capabilities
- Implement a technology governance framework to guide informed decision making

Financial Resource Requirements

To accomplish the work set out in the above road map, the City will need to make the following investments, outlined in the financial implications section of the report:

- Approve an additional \$3.4 million in capital funding over 3 years to support business driven initiatives which will improve the City's business operations and service delivery through more effective use of technology
- Approve seven new positions over the next four years to improve the City's ability to sustain and realize its investments in major business systems
- Establish an IT governance framework to provide business driven oversight of the IT investment portfolio

This investment will allow the City to:

- Modernize the current major business systems noted above
- Create the conditions through the development of strategies/approaches for Information management, mobile technology, and e-customer service to take advantage of technologies to provide better service to the public.

BACKGROUND

The City of Guelph faces similar challenges to other municipal governments and other levels of government – to deliver 'best in class' services to the public while at the same time managing expenditures within fiscal constraints. Every level of government has faced increasing demands for timely and quality service, ease of access, with little or no additional costs. This requires innovative ideas and new ways to deliver public services.

Other organizations have identified technology as a critical enabler to achieve service delivery objectives for the public's benefit. The recent Ontario Government Drummond report commented extensively on the benefits of technology investment as a means to improve public services while containing expenditure growth.

In part the report states;

“Capital investment in new technology will play an important role in this transformation. Where possible, services should be shifted to the least expensive platforms available, resulting in savings for the government, a more efficient service experience for the client, and a positive environmental impact through digitized services (i.e. digital rather than paper records). As a consequence, the government should stop delivering services in person if it can do so by telephone, or through the Internet. As long as this does not compromise service, the government should use the lowest cost platforms.”

Source : (<http://www.fin.gov.on.ca/en/reformcommission/> Chapter 16)

The City of Hamilton for example, as outlined the full report, has reduced its major capital works spending by 6% or \$12 million per annum by adopting a technology aided approach to asset management.

The recent IT Annual Report highlighted that when compared to Canadian and North American benchmarking information, the City's IT department performs well in what is described as “keeping the lights on” i.e. providing the necessary hardware to maintain the City's basic systems e.g. email. However, benchmarking reveals negative performance from the IT department in the areas of business partnering to identify, project manage and deploy effective technologies that provide more efficient service to the public.

The Strategy will address a number of internal systems issues, which if left unresolved will set the City back, and will reverse the limited benefits currently being achieved by the major technology systems.

The IT Governance model being proposed will enable the IT Department to move from being a resource/cost center to a partner in innovation with city departments. It will change how decisions are made with regard to technology investments, moving from an IT centered approach to one where departments will in effect own and make decisions around technology. This is a bold change for the City.

Municipalities that have demonstrated a high level of technology enabling have invested in integration of their systems, leveraged the web and other channels of providing service to the public, all the while re-designing business processes to make them more efficient and effective.

These benefits, while initially providing efficiencies and savings to the administration, are readily passed on to residents and the public through streamlined process available on demand.

There are risks associated with not investing in technology and redesigning business processes to provide more efficient and better services to the public. The corporate systems currently in use will further erode and not meet business needs in the manner in which they were intended.

The City will continue to pay significant technology costs (e.g. maintenance costs, upgrades, etc. required by system contracts). Departments may seek out technology business solutions on their own, which further complicates and increases costs for system integration and reporting and would result in unnecessary duplication of work (e.g. maintaining a separate departmental system and entering the same data into a corporate system). This would directly impact the City's ability to streamline public service delivery through technology enabled business processes.

REPORT

The development of this strategy followed a structured methodology. It included consultation with all areas of the organization through one on one interviews, questionnaires and on-line surveys. A current state assessment was performed which led to an acknowledgement of the new imperative and a vision for a future state.

The major recommendations guide IT decision making, resource allocation, and prioritization by focusing on how technology is planned and delivered to the entire organization.

The Implementation Plan outlines that to achieve the Strategy's objectives, the City must re-position IT to be a strategic enabler. This entails re-tooling the department with new skills, such as project management and business analysis to allow the City to further take advantage of the benefits available through the City's business applications, and provide the necessary priority setting and governance model. New skills and new roles will be required if IT is to be successful in repositioning itself to address current and future requirements.

The Implementation Plan outlines major work required to revitalize and sustain existing business systems to ensure they continue to deliver value to the organization for the public's benefit.

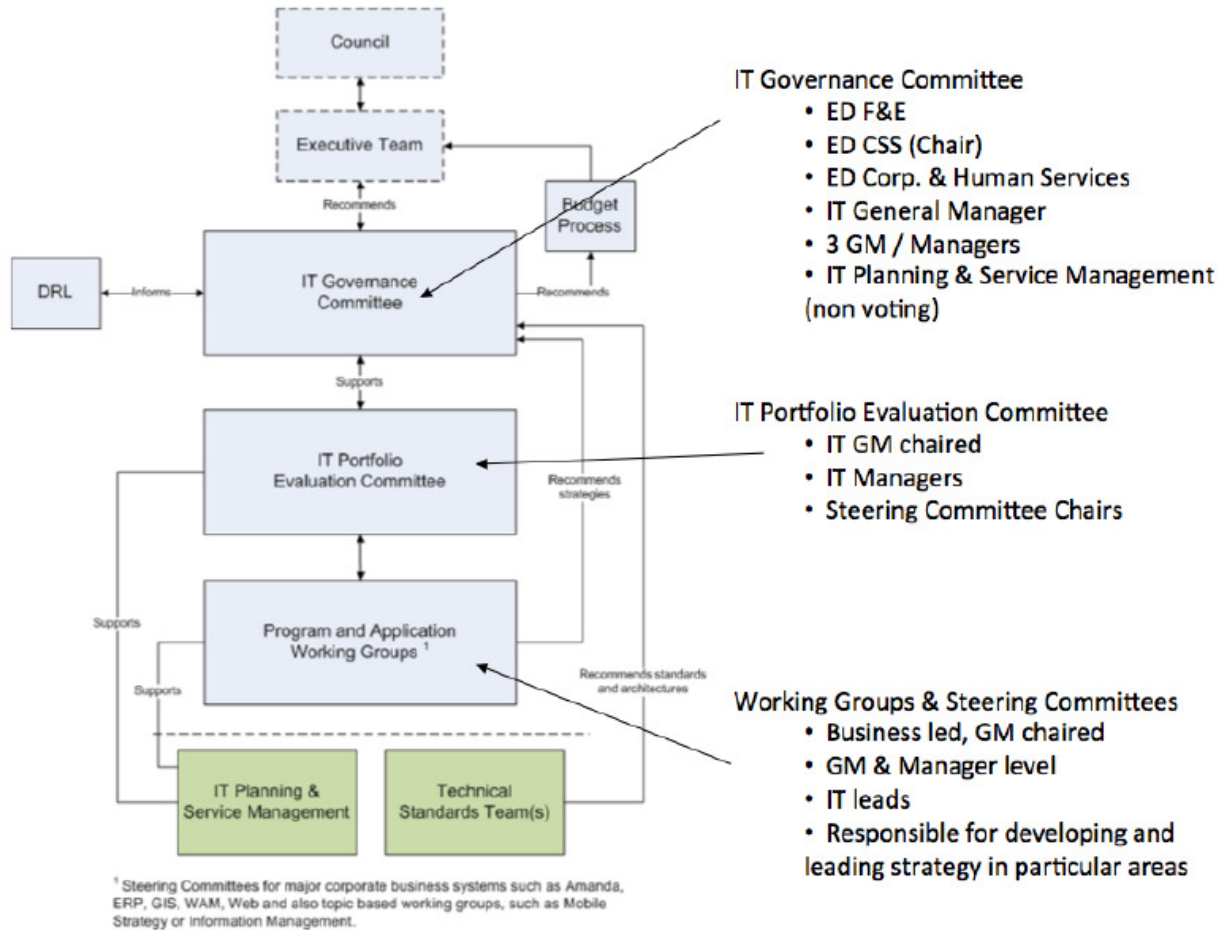
A number of key principles are documented in the report, principles which must be adopted by the City if it is to realize the benefits of technology in support of the Corporate Strategic Plan and manage technology service delivery on a sustainable basis.

The following outlines key recommendations for each of the four pillars of the Corporate Technology Strategic Plan:

1. IT GOVERNANCE:

- Implement a new technology governance model for the City that engages the Departmental and IT leaders in determining technology strategies, directions and priorities for technology investments.

Recommended Model



With this governance in place, City departments can take ownership of their systems and drive change to meet business needs. For large enterprise systems, multiple departments will make up the committee stakeholders.

2. OPEN GOVERNMENT:

The overarching goal for Open Government is building trust between citizens and government together through transparency of government process at the same time providing effective and efficient delivery of services. Recommendations for Open Government include:

- Implement an Open Government Framework to provide the platform for all current and future City policy, programs and operations.

-
- Develop and implement a sustainable, tech-enabled Citizen Engagement strategy with sufficient resources to support ongoing dialogue within the community.
 - Enhance accessibility and transparency by developing an Open Data Strategy and Roadmap to address governance, policies, standards, technology, operations and portal design within the context of enterprise information management
 - Establish guidelines to incorporate collaboration and innovation as the new way of doing business to achieve efficiencies and effectiveness of government and to optimize the benefits of open government.
 - Co-design, with citizens, an Open Government dashboard so that the program can be measured and reported to the citizens and businesses.

The Open Government program will be led by the City Clerk's office in partnership with the IT Department and other key stakeholders. The initial work will focus on the development of an Open Government framework, which will be reported to Council by the end of 2012.

3. SERVICE DELIVERY STANDARDS:

The project review process identified a number of opportunities to significantly improve IT service delivery. The plan addresses improvements directly targeted toward the IT Department to improve internal service standards, particularly in the areas of the IT Help Desk, Network Services and Application Support.

Examples of recommendations include:

Help Desk:

- Revise the way the help desk operates using external consulting support and ITIL business process management as a guideline
- Improve training and tutorial materials to support self help
- Develop Operating Level Agreements with departments about expected service levels

Network Technology Services:

- Revise metrics for key 'problem' processes to define, track and to be reviewed with the management team
- The 'new' user and 'change' processes should be re-engineered to simplify and streamline approvals and speed up turnaround time
- Server, application and services standardization should be implemented with fewer variations

Application Support:

- Introduce a higher level of skill to enable business processes for major corporate applications to be re-designed and the systems re-implemented.

4. IT SUSTAINABILITY:

For the City to be successful in implementing the plan, key recommendations for IT sustainability are the following:

- Accept the findings of the strategy and agree to the need for radical change.
- Corporately acknowledge the potential of technology to act as an engine of change and as a component that will be central to the success of the corporate strategic plan, and commit to moving IT from a cost centre into an engine of growth and innovation.
- Accept the need to increase investment in IT, and commit funding to support the implementation of Corporate Technology Strategic Plan (\$3.4 million capital investment over three years).
- Accept the new mandate for IT and direct the IT department to take a leadership role in furthering the potential of technology in the organization.
- Align the IT organization to support the strategy by implementing the recommended organizational changes, adding additional resources over a 4 year period.

CORPORATE STRATEGIC PLAN

The new Corporate Strategic Plan provides an opportunity to use strategy to make important choices for the success of the organization. As well, it answers a fundamental question about the necessary role of IT going forward - IT must function in an enabler role. As such it will position the city well to deliver on citizen expectations regarding service excellence, fiscal prudence and the promises of increasingly open government.

The Corporate Technology Strategic Plan can play a significant enabling role to many of the initiatives in support of the Corporate Strategic plan. It directly supports the following strategic directions:

1. Organizational Excellence
 - 1.2 Develop collaborative work team and apply whole systems thinking to deliver creative solutions
 - 1.3 Build robust systems, structures and frameworks aligned to strategy
2. Innovation in Local Government
 - 2.1 Build an adaptive environment for government innovation to ensure fiscal and service sustainability
 - 2.2 Deliver Public Service Better
 - 2.3 Ensure accountability, transparency and engagement

3. City Building

- 3.2 Be economically viable, resilient, diverse and attractive for business
- 3.3 Strengthen citizen and stakeholder engagement and communications

FINANCIAL IMPLICATIONS

Additional staffing requirements are identified in the report and are phased over the following 4 years as follows:

Year	Role	Operating Impacts
2013	<ul style="list-style-type: none">• Business Analyst• Business Analyst• Application Specialist• Application Specialist	\$499,858
2014	<ul style="list-style-type: none">• Application Analyst• Business Analyst	\$249,929
2016	<ul style="list-style-type: none">• Corporate Device Specialist	\$103,280

These positions will allow the IT department to build up new skills in order to deliver the technology services the City needs. As well, they will be critical to enabling the department to re-position itself as a partner/player to help identify, plan, and deliver significant business transformation initiative.

Additional capital funding required realizing the goals of the implementation plan are phased over a three year period as follows:

IT Capital Investment Profile (\$000's)			
2013	2014	2015	Total
998.0	1,418.0	999.0	3,416.0

Investments at these levels will allow the City to address the major project work identified in this strategy:

- Modernize and address the major gaps in Work Management, GIS, Finance and HR systems- including business process redesign for efficiencies
- Extend existing core business systems such as Amanda and Class, for better integrated, seamless service delivery
- Develop an Information management Strategy (including corporate data reporting, data management, EDMS)
- Develop the mobile computing strategy
- Introduce new collaborative tools such as voice, video conferencing, shared document collaboration

DEPARTMENTAL CONSULTATION

All departments were consulted to ensure that all city staff would have an opportunity to input to the strategy. Interviews were conducted with members of Council and the Executive Team, program managers, IT management and staff, and external partners. An online survey was used to solicit input from front line staff across the City.

COMMUNICATIONS

Corporate communications has developed a strategy for the Corporate Technology Strategic Plan.

To view the full Corporate Technology Strategic Plan – Final Report Volume 1, click the link below:

<http://guelph.ca/uploads/GuelphITStrategy.pdf>

ATTACHMENTS

Executive Summary

Presentation Slides

Prepared By:

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Executive Summary

Introduction

This Corporate Technology Strategic Plan is the first technology review that the City has undertaken in many years. It is an opportunity to re-think the way technology is perceived at the City and assess what changes are required to re-position both the IT department and technology enabling at the City.

The Opportunity

Information technology as a platform and an enabling mechanism at the City has lost significant ground in the past few years, while many other organizations are reaping the benefits of a more holistic, customer centric approach. Municipalities large and small face daunting challenges as they continue to deliver the same or enhanced services with fewer resources and tax dollars. Each is trying to deliver the same services and meet the same expectations on vastly different budgets.

In response to this challenge, the Corporate Strategic Plan sets out strategic directions and frameworks to position the City of Guelph to be an organization that is FAST (Flatter, Agile, Streamlined and Technology enabled). The major themes of the strategy focus on internal improvements in three strategic:

- *Organizational Excellence*
- *Innovation in Local Government*
- *City Building*

This is a bold strategy that seeks to transform the way the City operates. Undeniably, technology will be central to the Corporate Strategy's success. Building a City that does business differently, more efficiently, a City that looks at all opportunities to work *smarter* is a central concept of the Corporate Strategic plan. It cannot be done without technology.

Smart cities around the world and here in Ontario are doing amazing things powered by technology. For these cities, technology is the engine of innovation. IBM's *Smarter Cities* program highlights municipalities around the world that are using technology to radically improve service delivery and quality. The City of Cambridge, Ontario, an IBM smart city, is one of these. Through their technology-enabled approach to asset management, the City is achieving significant efficiencies and improvements in service delivery. Similarly, the City of Hamilton has reduced its major capital works spending by 6% or \$12 million per annum by adopting a technology aided approach to asset management.

Through the implementation of 311 and Open Data, the City of Toronto has developed a flourishing ecosystem, which has seen third parties develop iPhone applications to allow customers to submit service requests to the City (about graffiti and pot holes) and track their resolution. Other municipalities in the GTA, such as Newmarket, Markham and Oshawa, have also made smart investments in customer service as a driver of internal transformation and process improvement programs, and have delivered significant customer service improvements and internal efficiencies. Each delivers tangible cost savings to the customer and the City through technology.

With the right corporate approach, mindset, and the right level of investment, technology can be a powerful force, an engine that the City of Guelph can use to achieve the goals of the Corporate Strategic Plan.

The Current State

Regrettably, the City's current approach to technology is delivering far less than optimal results. The IT Department (*and technology*) has been viewed as a cost centre, a support organization, not an engine of innovation, growth and service delivery improvement. The IT Department operates at the wrong level – focusing on the basic sustainment of software systems - keeping the lights on. IT staff are fully utilized supporting what is currently in operation, not working on strategic initiatives that can simplify customer interactions with the City or streamline basic administrative tasks.

Although many major systems have been implemented by the City (most over a decade ago), many of the basic capabilities needed to run the City are not working well. Because of this, managers and staff spend an inordinate amount of time on administrative processes and tasks that remain largely manual despite automation. Excel spreadsheets and word documents are used to manage critical business processes because the systems don't do the job. Staff cannot quickly access or assemble critical information to carry out their day-to-day tasks. Consequently, Managers, General Managers and Executive Directors may operate without the necessary intelligence to effectively manage their operations, increasing the risk of producing inaccurate or incomplete information. These are major gaps which must be addressed.

By seeing technology as a back office support function and a cost centre, the City has in effect constrained technology funding, particularly so in recent years. Current funding levels barely cover the cost of maintaining existing systems and technology infrastructure. Major cuts in IT funding have reduced the 10-year capital investment in technology by 35% (from \$19 million to \$12 million) despite significant staff growth, a doubling in the size of the computing environment, and significant growth in the technologies deployed. The staffing levels within the IT department have remained largely unchanged for the last 10 years.

The Imperative

The outcome has been to create a vicious circle, where growing frustration with the IT department has resulted in year over year reductions in the IT budgets. It would appear that the City has consciously reduced IT funding to a level designed to **sustain** the current systems. Whether this is based upon a false assumption that maintaining the status quo is a viable option, or a failing to fully understand the role of technology in local government, either way this is the wrong approach. The status quo is not sustainable. The status quo does not mean standing still; it means actively choosing to go backwards.

This situation is dangerous. Corporate systems are gradually failing and additional software is being purchased to fill the gaps, adding to the already complex environment. Out of frustration, the departments are beginning to seek alternative solutions to corporate business systems. Additional IT costs will be incurred to support the departmental IT spending whether through the need for integration, servers, training, and so on. Quite likely, business processes will deviate more and more from best practices and information sharing will become more difficult.

The Future State

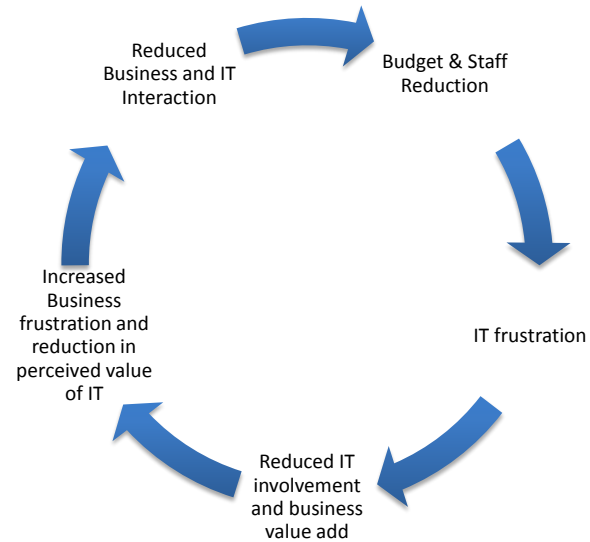
Guelph's first technology strategy must be an awakening for the organization. The Corporate IT Strategic Plan seeks to tackle these major issues and replace the vicious circle with a virtuous one. The strategy recommends many significant changes to the way the City views, manages and invests in technology. The changes are designed to trigger a cultural shift in the City's approach to technology, and ultimately to position Guelph to become a smart City.

To accomplish this paradigm shift will require a change in outlook at all levels. Council needs to become aware of the power of technology and be willing to invest in technology to improve service delivery, customer service enhancement and corporate productivity.

The Executive Team must support and promote a culture of change and establish the right conditions for the departments and IT to partner in delivering sound, innovative business solutions, reinforcing the new, corporate approach to technology.

The departments must become more involved in leading business changes enabled by technology and assume more accountability for technology initiatives that affect their business. Those instances where the business has taken initiative today have often occurred without the direct involvement of the IT department and usually because of lack of IT resources.

It will also require a significant change in the way that the IT Department (IT) approaches its business. IT needs to establish a new credibility within the City. This means implementing a new approach to the way IT works with departments, as a partner, not a utility, and not a



supplier. The new IT organization with updated skills will be able to deliver the technology services the City needs.

Making the Change

The plan sets out a number of strategic directions and a road map to accomplish the plan. These projects form the backbone of the technology roadmap:

- Fix the corporate business systems to support city operations as they should
- Employ new technologies to better manage data and information sharing, collaborate with staff and with the public, achieve operational efficiencies and improve overall service delivery
- Improve the IT department's service delivery capacity and capabilities
- Implement a technology governance framework

The City will need to make the following investments if it is to accomplish the work set out in the roadmap:

- Invest an additional \$1.1 million per year on business-driven initiatives designed to improve and transform the City's business operations through the more effective use of technology
- Approve up to seven new positions for the IT department over the next four fiscal years to improve the City's ability to take full advantage of existing investments in major business systems and support new initiatives
- Establish an IT governance framework to provide oversight of the IT investment portfolio

Future Operating Principles

There are a number of principles that the City must endorse if it is to better leverage technology to achieve its corporate goals. Each of these represents a major change in the way the City approaches technology.

1. Accept the findings of the strategy and agree to the ***need for radical change***.
2. Corporately acknowledge the potential of technology to act as an engine of change that is central to the success of the Corporate Strategic Plan, and commit ***to moving IT from a cost centre to an engine of growth and innovation***.
3. Accept the need to ***increase investment in IT***, and ***commit funding*** to support the implementation of this IT strategy (\$3.4 million capital investment over three years).
4. ***Implement the recommended technology governance model***, which involves executive, business and IT staff.
5. Commit to using the technology governance model to ***actively manage the corporate technology investment portfolio*** using the IT Strategy work plan as a guideline.
6. ***Accept the new mandate for IT*** and direct the IT department to take a leadership role in furthering the exploitation of technology in the organization.
7. ***Align the IT organization*** to support the ***strategy by implementing the recommended organizational changes*** and adding additional resources over a four year period.

These principles must be adopted as a package, not to be selected individually. They are pivotal to establishing the new approach to technology at the City and are necessary to facilitate the City's business transformation process.

Summary

There is a modest window of opportunity to align the City's technology function with the vision and directions of the Corporate Strategic Plan – literally to enable the transformation the City is talking about – but without a concrete strategy to achieve it. Empowering technology within the organization can achieve two objectives at one time:

- Position the City as a leader in municipal service delivery, and, at the same time
- Address a number of internal processing problems, which if left unresolved, will not only set the City back, but will reverse the benefits currently being achieved by the major systems.

Now is the time to invest – to acknowledge the role of technology in transforming the City's service delivery platform.

**CONSENT REPORT OF THE
OPERATIONS, TRANSIT & EMERGENCY SERVICES COMMITTEE**

September 24, 2012

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

Your Operations, Transit & Emergency Services Committee beg leave to present their EIGHTH CONSENT REPORT as recommended at its meeting of September 17, 2012.

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

OTES-25 Public Nuisance By-law

THAT the Operations, Transit & Emergency Services Committee Report # OT091235 regarding the establishing of a Public Nuisance Bylaw dated September 17, 2012 be received;

AND THAT Council approve the need for a Public Nuisance Bylaw in principle and direct staff to conduct public consultation on the draft Public Nuisance Bylaw.

All of which is respectfully submitted.

Councillor Findlay, Chair
Operations, Transit &
Emergency Services Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE SEPTEMBER 17, 2012, MEETING.***

COMMITTEE REPORT



TO Operations, Transit & Emergency Services Committee

SERVICE AREA Operations, Transit & Emergency Services
DEPARTMENT Bylaw Compliance & Security Department
DATE September 17, 2012

SUBJECT Public Nuisance Bylaw
REPORT NUMBER OT091235

SUMMARY

Purpose of Report:

To request consideration of the creation of a Public Nuisance Bylaw to regulate through by-law control unwanted or undesirable activity within the City of Guelph.

Committee Action:

To receive staff's report, to approve the creation of a Public Nuisance By-law in principle and to direct staff to solicit public opinion on the draft Public Nuisance Bylaw.

RECOMMENDATION

That the Operations, Transit & Emergency Services Committee Report # OT091235 dated September 17, 2012, regarding the establishment of a Public Nuisance Bylaw be received; and,

That Council approve the need for a Public Nuisance Bylaw in principle; and,

That staff be directed to solicit public input on the draft Public Nuisance Bylaw as set out in report OT091235.

BACKGROUND

The City of Guelph has been recognized across Canada as a safe community. Inconsistent with this attribute, the City has experienced a number of incidents and undesirable gatherings both on public and private lands over the past few years that demonstrated staff do not have sufficient tools at their disposal to act in an effective and timely manner to protect the interests of the City.

REPORT

Staff from various departments and the Guelph Police Service collaborated to develop the attached draft Public Nuisance By-law (attachment A) that would regulate unwanted or undesirable behaviour or activities occurring on **all City lands**, Facilities and road allowances.

The By-law as drafted would allow By-law staff and the Guelph Police Service to address unwanted activity through actions associated with bylaw compliance instead of through the issuance of criminal charges. The use of by-law control generally results in undesirable behaviour being corrected in a timelier, less onerous and more cost-efficient manner for all parties involved.

Of significance, the draft by-law provides staff the tools to address:

- *nuisance parties* occurring on private land that if left unaddressed may escalate and affect public safety. The By-law allows the enforcement official to disperse parties as well as close roadways to restrict the party from increasing in size. The by-law also establishes the authority of the City to recover costs incurred while addressing nuisance parties from the host **or property owner**.
- protests and rallies that extend beyond 24 consecutive hours (unless a permit has been obtained)
- camping, dwelling or construction of temporary structures

It is important to note that a number of activities, such as camping in parks, could be authorized through issuance of an administrative permit. In addition, as with any City by-law, staff's objective is to achieve compliance. If achieved, then there is no need for punitive action such as the issuance of tickets or court summonses. For this reason, enforcement of the by-law would be left to the discretion of the attending officer.

Given the nature of this Bylaw, staff recommend Council approve the creation of a Public Nuisance Bylaw in principle only at this time and direct public opinion on the content of this by-law be solicited.

CORPORATE STRATEGIC PLAN

This report supports the following goals in the strategic plan:

- 1.2 Develop collaborative work teams and apply whole systems thinking to deliver creative solutions.
- 2.2 Deliver public services better

-
- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City

FINANCIAL IMPLICATIONS

The cost to enforce a created Public Nuisance By-law is within the existing budgets of the Guelph Police Service and the City's Bylaw Compliance and Security Department.

DEPARTMENTAL CONSULTATION

Legal and Realty Services
Guelph Police Services
Parks and Recreation
Culture and Tourism
Corporate Building Maintenance
Guelph Transit
Public Works
Building Services
University of Guelph – Off Campus Living

COMMUNICATIONS

Staff, in collaboration with Corporate Communication and Civic Engagement Divisions will undertake a public engagement strategy to solicit comments and concerns.

ATTACHMENTS

Attachment A – Proposed Public Nuisance Bylaw



Prepared and reviewed by:

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Manager
Bylaw Compliance and Security
519 822-1260 x2520
doug.godfrey@guelph.ca



Recommended By: Derek McCaughan, Executive Director

THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2012) - XXXXX

A By-law Regulating Public Nuisances.

WHEREAS Section 10(2) of the *Municipal Act* permits a municipality to pass by-laws respecting the public assets of the municipality, the economic, social and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

AND WHEREAS Section 128 of the *Municipal Act* permits a municipality to prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

AND WHEREAS the purposes of this by-law include managing the public assets of the City, protecting the economic, social and environmental well-being of the City, supporting the health, safety and well-being of persons in the City, protecting persons and property in the City and prohibiting and regulating with respect to public nuisances in the City;

AND WHEREAS the City wishes to enable all persons to share the common resource of City Land;

AND WHEREAS the City wishes to ensure that the use of City Land as well as other lands has a minimal adverse impact on the quiet enjoyment of surrounding lands;

AND WHEREAS, in the opinion of Council, the matters addressed in this by-law are, or could become or cause, public nuisances, and, notwithstanding the generality of the foregoing, Council is of the opinion that a Nuisance Party (as defined herein) is a public nuisance;

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

INTERPRETATION

1. In this by-law:

“**Aircraft**” includes any fixed wing aircraft, helicopter, hot air balloon, hang glider or ultra-light aircraft;

“**Chief of Police**” means the Chief of Police of the Guelph Police Service, or his/her designate;

“**City**” means The Corporation of the City of Guelph;

“**City Land**” means land owned or operated by the City, and, without limiting the generality of the foregoing, includes every highway, park and public square owned or operated by the City, and includes any buildings, structures and equipment located thereon

“**Council**” means the municipal council of the City;

“**Dangerous Animal**” means any animal which constitutes or may constitute a danger to any person on City Land, which is likely to give rise to a justified apprehension of danger in the mind of a person on City Land or which is likely to interfere with the use or enjoyment of City Land by a person;

“**Executive Director**” includes the Executive Director of Operations, Transit and Emergency Services of the City, the Executive Director of Community and Social Services of the City and any other employee of the City acting under the direction of either of the foregoing for the purposes of this by-law;

“**Fight**” means a confrontation involving violent physical conduct between two or more people;

“**Motor Vehicle**” means any motor vehicle as defined under the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended or replaced, but excludes a wheelchair or similar device, powered or otherwise, used by an individual due to disability and a baby carriage, stroller, child sleigh or similar device used by a child;

“**Municipal Act**” means the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended or replaced;

“**Nuisance Party**” means a gathering on Premises which, by reason of the conduct of the persons in attendance, results in any one or more of the following activities occurring:

- (a) Disorderly conduct;
- (b) Public drunkenness or public intoxication;
- (c) The unlawful sale, furnishing or distribution of alcoholic beverages or controlled or illegal substances;
- (d) The deposit of refuse on public or private property;
- (e) Damage to or destruction of public or private property;
- (f) Pedestrian traffic, vehicular traffic or illegal parking that obstructs the free flow of traffic or could interfere with the ability to provide emergency services;
- (g) Unreasonable noise, including loud music or shouting;
- (h) Unlawful open burning or fireworks;
- (i) Public disturbance, including a public brawl or Fight; or
- (j) Outdoor public urination or defecation;

“**Officer**” means a Police Officer or any by-law enforcement officer of the City;

“**Permit**” means a written authorization of the Executive Director, pursuant to this by-law, a written authorization of the City pursuant to a resolution or another by-law of the City, including a special event permit, or an implied authorization, such as the authorization for an activity that is implied where a facility is designed for that specific activity;

“**Premises**” means any place in the City, including, but not limited to City Land, private lands, parking lots, vacant lands, and yards appurtenant to buildings or dwellings, but does not mean a building or dwelling;

“**Sign**” means a sign or notice posted by the City at, within or adjacent to City Land or a specified part thereof; and

“**Weapon**” includes any firearm as defined in the City’s Firearm Discharge By-law # (1994)-14738 as amended.

2. This by-law shall not be interpreted as exempting any person from the requirement to comply with any other City by-law. In the event of conflict between the provisions of this by-law and any other City by-law, the provisions which are more protective of the best interests of the City, in the sole determination of the Executive Director, shall apply.

3. This by-law is to be construed with all changes in number and gender as may be required by the context.
4. Any reference herein to any by-law or act of any government shall be construed as a reference thereto as amended or re-enacted from time to time or as a reference to any successor thereto then in force.
5. If a court of competent jurisdiction declares any provision or part of a provision of this by-law to be invalid, illegal, unenforceable or of no force and effect, it is the intention of Council in enacting this by-law that the remainder of the by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

EXEMPTIONS

6. In respect of City Land, or applicable parts thereof, this by-law shall not apply to:
 - (a) The City and its employees, agents and contractors carrying out their duties on behalf of the City;
 - (b) Any person who is acting in full compliance with a Permit;
 - (c) Any person who is acting in full compliance with a Sign; and
 - (d) Any Police Officer carrying out police activities.

RESTRICTED AREAS

7. If entry to City Land or any applicable part thereof is identified by a Sign, barrier or barricade or in any other way as prohibited or restricted, no person shall enter into such City Land or applicable part thereof contrary to such prohibition or restriction.

CONDUCT AFFECTING OTHER PERSONS

8. While on City Land, no person shall, unless pursuant to an exemption pursuant to this by-law:
 - (a) Engage in any riotous, violent, threatening or illegal conduct;
 - (b) Engage in any activity in such a manner as may or does endanger or cause injury to any person or damage to any property;
 - (c) Participate in a Fight;
 - (d) Obstruct any sidewalk or pathway;
 - (e) Distribute, display or discard any handbill, notice, circular, advertisement, promotional item or sample;
 - (f) Sell, rent or barter, offer for sale, rental or bartering or display for sale, rental or bartering, any goods or services;
 - (g) Carry on any trade, occupation, business or profession;
 - (h) Place or permit the placement of any vending machine or game operated by coins or other forms of money;
 - (i) Cause trouble or annoyance to, or accost, any other person;
 - (j) Be in possession of or use any Weapon;
 - (k) Interfere with any permitted activity carried out by any other person;
 - (l) Enter any washroom or change-room set apart for the opposite gender, or for a transgendered person, that person's former gender, provided that this shall not apply to children who are 6 years of age or younger and are, at that time, under the care of their parent, guardian or caregiver;
 - (m) Loiter in any washroom or change-room or conduct himself or herself in such a manner as to be objectionable to another person using, or in the vicinity of, said washroom or change-room;

- (n) Operate any photographic or other recording device in any washroom or change-room
- (o) As the owner of a horse, livestock or a Dangerous Animal, or as a person having the care or control of a horse, livestock or Dangerous Animal, permit the horse, livestock or Dangerous Animal, as the case may be, to enter or be on City Land;
- (p) Engage in any conduct that is prohibited or restricted by a Sign;
- (q) Knock over or attempt to knock over a Canada Post mailbox or relay box, a utility box, a newspaper box or a waste collection container; or
- (r) Host or participate in a public rally or protest that exceeds 24 consecutive hours.

