

City Council Meeting Agenda



Monday, December 19, 2016 – 5:30 p.m.
Council Chambers, Guelph City Hall, 1 Carden Street

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Authority to move into closed meeting

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to the Municipal Act, to consider:

Confirmation of Minutes for the closed Council meetings held November 28 and 30, 2016.

C-2016.58 **Lowes Road/Dawn Avenue Local Improvement Charge**
Section 239 (2) (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Call to Order – 6:30 p.m.

O Canada – The Baker's Dozen
Silent Reflection
First Nations Acknowledgement
Disclosure of Pecuniary Interest and General Nature Thereof

Closed Meeting Summary

Presentation:

a) None

Confirmation of Minutes: (Councillor Hofland)

That the minutes of the open Council Meetings held November 14, 16, 28, and 30, 2016, be confirmed as recorded and without being read.

Committee of the Whole Consent Report:

The following resolutions have been prepared to facilitate Council's consideration of various matters and are suggested for consideration. If Council wishes to address a

specific report in isolation of the Committee of the Whole Consent Report, please identify the item. It will be extracted and dealt with separately as part of the Items for Discussion.

COW-AUD-2016.2 Internal Audit Work Plan 2017-2019

Recommendation:

That the report CAO-A-1601, "Internal Audit Work Plan 2017-2019" dated December 5, 2016 be approved.

COW-CS-2016.9 Outstanding Motions of the Corporate Services Area

Recommendation:

That the outstanding motion list of the Corporate Services Area dated December 5, 2016 be approved as updated.

COW-CS-2016.10 City of Guelph Tartan Inventory

Recommendation:

1. That the recommendations contained in Clause 1, and 2 regarding the Terms of Use and manufacturing of the Tartan as noted in Attachment 1 of CS- 2016-85 report be repealed.
2. That the Tartan Committee be dissolved.
3. That the City Clerk develop a policy on the sale and distribution of the Tartan material and any related promotional items and that guidelines on the complementary distribution of small promotional items be incorporated into the policy.
4. That the City Clerk be delegated the authority to consider requests for the Tartan material from local community groups and not-for-profit organizations.

Marketing Strategy for a Civic Tech Hub/Cluster

Recommendation:

That Staff be directed to report back by Q2 2017 on a coordinated strategy (including Intergovernmental & Economic Development departments) for a specific marketing strategy to strengthen Guelph's Position as a Civic tech Hub/Cluster along the Innovative corridor.

COW-PS-2016.5 By-law Service Review – Animal Control

Recommendation:

1. That the licensing of cats be phased in and not become mandatory until 2018, and that no collar or license tag be required if the cat is micro chipped and the information is kept current.
2. That the User Fee By-law be amended to include a \$25 Annual Licensing Fee for cats.
3. That \$5 of each cat license sold be allocated to a program to be developed by the Animal Control Working Group, Guelph Humane Society and City Staff to address health and welfare issues for cats.
4. That a requirement to restrict cats from being at large be reviewed in five years and staff be directed to continue to work with external partners to develop an education package regarding cats at large.
5. That staff be directed, with input from representatives from pet stores and other stakeholders, to develop regulations including the prohibition of dog and cat sales within the City's Business Licensing By-law.
6. That roosters be prohibited in the City of Guelph.
7. That the User Fee By-law be amended to include a one-time fee of \$25 for the registration of keepers of domestic poultry and breeders of reptiles.
8. That an exception to the Prohibited Animal Schedule "A" be added to permit sheep and goats up to a limit of two on a single property for up to 12 properties, as an introductory program to determine the feasibility of the exemption.
9. That City staff continue to work with the Animal Control Working Group to develop a Code of Practice respecting care and treatment of animals.
10. That City staff continue to work with stakeholders to develop an education package and outreach materials to assist in providing information to help address wildlife conflicts within the City.
11. That the fees for animal licensing provide a 25% discount for residents purchasing a licence for a second or subsequent licenses.
12. That the licence fees be reduced by 50% for any resident who qualifies for other City subsidies, such as the Affordable Bus Pass.
- 13. That the distance restrictions for chicken pens be changed to a 1.2m setback from rear and side lot line, 3m from windows, doors, dwellings of abutting properties.**

14. That staff review, in consultation with those that provided correspondence on the chicken matter, the amendments proposed by residents to determine if any of the proposed regulations should be included in the city's Animal Control Bylaw and report back to Council by the second quarter of 2017, and that a temporary amount of 10 chickens be permitted through the 1.2 metre setback until staff report back to Council for consideration.
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Council Consent Agenda:

The following resolutions have been prepared to facilitate Council's consideration of 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. It will be extracted and dealt with separately as part of the Items for Discussion.

