

CITY COUNCIL AGENDA



DATE September 26, 2011 – 7 p.m.

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

O Canada
Silent Prayer
Disclosure of Pecuniary Interest

PRESENTATION

- a) Guelph Wellington EMS Citizen Lifesaving Awards presented to:
The Athletic Club:
- Peter Coombs
 - Julia Rolfe
 - Michelle Thompkins
- The West End Library & Community Centre:
- Joe Guaca
 - Dale Rowe
 - Joy Benson
 - Marnie Cornett
 - Hannah Gray
 - Breann Crusoe
 - Jaye Donaldson (*unable to attend*)
- b) Dean Wyman, General Manager, Solid Waste Resources: presentation of the Solid Waste Association of North America (SWANA) Bronze Award of Excellence for Special Waste Handling to Mayor Farbridge

CONFIRMATION OF MINUTES (Councillor Laidlaw)

"THAT the minutes of the Council Meetings held July 25 and September 6, 2011 and the minutes of the Council meetings held in Committee of the Whole on July 25 and September 6, 2011 be confirmed as recorded and without being read."

CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED

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

Community & Social Services Committee			
Item	City Presentation	Delegations	To be Extracted
CSS-1 Skatepark Relocation Update and Recommendations			
CSS-2 Community Wellbeing Initiative: Workplan			

Adoption of balance of Community & Social Services Committee Consent Report - Councillor Guthrie, Acting Chair

Corporate Administration, Finance & Emergency Services Committee			
Item	City Presentation	Delegations	To be Extracted
CAFES-1 Business Licence Fees 2012			
CAFES-2 Downtown Façade Improvement Grant & Feasibility Study Grants – 2011 (Second Award)			
CAFES-3 Capital Account to Pay for Stormwater Drainage Oversizing in Subdivisions			

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

Operations & Transit Committee			
Item	City Presentation	Delegations	To be Extracted
OT -1 Temporary Allowance of Exotic Animals			
OT-2 Animal Control Violations on University of Guelph Lands			

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

Planning & Building, Engineering and Environment Committee			
Item	City Presentation	Delegations	To be Extracted
PBEE-1 Sign By-law Variance for 133 Woodlawn Road East (Guelph Country Club)			
PBEE-2 Efficient Home Visit Pilot Program			
PBEE-3 Municipal Property and Building Commemorative Naming Annual Report		<ul style="list-style-type: none"> Susan Frasson, Jessica's Footprint 	√

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

Council as Committee of the Whole			
Item	City Presentation	Delegations	To be Extracted
COW-1 Citizen Appointments to the Cultural Advisory Committee			
COW-2 Citizen Appointment to the Downtown Advisory Committee			

Adoption of balance of the Council as Committee of the Whole Fourth Consent Report -

Council Consent Agenda			
Item	City Presentation	Delegations	To be Extracted
A-1) Purchase of Seven (7) Automated Garbage Packers from City of Guelph Contract No. 11-088			
A-2) Proposed Demolition of 166 Dufferin Street, Ward 2			
A-3) Proposed Demolition of 35 Emslie Street, Ward 5			

A-4)	Litigation Status Report Dated September 19, 2011			
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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 – Councillor Guthrie
- Corporate Administration, Finance & Emergency Services – Councillor Dennis
- Operations & Transit – Councilor Findlay
- Planning & Building, Engineering and Environment – Councillor Piper
- Council as Committee of the Whole –
- Council Consent – Mayor Farbridge

SPECIAL RESOLUTIONS

BY-LAWS

Resolution – Adoption of By-laws (Councillor Piper)

QUESTIONS

MAYOR’S ANNOUNCEMENTS

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

NOTICE OF MOTION

ADJOURNMENT

Council Caucus Room
July 25, 2011 6:30 p.m.

A meeting of Guelph City Council.

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Ms. A. Pappert, Executive Director of Community & Social Services; Mr. J. Riddell, General Manager of Planning & Building Services; Ms. S. Smith, Associate Solicitor; Ian Panabaker, Corporate Manager Downtown Renewal; Ms. T. Agnello, Acting Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

- 1. Moved by Councillor Kovach
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:

Citizen Appointments to the Cultural Advisory Committee

S. 239 (2) (b) Personal matters about identifiable individuals.

Citizen Appointments to the Downtown Advisory Committee

S. 239 (2) (b) Personal matters about identifiable individuals.

Citizen Appointment to the Board of Directors of the Guelph Municipal Holding Company

S. 239 (2) (b) Personal matters about identifiable individuals.

387 Ironwood Road – Ontario Municipal Board

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

Carried

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

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Mayor

.....
Acting Clerk

Council Caucus Room
July 25, 2011 6:32 p.m.

A meeting of Guelph City Council closed to the public.

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Ms. A. Pappert, Executive Director of Community & Social Services; Mr. J. Riddell, General Manager of Planning & Building Services; Ms. S. Smith, Associate Solicitor; Ian Panabaker, Corporate Manager Downtown Renewal; Ms. T. Agnello, Acting Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Personal matters about identifiable individuals.

REPORT

1. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT Catherine Alexander, Lynn Broughton, Ronald A. East, Reinhard Kypke, Greg Pinks, Anuradha Saxena, Elsa Stolfi, Nancy Sullivan and Sally Wismer be appointed to the Cultural Advisory Committee for a term ending November 2012.

Carried

Personal matters about identifiable individuals.

2. Moved by Councillor Hofland
Seconded by Council Dennis
THAT Will MacTaggart, Kirk Roberts, Tom Lammer, Doug Minnett, John Leacock, David Pell, Don O'Leary, Ken Hammill, Adrian Harding and Dawn Owen be appointed to the Downtown Advisory Committee for a term ending November 30, 2012.

3. Moved in Amendment by Councillor Hofland
Seconded by Councillor Burcher
THAT Barbara Turley-McIntyre be appointed to the Downtown Advisory Committee for a term ending November 30, 2012.

Carried

REPORT 4. Moved by Councillor Hofland
 Seconded by Todd Dennis
 THAT Will MacTaggart, Kirk Roberts, Tom Lammer, Doug Minnett, John Leacock, David Pell, Don O'Leary, Ken Hammill, Adrian Harding, Dawn Owen and Barbara Turley-McIntyre be appointed to the Downtown Advisory Committee for a term ending November 30, 2012.

Carried

Personal matters about identifiable individuals.

REPORT 5. Moved by Councillor Hofland
 Seconded by Councillor Piper
 THAT Robert Aumell be appointed to the Board of Directors of the Guelph Municipal Holding Company (GMHC) as the independent community member for a term ending November 30, 2014.

Carried

Litigation or potential litigation, including matters before Administrative Tribunals

The Associate Solicitor and the General Manager of Planning & Building Services provided the Committee with information relating to the Ontario Municipal Board hearing with respect to 387 Ironwood Road.

The meeting adjourned at 7:00 o'clock p.m.

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Mayor

.....
Acting Clerk

Council Chambers
July 25, 2011

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

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Human Resources & Legal Services; Ms. A. Pappert, Executive Director of Community & Social Services; Ms. S. Aram, Acting Treasurer; Mr. M. Anders, General Manager Community Connectivity and Transit; Mr. J. Riddell, General Manager of Planning & Building Services; Ms. T. Agnello, Acting Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

PRESENTATIONS

Betty Lou Clarke and Libby Walker, Co-Presidents of the Guelph Historical Society presented the Mayor with a John Galt tartan ceremonial sash and Scottish pin for the City Mayor to suitable events in recognition of the Historical Society's 50th anniversary. They also invited members of Council the Annual John Galt Kirking which will be held at the Norfolk Street United Church on Sunday July 31, 2011.

Tara Sprigg, Manager of Corporate Communications provided an overview of the communications campaign with respect to the new solid waste sorting requirements coming into effect September 2011.

PLANNING PUBLIC MEETING

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

Proposed Official Plan Amendment 45: Updating Policies Regarding Community Improvement and Renewal

Todd Salter, Manager of Policy Planning and Urban Design highlighted the proposed Official Plan Amendment 45 which will update policies regarding community improvement and renewal. He advised that the policies have not been substantially updated in the last 10 years.

There were no delegations present on this Official Plan Amendment

Staff were requested to reword "(e) to reduce or eliminate deficiencies in public recreational, park and open space facilities" to match the other criteria.

Dr. J. Laird
Mr. J. Riddell

1. Moved by Councillor Piper
Seconded by Councillor Burcher
THAT the Planning & Building, Engineering and Environment Report No. 11-52 entitled 'Proposed Official Plan Amendment 45: Updating Policies Regarding Community Improvement and Renewal', dated July 25, 2011, be received.

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

VOTING AGAINST: (0)

Carried

2. Moved by Councillor Guthrie
Seconded by Councillor Dennis
THAT the minutes of the Council meeting held on June 27, 2011 be amended by reflecting Resolution #6 being voted in favour by 12 Councillors;

AND THAT the minutes of the Council meeting held July 4, 2011 be amended by reflecting Resolution #7 being defeated;

AND THAT the minutes of the Council meetings held on June 27, July 4 and July 19, 2011 and the minutes of the Council meetings held in Committee of the Whole on June 27 and July 4, 2011 be confirmed as amended and without being read.

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

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

The following item was extracted from the Community & Social Services Committee Sixth Consent Report to be voted on separately:

- CSS-3 Community Wellbeing Plan: Working Principles

Councillor Laidlaw presented the balance of the Community & Social Services Committee Sixth Consent Report.

3. Moved by Councillor Laidlaw
Seconded by Councillor Dennis
THAT the balance of the July 25, 2011 Community & Social Services Committee Sixth Consent Report as identified below, be adopted:

a) **Delegation of Authority – Liquor Sales Licenses**

Ms. A. Pappert

THAT Report #CSS-ACE-1127 dated July 12, 2011 regarding the Delegation of Authority for Liquor Sales Licenses be received;

AND THAT Council approves the Delegation of Authority for the completion and execution of the applications for Liquor Sales Licenses for River Run Centre and Sleeman Centre to the General Manager and Executive Director who oversee the facilities.

b) **Museum Capital Campaign**

Ms. A. Pappert

THAT Report #CSS-ACE-1128, dated July 12, 2011 and titled "Museum Capital Campaign" be received;

AND THAT the \$250,000 raised in excess of the original campaign goal of \$500,000 be transferred to the Guelph Civic Museum Reserve Fund with the intention that it be used for Phase 2 of the Guelph Civic Museum Project (exterior site work and landscaping), Phase 2 being subject to Council Capital budget deliberation.

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

VOTING AGAINST: (0)

Carried

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

- CAFES-4 Impacts on the 2012 Budget

Councillor Hofland presented the balance of the Corporate Administration, Finance & Emergency Services Committee Sixth Consent Report.

4. Moved by Councillor Hofland
Seconded by Councillor Dennis

THAT the balance of the July 25, 2011 Corporate Administration, Finance & Emergency Services Committee Sixth Consent Report as identified below, be adopted:

- a) **Business Licence By-law: Amendments**

Ms. T. Agnello

THAT a by-law to amend the business licensing by-law for the purpose of the following changes be forwarded to Council for approval:

- a. To change the name of the Appeals Committee from Finance, Administration and Corporate Services to Corporate Administration, Finance and Emergency Services Committee.
- b. To allow as an option to membership in an association, the acceptance of a diploma which includes as part of the curriculum a holistic modality, from an educational institution as recognized by the Ministry of Training, Colleges and Universities.
- c. To require that no Application for Inspections, Application for Business Licence and Application for Renewal be accepted unless overdue Provincial Offence fines pursuant to the Business Licensing By-law are paid or in a payment schedule.

- b) **Letter of Credit Policy**

Ms. S. Aram

THAT the Letter of Credit Policy, attached as Appendix 1, be approved and adopted by by-law.

- c) **General Operating and Capital Budget Policy**

Ms. S. Aram

THAT the General Operating and Capital Budget Policy, attached as Appendix 2, be approved and adopted by by-law.

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

VOTING AGAINST: (0)

Carried

The following items were extracted from the Operations & Transit Committee Sixth Consent Report to be voted on separately:

- OT-1 Downtown Maintenance Service Review
- OT-3 Castlebury Park Master Plan

Councillor Findlay presented the balance of the Operations & Transit Committee Sixth Consent Report.

5. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond
THAT the balance of the July 25, 2011 Operations & Transit Committee Sixth Consent Report as identified below, be adopted:

a) **Farmers' Market Mission and Vision Statement**

Mr. D. McCaughan
Ms. B. Boisvert

THAT the Operations and Transit Committee Report OT071139 Farmers' Market Mission and Vision Statement, be received;

AND THAT the collaboratively developed Guelph Farmers' Market Mission Statement and Vision Statement as identified in Operations & Transit Committee Report OT071139 be approved.

b) **By-law Service Review – Noise Enforcement**

Mr. D. McCaughan
Ms. B. Boisvert

THAT Operations & Transit Committee Report Bylaw Service Review OT071141 dated July 18, 2011 be approved;

AND THAT a review of the current set fine for noise violations be conducted;

AND THAT staff be directed to obtain public input with respect to the effectiveness of the Noise Bylaw (2000)-16366 and report back to Council on recommended amendments to the Noise Bylaw;

AND THAT for future By-law reviews, when public input is required or recommended that it be sought during the initial review.

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

VOTING AGAINST: (0)

Carried

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

6. Moved by Councillor Piper
Seconded by Councillor Guthrie
THAT the balance of the July 25, 2011 Planning & Building, Engineering and Environment Committee Fifth Consent Report as identified below, be adopted:

a) **Notice of Intention to Designate 340 Woolwich Street, Pursuant to the Ontario Heritage Act**

Dr. J. Laird

THAT Report 11-71 dated July 18, 2011 from Planning & Building, Engineering and Environment, regarding the heritage designation of 340 Woolwich Street pursuant to Part IV of the Ontario Heritage Act be received;

AND THAT the City Clerk be authorized to publish and serve notice of intention to designate 340 Woolwich Street, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

b) **Notice of Intention to Designate 344 Woolwich Street, Pursuant to the Ontario Heritage Act**

Dr. J. Laird

THAT Report 11-70 dated July 18, 2011 from Planning & Building, Engineering and Environment, regarding the notice of intention to designate 344 Woolwich Street pursuant to Part IV of the Ontario Heritage Act be received;

AND THAT the City Clerk be authorized to publish and serve notice of intention to designate 344 Woolwich Street, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

c) **Notice of Intention to Designate 12 Mont Street, Pursuant to the Ontario Heritage Act**

Dr. J. Laird

THAT Report 11-68 dated July 18, 2011 from Planning & Building, Engineering and Environment, regarding the notice of intention to designate 12 Mont Street pursuant to Part IV of the Ontario Heritage Act be received;

AND THAT the City Clerk be authorized to publish and serve notice of intention to designate 12 Mont Street, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

d) **Notice of Intention to Designate 348 Woolwich Street, Pursuant to the Ontario Heritage Act**

Dr. J. Laird

THAT Report 11-69 dated July 18, 2011 from Planning & Building, Engineering and Environment, regarding the notice of intention to designate 348 Woolwich Street pursuant to Part IV of the Ontario Heritage Act be received;

AND THAT the City Clerk be authorized to publish and serve notice of intention to designate 348 Woolwich Street, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

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

VOTING AGAINST: (0)

Carried

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

- GOV-1 Program and Staffing Level Approvals (Full Time and Regular Part-Time)
- GOV-3 Service Review: Executive Team Assessment – Phase 1

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

7. Moved by Councillor Findlay
Seconded by Councillor Burcher

THAT the balance of the July 25, 2011 Governance Committee Fourth Consent Report as identified below, be adopted:

a) **Internal Audit Function – Role Description and Reporting Structure**

Mr. H. Loewig
Ms. S. Aram

THAT the governance role of an Internal Audit function within the corporation, reporting directly to the Chief Administrative Officer (CAO) with responsibilities to the Audit Committee be approved;

AND THAT staff present the Internal Auditor position in the 2012 budget presentation for Council consideration.

b) **Closed Meeting Protocol with Respect to Council and Committee Meetings**

Ms. T. Agnello

THAT the report entitled 'Closed Meeting Protocol with Respect to Council and Committee Meetings' from the Acting Clerk dated July 11, 2011, be received.

c) **Library Board as Nominating Panel for Citizen Appointments to the Board**

Ms. T. Agnello
Ms. K. Pope

THAT the Library Board be the nominating panel for the purpose of citizen appointments to Library Board.

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

VOTING AGAINST: (0)

Carried

The following item was extracted from the Nominating Committee First Consent Report to be voted on separately:

- NC-1 Council Appointments to the Board of Directors of the Guelph Municipal Holding Company

Consent Agenda

The following items were extracted from the July 25, 2011 Consent Agenda to be voted on separately:

- A-5 Proposed Demolition of 3 Wolseley Road, Ward 2
- A-7 City Funded Access to the Ward Skatepark 2011

8. Moved by Councillor Kovach
Seconded by Councillor Hofland

THAT the balance of the July 25, 2011 Council Consent Agenda as identified below, be adopted:

a) **47 Grange Street / 55 Hillcrest Drive –
Upcoming Ontario Municipal Board Hearing (A-
4/11), Ward 1**

Dr. J. Laird
Ms. D. Jaques
Mr. M. Amorisi

THAT Report 11-75 dated July 25, 2011 regarding an appeal from the Committee of Adjustment Decision A-4/11 approving the extension of a legal non-conforming use for 47 Grange Street/55 Hillcrest Drive, to construct a 8.15m by 6.04m two-storey addition to the existing two-storey coach house, City of Guelph, from Planning & Building, Engineering and Environment, be received;

AND THAT the City not be a party at any upcoming Ontario Municipal Board proceedings regarding an appeal from the Committee of Adjustment Decision A-4/11 approving the extension of a legal non-conforming use to permit an addition to the coach house.

b) **61 Rickson Avenue – Upcoming Ontario
Municipal Board Hearing (A-24/11), Ward 5**

Dr. J. Laird
Ms. D. Jaques
Mr. M. Amorosi

THAT Report 11-74 dated July 25, 2011 regarding an appeal from the Committee of Adjustment Decision A-24/11 refusing minor variances to Interim Control By-law Number (2010)-19019 to permit the establishment of an accessory apartment and to Zoning By-law (1995)-14864 to permit no interior access between the two units and a widened driveway at 61 Rickson Avenue, City of Guelph, from Planning & Building, Engineering and Environment be received;

AND THAT the City be a party at any upcoming Ontario Municipal Board proceedings in support of the Committee of Adjustment decision to refuse application A-24/11 concerning minor variances to Zoning By-law (1995)-14864 to permit no interior access between the host dwelling unit and the accessory apartment and a widened driveway at 61 Rickson Avenue, City of Guelph and that appropriate staff attend any future Ontario Municipal Board proceedings to support Council's direction;

AND THAT at any future Ontario Municipal Board proceedings the City not oppose the appeal of a Committee of Adjustment decision refusing a minor variance to Interim Control By-law Number (2010)-19010 to permit the establishment of a one-bedroom accessory apartment at 61 Rickson Avenue, City of Guelph and that appropriate staff attend any future Ontario Municipal Board proceedings to support Council's direction;

AND THAT City Council encourage the Ontario Municipal Board to consider mediation with the various parties

including the City in an attempt to resolve the appeal of decision A-24/11 concerning minor variances to Zoning By-law (1995)-14864 and Interim Control By-law (2010)-19019 at 61 Rickson Avenue.

c) 72 Kortright Road East – Upcoming Ontario Municipal Board Hearing (A-20/11) Ward 5

Dr. J. Laird
Ms. D. Jaques
Mr. M. Amorosi

THAT Report 11-72 dated July 25, 2011 regarding an appeal from the Committee of Adjustment Decision A-20/11 refusing a minor variance to Interim Control By-law Number (2010)-19019 to permit the establishment of an accessory apartment at 72 Kortright Road East, City of Guelph, from Planning & Building, Engineering and Environment be received;

AND THAT the City not be a party at any upcoming Ontario Municipal Board proceedings regarding an appeal from the Committee of Adjustment's decision A-20/11 refusing a minor variance to Interim Control By-law Number (2010)-19019 to permit the establishment of a two-bedroom accessory apartment having a gross floor area of a 78.3m² at 72 Kortright Road East.

d) 30 Caledonia Street – Request to Amend Development Agreement, Ward 5

Dr. J. Laird
Ms. D. Jaques
Mr. M. Amorosi

THAT Report 11-77 dated July 25, 2011 regarding a request to amend a Development Agreement between the City and the property owners which is registered on title of the lands legally described as Part of Lots 72 & 73, Registered Plan 363 and municipally known as 30 Caledonia Street, City of Guelph, from Planning & Building, Engineering and Environment be received;

AND THAT City Council consent to the amendment of the Development Agreement between the City and the property owners which is registered on title of the lands legally described as Part of Lots 72 & 73, Registered Plan 363 and municipally known as 30 Caledonia Street, City of Guelph, in order to remove clause 10(1)(a) which restricts the maximum building height of two storeys;

AND THAT City Council hereby authorizes the Mayor and Clerk to execute the amendment to the agreement.

e) Sale of City-Owned Land – Hanlon Creek Business Park

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

THAT the report dated July 25, 2011 regarding the sale of city-owned land in the Hanlon Creek Business Park from Economic Development & Tourism Services, be received;

AND THAT staff be directed to prepare two (2) separate Offers to Purchase between the Corporation of the City of Guelph and 2291908 Ontario Inc. for a +/- 0.870 hectare (+/- 2.15) acre) site and a +/- 0.809 (2.000 acre) site, being comprised of Block 36 on Registered Plan 61M-169, and to be described by reference plan on closing, in the Hanlon Creek Business Park; and which is to be structured on the terms and conditions outlined in the report of the General Manager of Economic Development & Tourism Services dated July 25, 2011;

AND THAT the Mayor and Clerk be authorized to execute the Offers to Purchase, subject to their format and content being satisfactory to the General Manager of Economic Development & Tourism Services, the acting Director of Finance/City Treasurer and the General Manager of Legal services/City Solicitor.

f) **Purchase of Three (3) Mobility Buses from City of Guelph Contract No. 11-140**

Mr. D. McCaughan
Ms. S. Aram

THAT staff issue a purchase order to Creative Carriage Ltd., St. George, Ontario, for the amount of \$523,320 (excluding taxes), for three (3) mobility buses.

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

VOTING AGAINST: (0)

Carried

Service Review: Executive Team Assessment – Phase 1

The Corporate Manager of Strategic Planning and Corporate Initiatives provided a brief overview of the service review Executive Team Assessment. She outlined the differences between a service review and an operational review. She advised that in 2012 there are 5 service reviews and 4 operational reviews being recommended.

Councillor Hofland presented Clause 3 that was extracted from the Governance Committee Fourth Consent Report.

- Ms. B. Boisvert
9. Moved by Councillor Hofland
Seconded by Councillor Laidlaw
THAT the report entitled 'Service Review: Executive Team Assessment – Phase 1' be received;
- AND THAT the Service Review Process principles as outlined in this report be approved and followed;
- AND THAT the Executive Team commence work on a second phase which will result in detailed recommendations and estimated financial impacts;
- AND THAT the tracking of the progress and results of the service review be consolidated on the City's website and updated on an ongoing basis.
- VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)
- VOTING AGAINST: (0)

Carried

Community Wellbeing Plan: Working Principles

Councillor Laidlaw presented Clause 3 that was extracted from the Community & Social Services Committee Sixth Consent Report.

- Ms. A. Pappert
10. Moved by Councillor Laidlaw
Seconded by Councillor Dennis
THAT Report CSS-CESS-1130 titled 'Community Wellbeing Plan: Working Principles' and dated July 12, 2011 be received;
- AND THAT the working principles outlined in Report CSS-CESS-1130 be approved to inform the development of the Community Wellbeing Workplan.
- VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)
- VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

Impacts on the 2012 Budget

Councillor Hofland presented Clause 4 that was extracted from the Corporate Administration,

Finance & Emergency Services Committee Sixth Consent Report.

11. Moved by Councillor Hofland
Seconded by Councillor Dennis
THAT the report 'Impacts on the 2012 Budget' be received;

AND THAT City Council establish a budget guideline as part of the annual budget process;

AND THAT a 2012 guideline be set at 3% or less without using funding from the tax stabilization reserves and excluding any proposed expansions.

12. Moved in Amendment by Councillor Kovach
Seconded by Councillor Bell
THAT the following be added to the end of the last clause "and without the inclusion of revenue from assessment growth".

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

VOTING AGAINST: Councillors Burcher, Dennis, Findlay, Furfaro, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (9)

Defeated

13. Moved in Amendment by Councillor Bell
Seconded by Councilor Furfaro
THAT the tax guideline be 3% or less including expansions.

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

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

Defeated

14. Moved by Councillor Hofland
Seconded by Councillor Dennis
THAT the report 'Impacts on the 2012 Budget' be received;

AND THAT City Council establish a budget guideline as part of the annual budget process;

Ms. S. Aram
Ms. A. Pappert
Dr. J. Laird
Mr. M. Amorosi
Mr. D. McCaughan
Mr. H. Loewig

AND THAT a 2012 guideline be set at 3% or less without using funding from the tax stabilization reserves and excluding any proposed expansions.

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

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

Downtown Maintenance Service Review

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

Mr. D. McCaughan
Ms. S. Aram
Mr. M. Amorosi

15. Moved by Councillor Findlay
Seconded by Councillor Van Helemond
THAT the Operations & Transit Committee report OT071138 Downtown Maintenance Service Review of July 18, 2011 be received;

AND THAT the service standards recommended to improve downtown housekeeping and maintenance be approved for immediate implementation;

AND THAT staff report back during budget deliberations with a means to reduce the FTE count by .5 in parking lot maintenance.

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

VOTING AGAINST: Councillor Kovach (1)

Carried

Castlebury Park Master Plan

Councillor Findlay presented Clause 3 that was extracted from the Operations & Transit Committee Sixth Consent Report.

16. Moved by Councillor Findlay
Seconded by Councillor Furfaro
THAT the Report OT071140 Castlebury Park Master Plan dated July 18, 2011 be received;

AND THAT the Master Plan for Castlebury Park, as proposed in report OT071140 dated July 18, 2011, be approved.

17. Moved in Amendment by Councillor Bell
Seconded by Councillor Laidlaw
THAT the paving of the parking lot be removed from the Castlebury Park Master Plan.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Laidlaw, Piper, Van Hellemond (5)

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

Defeated

Mr. D. McCaughan

18. Moved by Councillor Findlay
Seconded by Councillor Furfaro
THAT the Report OT071140 Castlebury Park Master Plan dated July 18, 2011 be received;

AND THAT the Master Plan for Castlebury Park, as proposed in report OT071140 dated July 18, 2011, be approved.

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

VOTING AGAINST: Councillor Furfaro (1)

Carried

Program and Staffing Level Approvals (Full Time and Regular Part-Time)

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

19. Moved by Councillor Findlay
Seconded by Councillor Guthrie

THAT;

- The Executive Team be authorized to manage within their approved annual budgets and adjust staffing levels to maintain the level of Council approved programs and services provided that no costs are incurred in the current or subsequent budget years.
- Where, as a result of emerging priorities (e.g. provincial initiatives, changing community priorities,

Council direction) that result in the need to introduce new programs or increased service levels, or to increase staffing levels that add cost to the current or subsequent budget years, Council approval is required.

- Where service level or program reductions are contemplated, Council approval is required.
- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

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

THAT the following be added to the first bullet point "and that staff changes be reported back to Council and be flagged within subsequent years budgets".

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

VOTING AGAINST: (0)

Carried

21. Moved by Councillor Findlay
Seconded by Councillor Guthrie

Mr. M. Amorosi

THAT;

- The Executive Team be authorized to manage within their approved annual budgets and adjust staffing levels to maintain the level of Council approved programs and services provided that no costs are incurred in the current or subsequent budget years and that staff changes be reported back to Council be flagged within subsequent years budgets .
- Where, as a result of emerging priorities (e.g. provincial initiatives, changing community priorities, Council direction) that result in the need to introduce new programs or increased service levels, or to increase staffing levels that add cost to the current or subsequent budget years, Council approval is required.
- Where service level or program reductions are contemplated, Council approval is required.
- These recommendations be adopted as policy and be incorporated into Council's Budget Policy which is currently under development and subsequent CAO by-laws.

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

VOTING AGAINST: (0)

Carried

Council Appointments to the Board of Directors of the Guelph Municipal Holding Company Boar of Directors

Councillor Findlay presented Clause 1 that was extracted from the Nominating Committee First Consent Report.

22. Moved by Councillor Findlay
Seconded by Councillor Burcher

Ms. T. Agnello
Ms. B. Boisvert
Counc. Dennis
Counc. Hofland
Counc. Wettstein

THAT Councillors Dennis, Hofland and Wettstein and Mayor Farbridge be appointed to the Board of Directors of the Guelph Municipal Holding Company for a term ending November 30, 2014.

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

VOTING AGAINST: (0)

Carried

23. Moved by Councillor Hofland
Seconded by Councillor Wettstein

Ms. T. Agnello
Ms. B. Boisvert
Counc. L. Burcher

THAT Councillor Burcher be appointed to the Board of Directors of the Guelph Municipal Holding Company for an interim term ending November 30, 2014.