CONDUCT AFFECTING CITY PROPERTY

9. While on City Land, no person shall, unless pursuant to an exemption pursuant to this by-law:
- (a) Engage in any activity in such a manner as may or does cause damage to any property of the City;
 - (b) Break, injure, deface, prune, plant, move or remove the whole or any part of any flower, shrub, grass, plant material, tree or other vegetation;
 - (c) Damage, deface, break, move or remove the whole or any part of any building, structure or equipment of the City, including any Sign or barricade;
 - (d) Attach, stencil, paint or otherwise apply, fasten or erect any marking, graffiti, sign or notice to any property on City Land;
 - (e) Dispose of or dump any organics, recyclables, waste, refuse, litter or any other matter or thing, except that which is generated through normal use of the City Land, and which is deposited only in receptacles provided for such purpose;
 - (f) Dump or deposit snow;
 - (g) Dispose of, cause the release of, dump, drain or discharge any material or substance, whether solid or liquid and whether toxic, hazardous (as defined by the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended or replaced) or otherwise, on or into any surface or soil or the waters of any fountain, regardless of the place of origin and the means of transmission or transportation of said material or substance;
 - (h) Build, light or stoke any fire;
 - (i) Camp, dwell or lodge;
 - (j) Place, install or erect any temporary or permanent structure, including any tent or booth;
 - (k) Enter the water in any fountain;
 - (l) Climb any building, structure or equipment not specifically intended for such use.;
 - (m) Tether, launch or land any Aircraft; or
 - (n) Bring, operate, park or leave any Motor Vehicle on any surface not designed for Motor Vehicles.

ADMINISTRATION

10. In respect of City Land, or applicable parts thereof, the Executive Director, in his/her sole discretion, considering the purposes of this by-law and the best interests of the City, is authorized to:
- (a) Issue or refuse to issue Permits permitting activities that would otherwise be prohibited or restricted by this by-law;
 - (b) Charge fees, as established by Council, for the issuance of Permits;

- (c) Make Permits subject to such conditions, including, without limitation, conditions as to time, location, area, equipment, number of participants, types of activities, securing of other necessary approvals, indemnification and insurance coverage, as the Executive Director may find to be appropriate; and
 - (d) Revoke, void or alter Permits without notice.
11. A Permit shall be non-transferrable and shall remain the property of the City.
12. In respect of City Land, or applicable parts thereof, the Executive Director, in his/her sole discretion considering the best interests of the City, is authorized to:
- (a) Issue and post or refuse to issue and post Signs permitting activities that would otherwise be prohibited or restricted by this by-law;
 - (b) Issue and post or refuse to issue and post Signs prohibiting or restricting activities that would otherwise be permitted pursuant to this by-law;
 - (c) On Signs, make permissions, prohibitions and restrictions of activities subject to such conditions, including, without limitation, conditions as to time, location, area, equipment, number of participants, types of activities, securing of other necessary approvals, indemnification and insurance coverage, as the Executive Director may find to be appropriate; and
 - (d) Remove or alter Signs without notice.

NUISANCE PARTIES

13. (1) No person shall sponsor, conduct, continue, host, create, attend, allow, cause or permit a Nuisance Party.
- (2) No person who, individually or jointly with others, is an owner, occupant, tenant or who otherwise has rightful possession of or is in possessory control of any Premises, shall allow, cause or permit a Nuisance Party on said Premises.
- (3) Upon the order of the Chief of Police or the Executive Director, every person who is sponsoring, conducting, continuing, hosting, creating, attending, allowing, causing or permitting a Nuisance Party on specified Premises shall cease such sponsoring, conducting, continuing, hosting, creating, attending, allowing, causing or permitting of such Nuisance Party, and every person not residing on such Premises shall leave such Premises.
- (4) An order under this section shall identify:
- (a) The location of the Premises on which the contravention is occurring;
 - (b) The reasonable particulars of the contravention of this by-law; and
 - (c) The date and time by which there must be compliance with the order.
- (5) An order under this section may be given orally or may be served personally on the person to whom it is directed.
- (6) No person shall fail to leave Premises after having been directed to leave by an order pursuant to this section.
- (7) An Officer may, by placing a Sign on the highway, temporarily close any highway or portion thereof to public travel where a Nuisance Party is occurring on or adjacent to the highway.
- (8) Where a highway or portion of a highway has been temporarily closed under this by-law, the common law right of passage by the public and the common law right of access by an owner of land abutting the highway or portion of the highway are restricted, as directed by an Officer.
- (9) No person shall use a highway or portion of a highway that has been temporarily closed under this by-law except with lawful authority or in accordance with the direction of an Officer.

14. (1) The City may impose a fee or charge upon any person hosting a Nuisance Party and/or the owner of Premises where the Nuisance Party is held.
- (2) The amount of the said fee or charge shall be the amount of administrative costs, costs of enforcement and all other costs incurred by the City in responding to and addressing the Nuisance Party pursuant to this by-law.
- (3) Fees or charges imposed on a person pursuant to this by-law constitute a debt of the person to the City.
- (4) Where all the owners of certain Premises are responsible for paying certain fees and charges pursuant to this by-law, the City may add such fees and charges to the tax roll for the Premises and collect them in the same manner as municipal taxes.

ENFORCEMENT

15. Council hereby authorizes all Officers to enforce this by-law.
16. Each Officer is hereby authorized to inform any person of the provisions of this by-law and to request compliance therewith, or else production of proof of an applicable exemption.
17. Any person who claims an exemption from a provision of this by-law on the basis of a Permit, shall, when requested by an Officer, produce the original copy of the Permit for inspection.
18. Each Officer is hereby authorized to order any person the Officer believes to be in contravention of this by-law or to have contravened this by-law to:
 - (a) Desist from the activity constituting or contributing to such contravention;
 - (b) Where the activity occurs on City Land, remove from the City Land anything under the care or control of such person which the Officer believes is or was involved in such contravention; and
 - (c) Where the activity occurs on City Land, leave the City Land.
19. If a person fails to comply with an order of an Officer to remove from City Land something under the care or control of such person which the Officer believes is or was involved in a contravention of this by-law, the Officer may remove the thing or have the thing removed at such person's risk and expense.
20. No person shall fail to comply with an order made by an Officer pursuant to this by-law.
21. No person shall wilfully obstruct, hinder or otherwise interfere with an Officer in the performance of the Officer's duties, rights, functions, powers or authority under this by-law.
22. Where an Officer has reasonable grounds to believe that an offence under this by-law has been committed by a person, the Officer may require the name, address and proof of identity of that person, and the person shall supply the required information.
23. When any person contravenes any of the provisions of this by-law, or fails to comply with any order, pursuant to this by-law, in respect of City Land, the permission of such person to remain on the City Land is revoked.
24. (1) Every person who contravenes or who causes or permits a contravention of any provision of this by-law is guilty of an offence.
- (2) Every director or officer of a corporation who knowingly concurs in the contravention of any provision of this by-law by the corporation is guilty of an offence.
25. (1) A person, other than a corporation, convicted of an offence under this by-law, is liable, on a first conviction, to a fine of not more than \$10,000 and, on any subsequent conviction, to a fine of not more than \$25,000.
- (2) A corporation, convicted of an offence under this by-law, is liable, on a first conviction, to a fine of not more than \$50,000 and, on any subsequent conviction, to a fine of not more than \$100,000.
26. Upon conviction for an offence under this by-law, in addition to any other remedy and to any penalty imposed by this by-law, the court in which the conviction has been entered

and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

GENERAL

27. The short title of this by-law is the “Public Nuisance By-law”.
28. This by-law is hereby adopted as Municipal Code Amendment #XXX which amends Chapter #XXX to the City of Guelph Municipal Code.
29. This by-law shall come into force and take effect on the date this by-law is passed.

PASSED this day of , 2012.

KAREN FARBRIDGE – MAYOR

BLAIR LABELLE – CITY CLERK

DRAFT

**CONSENT REPORT OF THE
PLANNING & BUILDING, ENGINEERING AND ENVIRONMENT COMMITTEE**

September 24, 2012

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

Your Planning & Building, Engineering and Environment Committee beg leave to present their EIGHTH CONSENT REPORT as recommended at its meeting of September 17, 2012.

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

PBEE-33 Mixed-Use Nodes Urban Design Concept Plans: Watson Parkway/Starwood and Paisley/Imperial Community Mixed Use Node

THAT the Planning, Building, Engineering and Environment report 12-93, regarding Mixed-Use Nodes Urban Design Concept Plans dated September 17, 2012, be received;

AND THAT Council endorse the Urban Design Concept Plans, Principles and Illustrative Diagrams for the Watson Parkway/Starwood and Paisley/Imperial mixed use nodes, included as Attachments 1A, 1B, 1C and 2A, 2B, 2C to report 12-93;

AND THAT staff be directed to use the Urban Design Concept Plans, Principles and Illustrative Diagrams to guide the review of future development applications within these nodes.

PBEE-34 Heritage Planning: Annual Activity Report and Four Year Work Plan Update

THAT the Planning, Building, Engineering and Environment report 12-58, regarding the Heritage Planning: Annual Activity Report and Four Year Work Plan Update, dated September 17, 2012, be received;

AND THAT Heritage Guelph be requested to report to Council on financial mechanisms utilized in other communities best practices to support the maintenance and restoration of heritage properties;

AND THAT staff be directed to conduct an orientation session for Council in consultation with Heritage Guelph.

**PBEE-35 180 Gordon Street Brownfield Tax Increment-Based Grant
Upset Limit Increase Request**

THAT Planning, Building, Engineering and Environment Report #12-75 dated September 17, 2012 regarding 180 Gordon Street Brownfield Tax Increment-Based Grant Upset Limit Increase Request, be received;

AND THAT the request by 180 Gordon Street Ltd. for a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan be approved to a new upset limit of \$294,000 subject to criteria outlined in the Brownfield Redevelopment CIP, and provided that an agreement to implement the new upset limit is executed within six months of Council approval;

AND THAT staff be directed to finalize an amendment to the Tax Increment-Based Grant agreement between the City and 180 Gordon Street Ltd. dated January 6, 2012, to the satisfaction of the General Manager of Planning Services, the General Manager of Legal and Realty Services/City Solicitor, and the City Treasurer;

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

**PBEE-36 Habitat for Humanity Funding Request for 26 and 28 Huron
Street and 439 York Road Projects**

THAT Planning, Building, Engineering and Environment Report #12-76 dated September 17, 2012 regarding a request for Funding by Habitat for Humanity for 26 & 28 Huron Street and 439 York Road projects be received;

AND THAT the request for funding by Habitat for Humanity Wellington County be approved in the form of grants totaling \$69,063;

AND THAT staff be directed to finalize agreements to implement the grants with Habitat for Humanity Wellington County to the satisfaction of the General Manager of Planning Services, the City Solicitor and the Chief Financial Officer;

AND THAT the Mayor and Clerk be authorized to sign the agreements.

**PBEE-38 Sign By-law Variance for 101 Clair Road East (Good Life
Fitness)**

THAT Planning, Building, Engineering and Environment report dated September 17, 2012 regarding a sign variance for 101 Clair Road East be received;

AND THAT the request for a variance from the Sign By-law for 101 Clair Road East to permit building signage for Good Life Fitness on the second floor elevation be approved.

PBEE-39 Sign By-law Variances for 1291 Gordon Street

THAT Planning, Building, Engineering and Environment report dated September 17, 2012 regarding sign variances for 1291 Gordon Street be received;

AND THAT variances from the Sign By-law for 1291 Gordon Street to permit two signs with a height of 7.8 metres and an area face of 18 m² per sign be approved

AND THAT the signs be removed no later than twelve months from the date of approval.

PBEE-40 Sign By-law Variance for 226 Speedvale Avenue West (Guelph Aromatherapy Studio)

THAT Planning, Building, Engineering and Environment report dated September 17, 2012 regarding a sign variance application for 226 Speedvale Avenue West be received;

AND THAT the request for a variance from the Sign By-law for 226 Speedvale Avenue West to allow six mobile sign permits per year in lieu of the permitted four per year for Guelph Aromatherapy Studio be refused.

All of which is respectfully submitted.

Councillor Piper, Chair
Planning & Building, Engineering and
Environment Committee

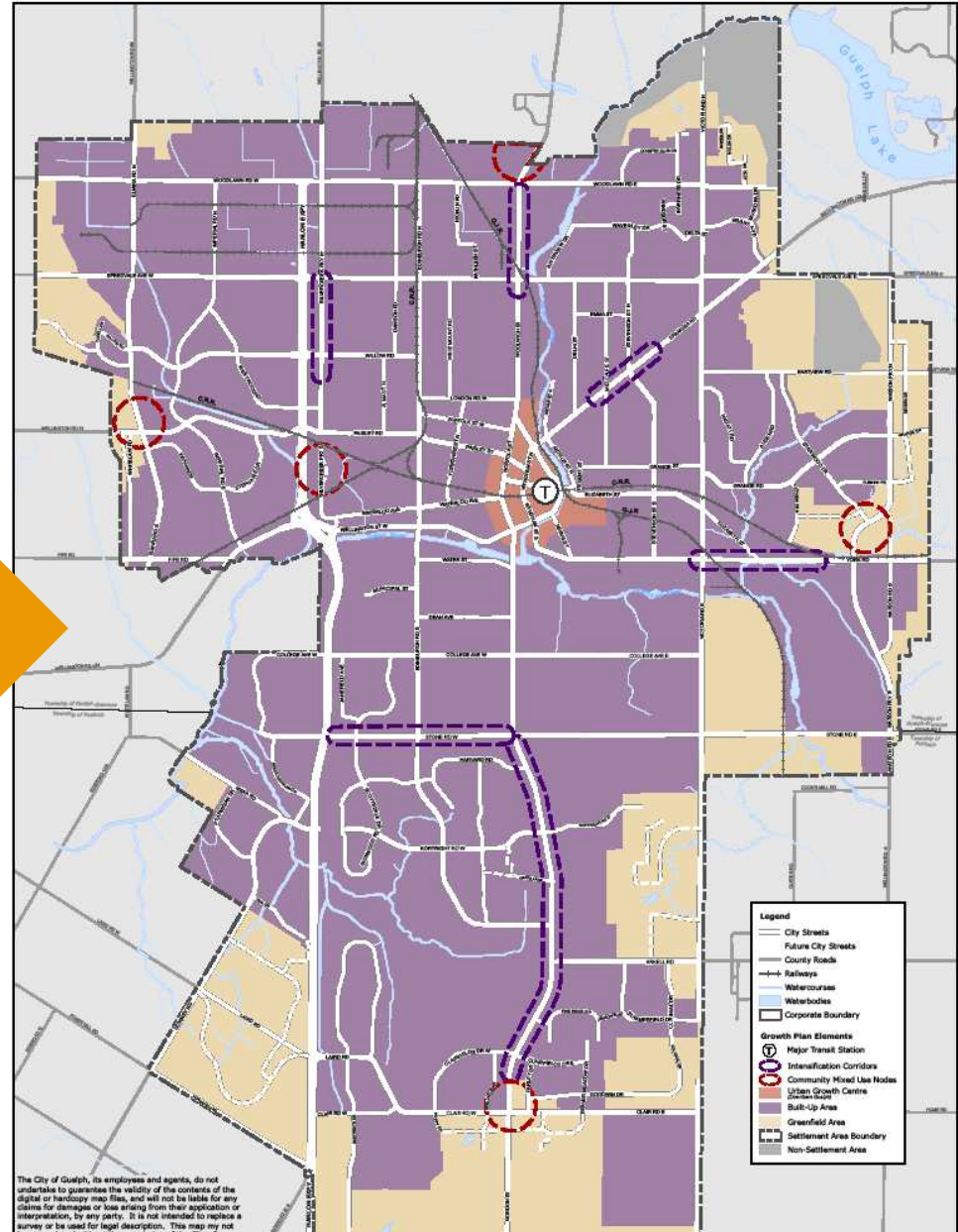
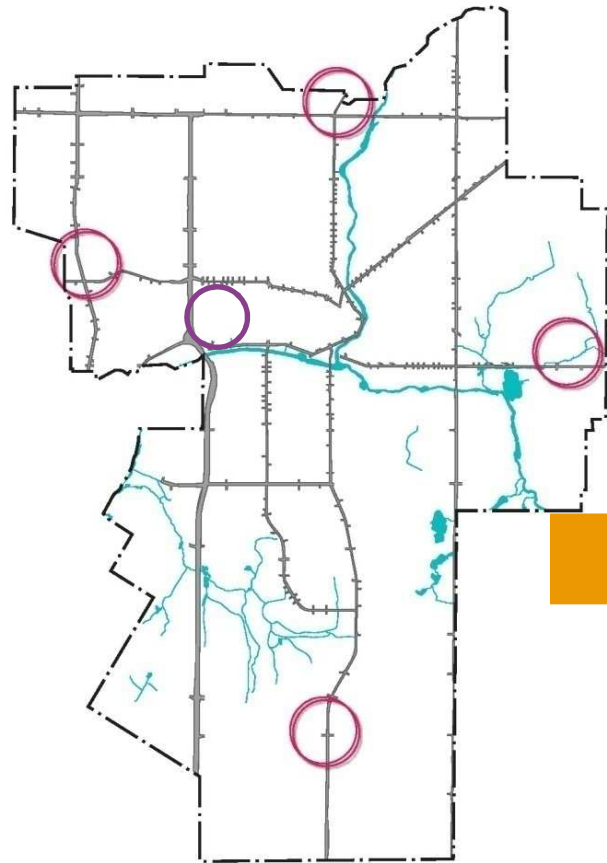
***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE SEPTEMBER 17, 2012 MEETING.***

Evolving Guelph's Mixed Use Nodes



Sept 17, 2012 PBEE

5 Mixed Use Nodes

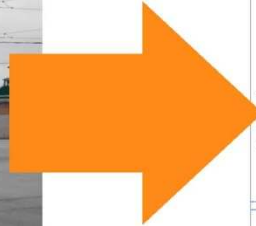


OPA 39

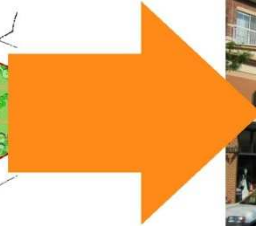
UD Action Plan



Existing



Planned



Future

Precedents—Making it urban



Urban Villages & Main Streets



Kitchener



Hamilton



Vaughan



Don Mills

OPA 48: Urban Design Concept Plans

Introduction of policies to require concept plans for major development proposals within the Nodes.

Urban Design Concept Plans to address:

- linkages between new and existing development;
- locations for public and private streets and laneways;
- general massing and location of buildings to establish transition to surrounding community;
- locations of open space.

Urban Design Concept Plans

1. Urban Design Concept Plan Diagram
2. Principles
3. Illustrations

Watson/Starwood

5-minute walking distance

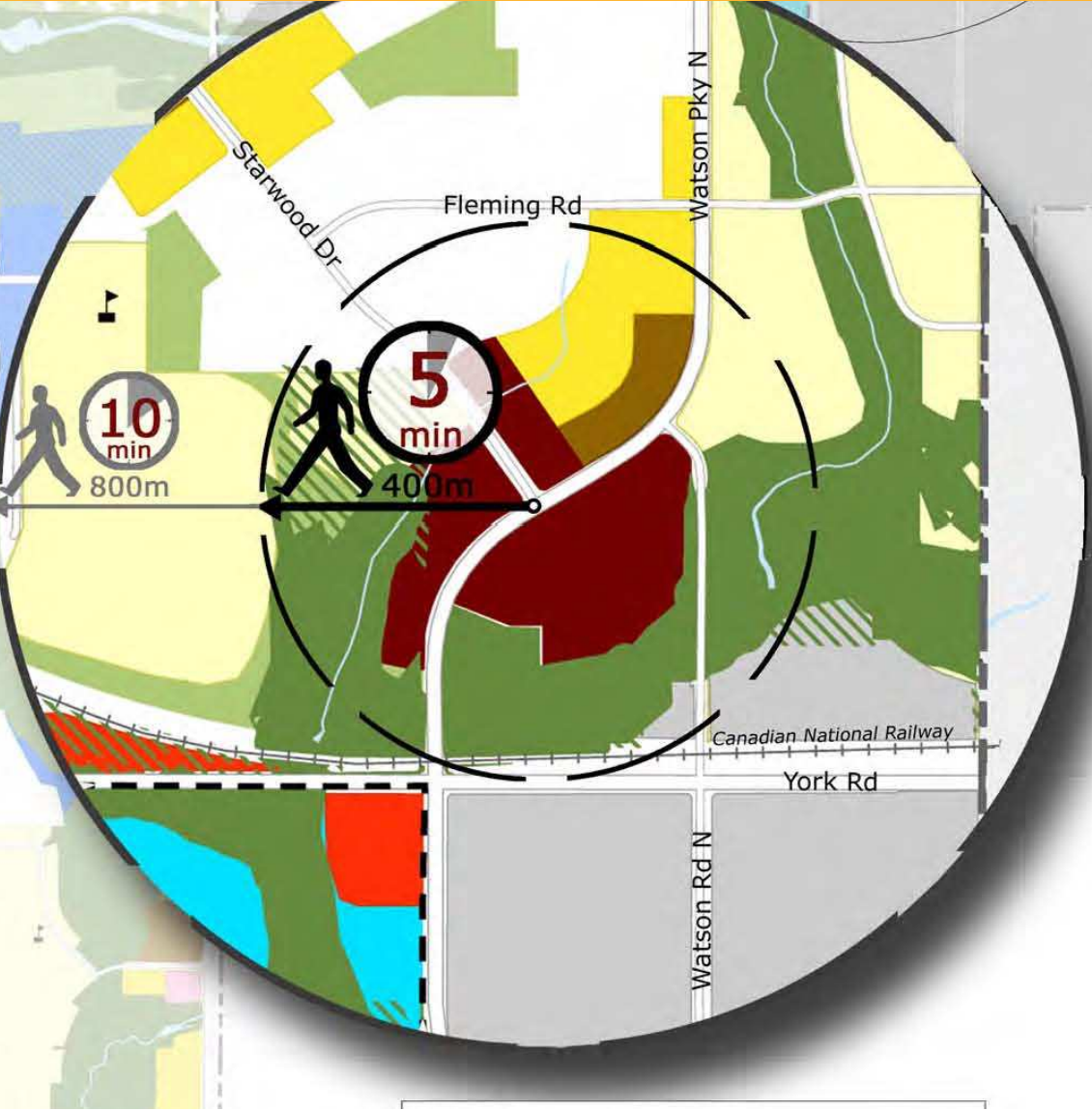
 1300

 1400

10-minute walking distance

 5300

 3000



Land Use Designations

-  Low Density Residential
-  Low Density Greenfield Residential
-  Medium Density Residential
-  High Density Residential
-  Downtown
-  Mixed-Use Corridors
-  Community Mixed-Use Centre
-  Service Commercial
-  Neighbourhood Commercial Centre
-  Mixed Office Commercial
-  Industrial
-  Corporate Business Park
-  Mixed Business
-  Institutional / Research Park
-  Major Institutional
-  Special Study Area
-  Major Utility
-  Open Space and Park
-  Significant Natural Area (currently under appeal)
-  Natural Area (currently under appeal)
-  Reserve Lands
-  Secondary Planning Area
-  Potential School Site

Watson/Starwood



Today

Watson/Starwood













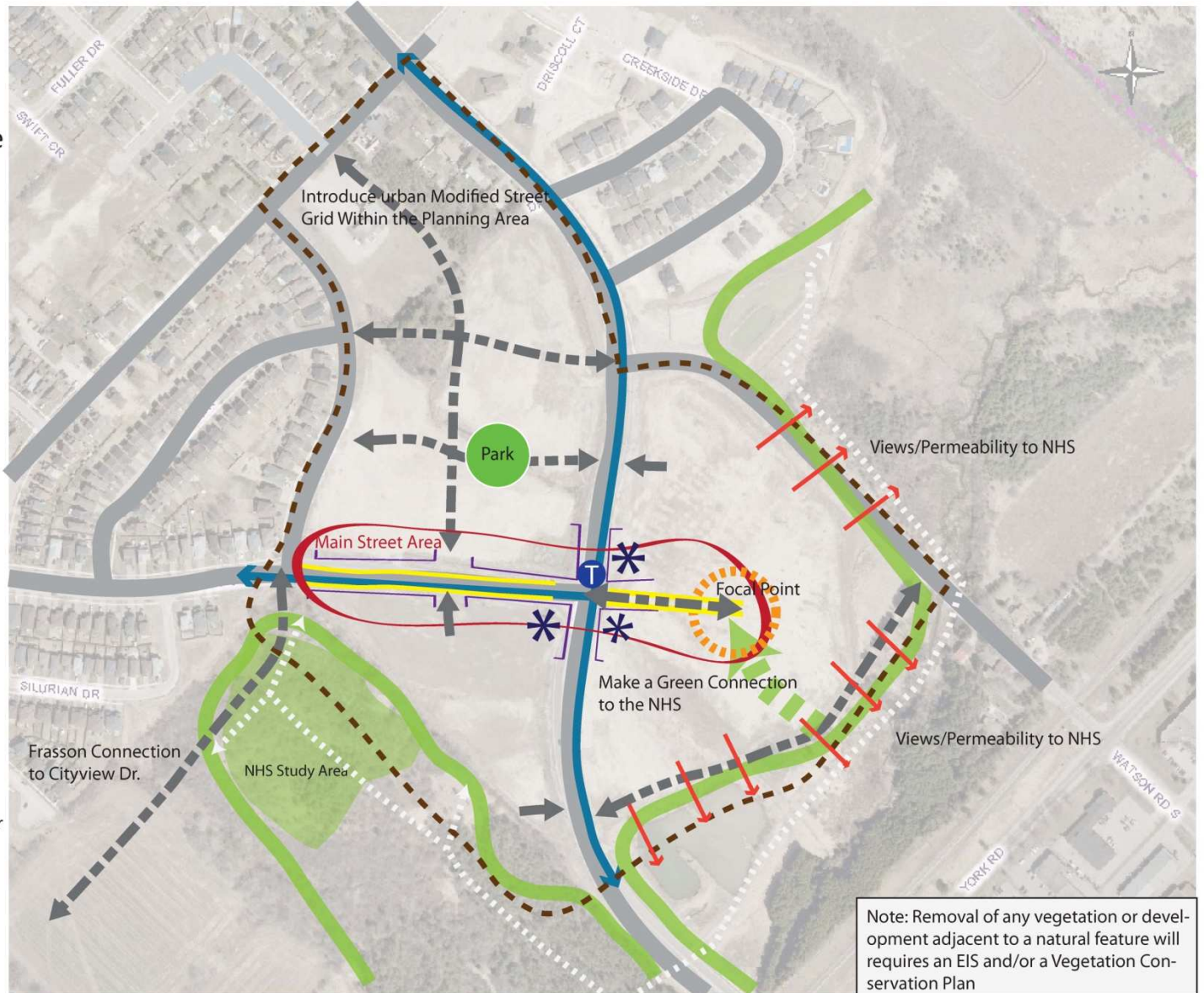
After (Visualization)

Urban Design Concept Plan

Watson Parkway/ Starwood

Community Mixed-use Node
Urban Design Concept Plan

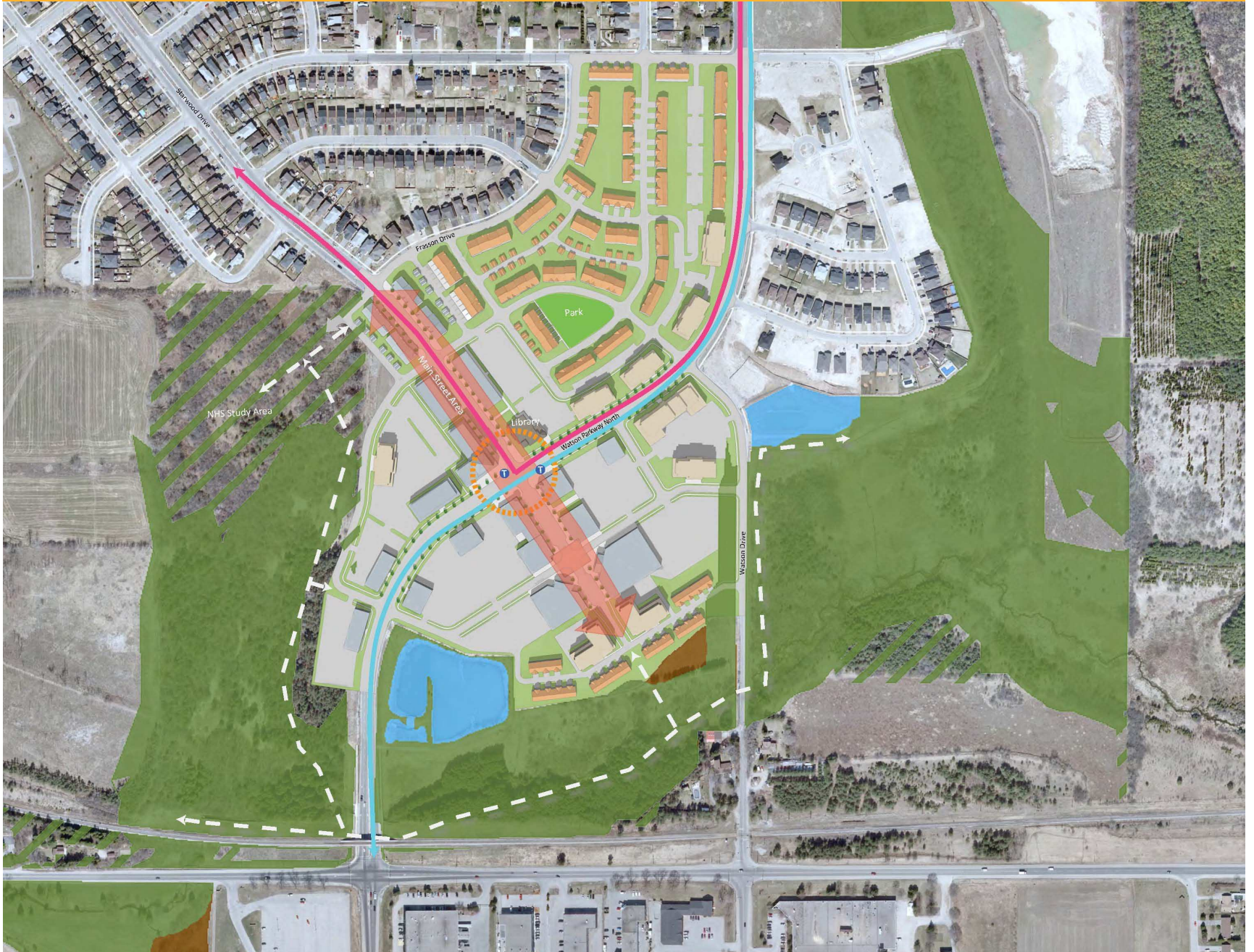
-  Transit Node
-  On-street cycling facilities
-  On-street parking
-  Focal Point
-  Streetwall with Building Entrances
-  Potential Mixed-use building/Taller building
-  Potential Road/Ped. Connections
-  NHS Boundary (conceptual and currently under appeal)
-  Study Area Boundary
-  Off-Road Trail



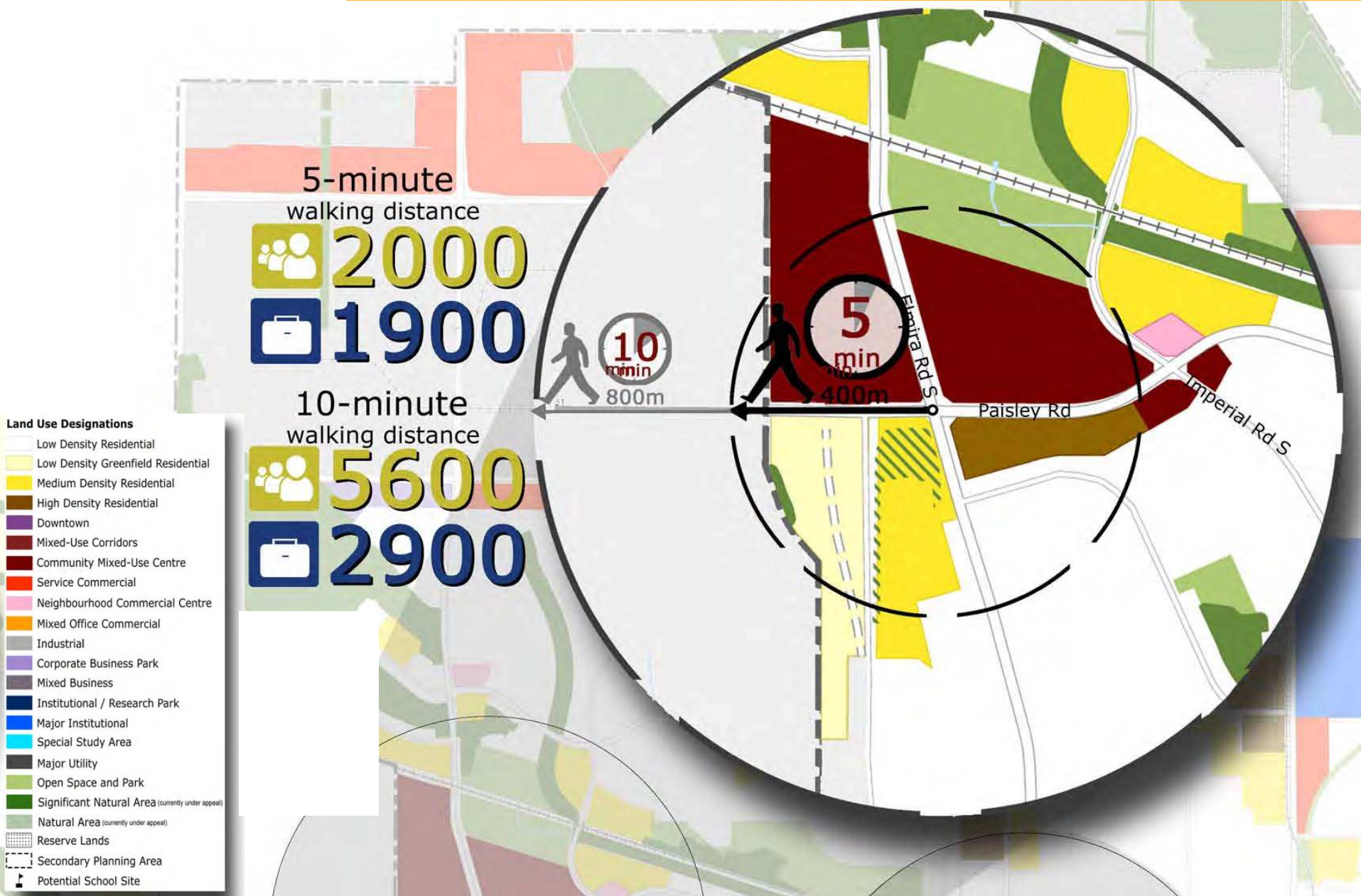
Key Principles Summary

- The extension of Starwood west of Watson Parkway as the Main Street for the urban village (i.e. including on-street parking, street trees and other pedestrian amenities);
- Introduction of a modified grid road pattern that creates adaptable urban blocks and that promotes connectivity and pedestrian/cyclist movement;
- Taller buildings will generally be located at or near the intersection of Starwood and Watson Parkway; and,
- Development should capitalize on the public views/permeability towards the Natural Heritage System.