CON-2016.68 Council Reappointments to the Business Licence Appeals Committee and the Committee of Management for the Elliott

Recommendation:

1. That the former members of the Corporate Services Standing Committee, Mayor Cam Guthrie; Councillors Phil Allt; Christine Billings; June Hofland; and Mike MacKinnon, be reappointed and continue their role on the Business Licence Appeals Committee until November 30, 2018.
2. That the former members of the Public Services Standing Committee, Mayor Cam Guthrie; Councillors Christine Billings; Cathy Downer; James Gordon; and Andy Van Hellemond, be reappointed and continue their role on the Committee of Management for the Elliott until November 30, 2018.

CON-2016.69 Guelph Innovation District Implementation Update

Recommendation:

That staff be directed to implement Option 4 as described in Report IDE-16-1622 – Guelph Innovation District – Implementation Update, dated December 19, 2016.

CON-2016.70 Social Services Committee Update

Recommendation:

That Council confirm Mayor Guthrie as the City's representative on Wellington County's Social Services Committee, in an ex-officio role, without voting privileges.

Special Resolutions

Mayor Guthrie's motion for which notice was given November 28, 2016.

That the following motion be referred to the January Committee of the Whole meeting:

That staff be directed to consider options to commemorate veterans as part of the Norfolk Street bridge reconstruction.

Councillor Wettstein's motion for which notice was give December 5, 2016.

That the following motion be referred to the next Committee of the Whole Governance meeting:

1. That staff be directed review, analyze and bring forward a recommendation updating the Striking Committee policies, processes and remuneration, and that staff report back to Committee of the Whole by Q2 2017; and,
2. That staff, as part of the review and analysis, report back on the potential removal of all board and committee compensation for members of Council and, if need be, refer the matter to the Council Remuneration Advisory Committee for Council compensation for the next term of Council.

By-laws

Resolution to adopt the By-laws (Councillor Van Hellemond).

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



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
November 14, 2016 at 6:30 p.m.**

Attendance

Council: Mayor Guthrie
Councillor P. Allt
Councillor B. Bell
Councillor C. Billings
Councillor C. Downer
Councillor J. Gordon

Councillor D. Gibson
Councillor M. MacKinnon
Councillor M. Salisbury
Councillor A. Van Hellemond
Councillor K. Wettstein

Absent: Councillor J. Hofland
Councillor L. Piper

Staff: Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise Services
Mr. T. Salter, General Manager, Planning, Urban Design and Building Services
Mr. C. DeVriendt, Acting Manager, Development Planning
Ms. K. Nasswetter, Senior Development Planner
Mr. M. Witmer, Development Planner
Ms. D. Black, Acting Deputy Clerk
Mr. D. McMahon, Council Committee Coordinator

Open Meeting (6:30 p.m.)

Mayor Guthrie called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Planning Public Meeting

Mayor Guthrie announced that in accordance with The Planning Act, Council is 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 the planning matters listed on the agenda.

19-59 Lowes Road West - Proposed Zoning By-law Amendment (File: ZC1615 - Ward 6)

Michael Witmer, Development Planner, presented the Proposed Zoning By-law Amendment for 19-59 Lowes Road West. He indicated that the request was to change the current zoning of the subject property from R.1B to a specialized R.3A zone to permit a 60 unit cluster townhouse development. He also outlined three specific changes to the zoning to permit a minimum front yard setback of 4.5 metres for two end block units rather than the 6 metres permitted; a minimum of 12.5 metres distance between buildings with habitable rooms with windows, rather than the 15

metres minimum, and an 8 metre minimum setback between buildings with habitable rooms with windows and Private Amenity Area rather than the 10.5 metres.

Discussion ensued regarding similar developments in Guelph and accompanying issues, stormwater drainage on the subject property, impact on wildlife, tree preservation, lighting and Storm Water Management.

Astrid Clos, agent for Reid's Heritage Homes, briefly outlined the application and noted the required R.3A zone changes. She indicated that parking for the proposed development was in conformity with the Zoning By-law and that the proposed townhouses would be condominiums.

Peter Fitzgerald, on behalf of the applicant, described the proposed plan for stormwater drainage on the subject property.

Joan and Jim Ferguson, area residents, indicated they believe that the proposed development would generate additional on-street parking and further exacerbate existing stormwater drainage problems.

Monica Frauts, area resident, indicated she believes that the proposed development would lower the value of detached homes in the surrounding area, add to existing on-street parking congestion, project light into nearby homes and be aesthetically incompatible. Furthermore, Ms. Frauts asked the developer to alter the proposed development to include single detached homes and to save existing trees.

Ted Moyses, area resident, reiterated the concerns of the previous delegates and indicated that changing from the existing 6 houses to 60 townhouses was extreme and would lower the house values. Mr. Moyses also indicated he was concerned about stagnant stormwater runoff and light pollution.

Trevor Gonsalves, area resident, asked that existing trees be protected, and voiced concerns about light pollution and noise levels.

Kai Wang, area resident, indicated he was opposed to the proposal; specifically the minimum 12.5 metres between buildings with habitable rooms with windows, and possible light and noise pollution as well as the general impact on existing home owners.