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

VOTING AGAINST: (0)

Carried

Consent Agenda

Proposed Demolition of 3 Wolseley Road, Ward 2

Dr. J. Laird

24. Moved by Councillor Bell
Seconded by Councillor Wettstein
THAT Report 11-76 regarding the proposed demolition of a detached dwelling at 3 Wolseley Road, City of Guelph, from Planning & Building, Engineering and Environment dated July 25 2011, be received;

AND THAT the proposed demolition of the detached dwelling at 3 Wolseley Road be approved.

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

VOTING AGAINST: Councillors Laidlaw and Piper (2)

Carried

City Funded Access to the Ward Skatepark 2011

Ms. A. Pappert
Ms. S. Aram

25. Moved by Councillor Furfaro
Seconded by Councillor Kovach
THAT Report #CSS-PRPF-1134, dated July 25, 2011 and titled 'City Funded Access to the Ward Skatepark 2011' be received;

AND THAT staff be directed to purchase entry to the Ward Skatepark, to a maximum of \$5,000, funded by City Council's Discretionary account to allow for free public access through to September 2, 2011.

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

VOTING AGAINST: (0)

Carried

SPECIAL RESOLUTIONS

Councillor Van Hellemond's notice of motion with respect to 80 Simmonds Drive for which notice was given July 4, 2011.

It was requested that the items for reconsideration be voted on separately.

26. Moved by Councillor Van Hellemond
Seconded by Councillor Findlay
THAT the matter approved by City Council relating to the 80 Simmonds Drive (the Wilson/Ingram Farmhouse) property at the Council meeting of April 26, 2010 regarding the severance and sale of building and property be re-considered.

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

VOTING AGAINST: (0)

Carried

27. Moved by Councillor Van Hellemond
Seconded by Councillor Findlay
THAT the matter approved by City Council relating to the 80 Simmonds Drive (the Wilson/Ingram Farmhouse) property at the Council meeting of September 25, 2010 regarding the development of a Parks Master Plan be re-considered.

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

VOTING AGAINST: (0)

Carried

28. Moved by Councillor Van Hellemond
Seconded by Councillor Findlay
THAT the matter approved by City Council relating to the 80 Simmonds Drive (the Wilson/Ingram Farmhouse) property at the Council meeting of February 28, 2011 regarding the intention to designate, be re-considered.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie, Kovach, Van Hellemond and Mayor Farbridge (6)

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

Defeated

29. Moved by Councillor Van Hellemond
Seconded by Councillor Findlay
THAT the matters approved by City Council relating to the 80 Simmonds Drive (Wilson/Ingram Farmhouse) property

Ms. D. Jaques
Mr. D. McCaughan

Mr. M. Amorosi

at the Council meetings of April 26, 2010 regarding the severance and sale of building and property and of September 25, 2010 regarding the development of a Parks Master Plan, be referred to the Corporate Administration, Finance & Emergency Services Committee for further review and recommendations.

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

VOTING AGAINST: Councillor Dennis (1)

Carried

BY-LAWS

30. Moved by Councillor Hofland
Seconded by Councillor Laidlaw
THAT By-laws Numbered (2011)-19233 to (2011)-19247, inclusive, are hereby passed.

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

VOTING AGAINST: (0)

Carried

MAYOR'S ANNOUNCEMENTS

Councillor Furfaro advised of the Ward 1 town hall meeting to be held on July 28, 2011 at 7 p.m. at the Victoria Road Recreation Centre.

NOTICE OF MOTION

The meeting adjourned at 9:30 o'clock p.m.

Minutes read and confirmed September 26, 2011.

.....
Mayor

.....
Acting Clerk

CORPORATE POLICY AND PROCEDURE



POLICY	Letter of Credit Policy
CATEGORY	Finance
AUTHORITY	Council
RELATED POLICES	Investment Policy Debt Management Policy
APPROVED BY	Council
EFFECTIVE DATE	
REVISION DATE	

1. POLICY STATEMENT

It is the policy of the City of Guelph

- that institutions issuing letters of credit to be accepted by the City for any reason meet specific credit-rating requirements, and
- that the letter of credit be in a specific form.

2. POLICY PURPOSE

The purpose of this policy is to ensure that the interests of the City are protected by specifying and accepting only certain types of letters of credit and to ensure good financial and cash management for the ongoing financial stability of the Corporation in conjunction with investment and debt management policies. This policy will

- define letters of credit,
- identify circumstances requiring a letter of credit,
- specify the credit-rating requirements of institutions issuing acceptable letters of credit,
- specify the format of letters of credit,
- identify acceptable alternatives to letters of credit, and
- confirm responsibility for administration of letters of credit.

3. DEFINITIONS

In this policy,

“**Letter of credit (L/C)**” means a form of financial security issued by a bank or financial institution, which authorizes the recipient of the letter to draw amounts of money up to a specified total, to assure the beneficiary (the City) that it will receive

payment. An L/C deals with documents, not goods or services. It is as good as cash to the City, but the bank may require a deposit or line of credit from the applicant.

An “**unconditional**” letter of credit, to be negotiable, must include a promise to pay on demand or at a definite time, which demand shall be honoured without enquiry as to whether the beneficiary (the City) has a right to make such a demand and without recognizing any claim of the applicant. Payment is conditioned solely on presentation of specified documents.

An “**irrevocable**” letter of credit may not be revoked or amended without the agreement of the issuing bank and the beneficiary. An irrevocable letter of credit from the issuing bank assures the beneficiary (the City) that, if the required documents are presented and the terms and conditions are met, payment will be made.

A “**standby**” letter of credit requires only the presentation of a satisfactory request for payment without further documentary evidence of obligation. It usually serves as a secondary payment mechanism in a case of default, but may serve any one of a wide range of financial support purposes. A bank will issue a standby letter of credit on behalf of a customer to provide assurances of his ability to perform or to pay under the terms of an agreement with the beneficiary (the City).

An “**automatically renewing**” letter of credit is deemed to be automatically extended, without any formal amendment, for a specified period (usually one year) beyond the stated expiration date unless notification in writing is received by the beneficiary (the City) prior to expiration.

4. SCOPE

The Letter of Credit Policy applies to all departments and local boards (Library and Police Services) of the Corporation of the City of Guelph and in all circumstances requiring a letter of credit.

5. SECURITY PROVISIONS

A letter of credit will be required in connection with certain agreements in order to provide assurance that financial or performance obligations to the City are met.

5.1 Developer Contribution Agreements

The City of Guelph may enter into an agreement with a developer with respect to work that relates to the provision of services for which there will be an increased need as a result of the development. In addition to the payment of development charges, the agreement may provide for a share of the costs of the work and / or of the agreement processing to be borne by the benefiting development. Such an agreement must contain a provision requiring an irrevocable standby letter of credit

or acceptable alternative, typically as a primary payment mechanism authorizing payment to the City.

5.2 Site Alteration Permits

An application for a site alteration permit from the City of Guelph is not considered to be complete without security to ensure performance of the applicant's obligations in a form and amount as determined in accordance with Schedule B to the City's Site Alteration By-law Number (2007) – 18420 or successor. Security must be in the form of an irrevocable standby letter of credit or acceptable alternative as a secondary payment mechanism providing assurance of ability to perform.

5.3 Bid Sureties

The City of Guelph may request bids requiring the submission of bid surety in accordance with the City's Purchasing By-law Number (2009) – 18777 or successor. Bid surety must be in the form of a bid bond, irrevocable standby letter of credit, or acceptable alternative as a secondary payment mechanism providing assurance of ability to perform.

5.4 Development Charge Late Payment Agreements

The City of Guelph may enter into an agreement providing for all or any part of a development charge to be paid after it would otherwise be payable, in accordance with Section 27 of the *Development Charges Act* and the City's Development Charge By-law Number (2009) – 18729 or successor. Such an agreement for deferral must contain a security provision requiring an irrevocable standby letter of credit or acceptable alternative as a secondary payment mechanism providing assurance of ability to pay.

5.5 Development Charge Reduction for Redevelopment

Where, as a result of the redevelopment of land, a building or structure existing on the same land within 48 months prior to the date of payment of development charges in regard to such redevelopment was or is to be demolished, in whole or in part, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced in accordance with the City's Development Charge By-law Number (2009) – 18729 or successor. In cases where an existing building or structure has not yet been demolished at the date of payment of development charges but is to be demolished in order to facilitate the redevelopment, the City will require an irrevocable standby letter of credit for the value of the redevelopment reduction granted, and the letter of credit shall contain a provision allowing the City to index the value.

5.6 Other Agreements or Contracts

Where the City of Guelph enters into any other agreement or contract in which it is considered advisable to ensure that the interests of the City are protected, an irrevocable standby letter of credit or acceptable alternative will be required in

order to provide assurance that financial or performance obligations to the City are met.

6. CREDIT-RATING REQUIREMENTS

Because of the substantial amount of money involved, the City will accept L/Cs only from the institutions meeting specific credit-rating requirements.

6.1 Six Primary Canadian Schedule I Chartered Banks

Letters of credit may be accepted from any of the following six primary Canadian Schedule I chartered banks:

- Bank of Montreal
- Bank of Nova Scotia (The)
- Canadian Imperial Bank of Commerce
- National Bank of Canada
- Royal Bank of Canada
- Toronto-Dominion Bank (The)

6.2 Other Canadian Schedule I or II Chartered Banks and Cooperative Credit Associations

a) Letters of credit in amounts of \$100,000 or greater may be accepted from other chartered banks set out in Schedule I or II of the Bank Act and from Cooperative Credit Associations

- only if they possess a superior Dominion Bond Rating Service (DBRS) rating of R-1 (middle) or better or an equivalent rating from Standard & Poor's (S&P), Fitch Ratings, or Moody's, and
- only on approval of the Treasurer or Deputy-Treasurer.

The onus will be on the financial institution to provide to the Treasurer or Deputy-Treasurer satisfactory evidence that the credit-rating requirements specified above have been met.

If a letter of credit is accepted from one of these financial institutions and the institution subsequently loses its DBRS rating or equivalent specified above, a substitute letter of credit from an acceptable financial institution will be required.

b) Letters of credit in amounts less than \$100,000 may be accepted from other chartered banks set out in Schedule I or II of the Bank Act and from Cooperative Credit Associations

- only on approval of the Treasurer or Deputy-Treasurer.

6.3 Other Financial Institutions

Letters of credit will not be accepted from financial institutions other than those specified above.

7. LETTER OF CREDIT FORMAT

The City of Guelph has a standard format for irrevocable standby letters of credit. All L/Cs accepted by the City must conform to the intent of this standard. They must be unconditional, irrevocable, automatically renewing (unless sufficient notice in writing is received), and in Canadian funds and must allow for partial drawings.

8. ACCEPTABLE ALTERNATIVES

Acceptable alternatives to letters of credit are security deposits in the form of

- debit card payments,
- certified cheques,
- bank drafts, or
- money orders.

If any of these alternatives is provided in lieu of a letter of credit, the funds will be deposited in the City's bank account, but no interest will accrue to the benefit of the provider. A letter of guarantee is less liquid, is dependent on proof of damage, is subject to additional administrative and legal costs, and, therefore, is not an acceptable alternative to a letter of credit.

9. PROCEDURE / ADMINISTRATION

9.1 Safekeeping

Letters of credit will be in the safekeeping of the City's Finance Department, and acceptable alternatives in the form of certified cheques, bank drafts, or money orders will be deposited in the City's bank account(s). However, no interest will accrue to the benefit of the provider.

9.2 Communications

All drawing demands, extension requests, reductions, returns, releases, and other communications with the issuing bank concerning letters of credit will be processed by the City's Finance Department.

9.3 Existing Letters of Credit

All letters of credit currently held by the City and not meeting the policy requirements, at the passing of this policy, will continue to be held until their expiry date. However, if the letter of credit is from a financial institution which subsequently loses its current rating, a substitute letter of credit from an acceptable financial institution will be required.

CORPORATE POLICY AND PROCEDURE



POLICY	General Operating and Capital Budget Policy
CATEGORY	Finance
AUTHORITY	Council
RELATED POLICES	Debt Management Policy General Reserve and Reserve Fund Policy Investment Policy Purchasing Policy Tangible Capital Asset Policy
APPROVED BY	Council
EFFECTIVE DATE	July 2011
REVIEW DATE	July 2012

1. POLICY STATEMENT

It is the policy of the City of Guelph to

- achieve its current and future goals in a fiscally responsible and sustainable manner;
- make informed choices about the provision of services and capital assets, and
- promote stakeholder participation in the budget process.

2. PURPOSE

The purpose of this policy is to

- improve the efficiency of the budget-setting process, making more strategic use of Council's time in reviewing budgets and administration's time in preparing them;
- ensure that the budget plans presented by staff are consistent with the goals set out by Council in its Strategic Plan;
- maintain the long-term financial stability of the City with affordable taxation and user rates; and
- establish a foundation for monitoring actual expenditures against budgeted expenditures.

3. DEFINITIONS

The following definitions are included as an aid to interpreting this policy:

"Budget" – a financial plan for a specified period of time (fiscal year) that matches all planned revenues and expenditures for the provision of various municipal programs and services, approved by Council

"Capital Budget" – a plan of proposed capital expenditures to be incurred in the current year and over a period of subsequent future years (long-term) identifying each capital project and the method of financing

"Capital Project" – a project, which purchases or constructs a capital asset. Typically, a capital project encompasses a purchase of land and / or the construction of a building or facility.

"Department" – a basic organizational unit of the City, which is functionally unique in its delivery of services

"Fiscal Year" – the twelve-month accounting period for recording financial transactions. The City's fiscal year is January 1 to December 31.

"Local Board" – an external board which is consolidated in the City's financial reporting. These boards are under the control of Council and provide services relating to the Library and Police Services.

"Operating (Current) Budget" – the budget containing allocations for such expenditures as salaries and wages, materials and supplies, utilities, and insurance to provide basic government programs and services for the current fiscal year.

"Reserve" – an allocation of accumulated net revenue. It has no reference to any specific asset and does not require the physical segregation of money or assets. Examples of the City's Reserves are: Tax Rate Stabilization Reserve, Sick Leave Reserves, and Insurance Reserve.

"Reserve Fund" – assets segregated and restricted to meet the purpose of the reserve fund. Reserve Funds may be:

- Obligatory – created whenever a statute requires revenues received for special purposes to be segregated, e.g., Development Charges Reserve Funds, or
- Discretionary – created whenever Council wishes to earmark revenues to finance a future project for which it has authority to spend money, e.g., Capital Reserve Funds and Brownfield Strategy Reserve Funds.

“Revenue” – funds that a government entity receives as income. It includes such items as property tax payments, fees for specific services, receipts from other governments, fines, grants, and interest income.

“Tax Rate” – the rate levied on each real property according to assessed property value and property class.

4. SCOPE

The General Operating and Capital Budget Policy applies to all departments and local boards (including Library and Police Services) of the Corporation of the City of Guelph.

5. BUDGET PRINCIPLES AND STRATEGIES

The principles and strategies that the City utilizes in making decisions related to short and long term budget planning include:

5.1 Strategic Plan

The Strategic Plan serves as the guiding document under which all City initiatives are aligned. The budget will align with the Strategic Plan and support it.

5.2 Communication with the Community

The budget will provide opportunity for community input and will make available reports consistent with Council-approved principles for public involvement.

5.3 Affordability

The budget will incorporate an integrated approach to the allocation of limited resources. The City must be able to bear the cost without incurring financial difficulty or risking other undesirable consequences.

5.4 Fiscal Capacity

Fiscal capacity will be built to respond to emerging community needs through adherence to the long-term financial plan and related debt and reserve fund management policies. A strong financial position is an important component of the City's Corporate Strategic Plan.

5.5 Sustainability

The budget will incorporate a long-term focus with the aim of achieving a prosperous and sustainable community. It will reflect priorities based on a quadruple bottom line approach, i.e., showing a commitment to economic, social, environmental, and cultural aspects.

5.6 Accountability and Transparency

The budget will demonstrate accountability to the community through an open and transparent decision making process in addition to audited financial statements and other reporting.

5.7 Assertive Maturity

The budget will demonstrate a culture of assertive maturity (going beyond the comfortable role of being subordinate to upper levels of government, and seeing the municipality with real and significant powers to make policies and deliver services) by:

- 5.7.1 Providing the funding to deliver the services and programs residents want in an efficient manner that minimizes risk to the community and corporation,
- 5.7.2 Setting priorities based on innovative and effectively managed policies to achieve City goals, and
- 5.7.3 Managing our financial relationship with other governments in a proactive manner, demonstrating municipal leadership, and advocating to obtain the tools needed to deliver services.

5.8 Risk Management

Priority-setting and decision-making will be informed by risk management principles with the aim to minimize the negative effects of risk while also minimizing the cost to accomplish this mitigation.

5.9 Innovation

The budget will incorporate innovative approaches to service delivery and will include funding to allow for the development and implementation of operational efficiencies and cost-saving measures. Cost-sharing and partnership strategies will be pursued, including the provision of matching funding where leveraging opportunities exist.

5.10 Stewardship

- 5.10.1 The budget will support existing infrastructure using a life-cycle strategy and asset management best practice.
- 5.10.2 The budget will consider new infrastructure required to achieve the strategic plan.
- 5.10.3 The budget will minimize reliance on debentures by focusing on funding reserves to address the infrastructure gap.

5.11 Addressing Unfunded Liabilities

The budget will address identified unfunded liabilities such as sick leave or WSIB through reserve contributions.

5.12 Multi-Year Budgets

Multi-year budgets will be developed for operating and capital expenditures according to an approved guideline. Multi-year budgets will incorporate the operating impacts of capital expenditures.

6. BUDGET ROLES AND RESPONSIBILITIES

The following roles have budget responsibilities as listed:

Accountability Role	Role Responsibilities
Municipal Council	<ul style="list-style-type: none"> • Establish priorities through the Strategic Plan • Approve guidelines in advance of detailed budget preparation • Approve the proposed level of public communication and engagement • Review the budget submission in meetings of the whole Council • Adopt the budget by by-law • Approve the rates required for taxation and user fees by by-law
Chief Administrative Officer	<ul style="list-style-type: none"> • Direct, in co-operation with the Chief Financial Officer and the Executive Team, the preparation and presentation of the operating and capital budgets on an annual basis • Direct, in co-operation with the Chief Financial Officer and the Executive Team, the preparation of a budget guideline for approval by Council • Exercise financial control over all corporate operations in conjunction with the Chief Financial Officer to ensure compliance with the revenue and expenditure budgets approved by Council
Executive Team (ET)	<ul style="list-style-type: none"> • Review and recommend the budget to the CAO • Support the final approved budget in a unified manner • Recognize the priorities of the corporation as a whole, separate from specific departmental priorities, during the decision-making process • Conduct the budget review in an open and collaborative manner
Senior Management Team (SMT)	<ul style="list-style-type: none"> • Lead the development of realistic and responsible departmental budgets in accordance with the established guideline, timeline, and process as per Budget Policy • Submit budget requests based on supportable facts that can be well understood by the general public and other members of the organization • Ensure that the resources and assets under their authority are effectively managed on an ongoing basis

<p>Chief Financial Officer, Budget Services Staff, and Operating Teams</p>	<ul style="list-style-type: none"> • Chief Financial Officer – lead and coordinate the overall preparation and administration of the City budget and capital program plan • Ensure adherence to budget policies and financial policies as approved by Council • Provide management and strategic direction to the financing of the City • Develop a community engagement plan, related recommendations, and communication strategies for Council review and approval
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7. STATUTES

Budget development shall comply with all relevant provisions of Ontario statutes, including, but not limited to, the following:

- *Municipal Act*, including sections relating to Business Improvement Areas
- *Police Services Act*
- *Public Libraries Act*
- *Health Protection and Promotion Act*
- *Conservation Authority Act*

Council Caucus Room
September 6, 2011 5:30 p.m.

A meeting of Guelph City Council.

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

Absent Councillors: Burcher and Hofland

Staff Present: Mr. H. Loewig, Chief Administrative Officer

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

Personal Matters About Identifiable Individuals

S. 239 (2) (b), of the Municipal Act regarding personal matters about identifiable individuals

Carried

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

.....
Mayor

.....
Clerk Designate

Council Caucus Room
September 6, 2011 5:32 p.m.

A meeting of Guelph City Council closed to the public.

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

Absent Councillors: Burcher and Hofland

Staff Present: Mr. H. Loewig, Chief Administrative Officer and Acting City Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Personal matters about identifiable individuals

1. Moved by Councillor Findlay
Seconded by Councillor Dennis
THAT Robert Johnston of Organization Consulting Limited be invited to attend the closed session meeting.

Carried

Mr. Johnston provided Council with information regarding the CAO recruitment process.

PASSED IN COUNCIL
BY SPECIAL
RESOLUTION

2. Moved by Councillor Dennis
Seconded by Councillor Findlay
THAT Council rise and report the following motion as a special resolution in Council open session:

That Ann Pappert be appointed as the Chief Administrative Officer for the City of Guelph effective September 7, 2011

AND that the Mayor is authorized to sign the CAO Employment agreement, subject to the terms and conditions agreed upon, to come into effect on October 17, 2011.

Carried

Ms. D. Nixon

3. Moved by Councillor Furfaro
Seconded by Councillor Wettstein
THAT staff be given direction with respect to the CAO employment agreement.

Carried

4. Moved by Councillor Findlay
Seconded by Councillor Dennis
THAT staff be given direction with respect to a change in severance to the CAO employment agreement.

A recorded vote was requested as follows:

VOTING IN FAVOUR: Councillors Dennis, Findlay, Laidlaw, Wettstein and Mayor Farbridge (5)

VOTING AGAINST: Councillors Bell, Furfaro, Guthrie, Kovach, Piper, Van Hellemond, (6)

Defeated

The meeting adjourned at 7:04 o'clock p.m.

.....
Mayor

.....
Clerk Designate

Council Chambers
September 6, 2011

Council reconvened in formal session at 7:10 p.m.

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

Absent: Councillor Hofland

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Dr. J. Laird, Executive Director, Planning & Building, Engineering and Environment; Mr. J. Riddell, General Manager of Planning and Building Services; Ms. A. Pappert, Executive Director, Community & Social Services; Ms. T. Agnello, Acting City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

Councillor Burcher declared a potential pecuniary interest with respect to Official Plan Amendment 47: Updating Policies Regarding Community Improvement and Renewal because she owns property in the area that may be affected.

COUNCIL AS COMMITTEE OF THE WHOLE CONSENT REPORT

Ms. B. Boisvert

1. Moved by Councillor Burcher
Seconded by Councillor Findlay
THAT Robert Aumell be appointed to the Board of Directors of the Guelph Municipal Holding Company (GMHC) as the independent member for a term ending November 30, 2014.

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

VOTING AGAINST (0)

Carried

CONSENT AGENDA

The following items were extracted from the September 6, 2011 Consent Agenda to be voted on separately:

- A-1 - Official Plan Amendment 47: Updating Policies Regarding Community Improvement and Renewal
- A-3- 2011 Market Square Business Promotion Program

2. Moved by Councillor Findlay
Seconded by Councillor Dennis
THAT the items from the September 6, 2011 Council Consent Agenda as identified below, be adopted:

a) Guelph Municipal Holdings Inc. (GHMI) – Administrative Matters

Ms. B. Boisvert
Ms. D. Jaques

THAT the Mayor and Clerk be authorized to sign and seal the following documents in a form satisfactory to the Chief Administrative Officer (CAO):

- a) the forms related to the transfer of shares in Guelph Hydro Inc. from the City to GMHI;
- b) the Council-approved Shareholder Declaration with GMHI, Guelph Hydro Inc., Guelph Hydro Electric Systems Inc. and Ecotricity Guelph Inc; and
- c) the Support Services Agreement with GMHI;

AND THAT Council approve the Acknowledgement, Consent and Agreement Regarding Legal Services, provided by the City Solicitor.

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

Mr. P. Cartwright
Ms. D. Jaques

THAT the Mayor and Clerk be authorized to execute an Amending Agreement to an Offer to Purchase/Agreement of Purchase and Sale with 2257524 Ontario Inc. regarding the sale of City-owned land in Hanlon Creek Business Park Phase 1, as described in the report of September 6, 2011, which has been prepared by Economic Development and Tourism Services, subject to the Amending Agreement of Purchase and Sale's format and content being satisfactory to the General Manager of Economic Development and Tourism as well as the General Manager of Legal Services/City Solicitor.

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

VOTING AGAINST: (0)

Carried

PLANNING PUBLIC MEETING

The Mayor 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 Councillor asked if there were any delegations in attendance with respect to planning matters listed on the agenda.

1274, 1280 & 1288 Gordon Street – Proposed Zoning By-law Amendment (File ZC1109) – Ward 6

Al Hearne, Senior Development Planner advised that the applicant wishes to amend the zoning permit the construction of 200 apartment units located within three separate buildings. They are requesting that the minimum sideyard requirement to be reduced and the building floor space be increased. He detailed the ingress and egress and noted that a stub road at the north property line could act as an extension to Edinburgh Road South in the future.

Staff were requested to provide:

- maps showing exits and entrances in relation to the property across the street that has a proposed development;
- a map showing the proposed road;
- results of consultation with the school boards regarding school bus pickup locations;

- an overlay preliminary site plan with schedule 3 – existing zoning with regard to wetlands and buffer zones;

Ms. N. Shoemaker, on behalf of the applicant, advised numerous documents have been provided to staff to show how their application meets various criteria for development within the City. They have consulted with the GRCA regarding the natural areas and have added an additional 10 metre buffer to provide linkage for the wildlife corridor established on the adjacent property. She noted the Storm Water Management is adjacent to but not in the buffered area. She stated that a traffic consultant determined it would be best not to introduce another intersection on Gordon Street and once the street is built, left hand turns onto Gordon will be prohibited. She advised that the greenspace within the site has increased through the provision of underground parking.

3. Moved by Councillor Findlay

Seconded by Councillor Burcher

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-78 regarding a Zoning By-law Amendment application by Black, Shoemaker, Robinson and Donaldson Limited on behalf of MRL Developments Inc., MTCM Developments Inc. and 2182805 Ontario Inc. to allow a proposed apartment development (ZC1109) on lands legally described as Part Lot 6, Concession 8, formerly Township of Puslinch and Parts 1 and 2, Plan 61R9757 municipally known as 1274, 1280 and 1288 Gordon Street, City of Guelph, from Planning & Building, Engineering and Environment dated September 6, 2011, be received.

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

VOTING AGAINST: (0)

Carried

1077 Gordon Street: Proposed Official Plan Amendment and Associated Zoning By-law Amendment (File OP1101/ZC1011) – Ward 6

Chris DeVriendt, Senior Development Planner advised that the applicant is submitting a revised application resulting from comments received at previous meetings. He advised the middle building was relocated from the south to the north side of the property to provide better privacy to the adjacent townhouse development and the entrance

was moved. The maximum number of units has increased from 150 to 184 units, but the overall building coverage is consistent with their original proposal. He advised the applicant is requesting the following amendments:

- redesignate from medium to high density;
- a site-specific amendment to allow ground oriented live/work units;
- redesignate from a R.3A cluster townhouse to a R.4B-?) Specialized High Density Apartment;
- limiting building height to 4 storeys;
- permitting reduced off-street parking of 1.25 spaces per unit.

Due to the number of developments along Gordon Street being considered, staff were directed to ensure that traffic issues are reviewed as a whole and not on a development by development basis.

Mr. Helmuth Strobel, applicant, believes they have addressed the concerns raised at the earlier meeting and subsequent meetings with the owners of 1055 Gordon Street. He stated the mixed use is intended for offices, not retail space and the parking ratio for those units will be addressed. They will be submitting an environmental report. He also advised a lighting study will be conducted and they intend to place shields on the lamps to restrict light onto adjacent properties. He stated they plan to install a 6 foot woodscreen fence along the adjacent townhouse property line.

4. Moved by Councillor Burcher
Seconded by Councillor Findlay

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-79 regarding an Official Plan Amendment and Zoning By-law Amendment to permit the development of a residential apartment project and live/work units applying to property municipally known as 1077 Gordon Street, and legally described as Concession 7, Part Lot 4, Plan 61R9349, City of Guelph, from Planning & Building, Engineering and Environment dated September 6, 2011, be received.

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

VOTING AGAINST: (0)

Carried

2011 Market Square Business Promotion Program

Mr. Marty Williams, Downtown Guelph Business Association (DGBA) advised they are in support of the proposed program. He believes it is appropriate use of market square promotional funds and look forward to assisting with the program. He advised they will meet with auditors to assure the funds are used appropriately.

Mr. Ron Valeriotte, Carden Street Merchants, acknowledged that the Carden Street situation is unique. He advised that each business will be accountable and must show the disbursement of their funds received within one year.

Mr. Mark Rodford, The Cornerstone, thanked Council for their support of the downtown business and advised he is in favour of the proposed program which will re-invigorate this area.

5. Moved by Councillor Furfaro

Seconded by Councillor Van Hellemond

Mr. I. Panabaker
Ms. S. Aram

THAT the report dated September 6, 2011, prepared by Downtown Renewal, regarding the 2011 Market Square Business Promotion be received;

AND THAT Council approve the staff recommended program and the funding be assigned to the Downtown Guelph Business Association for administration;

AND THAT the Downtown Guelph Business Association report back to Council on the program uptake and success measurement following the conclusion of the program.