Illustrations









Paisley/Imperial

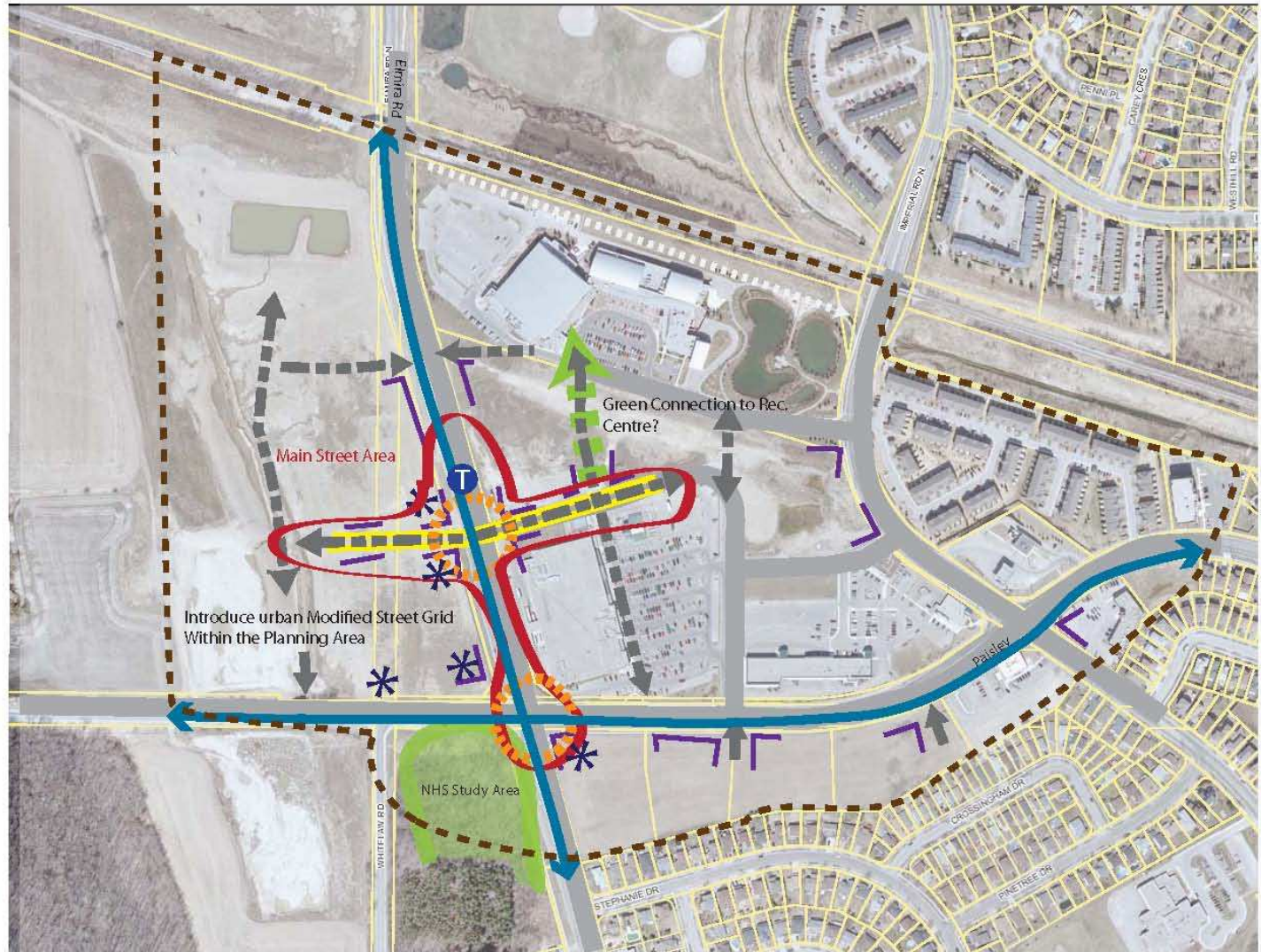


Urban Design Concept Plan

Paisley/ Imperial

Community Mixed-use Node
Urban Design Concept Plan

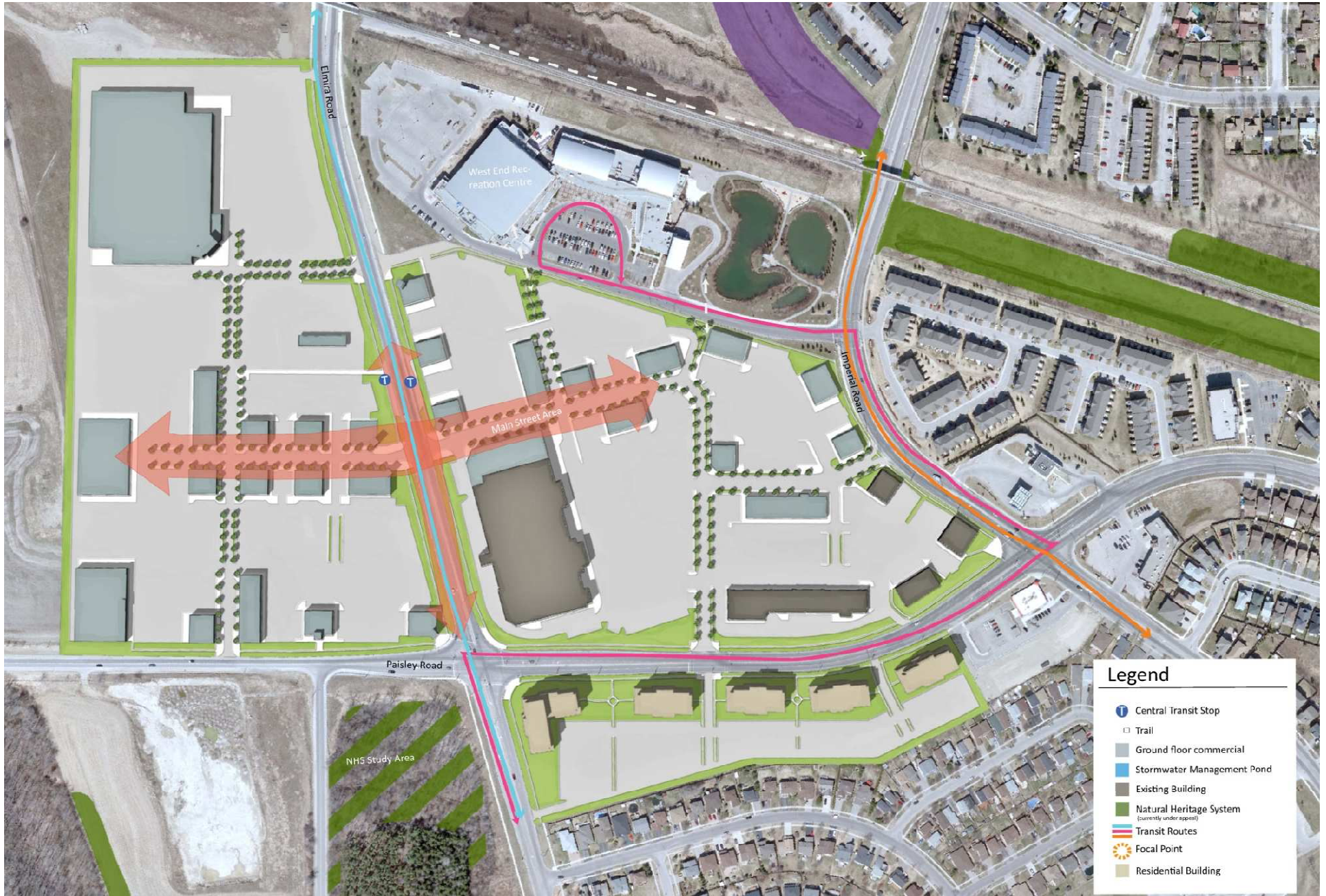
-  Transit Node
-  On-street cycling facilities
-  On-street parking
-  Focal Point
-  Streetwall with Building Entrances
-  Potential Mixed-use building/Taller building
-  Potential Road/Ped. Connections
-  NHS Boundary (conceptual and currently under appeal)
-  Study Area Boundary
-  Off-Road Trail



Key Principles Summary

- The creation of a new east-west street as the Main Street for the urban village (i.e. including on-street parking, street trees and other pedestrian amenities) north of the existing Zehrs;
- Introduction of a modified grid road pattern that creates adaptable urban blocks and that promotes connectivity and pedestrian/cyclist movement;
- Taller buildings will generally be located at or near the intersection of Elmira/Paisley and Main Street/Elmira; and,
- Improve on the pedestrian connectivity to the West End Recreation Centre—especially to the proposed high density residential blocks south of Paisley Road.

Illustrations



Recommendations

“THAT the Planning, Building, Engineering and Environment report 12-93, regarding Mixed-Use Nodes Urban Design Concept Plans dated September 17, 2012, be received;

AND THAT Council endorse the Urban Design Concept Plans, Principles and Illustrative Diagrams for the Watson Parkway/Starwood and Paisley/Imperial mixed use nodes, included as Attachments 1A, 1B, 1C and 2A, 2B, 2C to report 12-93 to report 12-93;

AND THAT staff be directed to use the Urban Design Concept Plans, Principles and Illustrative Diagrams to guide the review of development applications within these nodes.”

COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE September 17, 2012

SUBJECT **Mixed-Use Nodes Urban Design Concept Plans: Watson
Parkway/Starwood and Paisley/Imperial Community
Mixed Use Node**

REPORT NUMBER 12-93

SUMMARY

Purpose of Report:

To provide an overview on the Mixed-Use Nodes Urban Design Concept Plan policies and a recommended approach to implementation with a focus on the Watson Parkway/Starwood and Paisley/Imperial Community Mixed Use Nodes.

Committee Action:

To receive Report 12-93 which outlines the staff approach to implementing the Urban Design Concept Plans and achieve the Council-adopted Official Plan vision in regard to the Community Mixed-Use Nodes.

To direct staff to use the attached Urban Design Concept Plans for the Watson Parkway/Starwood and Paisley/Imperial Community Mixed Use Nodes in the evaluation of future development applications within these nodes.

RECOMMENDATION

"THAT the Planning, Building, Engineering and Environment report 12-93, regarding Mixed-Use Nodes Urban Design Concept Plans dated September 17, 2012, be received;

AND THAT Council endorse the Urban Design Concept Plans, Principles and Illustrative Diagrams for the Watson Parkway/Starwood and Paisley/Imperial mixed use nodes, included as Attachments 1A, 1B, 1C and 2A, 2B, 2C to report 12-93;

AND THAT staff be directed to use the Urban Design Concept Plans, Principles and Illustrative Diagrams to guide the review of future development applications within these nodes."

BACKGROUND

The purpose of this report is to provide background information in regards to the evolution of the City's Mixed-Use Nodes and provide an update as to how the Council-adopted Official Plan policies will be implemented through the development applications.

This report will discuss the Council-adopted Official Plan policies regarding Urban Design Concept Plans and provide examples of these documents for the Imperial/Paisley and Starwood/Watson nodes for Council consideration.

This work builds on the Urban Design Action Plan, OPA 39 and OPA 48 in using urban design to implement "place-making" principles in these nodes through the technical city-building procedures and tools available to the City. The more the City can enable and articulate a shared vision for Guelph, the more our citizens, developers and staff can feel confident in talking about the City as a collective project.

REPORT

Policy Context: Mixed Use Node Policies

Official Plan

The policy context of the Mixed Use Nodes has evolved through subsequent Official Plan updates and Commercial Policy Reviews.

The existing Official Plan contains Mixed Use Node land use policies that:

- Define the role of the nodes as serving both the needs of residents living and working in nearby neighborhoods and employment districts and with the wider City as a whole;
- Permit a variety of commercial uses as well as residential uses and small-scale office uses;
- Direct large format retail uses to this designation while capping the amount of retail development; and,
- Contain a number of detailed urban design policies.

Five Mixed Use Nodes are identified: (see Attachment 3 for general locations)

- Woodlawn/Woolwich Street Node;
- Paisley/Imperial Node;
- Watson Parkway/ Starwood Node;
- Gordon/Clair Node; and,
- Silvercreek Node.

Urban Design Action Plan/OPA 39

Through the Urban Design Action Plan and subsequent Official Plan Amendment 39, the policy context around the nodes has further evolved. Both of these documents identify these nodes as part of the structuring elements of the City containing

multiple land use designations such as high density residential designations in combination with permitting shopping and service uses.

The vision articulated in the Urban Design Action Plan is to transform, over time, the city's five major Community Nodes into distinct "urban villages"—mixed-use, transit and pedestrian oriented places that provide focal points for civic life, higher-density housing, office and retail employment, and live-work opportunities.

OPA 39, which is in full force and effect, began to create a policy framework and vision for evolving these "urban villages".

Official Plan Amendment (OPA) 48

OPA 48 finalized the Five Year Update to the Official Plan and, among other items, updated the land use designations. OPA 48 was adopted by Council on June 5, 2012 as has been forwarded to the Province for their review as the approval authority.

OPA 48 provides additional direction regarding implementing the vision for the Mixed Uses Nodes over the long-term. It makes a distinction between Community Mixed-Use Nodes (a City-wide structuring element) and Community Mixed-Use Centre land use designation. The land use designations on Schedule 2 of the Official Plan provide the range and mix of permitted uses that would achieve the vision of pedestrian-oriented and transit-supportive development with amenities and commercial uses in proximity to residential neighbourhoods (see Attachment 3 which shows jobs and residents in proximity of the nodes).

Medium and high density residential uses are designated within walking distance of the designated commercial centres. While market and economic conditions will ultimately determine the timing for the full build-out of the permitted uses, OPA 48 also introduces the use of Urban Design Concept Plans as a key tool for implementing the policies. Urban Design Concept Plans are further discussed below.

The Nodes Today

The five Community Nodes at the periphery of the City were each intended to contain a range of commercial and residential uses but to date, following market trends, they have been developed as typical single-storey retail plazas served by large parking lots. In addition, some Nodes contain little or no development today while others are almost completely built out.

As stated in the Council-adopted Urban Design Action Plan:

"Changing the nature of the Community Nodes will require strong urban design and land use policies and a development industry willing to take an alternative approach. It may also require public investments in the form of civic open spaces, institutions or community facilities to complement other uses and attract residential and employment uses."

Furthermore, the UDAP identifies a number of specific challenges to their evolution that will need to be addressed through implementation:

- Bulk of available lands currently used for low-density, single-storey retail uses and surface parking;
- Function and design of primary roads generally not conducive to walking and pedestrian-oriented development—no on-street parking to calm or buffer traffic ;
- Existing development generally not structured to accommodate intensification due to the large land parcels;
- Active public uses (e.g., parks, community and recreation centres, libraries) generally not integral or well-connected to existing development;
- Currently very little or no apparent demand for higher-density housing and offices in existing nodes; and,
- Consumer demand and the nature of the development market in Guelph makes achieving design excellence and getting developments to adopt alternative standards a challenge in new development areas.

Moving Forward: Implementing the Vision

Purpose and Content of Urban Design Concept Plans

One of the key implementation mechanisms identified in OPA 48 (Section 3.11) is the creation of Urban Design Concept Plans to help articulate how these nodes will evolve, address the challenges identified, and plan for the long-term evolution of the nodes in support of the vision for higher density mixed-use areas.

OPA 48 requires Urban Design Concept Plans to be developed for major development proposals within the Community Mixed-use Nodes. The policies allow for the planning work to be led by staff or a development proponent.

Further, the policies (section 3.11.6) provide direction as to what the concept plan should include, namely:

- i) linkages between properties, buildings and uses of land both within and adjacent to the node;
- ii) identification of an appropriate location for a Main Street area;
- iii) locations of new public and/or private streets and laneways;
- iv) locations of open space on the site such as urban squares;
- v) general massing and location of buildings that establish a transition to the surrounding community;
- vi) pedestrian, cycling and transit facilities; and
- vii) *heritage attributes* to be retained, conserved and/or rehabilitated.

As proposed below, the Urban Design Concept Plan will generally include the following components:

1. Urban Design Concept Plan showing a high-level illustration of the main principles and structure of the Node.

-
2. Associated principles underlying the Urban Design Concept Plan
 3. A series of Illustrations showing how the concept plan could be implemented.

How Staff will Develop Urban Design Concept Plans for the Nodes

Staff has already started working with applicants to implement the Council-adopted Official Plan policies through the review of active development applications. Planning staff have been co-ordinating with other departments (e.g. Engineering, Parks and Transit) in order to develop the concept plans and associated illustrations attached. Staff has also been reviewing public feedback received through the development application process.

Moving forward, the review and creation of Urban Design Concept Plans will continue to be developed in consultation with internal and external stakeholders as well as through public input received through the development review process.

How Staff will implement Urban Design Concepts for the Nodes

The Urban Design Concept Plans establish the general principles for the development of the node. They will be used to provide guidance for staff to evaluate development applications within the node.

Development proposals within the area will be required to demonstrate how the proposal is generally consistent with and reflect the Urban Design Concept Plans to the satisfaction of staff. Furthermore, the principles established will guide the development of implementation tools (e.g. Zoning By-law Amendments or updates). This being said, the Concept Plans, Principles and Illustrations are by their nature conceptual and issues such as building size/placement may be refined and changes proposed through the development process so long as the development is generally consistent with Urban Design Concept and principles.

Watson Parkway/Starwood Community Mixed Use Node (Attachment 1)

The Watson Parkway/Starwood Community Mixed Use Node currently contains little development, with some existing single-detached dwellings near Flemming Road. The existing major building is the public library located at the intersection of Watson Parkway/Starwood intersection. The following land use designations (as shown in OPA 48) are permitted: Community Mixed-Use Centre, High Density Residential and Medium Density Residential.

Current development applications in the node:

Address	Application#	Summary	Status
115 Watson Rd N	OP0504/ZC05 12	Proposed modification of the existing zoning regulations to permit a revised development scheme with a greater floor area for the proposed mixed-use commercial project.	Open House held on June 1, 2009 OPA approved
115 Fleming Road	ZC1102 & 23T-11501	Application for a Zoning By-law Amendment to permit the development of 62 on-street townhouse units.	Decision Meeting: September 4, 2012
11 Starwood	23T-11502 / ZC1113 / OP1103	Applications for a Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment to permit the development of 63 on-street townhouse units, 138 stacked townhouse units, one commercial block, one park block and one library block.	Public Meeting: April 2, 2012 Appealed to OMB

Overview of Concept

As articulated and shown in Attachments 1A, 1B, and 1C, the following key ideas are proposed as part of the Urban Design Concept Plan:

- The extension of Starwood east of Watson Parkway as the Main Street for the urban village (i.e. including on-street parking, street trees and other pedestrian amenities);
- Introduction of a modified grid road pattern that creates adaptable urban blocks and that promotes connectivity and pedestrian/cyclist movement;
- Taller buildings will generally be located at or near the intersection of Starwood and Watson Parkway; and,
- Development should capitalize on the public views/permeability towards the Natural Heritage System.

Paisley/Imperial Community Mixed Use Node (Attachment 2)

The Paisley/Imperial Community Mixed Use Node currently contains a large-format Zehrs grocery store near the corner of Paisley and Elmira with smaller commercial pads to the east. The City's West End Recreation Centre is located south of the railway tracks between Elmira Road and Imperial. Higher density development is located east of Elmira Road.

The following land use designations (as shown in OPA 48) are permitted: Community Mixed-Use Centre, High Density Residential (south of Paisley) and Medium Density Residential (existing and east of Imperial).

Current development applications in the node:

Address	Application#	Summary	Status
1411 Paisley Road	ZC1117	Proposed Zoning Amendment to change the zoning from the existing UR zone (Guelph Zoning By-law), the SC.1 zone (Guelph Zoning By-law) and the Agricultural zone (Guelph-Eramosa Zoning By-law) to the CC zone (Guelph Zoning By-law)	Public Meeting: June 5, 2012

Overview of Concept

As articulated and shown in Attachments 2A, 2B, and 2C, the following key ideas are proposed as part of the Urban Design Concept Plan:

- The creation of a new east-west street as the Main Street for the urban village (i.e. including on-street parking, street trees and other pedestrian amenities) north of the existing Zehrs;
- Introduction of a modified grid road pattern that creates adaptable urban blocks and that promotes connectivity and pedestrian/cyclist movement;
- Taller buildings will generally be located at or near the intersection of Elmira/Paisley and Main Street/Elmira; and,
- Improve on the pedestrian connectivity to the West End Recreation Centre—especially to the proposed high density residential blocks south of Paisley Road.

STAFF RECOMMENDATION/NEXT STEPS

The Urban Design Concept Plans reflect and build upon the work completed to date including: OPA 48, OPA 39 and the Urban Design Action Plan. Staff recommends that the attached Urban Design Concept Plans, Principles and associated Illustrative Diagrams be used in staff's evaluation of future development applications to ensure that future development applications are generally consistent.

As part of Staff's future workplan, staff is also anticipating coming forward with Urban Design Concept Plans for the Gordon/Clair and Woodlawn/Woolwich Community Mixed Use Nodes. In the future, staff will also begin working on visualization/intensification analysis to explore how these nodes may continue to evolve after their initial buildout over the longer term into more intense urban villages.

CORPORATE STRATEGIC PLAN

City Building – Strategic Direction 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

FINANCIAL IMPLICATIONS

None; the Urban Design Concept Plans are being developed "in-house" by City Staff.

DEPARTMENTAL CONSULTATION

Planning, Building, Engineering and Environment (Engineering)
Community and Social Services (Parks and Recreation)

COMMUNICATIONS

Staff have been meeting with development stakeholders within the nodes to discuss the proposed approach to Urban Design Concept Plans. Staff have also reviewed comments received through the development applications processes.

ATTACHMENTS

- Attachment 1A: Urban Design Concept Plan— Watson Parkway/Starwood Community Mixed Use Node
- Attachment 1B: Urban Design Concept Plan Principles: Watson Parkway/Starwood Community Mixed Use Node
- Attachment 1C: Urban Design Concept Illustrative Diagrams— Watson Parkway/Starwood Community Mixed Use Node
- Attachment 2A: Urban Design Concept Plan—Paisley/Imperial Community Mixed Use Node
- Attachment 2B: Urban Design Concept Plan Principles: Paisley/Imperial Community Mixed Use Node
- Attachment 2C: Urban Design Concept Illustrative Diagrams —Paisley/Imperial Community Mixed Use Node
- Attachment 3: Mixed Use Nodes 2031 Population and Jobs

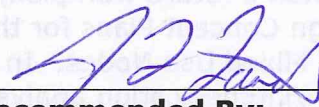
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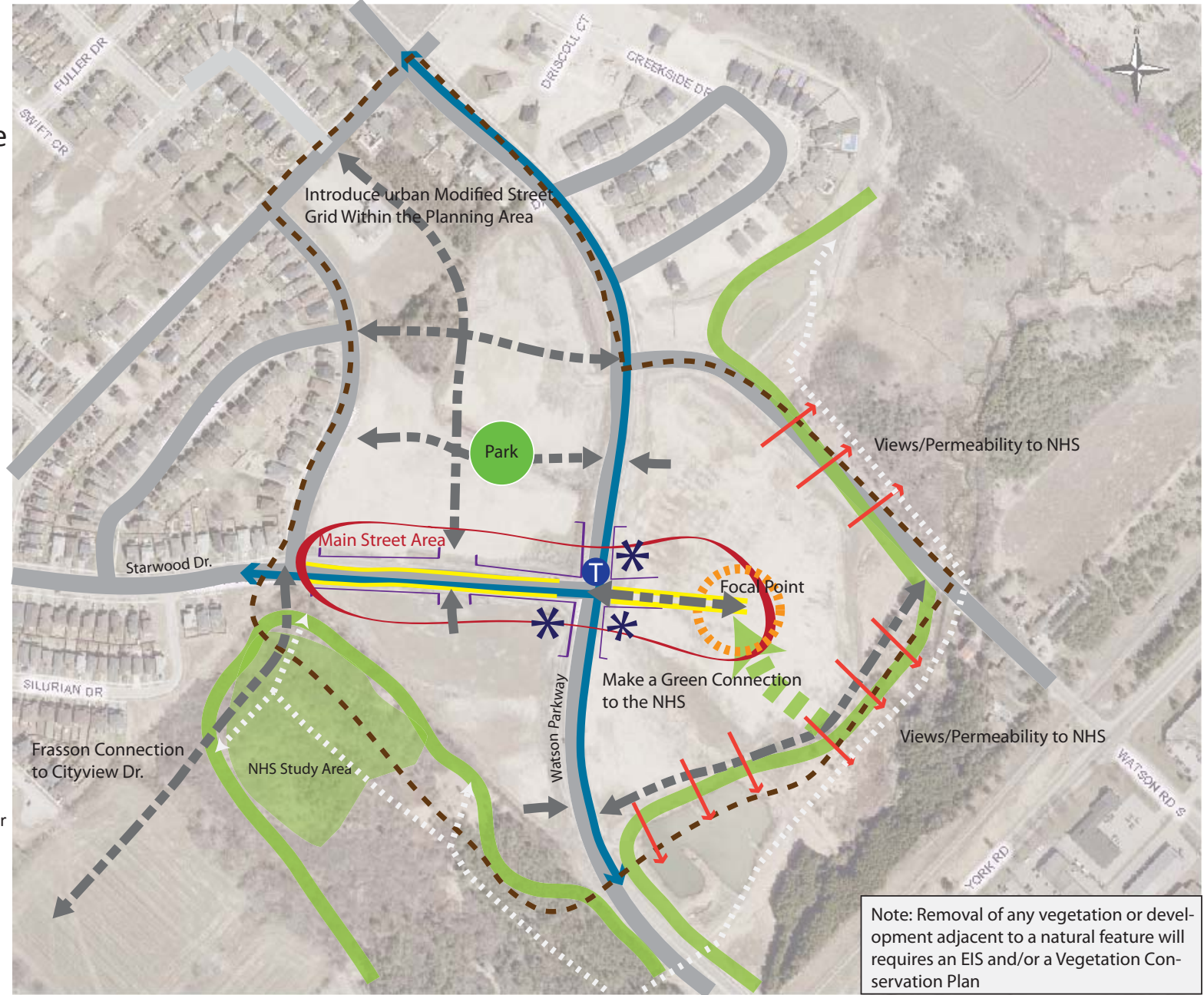












Recommended By:

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Watson Parkway/ Starwood

Community Mixed-use Node
Urban Design Concept Plan

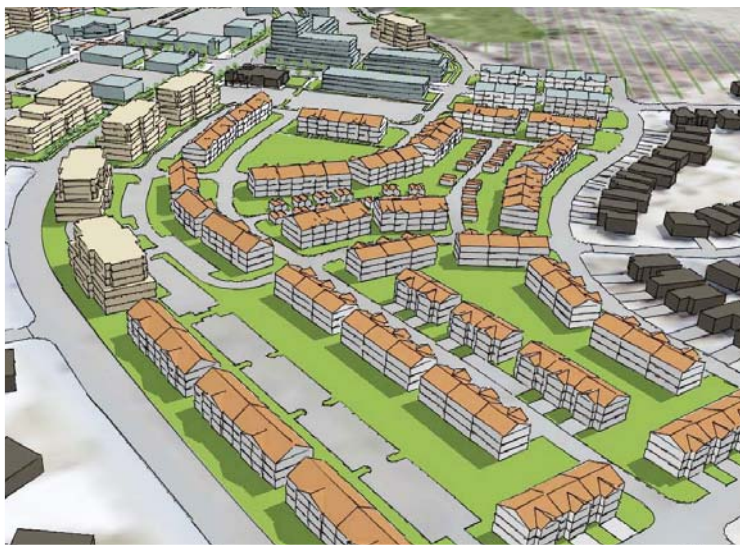


-  Transit Node
-  On-street cycling facilities
-  On-street parking
-  Focal Point
-  Streetwall with Building Entrances
-  Potential Mixed-use building/Taller building
-  Potential Road/Ped. Connections
-  NHS Boundary (conceptual and currently under appeal)
-  Study Area Boundary
-  Off-Road Trail

Attachment 1B:
Urban Design Concept Plan Principles:
Watson Parkway/Starwood Community Mixed Use Node

1. The Main Street area (see policy 9.4.2.6 of OPA 48) for the Node will be located along Starwood and extend east of Watson and terminate in an open space feature (e.g. an Urban Square) that will also provide an attractive, and accessible pedestrian connection to the Natural Heritage Trail System.
2. The commercial focus of the Main Street Area will generally be in the vicinity of the Starwood/Watson intersection.
3. An attractive on-street Transit Node will be developed (i.e. generally bus bays) near the intersection of Starwood and Watson Parkway including upgraded amenities for transit users.
4. Taller buildings will generally be located at or near the intersection of Starwood and Watson Parkway.
5. Buildings heights, massing and uses will provide an appropriate transition to the adjacent single-detached dwellings.
6. Introduce a modified grid road pattern that creates adaptable urban blocks and that promotes connectivity and pedestrian/cyclist movement. Road cross-sections will also be designed to ensure comfort for cyclists/pedestrians.
7. Capitalize on the public views/permeability towards the Natural Heritage System.
8. Establish convenient and accessible connections between the Natural Heritage Trail System and the pedestrian circulation system within the node.
9. Introduce a neighbourhood oriented open space/park feature in the vicinity of the residential development near the northwest corner of Starwood/Watson Parkway. This space will contain features such as a children's playground, informal play area and seating area with shade structure.
10. On-street cycling facilities will be established along Starwood and Watson Parkway.

Urban Design
Concept Illustrative
Diagrams
—Watson Parkway / Starwood
Community
Mixed Use Node



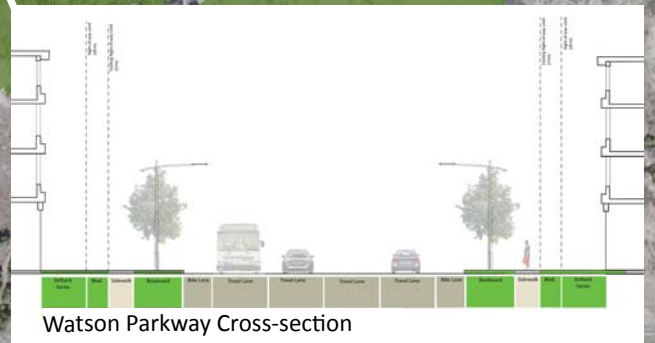
Conceptual Massing Model—Residential



Examples: Apartments, Townhouses & Stacked Townhouses



Starwood Cross-section



Watson Parkway Cross-section










Conceptual Massing Model—Main Street Area



Examples: Main Street Area

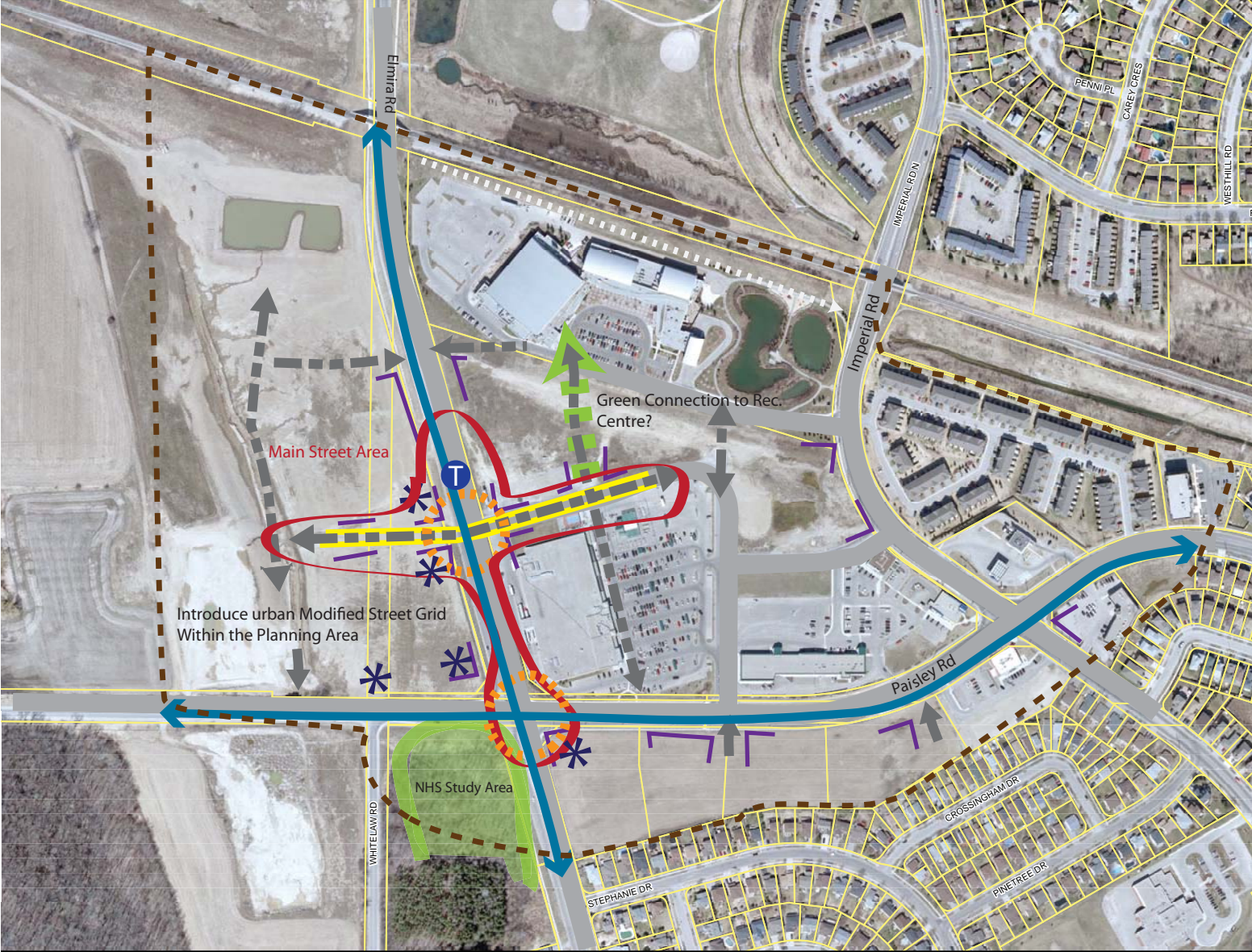





Legend

-  Central Transit Stop
-  Trail
-  Ground floor commercial
-  Stormwater Management Pond
-  Existing Building
-  Natural Heritage System
-  Transit Routes
-  Focal Point
-  Residential Building

Paisley/ Imperial

Community Mixed-use Node Urban Design Concept Plan



-  Transit Node
-  On-street cycling facilities
-  On-street parking
-  Focal Point
-  Streetwall with Building Entrances
-  Potential Mixed-use building/Taller building
-  Potential Road/Ped. Connections
-  NHS Boundary (conceptual and currently under appeal)
-  Study Area Boundary
-  Off-Road Trail

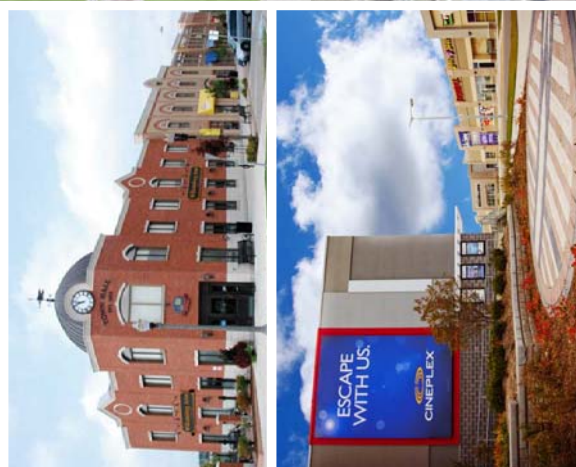
**Attachment 2B:
Urban Design Concept Plan Principles:
Paisley/Imperial Community Mixed Use Node**

1. The Main Street area (see policy 9.4.2.6 of OPA 48) for the Node will be located along a new east-west street north of the existing Zehrs store on both sides of Elmira Road. Ensure a clear/comfortable pedestrian link between the Main Street Area and the large format retail uses.
2. The commercial focus of the Main Street Area will generally be in the vicinity of the Main Street/Elmira intersection.
3. An attractive on-street Transit Node will be developed (i.e. generally bus bays) near the intersection of the new Main Street and Elmira Road including upgraded amenities for transit users.
4. Taller buildings will generally be located at or near the intersection of the Main Street/Elmira Road as well as at Elmira Road/Paisley Road.
5. Buildings heights, massing, and uses will provide an appropriate transition to the adjacent single-detached dwellings.
6. Introduce a modified grid road pattern that creates adaptable urban blocks and that promotes connectivity and pedestrian/cyclist movement. Road cross-sections, including any private streets, will also be designed to ensure comfort for cyclists/pedestrians.
7. Improve pedestrian connections to the West End Recreation Centre that connect to the high density residential land use buildings south of Paisley.
8. Establish convenient and comfortable connections between the Trail System and the pedestrian circulation system within the node.
9. Introduce public art component on the west side of Elmira either at the intersection of Elmira/Paisley or Elmira/new Main Street that commemorates the impact of area settlers on Guelph's agricultural heritage.
10. On-street cycling facilities will be established along Elmira and Paisley Road.