1. Moved by Councillor MacKinnon
Seconded by Councillor Downer

That Report 16-81 regarding a proposed Zoning By-law Amendment application (File: ZC1615) by Reid's Heritage Homes on behalf of Parry Schnick and Catriona Forbes to permit a sixty (60) unit cluster townhouse residential development on the properties municipally known as 19, 29, 35, 41, 51 and 59 Lowes Road West, and legally described as All of Lots 3, 4, 5 and 6, Registered Plan 508 and Part of Lots 15 and 16, Registered Plan 467, Geographic Township of Puslinch, City of Guelph from Infrastructure, Development and Enterprise dated November 14, 2016, be received.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)

Voting Against: (0)

Carried

**Proposed Technical Revisions to Guelph's Comprehensive Zoning By-law
(File: ZC1616 – Citywide)**

Katie Nasswetter, Senior Development Planner, presented the Proposed Technical Revisions to Guelph's Zoning By-law and indicated that technical changes to the Zoning By-law are proposed every two or three years.

2. Moved by Councillor MacKinnon
Seconded by Councillor Salisbury

That Report 16-78, regarding proposed technical revisions (File ZC1616) to Zoning By-law Number (1995)-14864 (Guelph's Comprehensive Zoning By-law) from Infrastructure, Development and Enterprise dated November 14, 2016, be received.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)

Voting Against: (0)

Carried

Items for Discussion

Association of Municipalities of Ontario re: Municipal Fiscal Gap

Councillor Downer introduced a motion from the Association of Municipalities of Ontario regarding the Municipal Fiscal Gap.

3. Moved by Councillor Downer
Seconded by Councillor Gordon

WHEREAS recent polling, conducted on behalf of the Association of Municipalities of Ontario indicates 76% of Ontarians are concerned or somewhat concerned property taxes will not cover the cost of infrastructure while maintaining municipal services, and 90% agree maintaining safe infrastructure is an important priority for their communities;

AND WHEREAS infrastructure and transit are identified by Ontarians as the biggest problems facing their municipal government;

AND WHEREAS a ten-year projection (2016-2025) of municipal expenditures against inflationary property tax and user fee increases, shows there to be an unfunded average annual need of \$3.6 billion to fix local infrastructure and provide for municipal operating needs;

AND WHEREAS the \$3.6 billion average annual need would equate to annual increases of 4.6% (including inflation) to province-wide property tax revenue for the next ten years;

AND WHEREAS this gap calculation also presumes all existing and multi-year planned federal and provincial transfers to municipal governments are fulfilled;

AND WHEREAS if future federal and provincial transfers are unfulfilled beyond 2015 levels, it would require annual province-wide property tax revenue increases of up to 8.35% for ten years;

AND WHEREAS Ontarians already pay the highest property taxes in the country;

AND WHEREAS each municipal government in Ontario faces unique issues, the fiscal health and needs are a challenge which unites all municipal governments, regardless of size;

NOW THEREFORE BE IT RESOLVED that this Council supports the Association of Municipalities of Ontario in its work to close the fiscal gap; so that all municipalities can benefit from predictable and sustainable revenue, to finance the pressing infrastructure and municipal service needs faced by all municipal governments.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)

Voting Against: (0)

Carried

By-laws

4. Moved by Councillor MacKinnon
Seconded by Councillor Van Hellemond

That By-laws Numbered (2016)-20109 to (2016)-20110, inclusive, are hereby passed.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)

Voting Against: (0)

Carried

Mayor's Announcements

Mayor Guthrie announced he was hosting a Town Hall meeting about the 2017 budget, on November 15, 2016 at 7:00 p.m. in City Hall meeting room 112.

Councillor MacKinnon announced a Ward 6 Town Hall meeting was being held on November 17, 2016 at 7:00 p.m. at the Claire Road Emergency Centre.

Councillor Gordon acknowledged the raised Metis flag outside of City Hall commemorating their 200th year anniversary and Louis Riel's Birthday.

Adjournment (8:01 p.m.)

5. Moved by Councillor Bell
Seconded by Councillor Salisbury

That the meeting be adjourned.

Carried

Minutes to be confirmed on November 28, 2016.

Mayor Guthrie

Dolores Black – Acting Deputy Clerk



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Wednesday, November 16, 2016 at 6:00 p.m.**

Attendance

Council: Mayor C. Guthrie
Councillor P. Allt
Councillor B. Bell
Councillor C. Billings
Councillor C. Downer
Councillor D. Gibson

Councillor J. Gordon
Councillor M. MacKinnon
Councillor M. Salisbury
Councillor A. Van Hellemond
Councillor K. Wettstein

Regrets: Councillor J. Hofland
Councillor L. Piper

Staff: Mr. D. Thompson, Chief Administrative Officer
Mr. M. Amorosi, Deputy CAO, Corporate Services
Mr. S. Stewart, Deputy CAO, Infrastructure, Development and Enterprise
Mr. J. Krauter, Acting City Treasurer
Ms. C. Clack, Deputy CAO, Public Services
Ms. A. Springate, Communications Officer
Ms. D. Black, Acting Deputy Clerk
Mr. D. McMahon, Council Committee Coordinator

Call to Order (6:00 p.m.)