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

VOTING AGAINST: Councillors Findlay and Piper (2)

Carried

6. Moved by Councillor Findlay

Seconded by Councillor Dennis

THAT the remaining item from the September 6, 2011 Council Consent Agenda as identified below, be adopted:

a) **Official Plan Amendment 47: Updating Policies Regarding Community Improvement And Renewal**

Dr. J. Laird
Mr. J. Riddell

THAT Report 11-82 dated September 6, 2011 from Planning & Building, Engineering and Environment regarding Official Plan Amendment 47: Updating Policies Regarding Community Improvement and Renewal be received;

AND THAT Official Plan Amendment 47, initiated by the City of Guelph, to update the City's Official Plan policies regarding Community Improvement and Renewal be adopted in accordance with Attachment 1 – Official Plan Amendment 47.

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

VOTING AGAINST: (0)

Councillor Burcher did not vote on the matter due to her declared potential pecuniary interest.

Carried

SPECIAL RESOLUTIONS

Ms. D. Nixon
Mayor Farbridge

7. Moved by Councillor Dennis
Seconded by Councillor Guthrie
THAT Ann Pappert be appointed as the Chief Administrative Officer for the City of Guelph effective September 7 2011;

AND THAT the Mayor is authorized to sign the CAO Employment Agreement, subject to the terms and conditions agreed upon, to come into effect on October 17 2011.

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

VOTING AGAINST: Councillors Bell and Kovach (2)

BY-LAWS

8. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT By-laws (2011)-19248 and (2011)-19249, inclusive, are hereby passed.

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

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 8:47o'clock p.m.

Minutes read and confirmed September 26, 2011.

.....
Mayor

.....
Acting Clerk

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

September 26, 2011

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

Your Community & Social Services Committee beg leave to present their SEVENTH CONSENT REPORT as recommended at its meeting of September 13, 2011.

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

1) Skatepark Relocation Update and Recommendations

THAT Report #CSS-PRPF-1135, dated September 13, 2011 and titled "Skatepark Relocation Update and Recommendations", be received;

AND THAT Council endorse the recommendations of the Skatepark Advisory Group as to both the Silvercreek Park location and the design of a potential skateboard park as per the attached report;

AND THAT staff be directed to report back to the Committee the results of consulting with the public, relevant agencies and the skateboarding community on the primary site and design features;

AND THAT staff be approved to use residual capital funds currently in RP0340 York Road Park, to develop a detailed budget estimate based on the recommended site and design and to report the results back to the Community & Social Services Committee.

2) Community Wellbeing Initiative: Workplan

THAT Report #CSS-CESS-1136, titled "Community Wellbeing Initiative: Workplan" and dated September 13, 2011, be received;

AND THAT the workplan outlined in Report #CSS-CESS-1136 be approved;

AND THAT \$63,000, as part of the overall Community Wellbeing Initiative budget, be allocated to support the development of the corporate community engagement framework and referred to the 2012 operating budget deliberations.

All of which is respectfully submitted.

Councillor Cam Guthrie, Acting Chair
Community & Social Services Committee

Please bring the material that was distributed with the Agenda for the September 13, 2011 meeting.

COMMITTEE REPORT



TO **Community & Social Services Committee**

SERVICE AREA Community & Social Services – Parks and Recreation
Programming & Facilities Division

DATE September 13, 2011

**SUBJECT Skatepark Relocation Update and
Recommendations**

REPORT NUMBER CSS-PRPF-1135

SUMMARY

Purpose of Report: The intent of this report is to provide the Community and Social Services Committee with an update on the Skatepark relocation process and to ask them to approve staff recommendations on the next steps in the process.

RECOMMENDATION

THAT Report # CSS-PRPF-1135, dated September 13, 2011 and titled "Skatepark Relocation Update and Recommendations" be received;

AND THAT the Community and Social Services Committee endorse the recommendations of the Skateboard Advisory Group as to both the Silvercreek Park location and the design of a potential skateboard park as per the attached report.

AND THAT staff be directed to report back to the Committee the results of consulting with the public, relevant agencies and the skateboarding community on the primary site and design features.

AND THAT staff be approved to use residual capital funds currently in RP0340 York Road Park, to develop a detailed budget estimate based on the recommended site and design and to report the results back to the Committee.

BACKGROUND

In 2008 and 2009 the City provided a public skateboard park in Deerpath Park in the west end of the city. A number of issues, mostly related to noise, resulted in the removal of the equipment at the request of Council by the end of 2009. Since the installation was 'mobile' in design, the skateboard features from the park were removed and placed in storage.

At the time of the removal Council:

-
- directed staff to proceed with a study on the relocation of the Skateboard area including a review of locations, site treatments, costs and timing;
 - approved the establishment of an advisory group of stakeholders and residents to assist staff with the study;
 - directed staff to report back to Council with recommendations to resolve the various issues connected to the placement of the skatepark in Deerpath Park.

An advisory group met with staff to look at possible new skateboard locations four times in 2010 but did not come to any definitive conclusions (with the last meeting taking place in October 2010). As part of that process, the group did identify a long list of potential sites on publically owned land and developed some criteria for evaluating them.

As a short-term alternative to the facility at Deerpath Park, the City did provide some one-time funding (\$10,000) to offer free access at a private indoor skate park for a limited time during the summer of 2010. The free access was not budgeted for in 2011 but Council used \$5,000 out of its discretionary fund to cover costs for access to the facility during August of this year. Staff will be including an amount of \$10,000 in the proposed 2012 budget to continue funding this access through the summer of 2012.

REPORT

The Skatepark relocation consultation process was re-started in May 2011 and three meetings were held with the Advisory Group by staff from Community & Social Services and Operations & Transit. The group looked at both design issues and locations.

Design - One key assumption the group made, in consultation with staff, was that it was not limited to the 'mobile' features already owned by the City (which had been installed at Deerpath Park). There was consensus that if existing individual elements fit into a new design, they should be used; however just reinstalling all the elements would cost almost as much as a new design and be much less functional. The focus of the group was on finding a design that would both fit the recommended site and provide a diverse experience for the skateboarders using it. There was also discussion around the idea of using pieces of the original to create smaller skateboard features at different locations throughout the City.

The design the group is recommending is that of a streetscape or plaza. There are no deep bowls in these designs but rather features that you might see in many urban settings. Trees and bushes can be incorporated and the concrete can be coloured to both match the surrounding environment and to discourage graffiti.

Streetscape or plaza designs meet the needs of the greatest number of skateboarders while incorporating design aesthetics that complement existing community park landscapes and features. These designs move away from traditional grey concrete slabs (that non-users see as blemishes on existing parkscapes) and move toward public space that is integrated with its surrounding environment and inviting to more than just skateboarders. Additionally, plaza

designs are more cost effective than deep bowls and require far less site preparation time and cost. (See Appendix 1 for examples.)

Location – The criteria for the selection of the sites were relatively simple and straightforward. The ideal site would be:

- City owned or controlled property
- Easy to access and have excellent sight lines for patrol purposes
- Close to major transit routes
- Close to amenities such as washrooms, shelter and potentially, retail outlets
- Close to major roads
- A sufficient distance from nearby residences
- Existing parking (or space to add)

Given the types of concerns generated by the Deerpath Park installation, staff reduced the list of potential sites by removing those in close proximity to residential housing. The Advisory Group reviewed the remaining twenty-one sites and selected four finalists to be considered in greater depth (See Appendix 2). Appendix 3 shows how each of the sites was evaluated against the selection criteria.

Staff requested preliminary comments from the relevant school boards, for those sites near schools, the police, emergency services and planning. See Appendix 4 for the details for each site. The staff and Advisory Group conclusion is that the Silvercreek Park site most closely matches the criteria necessary for a viable site.

Staff also undertook a review of nearby municipalities who have recently put in skateboard parks as well those who have installed some with the plaza design (See Appendix 5).

As the next steps in the process, staff are proposing:

- that they solicit input from the user community, members of the public, other agencies and interested parties on the proposed location and design of the park
- the development of a more detailed construction budget based on both the square footage available at the site and the Skateplaza design concept, including some preliminary design work if necessary
- that funding options for the skateboard park be explored and brought back to Council for consideration

CORPORATE STRATEGIC PLAN

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

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

FINANCIAL IMPLICATIONS

Funding for a skateboard site is currently proposed for the 2017 capital budget at an estimated cost of \$1,000,000. As there is currently no designated site for a skateboard park the cost estimate was not based on a particular site or park design but rather was sized to the most costly scenario - an undeveloped site with no amenities, roads, parking or shelter.

Given that the Silvercreek Park site already has some basic amenities, the expenditure for building a plaza-style park should be somewhat reduced as the dollars spent would be confined to the design and construction of the skateboard features themselves. Staff are currently estimating a cost of approximately \$450,000 (in 2011 dollars) to bring a skateboard park online at Silvercreek.

In order to proceed with the next steps in the design and costing process, staff may have to engage a design consultant for help with a preliminary design. Currently there is approximately \$30,000 remaining in RP0340 York Road Park---the funding source identified by staff and used to decommission the Deerpath Park facility---which could be utilized for this purpose. York Road park improvements will be rescheduled.

Based on preliminary designs and cost estimates staff will work with Finance to budget for the capital work through the budget process.

DEPARTMENTAL CONSULTATION

Operations and Transit – Parks Maintenance and Development
Planning
Emergency Services
Guelph Police Services
Finance
Bylaw

COMMUNICATIONS

N/A

ATTACHMENTS

Appendix 1 – Conceptual drawings of Streetscape skateboard parks
Appendix 2 – Map of potential sites
Appendix 3 – Site Evaluation table
Appendix 4 – Comments from Partners
Appendix 5 – Other Municipal Skatepark installations



Prepared By:

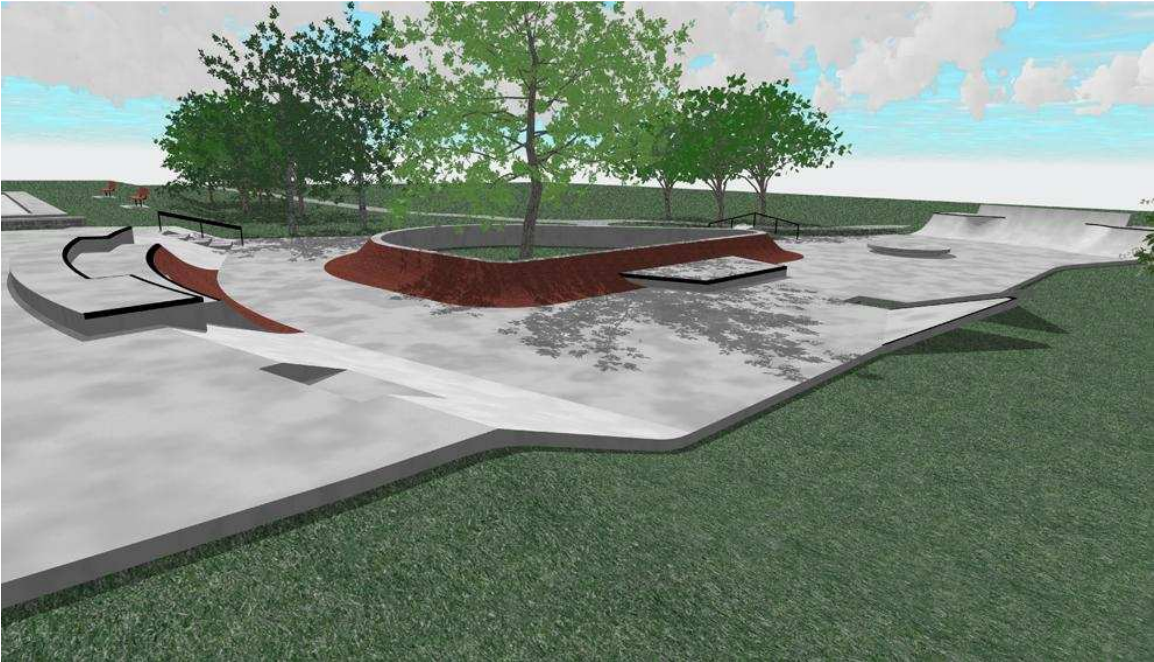
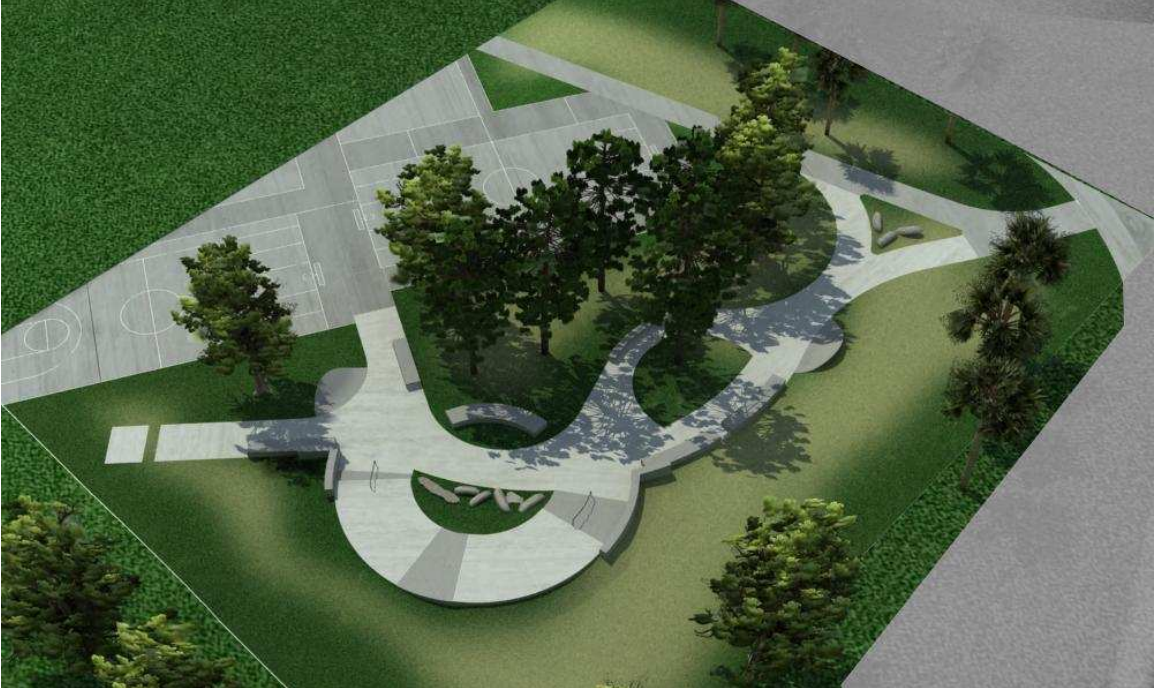
Bob Burchett
General Manager of Parks & Recreation
Programming & Facilities
519-822-1260 ext. 2664
bob.burchett@guelph.ca



Recommended By:

Ann Pappert
Executive Director
Community & Social Services
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ann.pappert@guelph.ca

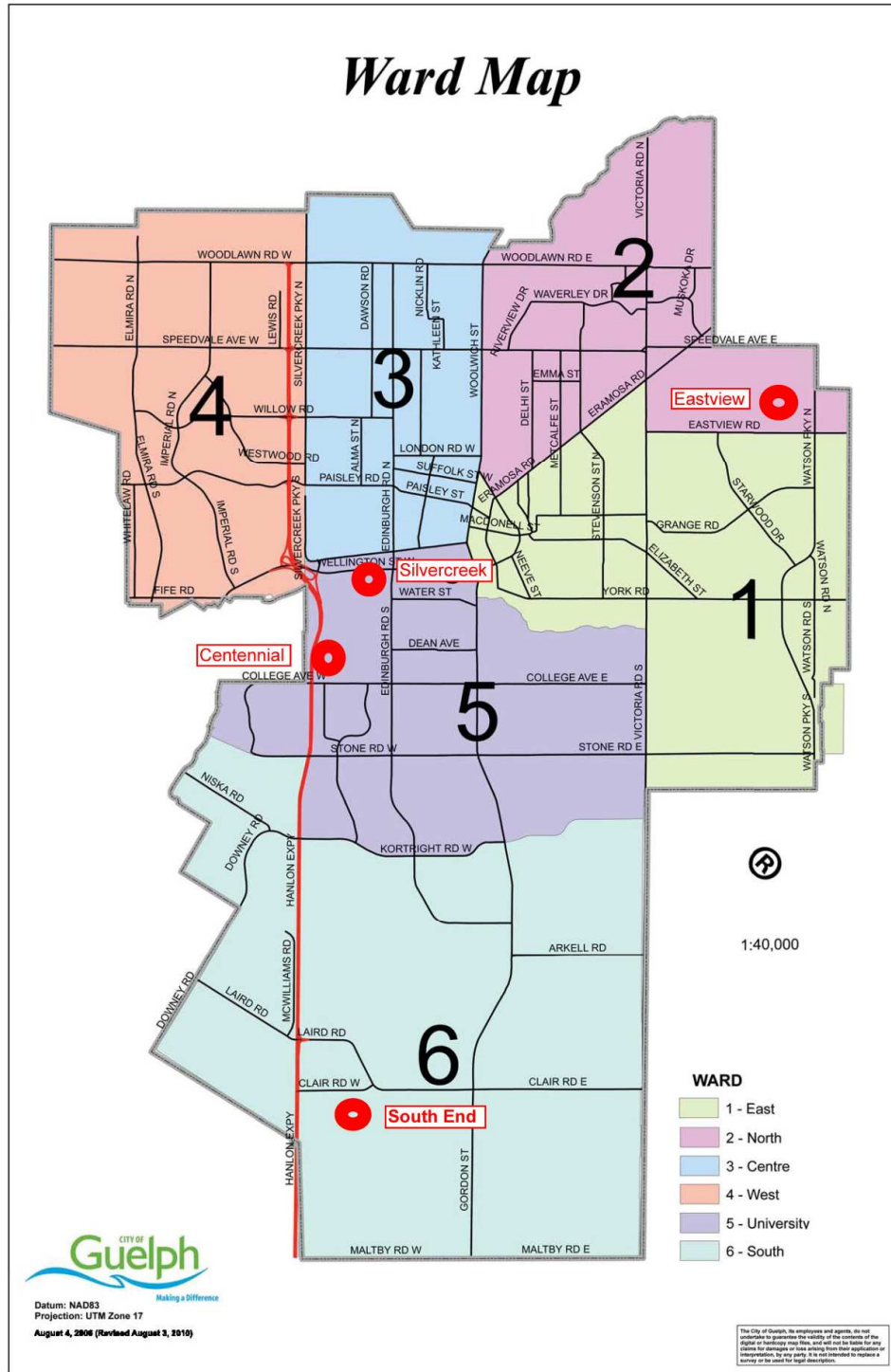
Appendix 1: Conceptual Drawings of Streetscape Skateboard Parks







Appendix 2: Map of Potential Sites



Appendix 3 - Site Evaluation Table

Criteria	Centennial	South End	Eastview	Silvercreek
City owned or controlled property	Yes	Yes	Yes	No. Under management agreement with Grand River Conservation Authority, but they have confirmed that they would consider a skateboard park use for the site.
Easy to patrol Excellent sight lines (for patrols) Police Drive in	Yes from internal road	Yes but only from internal road.	Yes although site is still in development	Excellent view from Wellington. Park road allows drive in patrols
Close to major transit routes	Yes – via Route 9 and 70A/B	Yes – Access via Route 51	Not currently	Yes – via Route 3 and 70A/B
Close to amenities (washrooms, shelters)	No shelter. Seasonal facilities in Centennial Park approx 320 m	No Shelter. Seasonal facilities in Larry Pearson Park approx 150 m	Not developed yet. Shelter and washrooms should be part of final park	Shelter next to site. Portable next to site. Seasonal washroom 300 m away.
Close to major roads	Yes	Yes	Yes	Yes
Distance from Residences	>135 m across College	No residences currently next to site	No residences currently next to site	>125 m across Wellington (large 3m+ embankment at roadway) >170 m across river
Parking	Existing parking adjacent to site (owned by Upper Grand District School Board)	Existing parking on City property next to site	Parking to be placed in park site but not next to potential skateboard site	Existing parking on site under City management
Existing Use	City softball field	Proposed future softball field. Currently undeveloped	Currently undeveloped. Proposed volleyball courts	Mowed grass
Nearby Uses	Two secondary schools immediately adjacent	Secondary School adjacent to site. Three City operated ball fields and proposed splash pad. Proposed South End Recreation Centre site	Agricultural uses. Potential development	Heavily used volleyball courts adjacent. River path on other side of river. Soccer fields immediately across Wellington.

Appendix 4: Preliminary Comments from Internal and External Partners

Site	Centennial	South End	Eastview	Silvercreek
Police (Crime Prevention Through Environmental Design Audits would need to be done for chosen site(s).)	Concerns pertaining to school conflicts (Centennial and College Heights) and issues relating to ease of access to the park for younger skateboarders after school hours	Already an area of concern for Police Services – site currently has issues with “bush” parties/underage drinking and is a frequent late night gathering spot for south end teens. Concerns that skatepark would become impromptu gathering spot, similar to previous issues at Deerpath Park. Sightlines non-existent from roadway	Concerns regarding remote location of site and potential to become a gathering spot for (non-skateboarding) teens on weekend evenings. Location next to green space may create similar concerns to those currently occurring at Larry Pearson Park. Could be a positive contribution to completed park and high traffic from other users could create a safer space.	Most accessible location for users and police patrols. Drive in access to site with high visibility from Wellington Road. Busy spot on summer evenings which could help create a safer space. Amenities nearby. Located in a neighborhood that does not have a large youth population – this is viewed as a positive as users would travel to the skatepark, but location would not be seen as a gathering spot for non-users. Visibility through treed areas may be a concern when patrolling the site.
Emergency Services	No objections to any site			
Planning	Okay buffer from existing residential area; good emergency access; plenty of parking; flat, dry, open space is easy to manipulate; good visibility and eyes on. Potential for vandalism to area structures (school). Potential noise to cross field/road to area residents.	Excellent buffer from existing residential; plenty of parking and good emergency access. Poor visibility and eyes on – vandalism and crime potentials; conflicts with future Community Centre Site.	Good buffer from existing residential area; will have plenty of parking and other amenities in the area; good emergency access. Poor visibility and eyes on – vandalism and crime potentials; may take a while to implement due to park master plan schedule.	Good buffer from existing residential; good emergency access; good visibility and eyes on; parking. Very close to what is considered an environmentally sensitive and perceived passive space/river; trees need to be removed, grading work required in a wet, flood plain area

UGDSB	The Board recognizes the value and benefit of a skate board park to the city's youth, but the proposed site adjacent to two of our high schools raises serious concerns about increased vandalism on our properties when the schools are not in use. It is our view that the schools' paved roadways and parking lots, steps and fixtures may invite spill over activity from the skate board park, or may represent an attractive route or detour for skate boarders going to or returning from the park. Connected to these concerns are questions around fencing, lighting, hours of operation and general security.	N/A	N/A	N/A
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WCDSB	N/A	<p>The Board does not support the proposal to have a skateboard park situated at this site. At present, the location is remote which will lead to observation and supervision issues, not only of the skateboard participants but also others who might attend the park for other than the intended purpose of the facility. If, in conjunction with the development of a South End Recreation Facility, a park was to be developed the concerns would be lessened.</p>	N/A	N/A
Bylaw				Felt that Silvercreek was the best of the four sites.

Appendix 5: Other Municipalities Skatepark Installations

Neighbouring Communities – All Design Types

Cambridge Riverside Skatepark

- 9000 sq ft
- \$450,000 in 2 phases (\$200,000 in 2007 \$250,000 in 2009) Does not include site prep due to unforeseen circumstances
- 300 metres from residential
- No reported noise issues
- Combo street/bowl design – bowl is main feature
 - *Cambridge also supports a year round pay to play indoor skateboard facility

Brantford Skateplaza

- 15,000 sq ft
- \$400,000 (not including landscaping)
- 100 metres from mixed residential
- No noise complaints found
- Plaza design with additional concrete half-pipe

McLennan Park, Kitchener

- 12,000 sq ft
- \$500,000
- Less than 100 metres from residential
- No noise complaints found
- Street/bowl design
 - *Additional \$1,000,000 allotted for 2 parks in 2014 and 2017

Skateplaza Designs Only – Other Ontario Communities

Kiwanis Park, London

- 12,000 sq ft skate plaza
- \$500,000
- 80 metres from residential
- No reported noise issues

*2 additional skateparks are currently being built/recently completed (\$500,000 each)

8th Street Skateplaza, Etobicoke

- 10,000 sq ft
- \$500,000
- Less than 50 metres from residential
- No noise issues reported

Marina Skateplaza – Thunder Bay

- 25,000 sq ft plaza design with additional bowl
- \$900,000
- Less than 100 metres from residential
- No noise complaints

*park has won design and landscaping awards from Parks & Recreation Ontario (PRO)

Chatham-Kent Skateplaza

- 8,000 sq ft
- \$280,000
- Less than 50 metres from residential
- No noise complaints

*Chatham-Kent Skatepark Plan has approved 8 skateparks throughout the municipality

COMMITTEE REPORT



TO **Community and Social Services Committee**

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

DATE September 13, 2011

SUBJECT Community Wellbeing Initiative: Workplan

REPORT NUMBER CSS-CESS-1136

SUMMARY

Purpose of Report: To provide Committee with information regarding the Community Wellbeing Initiative Workplan

Committee Action: Receive the report and consider the recommendations: to approve the development of a Mayor’s Leadership Group on Community Wellbeing and to refer the request for \$ 63,000 to develop a Corporate Community Engagement Framework to the 2012 budget deliberations.

RECOMMENDATION

THAT Report # CSS-CESS-1136, titled “Community Wellbeing Initiative: Workplan” and dated September 13, 2011, be received;

AND THAT the workplan outlined in Report #CSS-CESS-1136 be approved;

AND THAT \$63,000, as part of the overall Community Wellbeing Initiative budget, be allocated to support the development of the corporate community engagement framework and referred to the 2012 operating budget deliberations.

BACKGROUND

Under Council direction, report CSS-SS-1019 dated August 23, 2010 outlined a Social Services Workplan which included the development of the Community Wellness (Wellbeing) Plan. During budget deliberations in March 2011, City Council approved \$100,000 to begin the development of this Plan.

The name has been changed from “Community Wellbeing Plan” to “Community Wellbeing Initiative” to reflect that this is an action-oriented initiative rather than a

planning document. The Community Wellbeing Initiative will be a vehicle for further discussion with the community on the Guelph Vision for a Complete Community as defined in June 27, 2011 Council report # CSS-ADM-1122, Guelph Vision for a Complete Community: A Conversation Document.

Report # CSS-CESS-1130 outlining the principles used to inform the Community Wellbeing Plan was approved by Council at the July 25, 2011 meeting. These principles will ensure that work is done in a credible, inclusive way and takes advantage of the knowledge and work that already exists in the community. These principles include:

- a) Engaging residents
- b) Balancing planning and action
- c) Building on existing work and knowledge
- d) Using a collaborative approach
- e) Drawing on the best from others
- f) Learning and adapting
- g) Monitoring for impact

REPORT

Community Wellbeing Initiative

Community wellbeing is understood to be a holistic concept that describes an optimum, positive state of being. The development of the Community Wellbeing Initiative provides an opportunity for community members to create and communicate a shared vision for their individual and community wide 'wellbeing' in Guelph as a catalyst for action. This shared vision has the potential to affect change in the community and has the weight to influence partners, decision makers, service providers and policy makers at the provincial and federal levels of government.

The main components of the Community Wellbeing Initiative are: citizen engagement, social innovation, business planning and service integration. (as displayed in Figure 1). Citizen engagement builds the plan for "the ground up" recognizing the importance of citizen input to the vibrancy of the community. Social innovation notes that government needs to work in new ways with not for profits to address the complex issues that exist in the community. Business Planning includes the review of the County's delivery of Social Services and Council's direction to achieve increased accountability for this investment. Service Integration highlights the importance of reducing service duplications and gaps to better meet resident's needs.

The initiative will engage residents, service providers, service users, funders, business and voluntary groups to work together to achieve the shared vision of the plan. Anticipated outcomes include: increased civic involvement and pride, safer

and healthier communities, and more efficient, effective and accountable services. Transformational community leadership is required to realize the Community Wellbeing Initiative and this will be convened in a Mayor's Community Leadership Group

The main emphasis at this point in the initiative is on citizen engagement and business planning using the funds that have already been approved in the 2011 budget. Funds are being requested for citizen engagement and internally focused training and development described further in the remaining sections of the report. Community Wellbeing Initiative: Community and Corporate Facing

The Community Wellbeing Initiative is both Community (outward) facing and Corporate (inward) facing; there are complementary workplans to develop the Community Wellbeing Initiative in the community and concurrently to build capacity within the corporation to undertake community engagement in more meaningful and robust ways. It is critical that this work proceed in tandem so that the corporation has the capacity and most effective approaches towards working with the community on the community wellbeing (outward facing) initiative and shift our way of working internally to respond to the needs and aspirations identified in the Community Wellbeing Initiative.

The corporation's ability to work with the community in new ways will be supported by a Council approved Community Engagement Framework, to be developed as part of this workplan. Community Engagement Frameworks are common tools that local governments use to communicate what community engagement is, what it tries to achieve and standard definitions, guidelines and principles to direct staff in their engagement of the community. Training and skills building for staff, and opportunities for staff to align their work with the Community Well being Initiative , as well as to use a broad range of community engagement tools in their everyday work are deliverables in the Corporate (inward) facing workplan. This work supports the Corporate Communications Strategy and its public engagement goal.