Urban Design Concept Illustrative Diagrams —Paisley/Imperial al Community Mixed Use Node



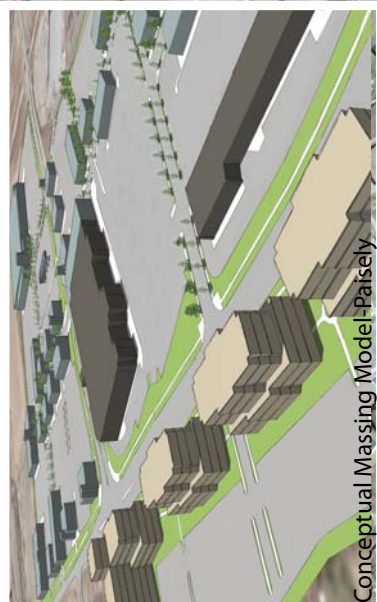
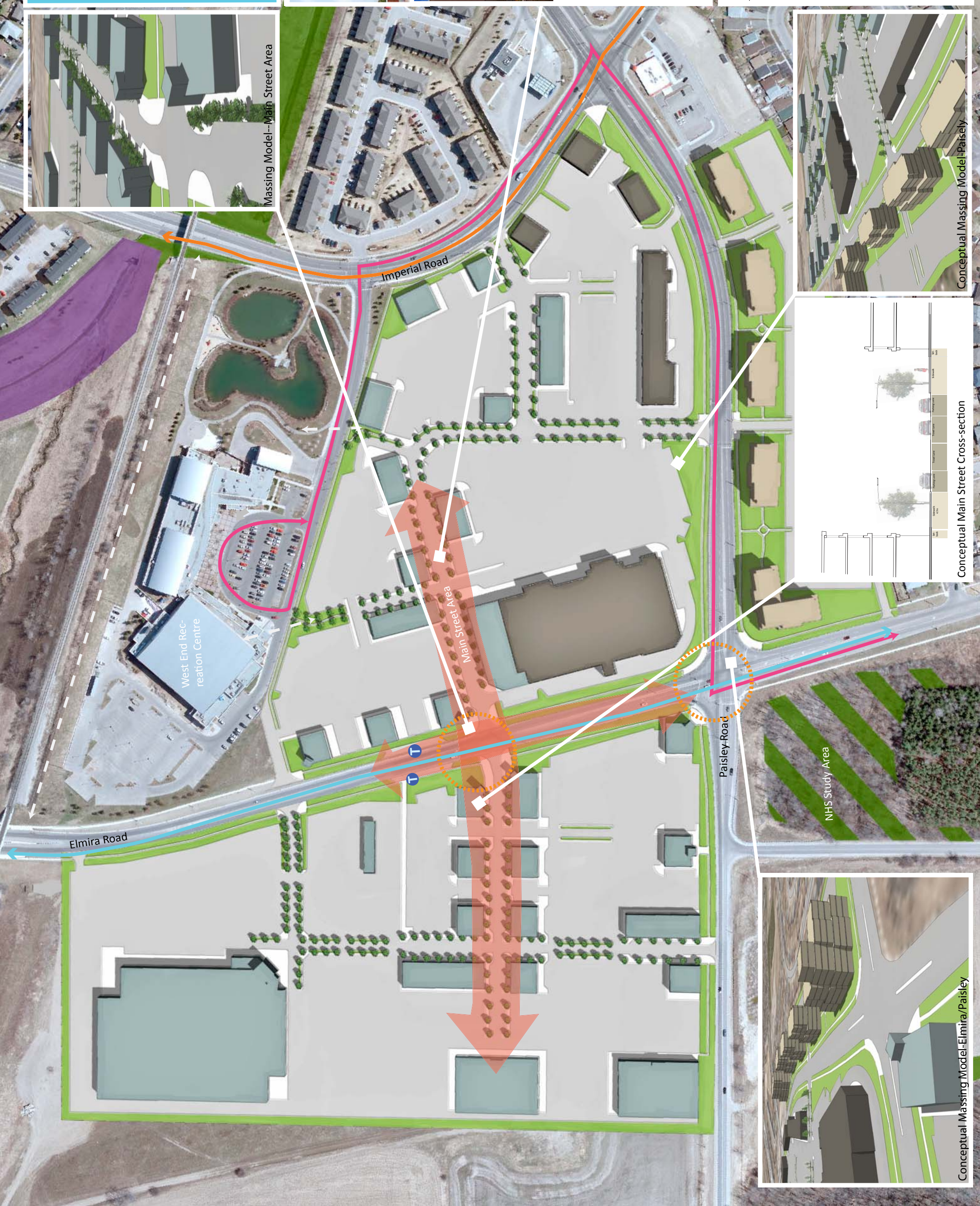
Massing Model - Main Street Area



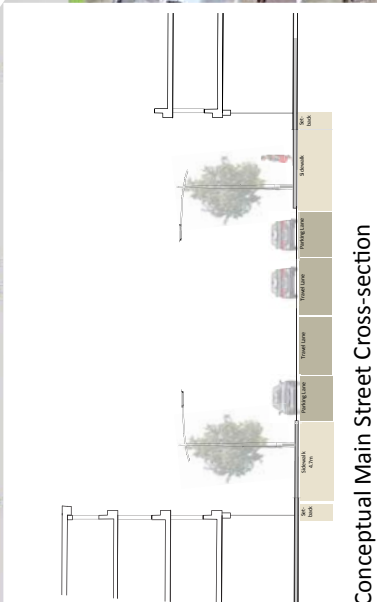
Examples: Main Street Area

Legend

- Central Transit Stop
- Trail
- Ground floor commercial
- Stormwater Management Pond
- Existing Building
- Natural Heritage System (currently under appeal)
- Transit Routes
- Focal Point
- Residential Building



Conceptual Massing Model - Paisley



Conceptual Main Street Cross-section



Conceptual Massing Model - Elmira/Paisley

Paisley / Imperial



Woodlawn / Woolwich



Silvercreek Junction



Watson / Starwood



Clair / Gordon



Legend

- City Street
- Future City Street
- County Road
- Railway
- Watercourse
- Waterbody
- Corporate Boundary

Land Use Designations

- Low Density Residential
- Low Density Greenfield Residential
- Medium Density Residential
- High Density Residential
- Downtown
- Mixed-Use Corridors
- Community Mixed-Use Centre
- Service Commercial
- Neighbourhood Commercial Centre
- Mixed Office Commercial
- Industrial
- Corporate Business Park
- Mixed Business
- Institutional / Research Park
- Major Institutional
- Special Study Area
- Major Utility
- Open Space and Park
- Significant Natural Area
- Natural Area
- Reserve Lands
- Secondary Planning Area
- Potential School Site

envision
 GUELPH



Mixed Use Nodes
 2031
 Population and Jobs

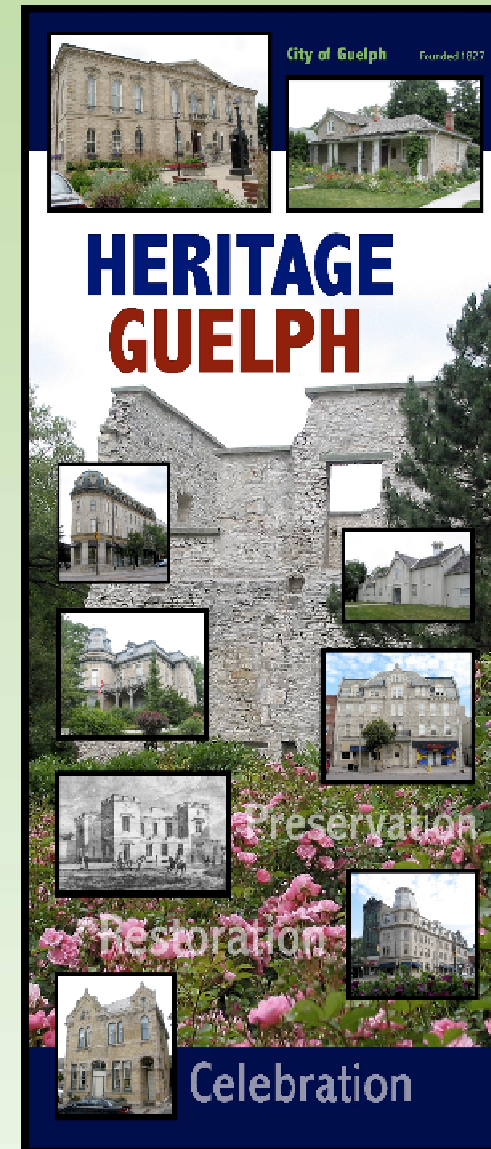
Heritage Planning:

Annual Activity Report and
Four Year Work Plan Update

Making a Difference

Heritage Guelph is an advisory committee appointed by Council to advise on local heritage matters including:

- designation, alteration or demolition of heritage properties;
- assist in carrying out the City's heritage conservation program;
- and maintaining a municipal register of cultural heritage resources."



Heritage Guelph's membership in 2011

Joel Bartlett
Tony Berto
Martin Bosch
Christopher Campbell
Doug Haines
Russell Ott
Lorraine Pagnan
Susan Ratcliffe
Paul Ross (Chair)
Nate Valeriote
Daphne Wainman-Wood
Laura Waldie

- Heritage designations completed in 2011



81 Farquhar Street





340 Woolwich Street

342 Woolwich Street





348 Woolwich Street

12 Mont Street





Corner of Woolwich and Mont Streets

Council presentation to 2011 Heritage Designation Plaque Recipients



Resources available to Heritage Guelph

- Staffing – Recording Secretary and Senior Heritage Planner
- Summer Student – Heritage Research Assistant
- Volunteer contribution of Heritage Guelph Committee members

Heritage Guelph - Communications Working Group

- Review of Heritage Guelph website for improved content and presentation
- Heritage Events – Spotlight on Heritage, Doors Open Guelph, Heritage Designation Plaque Ceremony
- Award Nominations – Ontario Heritage Trust

Heritage Guelph - Designation Research and Heritage Review Working Group

- Determine priority of heritage property research and designations
- Initiate and assist in heritage research required for designations
- Liaise with planning staff on the Heritage Conservation District Designation Process
- Co-ordinate with Senior Heritage Planner to make recommendations regarding the maintenance of the Municipal Register of Cultural Heritage Properties

- Heritage designation research underway for:

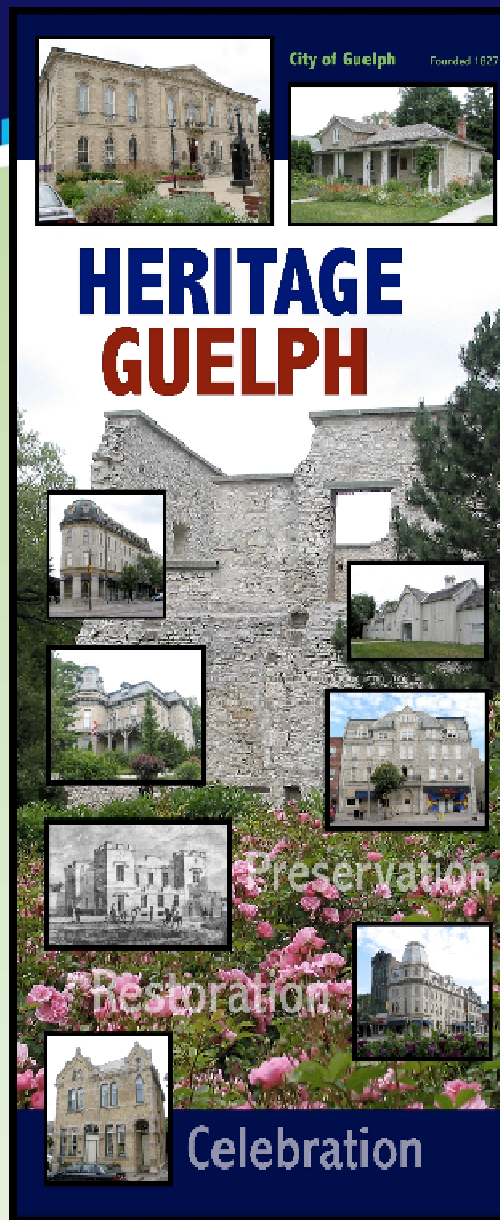


Heritage Guelph's upcoming work activities

- Property research relating to heritage designations
- Comments on development applications & demolition requests
- Recommendations for maintenance of Municipal Register of Cultural Heritage Properties
- Provide advice and assistance to various City initiatives with heritage implications – in particular, the Official Plan Update, Downtown Secondary Plan, Guelph Innovation District Secondary Plan and the Brooklyn and College Hill Heritage Conservation District Designation Process

Heritage Guelph

Making a present of
the past . . .
...for the *future*.



A collage of images related to heritage in Guelph. At the top left is a photo of a large, multi-story stone building. To its right is a smaller photo of a house with a porch, with the text "City of Guelph" and "Founded 1827" above it. Below these is the title "HERITAGE GUELPH" in large, bold letters, with "HERITAGE" in blue and "GUELPH" in red. The central image is a large, partially ruined stone building. Surrounding this central image are several smaller photos of various historic buildings. At the bottom of the collage, the words "Preservation", "Restoration", and "Celebration" are written in a light, semi-transparent font. The entire collage is set against a background of pink flowers.

COMMITTEE REPORT



TO **Planning, Building, Engineering and Environment
Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE September 17, 2012

**SUBJECT Heritage Planning: Annual Activity Report and Four Year
Work Plan Update**

REPORT NUMBER 12-58

SUMMARY

Purpose of Report: This is an annual report which provides an overview of major heritage planning activities over the past year. 2011 was a very productive year in that:

- Council approved the individual designation of five properties under the Ontario Heritage Act;
- Heritage Planning and Heritage Guelph coordinated the annual heritage designation plaque ceremony at the February Council meeting;
- Council approved three notices of intention to designate property;
- Guelph's first Heritage Conservation District Study was initiated for the Brooklyn and College Hill area;
- Senior Heritage Planner was directly involved in roughly 200 heritage-related enquiries from staff or the public;
- Over 185 building or planning applications involved cultural heritage resources.

This report also provides an updated Four Year Heritage Work Plan.

Committee Action: To receive the Heritage Planning: Annual Activity Report and Four Year Work Plan Update.

RECOMMENDATION

"THAT the Planning, Building, Engineering and Environment report 12-58, regarding the Heritage Planning: Annual Activity Report and Four Year Work Plan Update, dated September 17, 2012, be received."

BACKGROUND

In Guelph, Heritage Planning functions are carried out by the City's Senior Heritage Planner, in conjunction with the City's heritage advisory committee: Heritage Guelph.

In its role as an advisory committee to Council on matters concerning the conservation of cultural heritage resources in the City, Heritage Guelph works closely with the Senior Heritage Planner to fulfill aspects of the committee's

mandate. This mandate describes Heritage Guelph's important role in conducting preparatory research and advising on designation and conservation of Guelph properties and districts under the Ontario Heritage Act. There are always many designation related projects going on throughout each year and other related heritage activities carried out by staff and/or the heritage committee.

In order for Council, relevant staff members and Heritage Guelph to have a clear understanding of the research work required of Heritage Guelph, the report work load currently carried by the Senior Heritage Planner and the targeted completion dates of heritage designations and related activities, a Four Year Heritage Work Plan was presented in Report 11-25 to the Planning, Building, Engineering and Environment Committee on March 21, 2011. This was the first Four Year Work Plan to be submitted to Council and it is intended that an annual report be submitted to Council advising on the major heritage planning activities over the previous year and providing an updated Heritage Work Plan. This report is the first annual activities report. Data will be collected in coming years to allow for an analysis of trends over time and potentially develop targets and metrics to begin measuring the City's successes in achieving our heritage planning objectives.

REPORT

Heritage Planning at the City of Guelph

Planning Services is the City department primarily responsible for ensuring the conservation and protection of cultural heritage resources in the City. Cultural heritage resources include built heritage resources, cultural heritage landscapes and archaeological resources. Through policy, the development review process, designation under the Ontario Heritage Act, property maintenance, and other initiatives, the City is committed to promoting heritage conservation as part of the foundation for creating a distinctive and diverse city.

Senior Heritage Planner

The Senior Heritage Planner is the first point of contact for all inquiries relating to cultural heritage resources within the City of Guelph including built heritage resources, cultural heritage landscapes and archaeological resources. The role of the Senior Heritage Planner is as a staff resource for matters relating to the Ontario Heritage Act, including individual property designation, establishment and administration of Heritage Conservation Districts, and any other matters related to cultural heritage resource management. The position provides research, policy and technical advice on heritage conservation initiatives as well as architectural and site design recommendations to facilitate the retention of cultural heritage resources in the development application process.

The Senior Heritage Planner serves as the staff liaison to the City's Municipal Heritage Committee (Heritage Guelph) and assists in the administration and implementation of the Committee's Work Plan.

Heritage Guelph Committee

To aid municipal councils with the administration of their heritage programs, the Ontario Heritage Act enables the appointment of a Municipal Heritage Committee. This committee acts as an advisory body with responsibility to recommend to its Council heritage properties deserving of individual designation under Part IV of the Act and Heritage Conservation Districts under Part V of the Act. By designating properties of local significance, municipal councils are able to help ensure the protection of such properties for the benefit of present and future generations.

Heritage Guelph, Guelph's Municipal Heritage Committee, was created by City Council in August 1977 as the Guelph Local Architectural Conservation Advisory Committee (LACAC) in compliance with the Ontario Heritage Act established in 1975. The first meeting of the Committee was held on September 28, 1977 with five citizen volunteer members. Since that time the Committee membership has been expanded to twelve citizen volunteers appointed by City Council for their knowledge and expertise related to heritage, including such areas as architecture, landscape architecture, construction, local history, law, real estate or first-hand experience with heritage conservation.

While the main purpose of a Municipal Heritage Committee is to advise and assist its municipal council on matters relating to the conservation of properties of cultural heritage value, in practice, the work of Heritage Guelph involves a wide range of activities. The following seven general headings form the basis of the Committee's work:

1. To undertake suitable research (with review of the Municipal Register of Cultural Heritage Properties, previously existing inventories and available resource data) preparatory to designation and conservation of worthy and significant Guelph properties and districts under the Ontario Heritage Act.
2. To consult with City of Guelph staff and City Council and to make recommendations to City Council to designate selected properties and districts under the provisions of the Ontario Heritage Act and to consult with and make recommendations to City Council and civic departments regarding the adequate maintenance and conservation of designated properties and districts.
3. To consult with and advise property owners regarding designation or conservation projects as well as consulting with property owners regarding projects which may relate to the architectural, landscape, streetscape and neighbourhood character of the City.
4. To provide public information concerning projects and objectives of the Committee, to support civic interest in heritage conservation, and to encourage community organizations to undertake projects related to the interests and concerns of the Committee.
5. To develop a program for the adequate identification of significant and designated properties and districts, and where possible to co-ordinate similar projects sponsored by community organizations or government agencies.

6. To assist the City of Guelph in the administration of municipal grants when available to owners of designated properties.

7. To contribute to the City of Guelph planning processes through consultation in all planning matters where issues of heritage conservation may arise.

Heritage Planning: 2011 Activity Report

Heritage Guelph

During the year, the full Heritage Guelph committee meets a total of twelve times with an additional 10-12 meetings of its working groups. During 2011, Heritage Guelph had two active working groups, two ad-hoc working groups and provided individual representation on three heritage-related initiatives:

Communications Working Group

Directly involved in tasks and events including: designation plaque wording; Annual Heritage Designation Plaque Ceremony; Doors Open Guelph; Spotlight on Heritage

Designation Research and Heritage Review Working Group

Recommends priorities to Heritage Guelph regarding heritage designations; Assists heritage planning staff in research required for heritage designation reports; makes recommendations to Heritage Guelph regarding Heritage Review Applications and the ongoing maintenance of the Heritage Register.

Policy Review Working Group (ad hoc)

Review relevant policy material and provide Heritage Guelph with commentary in order to assist in its ability to provide commentary back to various city policy initiatives.

Heritage Trees and Landscapes Working Group (ad hoc)

Provide HG with commentary on the definition of "heritage tree" proposed in the Official Plan Review process

Committee Representation

Individuals representing Heritage Guelph at initiatives that include a heritage component

Downtown Coordinating Committee

Loretto Convent/Guelph Civic Museum Steering Committee

Commemorative Naming Policy Committee

Annual Ontario Heritage Conference

Heritage Guelph's involvement in committee meetings and related events represents a total contribution of over 650 volunteer hours in 2011.

Senior Heritage Planner

The Senior Heritage Planner is the one planning staff member with the responsibility to respond to all public and internal staff enquiries relating to cultural heritage resources within the City of Guelph. On average, a normal work week would have 4 pre-consultation enquiries from the public which would add up to roughly 200 public enquires of this kind annually. Enquires also come from a variety of other City staff and departments usually in the form of requests for comment on applications or situations that involve confirmed or potential cultural heritage resources. These applications or situations have included:

Service Activities	2009	2010	2011	2012	2013	2014
Committee of Adjustment – Consent/Variance	31	19	23			
Demolition Permit Applications	6	9	8			
Building Permits	104	98	108			
Property Standards Inspections	3	4	8			
Site Plan Review and Inspections	7	5	4			
Site Alteration Grading Permit Applications	0	0	1			
Brownfield Inventory	0	0	1			
Tree Protection By-law	0	1	3			
Zoning By-law Amendment Applications	3	3	3			
Heritage Review Applications	3	1	1			
Total	157	139	160			

During 2011, the Senior Heritage Planner was required to respond to a total of 160 building or planning applications initiated through the City's AMANDA application tracking system. Of this number the responses involved:

- 17 properties designated under the Ontario Heritage Act
- 77 properties listed on the Heritage Register
- 60 non-listed properties identified in the Couling Architectural Inventory
- 6 non-listed properties recognized by Heritage Guelph as having cultural heritage value

Of these 160 responses:

- 130 were handled by the Senior Heritage Planner as they did not pose a negative impact on a cultural heritage resource
- 30 were brought to Heritage Guelph by the Senior Heritage Planner for consultation and a recommendation

In addition to the applications above, 25 other heritage-related applications not arising from a building permit or planning application were brought to Heritage Guelph by the Senior Heritage Planner for consultation and a recommendation. In total, the Senior Heritage Planner was directly involved in one or all of the stages of roughly 200 heritage-related enquiries and over 185 applications involving cultural heritage resources in the city.

During 2011, Council approved the individual designation of five properties under the Ontario Heritage Act based on research and recommendations from the Senior Heritage Planner and consultation with Heritage Guelph. The Senior Heritage Planner was assisted by Heritage Guelph in the coordination of the annual heritage designation plaque ceremony at Council. During 2011, three reports recommending Notices of Intention to Designate were approved by Council.

The Senior Heritage Planner was also directly involved in the following major City projects during 2011 as a resource for matters relating to cultural heritage resources offering review, comments and policy advice assistance when necessary:

- Draft Official Plan Update
- Draft Downtown Secondary Plan
- Draft Guelph Innovation District Secondary Plan
- Heritage Redevelopment Reserve
- Downtown Façade Improvement and Feasibility Study Grant Program
- Doors Open Guelph

A current major City project that was initiated in 2011 is the Brooklyn and College Hill Heritage Conservation District Designation Process. This project is the first of its kind for Guelph and involves the Senior Heritage Planner as project manager. In 2011, the HCD process achieved the following key milestones:

- Heritage District Open House (January)
- Staff report to Council (March) direction to initiate the Brooklyn and College Hill Heritage Conservation District Designation Process pursuant to the Ontario Heritage Act
- Staff presentation on the HCD process to Old University Neighborhood Resident's Association
- Creation of Request for Proposals for consulting services
- HCD Public Meeting #1 (November)

Four Year Heritage Work Plan Update

The Heritage Work Plan is intended to have flexibility in the event that research or report deadlines are required to be changed. Heritage Planning staff intend to review the Heritage Work Plan semi-annually with Heritage Guelph to assess completed projects and goals and to determine if changes in scheduling are necessary and to provide Council with an annual update. It should also be noted that certain work plan items and target dates are subject to receiving appropriate future direction from Council (e.g. the Brooklyn and College Hill Heritage Conservation District process). Completion dates after 2012 have been grouped into quarters because Council calendars are not yet available and longer range planning detail is more difficult to pinpoint at this time.

There has been a major change in the work plan regarding the Brooklyn and College Hill Heritage Conservation District Designation Process in that, at its 23 April 2012 meeting, Council decided to approve the proposed public consultation program but extended the timeline to address outstanding HCD boundary issues to 30 Sept 2012. Planning staff were directed to report back to Council with a final recommended HCD boundary at the 17 November 2012 meeting of PBEE

Committee of Council. All subsequent key tasks and milestones will be affected by the outcome of Council's consideration of this report.

An updated Four Year Heritage Work Plan is presented as Attachment 1.

CORPORATE STRATEGIC PLAN

Goal 4 – A vibrant and valued arts, culture and heritage identity
Strategic Objective 4.4 – Intact and well managed heritage resources

FINANCIAL IMPLICATIONS

Funds are included in the City's Annual Operating and Capital Budget to cover heritage planning activities and functions.

DEPARTMENTAL CONSULTATION

At their meeting of May 7, 2012 Heritage Guelph passed a motion endorsing the updated Four Year Heritage Work Plan as presented by Heritage Planning staff.

COMMUNICATIONS

None

ATTACHMENTS

Attachment 1 – Four Year Heritage Work Plan (2011-2014)

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Original Signed by:

Recommended By:

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Executive Director
Planning, Building, Engineering and Environment
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ATTACHMENT 1 – Four Year Heritage Work Plan Update (2011-2014)

PROJECT/ACTIVITY	KEY TASKS / MILESTONES	HERITAGE GUELPH INVOLVEMENT	COMPLETION DATE
Heritage Planning: Annual Activity Report and Work Plan Update	Activity Report and Work Plan Update to Council (Annual)	√	Q1-2011 Q3-2012 Q2-2013 Q2-2014 Q2-2015
Brooklyn and College Hill Heritage Conservation District Designation Process	Preliminary Open House	√	27-Jan-11
	Council decision made initiating HCD Designation process		28-Mar-11
	HCD Study commenced		July-2011
	HCD Study Public Meeting 1 - Public Consultation on HCD Designation Process	√	15-Nov-11
	HCD Study Public Meeting 2 – presenting HCD Study Assessment Report results and proposed heritage district boundary	√	17-Jan-2012
	PBEE considers staff report and Final HCD Study Assessment Report results and proposed heritage district boundary; Council decision - proceed with Phase 2 of HCD designation process but staff to report back to PBEE (Apr 16) with recommended timeline to address outstanding HCD boundary issues and a proposed public consultation program.		21-Feb-2011 27-Feb-2012
	Council decision to approve the proposed public consultation program but extended the timeline to address outstanding HCD boundary issues to Sept 30		23 Apr 2012
	Planning staff report to Council with final recommended HCD boundary		17 Nov 2012
	HCD Public Meeting 3 – presenting a focus workshop session	√	Q4-2012 * Q1-2013 *
	Consultant to provide preliminary draft HCD Plan and Design Guidelines to staff		Q4-2012 * Q1-2013 *
	Non-Statutory Public Meeting for Council to consider draft HCD Plan and Design Guidelines	√	Q1-2013 *
	Statutory Public Meeting for Council to consider final draft of HCD Plan and Design Guidelines	√	Q2-2013 *
	PBEE considers staff report and Final HCD Plan and Design Guidelines – proceed to Council? Council decision - to consider passing HCD Designation By-law and adoption of HCD Plan and Design Guidelines		Q3-2013 *
	Notice of HCD Designation By-law passage and adoption of HCD Plan and Design Guidelines is given – followed by 30-day appeal period		Q3-2013 *
	(* target completion dates under review)		
Other Potential Heritage Conservation Districts	Bring report to Council regarding prioritization of other potential HCDs (e.g. Ward One St. Patrick HCD; Downtown HCD; Oxford Glasgow HCD; St. George HCD)	√	Q2/Q3-2013

Individual Property Designations under Ontario Heritage Act	81 Farquhar St Intention to Designate approved and served with no appeals. By-law passed and designation in effect.	√	26-Sept-11
	12 Mont St Intention to Designate approved and served with no appeals. By-law passed and designation in effect.	√	26-Sept-11
	340 Woolwich St Intention to Designate approved and served with no appeals. By-law passed and designation in effect.	√	26-Sept-11
	344 Woolwich St Intention to Designate approved and served with no appeals. By-law passed and designation in effect.	√	26-Sept-11
	348 Woolwich St Intention to Designate approved and served with no appeals. By-law passed and designation in effect.	√	26-Sept-11
	83 Essex St - BME Church Intention to Designate approved and served 3-July-2009 with no appeals (Litigation over title/ownership concluded that Notice was served on the true owner). Council now free to pass designation by-law	√	Q4-2012
	40 Margaret St – Paisley Memorial United Church Report to Council to recommend serving Intention to Designate	√	Q4-2012
	2162 Gordon St - Marcolongo Farm Intention to Designate approved (27-June-11) but not served pending further staff review of owner's request to change heritage attributes	√	Q4-2012
	18 Kathleen Street – Cowan House Report to Council to recommend serving Intention to Designate	√	Q4-2012
	80 Simmonds Dr - Wilson Farmhouse Intention to Designate approved (28-Feb-11), served and appealed (pending outcome of Conservation Review Board Hearing June 4-5, 2012)	√	Q4-2012
	5 Arthur St S - Woods 1 Report to Council to recommend serving Intention to Designate	√	Q1-2013
	19 Woodycrest Dr - Kingsmill/Howitt House Report to Council to recommend serving Intention to Designate	√	Q1-2013
	331 Clair Rd E Report to Council to recommend serving Intention to Designate	√	Q2-2013
	72-76 Macdonell St - Diplomat Hotel Report to Council to recommend serving Intention to Designate	√	Q2-2013
	211 Silvercreek Pkwy S - Sleeman House Report to Council to recommend serving Intention to Designate	√	Q3-2013
	49 Norfolk St - Albion Hotel Report to Council to recommend serving Intention to Designate	√	Q4-2013
	195 College Ave – (former College Avenue School) Report to Council to recommend serving Intention to Designate	√	Q4-2013
	108 Queen St Report to Council to recommend serving Intention to Designate	√	Q1-2014
	65 Delhi St - Delhi Recreation Centre Report to Council to recommend serving Intention to Designate	√	Q2-2014
	65 Maple St Report to Council to recommend serving Intention to Designate	√	Q3-2014
	49 Metcalfe St – Dario Pagani Residence Report to Council to recommend serving Intention to Designate	√	Q4-2014
	28 Norfolk St - Church of Our Lady and "Catholic Hill" building complex Report to Council to recommend serving Intention to Designate	√	2015
	148 Delhi St - The Homewood building complex Report to Council to recommend serving Intention to Designate	√	2015
	47 Alice St - Valeriote House/Shoe Shop Intention to Designate approved/served but appealed (Conservation Review Board recommendation received 16 Dec 2008) Council now free	√	To be determined

	to pass designation by-law or withdraw Intention to Designate		
	79 Carden St - Guelph Train Station Intention to Designate approved (28-Feb-11) but cannot be served until (Federal) Order in Council approves transfer of ownership to the City	√	To be determined
	72 Farquhar St - Drill Hall Intention to Designate approved (27-June-11) but would only be served if property were to be transferred from Provincial ownership; GO Transit currently creating a reuse and Conservation Plan for the building	√	To be determined
Official Plan Update	Staff and Heritage Guelph to monitor and respond to Provincial Review of OPA 48 and any appeals to Cultural Heritage Policies	√	per OP Review schedule
Downtown Secondary Plan	Staff and Heritage Guelph to participate in heritage-related components of the Downtown Secondary Plan Implementation Strategy including the proposed Heritage Conservation Analysis	√	per Secondary Plan schedule
Guelph Innovation District Secondary Plan	Staff and Heritage Guelph review/comment on Draft	√	per Secondary Plan schedule
Maintenance of the Heritage Register	Staff report to Council on recommended process for any future expansion of the Heritage Register	√	Q1-2013
Capital and Operating Budget Review (Annual)	Staff and Heritage Guelph to discuss anticipated budget needs	√	Q2-2012 Q2-2013 Q2-2014 Q2-2015
Investigation of Financial Incentives for Designated Heritage Property	Report to Council on results of research, review of municipal best practices and discussion of options	√	Q2/Q3-2013
Spotlight on Heritage at Stone Road Mall	Annual event	√	18 Feb 2012 Q1-2013 Q1-2014 Q1-2015
Heritage Plaque Ceremony	Annual event held at Council Meeting	√	Feb 27-2012 Q1-2013 Q1-2014 Q1-2015
Heritage 101 - Workshop Series	The Real Estate Market and the Heritage Register	√	Q4-2012
	Understanding the Heritage Register	√	Q2-2013
	Heritage Topic (to be determined)	√	Q1-2014
	Heritage Topic (to be determined)	√	Q1-2015
Doors Open Guelph	Annual event	√	28-Apr-2012 Q2-2013 Q2-2014 Q2-2015

COMMITTEE REPORT



TO **Planning, Building, Engineering and Environment Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE September 17,2012

SUBJECT **180 Gordon Street Brownfield Tax Increment-Based Grant Upset Limit Increase Request**

REPORT NUMBER 12-75

SUMMARY

On March 28, 2011, Council approved a Tax Increment-Based Grant (TIBG) pursuant to the Brownfield Redevelopment Community Improvement Plan for the property at 180 Gordon Street to an upset limit of \$156,000. In August 2011, the Owner received comments from the Ministry of Environment (MOE) on the preliminary risk assessment for the property. In order to address MOE's comments, the owner will need to conduct additional environmental investigation work. As such, the owner of 180 Gordon Street filed an application to increase the upset limit of the approved grant by \$138,000 for additional investigative work to address MOE's comments.