Mayor Guthrie called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Presentation of the 2017 Local Boards and Shared Service Budgets

James Krauter, Acting City Treasurer, provided background information on the 2017 budget process and introduced the local boards and shared services budgets.

Guelph Public Library

Steve Kraft, CEO, Guelph Public Library, highlighted the services the library provides and indicated that growth in 2016 was significant. He further advised that their proposed budget includes salary increases and one new fulltime employee.

Library staff were will provide the percentage of the requested budget increase that accounts for the new proposed position.

Wellington-Dufferin-Guelph Public Health

Shana O'Dwyer, Manager of Finance, Wellington-Dufferin-Guelph Public Health, outlined the services, programs, protocols and funding sources for Public Health. She provided a breakdown of municipal funding and summarized the challenges and opportunities Public Health faces for 2017.

Downtown Guelph Business Association

Marty Williams, Executive Director, Downtown Guelph Business Association (DGBA), explained the DGBA mandate and highlighted the various events, promotions, sponsorships, marketing programs and membership services. He noted issues and concerns they face moving forward into 2017 and provided highlights from their submitted budget.

Guelph Police Services

Judy Sorbara, Chair, Guelph Police Services Board, briefly discussed the Guelph Police Services Strategic Business Plan for 2016 - 2018.

Jeff DeRuyter, Chief of Police, Guelph Police Services, provided an overview of the Police Services Act requirements and indicated that they are in the first year of their 2016 – 2018 Strategic Business Plan. In addition, he discussed budget development, continual improvements, service activities and quality indicators. He outlined the proposed 2017 budget and expansions.

Councillor Bell left the meeting at 7:41 p.m.

The Elliott Community

Trevor Lee, Chief Executive Officer, The Elliott Community, outlined the services they provide, as well as the key strategies that contributed to the development of their budget. Additionally, he provided an overview of the proposed 2017 budget.

Councillor Van Hellemond left the meeting at 7:59 p.m.

Wellington County

Ken DeHart, County Treasurer, County of Wellington, introduced Eddie Alton, Social Services Administrator, County of Wellington.

Mr. Alton provided background on the County of Wellington Social Services Department, office locations, Ontario Works Division, Children's Early Years Division and Housing Services Division. He outlined the social services expenditure summary, City versus County share of social service costs, operating and capital forecasts for Social Housing, Ontario Works and Children's Early Years and future items for consideration not included in the five year plan.

1. Moved by Councillor Gordon
Seconded by Councillor Allt

That report CS-2016-71 titled '2017 Local Boards and Shared Services Budgets' be referred to the December 7, 2016 Council Meeting for final deliberation and approval.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Billings, Downer, Gibson, Gordon, MacKinnon, Salisbury, and Wettstein (9)

VOTING AGAINST: (0)

Carried

Mayor's Announcements

Councillor MacKinnon announced a Ward 6 Town Hall on November 17, 2016 at 7:00 p.m. at the Clair Road Emergency Centre.

Adjournment (8:42 p.m.)

2. Moved by Councillor Salisbury
Seconded by Councillor Allt

That the meeting be adjourned.

Carried

Minutes to be confirmed on December 19, 2016.

Mayor Guthrie

Dolores Black – Acting Deputy Clerk



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday, November 28, 2016 at 5:30 p.m.**

Attendance

Council: Mayor C. Guthrie
Councillor P. Allt
Councillor B. Bell
Councillor C. Billings
Councillor C. Downer
Councillor D. Gibson
Councillor J. Gordon
Councillor J. Hofland
Councillor M. MacKinnon
Councillor M. Salisbury
Councillor A. Van Hellemond
Councillor K. Wettstein

Absent: Councillor L. Piper

Staff: Mr. D. Thomson, Chief Administrative Officer
Mr. M. Amorosi, Deputy CAO of Corporate Services
Ms. C. Clack, Deputy CAO of Public Services
Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise Services
Ms. K. Dedman, General Manager, Engineering and Capital Infrastructure Services
Mr. P. Busatto, General Manager, Environmental Services
Mr. T. Salter, General Manager, Planning, Urban Design and Building Services
Ms. B. Swartzentruber, Executive Director of Intergovernmental Relations, Policy, and Open Government
Ms. M. Aldunate, Manager, Policy, Planning, and Urban Design
Ms. S. Laughlin, Senior Policy Planner, Planner III
Mr. D. Mast, Associate Solicitor
Mr. S. O'Brien, City Clerk
Ms. G. van den Burg, Council Committee Coordinator

Call to Order (5:30 p.m.)