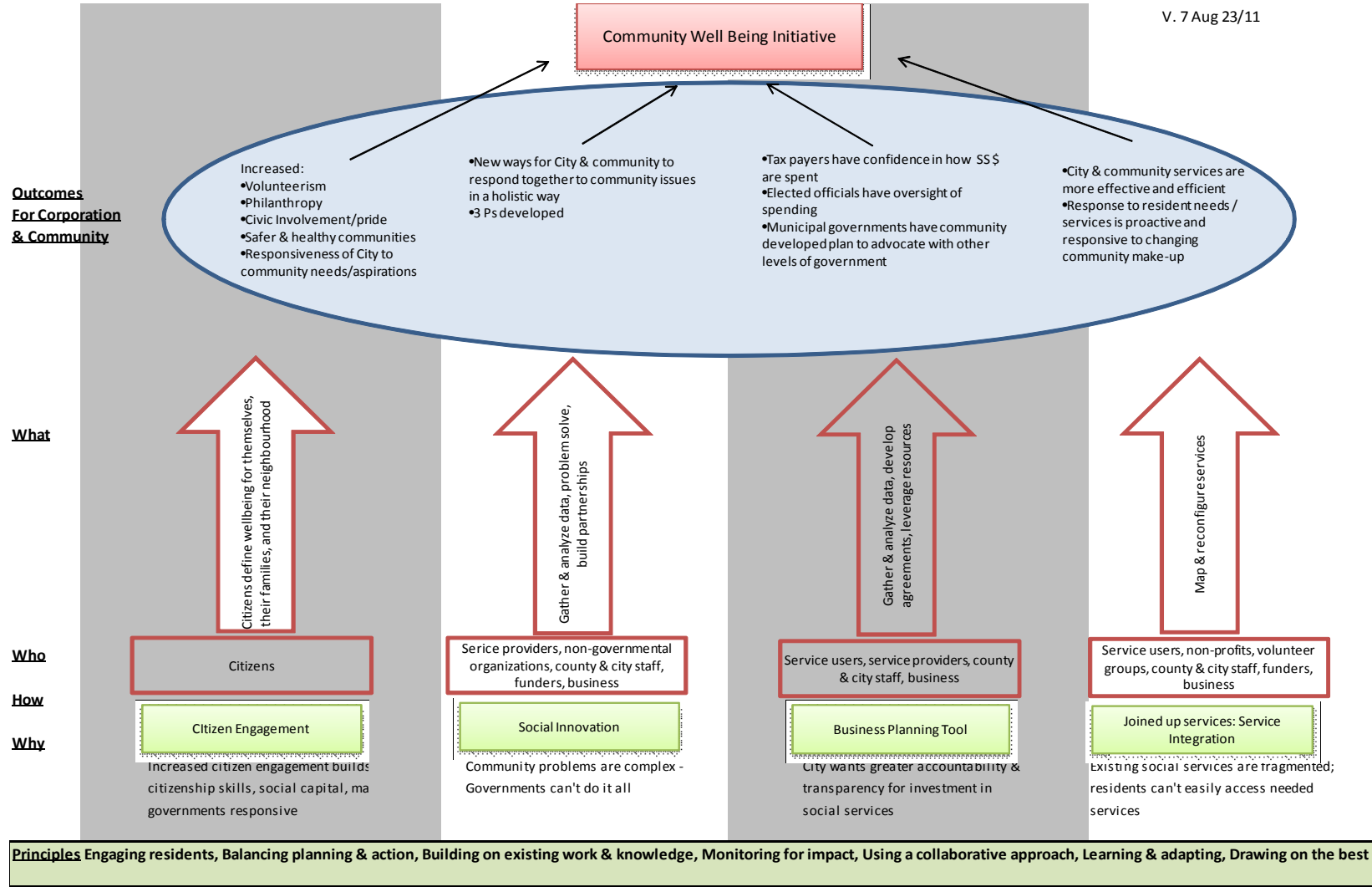


Figure 1

Mayor's Leadership Group for Community Wellbeing

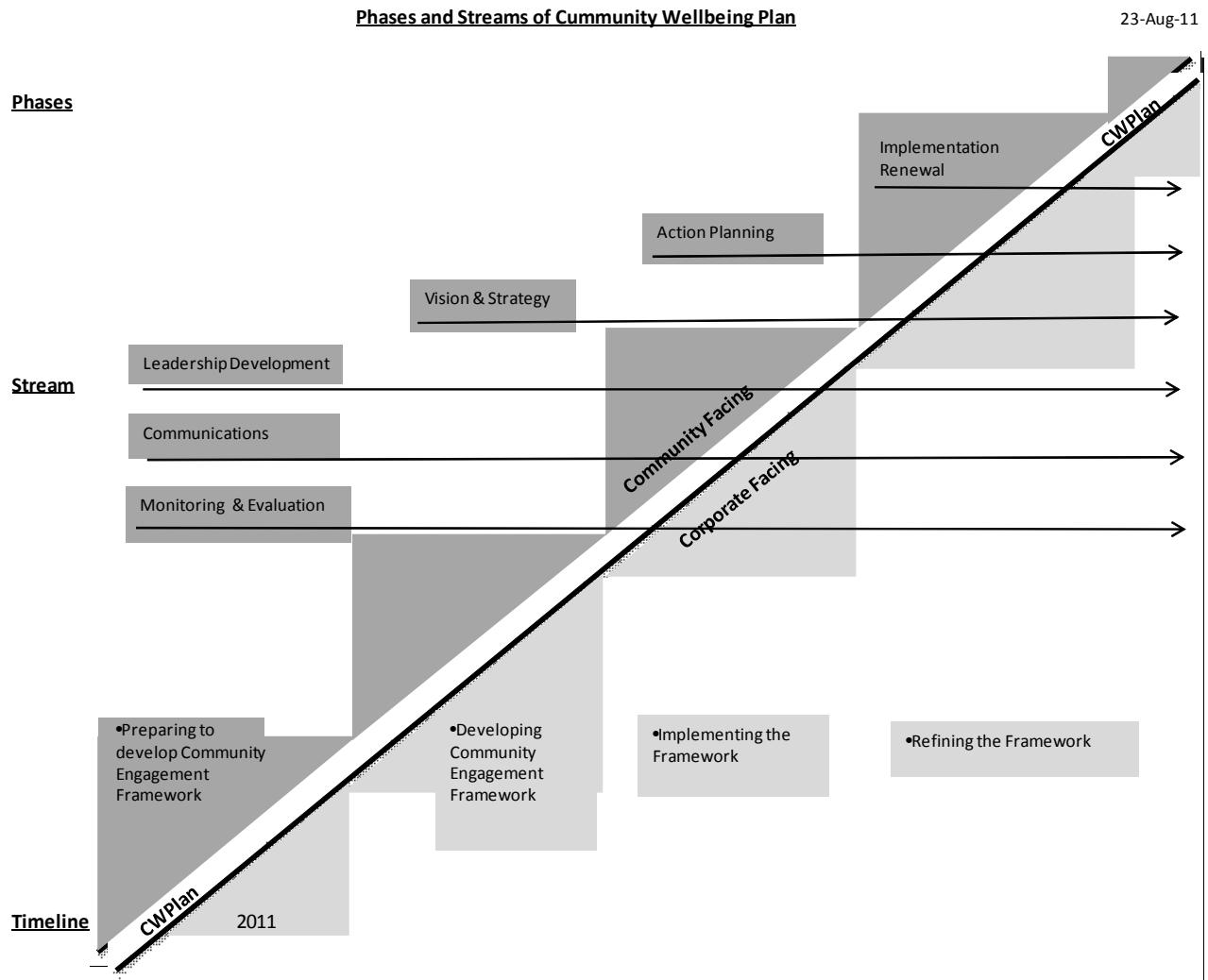
Crucial to the development of this initiative is a committed leadership group drawn from the various sectors of the community that reflects the broad definition of wellbeing. This leadership group must be credible, passionate and able to champion the Community Wellbeing Initiative across the community with the leadership of the Mayor.

Timeline of the Initiative

Each component in both the community (outward) and corporate (inward) facing aspects of the Initiative have the same streams and phases. Several streams of activity occur across the various phases of the project during its four year duration (See figure 2 for the display of the phases, streams and timelines). The streams of activity are: leadership development, communications, monitoring and evaluation. There are three phases to the project.

- Phase One (2011/2012) will focus on convening a leadership groups to champion, guide and oversee the development of the wellbeing initiative and the engagement framework.
- Phase Two (2012/2013) will shift the focus to extensive community engagement to develop the vision for community wellbeing; for residents to articulate what it means to be 'well' in Guelph. This will be augmented by qualitative and quantitative data from other community sources and projects. This Phase will also result in the creation of action priorities and strategies.
- Phase Three (2013/2014) will focus on implementation which will include ongoing monitoring and evaluation of progress.

Figure 2



The Chart in Appendix 1 outlines the key tasks across the four year project span for both the community (outward) and corporate (inward) facing aspects of the plan.

Next Steps

Community (outward) facing:

1. Convene the Mayor's Leadership Group:

The development of the Community leadership group who will recruit and inspire community leaders with the following characteristics:

- Perspective/experience in one of the eight domains that comprise the plan (environment, education, community vitality, leisure and culture, time use, healthy populations, living standards, democratic engagement).
- Express passion for the issue of community wellbeing

-
- Strong, facilitative leadership in the community
 - Credibility to influence a constituency, or network to the work

The Mayor's Leadership Group will develop the initiative's vision, principles and scope for the project, recruit and inspire community leaders and oversee its implementation.

Corporate (inward) Facing:

1. Inventory and review community engagement activities and capacity within the corporation
2. Convene a Departmental Leadership Group to develop the City of Guelph Community Engagement Framework

Both Community and Corporate Facing:

- Develop communications materials to support project participation
- Continue to gather background materials, best practice, and information on existing initiatives to support the work of both the Community and the Corporate Leadership Groups.
- Develop monitoring and evaluation framework

The Community Wellbeing Initiative is complex and multi faceted. Under the guidance of the Mayor's Leadership Group for Community Wellbeing the community (outward) facing workplan will work build on existing work in the community and the aspirations of residents to create a healthy and vibrant community. Concurrently, the corporate (inward) facing workplan will "raise the bar" on the ways in which the corporation engages residents through a council approved framework and training and tools for staff. The initiative will unfold over a three year period supported through communications and evaluation support

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well functioning and sustainable city (1.1, 1.3)

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

Goal 3: A diverse and prosperous local economy (3.1, 3.2, 3.3, 3.5, 3.6)

Goal 4: A vibrant & valued arts, culture & heritage identity (4.5)

Goal 5: A community-focused, responsive and accountable government (5.1, 5.2, 5.3, 5.4, 5.6, 5.7)

FINANCIAL IMPLICATIONS

Council has approved \$100,000 to begin developing the Community Wellbeing Initiative. The anticipated cost of the Community Wellbeing Initiative is estimated at \$610,000 over a four year period. Partnerships are being explored with other funders interested in social innovation and community wellbeing. We will also be looking for business sponsorship on key areas of the work in order to share the costs of this project.

An additional \$100,000 was approved to undertake a review of the Consolidated Municipal Service Manager (CMSM) Programs and Services. This project is one component of the Community Wellbeing Initiative included in the Business Planning work of the Initiative

Staff is recommending that \$73,000 fund the development of the corporate facing component of the plan be referred to the 2012 budget process. These funds are part of the overall Community Wellbeing Initiative budget. They will support staff training in facilitation and community engagement methods, the development of a tool, to support staff, a monitoring and evaluation framework, background materials and facilitation.

Staff is recommending that Committee consider funding the balance of the project \$348,000 through anticipated 2011 social services surplus in 2012 (estimated to be \$881,000)

DEPARTMENTAL CONSULTATION

Corporate Communication

ATTACHMENTS

Appendix 1 Chart: Community Wellbeing Workplan 2011-2014



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Community Well being Initiative 2011-2014

Plan Components	2011				2012				2013				2014			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Corporate Facing																
Preparing to Develop Community Engagement Framework																
• Developing Project Plan, background research																
• Convene Inter departmental Leadership Group																
• Develop communication plan																
• Develop monitoring & evaluation plan																
Developing Community Engagement Framework																
• Inter developmental Leadership group defines purpose, scope of plan, principles and project plan																
Implement community engagement framework																
• Provide staff training & tools																
• City staff support development of Community wellbeing initiatives through facilitation, data, best practices																
• City Staff identify programs, partnerships, services that support Community Wellbeing Initiative																
• City staff identify ways that Community Wellbeing initiative is integrated with their work																
• Action plans developed																
• Monitor & report out on project milestones																
Implementing Plan																
• Revise plan as implementation unfolds																
• Evaluate plan																

Appendix 1: Community Wellbeing Workplan 2011-2014

INTERNAL MEMO



DATE September 22, 2011
TO **City Council**
FROM Barbara Powell
DIVISION Community Engagement and Social Services
DEPARTMENT Community and Social Services
**SUBJECT Community Wellbeing Initiative: Workplan
CSS-CESS-1136**

The following amendments to the Community Wellbeing Initiative: Workplan, CSS-CESS-1136 should be noted;

In paragraph two on page eight, \$73,000 should be changed to \$63,000.
In paragraph three on page eight, \$348,000 should be changed to \$347,000.

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General Manager of Community Engagement

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Community and Social Services
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**CONSENT REPORT OF THE
CORPORATE ADMINISTRATION, FINANCE
& EMERGENCY SERVICES COMMITTEE**

September 26, 2011

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

Your Corporate Administration, Finance & Emergency Services Committee beg leave to present their SEVENTH CONSENT REPORT as recommended at its meeting of September 12, 2011.

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

1) Business Licence Fees 2012

THAT the information report regarding the Business Licence By-law annual fee review dated September 12, 2011, be received;

AND THAT staff be directed to prepare the necessary amendment to business licence by-law (2009)-18855 to incorporate the 2012 fees based on the annual fee review.

2) Downtown Façade Improvement Grant & Feasibility Study Grants – 2011 (Second Award)

THAT the Downtown Renewal report, dated September 12, 2011 regarding the Downtown Community Improvement Plan Façade Improvement Grants & Feasibility Study Grants, be received;

AND THAT the second round of awards for the Downtown Façade Improvement Grants and Feasibility Study Grants for 2011 be awarded as listed in Appendix "A" attached to this report, for a total City of Guelph commitment of \$60,864.21 towards 6 applications.

3) Capital Account to Pay for Stormwater Drainage Oversizing in Subdivisions

THAT Council approve the creation of a new 2011 Capital account to pay for stormwater drainage oversizing in new residential subdivisions, as outlined in this

Report of the Corporate Administration, Finance & Emergency Services Committee

Report dated September 6, 2011, with funding to come from the Stormwater DC Reserve Fund.

All of which is respectfully submitted.

Councillor Todd Dennis, Acting Chair
Corporate Administration, Finance &
Emergency Services Committee

Please bring the material that was distributed with the Agenda for the September 12, 2011 meeting.

INFORMATION REPORT



TO Corporate Administration, Finance & Emergency Service Committee

SERVICE AREA Corporate and Human Resources, Office of the City Clerk

DATE September 12, 2011

SUBJECT Business Licence Fees 2012

RECOMMENDATION

That the information report regarding the Business Licence By-law annual fee review dated September 12, 2011 be received; and,
That staff be directed to prepare the necessary amendment to business licence by-law (2009)-18855 to incorporate the 2012 fees based on the annual fee review.

REPORT

On July 27, 2009 City Council passed the following resolution:

THAT staff be directed to prepare a new Business licensing By-law for Council approval in September 2009, incorporating all the changes to the current by-law as noted in the report to the Finance, Administration and Corporate Services Committee from the Director of Information Services/City Clerk dated June 9, 2009 based on cost recovery with an annual fee review, with the exception of a citizen appeals committee.

On September 28, 2009 City Council passed the new business licensing by-law. At that time a comprehensive cost recovery formula was established which includes, inspection, application and renewal rates.

Rates are derived on costs directly attributable to inspections, application and enforcement. Council at that time also approved a 20% corporate administrative overhead fee for costs such as legal, court and technological support services to enable the business license process to be financially sustainable, until such time as Finance develops a Corporate Administration Charge back calculation.

Fees for subsequent years are based on the current year actual expenditures and include staff compensation costs to process the applications, conduct inspections, ongoing by-law enforcement, and fleet costs. The cost of the vehicle is calculated according to the average time for an inspection. This means, for example, that if a fire service inspection takes one hour for a particular category of business, the rate is one hour of the compensation rate for that person, plus the cost of one hour vehicle rate for fire services.

The net result in actual costs to process business licences in 2011 over 2010 was nominal, given the recession measures 2010. Fees were not increased in 2011 given staffing costs remained stable in 2010 due to the recession measures taken in 2010 related to staffing costs (i.e. a 2% reduction in the overall salary budget). There were also no increases in vehicle rates in 2010 over 2009. As a result, Council did not increase the business licence fees for 2011.

Business license fees in 2012 are proposed to change due to inflationary increases in costs associated with staff time, and in particular vehicle use and fuel charges.

The City's 2011 budget reinstated the recession measures related to the staffing/payroll budget, and included negotiated salary increases for various employee groups, including for those performing work related to Business Licences. Also, vehicle charges which include fuel prices have increased significantly since 2010. Increases in vehicle costs per hour are as high as 28%. The 2012 business licence fees therefore reflect a cumulative increase from 2010 and 2011 of costs associated with inspections and administration. The average of this cumulative increase is 6%. The increases to each category vary depending on the average time required per inspection from each inspecting authority, in addition to the rate per hour for the vehicle, and the overhead cost.

The fee continues to include a 20% overhead cost, fixed at the 2009 rate, which was directed by Council to be added to the licensing fees, as the Corporate Administration Charge back calculation has not yet been determined.

Staff has researched other comparable municipalities with regard to their fees and have found that they do not have a comprehensive cost recovery formula similar to the one which is in place in the City of Guelph. Some have a mix of quasi cost recovery for administrative charges only, or for compensation and no vehicle costs, and most do not include overhead costs. In addition, most municipalities that set some cost recovery mechanisms do not re-evaluate them annually. When the Business licence by-law was passed in 2009 the fees were set with the expectation that business licence fees would pay for the cost of processing the business licence. Council directed that an annual review of fees be brought forward for approval so that the business licence fees would continue to be sustainable and not affect the tax base.

CORPORATE STRATEGIC PLAN

This report supports the following goals in the strategic plan:

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

FINANCIAL IMPLICATIONS

Business licensing fees are calculated on a full cost recovery basis, therefore , no additional revenue will be realized from the proposed 2012 business license fees.

DEPARTMENTAL CONSULTATION/CONCURRENCE

Operations-Fleet Services, By-law Compliance & Security, Financial Services, and Human Resources were consulted.

COMMUNICATIONS

An ad inviting the public to submit comments or speak at the September 12, 2011 CAFES meeting and tentatively the September 26 Council meeting was placed in the Guelph Tribune on August 25, 2011 in compliance with the Public Notice Provisions Policy. All background information and reports are available on the City of Guelph website and the reports are available at ServiceGuelph.

ATTACHMENTS

Schedule A – Current (2011) Schedule of Fees & Proposed (2012) Schedule of Fees

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Schedule A – Current (2011) & Proposed (2012) Schedule of Fees

Business	Current Fee for Application for Inspection	Proposed Fee
Adult Entertainment Establishment	246.00	262.00
Adult Entertainment Retail Establishment	215.00	227.00
Amusement Establishment	232.00	251.00
Bed & Breakfast	172.00	182.00
Catering Company	217.00	229.00
Food Premises	248.00	263.00
Food Vehicle	158.00	162.00
Holistic Services - Owner	280.00	298.00
Holistic Services – Operator/Practitioner	n/a	n/a
Hotel Establishment	271.00	291.00
Pawnbroker	170.00	182.00
Personal Services Establishment	205.00	216.00
Private Parking Agent	60.00	60.00
Public Assembly Hall	248.00	263.00
Street Vendor	158.00	162.00

Business	Current Fee for Business Licence Application	Proposed Fee
Adult Entertainment Establishment	142.00	165.00
Adult Entertainment Retail Establishment	142.00	165.00
Amusement Establishment	112.00	134.00
Bed & Breakfast	112.00	134.00
Catering Company	112.00	134.00
Food Premises	112.00	134.00
Food Vehicle	112.00	134.00
Holistic Services - Owner	112.00	134.00
Holistic Services – Operator/Practitioner	181.00	206.00
Hotel Establishment	112.00	134.00
Pawnbroker	112.00	134.00
Personal Services Establishment	112.00	134.00
Private Parking Agent	112.00	134.00
Public Assembly Hall	112.00	134.00
Street Vendor	142.00	165.00

Business	Current Fee for Renewal businesses	Proposed Fee
Adult Entertainment Establishment	195.00	223.00
Adult Entertainment Retail Establishment	195.00	223.00
Amusement Establishment	135.00	146.00
Bed & Breakfast	137.00	149.00
Catering Company	151.00	159.00
Food Premises	151.00	159.00
Food Vehicle	171.00	196.00
Holistic Services - Owner	201.00	227.00
Holistic Services – Operator/Practitioner	150.00	177.00
Hotel Establishment	195.00	207.00
Pawnbroker	76.00	86.00
Personal Services Establishment	171.00	196.00
Private Parking Agent	76.00	86.00
Public Assembly Hall	151.00	159.00
Street Vendor	201.00	227.00

COMMITTEE REPORT



TO Corporate Administration, Finance & Emergency Services Committee

SERVICE AREA Downtown Renewal – The Office of the CAO

DATE September 12, 2011

SUBJECT Downtown Façade Improvement Grant & Feasibility Study Grants – 2011 (Second Award)

REPORT NUMBER 11-07

RECOMMENDATION

That the Downtown Renewal report, dated September 12, 2011, regarding the Downtown Community Improvement Plan Façade Improvement Grants & Feasibility Study Grants, BE RECEIVED,

AND THAT the second round of awards for the Downtown Façade Improvement Grants and Feasibility Study Grants for 2011 be awarded as listed in Appendix A attached to this report, for a total City of Guelph commitment of \$60,864.21 towards 6 applications.

BACKGROUND

The Façade Improvement Grant provides for a matching grant from \$10,000 to a maximum of \$30,000 per façade or storefront to improve or restore a building's façade. The Feasibility Study Grant provides a matching grant of up to \$5,000 per property and assists businesses and property owners determine if building renovations or upgrades are physically and financially feasible.

The 2011 Downtown Façade Improvement and Feasibility Study Grant program was open for applications in April and May 2011. At the conclusion of the application process, 29 applications were received. At the July 4th, 2011 Council Planning meeting, Council awarded the first award of Downtown Façade Improvement Grants and Feasibility Study Grants for a total City of Guelph commitment of \$124,506.03 towards 12 applications.

During the review of the initial list of submissions, staff found a large percentage of submissions required additional review due to building code issues identified on each property and policy guidelines in the CIP. Staff set these 12 submissions aside and reviewed the remaining 17 submissions for the first award of the grants. In the first round, 3 submissions were not eligible to receive funding from the grant program due to outstanding financial issues and non-conformity to City's sign bylaw.

At the end of this additional review process, staff determined that it could move forward and review these 12 additional submissions for the Façade Improvement Grants.

REPORT

These 12 proposals were then evaluated and ranked by staff representing Downtown Renewal, Heritage and Urban Design for the quality of the proposed improvements. Overall consideration was given to improvements to the retail/business environment, built heritage restoration and conformity to the City's urban design guidelines. Developed as part of the eligibility criteria described in the CIP, the Urban Design / Downtown Private Realm Manual review weightings were:

- 15% Building restoration impact
- 25% Quality of design and materials proposed
- 20% Aesthetic improvement to the building
- 25% Improvement to the streetscape (impact)
- 5% Quality of the application

Recommended Façade Improvement Applications for September 2011:

Appendix A lists the 6 applications that are recommended for award. These projects scored above 55% against the criteria. Applications that scored below 55% required additional consultation and/or were not substantial improvements.

CORPORATE STRATEGIC PLAN

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

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

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

Goal 3: *A diverse and prosperous local economy*

- 3.2 *One of Ontario's top five and Canada's top ten places to invest.*
- 3.6 *The city as a tourist destination of choice.*

FINANCIAL IMPLICATIONS

Available 2011 funding for CIP Program Delivery is \$35,493.97. There is also \$42,046.43 carried forward from 2010 CIP program delivery.

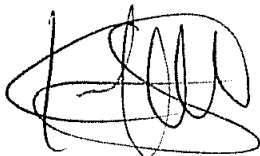
In total, there is \$77,540.40 available for this program. The total amount recommended for this second award is \$60,864.21.

DEPARTMENTAL CONSULTATION

Financial Services
Legal Services
Realty Services
Policy Planning and Urban Design
Building Services
Zoning

COMMUNICATIONS

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



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APPENDIX A
Recommended Façade Improvement Grants & Feasibility Study Grant
 September 2011

	#	Street	Proposed Improvement	Construction Total	Grant Request	Score (%)
1	27	Quebec St	Repair stone/woodwork, painting	\$25,200.00	\$10,000.00	70%
2	97-99	Wyndham St	Replace glass blocks, new windows/frames	14,036.30	\$7,018.15	65%
3	93	Wyndham St. N	Repair brick/stone/wood and Painting	\$34,088.00	\$10,000.00	64%
4	133	Wyndham St	Repointing/cleaning, Signage, painting	\$38,525.00	\$10,000.00	63%
5	30-42	Quebec St	Paint and wash building, repair stonework and brickwork	\$22,800.00	\$10,000.00	59%
6	90	Carden St	New windows	\$27,692.12	\$13,846.06	55%
			TOTALS Investment Ratio (Private : City dollars)	2.6 : 1	\$60,864.21	

COMMITTEE REPORT



TO Corporate Administration, Finance and Emergency Services Committee

SERVICE AREA Financial Services

DATE September 12, 2011

SUBJECT Capital Account to pay for Stormwater Drainage oversizing in Subdivisions

REPORT NUMBER

RECOMMENDATION

"THAT Council approve the creation of a new 2011 Capital account to pay for stormwater drainage oversizing in new residential subdivisions, as outlined in this Report dated September 6, 2011, with funding to come from the Stormwater DC Reserve Fund".

BACKGROUND

Under the City's Local Service Policy, the developer pays the cost of municipal services in new subdivisions, while the City pays the cost of oversizing, if oversizing of roads, storm drainage, watermain and sanitary sewers is required in a subdivision. The oversizing limits are stipulated in the Local Service Policy for each servicing category. Funding for oversizing is collected through development charges and estimated amounts are included the DC Background Studies as part of the calculation of the development charge.

REPORT

The 2008 DC Background Study includes allocations for oversizing of municipal services in new subdivisions.

In the 2011 Capital Budget, provision for oversizing was made specifically with respect to the Hanlon Creek Business Park subdivision to pay for oversizing of roads, storm drainage, watermain and sanitary sewers. This was necessary in order to finalize the subdivision and cost-sharing agreements that the City has since entered into with private developers.

No specific allocation was made, in the 2011 Capital Budget, for oversizing in residential subdivisions, given the uncertainty, at the time of budget preparation, about subdivisions with oversizing requirement going into construction. There was also the possibility of using the Hanlon Creek Business Park oversizing funds as a contingency source.

Subdivision development activity has turned out to be significantly higher this year compared to past years and the level of activity is expected to continue through the rest of the year and into early 2012. Some of the new residential subdivisions that are ready to go into construction and for which agreements have to be finalized require oversizing for storm drainage for a total amount of \$300,000.

Storm drainage work will have to be undertaken in 2011 on Grange Road (serving two new abutting subdivisions) and in two subdivisions at the south end, one subdivision to the west of the Hanlon Expressway, and one subdivision north of Woodlawn Road.

The tender has closed for the work on Grange Road and abutting subdivisions, and the tender process will commence soon for others. These are subdivision contracts funded by developers and City funds, from development charges, are needed only when oversizing is involved. Given the amounts involved it will not be appropriate to use the Hanlon Creek Business Park accounts for these works.

Staff are, therefore, requesting Council authorization to create a new Capital Account in the 2011 Capital Budget for the amount of \$300,000 to make payment for storm drainage oversizing in new subdivisions. The funding for the storm drainage Account will come from the Stormwater DC Reserve Fund.

CORPORATE STRATEGIC PLAN

This project supports:

- Goal #1: An attractive, well functioning and sustainable city
- Goal #2: A healthy and safe community where life can be lived to the fullest

FINANCIAL IMPLICATIONS

Funding for the new Capital Account will come from the Stormwater DC Reserve Fund. The Stormwater DC Reserve Fund currently has a negative balance. However, drawing for the new account is permitted as long as the cumulative balance for each category of service remains positive. The cumulative DC Reserve Fund for hard services (including stormwater) is forecast to remain positive through 2011 year end, including this new funding requirement.

DEPARTMENTAL CONSULTATION

Financial Services and Engineering Services

COMMUNICATIONS

N/A

ATTACHMENTS

N/A

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**CONSENT REPORT OF THE
OPERATIONS & TRANSIT COMMITTEE**

September 26, 2011

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

Your Operations & Transit Committee beg leave to present their SEVENTH
CONSENT REPORT as recommended at its meeting of September 12, 2011.