Purpose of Report:

To seek Council's approval of an increase in the upset limit of the grant from \$156,000 to \$294,000. The report identifies the applicant's reasons for requesting the increased grant request, recommends a total grant upset limit, and addresses the financial implications.

Committee Action:

To consider staff's recommendation to approve the applicant's grant request and to provide for an amendment to the existing grant agreement to implement the decision.

RECOMMENDATION

"THAT Planning, Building, Engineering and Environment Report #12-75 dated September 17, 2012 regarding 180 Gordon Street Brownfield Tax Increment-Based Grant Upset Limit Increase Request, be received;

AND THAT the request by 180 Gordon Street Ltd. for a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan be approved to a new upset limit of \$294,000 subject to criteria outlined in the Brownfield Redevelopment CIP, and provided that an agreement to implement the new upset limit is executed within six months of Council approval;

AND THAT staff be directed to finalize an amendment to the Tax Increment-Based Grant agreement between the City and 180 Gordon Street Ltd. dated January 6, 2012, to the satisfaction of the General Manager of Planning Services, the General Manager of Legal and Realty Services/City Solicitor, and the City Treasurer;

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

BACKGROUND

Brownfield Redevelopment Community Improvement Plan (CIP)

The City has a Brownfield Redevelopment CIP that includes financial incentive programs to stimulate investment in remediation, reuse and redevelopment of brownfields. The premise of the CIP is that City investment in the remediation and redevelopment of brownfield sites will result in proportionally greater improvements to environmental and neighbourhood conditions while creating additional tax revenues in the long-term. Additional rationale for providing financial incentives to brownfield redevelopment is included in Attachment 1.

Site Background

The subject property is known municipally as 180 Gordon Street (Site). The 0.16 hectare Site is southeast of the Gordon Street bridge over the Speed River (see Attachment 2). The Site has historically been used as an automobile service station (1936–2003) and more recently as a car and truck rental establishment (1995–2003).

The Site is zoned C1-19 (Specialized Convenience Commercial) Zone, which permits a Vehicle Service Station, and FL (Floodway) Zone. On March 5, 2012 Council approved Official Plan and Zoning by-law amendments to permit the development of 11 townhouse units. That decision was appealed to the Ontario Municipal Board. Accordingly, the Specialized Convenience Commercial and Floodway zoning is still in effect. Additional detail regarding this development application can be found in [PBEE report #12-27](#), dated March 5, 2012.

After considering [PBEE report #11-22](#), on March 28, 2011 Council approved a Tax Increment-Based Grant (TIBG) pursuant to the Brownfield redevelopment CIP to an upset limit of \$156,000. The grant value was based on the estimate of costs required to remediate the Site included in a remedial work plan that accompanied the application. An agreement between the City and the Owner dated January 6, 2012 was executed to implement the grant.

The Owner has undertaken some site investigation and remediation. In May 2012, the owner contacted staff advising that the contamination is worse than expected and that the approved \$156,000 grant would be insufficient to cover costs eligible under the CIP. Staff advised the proponent not to incur more than \$156,000 in eligible costs, and encouraged them to submit another application for the TIBG program.

REPORT

On June 13, 2012 180 Gordon Street Ltd. submitted a revised application for a Tax

Increment-Based Grant (TIBG) pursuant to the Brownfield Redevelopment CIP to offset cost of conducting soil and groundwater investigation and remediation, preparing a risk assessment and filing a record of site condition. This includes both costs included as part of the \$156,000 2011 grant and \$138,000 in additional costs. The 2011 and revised estimated costs are outlined in Table 1.

In support of their application, the applicant’s environmental consultant has noted that preliminary work on the risk assessment for the property, in consultation with the Ministry of the Environment, identified the need for additional contaminant characterization, site investigation of both shallow and deep groundwater systems, soil remediation and revisions to the risk assessment document.

Under the TIBG program, the City can provide annual grants that are based on the increase in the municipal tax levy (tax increment), which is defined as the difference between pre and post-development municipal taxes for a site. Once development is complete and the property value is reassessed, taxes are paid by the future property owner(s). Under this program, 80 percent of the municipal tax increment is issued to the applicant (or designate) as an annual grant for a maximum of 10 years or until eligible remediation costs are reimbursed. The remaining 20 per cent of the tax increment is directed to the City’s Brownfield Reserve Fund and used to help fund other Brownfield Redevelopment CIP programs.

Table 1 – Tax Increment Based Grant - Eligible Costs

	2011 Estimated Costs	Costs incurred to date	Estimated increase	Revised Estimated Costs
Follow-up Phase 2 Environmental Site Assessment	\$25,000	\$55,000	\$30,000	\$55,000
Risk Assessment	\$62,000	\$31,000	-	\$62,000
Finalize Remedial Work Plan and Complete Soil Remediation	\$50,000	\$50,000	-	\$50,000
Filing RSC	\$5,000	-	-	\$5,000
Project Management	\$14,000	\$10,500	-	\$14,000
Deep Groundwater Investigation	-	-	\$30,000	\$30,000
Supplemental Baseline Characterization	-	-	\$18,000	\$18,000
Increased Scope of Risk Assessment	-	-	\$25,000	\$25,000
Remediation	-	-	\$35,000	\$35,000
Total	\$156,000	\$146,500	\$138,000	\$294,000

Maximum potential 10-year TIBG with proposed zoning

\$294,442

Evaluation

The applicant has submitted a revised estimate of eligible cost required to conduct further investigations, conduct remediation, and prepare a risk assessment that addresses the MOE's comments. The CIP is silent on applicants applying for an increased grant if they plan to incur more eligible costs than established in the original grant's upset limit. Staff have determined that the additional costs are eligible, and that the revised application meets the requirements of the CIP.

Table 1 shows that the applicant has not incurred more than \$156,000 in eligible costs to date, therefore there does not appear to have been a violation of the CIP's rule against awarding grants retroactively. However, before issuing any grant, staff will review invoices for eligible costs to ensure this is the case.

Since estimated eligible costs are less than the maximum potential TIBG if the property is redeveloped as proposed, staff recommend that Council approve a new upset limit for the TIBG of \$294,000.

Approving an increase in the upset limit does not presume an outcome of the Ontario Municipal Board hearing regarding the Official Plan and Zoning By-law Amendments. If the amendments are not approved, redevelopment is unlikely to occur. Without redevelopment and a real increase in assessed value and taxes collected, there will be no grant issued and the owner would not be able to recover eligible costs from the City.

CORPORATE STRATEGIC PLAN

Strategic Directions

- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City
- 3.2 Be economically viable, resilient, diverse and attractive for business

FINANCIAL IMPLICATIONS

Grant payments are to be funded from the Brownfield Redevelopment Reserve. On April 23, Council approved a 5-year program cap of 16.9 million, and funded this through the tax levy as outlined in [CAFES report #12-01](#).

The table below provides a summary of all approved Brownfield TIBG applications approved by the City and the amount remaining for future applications.

Total Brownfield TIBG envelope	\$16,900,000
Less 5 Approved Grants	- \$ 5,999,430
	\$10,900,570
Current application (incremental)	- \$ 138,000
Amount remaining for new applications	\$10,762,570

DEPARTMENTAL CONSULTATION

Finance
Legal and Realty Services

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment 1 – The Value of Brownfield Redevelopment
Attachment 2 – Location Map

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Attachment 1 - The Value of Brownfield Redevelopment

Importance of Brownfield Redevelopment

The City's records indicate that there are approximately 420 potential brownfield properties within the City. Historically, there has been little interest in redeveloping brownfield sites due to the uncertainty surrounding the extent of contamination and the potential cost of cleanup. Furthermore, brownfield sites pose a potential threat to the quality of Guelph's groundwater-based drinking water supply and surface waters.

The Brownfield Redevelopment CIP provides financial incentives to undertake the studies and remedial work necessary to redevelop brownfield sites and eliminate the potential negative impacts to the City's water supply and the water quality of the City's rivers, which are important for sustaining fisheries, as well as aesthetic and recreational resources.

There are a number of additional benefits to the redevelopment of brownfield sites. For example, they are often located within existing built up areas of the City where hard and soft infrastructure services are already available, and additional infrastructure expenditure may not be required to service them. The redevelopment of brownfield sites can help reduce the stigma attached to both the subject and nearby properties thereby increasing their property values. Furthermore, redevelopment can bring the long-term benefits of increased tax revenue contributing the fiscal sustainability of the City.

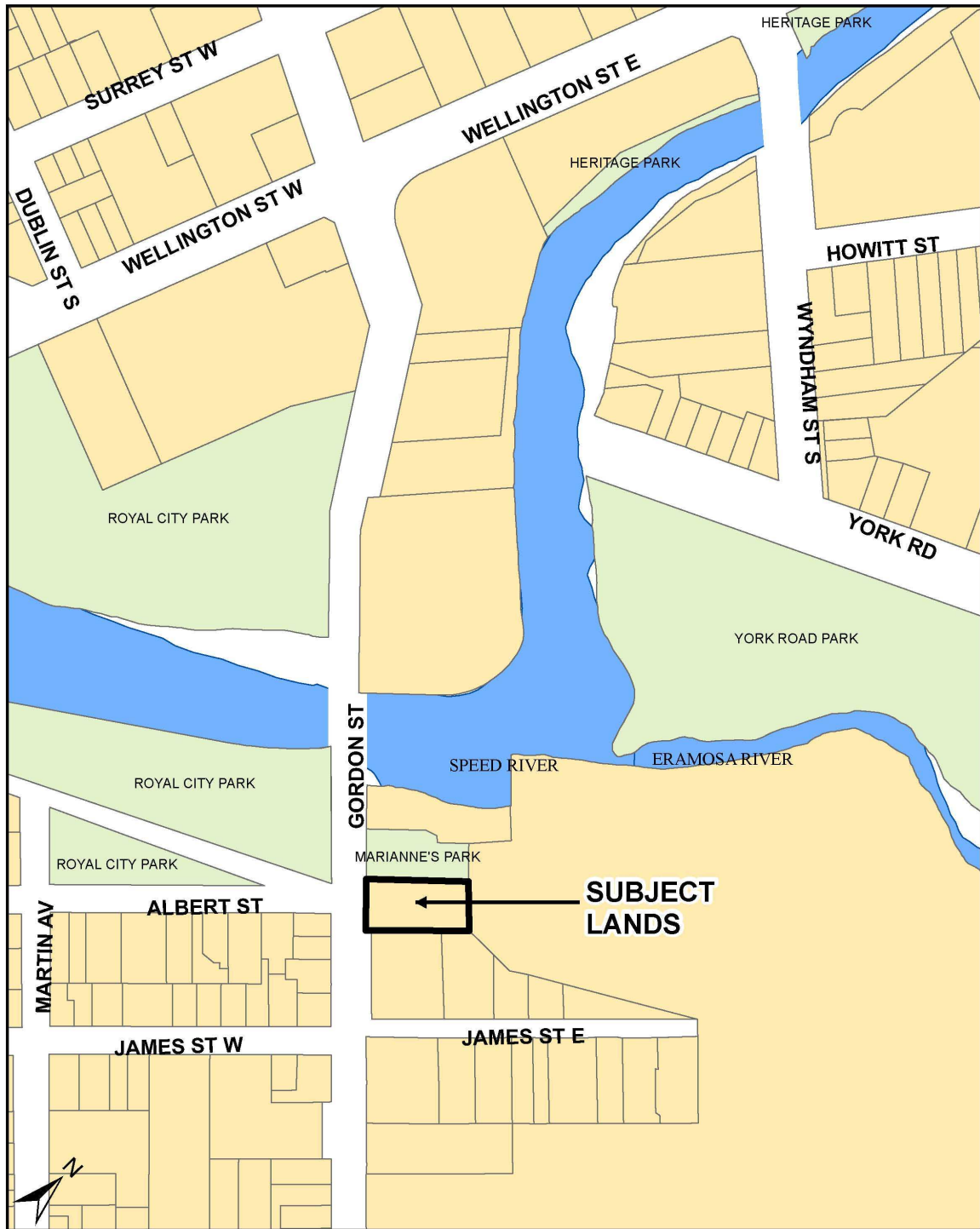
As the City moves forward with the implementation of its Growth Management Strategy, Draft Downtown Secondary Plan, Community Energy Initiative and Source Water Protection planning, the redevelopment of brownfield sites will play an increasingly important role in the achievement of the City's strategic goals and in particular the intensification targets for the built-up areas in general and the Downtown in particular.

The Value of Remediation and Redevelopment of 180 Gordon Street

Remediation and redevelopment of the Site has several strategic benefits in addition to those listed above:

- a) the lands are within the City's Built-up Area and its redevelopment will help meet intensification targets;
- b) the close proximity of the Site to environmentally sensitive ecosystems within the Speed River valley;
- c) in terms of Source Protection Planning, the removal of contamination beneath this Site would address a current threat to surface water and groundwater quality; and
- d) provide increased tax assessment on a property that has been vacant for the past 6 years.

Attachment 2 – Location Map



The City of Guelph, its employees and agents, do not undertake to guarantee the validity of the contents of the digital or hardcopy map files, and will not be liable for any claims for damages or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or be used for legal description. This map may not be reproduced without the permission of the City of Guelph. Please contact the City of Guelph's GIS group for additional information at 519-822-1206.



COMMITTEE REPORT



TO Planning, Building, Engineering and Environment
Committee

SERVICE AREA Planning, Building, Engineering and Environment
DATE September 17, 2012

SUBJECT Habitat for Humanity Funding Request for 26 & 28
Huron Street and 439 York Road Projects

REPORT NUMBER 12-76

SUMMARY

Purpose of Report:

This report responds to Habitat for Humanity's (HFH) request for funding to offset City fees incurred in developing three residential units in Guelph in 2011. The request meets most of the City's newly developed Community Investment Strategy (CIS) criteria, contributes to the Official Plan's direction to support affordable housing, and is consistent with the City's history of funding HFH and the results of a municipal best practice review. A grant to offset City Development Charges is recommended. However, in the absence of a contemporary Housing Strategy, it is unclear whether funding HFH is the most effective use of the City's Affordable Housing Reserve. As a next step, the report identifies that staff will be preparing a Housing Strategy, and that this be used to address future HFH funding requests.

Committee Action:

- Approve a grant to offset City Development Charges for the projects;
- direct staff to prepare an agreement to implement the grant while protecting City interests;
- authorize the Mayor and Clerk to sign the agreement.

RECOMMENDATION

"THAT Planning, Building, Engineering and Environment Report #12-76 dated September 17, 2012 regarding a request for Funding by Habitat for Humanity for 26 & 28 Huron Street and 439 York Road projects be received;

AND THAT the request for funding by Habitat for Humanity Wellington County be approved in the form of a grant totaling \$69,063;

AND THAT staff be directed to finalize an agreement to implement the grant with Habitat for Humanity Wellington County to the satisfaction of the General Manager of Planning Services, the City Solicitor and the Chief Financial Officer;

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

BACKGROUND

Habitat for Humanity Wellington County (HFH) is responsible for implementing the Habitat Homebuilding Program (described in Attachment 1) in Guelph, Wellington County, and Dufferin County.

In October 2011, HFH requested a grant from the City to offset development charges and other City fees associated with their 2011 affordable housing projects, specifically two semi-detached dwellings at 26 and 28 Huron Street, and a single detached dwelling at 439 York Road. In support of this request, HFH identified \$134,242 in City fees, categorized in Table 1.

Table 1 - Habitat for Humanity Funding Requests 2007-2011

	Morris St. (2007)	Harris St & Alma St. (2008)	Johnson St. (2009)	Bagot St. (2010)	Huron St & York Rd (2011)
Development Charges	\$10,655	\$22,538	\$50,248	\$45,656	\$69,063
Water & Sewer Connection	14328	22672	\$26,720	\$27,866	\$51,878
Road and Boulevard Work	\$130	\$252	\$2,996		
Building Permit Fees	\$865	\$1,951	\$1,572	\$3,440	\$7,526
Planning Fees	-	-	-	\$5,055	
Parkland Dedication & Tree Planting	-	-	-	\$2,500	\$1,625
Total Grant Request	\$25,978	\$47,413	\$81,536	\$87,111	\$134,242
Grant Awarded	\$26,000	\$47,413	\$80,000	\$45,656	
Grant Awarded per Unit	\$26,000	\$23,707	\$40,000	\$22,828	

NB: Total Grant requested may be greater than the sum of itemized City costs because HFH requested reimbursement of School Board DCs, or Letters of Credit that are not normally cashed

[PBEE Information Report #12-06](#) dated February 6, 2012 provided an initial response to this request and included:

- three possible approaches to evaluating the request for funding;
- an identification of the need for a comprehensive strategy to address City funding of affordable housing projects; and
- an outline of staff's intent to use the third option, namely, using the Community Investment Strategy (CIS) framework then under development to assist in evaluating the current request.

The CIS represents the City's efforts to improve how the City funds, supports and partners with the community benefit sector (community, non-profit and voluntary organizations) to achieve shared community and social goals. Phase 1 of the CIS, the Strategic Policy Framework, was presented in [CSS report# CSS-CESS-1211](#) and approved by Council on April 23, 2012. It identifies strategic directions, guiding principles, mechanisms for investment and identified evaluation criteria based on indicators from the Community Wellbeing initiative.

[CSS report# CSS-CESS-1221](#), dated September 11, 2012, presents Phase 2 of the CIS, which establishes operational details and procedures to implement the Phase 1 work. Although the CIS is scoped only to apply to investments through Community and Social Services, many of its principles are applicable to investments made through other service areas.

REPORT

The CIS recognizes that the City can partner with the community benefit sector in their delivery of programs and services that increase community wellbeing. The community benefit sector can often deliver more efficiently than the City by leveraging other sources of funding, capitalizing on volunteerism and strong community networks.

The CIS identifies five key mechanisms for community investment and establishes criteria for evaluating funding requests. The Community Benefit Agreement is one such mechanism and is characterized by partnerships between the City and partner(s), formalized in multi-year agreements, to provide services that enhance community wellbeing and align with City strategic or master plans. The HFH request best fits within this mechanism. However, the HFH request is not being considered through the process outlined in Phase 2 of the CIS because the project and funding request predates the introduction of the CIS, and because affordable housing projects are outside the CIS scope. However, the funding request can be evaluated using the directions and evaluation criteria identified in Table 2.

Table 2 – Evaluation of HFH Request against draft CIS Community Benefit Agreement Criteria

	Criteria	Analysis
Eligibility	Mutually beneficial	Yes. Meets City and partner goals.
	Fosters community wellbeing	Yes. Living standards domain in particular.
	Protects public interest in short and long term	n/a
	Aligns with City strategy	Yes. Contributes to 27% affordable home ownership target in Official Plan Amendment 48.
	Not done elsewhere in community (fills a need/gap)	Yes. Affordable Housing Discussion Paper (2009) found very few low income households can afford the ownership housing provided by the market.
	Non-profit generating	Yes
	Multi-year	Not recommended at this time.
Evaluation Criteria	Anticipated community impact	Impact is primarily on one household, but with positive spin-offs to community.
	Evidence of community support	Uncertain
	Supports achievement of City strategic goals/master plans	The construction of new affordable housing is a key Official Plan objective.
	Address unmet community needs	Yes. HFH provides for households becoming home owners who could not afford this otherwise, including those in “deep core need.” A group that is very poorly served by the market.

	Criteria	Analysis
	Creates additional community and social services opportunities	Yes. Affordable housing is an important social service.
	Enhances City operations and programming	City does not currently operate or program affordable housing facilities. The City funds affordable housing through payments to the CSM (County of Wellington) and as a partner on capital projects from time to time.
	New or innovative approach	tried and tested.
	Organization Capacity of Partners	HFH Wellington has successfully built 19 houses in the last 11 years.
	Partner committed to cause and willing to commit resources	Proven track record.
	Resource availability	The affordable housing reserve has sufficient funds to cover the expenditure.
	Leverages additional resources	Each house is constructed using donated money, labor and materials or mortgages payments from earlier HFH builds. City portion is small.
	Sustainability Plan	Affordable housing is maintained by mortgage payments and other provisions of Habitat Homebuilding Program
	Overall Return on investment	Difficult to assess without Housing Strategy.

Through Official Plan Amendment 48 (OPA 48), the City established an annual target of developing 27% of all new residential units as affordable ownership housing. In 2009, units costing less than \$237,000 were affordable. Although, the City has not begun to monitor achievement of these targets, anecdotal evidence suggests that the private housing market has not been meeting this target.

In response to previous requests for financial assistance from proponents of affordable housing projects, Council has expressed a desire for the City to develop a comprehensive policy framework to assess such request, including an analysis of the most effective methods of investing limited tax dollars to achieve housing target. As discussed in more detail later on in the report, OPA 48 commits the City to developing a comprehensive Housing Strategy, which will address these objectives.

Prior to the development of the Housing Strategy, and without a business case in support of the HFH's request, staff are not able to assess whether funding of HFH projects represents the most effective investment of limited tax dollars to help achieve affordable housing targets. However, the City has historically funded Habitat for Humanity funding requests to offset City fees, and has not requested business cases in support as required as part of an application for a Community Benefit Agreement under the CIS. Staff note the projects being considered have already been constructed, and that asking HFH for a business case after the fact would be of limited value. Staff considers it reasonable to process the request now,

considering the timing of the request in October 2011, and the contemplated timing of the development of the City's Housing Strategy in 2013-2014.

In response to an earlier HFH request for an ongoing funding relationship with the City, staff surveyed 15 Ontario municipalities regarding their support of Habitat for Humanity. The survey, reported in [CDES report #10-95](#), dated September 20, 2010, found that waiving or granting back of Development Charges was the most common form of municipal assistance to HFH. The survey also identified a variety of non-financial means of assistance including land granting and priority access to purchase surplus City lands.

On June 25, 2012, Council approved directing \$100,000 of the 2011 year end operating surplus to the affordable housing reserve.

Recommendations

In light of the above discussion, it is recommended that the City provide a grant of \$69,063 to offset the City's development charges. Awarding the grant:

- contributes to achieving the City's Affordable Housing targets;
- is consistent with the directions of the Community Investment Strategy;
- is supported by the Council adopted policy to explore partnerships to increase the supply of affordable housing;
- is similar to the per unit amount financial assistance (approximately \$23,000) provided by the City in 2007, 2008 and 2010;
- is a form of financial assistance that many other Municipalities provide to Habitat for Humanity;
- spends the majority of the 2011 contribution from surplus to the affordable housing reserve;
- provides an important community benefit, without committing to an ongoing partnership with HFH to ensure that that uncommitted funds will remain in the Affordable Housing reserve to implement the recommendations of the forthcoming Housing Strategy;
- is reasonable in light of the anticipated timing of the development of the City's Housing Strategy.

Next Steps

Agreement

Should Council approve the funding request, staff would prepare an agreement with Habitat for Humanity that would:

- ensure that the dwellings remain in the control of HFH for the purposes of affordable housing;
- establish a mechanism for reporting back on this; and
- ensure that City support of the projects is acknowledged as appropriate.

Initiate the preparation of a Housing Strategy

OPA 48 (which has been adopted by Council, but is not in effect) introduces revised housing policies. It identified the need for a housing strategy:

7.2.2 General Policies

1. *The City will develop a housing strategy that will set out a plan, including policies for the Official Plan and implementation strategies, to*

meet the needs of all residents, including the need for affordable housing – both home ownership and rental housing. The housing strategy will include the planning and development of a range of housing types and densities to support the achievement of the intensification target and density targets.

Pursuant to the Housing Services Act, Consolidated Municipal Service Managers (CMSM) must prepare Housing and Homelessness plans for their jurisdictions by the end of 2013. Wellington County is the CMSM for Guelph. City Planning staff have met with County of Wellington staff to discuss collaboration and sharing of resources towards the development of the Housing and Homelessness Plan and the City's Housing Strategy. The Housing Strategy will consider all manner of financial and non-financial tools that may be used to increase the supply of affordable housing. This strategy should be used to assess future HFH funding requests. Staff are beginning to develop a project outline and work plan for the preparation of a Housing Strategy and anticipate reporting to Council on this in late 2012 or early 2013.

Development Charges Background Study

The current Development Charges By-law will expire on March 2, 2014, and the City is starting the process to complete the background study necessary for a new development charge by-law to be in place before the current by-law expires. The process will include the review and analysis of Guelph's funding of growth-related capital costs and consideration of all development charge rules and policies, such as the merits of exemptions for affordable housing projects.

CORPORATE STRATEGIC PLAN

3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City

FINANCIAL IMPLICATIONS

The City's Affordable Housing Reserve was established by Council in 2002. The intent of the reserve was to financially assist in the creation of new affordable housing in the community. The Reserve has a sufficient balance to fund the request. There is no annual funding source for the Affordable Housing Reserve fund. This will need to be considered as part of the City's Housing Strategy.

DEPARTMENTAL CONSULTATION

Community Engagement and Social Services
Finance

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment 1 – The Habitat for Humanity Homebuilding Program

Prepared By:

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Original Signed by:

Recommended By:

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Original Signed by:

Recommended By:

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Planning, Building, Engineering and
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Attachment 1 – The Habitat For Humanity Homebuilding Program (extracted from <http://www.habitat.ca>)

Build & Ownership Process

BREAKING THE CYCLE OF POVERTY

Because Every Canadian Has the Right to a Home They Can Afford

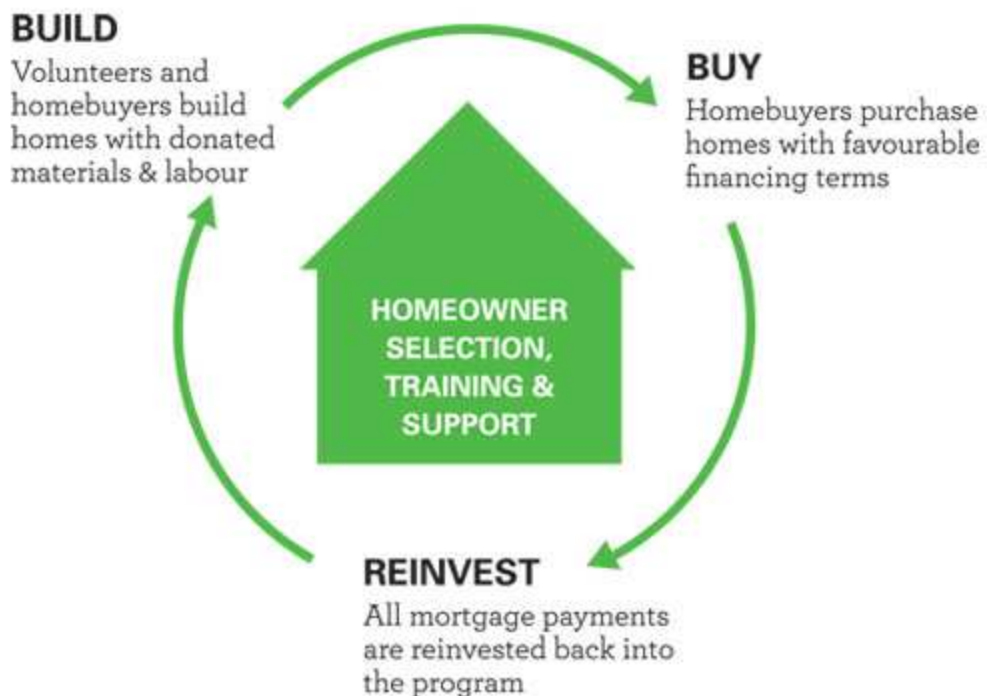
At Habitat for Humanity Canada, we believe in making affordable housing accessible to low-income families who could not otherwise afford to own a home.

We make this possible for our partner families by:

- Building homes using volunteer labour and donated materials
- Selling these homes to partner families with a required commitment of 500 volunteer hours
- Offering families an affordable and sustainable no-interest, no down-payment mortgage, with monthly payments set at 25 % of gross income (this includes principal repayment and property tax - at the discretion of the affiliate, homeowner insurance may be collected as well, in which case payments would not exceed 30% of gross household income)

Habitat homes help families avoid making impossible choices between rent and other basic necessities by providing them with a mortgage they can afford. An affordable mortgage allows our partner families to ensure their needs are met – including childcare, transportation, groceries, education, school supplies, medical and dental expenses, clothing, furniture, and more.

Partner families' monthly mortgage payments go into a revolving fund held by the affiliate that built the home. This fund is reinvested into the community, as it is used to build more homes for low-income families in need.



Habitat Homeowner Selection

When selecting potential partner families, affiliates consider an applicant's:

- Level of need
- Willingness to become partners in the program
- Ability to repay the no down-payment, interest-free mortgage that is geared to their income

Future homeowners must also contribute 500 hours of sweat equity, share in the labour of homebuilding, and participate in valuable training and preparation sessions. In return, their lives are transformed by the positive experience of working with their community and by the many benefits that come along with homeownership.

How Habitat for Humanity Keeps Costs Low for Partner Families

Habitat for Humanity manages the cost of new homes through:

- The use of modest designs
- The use of donated materials
- Utilizing volunteer labour
- Ensuring low administration costs

Our Partner Families

Families living below the poverty line who are able to repay an interest-free mortgage can qualify to become a partner family.

Future homeowners must share in the labour of homebuilding, contributing 500 hours of sweat equity, and must participate in valuable training and preparation sessions. In return, their lives are transformed by the positive impact of receiving the hand up of homeownership.

Our Volunteers

More than 50,000 volunteers work with Habitat for Humanity in Canada every year. Thousands more help to build homes in other countries through our Global Village program. We heavily depend on our volunteers, who may be professional trades-people donating a portion of their time and expertise, or first time builders who have never hammered a single nail.

Volunteers have been a vital part of our history and will continue to be in our ongoing success. If you would like to learn more about volunteering with Habitat for Humanity, please visit our [volunteer page](#).

COMMITTEE REPORT



TO **Planning, Building, Engineering and Environment
Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE September 17, 2012

**SUBJECT SIGN BY-LAW VARIANCE FOR 101 Clair Road East
(Good Life Fitness)**

REPORT NUMBER

SUMMARY

Purpose of Report: To advise Council of a Sign By-law variance requesting building signage on the second storey building face of 101 Clair Road East.

Council Action: To approve the request for a variance from the Sign By-law for 101 Clair Road East

RECOMMENDATION

"THAT Planning, Building, Engineering and Environment report dated September 17, 2012 regarding a sign variance for 101 Clair Road East be received;

AND THAT the request for a variance from the Sign By-law for 101 Clair Road East to permit building signage for Good Life Fitness on the second floor elevation be approved."

BACKGROUND

Lovett Signs has submitted a sign variance application on behalf of Good Life Fitness, located at 101 Clair Road East to allow for three building signs to be located on the 2nd storey elevations (see Schedule A- Location Map). The property is zoned Community Commercial CC-20 in the Zoning By-law No. (1995)-14864. The Sign By-law No. (1996)-15245 in Table 1, Row 1 restricts building sign placement to the first storey on a building face.

REPORT

Lovett Signs has applied for a sign variance for Good Life Fitness (see Schedule B- Signage For Variance). Staff identified that the proposed signage would not comply with the Sign By-law in that building signs are restricted to the first storey elevation in commercial zones.

The following reasons have been supplied by the applicant in support of this application:

- Good Life Fitness is the only occupant on the second storey;
- Second floor signage will distinguish Good Life Fitness as being on the second floor as all other commercial tenants (Dollarama, JYSK) are on the first floor;
- The building's location is set far back from the street and second floor signage will optimize visibility;

- The proposed signage on the second floor is proportionate to the building;
- Good Life's corporate image it to have signage on the highest point of the building and as large as permitted.

The requested variance is as follows:

Building Sign (Commercial zone)	By-law Requirements	Request
Permitted Location on a Building	1st storey on a building face facing a public road allowance or facing another property	2nd storey on a building face facing a public road allowance or facing another property

The requested variance from the Sign By-law for three building signs on the second storey elevation is recommended for approval because:

- This is a unique situation with a second floor tenant occupying the whole of a second floor in a commercial mall;
- The existing window placement makes it difficult to comply to by-law regulations while providing the business adequate signage;
- The building is setback over 100 metres from the street, which lessens the impact of the signage.

CORPORATE STRATEGIC PLAN:

Urban Design and Sustainable Growth:

Goal #1: An attractive, well functioning and sustainable city

FINANCIAL IMPLICATIONS: N/A

DEPARTMENTAL CONSULTATION: N/A

COMMUNICATIONS: N/A

ATTACHMENTS

Schedule A -Location Map

Schedule B- Existing and Proposed Signage

Prepared By:

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Senior By-law Administrator

Building Services

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Original Signed by:

Original Signed by:

Recommended By:

Bruce A. Poole

Chief Building Official

Building Services

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bruce.poole@guelph.ca

Recommended By:

Janet L. Laird, Ph.D.