Mayor Guthrie called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

1. Moved by Councillor Bell
Seconded by Councillor Gibson

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (c), (e) and (f) of the Municipal Act with respect to a matter related to a proposed acquisition of land by the municipality, litigation or potential litigation, including matters before administrative tribunals and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Closed Meeting (5:32 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

C-2016.56 Update on Development of Brant Community Hub

C-2016.57 Dolime Quarry – Mediation Process Update

Rise and recess from Closed Meeting (6:24 p.m.)

Council recessed.

Open Meeting (6:32 p.m.)

Mayor Guthrie called the meeting to order.

Closed Meeting Summary

Mayor Guthrie spoke regarding the matters addressed in closed and identified the following:

Minutes – Council Closed Session – closed Council meeting as Shareholder of Guelph Municipal Holdings Inc. held October 24, 2016, the closed Council meetings held October 25 and November 9, 2016. These minutes were adopted by Council.

C-2016.56 Update on Development of Brant Community Hub
Staff were given direction on this matter.

C-2016.57 Dolime Quarry – Mediation Process Update
Staff were given direction on this matter.

Disclosure of Pecuniary Interest and General Nature Thereof

Councillor MacKinnon declared a pecuniary interest on the matter relating to the Living Wage Campaign as he is a local business owner that would be affected by the Living Wage Employer Recognition Program.

Presentations

Mayor Guthrie presented certificates to award recipients of the Access Awareness Recognition Awards.

Mayor Guthrie presented certificates to Guelph athletes who competed in the 2016 Olympic Games in Rio de Janeiro, Brazil.

Confirmation of Minutes

2. Moved by Councillor Gordon
Seconded by Councillor Hofland

That the minutes of the open Council Meeting as Shareholder of Guelph Municipal Holdings Inc. held October 24; the open Council Meetings held October 11, 17, 24, 25, 26, 2016 and November 3, 9, 2016; the open Council meeting as the Striking Committee held November 14, 2016, and the special Committee of the Whole meeting held on November 7, 2016 be confirmed as recorded and without being read.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

Committee of the Whole Consent Reports

The following items were extracted:

COW-GOV-2016.3 2017 Council and Committee Meeting Schedule

Living Wage Campaign

3. Moved by Councillor Van Hellemond
Seconded by Councillor Allt

That the City of Guelph supports the principles of the Guelph and Wellington Living Wage Employer Recognition Program and is encouraged by the participation of local businesses/organizations who have adopted living wage policies.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

20,000 Homes Initiative

4. Moved by Councillor Downer
Seconded by Councillor Billings

That staff further examine policies or procedures that can be adopted through our intergovernmental department, planning and/or the building department to help address the matters contained within the final local report of the 20,000 Homes Campaign.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

COW-GOV-2016.1 2016-2018 Public Appointments to Advisory Boards and Committees

5. Moved by Councillor Hofland
Seconded by Councillor Salisbury

Policy Amendments

1. That the City's Advisory Committee Meeting Procedures Policy and Citizen Appointment Policy be amended as shown in Attachment 1 to the "Fall 2016 Appointments to Advisory Boards and Committees Report".

Accessibility Advisory Committee

2. That Jason Dodge, Raminder Kanetkar and Marlene Pfaff be reappointed to the Accessibility Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.
3. That Luc Engelen and Joanne O'Halloran be appointed to the Accessibility Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.

Art Gallery of Guelph Board of Directors

4. That Timothy Dewhirst and Tanya Lonsdale be reappointed to the Art Gallery of Guelph Board of Directors for a two year term ending November 30, 2018 or until such time as successors are appointed.

Board of Trustees of the Elliott

5. That Ravi Sathasivam, John Schitka, E.J. Stross, and Jackie Wright be reappointed to the Board of Trustees of the Elliott Community for a three year term ending November 30, 2019 or until such time as successors are appointed.
6. That Bill Koornstra and David Kennedy be appointed to the Board of Trustees of the Elliott Community for a three year term ending November 30, 2019 or until such time as successors are appointed.

Downtown Advisory Committee

7. That Dorothe Fair and Sara Mau be reappointed to the Downtown Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.

Economic Development Advisory Committee

8. That Greg Sayer be reappointed to the Economic Development Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.

Environmental Advisory Committee

9. That Ash Baron, Virginia Capmourteres, Lynette Renzetti, Amanjot Singh and Leila Todd be reappointed to the Environmental Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.
10. That Adam Miller and Matt Wilson be appointed to the Environmental Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.

Guelph Cemetery Commission

11. That Doug Gilchrist and David Ralph be reappointed to the Guelph Cemetery Commission for a term ending November 30, 2018 or until such time as successors are appointed.

Guelph Museums Advisory Committee

12. That Paul Baker and Robert Hohenadel be reappointed to the Guelph Museums Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.
13. That no further action be taken to fill the remaining vacancy at this time.

Guelph Public Library Board of Directors

14. That Jennifer Mackie be reappointed to the Guelph Public Library Board of Directors for a term ending November 30, 2018 or until such time as a successor is appointed.
15. That staff be directed to conduct further recruitment to fill the remaining two vacancies for the Guelph Public Library Board of Directors.