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

1) Temporary Allowance of Exotic Animals

THAT the Operations & Transit Committee Report `Temporary Allowance of
Exotic Animals' OT071147 dated September 12, 2011 be received;

AND THAT an exemption to By-law (1998)-12960 be granted to allow exotic
animals (maximum of four reindeer) within the City limits during the Annual
Winter Lights and Music event.

2) Animal Control Violations on University of Guelph Lands

THAT Operations and Transit Committee Report `Animal Control Violations on
University Lands' OT071144 dated September 12, 2011 be received;

AND THAT staff be directed to bring forward a By-law amendment to Council
amending the Animal Control By-law to appoint the University of Guelph
Campus Community Police as an authorized enforcement agency of the
Animal Control By-law within the University of Guelph lands.

All of which is respectfully submitted.

Councillor Findlay, Chair
Operations & Transit Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE
AGENDA FOR THE SEPTEMBER 12, 2011 MEETING.***

COMMITTEE REPORT



TO **Operations and Transit Committee**

SERVICE AREA Operations & Transit
DATE September 12, 2011

SUBJECT Temporary Allowance of Exotic Animals
REPORT NUMBER OT071147

SUMMARY

Purpose of Report:

To request an exemption from the Exotic Animals By-law Number (1988)-12960 to have exotic animals within the City limits during the annual Winter Lights and Music event.

Council Action:

Grant an exemption from By-law Number (1988)-12960 to allow exotic animals (maximum of four reindeer) within the City limits during the 2011 Winter Lights and Music event.

RECOMMENDATION

THAT the Operations & Transit Committee Report Temporary Allowance of Exotic Animals OT071147 dated September 12, 2011 be received.

AND THAT an exemption to By-law (1988)-12960 be granted to allow exotic animals (maximum of four reindeer) within the City limits during the Annual Winter Lights and Music event.

BACKGROUND

Each November, the Guelph Downtown Business Association and a number of businesses participate and support the City's Winter Lights and Music Event. This annual event is attended by a number of residents and highlights the downtown. As part of the festivities, Santa Claus and his reindeer interact with children on the property owned by Old Quebec Street.

REPORT

To promote this event, staff are recommending an exemption to the Exotic Animals Bylaw for up to four reindeer be granted, provided, as per normal conditions, the exotic animals are properly monitored by professionals throughout the event and that their well being is checked by the Humane Society before the start of the event.

Staff acknowledge the processing of exemptions to the Exotic Animals By-law could be a delegated authority. As such staff will bring forward an amendment to the Delegation By-law with respect to this matter for Council's consideration early in 2012.

CORPORATE STRATEGIC PLAN

Goal 4: A vibrant and valued arts, culture and heritage identity.

FINANCIAL IMPLICATIONS

There is no financial implication to the City

DEPARTMENTAL CONSULTATION

Guelph Humane Society

COMMUNICATIONS

N/A

ATTACHMENTS

N/A



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COMMITTEE REPORT



TO **Operations and Transit Committee**

SERVICE AREA Operations and Transit – Bylaw Compliance and Security
DATE September 12, 2011

SUBJECT Animal Control Violations on University of Guelph Lands

REPORT NUMBER OT071144

SUMMARY

Purpose of Report:

To provide Council with information regarding a proposed amendment to the Animal Control Bylaw to authorize staff of the University of Guelph Campus Community Police to enforce animal control violations within University lands.

Council Action:

To receive report and to direct staff to bring forward an amendment to the Animal Control Bylaw to Council.

RECOMMENDATION

THAT Operations & Transit Committee Report Animal Control Violations on University of Guelph Lands OT071144 dated September 12, 2011 be received;

AND THAT staff be directed to bring forward a Bylaw amendment to Council amending the Animal Control Bylaw to appoint the University of Guelph Campus Community Police as an authorized enforcement agency of the Animal Control Bylaw within the University of Guelph lands.

BACKGROUND

The City's Animal Control Bylaw which applies to all land within the City of Guelph can only be enforced by staff of the Guelph Humane Society, Guelph Police Service and Bylaw Compliance staff of the Operations and Transit Service Area.

While the University of Guelph Campus Community Police (UGCCP) is the primary agency patrolling the University lands, the agency is not appointed under the City's Animal Control Bylaw and as such UGCCP staff have no authority to issue charges related to the City's Animal Control Bylaw.

REPORT

In response to the increasing number of animal control violations occurring on University lands, specifically dog's off leash on University walking trails and areas in and around the Arboretum, the UGCCP have requested that they be included as an enforcing agency under the City's Animal Control Bylaw.

Amending the Animal Control Bylaw to include UGCCP as an authorized enforcing agency will result in effective enforcement by allowing UGCCP staff to proactively address minor animal control issues through the issuance of Provincial Offence Notices (tickets) or Summons to those violating the City's Animal Control Bylaw.

It should be noted that the Guelph Humane Society and Guelph Police will continue to be involved in situations where the seizure of an animal may be required or in cases involving a threat to public safety (i.e. dog bites). Further, the appointment of UGCCP as an enforcing agency will not affect the ability of the Guelph Humane Society, Guelph Police or Bylaw Compliance staff to routinely patrol, investigate concerns or issue animal control charges within the University lands.

CORPORATE STRATEGIC PLAN

2.4 The lowest crime rate and best emergency services record of any comparable-sized Canadian city

6.1 Coordinated management of parks, the natural environment and the watershed

FINANCIAL IMPLICATIONS

Court Services would be required to prosecute animal control charges that are disputed and all revenue generated through fines issued by the UGCCP would be returnable to the City of Guelph.

DEPARTMENTAL CONSULTATION

Legal Services
Court Services
Guelph Humane Society
Guelph Police Services



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**CONSENT REPORT OF THE
PLANNING & BUILDING, ENGINEERING AND ENVIRONMENT COMMITTEE**

September 26, 2011

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

Your Planning & Building, Engineering and Environment Committee beg leave to present their SIXTH CONSENT REPORT as recommended at its meetings of September 19, 2011.

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

1) Sign By-law Variance for 133 Woodlawn Road East (Guelph Country Club)

THAT report 11-83 regarding a sign variance for 133 Woodlawn Road East from Planning & Building, Engineering and Environment, dated September 19, 2011, be received;

AND THAT the request for a variance from the Sign By-law for 133 Woodlawn Road East to permit a mobile sign for four separate thirty-day periods per year, be approved.

2) Efficient Home Visit Pilot Program

THAT the Planning & Building, Engineering and Environment report dated September 19, 2011 entitled Efficient Home Visit Pilot Program be received;

AND THAT Council authorize the Executive Director of Planning & Building, Engineering and Environment to execute an agreement for \$43,750 with Guelph Environmental Leadership (GEL) for delivery of the Efficient Home Visit Pilot Program, subject to the satisfaction of the Executive Director of Planning & Building, Engineering and Environment and the City Solicitor;

AND THAT staff be directed to report back to the Planning & Building, Engineering and Environment Committee as a part of the annual Water Conservation Program Progress Report on program participation and water savings achieved through the Efficient Home Visit Pilot Program.

3) Municipal Property and Building Commemorative Naming Annual Report

THAT Report 11-66, dated September 19, 2011 from Planning & Building, Engineering and Environment, regarding the Commemorative Naming Committee's recommendations on naming City assets be received;

AND THAT Northview Subdivision Park – 83 Wideman Boulevard be named Northview Park;

AND THAT Cityview Subdivision Park – 32 Cedarview Avenue be named Cedarvale Avenue Park;

AND THAT Kortright East Subdivision Park – 11 Sweeney Drive naming be deferred to 2012;

AND THAT the Trans Canada Trail – GJR/City Lands (Eramosa Road to Norwich Street, Marcon Street to Speedvale Avenue, be named Gus Stahlmann Trail;

AND THAT the Intermodal Transit Terminal – Carden Street East, be named Guelph Central Station;

AND THAT the proposed renaming of York Road Park – 85 York Road to Jessica's Footprint Memorial Park or Jessica Durigon Memorial Park not be adopted;

AND THAT staff and the Naming Committee consider alternative opportunities for recognizing the legacy of Jessica's Footprint in our community.

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 19, 2011 MEETING.***

COMMITTEE REPORT



TO Planning & Building, Engineering and Environment
Committee

SERVICE AREA Planning & Building, Engineering and Environment
DATE September 19, 2011

SUBJECT SIGN BY-LAW VARIANCE FOR 133 Woodlawn Road East
(Guelph Country Club)

REPORT NUMBER 11-83

SUMMARY

Purpose of Report: To obtain Council approval for permission to allow a mobile sign for four separate thirty day periods per year at 133 Woodlawn Road East.

Council Action: Decide whether to approve the request for a variance from the Sign By-law for 133 Woodlawn Road East.

RECOMMENDATION

"THAT Report 11-83 regarding a sign variance for 133 Woodlawn Road East from Planning & Building, Engineering and Environment, dated September 19, 2011, be received;

AND THAT, the request for a variance from the Sign By-law for 133 Woodlawn Road East to permit a mobile sign for four separate thirty day periods per year, be approved."

BACKGROUND

Guelph Country Club has submitted a sign variance application to allow a mobile sign for four separate times per year at 133 Woodlawn Road East (see Schedule A-Location Map). The property is zoned P.5 Park in the Zoning By-law No. (1995)-14864. The Sign By-law No.(1996)-15245 in Table 4, Row 1 does not permit mobile signs in properties zoned P.5

REPORT

The Guelph Country Club has requested to permit a mobile sign for four separate thirty day periods to advertise various facilities and events. Mobile signs are only permitted in Commercial, Industrial and Institutional zones for four separate consecutive thirty day periods and are not permitted in the P.5 Park zone. The requested mobile sign would be located on the Woodlawn Road East entrance in an approved location.

The Country Club is a multi service year round facility that wants to have advertising opportunities on site on the same level as their direct competition. The Country Club did receive approval of a variance to permit one mobile sign for one thirty day period through Report 03-47 in 2003.

The requested variance is as follows:

Mobile Sign (P.5 Park Zone)	By-law Requirements	Request
	Mobile signs not permitted	To allow for a mobile sign for four separate thirty day periods per year

The requested variance from the Sign By-law for four thirty day mobile signs is recommended for approval because:

- Although this business is located in a P.5 Park zone, the operations are of a commercial business (golf, curling and banquet facilities).
- The signage is temporary in nature and would allow for mobile sign advertising opportunities for a long established business.

CORPORATE STRATEGIC PLAN:

An attractive, well functioning and sustainable city

FINANCIAL IMPLICATIONS: N/A

DEPARTMENTAL CONSULTATION: N/A

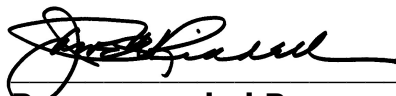
COMMUNICATIONS: N/A

ATTACHMENTS

Schedule A - Location Map

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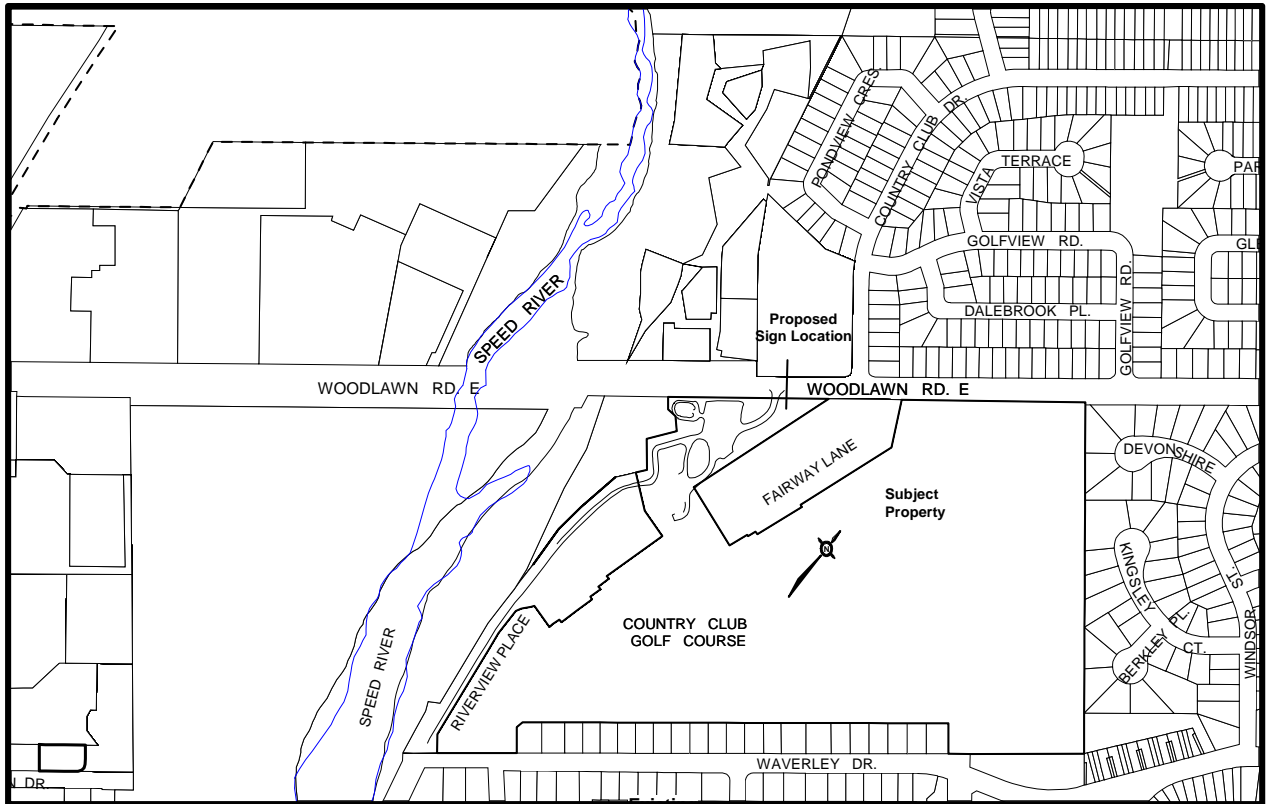
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SCHEDULE A- LOCATION MAP



COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment
Committee**

SERVICE AREA Planning & Building, Engineering and Environment
DATE September 19, 2011

SUBJECT Efficient Home Visit Pilot Program
REPORT NUMBER

SUMMARY

Purpose of Report:

To provide Council with an overview of the Efficient Home Visit Pilot Program and to seek Committee’s endorsement regarding next steps.

Council Action:

To receive the report entitled Efficient Home Visit Pilot Program, authorize the Executive Director of Planning & Building , Engineering and Environment to execute an agreement with Guelph Environmental Leadership to deliver the program, and to direct staff to report back on program outcomes.

RECOMMENDATION

“THAT the Planning & Building, Engineering and Environment report dated September 19, 2011 entitled Efficient Home Visit Pilot Program be received;

AND THAT Council authorize the Executive Director of Planning & Building, Engineering and Environment to execute an agreement for \$43,750 with Guelph Environmental Leadership (GEL) for delivery of the Efficient Home Visit Pilot Program, subject to the satisfaction of the Executive Director of Planning & Building, Engineering and Environment and the City Solicitor;

AND THAT staff be directed to report back to the Planning & Building, Engineering and Environment Committee as a part of the annual Water Conservation Program Progress Report on program participation and water savings achieved through the Efficient Home Visit Pilot Program.”

BACKGROUND

The City of Guelph strives to be a leader in water conservation and efficiency. As one of Canada’s largest communities reliant solely on a finite groundwater source, our ability to reclaim precious water capacity through conservation offers numerous

benefits for facilitating future community growth and maintaining affordability of water services for rate payers.

Water and wastewater servicing capacity reclaimed through conservation is the most cost-effective and immediately available source of new water supply and wastewater treatment capacity. Since 1999, when Council approved the first Water Conservation and Efficiency Strategy, 1,870 m³/day of average day capacity has been saved, allowing the City to delay the need for approximately \$7.5 million in additional infrastructure at a savings of \$3.9 million. In addition, since implementation of the Outside Water Use Program in 2003, we have reduced our annual peak day water use (the highest daily demand for water each year) by over 18,000 m³/day, thus reducing the infrastructure required to meet peak demand.

In May 2009, Council endorsed the Water Conservation and Efficiency Strategy Update (WCESU). This award-winning strategy identified preferred program, policy and resource requirements for achieving a further reduction of 8,773 m³/day by 2019, as well as for achieving the aggressive reduction targets of the Water Supply Master Plan, Water and Wastewater Master Servicing Study, Wastewater Treatment Master Plan, Community Energy Initiative and Council's Strategic Plan.

To date, staff have worked to implement numerous program recommendations of the WCESU, including but not limited to the Blue Built Home Program and the recognized Greywater Reuse Rebate Program, as well as establishing an ongoing Water Conservation Public Advisory Committee. As part of the WCESU implementation plan it was recommended that the City develop a program to visit homes and conduct water audits and small fixture replacement, the benefits of which are outlined below. This represents the final recommendation required to achieve full implementation of the WCESU.

Due to the inherent link between water and energy efficiency, as emphasized in the City's Community Energy Initiative (CEI), this pilot program aims to help Guelph residents conserve both water and energy in their homes. Utilizing an efficient partnership model, this pilot will draw upon the expertise of an established local non-profit organization for program delivery, thus enabling the City to work alongside community partners toward meeting shared conservation goals.

Staff are pleased to provide the following report summarizing the final implementation measure of the WCESU – the Efficient Home Visit Pilot Program.

REPORT

Service Overview

The Efficient Home Visit Pilot Program service will consist of in-home water and energy audits as well as installation of energy and water efficient devices. During a 6-month pilot assessment period, from October 1, 2011 to March 31, 2012, this initiative will be implemented in one pilot neighbourhood, with a goal of completing audits at 250 homes through the program.

Residents in the pilot neighbourhood will be able to schedule a visit by phone or online, and the visits will be conducted by a team of two trained Home Efficiency Advisors at no charge to the homeowner. Completion of an Efficient Home Visit appointment will take approximately 45 minutes, and will include:

- Inspection and flow testing of faucet aerators and showerheads, and installation of water-efficient models if required;
- Brief inspection for obvious water leakage (i.e., toilets);
- Personalized information on City water conservation rebate programs that may be applicable (i.e., floor drain, humidifier, washing machine, etc.);
- Provision and installation of energy-efficient CFL bulbs as desired by the homeowner, and;
- Other energy and water saving components that may be identified through consultation with project partners.

Upon completion of the visit, participants will receive a report card summarizing audit findings and recommended next steps, as well as documenting the energy and water savings resulting from device retrofits.

Program Eligibility

For purposes of the pilot program it is required that participants meet the following eligibility criteria:

- Live within the pilot neighbourhood;
- Reside in a detached, semi-detached or townhouse/row house, and have permission from the owner;
- Serviced via the City of Guelph municipal water and wastewater system;
- Serviced via Guelph Hydro Electric Systems Inc.; and
- Serviced via the Union Gas Limited natural gas network.

Pilot Neighbourhood Selection

The Hanlon Creek Neighbourhood (bounded by the Hanlon Expressway, Stone Rd., Gordon St., and Kortright Rd.) has been selected as the pilot area for this program based on a number of criteria. Analysis of water and energy intensity mapping tools already developed by the City reveals that this neighbourhood exhibits somewhat increased household water and energy use. It also contains a majority of single-family residential housing built prior to 1996, meaning that many homes are likely to require fixture upgrades. High quality baseline data is also available for this area, which will allow for accurate measurement and analysis of program results.

A neighbourhood-based pilot approach will allow this program to target a specific area of community need while enabling staff and partners to gain insight into the factors that influence participation in household conservation initiatives, which will guide future conservation programming offered by the City and CEI partners.

Service Delivery Model

A partnership approach serves to leverage existing community assets in order to further shared sustainability goals. In alignment with Council's desire to empower local non-profit groups and to limit duplication of efforts through WCESU

implementation, a community partnership model will be utilized for program delivery. As such, this service will be delivered by Guelph Environmental Leadership (GEL) under the banner of the Green Impact Guelph (GIG) program. Funding and resources will be provided by local utilities, specifically Union Gas Limited (provide household efficiency devices – approx. \$10,000 value) and Guelph Hydro Electric Systems Inc. (providing CFL bulbs – approx. \$12,500 value), as well as the City’s Water Services Division (\$43,750 for program planning and delivery).

Rationale for Pilot Program Implementation Approach

Offering this service on a pilot scale will enable project partners to evaluate the impact of and interest in this service and form recommendations regarding full scale implementation. Staff will report back through Planning & Building, Engineering and Environment Committee following completion of the pilot phase to share findings and seek approval for program expansion, if appropriate.

Anticipated Water and Energy Savings

Based on the business case provided as part of the WCESU, water savings resulting from device retrofits are anticipated to be 209 L per day per household. With a target of 250 participants, household savings are estimated to be 52,250 L per day, or approximately 19 million L per year. This does not account for further water savings resulting from increased participation in existing City rebate programs (as recommended through the home audits) or to behavioural changes stemming from personalized education delivered through this pilot. With respect to energy co-benefits, Union Gas officials estimate that installation of their showerheads and faucet aerators will result in an average savings of 92 m³ of natural gas annually, which equals a 173 kg reduction in CO₂ emissions per year per participant.

To evaluate actual water and energy savings, program partners will be completing home consumption analysis following pilot completion. Staff will report on these results within the Water Conservation Program’s Annual Progress Report.

Promotions and Marketing

Promotions will be conducted within the pilot area using flyers, posters, and door-hangers as well as through collaboration with the Hanlon Creek Neighbourhood Group and other community groups/institutions (schools, churches, etc.).

CORPORATE STRATEGIC PLAN

1. An attractive, well-functioning and sustainable city.
5. A community-focused, responsive and accountable government.
6. A leader in conservation and resource protection/enhancement.
- 6.5 Less energy and water per capita use than any comparable Canadian city.

FINANCIAL IMPLICATIONS

Funding for the 2011 Water Conservation Project is within the Council-approved 2011 Water and Wastewater User Pay Operating Budget.

DEPARTMENTAL CONSULTATION

Community & Social Services - Community Engagement & Social Services
Corporate Administration – Community Energy Initiative and Corporate
Communications
Corporate & Human Resources - Legal Services

COMMUNICATIONS

A communications plan in support of this program is currently under development.

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COMMITTEE REPORT

TO	Planning & Building, Engineering and Environment Committee
SERVICE AREA	Planning & Building, Engineering and Environment
DATE	September 19, 2011
SUBJECT	Municipal Property and Building Commemorative Naming Annual Report
REPORT NUMBER	11-66

SUMMARY

Purpose of Report:

- To provide a report from the Commemorative Naming Policy Committee (Naming Committee) recommending names for new City owned assets.

Council Action:

- To decide whether to approve the report recommendations.

RECOMMENDATION

THAT Report 11-66, dated September 19, 2011 from Planning & Building, Engineering and Environment, regarding the Commemorative Naming Committee's recommendations on naming City assets be received;

AND THAT the names and recommendations proposed by the Naming Committee for assets listed in Appendix 1, be approved.

BACKGROUND

This report provides recommendations from the Naming Committee on naming particular City owned assets, as per the Council approved Naming Policy. As an annual report, all procedures, financial implications and operating support have been established through interdepartmental consultation.

REPORT

For 2011, the Naming Committee has prepared an Asset Naming List of recommended names for four new City owned assets, as well as a recommendation to defer the naming of one new asset to 2012 and a recommendation regarding a request to rename an existing asset (Appendix 1).

The five new assets to be named were made public in early 2011 as part of the required public process of the Naming Policy. The five new assets to be named in 2011 are located in (1)Northview Subdivision(park), (2)Cityview Heights

Subdivision(park), (3)Kortright East Subdivision(park), (4)Trans Canada Trail (trail) and (5)Intermodal Transit Terminal(downtown terminal).

The Asset Naming List also includes the re-naming submission and provides reasons for not recommending this request.

In some cases, assets either did not receive a specific name request or no submitted names were considered suitable. In these instances, the Naming Committee has included its own name recommendation. In the case of one asset, Kortright East Subdivision Park, no names were submitted by the public, nor did the Naming Committee believe any of the names existing on the Name Reserve List were appropriate for the asset. The Naming Committee is recommending that Kortright East Subdivision Park be placed on the 2012 new assets list and the public be requested to again submit names for this park. This is with the hope that once more people are living within the surrounding neighbourhood that more interest will be given to naming this asset.

Along with the Proposed Asset Naming List, the Naming Committee has a Name Reserve List (Appendix 2) for submitted names that qualify but were not recommended for one of the 2011 assets to be named. The Reserve List is for the use of the Naming Committee in instances where assets to be named in any given year receive no submissions or any appropriate submissions from the public. If a name is not chosen by the Committee from the Reserve List, the Committee will recommend a proposed name based on their own research.

Public Process: As per the Naming Policy Procedures, a public notice was posted in the fourth quarter of 2010 on the City of Guelph website and in the Tribune, informing residents of the Municipal Property and Building Commemorative Naming Policy and future opportunities to name City owned assets in the new year. In March 2011, the Committee made public five new assets to be named, via the City of Guelph website and Tribune advertisements (Appendix 3) and invited submissions from the public to name them or any other City owned asset yet to be named, as per the Naming Policy Submission requirements.

The Committee received thirty-five(35) new submissions from thirty-one (31) residents and had one(1) existing submission from one(1) resident from the prior year (2010). Eight(8) of the thirty-six(36) submissions requested that the name be given consideration to any of the five assets or a future asset, at the discretion of the Naming Committee. Further, of the five(5) assets listed in 2011, one(1) did not receive any public naming proposal (Kortright East Subdivision) and one asset received only one proposal (Northview Subdivision)(Appendix 4). The Committee believe that the submission for Northview Subdivision was not appropriate and therefore are recommending another name for consideration. The Naming Committee also contends that none of the names submitted for the Cityview Subdivision, were appropriate, nor were any of the miscellaneous submissions considered appropriate. In turn, the Committee has recommended its own name for this asset as well.

As noted above, The Naming Committee also received a request to rename an existing asset, York Road Park. A Renaming Request requires a submission to include all considerations of a typical Naming Request, plus a Petition of community support, or direction from City Council. In this case, a Petition, which was received, encompassed names from the surrounding neighbourhood within 120m of the existing asset (same notice requirement of the *Planning Act* for rezonings). Recognizing that established names contribute significantly to community identity and pride, proposals to rename existing municipal property, buildings and features must be predicated by exceptional circumstances. Renaming an asset also incurs additional costs associated with new signage and public notification, budgeted from a Parks Operating Account. The submission received was complete as per the requirements of the Policy. A copy of the Petition and letters of support are available from the Clerks Department.

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

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

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

Any financial implications associated with the four named assets for 2011 (e.g. signage) will be accounted for by the applicable approved capital budget. Any financial implications associated with the renaming of an asset for 2011 (e.g. signage, public notification) will be accounted for by a Parks Operating Account.

DEPARTMENTAL CONSULTATION

Corporate Communications
Operations – Parklands and Greenways

COMMUNICATIONS

Individuals who have made formal naming submissions that are being recommended by the Naming Committee, and the individual who has requested the renaming of the existing asset, have been notified of the date when this report will be considered by the Planning & Building, Engineering and Environment Committee. They have the option to be a delegation.

ATTACHMENTS

Appendix 1 – Proposed Asset Names List by the Naming Committee
Appendix 2 – Name Reserve List
Appendix 3 – Public Process (Website and Tribune Advertisement)

Appendix 4 – Naming Submissions List
Appendix 5 – York Road Park Map

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Recommended By:

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Appendix 1 – Proposed Asset Names List by the Naming Committee



ASSET NAMING LIST

Asset 1#

Northview Subdivision Park – 83 Wideman Boulevard

PROPOSED NAME: **NORTHVIEW PARK** (submitted by the Naming Committee)
- **RECOMMENDED**

RATIONALE: The park is located in the north-east section of the development with an unobstructed view 'true north' over an adjacent Storm Water Management Pond and Conservation Lands beyond.

Asset 2#

Cityview Subdivision Park – 32 Cedarview Avenue

PROPOSED NAME: **CEDARVALE AVENUE PARK** (submitted by the Naming Committee)
- **RECOMMENDED**

RATIONALE: Named after the street fronting the park, Cedarvale Avenue was named by John Galt in 1856 for its topography as 'a low wet area' noted in the book, Origins of Street Names (1827-2003).

Asset 3#

Kortright East Subdivision Park – 11 Sweeney Drive

PROPOSED NAME:
- **RECOMMENDED
FOR DEFERRAL TO 2012**

Asset 4#

Trans Canada Trail – GJR/ City Lands (Eramosa Road to Norwich Street, Marcon Street to Speedvale Avenue)

PROPOSED NAME: **GUS STAHLMANN TRAIL** (submitted by the public)
- **RECOMMENDED**

RATIONALE: Mr. Stahlmann provided 34 years of service to the City of Guelph and its residents, retiring in 2007 as Director of Parks and Recreation. He was a leader in the formation of many of Guelph's trails and outdoor systems, including the Royal Recreational Trail and Trails Master Plan, as well as numerous open spaces and parks. He was also a key player in the renovations of Hasting Stadium, the creation of the Evergreen Seniors Centre and River Run Centre.

The Naming Committee would also like to recommend that the future section of Trans Canada Trail to be implemented north of Woodlawn Road to the City boundary, also be named after Gus Stahlmann.