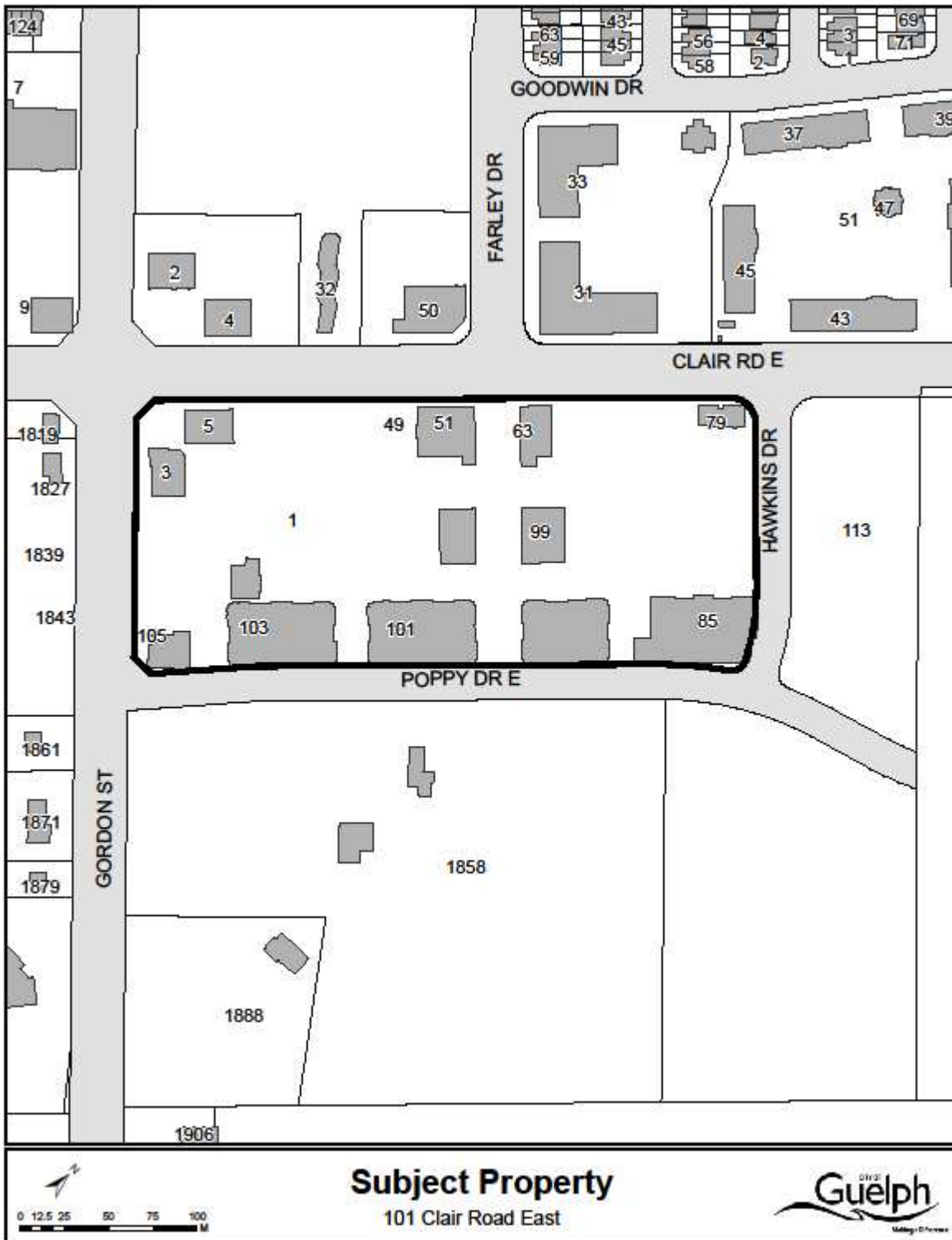
Executive Director

Planning, Building, Engineering and Environment

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SCHEDULE A- LOCATION MAP



SCHEDULE B- SIGNAGE FOR VARIANCE

Client: GoodLife Fitness
Location: Guelph ON
Signage Type: Signage Proposal
Option: 1.01

2 Backsets required

New Dimensional Channel Letters - Small Set

- Aluminum constructed 1/2" backset
- 3/16" white acrylic faces with translucent white applied to 1st surface
- 1" end trim cap
- White LED illumination
- Letters to be mounted flush to substrate

3/16" white acrylic

Preliminary Artwork
Site Check required prior to manufacturing

North elevation

South elevation

www.lovettsigns.ca | Client: GoodLife Fitness | Drawing #: GoodLife Fitness - Guelph D_040112.04 | Rev: 01-18-2017

525 Southgate Dr. Guelph ON | Address: 1825 Gordon Street | Installation: yes no | Panel: back front none none none

Tel: 519 822 9358 | Fax: 519 822 2075 | E: sales@lovettsigns.ca | Designer: J.C. | Start Date: 04-12-12 | Revision: Back | **A** layout

Client: GoodLife Fitness
Location: Guelph ON
Signage Type: Signage Proposal
Option: 1.01

2 Backsets required

New Dimensional Channel Letters - Small Set

- Aluminum constructed 1/2" backset
- 3/16" white acrylic faces with translucent white applied to 1st surface
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- Letters to be mounted flush to substrate

3/16" white acrylic

Preliminary Artwork
Site Check required prior to manufacturing

North elevation

South elevation

www.lovettsigns.ca | Client: GoodLife Fitness | Drawing #: GoodLife Fitness - Guelph D_040112.04 | Rev: 01-18-2017

525 Southgate Dr. Guelph ON | Address: 1825 Gordon Street | Installation: yes no | Panel: back front none none

Tel: 519 822 9358 | Fax: 519 822 2075 | E: sales@lovettsigns.ca | Designer: J.C. | Start Date: 04-12-12 | Revision: Back | **A** layout

COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning, Building, Engineering and Environment

DATE September 17, 2012

SUBJECT SIGN BY-LAW VARIANCES FOR 1291 Gordon Street

REPORT NUMBER

SUMMARY

Purpose of Report: To advise Council of a Sign By-law variance application requesting a freestanding construction sign with variances for four signs in lieu of the permitted one; with a height of 7.8 metres in lieu of the permitted 5 metres, and an area face of 18 m² in lieu of the permitted 6 m².

Council Action: To refuse the request for variances from the Sign By-law for 1291 Gordon Street for four signs with a height of 7.8 metres and an area face of 18 m² per sign.

RECOMMENDATION

"THAT Planning, Building, Engineering and Environment report dated September 17, 2012 regarding a sign variance for 1291 Gordon Street be received;

AND THAT the request for variances from the Sign By-law for 1291 Gordon Street to permit four signs with a height of 7.8 metres and an area face of 18 m² per sign be refused."

BACKGROUND

GSP Group Inc., on behalf of the owner; has submitted a sign variance application to allow for four freestanding construction signs with a height of 7.8 metres (25.59') in lieu of the permitted 5 metres (16.4'), and an area face of 18 m² (193.8 ft.²) in lieu of the permitted 6 m² (64.5 ft.²) at 1291 Gordon Street (see Schedule A- Location Map). The property is zoned R.4A-37(H) (High Density Apartment) in the Zoning By-law No. (1995)-14864, as amended, and is proposed to be a residential development. The signs do not require a permit under the Sign By-law and the infraction was directed to staff by way of a complaint.

REPORT

Freestanding construction site signs are regulated by Table 2, Row 11 of Schedule B of the Sign By-law No. (1996)-15245, as amended. This property is presently under review in the Site Plan Approval process. Four freestanding construction site signs have been erected on the property (see Schedule B- Existing Signs). The four signs do not comply with the Sign By-law regulations for number of signs, height of signs and

area of the signs. The intent of the Sign By-law is to allow one freestanding construction site sign for advertising purposes. This sign does not require a permit and has a set standard for size and height. The Sign By-law and Urban Design Guidelines implement a strategy of ground oriented signage. The signs that have been installed are a concern as there are four in total that are three times the permitted size and the height that is being used is not permitted for any type of freestanding signage.

The requested variances are as follows:

Freestanding Sign	By-law Requirements	Request
Construction Site	Maximum Number -1 Maximum Sign Face- 6 m ² Maximum Height- 5 m	Maximum Number -4 Maximum Sign Face- 18 m² Maximum Height- 7.8 m

The requested variances from the Sign By-law for additional number, size and height are recommended for refusal because:

- The number of signs is four times as permitted;
- The size and height do not meet the intent of the Sign By-law;
- A freestanding construction sign could be installed that complies with the by-law;
- Other construction companies could potentially request the same signage variance.

CORPORATE STRATEGIC PLAN:

Urban Design and Sustainable Growth:

Goal #1: An attractive, well functioning and sustainable city

FINANCIAL IMPLICATIONS: N/A

DEPARTMENTAL CONSULTATION: N/A

COMMUNICATIONS: N/A

ATTACHMENTS

Schedule A - Location Map

Schedule B- Existing Signs

Prepared By:

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Original Signed by:

Original Signed by:

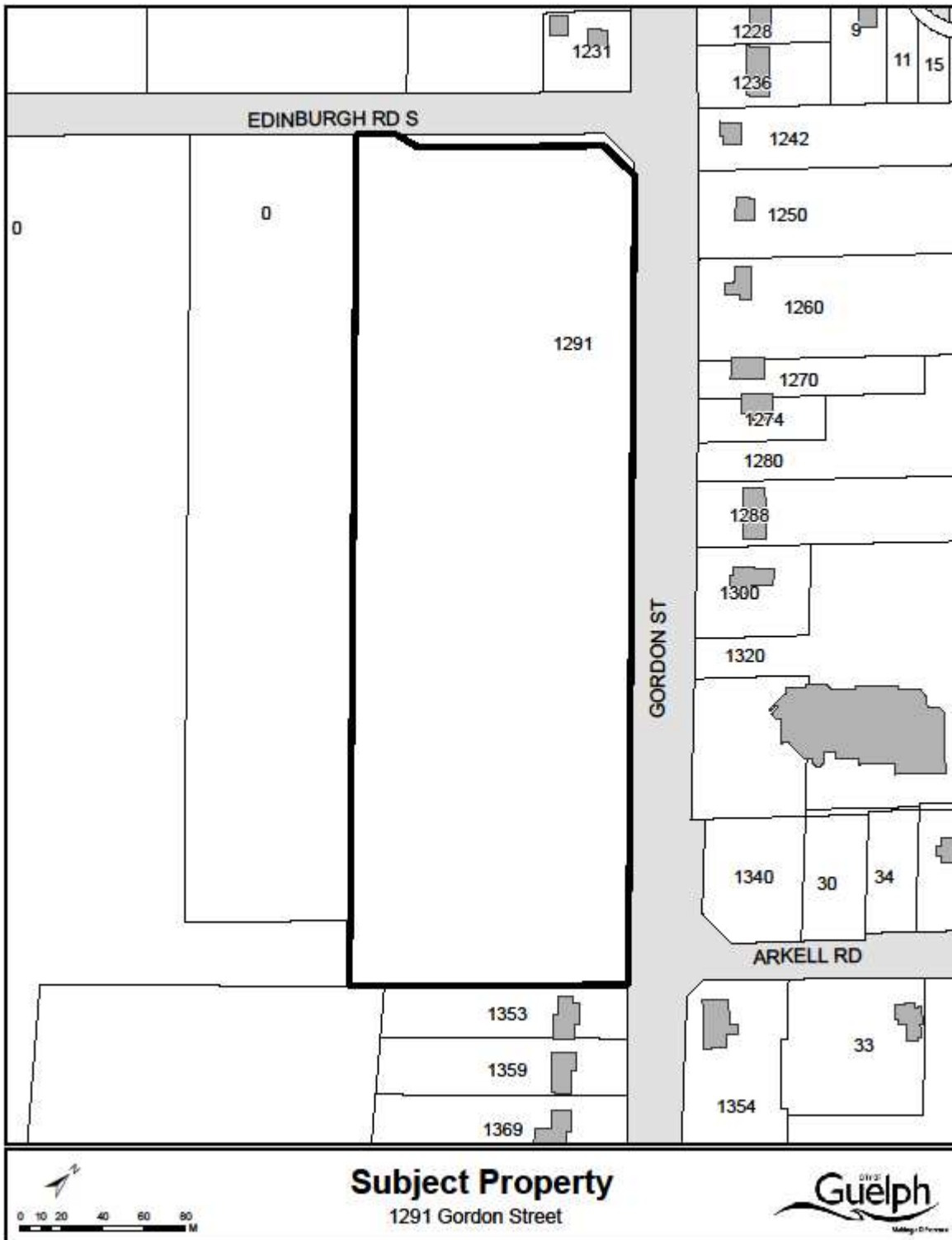
Recommended By:

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Recommended By:

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and Environment
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SCHEDULE A- LOCATION MAP



SCHEDULE B- EXISTING SIGNS



1291 GORDON STREET SIGN VARIANCE



September 17th, 2012

Introductions

- Hugh Handy, Associate Planner, GSP Group Inc.
- Scott Higgins, Vice-President, 227437 Ontario Inc. (HIP Developments)

Site & Project

- 1291 Gordon Street, between Arkell Road & Edinburgh Road
- 20.7 acre site (4 acres developable) with over 1,300 feet of frontage on Gordon Street
- 161 unit condominium proposed
- Development includes extensive landscaped/open space areas, trails and deer corridor
- Occupancy anticipated for 2014



Economic Contribution

- \$60 million investment in Guelph
- \$2.5 million in Development Charges
- Approx. \$750,000 in parkland dedication, frontage fees and permit fees
- Upgraded City SWM facility
- 100-200 jobs through construction
- No City Grants or Incentives
- Estimated \$500,000 per annum in property tax revenue



Requested Variances

- To permit 4 real estate signs on the property, whereas the By-law permits 1 real estate sign per property
- To permit a sign height of 6.4 metres, whereas the By-law permits a maximum sign height of 3.0 metres
- To permit a 18 square metre maximum sign face area per face, whereas the By-law permits a maximum of 6 square metres



Construction Sign Locations



Signs

- \$20,000 total cost
- High end and very attractive
- Scale fits the location
- Significant spacing in between signs
- Temporary



Benefits of Signage

- **Currently there are 610 interested purchasers that have registered for the project. When asked “how did you hear about us”, they responded as follows:**
 - **On-site Signage – 366 (60%)**
 - Guelph Newspaper – 134 (22%)
 - Other – 48 (8%)
 - Real Estate Magazine – 17 (3%)
 - Agent – 16 (3%)
 - Website/Search Engine – 13 (2%)
 - Referral – 12 (2%)
 - GTA Newspaper - 2
 - Taste of Guelph - 2
 - University of Guelph Faculty Breakfast - 0
 - Radio – 0

THE ON-SITE SIGNS ARE CRITICAL TO THE SUCCESS OF THIS PROJECT

In Summary

- Temporary signage
- Attractive signs
- Appropriate scale for site
- Support marketing of this major investment
- The on-site signs are critical to the success of this project
- Respectfully request approval of sign variance



HIP DEVELOPMENTS

700 Rupert Street, Unit A, Waterloo, Ontario N2V 2B5

Phone (519) 886-8850 ext. 256 Fax (519) 886-8898

E-mail: scott@hipdevelopments.com

HONESTY • INTEGRITY • PRIDE OF WORKMANSHIP

September 19, 2012

Mayor's Office
City of Guelph
City Hall, 1 Carden Street
Guelph, Ontario, Canada N1H 3A1

Attention: Mayor Karen Farbridge and Members of Guelph City Council

RE: 1291 Gordon Street, Guelph
Sign Variance (PBEE.39)
227437 Ontario Inc.

On behalf of 227437 Ontario Inc. (HIP Developments), I would like to thank the Planning & Building, Engineering and Environment Committee for their review and recommendation on the Sign Variance for 1291 Gordon Street (Serene Condominiums).

By way of this letter, I would like to assure City Council that we will abide by the Committee's recommendation and we will ensure the timely removal of two of the four signs erected on the site.

Thank you for your attention to this matter. If I can be of any assistance or answer any questions you may have, please do not hesitate to contact me.

Warm regards,

A handwritten signature in blue ink, appearing to read 'Scott Higgins', with a long horizontal flourish extending to the right.

Scott Higgins
Vice-President, HIP Developments

c.c.: Hugh Handy, GSP Group Inc.

COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE September 17, 2012

**SUBJECT SIGN BY-LAW VARIANCE FOR 226 Speedvale Avenue
West (Guelph Aromatherapy Studio)**

REPORT NUMBER

SUMMARY

Purpose of Report: To advise Council of a Sign By-law variance application requesting permission to allow six mobile sign permits per year in lieu of the permitted four per year at 226 Speedvale Avenue West.

Council Action: To refuse the request for a variance from the Sign By-law for 226 Speedvale Avenue West to allow 6 mobile sign permits per year in lieu of the permitted four per year.

RECOMMENDATION

"THAT Planning, Building, Engineering and Environment report dated September 17, 2012 regarding a sign variance application for 226 Speedvale Avenue West be received;

AND THAT the request for a variance from the Sign By-law for 226 Speedvale Avenue West to allow six mobile sign permits per year in lieu of the permitted four per year for Guelph Aromatherapy Studio be refused."

BACKGROUND

The owner of Guelph Aromatherapy Studio has submitted a sign variance application to allow for six mobile sign permits per year at 226 Speedvale Avenue West (see Schedule A- Location Map). The property is zoned SC. 1-5 (Service Commercial) in the Zoning By-law No. (1995)-14864. The Sign By-law No.(1996)-15245 in Table 4, Row 1 permits every property with the applicable zoning to have four, thirty day mobile sign permits per calendar year.

REPORT

Guelph Aromatherapy Studio has requested to permit a mobile sign for six separate thirty day periods to advertise the business. Every commercial or industrial property with the proper zoning is permitted to have a total of four, thirty day permits per calendar year. The owner has requested the extra two permits because of the necessity of the business to have more exposure and this would provide more advertising opportunity at the street level.

The requested variance is as follows:

Mobile Sign	By-law Requirements	Request
	Maximum Duration of Use Per Place- 4 separate 30 consecutive day periods in each calendar year	Six thirty day mobile sign permits

The requested variance from the Sign By-law for six thirty day mobile sign permits is recommended for refusal because:

- The Sign By-law allows all applicable properties the same number of mobile sign permits per year which treats every property with the same regulation;
- Staff has repeatedly advised interested parties that only four mobile signs are permitted per year per business. Since this is a mall, other users may wish the same number and lead to over exposure of mobile signage.

CORPORATE STRATEGIC PLAN:

An attractive, well functioning and sustainable city

FINANCIAL IMPLICATIONS: N/A

DEPARTMENTAL CONSULTATION: N/A

COMMUNICATIONS: N/A

ATTACHMENTS

Schedule A - Location Map

Prepared By:

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Recommended By:

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Original Signed by:

Recommended By:

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SCHEDULE A- LOCATION MAP



CONSENT AGENDA

September 24, 2012

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A REPORTS FROM ADMINISTRATIVE STAFF

REPORT	DIRECTION
<p>A-1) 103 LYNCH CIRCLE – UPCOMING ONTARIO MUNICIPAL BOARD HEARING</p> <p>THAT Report 12-91 dated September 24, 2012 regarding an appeal from the Committee of Adjustment decision A-79/12 refusing a minor variance to permit a 5.0 metre wide driveway which constitutes 57.76% of the front yard and an 87.1 square metre accessory apartment in a semi-detached dwelling at 103 Lynch Circle, City of Guelph, from Planning, Building, Engineering and Environment be received;</p> <p>AND THAT the City be a party at any upcoming OMB proceedings to oppose an appeal of the Committee of Adjustment decision A-79/12 refusing a minor variance to permit a 5.0 metre wide driveway, which constitutes 57.76% of the front yard and an 87.1 square metre accessory apartment in a semi-detached dwelling at 103 Lynch Circle, City of Guelph;</p> <p>AND THAT appropriate staff attend any future Ontario Municipal Board proceedings to support Council's direction.</p>	Approve
<p>A-2) LITIGATION STATUS REPORT DATED SEPTEMBER 17, 2012</p> <p>THAT the report of Legal and Realty Services regarding the status of City litigation be received.</p>	Receive

A-3) MUNICIPAL SUPPORT FOR LOCAL RENEWABLE ENERGY PROJECTS

Approve

WHEREAS the Province's FIT Program encourages the construction and operation of rooftop solar, groundmount solar, bioenergy and on-shore wind generation projects (the "Projects");

AND WHEREAS one or more Projects may be constructed and operated in the City of Guelph;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in these Applicants being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED:

THAT Report FIN-CE-12-01 entitled 'Municipal Support for Local Renewable Energy Projects dated September 24, 2012, be received;

AND THAT Council of the City of Guelph supports without reservation the construction and operation of the Projects anywhere in the City of Guelph;

AND THAT Council direct the City Clerk to sign the attached "Prescribed Form/Template: Municipal Council Blanket Support Resolution" (Attachment #1);

AND THAT Council direct the Corporate Manager, Community Energy to provide a completed and signed "Prescribed Form/Template: Municipal Council Blanket Support Resolution" (Attachment #1) to applicants requesting same for the purposes of submissions to the Ontario Power Authorities Feed-In-Tariff Program;

AND THAT the Corporate Manager, Community Energy be directed to report to Council on a regular basis the activity related to requests for the "Prescribed Form/Template: Municipal Council Blanket Support Resolution";

AND THAT the Municipal Council Blanket Support Resolution remain in effect for one year from the date of adoption.

B ITEMS FOR DIRECTION OF COUNCIL

B-1) FCM CAMPAIGN FOR NEW FEDERAL INFRASTRUCTURE FUNDING PROGRAM

Approve

WHEREAS, the Building Canada Plan and a number of important federal-provincial transfer agreements vital to Canada's cities and communities will expire in March 2014;

AND WHEREAS, the Government of Canada has committed to develop a new long-term plan for municipal infrastructure funding in consultation with municipal and provincial/territorial governments;

AND WHEREAS, a seamless transition from the Building Canada Plan to a new long term plan is necessary to ensure that municipalities can continue planning their capital spending effectively;

AND WHEREAS, the Federation of Canadian Municipalities (FCM) has launched a campaign to ensure the new plan reflects municipal priorities;

AND WHEREAS, Guelph has an infrastructure gap of \$25.4 million annually for its water, wastewater, storm, and transportation systems;

THEREFORE BE IT RESOLVED THAT Council endorses the FCM campaign and urges the Minister of Transport, Infrastructure and Communities to work with FCM to ensure the new long-term infrastructure plan meets the needs of municipalities;

AND THAT Council urges the Minister of Transport, Infrastructure and Communities to ensure the new long-term plan is fully in place when existing programs expire in 2014;

AND THAT a copy of this resolution be sent to the Minister of Transport, Infrastructure and Communities, Ontario's Minister of Municipal Affairs and Housing, Guelph MP Frank Valeriote, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

attach.

TO **Guelph City Council**

SERVICE AREA Planning, Building, Engineering and Environment
DATE September 24, 2012

**SUBJECT 103 Lynch Circle
Upcoming Ontario Municipal Board Hearing
(File: A-79/12)
Ward 6**

REPORT NUMBER 12-91

SUMMARY

Purpose of Report

This report provides a staff recommendation for the City to become a party and for Council to direct staff to attend an upcoming Ontario Municipal Board (OMB) hearing (Board Case Number PL120846) regarding the appeal of a Committee of Adjustment decision refusing a minor variance to permit a 5.0 metre wide driveway, which constitutes 57.76% of the front yard and an 87.1 square metre accessory apartment in a semi-detached dwelling located at 103 Lynch Circle.

Council Action

Council is being asked to direct staff to attend the OMB hearing in support of the Committee of Adjustment's decision.

RECOMMENDATION

"THAT Report 12-91 dated September 24, 2012 regarding an appeal from the Committee of Adjustment decision A-79/12 refusing a minor variance to permit a 5.0 metre wide driveway which constitutes 57.76% of the front yard and an 87.1 square metre accessory apartment in a semi-detached dwelling at 103 Lynch Circle, City of Guelph, from Planning, Building, Engineering and Environment be received;

AND THAT the City be a party at any upcoming OMB proceedings to oppose an appeal of the Committee of Adjustment's decision A-79/12 refusing a minor variance to permit a 5.0 metre wide driveway, which constitutes 57.76% of the front yard and an 87.1 square metre accessory apartment in a semi-detached dwelling at 103 Lynch Circle, City of Guelph;

AND THAT appropriate staff attend any future Ontario Municipal Board proceedings to support Council's direction."

BACKGROUND

Application Details: Committee of Adjustment considered application A-79/12 on June 26, 2012, requesting a minor variance from Zoning By-law (1995)-14864 to permit a 5.0 metre wide driveway constituting 57.76% of the front yard and an 87.1 square metre accessory apartment, whereas the By-law does not permit a driveway that constitutes more than 40% of the front yard (maximum driveway width of 3.72 metres), and accessory apartments to be larger than 80 square metres. Planning staff recommended refusal of the application in its entirety.

Location: West side of Lynch Circle, south of Goodwin Drive and north of Clair Road East (Attachment 1).

Official Plan: "General Residential" designation, permitting a variety of low-rise housing types, including semi-detached dwellings.

Zoning: R.2-10 (Specialized Residential Semi-Detached/Duplex) Zone, which permits one (1) semi-detached/duplex dwelling per lot and one (1) accessory apartment per host dwelling. An accessory apartment is permitted provided the required parking can be provided, the apartment contains no more than two (2) bedrooms, it is no larger than 45% of the total floor area or 80 square metres (whichever is lesser) and that interior access is provided between the host dwelling and accessory apartment.

Staff Comments: Planning staff commented that the application should be refused because the requested variance did not meet the general intent and purpose of the Zoning By-law, which sets out a maximum driveway coverage to ensure that there is an appropriate amount of soft landscaped area and that the surrounding streetscape is not dominated by driveways and vehicles.

Staff also commented that the subject property is not large enough to accommodate an accessory apartment as there is not sufficient space on the property for the three (3) off-street parking spaces required by the Zoning By-law. Furthermore, the existing accessory apartment is larger than the 80 square metre maximum size, which does not meet the general intent of the Zoning By-law in ensuring that accessory apartments are to remain subordinate the main dwelling/host unit.

The City's Zoning Inspectors have taken routine steps to resolve the illegal accessory apartment.

OMB Appeal: The applicant appealed the Committee's decision to the OMB on July 13, 2012, on the basis that:

- Improper information and advice was given;
- The required process was not followed by the Committee;
- The Committee's decision was not based on facts; and
- Options were not given for assistance.

The OMB has scheduled a one (1) day hearing for October 23, 2012.

REPORT

Recommendation: The City should be a party at any future OMB proceedings for this appeal as there is significant municipal interest in the application:

- The proposed variance does not meet the general intent and purpose of the Zoning By-law and its impact is not minor in nature.
- The requested variance is not desirable for the appropriate development of the land as it would result in a streetscape that is dominated by driveways and cars.

CORPORATE STRATEGIC PLAN

Innovation in Local Government – Strategic Directions 2.3: Ensure accountability, transparency and engagement.

City Building – Strategic Directions 3.1: Ensure a well designed, safe, inclusive, appealing and sustainable City.

FINANCIAL IMPLICATIONS

No external resources required for Hearing. Hearing will be managed utilizing existing staff and material resources.

DEPARTMENTAL CONSULTATION

Planning Services Staff have been in consultation with Building Services, Engineering Services and Legal Services.

COMMUNICATIONS

See Attachments.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Staff Comments for minor variance application A-79/12

Attachment 3 – Public Comments for minor variance application A-79/12

Attachment 4 – Committee of Adjustment Decision

Prepared By:

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“original signed by Todd Salter”

Recommended By:

Todd Salter
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Planning Services
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Recommended By:

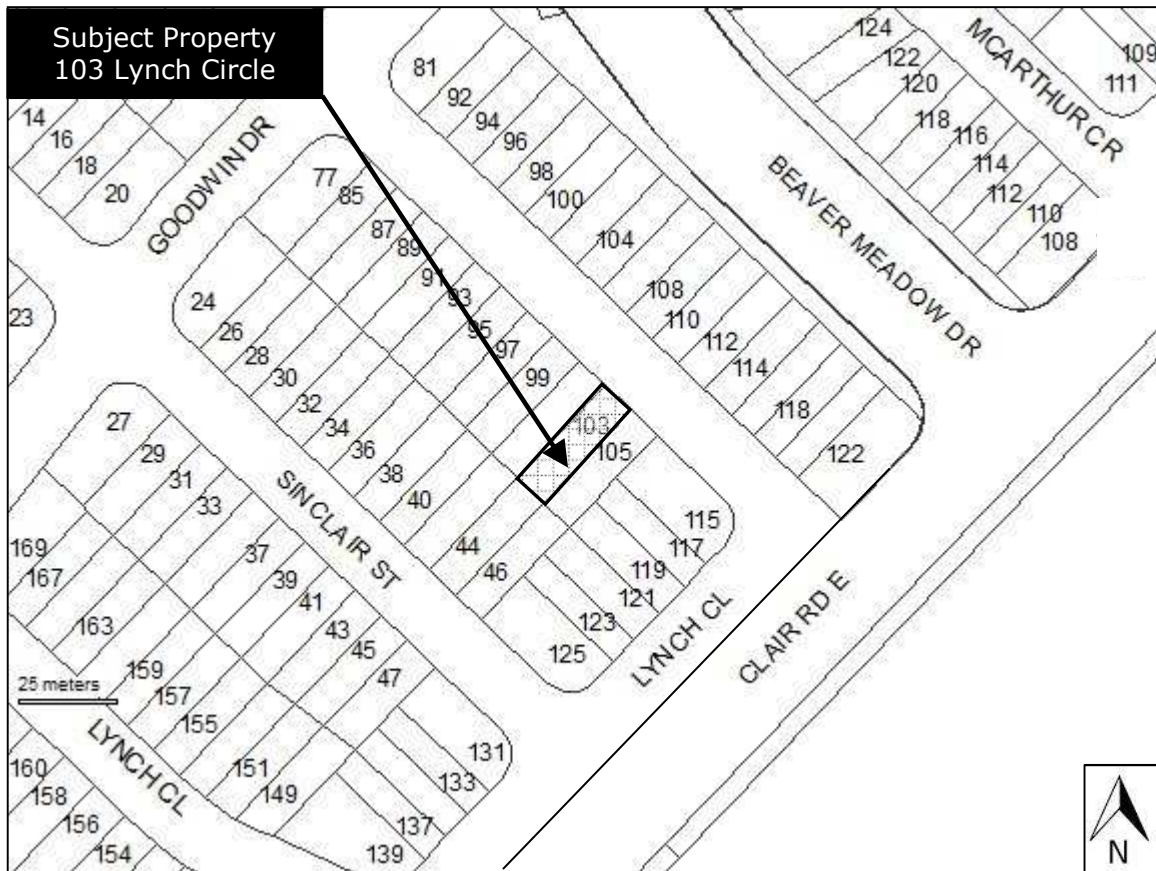
Sylvia Kirkwood
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“original signed by Janet Laird”

Recommended By:

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Planning, Building,
Engineering and Environment
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ATTACHMENT 1 – Location Map



ATTACHMENT 2 – Staff Comments for minor variance application A-79/12

COMMITTEE OF ADJUSTMENT COMMENTS FROM STAFF, PUBLIC & AGENCIES



APPLICATION DETAILS

APPLICATION NUMBER: A-79/12
LOCATION: 103 Lynch Circle
DATE AND TIME OF HEARING: June 26, 2012 4:40 p.m.
APPLICANT: Carol McCluskey
AGENT: Carol McCluskey
OFFICIAL PLAN DESIGNATION: General Residential
ZONING BY-LAW: R.2-10 (Specialized Residential)

REQUEST: Accessory Apartment Size and Driveway Width Variances
CONDITIONS RECOMMENDED: NOT APPLICABLE.

COMMENTS

ENGINEERING SERVICES:

We have no concern with the requested accessory apartment variance from an Engineering perspective. However, upon examining Planning staffs comments and recommendations and Zoning staffs comments and recommendation, Engineering staff can support their comments and recommendations for refusal.

PLANNING SERVICES:

Planning staff have serious concerns with the requested variances to permit an oversized two-bedroom accessory apartment and a widened driveway.

The intent of the Zoning By-law in limiting the maximum permitted driveway width is to ensure that there is an appropriate amount of soft landscaped areas and that the surrounding streetscape is not dominated by driveways and vehicles. There are concerns with the requested variance to permit the driveway coverage of 53.76% of the front yard. Planning staff conclude that the requested variance does not meet the intent of the Zoning By-law and recommend that it be refused.

We note for the Committee's information purposes that the subject property is not large enough to accommodate an accessory apartment as there is not sufficient space on the property for the three (3) off-street parking spaces required by the Zoning By-law. Further, the general intent and purpose of the Zoning By-law in limiting the maximum permitted gross floor area to 80 m² for an accessory apartment is to ensure that an accessory apartment remains subordinate to the main dwelling/host unit. The request to permit an accessory apartment with a total floor area of 87.1 m² (937 square feet) does not meet the general intent and purpose of the Zoning By-law and therefore should be refused.

Mailing Address: City Hall, 1 Carden Street, Guelph ON N1H 3A1

Web Site: guelph.ca

Building Office: 1 Carden Street, 3rd Floor, Guelph ON, Tel: 519-837-5615, Fax: (519) 822-4632, Email: cofa@guelph.ca



**COMMITTEE OF ADJUSTMENT
COMMENTS FROM STAFF, PUBLIC & AGENCIES**

PERMIT AND ZONING ADMINISTRATOR:

The Zoning Division of Planning and Building Services have concerns with this application. The basement apartment was constructed without the required permits and exceeds the maximum apartment size. The Zoning By-law restricts the size of driveways for semi-detached structures and the widened driveway is too wide by 1.28 metres ((4.2'). Zoning finds the requested variances are not in keeping with the intent of the Zoning and agree with the recommendation of refusal by Planning.

If refused by the Committee, building permits are still required for the basement finishes.

GUELPH HYDRO:

No comment.

REPORT COMPILED BY: KIM FAIRFULL

SEE ATTACHED LETTER

Mailing Address: City Hall, 1 Carden Street, Guelph ON N1H 3A1

Web Site: guelph.ca

Building Office: 1 Carden Street, 3rd Floor, Guelph ON, Tel: 519-837-5615, Fax: (519) 822-4632, Email: cofa@guelph.ca

ATTACHMENT 3 – Public Comments for minor variance application A-79/12

Minna Bunnett

From: AL & JILL HERNE [REDACTED]
Sent: June 15, 2012 10:43 AM
To: Committee of Adjustment
Subject: Variance for 103 Lynch Circle

To: The Committee of Adjustment

I would like to register the following comments regarding the request for relief from bylaws to permit a 2 bedroom apartment in the basement and 5 additional meters to the driveway.

When we bought our townhouse here 5 years ago they were advertised as single family homes not multiple family homes. We would ask you to **not** support bylaw relief to allow multiple renters in these residences. The area is already densely populated and growing.

We object less to the apartment however, and more to the driveway issue. The front yard at 103 Lynch is very narrow already as are the other homes. It looks to us that the majority of the front yard would become parked cars if this variance is approved and would be out of keeping with the appearance of the street and other houses. We are already crammed into small lots with numerous driveways and can see that there are very few spaces to park on the street at any time and worse in winter. But if you grant this variance you will set a precedence for other similar requests which could irrevocably and negatively change the neighbourhood.

If you haven't already viewed the size of the property, please do as this could lead to a very different-looking city street down the road. We need to preserve some semblance of a front yard to these homes.

We urge you to reject the request.

Thank you for considering our comments.

Jill and Alan Herne

[REDACTED]
Guelph ON [REDACTED]


Make a note of it!

Letter 2.5/12

Re: 103 Lynch Circle

Card is a good neighbour. I have no objections to what Card has done or is doing to her residence.