Guelph Sports Hall of Fame Board of Directors

16. That Trevor Reid be reappointed to the Guelph Sports Hall of Fame Board of Directors for a term ending November 30, 2018 or until such time as a successor is appointed.

Heritage Guelph

17. That Dave Waverman be reappointed to Heritage Guelph committee for a term ending November 30, 2018 or until such time as a successor is appointed.

River Systems Advisory Committee

18. That Beth Anne Fischer be reappointed to the River Systems Advisory Committee for a term ending November 30, 2018 or until such time as a successor is appointed.
19. That Kendall Flower and Jesse Van Patter be appointed to the River Systems Advisory Committee for a term ending November 30, 2017 or until such time as a successor is appointed.

Tourism Advisory Committee

20. That Frank Cain, Barbara Fisk, Heather Grummett, Andrea McCulligh, Gregory Mungall, Anuradha Saxena and Dana Thatcher be reappointed to the Tourism Advisory Committee for a term ending November 30, 2018 or until such time as successors are appointed.
21. That Lynn Broughton and Jennifer Whyte be appointed to the Tourism Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.

Transit Advisory Committee

22. That Justine Kraemer and Steve Petric be appointed to the Transit Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.
23. That the Central Students Association, Local Affairs Commissioner at the University of Guelph be appointed to the Transit Advisory Committee for a term ending November 30, 2017 or until such time as successors are appointed.

Waste Resource Innovation Public Liaison Committee

23. That Bill Mullin be appointed to the Waste Resource Innovation Public Liaison Committee for a term ending November 30, 2017 or until such time as a successor is appointed.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

Balance of Committee of the Whole Consent Items

6. Moved by Councillor Bell
Seconded by Councillor Hofland

That the balance of the November 7, 2016 Committee of the Whole Consent Report as identified below, be adopted:

COW-GOV-2016.4 Chief Administrative Officer Employment Contract

That Council direct staff to post highlights of the Chief Administrative Officer's (CAO) Employment contract on the Guelph.ca website.

COW-GOV-2016.5 Proposed Framework for an Affordable Housing Financial Incentives Program

1. That City Council confirms it will establish an Affordable Housing Financial Incentives Program, in addition to the funding provided by the City to the County as the Service Manager for Social Housing.
2. That funding for an Affordable Housing Financial Incentives Program be included as part of the 2017 budget discussions.
3. That the following clauses of the proposed framework for an affordable housing financial incentives program be referred back to staff to report back to the Committee of the Whole.

"That the proposed recommendations for a framework for an Affordable Housing Financial Incentives Program be approved, as outlined in report #CAO-I-1607: Proposed Framework for an Affordable Housing Financial Incentives Program.

That staff be directed to develop the program details and implementation plan for an Affordable Housing Financial Incentives Program."

Private Members Bill (46)

That the City of Guelph endorse Bill 46 – an act respecting pregnancy and parental leaves for municipal council members as it relates to changes to the Ontario Municipal Act.

COW-IDE-2016.10 Commercial Policy Review: Terms of Reference

That the Commercial Policy Review Terms of Reference, included as Attachment 1 to Report #16-84 be approved.

COW-IDE-2016.11 Downtown Parking Items: Conclusion of Essex Street One Year Pilot and Updated Downtown On-street Temporary Use Policy

1. That the Essex Street parking restrictions, between Gordon and Dublin Streets, developed and tested through the 2015-16 pilot project, are to be continued as the current standard for that section of the street.
2. That Guelph City Council approves the proposed framework for updating the 'Temporary Permits for On-street Parking Space Use' standard operating procedure and that the updated fees come into force at the time of Council passing this motion.

COW-IDE-2016.14 115 Dawn Avenue: Letter of Refusal for Tree Removal as per the City of Guelph Private Tree Bylaw

That the removal of the trees identified be approved, based upon the completion of the landscaping design as presented by the homeowner, as amended, subject to replacement of removed trees at a ratio of 3:1 with three trees being native trees.

COW-CS-2016.6 Reserve and Reserve Fund Consolidation and Policy

1. That the revised Development Charge Exemption Policy, included as Attachment 1, be approved and adopted by By-law, and repeal By-law Number (2013) – 19537 Development Charge Exemption Policy.
2. That Council approve the consolidation, closing and renaming of the following Compensation reserves:
 - Salary Gapping Contingency Reserve (191)
 - Joint Job Evaluation Committee Reserve (196)
 - Human Resources Negotiations Reserve (197)
 - Early Retiree Benefits Reserve (212)
 - Into the Employee Benefit Stabilization Reserve, which is to be renamed the 'Compensation Contingency Reserve' (131).
3. That Council approve the consolidation, closing and renaming of the following Capital reserve funds:
 - Fire Equipment Replacement Reserve Fund (111)
 - Transit Equipment Replacement Reserve Fund (113)
 - Waste Management Equipment Replacement Reserve Fund (116)
 - Computer Equipment Replacement Reserve Fund (118)
 - Play Equipment Replacement Reserve Fund (121)
 - Operations & Fleet Equipment Replacement Reserve Fund (124)
 - Parking Capital Reserve Fund (151)
 - Roads Capital Reserve Fund (164)
 - Park Planning Capital Reserve Fund (166)
 - Economic Development Capital Reserve Fund (168)
 - Operations Capital Reserve Fund (169)