Appendix 1 – Proposed Asset Names List by the Naming Committee (cont'd)

Asset 5#

Intermodal Transit Terminal – Carden Street East

PROPOSED NAME: **GUELPH CENTRAL STATION** (submitted by the public)

- **RECOMMENDED**

RATIONALE: In partnership with GO/Metrolinx, VIA Rail, Greyhound and Guelph Transit, the name needed to have a strong connection to its location/community (e.g. Guelph), be unique with no other variations of the name to be used now or in the future (e.g. Central Station), yet simple to remember and work well from an Operational standpoint (e.g. next stop – “Guelph Central Station”). All Partners are in support of this recommended name.

Renaming Request

York Road Park – 85 York Road

PROPOSED RE-NAMING: **JESSICA’S FOOTPRINT MEMORIAL PARK** or

JESSICA DURIGON MEMORIAL PARK (submitted by the public)

- **NOT RECOMMENDED**

RATIONALE:

- York Road Park, named after the street that fronts it – York Road; was the first and only road that connected Guelph to the old town of York, now known as Toronto. York Road was named sometime around 1828 by the Canada Company. The Naming Committee believe there would be a level of history and geographic significance lost if the ‘York Road Park’ name is changed (Appendix 5).
 - The Foundation, Jessica’s Footprint, that has used this park six times in the past as a gathering space for their annual fundraising walk, has recently announced they will no longer be having a ‘walk in the park’; that they are moving onto other ventures as noted in a news article in the Guelph Mercury dated May 11, 2011. The Naming Committee does not believe that the link between Jessica or the Foundation and the Park is strong enough to justify a renaming, especially if there is no longer an annual reminder, such as the ‘walk in the park’, to keep the spirit and understanding as to why the Park has been named after Jessica or the Foundation .
 - The Naming Committee is apprehensive to name a public park after a private foundation formed to memorialize the untimely death of a young child.
-

Appendix 2 - Name Reserve List

RESERVE LIST

#	Submitted Name	Year Submitted	Asset Request (if any)
1	Clifford Ian Chappel	2010	Miscellaneous
5	Tiger Dunlop Park	2010	Eastview Landfill
6	Admiral Kingsmill Park	2010	Eastview Landfill
7	John Smith Park	2010	Eastview Landfill
8	Callander Family Park	2010	Eastview Landfill
9	John Sanvido H2O Park	2010	City Hall/POA
10	Sister Christine Leyser Square	2010	City Hall/POA
11	Robert Munsch Story Time Park	2010	Miscellaneous
12	Anne-Marie Zajdik Park	2010	Miscellaneous
13	Jim Garrow Park	2010	Miscellaneous
14	Larry Kelly Hall	2010	Hall in the New Museum
16	Gil Steiter Park	2010	Miscellaneous
18	Edward Johnson	2010	59 Carden St. Entrance Plaza
19	NO NAMES ADDED IN 2011		

Appendix 3 – Public Process (Website and Tribune Advertisement)

CALL FOR SUBMISSIONS

Don't miss your chance to suggest names for some of Guelph's new and existing facilities.

As part of the City's new Municipal Property and Building Commemorative Naming Policy, residents are invited to suggest names for new and existing assets.

Submissions are due by Friday, March 25.

This year, the Naming Committee will consider new names for three parks, a section of the Trans-Canada Trail and the new inter-modal transit terminal. For naming requirements and submission guidelines visit guelph.ca/parks.

For more information
Rory Barr Templeton, Landscape Planner
 Planning & Building, Engineering and Environment
 T 519-822-1260 x 2436
 E rory.templeton@guelph.ca

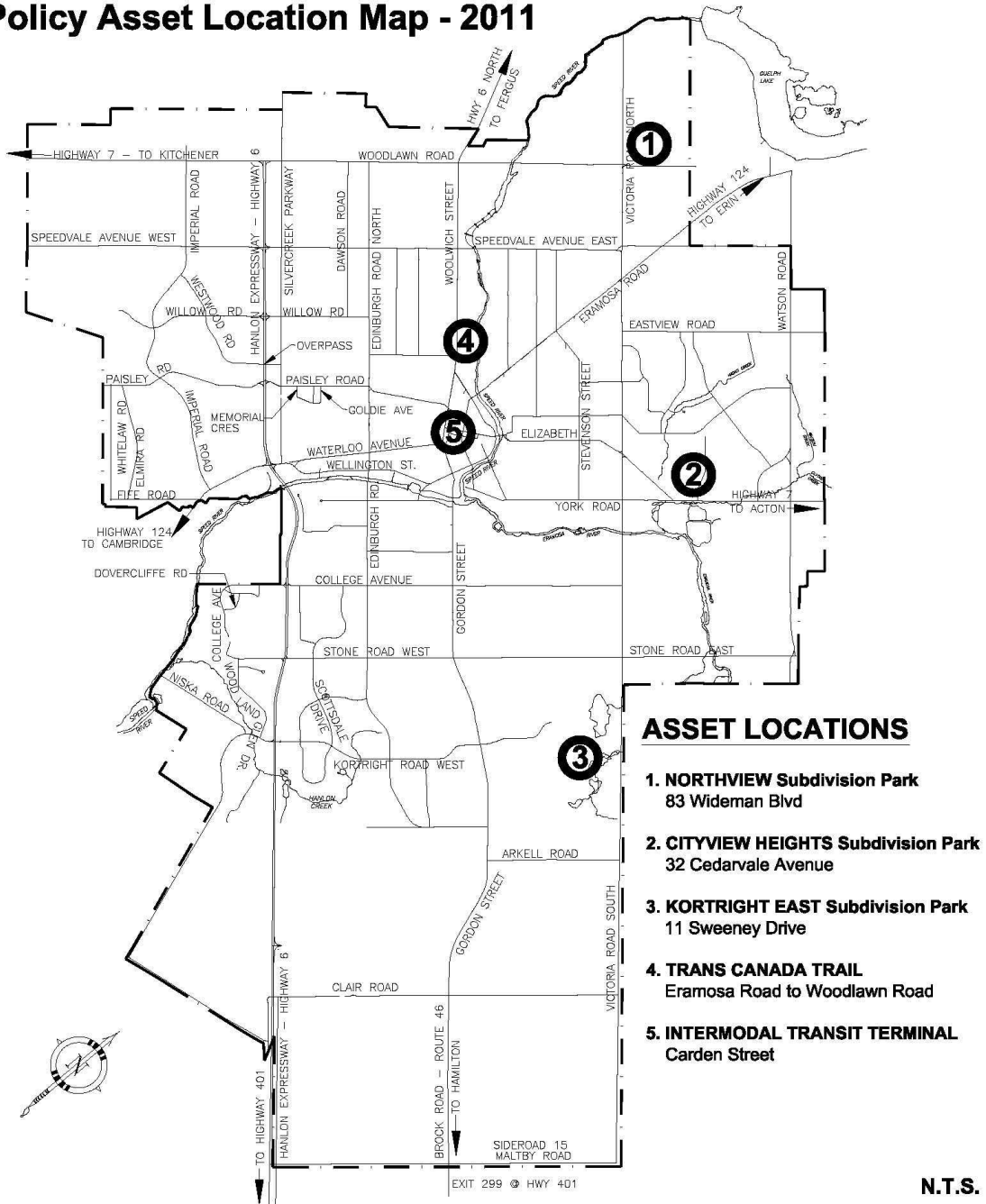
Municipal Property and Building Commemorative Naming Policy Asset Location Map - 2011

ASSET LOCATIONS

1. **NORTHVIEW** Subdivision Park
83 Wideman Blvd
2. **CITYVIEW HEIGHTS** Subdivision Park
32 Cedarvale Avenue
3. **KORTRIGHT EAST** Subdivision Park
11 Sweeney Drive
4. **TRANS CANADA TRAIL**
Eramosa Road to Woodlawn Road
5. **INTERMODAL TRANSIT TERMINAL**
Carden Street

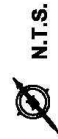
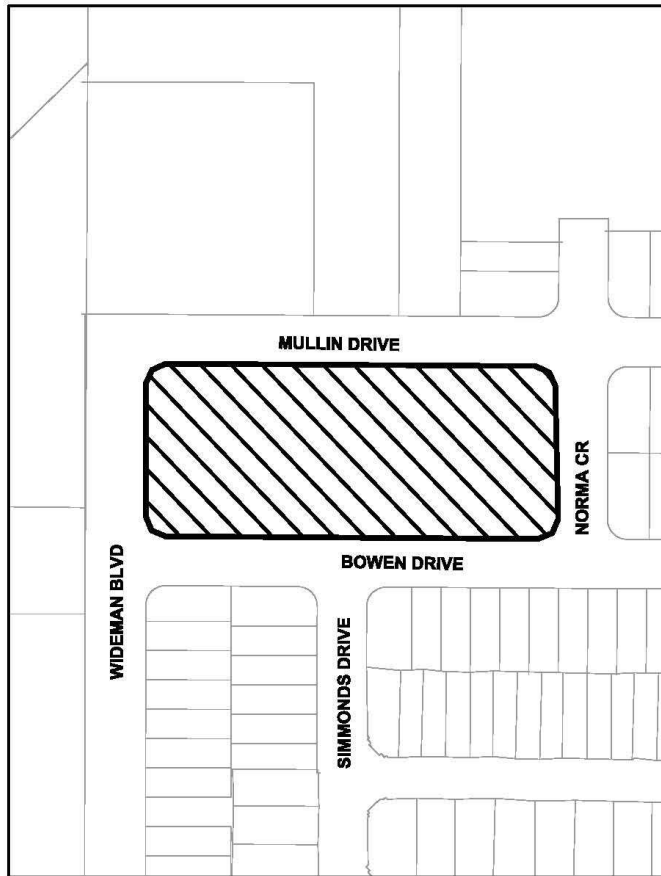
N.T.S.

Municipal Property and Building Commemorative Naming Policy Asset Location Map - 2011



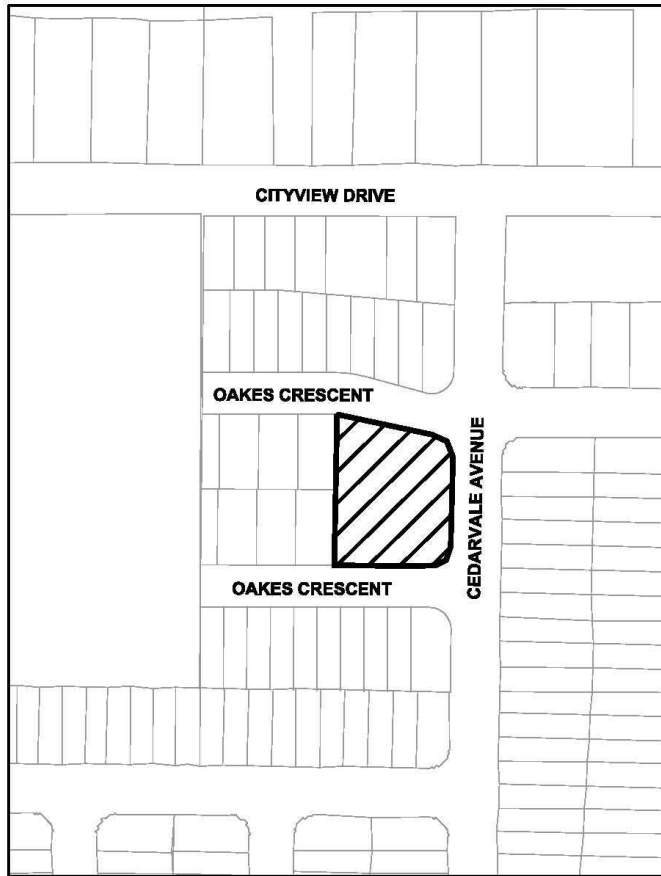
**NORTHVIEW SUBDIVISION PARK
83 WIDEMAN BLVD**

LOCATED IN THE NORTH EAST
CORNER OF THE CITY, IN THE
WOODLAWN ROAD AND VICTORIA
ROAD AREA (WARD 1), WITH ACCESS
FROM VICTORIA ROAD, THE PARK HAS
A P2 ZONING (NEIGHBOURHOOD
PARK). APPROXIMATELY 2.88 ACRES,
IT IS BORDERED ON ALL FOUR SIDES
BY STREETS.



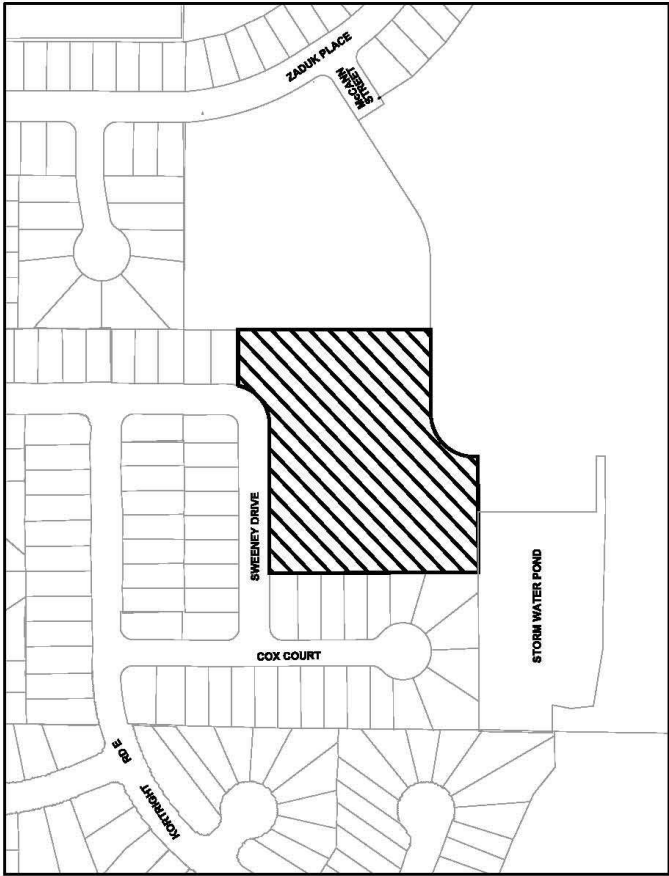
**CITYVIEW HEIGHTS SUBDIVISION PARK
32 CEDARVALE AVENUE**

LOCATED ON THE EAST SIDE OF THE CITY, IN THE GRANGE ROAD AND CITYVIEW DRIVE AREA (WARD 2), WITH ACCESS FROM CITYVIEW DRIVE, THE PARK HAS A P2 ZONING (NEIGHBOURHOOD PARK), APPROXIMATELY 0.64 ACRES, IT IS BORDERED ON THREE SIDES BY STREETS.

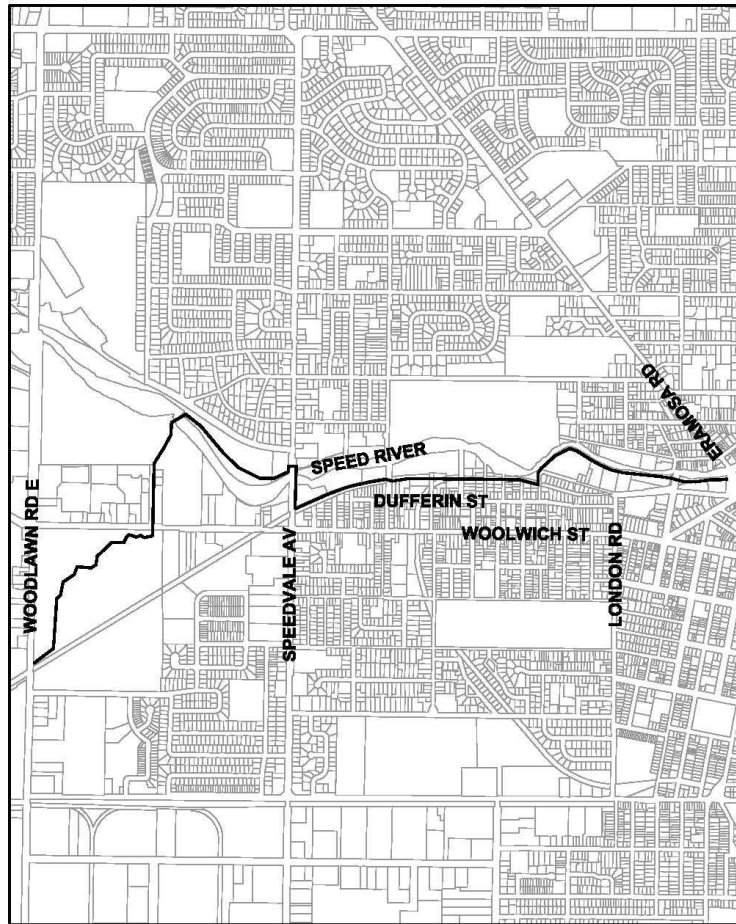


**KORTRIGHT EAST SUBDIVISION PARK
11 SWEENEY DRIVE**

LOCATED IN THE SOUTH END OF THE CITY, IN THE KORTRIGHT ROAD AND VICTORIA ROAD AREA (WARD 6), WITH ACCESS FROM VICTORIA ROAD, THE PARK HAS A P2 ZONING (NEIGHBOURHOOD PARK), APPROXIMATELY 4.92 ACRES, IT HAS FRONTAGE ALONG SWEENEY DRIVE.



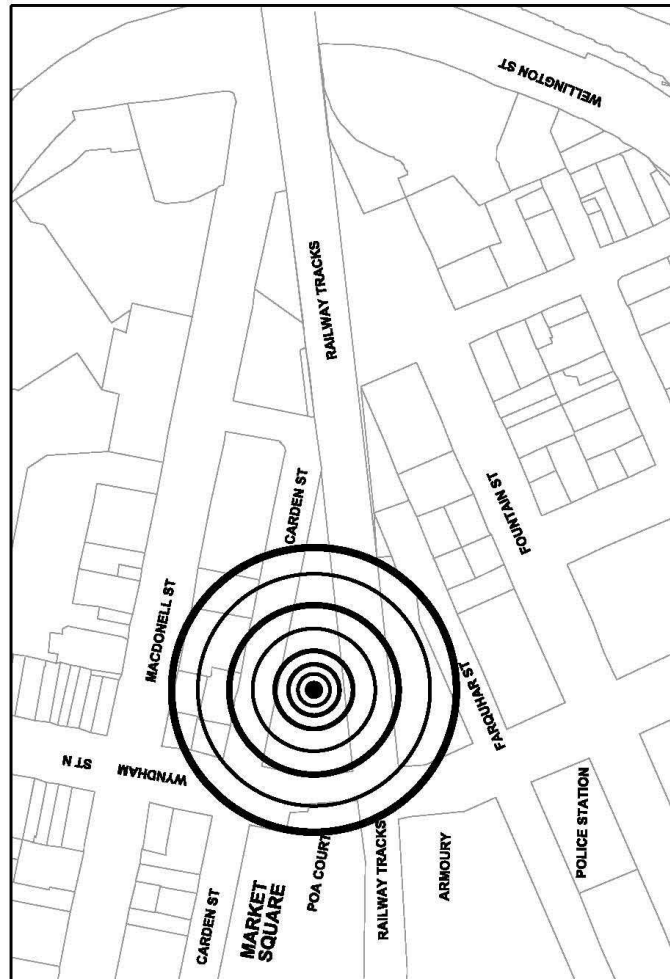
TRANS CANADA TRAIL



STRETCHING FROM ERAMOSA ROAD TO WOODLAWN ROAD, THIS SECTION OF THE TRANS CANADA TRAIL MAKES ITS WAY ALONG THE GUELPH JUNCTION RAIL WAY LANDS, AS WELL AS THROUGH GOLDIE MILL PARK, JOSEPH WOLFOND PARK, HERB MARKLE PARK, RIVERSIDE PARK AND THE WOODLAWN CEMETERY. THE NEW SECTIONS OF TRAIL ARE PAVED FOR MULTI-USE AND YEAR ROUND ENJOYMENT. THIS SECTION OF THE TRAIL IS APPROXIMATELY 4 KM LONG



**INTERMODAL TRANSIT TERMINAL
CARDEN STREET**



TO BE LOCATED ON THE SOUTH-EAST CORNER OF CARDEN STREET AND WYNDHAM STREET NORTH (DOWNTOWN), THE AREA WILL BE A HUB FOR MANY MEANS OF PUBLIC TRANSPORTATION. GUELPH BUS SERVICE; GREY HOUND BUS SERVICE, VIA TRAIN SERVICE AND GO / METROLINX SERVICE WILL ALL EVENTUALLY OPERATE OUT OF NEW FACILITIES FROM BOTH THE NORTH AND SOUTH SIDES OF THE EXISTING RAILWAY LANDS.

NOTE: THE APPROVAL PROCESS FOR THIS NAMING WILL ALSO INCLUDE OUR PARTNERS - GO/METROLINX, VIA, GREYHOUND AND GUELPH TRANSIT.

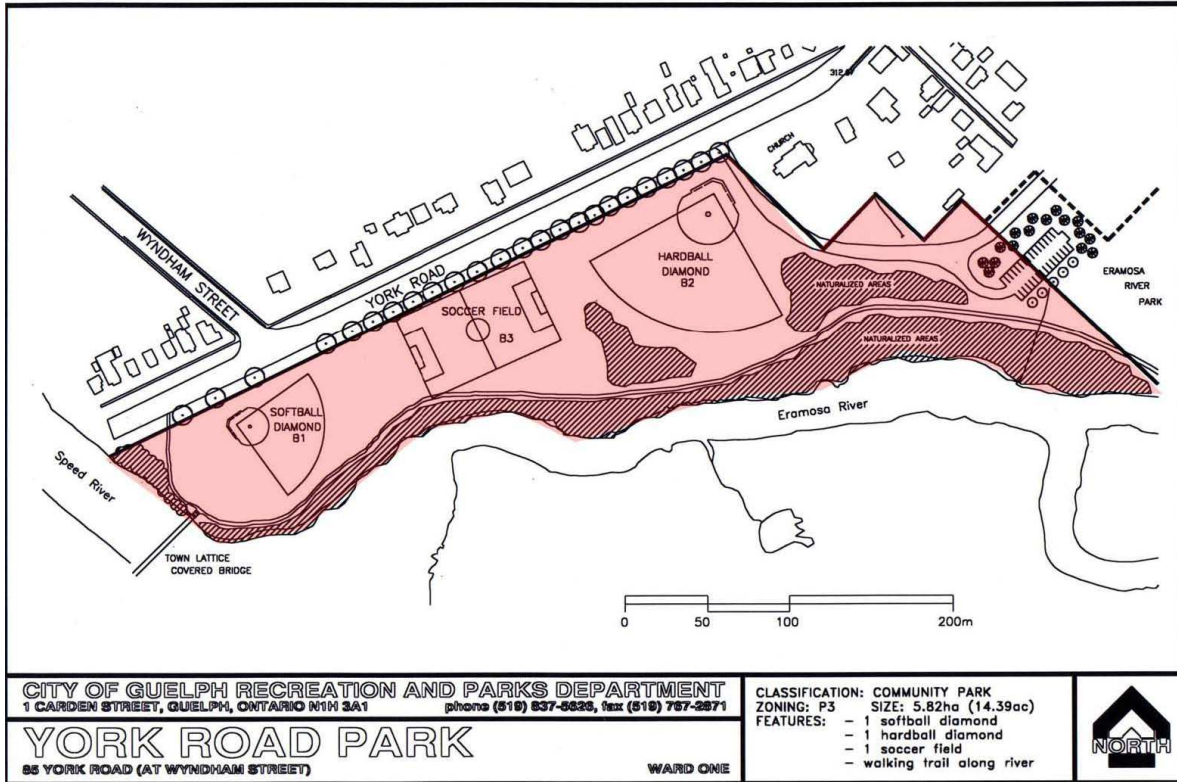


Appendix 4 – Naming Submissions List

NAMING SUBMISSIONS

2011 Submissions			
Asset #	#	Suggested Name	Location
1	1	Wildlife Corner Park	Northview Subdivision
2	2	Buddy Park	Cityview Subdivision
2	3	Laura Baily Park	Cityview Subdivision
2	4	Doreen Favaro Memorial Park	Cityview Subdivision
3	No Suggested Names Submitted by Public		
4	5	Trans-Canada - Speed River Trail	TCT
4	6	Henry Kock	TCT
4	7	Jack Haliburton Memorial Trail	TCT
4	8	Tiger Dunlop Trail	TCT
4	9	Garnet (Gary) Johnston	TCT
4	10	The Attawandaron Trail	TCT
4	11	The Fiddle-head Trail	TCT
4	12	Ruth Pollard Trans Canada Trail	TCT
4	13	J.Bruce Palmer	TCT (2010 Request)
5	14	John McCrae	Terminal
5	15	The Charles Prior Terminal	Terminal
5	16	The John Galt Transit Centre	Terminal
5	17	The GALT (Guelph and Area Links to Transit)	Terminal
5	18	Gateway to Guelph	Terminal
5	19	G-transit	Terminal
5	20	Guelphit [Guelph(trans)it]	Terminal
5	21	George A. Sleeman Transportation Centre	Terminal
5	22	Carden Street Easi-Go	Terminal
5	23	John Galt	Terminal
5	24	Paul Fendley	Terminal
5	25	The Rivers' Meeting Transit Hub	Terminal
5	26	The Green Miles Terminal	Terminal
5	27	The Old Quebec Bus Terminal	Terminal
5	28	Guelph Junction	Terminal
Misc.	29	Charlene Hartwell	N/A
Misc.	30	Alberta	N/A
Misc.	31	Eric Paul H. Niemann	N/A
Misc.	32	Terry Fox	N/A
Misc.	33	Jake Power	N/A
Misc.	34	Adrienne Roberts	N/A
Misc.	35	Gus Stahlmann	N/A
Misc.	36	Donald James Bower	N/A
Renaming	37	Jessica's Footprint Memorial Park or Jessica Durigon Memorial Park	York Park

Appendix 5 – York Road Park Map



Submission by Susan Frasson:

**Subject: Renaming Request
York Road Park – 85 York Road**
**Proposed Renaming: Jessica’s Footprint Memorial Park or
Jessica Durigon Memorial Park**

We recognize the historic significance of the naming of the road, but we do not believe that the park shares that same recognition. It is simply a park named after the road it fronts onto. There is no story that goes with the name. There is nothing inspirational about the name. Aside from identifying the park, its name has no other purpose.

There was purpose in Jessica's life, and in her death. The research done on Jessica’s tumour attracted worldwide attention and generated new medical breakthroughs.

There was purpose in our walk. The moneys raised have funded new technology to isolate cancer stem cells and funded research that has resulted in new drugs that prevent stem cells from growing.

There was, and still is purpose in her foundation. Jessie’s foundation has already made a difference in this community. It has united Guelph towards a common goal, like no other fundraiser in history. The park is where a group of average everyday citizens, from all walks of life, gathered together to create extraordinary results.

There is purpose in re-naming the park. We want to build on the foundation that has been created over the past 6 years. We want to keep that momentum going. We want to keep the excitement of Jessica's footprint alive. We want people to remember what they have accomplished in the past 6 years because we want to do it again.

We respectfully ask that you reconsider our request and give Jessica's Footprint a permanent presence in Guelph, so that her foundation can make difference in this community. There is no other asset in the City that directly ties Jessica to Guelph.

***Please note that of the hundreds of homeowners who were asked for their input on re-naming York Road Park, 99% signed requesting that the park name be changed to The Jessica Durigon Memorial Park or Jessica's Footprint Memorial Park.**

**CONSENT REPORT OF THE
COUNCIL IN CLOSED SESSION**

September 26, 2011

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

Your Council as Committee of the Whole beg leave to present their FOURTH
CONSENT REPORT as recommended at its meeting of July 25, 2011.

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

1) CITIZEN APPOINTMENTS TO THE CULTURAL ADVISORY COMMITTEE

THAT Catherine Alexander, Lynn Broughton, Ronald A. East, Reinhard Kypke, Greg Pinks, Anuradha Saxena, Elsa Stolfi, Nancy Sullivan and Sally Wismer be appointed to the Cultural Advisory Committee for a term ending November 2012.

2) CITIZEN APPOINTMENT TO THE DOWNTOWN ADVISORY COMMITTEE

THAT Will MacTaggart, Kirk Roberts, Tom Lammer, Doug Minnett, John Leacock, David Pell, Don O'Leary, Ken Hammill, Adrian Harding, Dawn Owen and Barbara Turley-McIntyre be appointed to the Downtown Advisory Committee for a term ending November 30, 2012.

All of which is respectfully submitted.

CONSENT AGENDA

September 26, 2011

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT	DIRECTION
<p>A-1) PURCHASE OF SEVEN (7) AUTOMATED GARBAGE PACKERS FROM CITY OF GUELPH CONTRACT NO. 11-088</p> <p>THAT Operations & Transit Council Report OT071148 Purchase of Seven (7) Automated Garbage Packers from City of Guelph Contract No. 11-088 be received;</p> <p>AND THAT Council authorize Finance to issue a purchase order to Joe Johnson Equipment, Innisfil, Ontario for the amount of \$1,901,998 (excluding taxes), for seven (7) automated garbage packers for delivery in 2012.</p>	Approve
<p>A-2) PROPOSED DEMOLITION OF 166 DUFFERIN STREET, WARD 2</p> <p>THAT Report 11-90 regarding the proposed demolition of a detached dwelling at 166 Dufferin Street, City of Guelph, from Planning & Building, Engineering and Environment dated September 26, 2011, be received;</p> <p>AND THAT the proposed demolition of the detached dwelling at 166 Dufferin Street be approved.</p>	Approve
<p>A-3) PROPOSED DEMOLITION OF 35 EMSLIE STREET, WARD 5</p> <p>THAT Report 11-89 regarding the proposed demolition of a detached dwelling at 35 Emslie Street, City of Guelph, from Planning & Building, Engineering and Environment dated September 26, 2011, be received;</p>	Approve

AND THAT 35 Emslie Street be removed from the City of Guelph's Municipal Register of Cultural Heritage Properties;

AND THAT the proposed demolition of the detached dwelling at 35 Emslie Street be approved.