Music Plus  CORPORATION TM

5 Michael Street, Kitchener, Ontario N2G 1L7
Tel: (519) 745-8530 1-800-608-5205 Fax: (519) 745-2842

Chris & Carolyn Ford

[REDACTED] Guelph, Ontario [REDACTED]

June 25 2012

To Whom It May Concern:

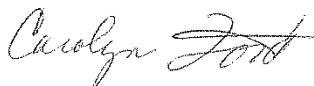
Re: 103 Lynch Circle, Guelph, Ontario

This letter is to notify the variance committee that we reside at [REDACTED] and our unit is [REDACTED] to Ms. Carol McCluskey's residence.

We are pleased to advise the committee that over the past 5 years +/- Ms. McCluskey has been a very good neighbor. To date we have had no complaints or issues with noise, loud behavior or late night parties etc. from her home.

Ms. McCluskey has always been open with us regarding her tenants, and has always told us if we have any concerns or complaints to please advise her of same.

Yours truly



Carolyn Ford



Chris Ford

June 25, 2017

To Whom It May Concern:

We have resided at [REDACTED]
for the past six years. During
that time we have experienced no
problems relating to traffic or noise
from the property [REDACTED] at
103 Lynch Circle. Any tenants which
the owner may have had, have
caused us no concern whatsoever.

Sincerely,

Paul & Marlene Giroux
[REDACTED]

Monday June 25, 2012

City of Guelph
Committee of Adjustment

Dear Committee,

Re: 103 Lynch Circle, Guelph, ON – Application for Variance

I have known Carol McCluskey personally for over 50 years. Carol has always been a commendable and responsible person in all her decisions. Carol has always been a very hard worker, dedicated to doing things right, and abiding by all guidelines she has ever been aware of.

Carol has hired only licensed tradespeople to perform work at her home and property, in order to achieve the best aesthetic result, and to meet regulations and avoid potential problems thereafter. She is extremely motivated to make her life in Guelph as good as possible, for herself and equally her neighbours. She is sensitive and fully conscious of maintaining her property to be appealing and conforming in appearance, upgrading when able to and maintaining the 'status quo' in her lovely neighbourhood.

Carol is prone to go without (when considering students to rent short-term) rather than risk any disruption or problems with her neighbours. She is respectful and mindful of them at all times, and has been successful in selecting those who do not have a vehicle (use public transit) in order to maintain conformity.

I know Carol to be an excellent neighbour, and exemplary resident for the City of Guelph. I understand that in every city and town, there are those who require intervention. Carol is most definitely not one of those people.

Sincerely,

MJ Vaughan

Wasaga Beach, ON

Eastern Residential Services – Midland – 705-351-2235

ATTACHMENT 4 – Committee of Adjustment Decision

NOTICE OF DECISION AND EXPLANATION OF APPEAL PROCEDURES



Application Number A-79/12

103 Lynch Circle

Attached please find the decision of the Guelph Committee of Adjustment made on 26th day of June, 2012. Pursuant to Section 45(10) of the Planning Act R.S.O. 1990, Chapter P.13, as amended, notice of the decision of the Guelph Committee of Adjustment is hereby given on the 29th day of June, 2012.

The last day for filing a Notice of Appeal is July 16, 2012.

Appeals - The applicant, the Minister or any other person or public body who has an interest in the matter may appeal the decision of the Committee of Adjustment to the Ontario Municipal Board by filing with the Secretary-Treasurer of the Committee of Adjustment a completed Ontario Municipal Board Appellant Form (available on the OMB web site www.omb.gov.on.ca or from the Secretary-Treasurer of the Committee of Adjustment) accompanied by the fee prescribed under the Ontario Municipal Board Act, paid by certified cheque or money order. Certified cheques or money orders should be made payable to the 'Minister of Finance of Ontario'.

If No Appeal - If no appeal is filed within the prescribed time, the decision of the Committee of Adjustment, to give or refuse the application, is final.

If any additional information is required regarding the application, please visit the offices of the Secretary-Treasurer of the Committee of Adjustment, Monday to Friday from 8:30 a.m. until 4:30 p.m. The office is located at City Hall, 1 Carden Street, 3rd Floor, or telephone the office at telephone (519) 837-5615.

Committee of Adjustment

T 519-837-5615
F 519-822-4632
E cofa@guelph.ca

DECISION

COMMITTEE OF ADJUSTMENT
APPLICATION NUMBER A-79/12



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

"THAT in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended, a variance from the requirements of Section 4.15.1.5 and Table 5.2.2 Row 15 of Zoning By-law (1995)-14864, as amended, for 103 Lynch Circle, to:

- a) permit a 87.1 square metre (937 square foot) two bedroom accessory apartment in the basement when the By-law requires that the accessory apartment shall not exceed 45% of the total floor area of the building and shall not exceed 80 square metres (861.1 square feet) in floor area, and,
- b) permit a driveway width of 5 metres (16.4 feet) when the By-law requires that a driveway shall not constitute more than 40% of the front yard [3.72 metres (12.20 feet)] which constitutes 53.76% of the front yard,

be refused.

Reasons for refusal being: -

- 1. The variances do not meet the intent of the Zoning By-law.
- 2. The variances do not meet the four tests for minor variance."

Members of Committee
Concurring in this Decision

I, Minna Bunnett, Assistant 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 June 26, 2012.

Dated: June 29, 2012

Signed:

The last day on which a Notice
of Appeal to the Ontario
Municipal Board may be filed
is July 16, 2012.

Committee of Adjustment

T 519-837-5615
F 519-822-4632
E cofa@guelph.ca

TO **Guelph City Council**

SERVICE AREA Legal and Realty Services
Corporate and Human Resources

DATE September 24, 2012

SUBJECT Litigation Status Report dated September 17, 2012

REPORT NUMBER CHR-2012-53

SUMMARY

Purpose of Report:

To provide information regarding the current status of the litigation the City is involved in.

Council Action:

To receive the report of Legal and Realty Services.

RECOMMENDATION

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

BACKGROUND

Legal and Realty Services reports on the status of the litigation involving the City on a semi-annual basis.

REPORT

The attached chart sets out the details of the litigation the City is involved in and the resolutions which have occurred since the last report in March, 2012.

CORPORATE STRATEGIC PLAN

2.3 Ensure accountability, transparency and engagement.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

Litigation Status Report dated September 17, 2012

“original signed by Donna Jaques”

Prepared By:

Donna Jaques
General Manager Legal & Realty
Services/City Solicitor
X 2288
donna.jaques@guelph.ca

“original signed by Mark Amorosi”

Submitted By:

Mark Amorosi
Executive Director, Corporate and
Human Resources
x 2281
mark.amorosi@guelph.ca

LITIGATION STATUS REPORT
September 17, 2012

COURT ACTIONS

Matter	Description	History	Current Status	Counsel
Urbacon Buildings Group Corp. v. City of Guelph Ontario Superior Court of Justice Court File No. 866/08 (main action)	<ul style="list-style-type: none"> • On September 19, 2008, the City terminated the contract of Urbacon for the construction of City Hall and the POA Court. • Urbacon commenced a claim against the City seeking damages in the amount of \$12,164,181.71 (this being the amount of the construction lien registered against the new City Hall property on September 26, 2008) and damages for alleged delay, loss of revenue and profits, unjust enrichment, punitive and other damages of \$7,000,000.00. • City served a Statement of Defence and Counterclaim seeking \$5,000,000 in damages for breach of contract. 	<ul style="list-style-type: none"> • October 9, 2008 – Served with Statement of Claim • October 29, 2008 – City's Statement of Defence and Counterclaim served on Urbacon • October 8, 2010 to January 25, 2012 –Case Management Supervision meetings held approximately every six months • August, 2011 – Final examinations for Discovery completed • May 28, 2012 – case supervision meeting held 	<ul style="list-style-type: none"> • Mediation to be held September 20 and 21, 2012. • Trial on the issue of liability to commence January 2013. 	Simpson Wigle
Subcontractors Construction Lien Claims	<ul style="list-style-type: none"> • Subcontractors to Urbacon who were not paid registered liens against City land and commenced actions to recover the money owed. • These claims were reviewed by a vetting committee. • The court ordered the City pay into court \$3.2 million representing the minimum holdback amount the City is required to have. 	<ul style="list-style-type: none"> • July 19, 2010 – Order for the partial distribution of holdback money to subcontractors. • January 3, 2012 – Order for payment of holdback money to Swan 	<ul style="list-style-type: none"> • Case managed along with the main action 	Simpson Wigle
City of Guelph v. Urbacon Buildings Group Corp. Ontario Superior Court of Justice Court File No. 705/09	<ul style="list-style-type: none"> • Subsequent to the termination of Urbacon's contract, the City directly paid 19 subcontractors money they were owed by Urbacon, for a total amount of \$4,825.807.92. • On August 21, 2009, the City commenced an action against Urbacon to recover this and other expenses 	<ul style="list-style-type: none"> • Urbacon has defended this proceeding. 	<ul style="list-style-type: none"> • Case managed along with the main action 	Simpson Wigle
City of Guelph v. Aviva Insurance Company of Canada Ontario Superior Court of Justice Court File No. 1002/08	<ul style="list-style-type: none"> • Following the termination of Urbacon, the City made a claim against the performance bond issued by Aviva. Aviva refused to acknowledge its obligations 	<ul style="list-style-type: none"> • November 20, 2008 – City served Statement of Claim on Aviva • January 13, 2009 – Statement of Defence of Aviva was received 	<ul style="list-style-type: none"> • Case managed along with the main action. 	Simpson Wigle
City of Guelph v. Moriyama & Teshima Architects Ontario Superior Court of Justice Court File No. 09-14746	<ul style="list-style-type: none"> • On September 21, 2009, the City commenced a \$2 million claim against the architects involved as consultants on the Urbacon project alleging negligence in their project management and seeking contribution 	<ul style="list-style-type: none"> • June 30, 2011 – Statement of Claim served on Defendants • September 14, 2011 – Statement of Defence of MTA received 	<ul style="list-style-type: none"> • Case managed along with the main action 	Simpson Wigle

LITIGATION STATUS REPORT
September 17, 2012

COURT ACTIONS

Matter	Description	History	Current Status	Counsel
Wm. J. Gies Construction Limited v. City of Guelph Ontario Superior Court of Justice Court File No. 342/99	<ul style="list-style-type: none"> Application for a declaration that Gies, the owner of the land at the southwest corner of Downey Road and the Hanlon Parkway, has prescriptive easements or rights-of-way over adjacent City owned lands. Related to an Ontario Municipal Board appeal on a zoning matter in which Gies is seeking approval for a 288 unit apartment development. 	<ul style="list-style-type: none"> April 27, 1999 – Application commenced by Gies May 12, 1999 – City responded January 26, 2006 – Cross-examination of City witnesses January 24, 2008 – Cross-examination of Gies witnesses 	<ul style="list-style-type: none"> No further steps taken by Applicant since January 24, 2008. City to take steps to attempt to resolve matter 	Legal Services
Wm. J. Gies Construction Limited v. City of Guelph Ontario Superior Court of Justice Court File No. 1234/99	<ul style="list-style-type: none"> Application under section 298 of the former Municipal Act (the provision was repealed by Bill 130) which provided that a road closing by-law may not be passed if it would deprive a person access to the person's land. Relate to By-law (1971)-7810 a by-law to close parts of Kortright Road (now Downey Road) Same property as above 	<ul style="list-style-type: none"> October 25, 1999 – Notice of Application by Gies October 27, 2000 – Notice of Appearance by City 	<ul style="list-style-type: none"> No further steps taken by Applicant City to take steps to attempt to resolve matter 	Legal Services
Wyndham Corporate Centre Inc. v. City of Guelph Ontario Superior Court of Justice Court File No. CV 09 09638600	<ul style="list-style-type: none"> The Plaintiff commenced an action seeking damages from the City in the amount of \$225,000 and aggravated damages in the amount of \$150,000 relating to the alleged failure of the City to remove carpets from the property at 2 Wyndham Street following expiration of the lease. 	<ul style="list-style-type: none"> September 29, 2009 – City served with Statement of Claim October 15, 2010 - City served Statement of Defence 	<ul style="list-style-type: none"> City waiting on response from Plaintiff 	Madorin Snyder
1266304 et al. v. City of Guelph Ontario Superior Court of Justice Court File No. 90/10	<ul style="list-style-type: none"> Action commenced by 14 builders/developers for damages in the amount of \$2,000,000 for breach of contract (subdivision agreements), negligent misrepresentation, unjust enrichment and breach of trust relating to allegations of "additional" development charges being improperly imposed for "hard" services. 	<ul style="list-style-type: none"> February 8, 2010 – City served with Statement of Claim March 10, 2010 – City's Statement of Defence served November 8, 2010 – Summary Judgment motion brought by the City heard – not successful January 17, 2011 – City Motion for leave to Appeal heard - not successful July 6, 2012 – mediation held 	<ul style="list-style-type: none"> Discovery Process is underway Possible motion for production of documents Unsuccessful mediation in July 2012 	Aird & Berlis
City of Guelph v. Terra-Alta Construction Ltd. & Braun Consulting Engineers Ltd.	<ul style="list-style-type: none"> Action commenced by the City against Terra-Alta and Braun for damages in the amount of \$150,000 relating to deficiencies in the construction of the water 	<ul style="list-style-type: none"> April 21, 2011 – City issued Statement of Claim November 1, 2011 – Pleadings complete. 	<ul style="list-style-type: none"> Pleadings from all parties not yet complete Discoveries to occur 	Legal Services

LITIGATION STATUS REPORT
September 17, 2012

COURT ACTIONS

Matter	Description	History	Current Status	Counsel
<p>(continued) City of Guelph v. Terra-Alta et al Ontario Superior Court of Justice Court File No. 302/11</p>	<p>and wastewater services in the Pine Meadows subdivision.</p> <ul style="list-style-type: none"> • Further issues with other locations were discovered after the commencement of the action, which caused the City to increase its claim for damages to \$500,000. 	<p>Braun and Terra-Alta cross-claimed against each other. Braun and Terra-Alta each issued a Third Party Claim against Naylor Engineering.</p> <ul style="list-style-type: none"> • March 5, 2012 – City issued Amended Statement of Claim • June 21, 2012 – Amended Statement of Defence and Crossclaim of Terra Alta served on city 		
<p>Galatianos v. City of Guelph and R. Reynen Ontario Superior Court of Justice Court File No. 464/11</p>	<ul style="list-style-type: none"> • Action commenced by Galatianos for general damages, misfeasance in public office and an injunction restraining the City from entering his property without 24 hours notice • Based on Galatianos failing to comply with a notice to clean up his property under the Yard Maintenance Bylaw and the City undertaking the clean up. 	<ul style="list-style-type: none"> • June 21, 2011 – Statement of Claim served on City • July 19, 2011 – City served and filed its Statement of Defence • December 6, 2011 – Amended Statement of Claim served on City • March 1, 2012 – Matter transferred to the simplified procedure rules and action discontinued against Reynen 	<ul style="list-style-type: none"> • Discovery Plan complete • Examinations for Discovery held June 28, 2012 • City's discovery undertakings complete as of August 1, 2012 • Awaiting undertakings from Plaintiff 	<p>Legal Services</p>
<p>Erica Davis v. The City of Guelph Supreme Court of Canada Court File No. 564/09</p>	<ul style="list-style-type: none"> • Ms. Davis appealed the order of the Property Standards Committee requiring Ms. Davis to make structural repairs to the swimming pool at 8 Terrace Lane, Guelph to the Superior Court of Justice. • The City successfully appealed the order of the Superior Court of Justice to the Court of Appeal, obtaining an order restoring the decision of the Property Standards Committee and for \$12,000 in costs. • Ms. Davis has requested leave to appeal the Court of Appeal decision to the Supreme Court of Canada 	<ul style="list-style-type: none"> • February 18, 2011 – Decision of Superior Court of Justice released • March 11, 2011 – City filed Notice of Appeal • October 24, 2011 – Matter heard at Ontario Court of Appeal • December 6, 2011 - Decision of Court of Appeal received • January 4, 2012 – Ms. Davis filed application for leave to appeal to the Supreme Court of Canada • March 2, 2012 – City filed response to leave to appeal application • May 24, 2012 – City received decision from Supreme Court of Canada dismissing the applications of Ms. Davis 	<ul style="list-style-type: none"> • August 23, 2012 – Davis served the City with a Motion for Reconsideration at the SCC 	<p>Legal Services</p>

LITIGATION STATUS REPORT
September 17, 2012

COURT ACTIONS

Matter	Description	History	Current Status	Counsel
Hugh Whitely v. Thomasfield Homes Ltd., City of Guelph and D Four Guelph Developments Ltd. Ontario Superior Court of Justice – Divisional Court Court File No. DC-12-52-00	<ul style="list-style-type: none"> • Dr. Whitely is seeking an order for leave to appeal to the Divisional Court with respect to the decision of the OMB dated May 14, 2012 	<ul style="list-style-type: none"> • May 29, 2012 – City served with the Notice of Motion for leave to appeal • August 8, 2012 – Hearing scheduled – adjourned at the request of the moving party 	<ul style="list-style-type: none"> • Hearing scheduled for October 11, 2012 	Legal Services

COURT ACTIONS RESOLVED SINCE MARCH 2012

Matter	Description	History	Current Status	Counsel
County of Wellington v. City of Guelph Ontario Superior Court of Justice Court File No. CV 09 00374309	<ul style="list-style-type: none"> • The City and County agreed in 1996 that the City would fulfill its obligation to have a municipal long-term care home by assisting with the maintenance of the County's municipal home, Wellington Terrace. • In 2009, the County of Wellington commenced an action claiming \$4,000,000.00 for breach of contract by the City in failing to pay amounts owing from 2006 in respect of Wellington Terrace. 	<ul style="list-style-type: none"> • October 14, 2009 – City served with Notice of Action and Statement of Claim • January 4, 2010 – City's Notice of Intent to Defend served • May 25, 2010 – City's Statement of Defence and Counterclaim served • April 14, 2011 – City received Plaintiff's Reply and Defence to Counterclaim • April 25, 2011 – City's Reply to Defence to Counterclaim served • March 29, 2012 – Minutes of Settlement complete • July 11, 2012 – Full and Final Release executed by parties 	<ul style="list-style-type: none"> • This matter is complete 	Weir Foulds
Serafin v. City of Guelph & Robert Davis Small Claims Court Claim No. 12-159	<ul style="list-style-type: none"> • This claim is related to charges laid by Guelph Police on May 8, 2011 against Mr. Serafin. 	<ul style="list-style-type: none"> • April 5, 2012 – City received Plaintiff's Claim • April 26, 2012 – City filed Motion to dismiss • May 29, 2012 – Claim dismissed 	<ul style="list-style-type: none"> • This matter is complete 	Legal Services
Davis v. City of Guelph Court of Appeal for Ontario Court File No. C54748	<ul style="list-style-type: none"> • Ms. Davis filed an application for leave to appeal a number of convictions under a city by-law. 	<ul style="list-style-type: none"> • April 25, 2012 – City received Notice of Appeal • May 2, 2012 – City served and filed Responding materials • May 18, 2012 – Matter argued at Court of Appeal and decision received dismissing the application for leave to appeal 	<ul style="list-style-type: none"> • This matter is complete 	Legal Services

LITIGATION STATUS REPORT
September 17, 2012

COURT ACTIONS RESOLVED SINCE MARCH 2012

Matter	Description	History	Current Status	Counsel
Stevens v. City of Guelph Small Claims Court Claim No. 11-862	<ul style="list-style-type: none"> Claim by a former employee for retroactive pay 	<ul style="list-style-type: none"> April 30, 2012 – City served with Plaintiff’s Claim May 15, 2012 – Offer to settle made by City May 22, 2012 – Plaintiff discontinued claim 	<ul style="list-style-type: none"> This matter is complete 	Legal Services

OMB MATTERS

Matter	Description	History	Current Status	Counsel
Wm. J. Gies Construction Limited Southwest corner of Downey Rd. and Hanlon Pkwy	<ul style="list-style-type: none"> Long outstanding zoning appeals relating to the two court matters. 		<ul style="list-style-type: none"> Matter not currently being pursued by appellant 	Legal Services
580 Paisley Road – Armel Corporation Case No. MM080050	<ul style="list-style-type: none"> Appeal by the owner, Armel Corporation, of a decision not to approve a site plan application for a proposed gas bar, car wash and kiosk. The main issue relates to site access. 	<ul style="list-style-type: none"> October 1, 2008 – Appeal received 	<ul style="list-style-type: none"> Matter in abeyance pending the completion of the Environmental Assessment of Silvercreek Parkway South 	Legal Services
Development Charges By-law (2009) – 18729 – Guelph Wellington Development Association and 11 local home builders Case No. 090006	<ul style="list-style-type: none"> Appeal of the development charges by-law by the GWDA and 11 local home builders on a number of grounds: overestimated service requirements, certain capital projects not growth related, improper increase in level of service, improper growth/non-growth allocation, failure to apply DC funds to projects to reduce growth share, capital costs overstated for projects, and capital cost for ineligible projects are included. 	<ul style="list-style-type: none"> March 9, 2009 – Appeal filed January 21, 2010 – Mediation held October 31, 2011 – hearing scheduled – adjourned January 24, 2012 – Prehearing teleconference held September 17, 2012 – hearing scheduled – adjourned 	<ul style="list-style-type: none"> Ongoing 	Garrod Pickfield
381-385 Elmira Road North Case No. PL100953	<ul style="list-style-type: none"> Appeal by the Ontario Dairy Herd Improvement Corporation from certain conditions requested by City staff and imposed by the Committee of Adjustment as part of its decision approving a minor variance to permit the establishment of a transportation depot for outdoor storage and light maintenance of school buses. The conditions from which the owner has appealed relate to compliance with a previously approved site plan for the property. 	<ul style="list-style-type: none"> January 5, 2011 – hearing scheduled – adjourned 	<ul style="list-style-type: none"> Parties working to confirm a new hearing date 	Legal Services

LITIGATION STATUS REPORT
September 17, 2012

OMB MATTERS

Matter	Description	History	Current Status	Counsel
OPA 42 (13 Appeals) Case No. PL110278	<ul style="list-style-type: none"> • 13 appeals relating to various aspects of Official Plan Amendment No. 42 (Natural Heritage Strategy) 	<ul style="list-style-type: none"> • July 6, 2011 – prehearing conference held; Mr. Julian Zilio requested and has been granted party status • November 18, 2011 – 2nd prehearing conference held • April 13, 2012 – settlement hearing held for Brock Road Nursery appeal – settlement approved by decision issued April 20, 2012 • April 27, 2012 – prehearing conference held • June 7, 2012 – motion by Garibaldi Holdings Ltd. for party status – granted by decision issued June 26, 2012 	<ul style="list-style-type: none"> • November 13 & 14, 2012 - Prehearing conference scheduled 	Legal Services Garrod Pickfield
387 Ironwood Road Case No. PL110468	<ul style="list-style-type: none"> • Appeal by Mansoor Vezvaie of a Committee of Adjustment decision refusing minor variances, including a variance from the Interim Control By-law (ICB) to establish an accessory unit 	<ul style="list-style-type: none"> • May 2, 2011 – Appeal received • July 28, 2011 – hearing held • February 24, 2012 - ICB no longer in effect • March 5, 2012 – ICB repealed 	<ul style="list-style-type: none"> • Awaiting decision of the Board 	Legal Services
29 Curzon Crescent Case No. PL111263	<ul style="list-style-type: none"> • Appeal by Wes and Margaret Zalewski of the Committee of Adjustment decision for minor variance relating to driveway width (front yard coverage) 	<ul style="list-style-type: none"> • November 28, 2011 – Appeal received • March 21, 2012 – Hearing held 	<ul style="list-style-type: none"> • Awaiting decision of the Board 	Legal Services
716 Gordon Street Case No. PL111340	<ul style="list-style-type: none"> • Appeal by Adobe Varsity Living re applications for OP amendment and zoning by-law amendment to permit development of apartment building designed for students 	<ul style="list-style-type: none"> • December 12, 2011 – Appeals received • December 23, 2011 – municipal submission form and accompanying documents filed with OMB • April 19, 2012 – Prehearing held • July 13, 2012 – continuation of prehearing 	<ul style="list-style-type: none"> • September 10, 2012 – hearing commenced (3 weeks) 	Legal Services Garrod Pickfield
553 Edinburgh Road Case No. PL120169	<ul style="list-style-type: none"> • Appeal by Narain Sambhwani of a Committee of Adjustment decision for minor variances, including variance from the Interim Control By-law (ICB) and depth of required parking spaces, to allow accessory 	<ul style="list-style-type: none"> • January 30, 2012 – Appeal received • February 24, 2012 – ICB no longer in effect • March 5, 2012 – ICB repealed 	<ul style="list-style-type: none"> • April 23, 2012 – Council approved report from Planning that the City be a party to the upcoming hearing 	Legal Services

LITIGATION STATUS REPORT
September 17, 2012

OMB MATTERS

Matter	Description	History	Current Status	Counsel
(continued) 553 Edinburgh Road	apartment		<ul style="list-style-type: none"> Hearing date not yet scheduled 	
817 Hanlon Road Case No. PL120353	<ul style="list-style-type: none"> Appeal by Chandrakant Kothari of a Committee of Adjustment decision refusing a consent 	<ul style="list-style-type: none"> March 21, 2012 – Appeal received July 23, 2012 – Hearing held August 27, 2012 – Continuation of Hearing 	<ul style="list-style-type: none"> Awaiting the decision of the Board 	Legal Services
180 Gordon Street Case No. PL120457	<ul style="list-style-type: none"> Appeal by Karen Balcom of Zoning By-law amendment and Official Plan Amendment for 180 Gordon Street 	<ul style="list-style-type: none"> April 18, 2012 – Appeal received November 5, 2012 – Prehearing scheduled 	<ul style="list-style-type: none"> Ongoing 	Legal Services
17 Tolton Drive Case No. PL120463	<ul style="list-style-type: none"> Appeal by Weisen Gao of a Committee of Adjustment decision refusing minor variance to permit second driveway and minor variance from maximum driveway front yard coverage provision 	<ul style="list-style-type: none"> April 27, 2012 – Appeal received June 25, 2012 – Council approved report from Planning that the City be a party to the upcoming hearing August 2, 2012 – Hearing held 	<ul style="list-style-type: none"> Awaiting decision of the Board 	Legal Services
106 Clough Cres. Case No. PL120453	<ul style="list-style-type: none"> Appeal by Bruce Everitt of a Committee of Adjustment decision refusing a minor variance to permit two off-street parking spaces in lieu of the required three off-street parking spaces, for purposes of an accessory apartment 	<ul style="list-style-type: none"> April 30, 2012 – Appeal received October 4, 2012 – Hearing scheduled 	<ul style="list-style-type: none"> June 25, 2012 – Council approved report from Planning that the City be a party to the upcoming hearing 	Legal Services
OPA 43 (6 Appeals) Case No. PL120723	<ul style="list-style-type: none"> 6 appeals relating to various aspects of Official Plan Amendment No. 43 (Downtown Secondary Plan) 	<ul style="list-style-type: none"> June 20, 2012 – Appeals received 	<ul style="list-style-type: none"> Ongoing 	Legal Services
103 Lynch Circle Case No. PL120846	<ul style="list-style-type: none"> Appeal by Carol McCluskey of a Committee of Adjustment decision refusing minor variances relating to max size of an accessory apartment and driveway width (front yard coverage) 	<ul style="list-style-type: none"> July 26, 2012 – Appeal received October 23, 2012 – Hearing scheduled 	<ul style="list-style-type: none"> City staff to request direction from Council regarding appearance at upcoming hearing 	Legal Services
11 Starwood Drive Case No.	<ul style="list-style-type: none"> Appeals under sections 22(7), 34(1) and 51(34) Planning Act of Zoning By-law amendment application, Official Plan amendment application, and plan of subdivision application 	<ul style="list-style-type: none"> September 6, 2012 – Appeals received 	<ul style="list-style-type: none"> City staff to prepare report to Council 	Legal Services

OMB MATTERS RESOLVED SINCE MARCH 2012

Matter	Description	History	Current Status	Counsel
1897 Gordon Street Case No. PL110916	<ul style="list-style-type: none"> Appeal of a Zoning By-law amendment, Official Plan amendment and draft Plan approval/conditions of approval 	<ul style="list-style-type: none"> August 2, 2011 – Appeal received November 24, 2011 – motion to dismiss appeal 	<ul style="list-style-type: none"> Decision dismissing appeal This matter is complete 	Legal Services

LITIGATION STATUS REPORT
September 17, 2012

OMB MATTERS RESOLVED SINCE MARCH 2012

Matter	Description	History	Current Status	Counsel
(continued) 1897 Gordon Street	relating to 1897 Gordon Street	heard <ul style="list-style-type: none"> February 16, 2012 – continuation of motion heard – decision reserved May 14, 2012 - decision received 	<ul style="list-style-type: none"> Appellant filed Notice of Motion for leave to appeal (see Court Actions above) 	
25 Ervin Crescent Case No. PL111003	<ul style="list-style-type: none"> Appeal by Alexandria Donis of a Committee of Adjustment decision refusing a minor variance from the Interim Control By-law to permit an accessory apartment. 	<ul style="list-style-type: none"> September 26, 2011 – Appeal received January 5, 2012 – Hearing adjourned sine die, returnable on 45 days notice February 24, 2012 – ICB no longer in effect March 5, 2012 – ICB repealed July 25, 2012 – received a letter from OMB saying that the appeal was withdrawn 	<ul style="list-style-type: none"> This matter is complete 	City not a party
32 Mason Court Case No. PL120456	<ul style="list-style-type: none"> Appeal by Barry Martin of a Committee of Adjustment decision refusing an application for a minor variance to allow stacking of three off-street parking spaces when the Zoning By-law prohibits stacking of more than two off-street parking spaces 	<ul style="list-style-type: none"> April 30, 2012 – Appeal received June 25, 2012 – Council approved report from Planning that staff not attend at the upcoming hearing July 16, 2012 – hearing held 	<ul style="list-style-type: none"> July 16, 2012 – decision allowing appeal This matter is complete 	City not a party

OTHER MATTERS

Matter	Description	History	Current Status	Counsel
Ministry of Labour v. City of Guelph Charges under the Occupational Health and Safety Act: Ontario Court of Justice	<ul style="list-style-type: none"> On April 27, 2010, the City of Guelph was charged with three offences under the Occupational Health and Safety Act (“OHSA”). The charges relate to the washroom building at the South End Community Park. The architect, L. Alan Grinham, and the engineer, Larry Argue (of Burnside consulting engineers) are each charged with one count under the OHSA. 	<ul style="list-style-type: none"> April 27, 2010 – Charges received January 11, March 29, 2011 – Pre-trial conferences held April 20, 2011 – appearance to set trial dates August 16, September 12, November 30, December 23, 2011 – Pre-trial conferences held February 13, 2012 – Trial began in POA court on preliminary limitations issue April 20, 2012 – decision released dismissing charges against architect 	<ul style="list-style-type: none"> Trial resumed September 17, 2012 	Gowlings

LITIGATION STATUS REPORT
September 17, 2012

OTHER MATTERS				
Matter	Description	History	Current Status	Counsel
(continued) Ministry of Labour v. City of Guelph		<ul style="list-style-type: none"> and engineer, city to stand trial on charges • May 28, 2012 – decision to dismiss against architect and engineer appealed by MOL • August 20-23 and August 27-29, 2012 – trial continued 		
80 Simmonds Drive Conservation Review Board	<ul style="list-style-type: none"> • Appeal by resident of designation of 80 Simmonds Drive under the Ontario Heritage Act. 	<ul style="list-style-type: none"> • August 17, 2011 – Prehearing conference scheduled – adjourned at the appellants request • September 23, 2011 - Prehearing teleconference held • January 10, 2012 – Prehearing teleconference held • June 4-5, 2012 – hearing held 	<ul style="list-style-type: none"> • Awaiting report and recommendation of the Conservation Review Board 	Legal Services

OTHER MATTERS RESOLVED SINCE MARCH 2012				
Matter	Description	History	Current Status	Counsel
Human Rights Tribunal of Ontario (HRTO)	<ul style="list-style-type: none"> • Application to the HRTO requesting additional accessible parking beside the applicant's business, removal of time limitations for parking and adequate snow removal for access to and from accessible parking spaces. The applicant requests that rules and by-laws which have an adverse impact be modified for persons with disabilities, and that Operations staff, including Parking and Enforcement, be required to develop a policy and procedure on anti-discrimination and the duty to accommodate in the designation of accessible parking spaces, the formulation of neutral rules and the application of those rules to persons with a disability. The applicant seeks damages for mental anguish in the amount of \$10,000. 	<ul style="list-style-type: none"> • December 23, 2008 – Notice of Application received • January 27, 2009 – City's Response filed • February 19, 2009 – Reply by Applicant received • April 6-8 & 27-29, 2010 – Hearing rescheduled – cancelled • April 4-5, 2012 – hearing scheduled – cancelled • March 29, 2012 – Minutes of Settlement completed and filed with HRTO 	<ul style="list-style-type: none"> • HRTO closed their file March 29, 2012 • This matter is complete 	Legal Services
60 Cardigan Street (Charleston Homes) Section 20 complaint under Development Charges Act	<ul style="list-style-type: none"> • Complaint from the owner of 60 Cardigan Street in respect of the calculation of development charges under the City's Development Charge By-law. 	<ul style="list-style-type: none"> • December 16, 2010 – Complaint received • September 7, 2011 – hearing cancelled • May 7, 2012 – complaint withdrawn 	<ul style="list-style-type: none"> • This matter is complete 	Legal Services

LITIGATION STATUS REPORT
September 17, 2012

INSURED MATTERS *

Matter	Description	History	Current Status	Counsel
Buzbuzian v. City of Guelph Ontario Superior Court of Justice Court File No. 3813/02	<ul style="list-style-type: none"> Plaintiff purchased property based on it being zoned commercial, alleges the City misrepresented the correct zoning 	<ul style="list-style-type: none"> October 7, 2002 – Statement of Claim served on City December 3, 2002 – City filed Statement of Defence June 3, 2008 – Status Hearing held August 27, 2012 – assignment court 	<ul style="list-style-type: none"> Ongoing 	Madorin Snyder
Reed v. City of Guelph et al Ontario Superior Court of Justice Court File No. 612/08	<ul style="list-style-type: none"> Accident – May 24, 2007 	<ul style="list-style-type: none"> September 17, 2008 – Statement of Claim served on City 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Kempt v. City of Guelph Ontario Superior Court of Justice Court File No. 11398/09	<ul style="list-style-type: none"> Slip and Fall accident – September 17, 2007 	<ul style="list-style-type: none"> June 4, 2009 – Statement of Claim served on City 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Sharma v. City of Guelph et al Ontario Superior Court of Justice Court File No. 332/10	<ul style="list-style-type: none"> Motor Vehicle accident – May 7, 2008 	<ul style="list-style-type: none"> May 4, 2010 – Statement of Claim served on City 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Mitchell v. City of Guelph et al Ontario Superior Court of Justice Court File No. C-628-10	<ul style="list-style-type: none"> Motor Vehicle accident – June 16, 2009 	<ul style="list-style-type: none"> July 9, 2010 – Statement of Claim served on City 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Mcfadden v. City of Guelph et al Ontario Superior Court of Justice Court File No. 10-23820	<ul style="list-style-type: none"> Motor Vehicle accident – November 19, 2008 	<ul style="list-style-type: none"> November 16, 2010 – Statement of Claim served on City 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Linseman and Loewen v. City of Guelph and Guelph Transit Ontario Superior Court of Justice Court File No. CV-10-414425	<ul style="list-style-type: none"> Slip and Fall accident – December 11, 2008 	<ul style="list-style-type: none"> January 31, 2011 - Statement of Claim served on City 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Debono et al v. City of Guelph et al Ontario Superior Court of Justice Court File No. 749/10	<ul style="list-style-type: none"> Accident – June 16, 2009 	<ul style="list-style-type: none"> January 31, 2011 – Statement of Claim served on City 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Fruetel et al v. City of Guelph et al Ontario Superior Court of Justice Court File No. CV11-649	<ul style="list-style-type: none"> Accident – September 8, 2009 	<ul style="list-style-type: none"> September 12, 2011 – Statement of Claim served on City January 31, 2012 – City served Statement of Defence and Crossclaim 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel

LITIGATION STATUS REPORT
September 17, 2012

INSURED MATTERS *

Matter	Description	History	Current Status	Counsel
Intact Insurance Company et al v. City of Guelph Ontario Superior Court of Justice Court File No. 755/11 SP	<ul style="list-style-type: none"> Plaintiff alleges negligent repair of water main by City – October 16, 2009 	<ul style="list-style-type: none"> October 13, 2011 – Statement of Claim served on City November 24, 2011 – City served Statement of Defence April 26, 2012 – Examination for Discovery held 	<ul style="list-style-type: none"> Ongoing 	Legal Services
McWhinney v. City of Guelph Ontario Superior Court of Justice Court File No. 467/11	<ul style="list-style-type: none"> Slip and Fall accident – January 16, 2010 	<ul style="list-style-type: none"> June 21, 2011 – Statement of Claim served on City 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Smith v. City of Guelph Ontario Superior Court of Justice Court File No. 94/12	<ul style="list-style-type: none"> Slip and Fall accident – March 15, 2011 	<ul style="list-style-type: none"> February 1, 2012 – Statement of Claim served on City March 13, 2012 – City served Statement of Defence 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Hannah Max Enterprises Inc. v. Hira Custom Homes and Tvan Excavating Ltd. Ontario Superior Court of Justice Court File No. 516/10	<ul style="list-style-type: none"> Plaintiff sued builder for water in basement because of a leak in water service pipe under the driveway. Builder third partied the City for contribution/indemnity 	<ul style="list-style-type: none"> February 13, 2012 – Third Party Claim by Tvan Excavating Ltd. served on City 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Schade v. City of Guelph, Bell Canada, Neumann and Powell Ontario Superior Court of Justice Court File No. 1586/12	<ul style="list-style-type: none"> Slip and Fall accident – November 19, 2010 	<ul style="list-style-type: none"> March 20, 2012 – Statement of Claim served on City March 22, 2012 – City served Notice of Intent to Defend April 17, 2012 – City served Statement of Defence 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Kliska v. City of Guelph and Terracon Underground Ltd. Ontario Superior Court of Justice Court File No. 442/12	<ul style="list-style-type: none"> Damage as a result of flooding and sewage backup – June 27 and July 11, 2010 	<ul style="list-style-type: none"> June 12, 2012 – Statement of Claim served on City August 21, 2012 – City filed Statement of Defence and Crossclaim against Terracon September 5, 2012 – Terracon served Statement of Defence and Crossclaim against Guelph 	<ul style="list-style-type: none"> Ongoing 	Legal Services
Gibbard v. City of Guelph Ontario Superior Court of Justice Court File No. 492/12	<ul style="list-style-type: none"> Slip and Fall accident – August 1, 2010 	<ul style="list-style-type: none"> June 27, 2012 – Statement of Claim served on City July 10, 2012 – City filed Notice of Intent to Defend 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel

LITIGATION STATUS REPORT
September 17, 2012

INSURED MATTERS *

Matter	Description	History	Current Status	Counsel
Marshall v. City of Guelph and Drexler Construction Limited Ontario Superior Court of Justice CV-12-00455098	<ul style="list-style-type: none"> Property damage – July – October, 2010 	<ul style="list-style-type: none"> July 13, 2012 – Statement of Claim served on City August 16, 2012 – City served Statement of Defence and Crossclaim 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Costigan v. City of Guelph and J.G. Goetz Construction Ltd. Ontario Superior Court of Justice Court File No. 594/12	<ul style="list-style-type: none"> Slip and Fall accident – May 27, 2011 	<ul style="list-style-type: none"> August 15, 2012 – Statement of Claim served on City August 21, 2012 – City filed Notice of Intent to Defend 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel
Fitkowski et al v. City of Guelph and E&E Seegmiller Limited Ontario Superior Court of Justice Court File No. 663/12	<ul style="list-style-type: none"> Accident – September 24, 2010 	<ul style="list-style-type: none"> September 10, 2012 – Statement of Claim served on City. September 13, 2012 – City served Notice of Intent to Defend 	<ul style="list-style-type: none"> Ongoing 	Insurers' legal counsel

* Does not include claims solely against Guelph Police Services (i.e. City not named as a party)

INSURED MATTERS COMPLETE SINCE MARCH 2012

Matter	Description	History	Current Status	Counsel
Mark v. City of Guelph et al Ontario Superior Court of Justice Court File No. C-663-04	<ul style="list-style-type: none"> Motor Vehicle accident – February 5, 2003 	<ul style="list-style-type: none"> July 7, 2004 – Statement of Claim served on City April 10-20, 2012 – Trial held June 22, 2012 – Judgment released 	<ul style="list-style-type: none"> Decision of the Court after trial found Wellington County liable This matter is complete 	Insurers' legal counsel
Garneau v. City of Guelph et al Ontario Superior Court of Justice Court File No. 987/09	<ul style="list-style-type: none"> Slip and Fall accident – February 17, 2008 	<ul style="list-style-type: none"> December 9, 2009 – Statement of Claim served on City December 21, 2009 – City served Notice of Intent to Defend August 7, 2012 – Order dismissing the action and all crossclaims without costs issued and entered Matter settled with no contribution from City of Guelph. 	<ul style="list-style-type: none"> This matter is complete 	Insurers' legal counsel

TO **Guelph City Council**

SERVICE AREA Finance and Enterprise
Community Energy

DATE September 24, 2012

**SUBJECT Municipal Support for Local Renewable Energy
Projects**

REPORT NUMBER FIN-CE-12-01

SUMMARY

Purpose of Report: To seek Council's approval of a Blanket Support Resolution (Attachment #1) in support of proposed construction and operation of renewable energy projects within the City of Guelph that are seeking approval from the Ontario Power Authority's Feed-In-Tariff (FIT) program.

Council Action: With Council's support, renewable energy projects that contribute to the goals of the Community Energy Initiative will receive priority points in their applications to the Ontario Power Authority's Feed-In-Tariff Program. All Guelph-based renewable energy projects that are seeking support under the blanket approval will be required to be in full compliance with the FIT 2.0 rules.

RECOMMENDATION

WHEREAS the Province's FIT Program encourages the construction and operation of rooftop solar, groundmount solar, bioenergy and on-shore wind generation projects (the "Projects");

AND WHEREAS one or more Projects may be constructed and operated in the City of Guelph;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in these Applicants being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED:

THAT Report FIN-CE-12-01 be received and;

THAT Council of the City of Guelph supports without reservation the construction and operation of the Projects anywhere in the City of Guelph and;

THAT Council direct the City Clerk to sign the attached "Prescribed Form/Template: Municipal Council Blanket Support Resolution" (Attachment #1) and;

THAT Council direct the Corporate Manager, Community Energy to provide a completed and signed "Prescribed Form/Template: Municipal Council Blanket Support Resolution" (Attachment #1) to applicants requesting same for the purposes of submissions to the Ontario Power Authorities Feed-In-Tariff Program.

THAT The Corporate Manager, Community Energy be directed to report to Council on a regular basis the activity related to requests for the "Prescribed Form/Template: Municipal Council Blanket Support Resolution" and;

THAT the Municipal Council Blanket Support Resolution remain in effect for one year from the date of adoption.

BACKGROUND

Council endorsed the Guelph Community Energy Plan, now the Community Energy Initiative (CEI), in April 2007. Among its goals is a number of targets related to local renewable energy generation.

"Within fifteen years, at least a quarter of Guelph's total energy requirement will be competitively sourced from locally created renewable resources."

"Renewable" energy sources, in the context of the CEI and the Ontario Power Authority, means electricity generated by solar, bioenergy or wind.

At the time of the CEI endorsement, it was expected that renewable energy activities would start evolving sometime in the second half of the 15 year timeframe as market conditions became favourable to the development of projects.

However, in May 2009, the Province of Ontario passed Bill 150, The Green Energy and Economy Act, to expand renewable energy generation, encourage energy conservation and promote the creation of clean energy jobs.

In September, 2009, as directed by the Ontario Minister of Energy, the Ontario Power Authority announced the Feed-In-Tariff program that provided fixed pricing for electricity generated by renewable sources.

This policy and program support from the Province served to significantly accelerate renewable energy development across the Province and within the City of Guelph.

Through the stakeholder networks established under the auspices of the CEI, such as the Mayor's Task Force on Community Energy, an informal survey of renewable energy activity in the community has revealed that approximately 30 MW of renewable energy applications have been submitted to the Ontario Power Authority. This represents well over 10% of the average electrical demand in the City of Guelph – an approximate 2/3 progress toward the 15 year target of the CEI.

Applications to the Ontario Power Authority vary in type, size and applications. Over 300 homeowners have applied for solar rooftop systems. Two large ground-based solar systems, up to 10 MW in size, are in development. Applications have been submitted for a total of over 5 MW of various roof and ground-mounted solar systems between 10 kW and 500 kW in size. In addition, up to 2 MW for bioenergy projects are in development and in the application process.

Envida Community Energy, the affiliate company to Guelph Hydro Inc., has submitted applications to the Ontario Power Authority for solar energy systems on 13 City facility rooftops (approx 1 MW in total capacity) as well as a large ground-mounted solar energy system at the Eastview Landfill site (up to 10 MW in capacity).

Response the initial round of applications received by the Feed-In-Tariff program was very high resulting in many applications competing for approval and significant program delays. Beyond small scale rooftop residential applications, few renewable energy projects from the Guelph community, including the City's corporate applications, have been approved.

Early in 2012, the Province announced a review process of the first phase of the Feed-In-Tariff Program (commonly referred to as FIT 1.0) and launched an extensive public and stakeholder consultation process of the Program rules. The City of Guelph, in cooperation with other municipal stakeholders, participated in this review and made recommendations that would provide an advantage for renewable energy projects that were community-based under the framework of activities such as Guelph's Community Energy Initiative.

In late August of this year, the Province issued new rules for next phase of the of the Feed-In-Tariff program (commonly referred to as FIT 2.0). FIT 1.0 applicants will be invited to reapply but will retain their status in the program queue. New applicants will also invited to apply. In October of this of this year, the Feed-In-Tariff program will be accepting applications for renewable energy projects between 10 kW an 500 kW in size. Application windows for larger projects are expected in the near future. The application process for residential projects, under 10 kW in size, remains relatively unaffected.

As a result of the program review, FIT 2.0 applications now allow for applicants to gain an advantage, under a points system, by receiving Council support resolutions from municipalities. As advocated for under the program review process, the City of Guelph now has an opportunity to give Guelph-based project, that support the goals of the Community Energy Initiative, an advantage in a competitive application process.

REPORT

Applicant to the Ontario Power Authority's FIT 2.0 Program are not required to seek municipal approval in any way.

The attached "Prescribed Form/Template: Municipal Council Blanket Support Resolution" (Attachment #1) is provided by the Ontario Power Authority. Municipalities who pass a resolution that reflects the wording in the Form/Template can provide a copy of the Form/Template to Feed-In-Tariff Program applicants who are seeking an approvals advantage in a competitive, points-based application process managed by the Ontario Power Authority.

The Rules to the FIT 2.0 Program are rigorous in their ensuring appropriate development of renewable energy projects, particularly in an urban environment. Projects that are on, or abut, residential property are not allowed. Projects that are on industrial employment lands are not allowed. Also projects on provincially-defined Agricultural Land, Levels 1, 2 or 3 (as is the case in some of the City's Urban Reserve lands) are not allowed.

Because of these rigorous rules, the risk of the City inadvertently supporting, and providing a program advantage, to renewable energy projects that are inappropriate is very low. This is particularly true of wind generation. The technical feasibility of wind in the Guelph and surrounding area is very low. Wind levels are not significant. Secondly, the setback rules defined by the FIT 2.0 rules are of such a magnitude that it would be virtually impossible to find an appropriate site within the City boundaries.

Under the FIT 2.0 rules, ground-mounted solar energy projects require an additional formal confirmation from the City of the proposed ground-based solar project site's zoning status, along with an opinion of a registered Land Use Planner. In such cases, the Corporate Manager, Community Energy will liaise with the City's Chief Building Official and General Manager of Planning and Building Services to complete the required forms.

Through this mechanism of formally indicating municipal support for renewable energy projects across the community, the City of Guelph has a significant opportunity to accelerate progress toward the renewable energy goals of the Community Energy Initiative.

CORPORATE STRATEGIC PLAN

Innovation in Local Government

- Build an adaptive environment for government innovation to ensure fiscal and service sustainability.

City Building

- Be economically viable, resilient, diverse and attractive for business.

-
- Strengthen citizen and stakeholder engagement and communications.

FINANCIAL IMPLICATIONS

If approved the recommendations in this report will result in slight increases in administrative activity under the direction of the Corporate Manager of Community Energy.

DEPARTMENTAL CONSULTATION

Community Energy
Legal and Realty Services
City Clerk's Office
Planning Services

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment 1: "Prescribed Form/Template: Municipal Council Blanket Support Resolution"

"original signed by Al Horsman"

Recommended By:

Al Horsman
Executive Director/Chief Financial Officer
519-822-1260 ext. 5606
al.horsman@guelph.ca

"original signed by Robert Kerr"

Prepared By:

Robert Kerr
Corporate Manager, Community Energy
519-822-1260 ext. 2079
rob.kerr@guelph.ca

PRESCRIBED FORM/TEMPLATE: MUNICIPAL COUNCIL BLANKET SUPPORT RESOLUTION

Section 6.1(d)(i) - FIT Rules, Version 2.0

OPARP/f-FIT-014r1

Capitalized terms not defined herein have the meanings ascribed thereto in the FIT Rules, Version 2.0.

Resolution NO: _____

Date: _____

WHEREAS the Province's FIT Program encourages the construction and operation of

_____ e.g. rooftop solar, ground mount solar, bioenergy, on-shore wind _____ generation projects (the "Projects");

AND WHEREAS one or more Projects may be constructed and operated in _____ insert the name of the Local Municipality _____ ;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in these Applicants being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the _____ insert the name of the Local Municipality _____ supports without reservation the construction and operation of the Projects anywhere in _____ insert the name of the Local Municipality _____ .

This resolution's sole purpose is to enable the participants in the FIT Program to receive priority points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects or any other purpose.

This resolution shall expire twelve (12) months after its adoption by Council.

(Note: signature lines for councilors or other representatives, as appropriate)

FIT reference number: _____
(Note: Must be inserted by Applicant to complete Application)

INTERNAL MEMO



DATE September 12, 2012
TO **Mayor Farbridge and members of Guelph City Council**
FROM Councillor Lise Burcher
SUBJECT FCM campaign for new federal infrastructure funding program

This memo provides background on the following resolution:

WHEREAS, the Building Canada Plan and a number of important federal-provincial transfer agreements vital to Canada's cities and communities will expire in March 2014;

WHEREAS, the Government of Canada has committed to develop a new long-term plan for municipal infrastructure funding in consultation with municipal and provincial/territorial governments;

WHEREAS, a seamless transition from the Building Canada Plan to a new long term plan is necessary to ensure that municipalities can continue planning their capital spending effectively;

WHEREAS, the Federation of Canadian Municipalities (FCM) has launched a campaign to ensure the new plan reflects municipal priorities;

AND WHEREAS, Guelph has an infrastructure gap of \$25.4 million annually for its water, wastewater, storm, and transportation systems;

THEREFORE BE IT RESOLVED that Council endorses the FCM campaign and urges the Minister of Transport, Infrastructure and Communities to work with FCM to ensure the new long-term infrastructure plan meets the needs of municipalities;

AND THAT Council urges the Minister of Transport, Infrastructure and Communities to ensure the new long-term plan is fully in place when existing programs expire in 2014;

AND THAT a copy of this resolution be sent to the Minister of Transport, Infrastructure and Communities, Ontario's Minister of Municipal Affairs and Housing, Guelph MP Frank Valeriote, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

Background

Almost \$2 billion a year in federal infrastructure funding for municipalities will end when the federal government's Building Canada Plan expires in March 2014, along with funding for a number of other cost-shared programs. FCM has launched a campaign to ensure municipal priorities are reflected in the new plan, and that a plan is in place before the current programs expire so that the transition will be seamless.

As Guelph's representative on FCM, I see this as an opportunity to join 160 Councils across Canada who have passed a similar resolution in support of FCM's campaign, and ensure our City's voice is heard. In the past, FCM advocacy has been instrumental in securing significant federal funding programs for municipalities. These include the Gas Tax Fund, under which Guelph has received approximately \$34.5 million from 2007 to 2012, and GST rebates, which have yielded approximately \$50.5 million for Guelph from 2007 to

September 2012.

Guelph's infrastructure deficit for water, wastewater, storm, and transportation systems (roads and bridges) has been calculated to be \$25.4 million annually. Continued support from federal infrastructure funding is critical to the City's ability to make necessary infrastructure improvements without placing the burden solely on local property taxpayers.

The Infrastructure Stimulus Funding that Guelph secured in 2009 was a welcome investment that helped to significantly address our infrastructure backlog. However, its short timelines put pressure on staff resources and the City's capital budget. FCM has called for longer-lasting funding programs so that projects are built, financed, and maintained over decades, not years. I believe Guelph's experience supports this need. Long-term, predictable, sustainable funding such as the gas tax model is better aligned with our capital budget process and the planning horizon for infrastructure projects. As a result, it enables more strategic, long-term planning of resources that can ultimately deliver more value for money.

Lise Burcher
Councillor

SPECIAL RESOLUTIONS CONSENT AGENDA

September 24, 2012

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF SPECIAL RESOLUTIONS AND INFORMATION REPORTS:

REPORT	DIRECTION
<p>A) Councillor Bell’s notice of motion for which notice was given June 25, 2012</p> <p>“THAT the matter of cost recovery from the activities associated with late night downtown bars be referred to the Operations, Transit & Emergency Services Committee for discussion and direction to staff.”</p> <p><i>Information Staff Report:</i></p> <p>Background to September 24, 2012 Special Resolution on Downtown Late Night Costs</p>	
<p>B) Councillor Guthrie’s notice of motions for which notice was given July 3, 2012</p> <p>“THAT the following motion be referred to the Corporate Administration, Finance & Enterprise Committee for consideration;</p> <p>THAT as part of Finance Department’s review and consideration of current policies/practices respecting year end surpluses and development of a corporate “Disposition of Year End Surplus” policy,</p> <p>a) That staff include consideration of returning tax supported surplus to the taxpayers first, where doing so does not drop the tax rate stabilization reserve below stable levels;</p> <p>b) That staff report back on this when bringing the proposed “Disposition of Year End Surplus” corporate policy forward in Q2 2013.</p>	

Information Staff Report:

**Background to September 24, 2012 Special Resolution on
Disposition of Year End Surplus**

attach.

INFORMATION REPORT



TO Guelph City Council

SERVICE AREA Finance & Enterprise Services
DATE September 24, 2012

SUBJECT Background to September 24, 2012 Special Resolution on Downtown Late Night Costs

REPORT NUMBER FIN-DR-12-09

SUMMARY

This report provides a brief background to the Special Resolution being presented at the September 24, 2012 Council Agenda regarding downtown late night costs.

Council Action: Receive

BACKGROUND

This report is provided as background to the Special Resolution motion before Council at its September 24, 2012 meeting regarding downtown late night costs.

Although there are recognized costs of downtown late night activities and studies have been undertaken to see if there is a mechanism to recover the expenditures through additional fees or taxes, consistently no action has been taken in that direction.

Staff have nonetheless continued to work with stakeholders such as the Downtown Guelph Business Association, Guelph Police Services and the Province of Ontario to explore solutions that would mitigate the occurrence and magnitude of late night costs while still promoting the downtown as a destination for entertainment purposes.

The following are highlights of Committee and Council direction over the past decade:

Year	Motion	Summary
April 7, 2003	AND THAT Council pass an interim control by-law pursuant to Section 38 of The Planning Act, R.S.O. 1990, c.P. 13, to prohibit the use of land, buildings or structures for the purpose of establishing or constructing a	<i>Council initiated a study of the land use issues related to the intensity of bars and taverns in the downtown CBD.1 zone in 2003.</i> <i>Interim Control was put in place</i>

	<p>“tavern” or to expand an existing “tavern”, as the term “tavern” is defined in the Zoning By-law, within the portion of the Central Business District in the City of Guelph shown on Schedule “A” from April 8, 2003 to April 7, 2004.</p>	<p><i>for 2 years.</i></p> <p><i>Amendments to the Zoning By-law were adopted by 2005 which limited floor space and seats within licensed areas in the CBD.1 zone. This addressed future applications, not existing businesses.</i></p>
<p>January 19, 2005</p>	<p>THAT no action be taken to incorporate costs in the Business Licence fees for bars and restaurants in the downtown core to recover downtown clean-up and policing costs at this time;</p> <p>AND THAT staff be directed to report back to the Finance & Administration Committee by the end of March with respect to alternatives for recovering clean-up and policing costs from the downtown bars and restaurants.</p>	<p><i>During the Interim Control By-law period and the review of Business License practices in 2004, staff was asked to report on addressing downtown late night costs through the Business License mechanism.</i></p> <p><i>Adding cost recovery to License fees was not recommended.</i></p>
<p>March 21, 2005</p>	<p>THAT staff be directed to investigate alternatives for recovering clean-up and policing costs from the downtown bars and restaurants.</p>	<p><i>Issue of cost recovery remained and alternatives sought.</i></p>
<p>June 6, 2005</p>	<p>THAT the report on downtown policing and clean up costs be received for information;</p> <p>AND THAT Council request the Alcohol and Gaming Commission to increase liquor enforcement in downtown Guelph.</p> <p><i>(18 Month Gap)</i></p>	<p><i>FACS Committee report received at Council.</i></p>
<p>February 9, 2007</p>	<p>THAT the Legal Department be directed to forward the report that was previously before the Committee with respect to licencing fees of downtown businesses to offset City costs;</p> <p>AND THAT subsequently, staff provide any additional information relating to the new Municipal Act and licensing fees.</p>	<p><i>Update requested in 2007 based on recent changes to the Municipal Act</i></p>

December 17, 2007	<p>THAT the timeline within the motion of the Finance, Administration & Corporate Services Committee, dated June 6, 2007, regarding the recovering of downtown policing and garbage collections/clean up costs be deferred to no later than March 2008;</p> <p>AND THAT Council directs staff to develop options and recommendations in conjunction with the appropriate staff and in consultation with the Guelph Downtown Business Association and the Downtown Nightlife Task Force.</p>	<p><i>Update report received. No action taken on Business Licensing. Further work co-operatively managing and alternatively addressing the issue developed (Late Night Task Force).</i></p>
April 28, 2008	<p>THAT staff be directed to continue work to reduce policing and clean up costs related to nightlife activity in the downtown in co-operation with the Downtown Guelph Business Association and Nightlife Task Force as outlined in the report of the Downtown Economic Development Manager dated April 17, 2008</p> <p>AND THAT the success of the initiatives underway and the next steps be reported on an annual basis to Council.</p>	<p><i>Late Night Task Force report received. Annual update reports requested.</i></p>
June 22, 2009	<p>THAT staff start discussions with the Province on changes to liquor licensing regulations;</p> <p>AND THAT staff request that the set fine be increased for fouling on public property.</p>	<p><i>As part of the discussions leading to the 'Pissoir' trial in the summer of 2009</i></p>
September 14, 2009	<p>THAT the matter of the report regarding downtown issues be referred to allow consultation with the following: Downtown Guelph Business Association, Nightlife Task Force and the Guelph Police Services.</p> <p>THAT Liz Sandals, MPP be advised of the proposed recommendations regarding downtown issues and</p>	<p><i>Deferral of report from Legal Dept. responding to June 22, 2009 direction, for additional consultation.</i></p>

requested to assist with proposed recommendations.

(18 Month Gap)

March 3,
2011

That the matter of cost recovery for the magic buses and the clean-up of the downtown be referred to the Corporate Administration, Finance & Emergency Services Committee.

Direction received during 2011 Budget deliberations.

CORPORATE STRATEGIC PLAN

None -- This report is administrative.

FINANCIAL IMPLICATIONS

None

DEPARTMENTAL CONSULTATION/CONCURRENCE

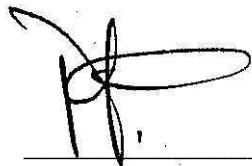
None

COMMUNICATIONS

None

ATTACHMENTS

None



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INFORMATION REPORT



TO **Guelph City Council**

SERVICE AREA Finance and Enterprises Services
DATE September 24, 2012

SUBJECT Disposition of Year End Surplus
REPORT NUMBER FIN-12-40

SUMMARY

That Finance and Enterprise Services background Report FIN-12-40 dated September 24, 2012 entitled "Disposition of Year End Surplus" be received for information purposes only.

REPORT

The purpose of this report is to provide a high level overview of the City's current treatment of a year end surplus should the City be in a position where expenditures incurred are less than revenues collected at a given fiscal year end. Although there is no formal corporate policy regarding the disposition of year end surpluses, past recommendations respecting the use of year end surpluses have been made in support of the following goals:

- Achieve current and future goals in a fiscally responsible and sustainable manner
- Exercise care and prudence in the use of tax and rate revenues
- Optimize management of reserves and reserve funds which have been established for planned future capital expenditures, unexpected or unpredicted events, or extraordinary expenditures which would otherwise cause fluctuations in the operating or capital budgets

Finance staff regularly review existing financial policies and practices to ensure that they remain current with generally accepted accounting practices, including consistency with municipal financial accounting statutes described in the Municipal Act, 2006 and established by the Public Sector Accounting Board (PSAB). While there have been some historical treatments of year end surpluses that account for specific policies (e.g. Local Boards), there is no corporate policy presently in place that guides the disposition of year end surpluses. Staff are therefore in the process of reviewing present practices with the objective of bringing forward a proposed corporate policy (if necessary) in the second quarter of 2013 for Council consideration and approval. Review and consideration of an effective means of applying surpluses back to the taxpayer would be a part of this work.

Current Treatment of Year End Surplus

The City of Guelph currently considers three specific areas when determining the allocation of a year end surplus:

- Enterprise Departments
- Local Boards
- Tax-Supported Departments

In the sections that follow, the treatment of a year end surplus attributed to these areas will be discussed.

Enterprise Departments

Enterprise departments are self-supporting and are 100% funded through user fees or other non-tax revenues. These departments are completely separate from the City's tax supported departments and do not rely on a property tax transfer to fund their operations. Current enterprise departments are Water Services, Wastewater Services, Court Services and Ontario Building Code (OBC) Administration.

Current practices have resulted in any fiscal year end operating surplus in an enterprise department being allocated to the corresponding rate stabilization or contingency reserve for that department. Contributions from the year end surplus to these reserves are recommended up to the established maximum balance. Once the maximum balance is achieved, any remaining or future operating surpluses are allocated to the corresponding capital reserve fund for the specific enterprise department. This practice effectively provides for a reduction to future year rate increases that would otherwise be incurred had the surplus not been available to finance program needs.

Local Boards

Guelph Police Service and Guelph Public Library are the local boards of the City of Guelph.

Current practices have resulted in any fiscal year end surplus experienced by the board being allocated to the corresponding capital reserve fund for that board up to the amount approved for the capital construction costs associated with the move to a new facility. This practice is in line with the approved policy for these reserve funds. In June 2012, staff recommended and received Council approval to allocate Guelph Police Services' 2011 operating surplus to the approved Headquarters Renovation capital project. The allocation of the surplus was in line with the approved reserve fund policy and enabled the City to forecast less debt funding for this project.

Tax-Supported Departments

Following any allocations to the Local Boards, the remaining tax-supported fiscal year end surplus is considered to be generated by the City's tax-supported departments and is allocated accordingly. Historically, fiscal year end surpluses have been allocated to City reserves or reserve funds to ensure that target levels are being achieved or worked towards or amounts used to fund in-year expenditures are replenished.

Considerations normally made in developing recommendations to Council with respect to the tax-supported departments' year end surplus include:

- Replenish funds transferred out of the Insurance Reserve, Ontario Municipal Board Reserve and the Building Operations Contingency Reserve. These reserves are normally drawn on to fund in-year expenditures and staff attempt to replenish draws on these reserves
- Increase the balance in stabilization or contingency reserves such as the tax rate stabilization reserve, operating contingency reserve and employee benefit stabilization reserve. Recommendations are made to fund the reserve up to the established maximum target balance, if a target is available
- Increase reserve balances which have been determined inadequate based on a review of timing and magnitude of costs expected to be incurred

The combination of considerations made in the above can provide for a decrease in contributions to reserves and reserve funds in any tax year thereby reducing the required tax levy increase required.

In addition to an established maximum or target balance for individual reserves or reserve funds, staff also take into consideration the following overall targets for achieving a favourable financial position when making recommendations regarding the fiscal year end surplus:

- Moving towards a total debt burden to total reserves ratio of 1:1
- Working and current-purpose reserve and reserve funds at least 8%-10% of operating revenues
- Lifecycle reserve fund contributions based on a specified percentage value of the relevant assets

CORPORATE STRATEGIC PLAN

2.3 Ensure accountability, transparency and engagement

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

DEPARTMENTAL CONSULTATION/CONCURRENCE

There has been no departmental consultation in the development of this report.

COMMUNICATIONS

There are no communications required for this report.

ATTACHMENTS

No attachments

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Please recycle!

- **BYLAWS** -

- September 24, 2012 -	
<p>By-law Number (2012)-19462 A by-law to amend By-law Number (2009)-18855, as amended, being a by-law respecting the licensing of Businesses operating within the City of Guelph, and to adopt Municipal Code Amendment #473, which amends Chapter 176 "Business Licenses", of The Corporation of the City of Guelph's Municipal Code.</p>	<p>To amend the Business License fees as approved by Council.</p>
<p>By-law Number (2012)-19463 A by-law to remove Block 168, Plan 61M143, designated as Parts 35 to 40 both inclusive, Reference Plan 61R10757 in the City of Guelph from Part Lot Control. (51-61 Laughland Lane)</p>	<p>To remove land from part lot control to create 6 on-street townhouse lots to be known municipally as 51-61 Laughland Lane.</p>
<p>By-law Number (2012)-19464 A by-law to remove Part of Block 1, Plan 61M174, designated as Parts 1 to 17 both inclusive, Reference Plan 61R11738 and Part of Block 2, Plan 61M174, designated as Parts 82 to 89 both inclusive, Reference Plan 61R11738 in the City of Guelph from Part Lot Control. (116, 118, 120, 122, and 124 Mussen Street)</p>	<p>To remove land from part lot control to create separate parcels for on-street townhouse dwellings to be known municipally as 116, 118, 120, 122, and 124 Mussen Street.</p>
<p>By-law Number (2012)-19465 A by-law to amend By-law Number (2002)-17017 and to adopt Municipal Code Amendment #474, amending Chapter 301 of the Corporation of the City of Guelph's Municipal Code. (adding a no parking zone on Janefield Ave., west side, from 206m south of College Ave. W. To 210 m south thereof and adding no parking anytime corner restrictions and driveway restrictions on Duke St., west side, from Elizabeth St. to Alice St. and to remove the no parking anytime zone on Wyndham St. S., east side from Carden St. to Wellington St. in the No Parking Schedule XV; adding a no stopping zone on the east side of Wyndham St. S. from Carden St. to Wellington St. and adding a no stopping anytime zone on Carden St.,</p>	<p>To amend the Traffic By-law.</p>

<p>south side from Wyndham St. N. to 50m east thereof and adding a no stopping anytime zone on Carden St., north side from Wyndham St. N. to 80m east thereof and adding a non stopping anytime zone except taxis and delivery vehicles, on Carden St., north side, from 82m east of Wyndham St. N. to 146m east thereof and adding a no stopping anytime zone on Carden St., north side, from Macdonell St. to 100m west thereof in the No Stopping Schedule XVI; amending the 2-hour, 8am-6pm, Monday to Saturday restriction on the west side of Duke St., from Alice St. to Elizabeth St., to include all areas not currently designated as no parking anytime, and to revise the restriction to indicate Monday to Friday in the Restricted Parking Schedule XVII; adding all newly created left turn lanes resulting from capital projects between 2010 and 2012 in the Lane Designations Schedule VII; adding new bicycle lanes on Macdonell St., south side, from Woolwich St. to 65m west thereof and Wilson St., east side from Norfolk St. to Carden St. in the Designated Bicycle Lanes Schedule IV)</p>	
<p>By-law Number (2012)-19466 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 246 Arkell Road in the City of Guelph, to implement the Victoria Wood (Arkell) Ltd. Draft Plan of Subdivision (File 23T-10501 / ZC1003)</p>	<p>To amend the Zoning By-law as approved by Council September 4, 2012.</p>
<p>By-law Number (2012)-19467 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 115 Fleming Road in the City of Guelph, to implement the Coletara Development Draft Plan of Subdivision (File 23T-11501 / ZC1102)</p>	<p>To amend the Zoning By-law as approved by Council September 4, 2012.</p>
<p>By-law Number (2012)-19468 A by-law to amend By-law Numbers (2003)-17082 and (1997)-15351 with respect to appointments of persons serving as municipal by-law enforcement officers, known as "private property agents" (to add Holl)</p>	<p>To amend by-laws with respect to appointments of private property agents.</p>
<p>By-law Number (2012)-19469 A by-law to amend By-law Number (1005)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property described as Part of Lots 6 and 7, Concession 1, Division</p>	<p>To amend the Zoning By-law as approved by Council September 3, 2012.</p>

'B', City of Guelph. (File 23T-88009 / ZC1203 – 0 Speedvale Ave. W.)	
By-law Number (2012)-19470 A by-law to authorize the execution of an Agreement between The Corporation of the City of Guelph and Drexler Construction Limited. (Contract No. 12-128 for Allan's Dam rehabilitation of the spillway walls and replacing the existing channell gate)	To execute Contract No. 12-128 for Allan's Dam rehabilitation of the spillway walls and replacing the existing channel gate.