Culture Capital Reserve Fund (171)
Transit Capital Reserve Fund (172)
Information Services Capital Reserve Fund (176)
Waste Management Capital Reserve Fund (186)
Capital Strategic Planning Reserve Fund (154)
Roads Infrastructure Capital Reserve Fund (160)
Building Lifecycle Capital Reserve Fund (190)
Into the Capital Taxation Reserve Fund, which is to be renamed the
'Infrastructure Renewal Reserve Fund' (150).

Policy Planning Capital Reserve Fund (167)
Into the Development Charge Exemption Reserve Fund, which is to be
renamed the 'Growth Capital Reserve Fund' (156).

Greening Reserve Fund (355)
Into the Accessibility Capital Reserve Fund, which is to be renamed the
'City Building Capital Reserve Fund' (159).

4. That Council approves the creation of the Stormwater Rate Stabilization Reserve and the Stormwater DC Exemption Reserve Fund.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

Items for Discussion

COW-GOV-2016.3 2017 Council and Committee Meeting Schedule

7. Moved by Councillor Hofland
Seconded by Councillor Bell

That the 2017 Council and Committee meeting schedule as shown in Attachment "A" to the "2017 Council and Committee Meeting Schedule" report dated November 7, 2016 be approved.

Amendment

8. Moved by Councillor Hofland
Seconded by Councillor Bell

That the Committee of the Whole meeting scheduled on Monday, June 5, 2017 as noted in Attachment "A" to report titled "2017 Council and Committee Meeting Schedule" be moved to Tuesday, June 6, 2017.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

Main Motion as Amended

9. Moved by Councillor Hofland
Seconded by Councillor Bell

That the 2017 Council and Committee meeting schedule as shown in Attachment "A" to the "2017 Council and Committee Meeting Schedule" report dated November 7, 2016 be approved, as amended.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

COW-IDE-2016.15 Development Engineering Manual

Laura Murr delegated on this matter.

10. Moved by Councillor Bell
Seconded by Councillor Hofland

1. That the Development Engineering Manual, included as Attachment 1 to this report, be approved.

2. That future amendments to the Development Engineering Manual be approved through delegated authority to Deputy CAO, Infrastructure, Development and Enterprise.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

CON-2016.62 City of Guelph's Submission to the Ministry of the Environment and Climate Change Regarding Ontario's Water-Taking Regulations

The following individuals delegated on this matter:

- Amber Sherwood-Robinson
- Ashley Wallis, Environmental Defence
- Ron East
- Robert Case
- Mike Schreiner
- Cameron Fioret, Council of Canadians – Guelph Chapter
- Terry MacIntosh
- Jennifer Kerr, Nestle Waters Canada
- Sam Gordon, Nestle Waters Canada
- Hugh Whiteley

The following individuals submitted correspondence regarding this matter:

- Susan Van Norman

- Maude Barlow
- Richard Anstett

11. Moved by Councillor MacKinnon
Seconded by Councillor Gordon

1. That Council direct staff to provide the Ministry of the Environment and Climate Change (MOECC) with the attached itemized package, (identified as attachment 1 to Staff Report CAO-I-1610) to consider in its review of water-taking policies.
2. That Council support the Province's moratorium on the issuance of new or increasing permits for water bottling until January 1, 2019. Thereby prohibiting any new or increased use of groundwater taking in Ontario for bottling, to allow the MOECC to undertake a comprehensive review of the rules that govern water bottling facilities in Ontario. The City of Guelph recommends that elements of the review include, but not be limited to, costs charged to large water users and the composition/disposal of plastic bottles.
3. That Council recommend the province develop a provincially funded, comprehensive water management program. The program and associated regulatory changes should ensure:
 - an evidence (science) and principle-based approach to water-taking in the province
 - a precautionary approach to the future sustainability of water quality and quantity
 - community or public water needs are a recognized priority
 - a balance between economic opportunities and environmental sustainability
 - adequate funding to municipalities to support the implementation and management of the framework
4. That Council direct staff to provide MOECC with the attached correspondence (identified as attachment 2 to Staff Report CAO-I-1610) as the City's formal response to the EBR Registry Number: 012-8783, entitled "A regulation establishing a moratorium on the issuance of new or increasing permits to take water for water bottling."
5. That Council direct staff to continue to promote the overall quality of Guelph's drinking water and the consumption of municipally-treated tap water in the city. This includes the City's continued master planning for long-term sustainability of Guelph's water supply to accommodate growth targets and community needs (i.e. the Water Supply Master Plan), as well as tap water promotion through programs such as the City's Blue W and Water Wagon at community events.
6. That Council direct staff to continue to promote reduction of waste, recycling and reuse within the Guelph.
7. That given the recommendations noted above and contained within Staff Report CAO-I-1610, the motion made by Councillor Gordon and amended by Councillor Gibson at the September 26, 2016 Council meeting, which read "That Council, with administrative assistance from Intergovernmental

Relations, Policy and Open Government staff, submit comments through the Ontario Environmental Registry Process expressing Guelph's concern about the future sustainability of water-taking from the watershed shared by the City of Guelph" be withdrawn.