A-4) **LITIGATION STATUS REPORT DATED SEPTEMBER 19, 2011**

Receive

THAT the Litigation Status Report dated September 19, 2011 be received for information.

B ITEMS FOR DIRECTION OF COUNCIL

C ITEMS FOR INFORMATION OF COUNCIL

attach.

COUNCIL REPORT



TO **Guelph City Council**

SERVICE AREA Operations & Transit
DATE September 26, 2011

SUBJECT PURCHASE OF SEVEN (7) AUTOMATED GARBAGE PACKERS FROM CITY OF GUELPH CONTRACT NO. 11-088

REPORT NUMBER OT071148

SUMMARY

Purpose of Report:

To seek Council approval for an expenditure of over \$1,500,000 as per City of Guelph Purchasing Bylaw.

Council Action:

Approve purchase of seven (7) automated garbage packers for delivery in 2012.

RECOMMENDATION

That Operations & Transit Council Report OT071148 Purchase of Seven (7) Automated Garbage Packers from City of Guelph Contract No. 11-088 be received:

AND THAT Council authorize Finance to issue a purchase order to *Joe Johnson Equipment*, Innisfil, Ontario for the amount of \$1,901,998 (excluding taxes), for seven (7) automated garbage packers for delivery in 2012.

BACKGROUND

Tender reference number 11-088 was for the purchase of fifteen (15) automated garbage packers (units), as and when required, for delivery between 2012-2014. Only one approved bidder responded to the tender. The approved bidder has met the technical requirements of the tender and therefore the bid is acceptable. The tender closed with the following results:

Vendor	Conformance to Specification	Unit Price	First Seven (7) units total
Joe Johnson Equipment	To Specification	\$271,714	\$1,901,998

REPORT

On March 3, 2011 Council approved the 2011 Budget which included the approval to purchase 15 automated garbage packers. The delivery schedule of these units is in accordance with planned fleet re-capitalization and will be as follows: seven (7) in 2012, five (5) in 2013 and three (3) in 2014. These garbage packers will be funded from capital project number WC0011. As the total cost of the first seven (7) units to be delivered in 2012 exceeds the maximum allowable spending authority of \$1,500,000, as stated in the City of Guelph Purchasing Bylaw, therefore Council approval is required to proceed with a contract.

CORPORATE STRATEGIC PLAN

6.4 Less waste per capita than any other comparable Canadian city.

FINANCIAL IMPLICATIONS

Funding for the first seven (7) automated garbage packers will come from capital project number WC0011.

DEPARTMENTAL CONSULTATION/CONCURRENCE

Waste Resource Centre, Financial Planning and Procurement Services have been consulted and concur with this report.

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment 1: Funding Summary



Prepared By:

Bill Barr
Manager of Fleet & Equipment,
Public Works
519-837-5628 ext 2003
bill.barr@guelph.ca



Recommended By:

Rodney Keller
General Manager,
Public Works
519-822-1260 x2949
rodney.keller@guelph



Recommended By:

Derek McCaughan
Executive Director,
Operations & Transit
519-822-1260 ext 2018
derek.mccaughan@guelph.ca

Budget and Financing Schedule

JDE Project number: WC0011
 Project name: **Automated Garbage Packers**
 Prepared by: Ron Maeresera
 Contract #: 11-088
 Date: 08/23/2011

	Total Cost	External Financing			Internal Financing		
		Federal Grant	Sale of Assets	Developer/ Other	Current Revenues	City Reserves	Debt
<u>A. Budget Approval & Additional Funding</u>							
WC0011	2,106,300	131,250	81,600	0	0	1,893,450	0
Budget Approval	2,106,300	131,250	81,600	0	0	1,893,450	0
<u>B. Budget Requirement</u>							
Tender Price: Joe Johnson Equipment (excl HST)	1,901,998						
Plus: HST Payble (calculated at 1.76%)	33,475						
City Share	1,935,473	120,605	74,982	0	0	1,739,886	0
plus: Expenditures to Date	0	0	0	0	0	0	0
plus: Committed Work on Existing POs & Contracts	0	0	0	0	0	0	0
plus: Future Work	0	0	0	0	0	0	0
TOTAL BUDGET REQUIREMENT	1,935,473	120,605	74,982	0	0	1,739,886	0
<u>C. Surplus / (Deficit)</u>	170,827	10,645	6,618	0	0	153,564	0
<u>D. Revised project budget</u>	1,935,473	120,605	74,982	0	0	1,739,886	0

TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment
DATE September 26, 2011

**SUBJECT Proposed Demolition of 166 Dufferin Street
Ward 2, Guelph**

REPORT NUMBER 11-90

SUMMARY

Purpose of Report:

To provide background and a staff recommendation related to a request for demolition approval for a detached dwelling.

Council Action:

Council to decide whether or not to approve the demolition request.

RECOMMENDATION

"THAT Report 11-90 regarding the proposed demolition of a detached dwelling at 166 Dufferin Street, City of Guelph, from Planning & Building, Engineering and Environment dated September 26, 2011, be received;

AND THAT the proposed demolition of the detached dwelling at 166 Dufferin Street be approved."

BACKGROUND

An application to demolish the existing detached dwelling at 166 Dufferin Street has been received by Planning & Building, Engineering and Environment. The application to demolish has been submitted due to the extensive termite damage within the existing dwelling.

The subject property is located on the southwest corner of Dufferin Street and Clarence Street, east of Woolwich Street (see Schedule 1 – Location Map). The property is zoned R.1B (Residential Single-Detached) Zone, which permits detached dwellings.

While the subject property is not designated under the *Ontario Heritage Act*, and while it has not been included in the City of Guelph's *Municipal Register of Cultural Heritage Properties* under Section 27 of the *Ontario Heritage Act*, the subject property is identified as a built heritage resource in the Couling Building Inventory.

Heritage Guelph considered the demolition of 166 Dufferin Street at their May 9, 2011 meeting and made the following recommendation:

“That Heritage Guelph has no objection to the owner’s intention to demolish the existing termite-infested house and rebuild at 166 Dufferin Street.”

Termite management has been an ongoing issue on the subject property, as it is located within the block designated as Sector 7 of the termite management area. Over the last four years of monitoring, this block has been the most active sector of the Guelph termite management area. Since 2007, City staff have been actively involved in termite remediation measures on the subject property, including habitat reduction, monitoring, trapping, and population suppression measures.

REPORT

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.

According to Part IV, Section 27 (subsection 3) of the *Ontario Heritage Act*, the listing of non-designated properties in the Heritage Register provides interim protection for sites undergoing change by requiring owners to provide the City with at least 60 days notice in writing of their intention to demolish or remove a building or structure on the property. As described earlier in this report, Heritage Guelph has been consulted and has passed a motion not objecting to the demolition of the existing building.

The proposed replacement is a two-storey detached dwelling with an attached double-car garage. The applicant has not yet finalized the design for the proposed replacement dwelling but has provided a conceptual drawing of what the new dwelling will look like (see Schedule 3 - Proposed Concept for Replacement Dwelling).

To prevent the spread of termites during the demolition of the dwelling, the City’s Termite Control Officer has advised the applicant that disposal of any materials will need to be done in accordance with the City’s Policy for Material Disposal from Termite Management Areas and a disposal permit will be required.

Also, to further mitigate the spread of termites on the property, City staff is currently investigating the possibility of removing the existing tree stumps along the Clarence Street right-of-way and installing a concrete or stacked concrete block wall to shore up the slope within the City right-of-way.

The City’s Termite Control Officer has also recommended that additional termite preventative measures will have to be utilized during the construction of replacement dwelling. However, such measures would depend on the type of construction proposed and will be detailed at the time when plans are submitted for a building permit.

The approval of the demolition application is recommended as the existing dwelling will be replaced with a new dwelling unit; therefore, there will be no loss of residential capacity proposed as a result of this application and the new dwelling can be constructed with termite preventative measures.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

None

COMMUNICATIONS

A sign was posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information.

ATTACHMENTS

Schedule 1 – Location Map

Schedule 2 – Site Photograph (August 2011)

Schedule 3 – Proposed Concept for Replacement Dwelling

Prepared By:

Rita Kostyan
Development Planner
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rita.kostyan@guelph.ca

Recommended By:

Robert Walters
Manager of Development Planning
519-837-5616, ext 2359
robert.walters@guelph.ca

Original Signed by:

Original Signed by:

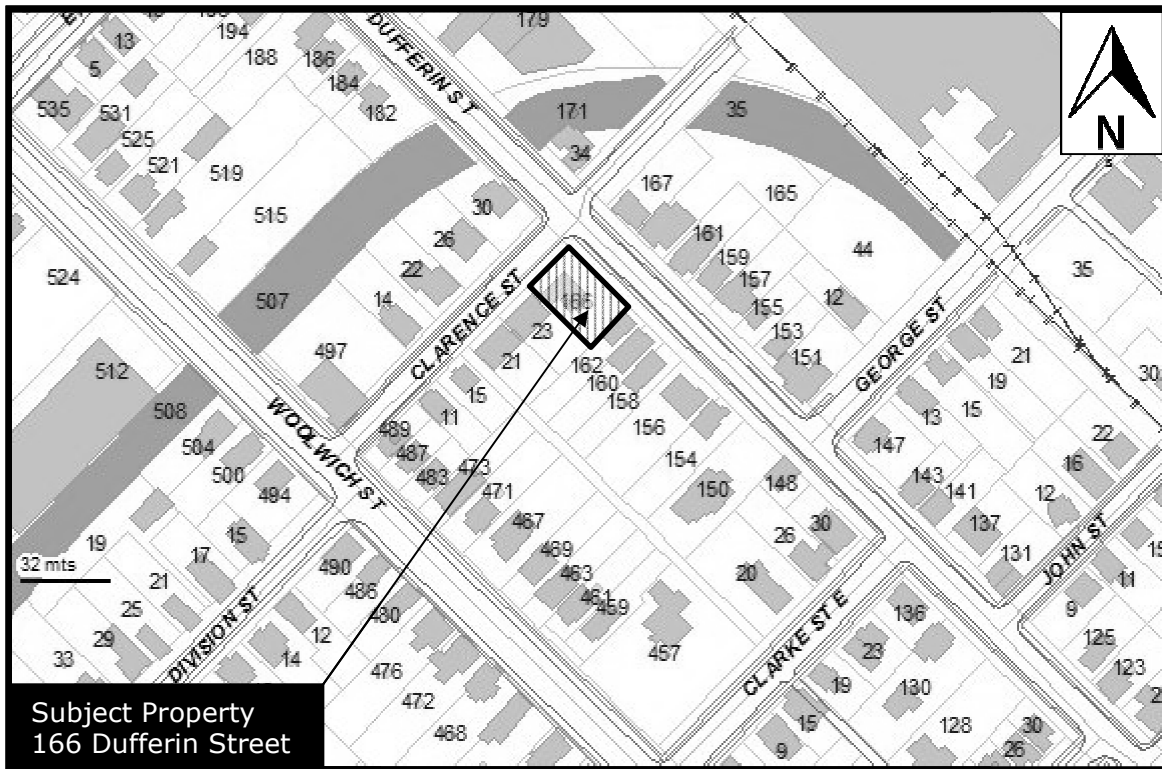
Recommended By:

James N. Riddell
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jim.riddell@guelph.ca

Recommended By:

Janet L. Laird
Executive Director
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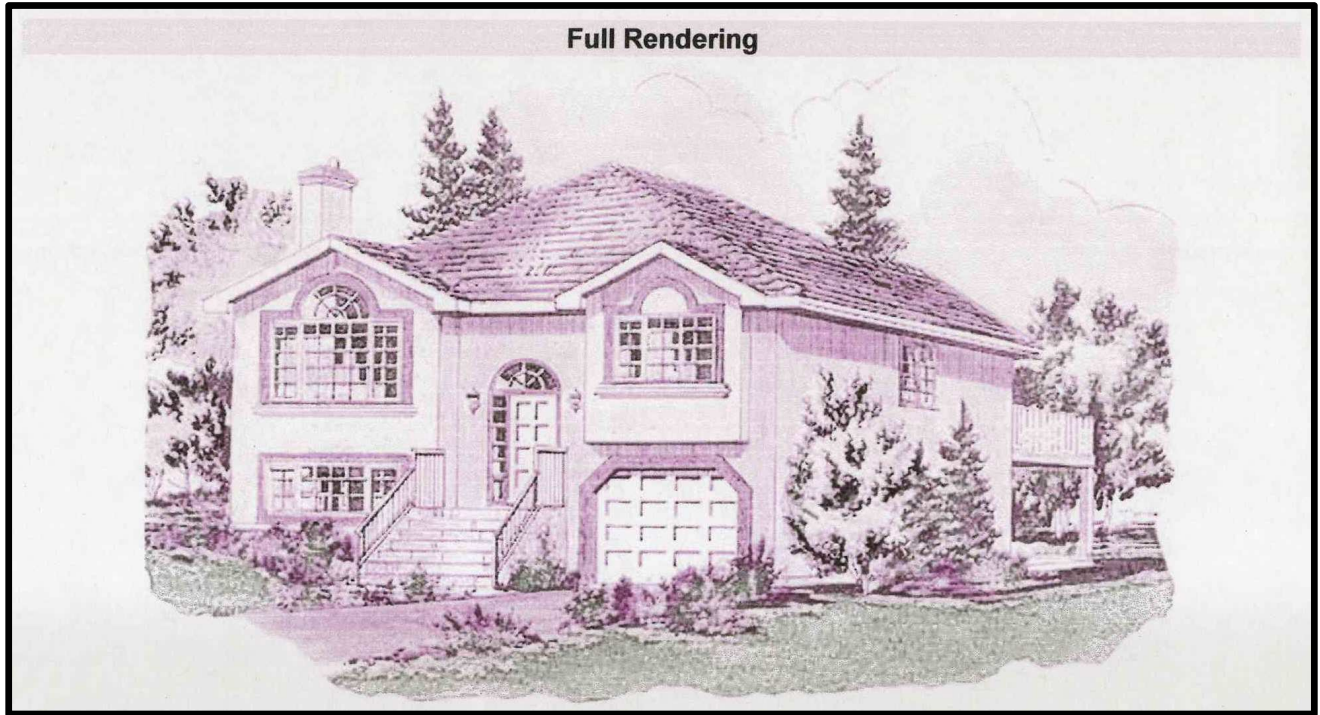
SCHEDULE 1 – Location Map



SCHEDULE 2 – Site Photograph (August 2011)



SCHEDULE 3 – Proposed Concept for Replacement Dwelling



TO **Guelph City Council**

SERVICE AREA Planning & Building, Engineering and Environment
DATE September 26, 2011

**SUBJECT Proposed Demolition of 35 Emslie Street
Ward 5, Guelph**

REPORT NUMBER 11-89

SUMMARY

Purpose of Report

To provide background and a staff recommendation related to a request for demolition approval for a detached dwelling.

Council Action

Council to decide whether to approve the demolition request.

RECOMMENDATION

"THAT Report 11-89 regarding the proposed demolition of a detached dwelling at 35 Emslie Street, City of Guelph, from Planning & Building, Engineering and Environment dated September 26, 2011, be received;

AND THAT 35 Emslie Street be removed from the City of Guelph's Municipal Register of Cultural Heritage Properties;

AND THAT the proposed demolition of the detached dwelling at 35 Emslie Street be approved."

BACKGROUND

An application to demolish the existing detached dwelling at 35 Emslie Street has been received by Planning & Building, Engineering and Environment.

The subject property is located on the northerly side of Emslie Street, east of McGee Street and west of Yorkshire Street South (see Schedule 1 – Location Map). The property is zoned R.1B (Residential Detached) which permits detached dwellings.

The existing dwelling on the property is a single-storey limestone cottage that was constructed c. 1855. Although the subject property is not a designated heritage property, it has been included on the City of Guelph's Municipal Register of Cultural Heritage Properties.

In the early part of 2011, the existing dwelling on the subject property was damaged by fire and as a result a demolition permit was received by City staff on June 23, 2011. Heritage Planning staff advised the applicant on June 29, 2011 that the existing dwelling had been included on the City of Guelph's Municipal Register of Cultural Heritage Properties and inquired about the reasoning for the proposed demolition. The applicant was also advised that Heritage Guelph would be required to make a recommendation to Council on the proposed demolition. Heritage Planning staff requested that the applicant submit written confirmation from a structural engineer detailing the post-fire condition of the existing building.

An opinion letter assessing the structural status of the existing dwelling was received from Brown & Beattie Building Science Engineering on July 12, 2011 recommending the demolition of the existing building due to the extensive fire damage. Upon receipt of the structural assessment for the existing dwelling, the applicant was advised that the proposed demolition request would be brought forward to the earliest Heritage Guelph meeting (August 8, 2011) and to the earliest Council meeting on September 26, 2011.

Heritage Planning staff gave a brief summary to Heritage Guelph as to the historical background and context of 35 Emslie Street as one of the original lots created by the subdivision of this block in 1856 by John Emslie who was a prominent Guelph stone mason. The cottage is one of several mid-19th century limestone houses constructed within the Emslie limestone quarry lands located between what is now Yorkshire, McGee and Bristol Streets and Waterloo Avenue.

Heritage Guelph considered the demolition of 35 Emslie Street at their August 8, 2011 meeting and made the following recommendation:

"THAT, due to the extent of fire-related damage that has occurred at 35 Emslie Street, Heritage Guelph accepts the structural engineer's recommendations (Brown & Beattie, dated June 29, 2011) that the house be demolished, provided that previous to demolition the original limestone building be photographically documented to the satisfaction of Heritage Planning staff and Heritage Guelph and that the limestone building materials (if reusable) be considered for salvage and either be incorporated into a future feature on the property or be made available for reuse in a manner deemed appropriate by Heritage Planning and Heritage Guelph."

Further, Heritage Planning staff and Heritage Guelph recommend that the subject property be removed from the City of Guelph's Municipal Register of Cultural Heritage Properties.

REPORT

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.

According to Part IV, Section 27 (subsection 3) of the Ontario Heritage Act the inclusion of non-designated properties in the Heritage Register provides interim protection for sites undergoing change by requiring owners to provide the City with at least 60 days notice of their intention to demolish or remove a building or structure on the property. As described earlier in this report, Heritage Guelph has been consulted and has passed a motion regarding the demolition of the existing building.

The proposed replacement dwelling is a bungalow with an attached single-car garage. The applicant has not yet finalized the design for the proposed replacement dwelling but has provided a conceptual drawing of what the new dwelling will look like (see Schedule 4 - Proposed Concept for Replacement Dwelling).

The approval of the demolition application is recommended as the existing house is to be replaced with a new dwelling unit, therefore there is no loss of residential capacity proposed as a result of this application.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

None

COMMUNICATIONS

A sign was posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information.

ATTACHMENTS

Schedule 1 – Location Map

Schedule 2 – Site Photograph (August 2011)

Schedule 3 – Proposed Site Plan

Schedule 4 – Proposed Concept for Replacement Dwelling

Prepared By:

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Recommended By:

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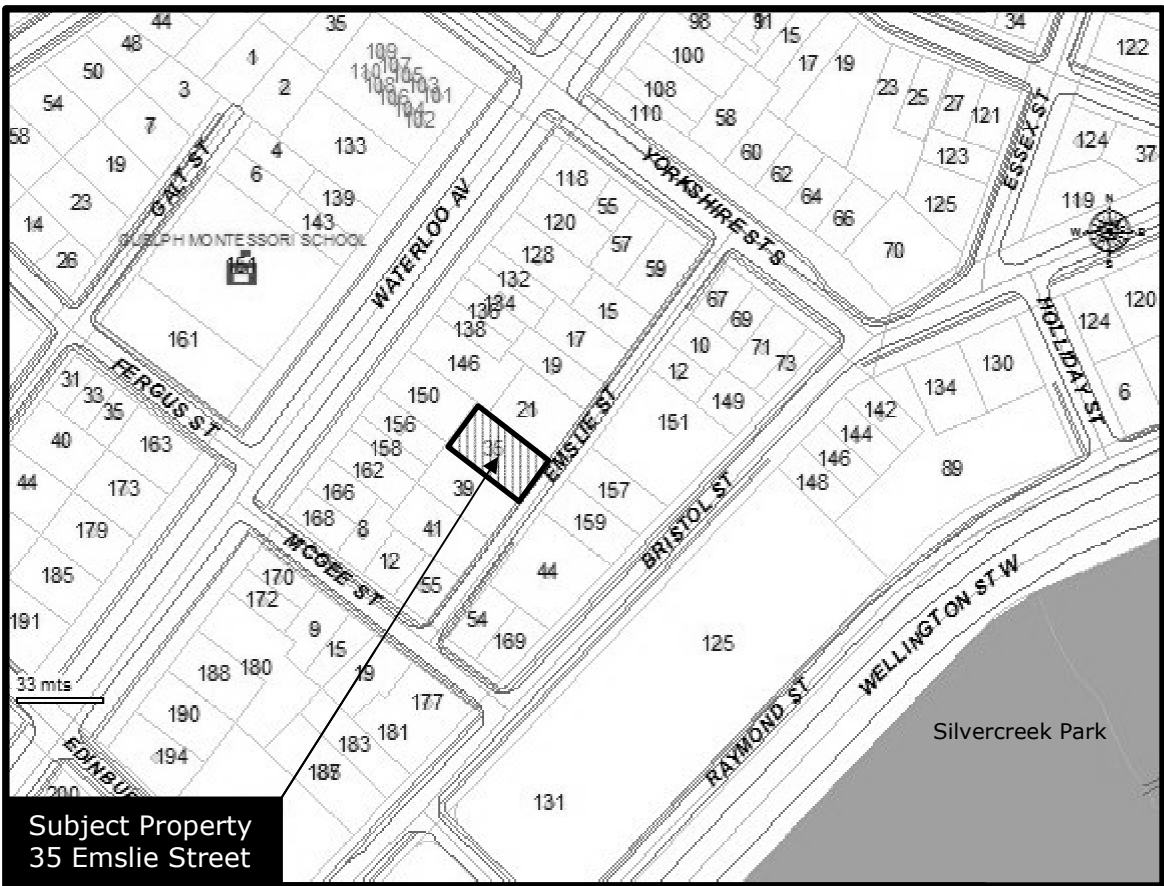
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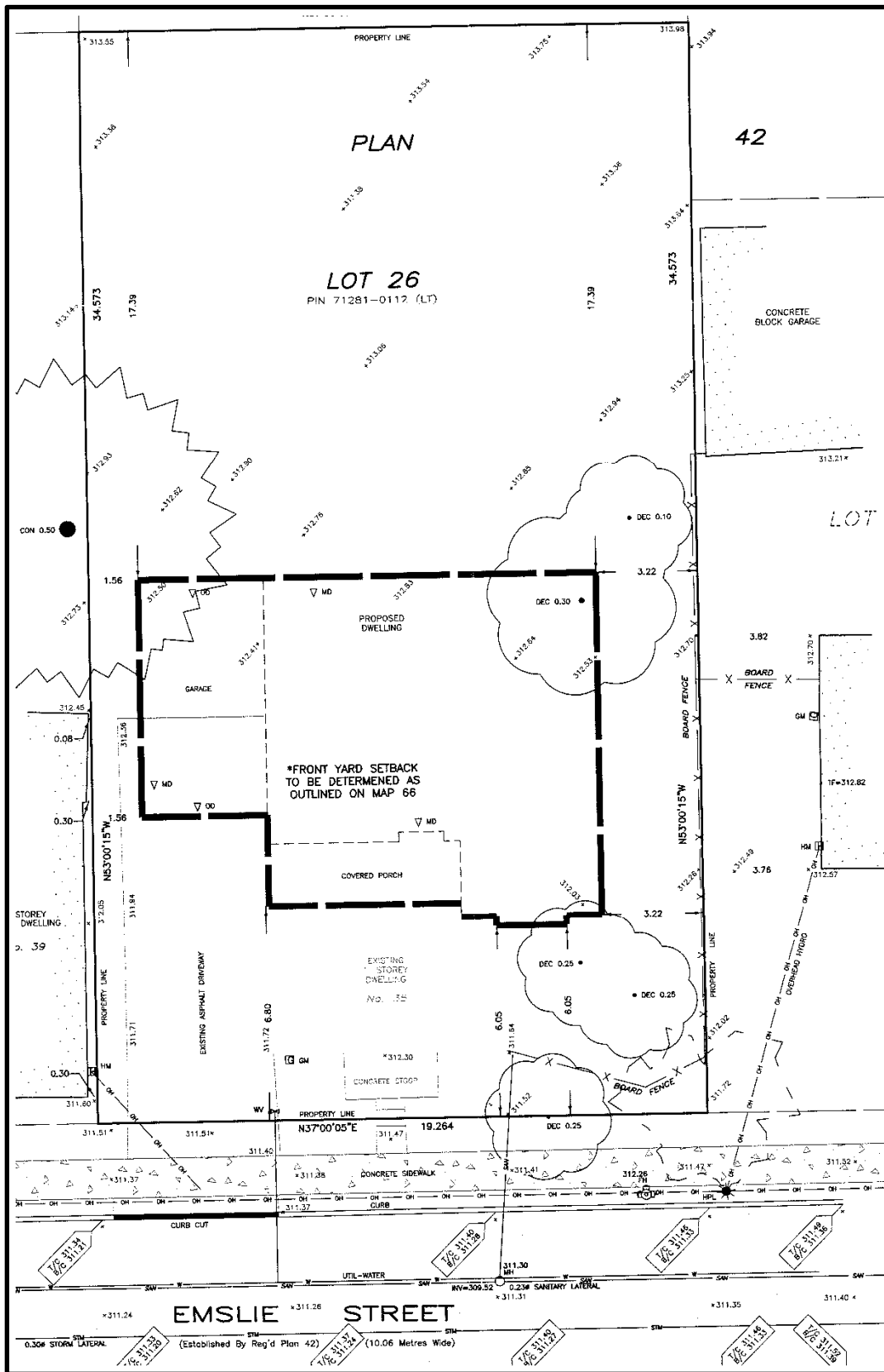
SCHEDULE 1 – Location Map



SCHEDULE 2 – Site Photograph (August 2011)



SCHEDULE 3 – Proposed Site Plan



SCHEDULE 4 – Proposed Concept for Replacement Dwelling



COUNCIL REPORT



TO Guelph City Council

SERVICE AREA Corporate and Human Resources
DATE September 26, 2011

SUBJECT Litigation Status Report Dated September 19, 2011

RECOMMENDATION

THAT the Litigation Status Report dated September 19, 2011 be received for information.

REPORT

As part of the City's ongoing efforts toward accountability and transparency, the Litigation Status Report will be provided to Council as an Information Report.

This report will be provided on a semi-annual basis, unless there are circumstances that arise that require updates prior to this schedule.

In addition, staff will provide an annual report regarding Legal Services.

CORPORATE STRATEGIC PLAN

The Litigation Status Report supports the City's Strategic Goal of community focused, responsive and accountable government.

ATTACHMENTS

Litigation Status Report dated September 19, 2011.

Recommended By:
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LITIGATION STATUS REPORT
September 19, 2011

COURT ACTIONS			
Matter	Description	Current Status	History
<p>Wm. J. Gies Construction Limited v. City of Guelph Ontario Superior Court of Justice Court File No. 342/99</p>	<p>This is an 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. These proceedings are related to an Ontario Municipal Board zoning matter wherein Gies seeks approval for a 288 unit apartment development. Cross-Examination of City witnesses were held on January 26, 2006. The City completed responding to undertakings on January 12, 2007. Cross-Examination of Gies witnesses were held on January 24, 2008.</p>	<p>Matter not currently being pursued by Applicant</p>	<p>April 27, 1999 – Notice of Application by Gies May 12, 1999 – Notice of Appearance by City June 18, 1999 – Gies' Application Record December 8, 2000 – City's Application Record June 21, 2005 – Further Affidavit served and filed by the City October 25, 1999 – Notice of Application by Gies October 27, 2000 – Notice of Appearance by City</p>
<p>Wm. J. Gies Construction Limited v. City of Guelph Ontario Superior Court of Justice Court File No. 1234/99</p>	<p>This matter relates to the same property as above. This is an Application under section 298 of the former Municipal Act (the provision was repealed by Bill 130) which provides that a road closing by-law may not be passed if it would deprive a person of access to the person's land. The proceedings relate to By-law (1971)-7810, a by-law to close parts of Kortright Road (now Downey Road)</p>	<p>Matter not currently being pursued by Applicant</p>	<p>March 10, 2008 – City Served with Notice of Action and Statement of Claim April 9, 2008 – City's Statement of Defence served and filed August 25, 2009 – City's Affidavit of Documents served February 1, 2010 – City Served with Plaintiffs' Affidavits of Documents</p>
<p>Turner and Campbell v. City of Guelph Ontario Superior Court of Justice Court File No. 111/08</p>	<p>This is an action by two individuals who claim to be heirs of John McCrae. They claim ownership of five McCrae medals, a medallion and a plaque ("medals") at the McCrae Museum. In 1997 six of the seven medals were donated to the Museum by Mr. Lee and the seventh medal, the Memorial Cross, was donated in 2005 anonymously. The Plaintiffs seek the return of the seven medals.</p>	<p>Ongoing</p>	

LITIGATION STATUS REPORT
September 19, 2011

COURT ACTIONS

Matter	Description	Current Status	History
<p>Urbacon Buildings Group Corp. v. City of Guelph Ontario Superior Court of Justice Court File No. 866/08 (main action)</p>	<p>On October 9, 2008, Urbacon Buildings Group Corp. served a Statement of Claim against the City pursuant to the Construction Lien Act. In the claim, Urbacon seeks 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, totalling over \$7,000,000.00.</p> <p>In addition to serving a Statement of Defence and Counterclaim, a related action was brought by the City against Urbacon for reimbursement of amounts paid to certain sub-trades. There are also some actions by sub-trades connected to the main action by Urbacon.</p> <p>An Order was issued by the Court on July 19, 2010 for the partial distribution of holdback money to subcontractors.</p>	<p>Damages Briefs and Experts Reports being completed</p> <p>Mediation to be scheduled following exchange of Damages Briefs and Experts Reports</p>	<p>October 9, 2008 – Served with Statement of Claim</p> <p>October 29, 2008 – City’s Statement of Defence and Counterclaim served on Urbacon</p> <p>October 8, 2010 – First Case Management Supervision meeting held</p> <p>April, 2011 – Last Case Management Supervision hearing held</p> <p>August, 2011 – Final examinations for Discovery completed</p>
<p>City of Guelph v. Aviva Insurance Company of Canada Ontario Superior Court of Justice Court File No. 1002/08</p>	<p>On November 20, 2008 the City served a Statement of Claim against Aviva declaring that pursuant to its obligations under the performance bond, Aviva is obliged to indemnify the City from and against all damages suffered as a result of Aviva’s breach of its obligations under that bond. In the Claim, the City seeks damages in the amount of \$5,000,000.</p> <p>The City issued a Statement of Claim against the architects involved as the consultants on the Urbacon project on September 21, 2009.</p>	<p>Matter being heard along with the Urbacon matter.</p> <p>Ongoing</p>	<p>November 20, 2008 – City served Statement of Claim on Aviva</p> <p>January 13, 2009 – Statement of Defence of Aviva was received</p> <p>June 30, 2011 – Statement of Claim served on Defendants</p> <p>September 14, 2011 – Statement of Defence of MTA received</p> <p>March 11, 2011 – City filed Notice of Appeal</p>
<p>City of Guelph v. Moriyama & Teshima Architects Ontario Superior Court of Justice Court File No. 09-14746</p> <p>Erica Davis v. The City of Guelph Ontario Court of Appeal Court File No. 564/09</p>	<p>This is an appeal by the City of a decision of the Superior Court of Justice made February 18, 2011 which quashed the order of the Property Standards Officer requiring Ms. Davis to make structural repairs to the swimming pool at 8 Terrace Lane, Guelph.</p>	<p>City filed its materials with the Court of Appeal on August 8, 2011</p>	

LITIGATION STATUS REPORT
September 19, 2011

COURT ACTIONS

Matter	Description	Current Status	History
<p>City of Guelph et al v. Soltys et al Ontario Superior Court of Justice Court File No. 636/09</p>	<p>This matter was commenced by the City by way of a motion for an injunction regarding the defendants protesting at the Hanlon Creek Business Park ("HCBP"). This motion and the defendants' motion to enjoin the City from continuing construction were heard by Mr. Justice Gray on August 10, 2009. In his decision issued on August 13th, Gray J. granted the City's request for an order restraining persons from trespassing and from interfering with construction at the HCPB Phase 1 Lands. The Court also agreed with the City that the Ministry of Natural Resources has authority under the Endangered Species Act, 2007 and the Minister was allowed up to 30 days within which to consider these matters. On August 20th, each party served upon the other party a motion seeking leave to appeal Mr. Justice Gray's Order regarding the injunction against the defendants. Subsequently each party agreed to withdraw these motions.</p> <p>In the City's subsequent Statement of Claim, the City is claiming damages of \$5 million dollars as well as other relief.</p>	<p>Pleadings have been served and filed by both parties</p> <p>The City is monitoring the events at the HCBP and has taken no further action to proceed with the Claims to date.</p>	<p>July 31, 2009 – City's (Plaintiff's) Notice of Motion for an injunction served</p> <p>July 31, 2009 – City served and filed Notice of Action</p> <p>August 7, 2009 – Defendants' Notice of Motion to enjoin continuing construction served upon City</p> <p>August 10, 2009 – Hearing held after being adjourned on August 4</p> <p>August 12, 2009 – Defendants served Notice of Intent to Defend</p> <p>August 13, 2009 – Decision of Gray J. issued regarding motions heard on August 10, 2009</p> <p>August 28, 2009 – City filed Statement of Claim</p> <p>February 24, 2010 – City served and filed Amended Statement of Claim</p> <p>March 24, 2010 – Defendants served Statement of Defence</p> <p>September 29, 2009 – City served with Statement of Claim</p> <p>October 15, 2010 - City served Statement of Defence</p>
<p>Wyndham Corporate Centre Inc. v. City of Guelph Ontario Superior Court of Justice Court File No. CV 09 09638600</p>	<p>The Plaintiff is seeking damages in the amount of \$225,000 and aggravated damages in the amount of \$150,000 for a total of \$375,000 relating to the alleged failure of the City to remove carpets from the property at 2 Wyndham Street following expiration of the lease.</p>	<p>City waiting on response from Plaintiff</p>	

LITIGATION STATUS REPORT
September 19, 2011

COURT ACTIONS

Matter	Description	Current Status	History
<p>County of Wellington v. City of Guelph Ontario Superior Court of Justice Court File No. CV 09 00374309</p>	<p>On October 14, 2009, the City was served with a Notice of Action and Statement of Claim by the County of Wellington. The County's claim against the City is in the amount of \$4,000,000.00 for what the County alleges is the City's breach of contract in failing to pay amounts owing from 2006 to date in respect of Wellington Terrace.</p>	<p>Discovery Plan is being negotiated between the parties.</p>	<p>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 Plaintiffs Reply and Defence to Counterclaim April 25, 2011 – City's Reply to Defence to Counterclaim served February 8, 2010 – City served with Statement of Claim February 16, 2010 – City's Notice of Intent to Defend served and filed March 10, 2010 – City's Statement of Defence served and filed November 8, 2010 – Motion heard January 17, 2011 – Motion for leave to Appeal heard</p>
<p>1266304 et al. v. City of Guelph Ontario Superior Court of Justice Court File No. 90/10</p>	<p>This claim by 14 builders/developers is 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. A motion for summary judgment was brought by the City and heard November 8, 2010. The judge dismissed the City's motion. The City brought a motion for leave to appeal that decision which was heard on January 17, 2011. The motion for leave to appeal re summary judgment was denied.</p>	<p>Discovery Process is underway</p>	<p>November 5, 2010 – City served with Statement of Claim November 25, 2010 – City's Statement of Defence and Crossclaim served and filed</p>
<p>1431633 Ontario Inc. v. City of Guelph, Devlan Construction Ltd., and 1535280 Ontario Inc. Ontario Superior Court of Justice Court File No. C-903-10</p>	<p>This is a construction lien claim regarding the South End Emergency Services Station located at 160 Clair Road West.</p>	<p>City waiting on response from Plaintiff</p>	<p>November 5, 2010 – City served with Statement of Claim November 25, 2010 – City's Statement of Defence and Crossclaim served and filed</p>

LITIGATION STATUS REPORT
September 19, 2011

COURT ACTIONS

Matter	Description	Current Status	History
Ardi Inc. v. Devlan Construction Ltd. and City of Guelph Ontario Superior Court of Justice Court File No. 746/10	This is a construction lien claim regarding the South End Emergency Services Station located at 160 Clair Road West.	City not currently an active party to this matter	November 29, 2010 – City served with Statement of Claim
T.D.C. Excavating Ltd. v. City of Guelph Guelph Small Claims Court Claim No. 10-855	This is a claim against the City by T.D.C. Excavating Ltd. relating to work at 4 Zaduk Place, Guelph.	At the request of Plaintiff, the Claim is being discontinued. The issues between the City and Braun and Terra-Alta will be resolved in the Superior Court of Justice action	February 18, 2011 – City served with Plaintiff's Claim March 10, 2011 – City filed Defence March 30, 2011 – City filed Defendant's Claim against Terra-Alta and Braun April 19, 2011 – City received Defence from Terra-Alta May 25, 2011 – City received Defence from Braun June 28, 2011 – Court ordered stay of the SCC action by TDC and consolidated the Defendant's Claim (City) with the SCJ action
City of Guelph v. Board of Health for the Wellington-Dufferin-Guelph Health Unit, County of Wellington, and County of Dufferin Ontario Superior Court of Justice Court File No. 173/11	This is a claim by the City against the Board of Health and, as of June 28, 2011, the Counties of Wellington and Dufferin relating to interpretation of the City's obligations under the Health Protection and Promotion Act and the partnership agreement between the municipalities for payment of capital expenses of the Board of Health	September 12, 2011 – The issues between the parties were heard on their merits before Justice Price. Justice Price has reserved his decision	March 7, 2011 – City served Statement of Claim & Motion materials on Board of Health March 14, 2011 – Defendant served City with Responding Motion material March 17, 2011 – City served Reply Motion Record March 22, 2011 – Motion heard March 30, 2011 – Endorsement

LITIGATION STATUS REPORT
September 19, 2011

COURT ACTIONS			
Matter	Description	Current Status	History
<p>(continued) City of Guelph v. Board of Health et al</p>			<p>received granting interim injunction relating to Guelph Property</p> <p>June 28, 2011 – Counties of Dufferin and Wellington added as Defendants</p> <p>August 9, 2011 – Motion for extension of interim injunction to the Orangeville project was argued and denied by Court</p> <p>September 12, 2011 – Matter heard, awaiting decision</p>
<p>798842 Ontario Ltd. v. University Village (Guelph) Ltd., The TDL Group Corp./Groupe TDL Corporation and City of Guelph Ontario Superior Court of Justice Court File No. C-321-11</p>	<p>This is an application by 798842 Ontario Ltd. for a declaration that it has an easement over access points between 292 and 304-324 Stone Road West, and over 304-324 Stone Road West to the municipal roadway, and for a declaration that it has acquired by adverse possession the lands on which the garbage bin is located at 304-324 Stone Road West.</p> <p>The City has received a site plan application on behalf of 798842 Ontario Ltd. for a drive-thru at 292 Stone Road West.</p>	<p>April 6, 2011 – adjourned on consent with order that the status quo be maintained until the hearing of the application or further order of the Court; the matter is returnable on 5 days notice</p>	<p>April 4, 2011 – City served with Notice of Application</p> <p>April 6, 2011 – Adjourned on consent of all parties</p>
<p>City of Guelph v. Terra-Alta Construction Ltd. & Braun Consulting Engineers Ltd. Ontario Superior Court of Justice Court File No. 302/11</p>	<p>This is a claim issued 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 and wastewater services in the Zaduk Place subdivision.</p>	<p>Entering Discovery stage of proceeding</p>	<p>April 21, 2011 – City issued Statement of Claim</p> <p>July 14, 2011 – Braun served Statement of Defence and Crossclaim against Terra-Alta</p> <p>July 15, 2011 – Terra-Alta served Statement of Defence and Crossclaim against Braun</p> <p>July 21, 2011 – City served replies to the Defences of Terra Alta and Braun</p> <p>July 27, 2011 – Terra-Alta delivered</p>

LITIGATION STATUS REPORT
September 19, 2011

COURT ACTIONS

Matter	Description	Current Status	History
<p>(continued) City of Guelph v. Terra-Alta et al</p>			<p>defence to Braun's Crossclaim</p> <p>August 11, 2011 – Braun delivered defence to Terra Alta's cross claim</p> <p>August 29, 2011- Reply by Terra Alta to Braun's Defence of Cross-Claim</p> <p>August 29, 2011 – Braun issued Third Party claim against Naylor Engineering</p> <p>September 9, 2011 – Terra Alta gives notice that it also intends to Third Party Naylor Engineering</p> <p>May 2, 2011 – City served Plaintiff's Claim</p> <p>June 17, 2011 – City filed Request to Clerk to note Defendant in default</p> <p>May 3, 2011 – City served with Notice of Application</p> <p>June 29, 2011 – City filed Responding materials</p> <p>August 23, 2011 – matter scheduled to be heard – adjourned</p> <p>June 13, 2011 – City served with Plaintiff's Claim</p> <p>June 30, 2011 – City filed its defence.</p> <p>October 5, 2011 – Settlement Conference Scheduled – adjourned at the request of the Plaintiff</p>
<p>City of Guelph v. Szenkowski, Peter (cob as GTA Asphalt) Guelph Small Claims Court Claim No. 11-302</p>	<p>This is a claim issued by the City for recovery of costs related to an Emergency Spills Response incident that occurred May 7, 2009.</p>	<p>September 9, 2011 – Default Judgment in the amount of \$3696.77 obtained.</p>	
<p>Stewart, Allan v. City of Guelph et al Ontario Superior Court of Justice Court File No. 329/11</p>	<p>Stewart has applied to court for an injunction preventing the City from entering his property without a warrant and seeking the return of material that was cleaned from his property. The City cleaned debris from his property pursuant to a notice given under the Yard Maintenance Bylaw.</p>	<p>November 28, 2011 – matter scheduled to be heard</p>	
<p>Bell Canada v. City of Guelph Guelph Small Claims Court Claim No. 11-409</p>	<p>Bell alleges that the City caused damage to an underground 2700-pair paper telecommunications cable and related equipment while effecting repairs to a speed limit sign. Brought action for damages in the amount of \$2885.27 in Small Claims Court.</p>	<p>Settlement conference adjourned to December 2011 or January 2012</p> <p>City to file its documents and list of proposed witnesses by end of October</p>	

LITIGATION STATUS REPORT
September 19, 2011

COURT ACTIONS

Matter	Description	Current Status	History
Galatianos v. City of Guelph Ontario Superior Court of Justice Court File No. 464/11	Galatianos was given notice to clean his property under the Yard Maintenance Bylaw. He did not comply so the City did the clean up. Galatianos has sued the City for general damages, misfeasance in public office and an injunction restraining the City from entering his property without 24 hours' notice.	Next step is discovery plan and affidavit of documents.	June 21, 2011 – Statement of Claim served on City July 19, 2011 – City served and filed its Statement of Defence
Wellington Condominium Corporation No. 9 v. City of Guelph Guelph Small Claims Court Claim No. 11-442	Wellington Condo Corp alleges that they called the City to remove a tree that was leaning toward their building. A wind storm on May 11, 2010 caused the tree to fall over. Wellington Condo Corp had it removed and has sued the City for the removal cost of \$1223.25.	Matter has been settled and is complete	July 15, 2011 – City served with Plaintiff's Claim August 5, 2011 – settlement documents finalized.
Fruetel et al v. Hjelholt, Palace, Trappers Alley, Frank & Steins and City of Guelph Ontario Superior Court of Justice Court File No. CV11-649	Plaintiff is claiming \$16million in damages for injuries he sustained when he was thrown over the railing of the pedestrian walkway on Wyndham Street by the Defendant Hjelholt, causing severe brain injury with consequent neurofunctional issues. The claim is against the City and a number of other Defendants. The Plaintiff alleges the City was negligent because the City knew or ought to have known that intoxicated persons would use the walkway and they failed to ensure an adequate railing or barrier of sufficient height to prevent someone from falling over, and that the height of the walkway itself from the roadway ought to have been of sufficient character and nature so as to prevent people from falling onto the road.	Insurer to appoint defence counsel Statement of Defence to be filed by October 3, 2011	September 12, 2011 – Statement of Claim served on City September 12, 2011 – Statement of Claim forwarded to insurer.

OMB MATTERS

Matter	Description	Current Status	History
Wm. J. Gies Construction Limited Southwest corner of Downey Rd. and Hanlon Pkwy (Inactive)	These long outstanding zoning appeals relate to the two court matters.	Matter not currently being pursued by appellant	

LITIGATION STATUS REPORT
September 19, 2011

OMB MATTERS

Matter	Description	Current Status	History
580 Paisley Road – Armel Corporation	This is an 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. A hearing date has not yet been set.	Matter not currently being pursued by appellant	October 1, 2008 – Appeal received
Development Charges By-law (2009) – 18729 – Guelph Wellington Development Association and 11 local home builders	The GWDA and 11 local home builders appealed the by-law on a number of grounds - overestimate service requirements, certain capital projects not growth related, improper increase 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.	Hearing scheduled to commence the week of October 31 – November 4, 2011	March 9, 2009 – Appeal filed January 21, 2010 – Mediation held Prehearing conferences being held
23 Fairview Blvd	This is an appeal by Robert and Leslie Smejkal from the decision of the Committee of Adjustment to approve a severance and associated minor variances.	At the settlement conference, the Board advised verbally that a Decision will be issued in accordance with the Minutes of Settlement	June 28, 2010 – Appeal filed July 14 & 15, 2011 – hearing scheduled – adjourned September 14, 2011 – Settlement Conference held by telephone; awaiting written decision of the Board July 28, 2010 – Appeal received
146 Downey Road	This is an appeal by Hugh Whiteley from Council's passing of a Zoning By-law Amendment rezoning 146 Downey Road from the UR (Urban Reserve) Zone to a Specialized R.3A (Townhouse) Zone to permit residential intensification in the form of townhouses and multiple attached dwellings. The appellant seeks to have the eastern portion of the property rezoned to the P.1 (Conservation Land) Zone for conservation lands and a gas pipeline easement.	August 22, 2011 - Decision received dismissing appeal on all grounds Matter is complete	January 31 – February 7, 2011 – hearing scheduled – adjourned June 20-24, 2011 – continuation of hearing held
381-385 Elmira Road North	This is an 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	Ongoing	January 5, 2011 – hearing scheduled – adjourned

LITIGATION STATUS REPORT
September 19, 2011

OMB MATTERS

Matter	Description	Current Status	History
(continued) 381-385 Elmira Road North	approved site plan for the property. The hearing scheduled for January 5, 2011 was adjourned		
Zoning By-law amendment – Shared Rental Housing	This is an appeal of By-law (2010)-19076. Mr. Schinbein is objecting to the 100m minimum separation distance applying to a building with an accessory apartment with six or more bedrooms from any building with an accessory apartment. Ms. Haley is objecting to the 100m minimum separation distance and alleges that the process was unfair and biased. The Ontario Human Rights Commission has been added as a party.	September 21, 2011 - Prehearing scheduled to continue	October 13, 2010 – Appeal received May 18, 2011 – Prehearing conference held; Old University Neighbourhood Residents Association (represented by Daphne Wainman-Wood) and Mr. Michael Sarracini requested and were granted participant status June 21, 2011 – Prehearing teleconference conference held; Ontario Human Rights Commission added as a party January 4, 2011 – Appeal received July 13, 2011 – hearing held
83 Rodgers Road	This is an appeal by Kimberly McCaw from the Committee of Adjustment's refusal of a minor variance to extend the permitted driveway width by 0.6 metres (2 feet) resulting in a total driveway width of 4.09 metres (13.42 feet), when the By-law requires that the driveway width shall not exceed the garage width of the unit (3.48 metres/11.42 feet).	August 26, 2011 – Decision received dismissing the appeal Matter is complete	
129 Baxter Drive	This is an appeal by Asim Ali Mir of a Committee of Adjustment decision refusing to allow a minor variance from the Interim Control By-law to allow an accessory apartment.	Hearing to be rescheduled	January 26, 2011 – Appeal received July 12, 2011 – hearing scheduled – adjourned at the request of the appellant
OPA 42 (13 Appeals)	13 appeals relating to various aspects of Official Plan Amendment No. 42 (Natural Heritage Strategy)	November 18, 2011 – 2 nd prehearing conference scheduled	July 6, 2011 – prehearing conference held; Mr. Julian Zilio requested and has been granted party status
387 Ironwood Road	Appeal by Mansoor Vezvaie of a Committee of Adjustment decision refusing minor variances including a variance from the Interim Control By-law to establish an accessory unit	Awaiting decision of the Board	May 2, 2011 – Appeal received July 28, 2011 – hearing held
61 Rickson Avenue	Appeal by Michael Sarracini of a Committee of Adjustment decision refusing minor variances including a variance from the Interim Control By-law to establish	Ongoing	May 19, 2011 – Appeal received August 24, 2011 – hearing scheduled

LITIGATION STATUS REPORT
September 19, 2011

OMB MATTERS

Matter	Description	Current Status	History
(continued) 61 Rickson Avenue	an accessory unit		– adjourned to September 7, 2011 September 7, 2011 – Board convened and Mr. Sarracini withdrew the appeal with respect to the variances for a driveway widening and to allow no interior access between the units; regarding the variance from the Interim Control By-law, the hearing was adjourned by the Board returnable sine die on 45 days notice
1897 Gordon Street	This is an appeal by Hugh Whiteley of a decision made to approve Zoning By-law amendment, Official Plan amendment and draft Plan approval/conditions of approval relating to 1897 Gordon Street	Hearing date to be scheduled	August 2, 2011 – Appeal received

OTHER MATTERS

Matter	Description	Current Status	History
Human Rights Tribunal of Ontario (HRTO)	This is an 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 also seeks damages for mental anguish in the amount of \$10,000. The parties are working to finalize a settlement.	Ongoing	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

LITIGATION STATUS REPORT
September 19, 2011

OTHER MATTERS

Matter	Description	Current Status	History
<p>Ministry of Labour v. City of Guelph Charges under the Occupational Health and Safety Act: Ontario Court of Justice</p>	<p>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.</p>	<p>November 30, 2011 – further pre-trial conference scheduled Trial scheduled to commence February 13, 2012</p>	<p>April 27, 2010 – Charges received June 16, July 23, September 20 and October 18, 2010 – Appearances made January 11, March 29, 2011 – Pre-trial conferences held April 20, 2011 – appearance to set trial dates August 16, September 12, 2011 – Pre-trial conferences held December 16, 2010 – Complaint received September 7, 2011 – hearing scheduled before Council – cancelled May 27, 2011 – Complaint received</p>
<p>60 Cardigan Street (Charleston Homes) Section 20 complaint under Development Charges Act</p>	<p>On December 16, 2010, the City of Guelph received a complaint from the owner of 60 Cardigan Street in respect of the calculation of development charges under the City's Development Charge By-law.</p>	<p>Hearing to be rescheduled</p>	<p>December 16, 2010 – Complaint received September 7, 2011 – hearing scheduled before Council – cancelled May 27, 2011 – Complaint received</p>
<p>945 Southgate Drive (2144113 Ontario Limited) Section 20 complaint under Development Charges Act</p>	<p>On May 27, 2011, the City of Guelph received a complaint from the owner of 945 Southgate Drive in respect of the calculation of development charges under the City's Development Charge By-law</p>	<p>A hearing before Council is scheduled for October 18, 2011 at 6:00 p.m.</p>	<p>September 7, 2011 – hearing scheduled before Council – cancelled May 27, 2011 – Complaint received</p>
<p>80 Simmonds Drive Conservation Review Board</p>	<p>Appeal by resident of designation of 80 Simmonds Drive under the Ontario Heritage Act.</p>	<p>September 23, 2011 - Prehearing teleconference scheduled</p>	<p>Prehearing conference scheduled for August 17, 2011 – adjourned at the appellants request</p>

- **BYLAWS** -

- September 26, 2011 -	
<p>By-law Number (2011)-19250 A by-law to amend By-law Number (2008)-18656 with respect to the appointment of persons serving as By-law Enforcement Officers for the City of Guelph, to add Allarie, and to remove Louro, Murnaghan, Quan, Jordan and Priebe.</p>	<p>To amend the by-law with respect to appointing persons serving as By-law Enforcement Officers.</p>
<p>By-law Number (2011)-19251 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 the property municipally known as 1498 Gordon Street in the City of Guelph.</p>	<p>To remove the Holding Symbol on 1498 Gordon Street.</p>
<p>By-law Number (2011)-19252 A by-law to remove: Lots 8, Plan 61M-170, designated as Parts 69 and 70, Reference Plan 61R-11686; Lot 9, Plan 61M-170, designated as Parts 71 and 72, Reference Plan 61R-11686; Lot 10, Plan 61M-170, designated as Parts 73 to 74, Reference Plan 61R-11686; Lot 11, Plan 61M-170, designated as Parts 75 and 76, Reference Plan 61R-11686 in the City of Guelph from Part Lot Control. (51 and 53 Couling Cres., 55 and 57 Couling Cres., 59 and 61 Couling Cres., 63 and 65 Couling Cres.)</p>	<p>A by-law to remove lands from part lot control.</p>
<p>By-law Number (2011)-19253 A by-law to authorize the execution of a Partial Release of Development Covenants and Restrictions with respect to Part of Lot 9, Concession 1, Division "B", designated as Part 26, Reference Plan 61R647, City of Guelph. (582 Massey Road)</p>	<p>To authorize the execution of a Partial Release of Development Covenants and Restrictions.</p>

<p>By-law Number (2011)-19254 A by-law to authorize the execution of a release of an Agreement with respect to property described as Lot 14, Plan 61M24, City of Guelph. (87 Fleming Road)</p>	<p>To authorize the execution of a release of an Agreement.</p>
<p>By-law Number (2011)-19255 A by-law to authorize the Partial Release of Development Covenants and Restrictions and Release of Amending Agreements in respect of the Development Covenants and Restrictions with respect to Part of Block 3, Registered Plan 696, designated as parts 7 and 8, Reference Plan 61R9282, City of Guelph.</p>	<p>To authorize the execution of a Partial Release of Development Covenants and Restrictions.</p>
<p>By-law Number (2011)-19256 A by-law to dedicate certain lands known as Part of Block 60, Plan 61M151, designated as Part 1, 61R11577, City of Guelph, as part of Wideman Road.</p>	<p>To dedicate certain lands as part of Wideman Road.</p>
<p>By-law Number (2011)-19257 A by-law to stop up and close the lands described as: Part of Grange Road, Registered Plan 53, designated as Part 5, Reference Plan 61R11679; Part of Stockford Road, Registered Plan 462, designated as Part 4, Reference Plan 61R11679; and to authorize the conveyance of the lands described as Parts 3, 4, 5 and 6, Reference Plan 61R11679, City of Guelph to the Upper Grand District School Board.</p>	<p>To stop up and close certain lands and convey lands to the Upper Grand District School Board.</p>
<p>By-law Number (2011)-19258 A by-law to authorize the acquisition of property described as Part of Lot 17, Registered Plan 462, designated as Part 1, Reference Plan 61R11679, City of Guelph.</p>	<p>To acquire property.</p>
<p>By-law Number (2011)-19259 A by-law to amend By-law Number (2002)-17017 (to amend Bike Lanes in Schedule IV, Traffic Control Signals in</p>	<p>To amend the Traffic By-law.</p>

<p>Schedule VI, Yield Signs in Schedule X and No Parking in Schedule XV), and adopt Municipal Code Amendment #541, amending Chapter 301 of the Corporation of the City of Guelph's Municipal Code.</p>	
<p>By-law Number (2011)-19260 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 as "private property agents" to add Annou and Nitschke.</p>	<p>To amend the by-law with respect to appointing persons serving as Private Property Agents.</p>
<p>By-law Number (2011)-19261 A by-law to authorize the conveyance to Her Majesty the Queen in Right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario with respect to the lands described as: Part Lot 19, Concession 5 (formerly Puslinch Township), designated as Parts 1, 2 and 28, 61R11252; Part of the Road Allowance between Concession 4 and 5, (closed by By-law (1971)-7810), (formerly Puslinch Township), designated as Part 3, 61R11252; Part Lots 19 and 20, Concession 4, (formerly Puslinch Township), designated as Parts 4 and 5, 61R11252; Part of the Road Allowance between Concessions 5 and 7, (closed by By-law (1980)-10371), (formerly Puslinch Township), designated as Part 6, 61R11252; Part of 0.30 Reserve 1, Registered Plan 680, designated as Part 8, 61R11252; and Part of 0.30 Reserve 2, Registered Plan 680m, designated as Part 10, 61R11252, City of Guelph.</p>	<p>To authorize the conveyance of lands.</p>
<p>By-law Number (2011) – 19262 A By-law to amend By-law Number (2009)-18855, being a by-law respecting the licensing of Businesses operating within the City of Guelph and to adopt Municipal Code Amendment</p>	<p>To amend the Business Licence By-law.</p>

<p>#452, which amends Chapter 176 "Business Licences", of The Corporation of the City of Guelph's Municipal Code.</p>	
<p>By-law Number (2011)-19263 A by-law to enact a Letter of Credit Policy for the City of Guelph.</p>	<p>To enact a Letter of Credit Policy.</p>
<p>By-law Number (2011)-19264 A by-law to enact a General Operating and Capital Budget Policy for the City of Guelph.</p>	<p>To enact a General Operating and Capital Budget Policy.</p>