First Amendment

12. Moved by Councillor MacKinnon
Seconded by Councillor Gibson

That Clause six be amended by removing the comma after the word "waste" and inserting the words "and encourage".

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

Second Amendment

13. Moved by Councillor Gordon
Seconded by Councillor Allt

That Council recommend to the Province that the review include appropriate consultation with First Nations communities impacted.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, Salisbury, Van Hellemond and Wettstein (11)

Voting Against: Councillor MacKinnon (1)

Carried

Third Amendment

14. Moved by Councillor Gordon
Seconded by Councillor Allt

That the third bullet point in Clause three be amended by changing the wording of "community or public water needs are a recognized priority" to "that community or public water needs are the recognized priority".

Voting in Favour: Mayor Guthrie, Councillors Allt, Downer, Gordon, Hofland, and Salisbury (6)

Voting Against: Councillors Bell, Billings, Gibson, MacKinnon, Van Hellemond, and Wettstein (6)

Defeated

Fourth Amendment

15. Moved by Councillor Downer
Seconded by Councillor Hofland

That Council recommend to the Province that water bottling companies be mandated to directly promote reduction of waste and encourage recycling and reuse of plastic water bottles.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, Salisbury, Van Hellemond (10)

Voting Against: Councillors MacKinnon and Wettstein (2)

Carried

Fifth Amendment

16. Moved by Councillor Billings
Seconded by Councillor Gibson

That Clause 2 be amended by inserting the words "excluding municipalities" between 'large water users' and 'and the composition/disposal of plastic bottles'.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

Sixth Amendment

17. Moved by Councillor Salisbury
Seconded by Councillor Allt

That the fourth bullet point in Clause three be amended by having the words "a balance between" replaced with "having regard for both" so as to read "having regard for both economic opportunities and environmental sustainability".

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Downer, Gordon, Hofland, and Salisbury (6)

Voting Against: Councillors Billings, Gibson, Hofland, MacKinnon, Van Hellemond, and Wettstein (6)

Defeated

Main Motion as Amended

18. Moved by Councillor MacKinnon
Seconded by Councillor Gordon

1. That Council direct staff to provide the Ministry of the Environment and Climate Change (MOECC) with the attached itemized package, (identified as attachment 1 to Staff Report CAO-I-1610) to consider in its review of water-taking policies.
2. That Council support the Province's moratorium on the issuance of new or increasing permits for water bottling until January 1, 2019. Thereby prohibiting any new or increased use of groundwater taking in Ontario for bottling, to allow the MOECC to undertake a comprehensive review of the rules that govern

water bottling facilities in Ontario. The City of Guelph recommends that elements of the review include, but not be limited to, costs charged to large water users, **excluding municipalities**, and the composition/disposal of plastic bottles.

3. That Council recommend the province develop a provincially funded, comprehensive water management program. The program and associated regulatory changes should ensure:
 - an evidence (science) and principle-based approach to water-taking in the province
 - a precautionary approach to the future sustainability of water quality and quantity
 - community or public water needs are a recognized priority
 - a balance between economic opportunities and environmental sustainability
 - adequate funding to municipalities to support the implementation and management of the framework
4. That Council direct staff to provide MOECC with the attached correspondence (identified as attachment 2 to Staff Report CAO-I-1610) as the City's formal response to the EBR Registry Number: 012-8783, entitled "A regulation establishing a moratorium on the issuance of new or increasing permits to take water for water bottling."
5. That Council direct staff to continue to promote the overall quality of Guelph's drinking water and the consumption of municipally-treated tap water in the city. This includes the City's continued master planning for long-term sustainability of Guelph's water supply to accommodate growth targets and community needs (i.e. the Water Supply Master Plan), as well as tap water promotion through programs such as the City's Blue W and Water Wagon at community events.
6. That Council direct staff to continue to promote reduction of waste **and encourage** recycling and reuse within the Guelph.
7. That given the recommendations noted above and contained within Staff Report CAO-I-1610, the motion made by Councillor Gordon and amended by Councillor Gibson at the September 26, 2016 Council meeting, which read "That Council, with administrative assistance from Intergovernmental Relations, Policy and Open Government staff, submit comments through the Ontario Environmental Registry Process expressing Guelph's concern about the future sustainability of water-taking from the watershed shared by the City of Guelph" be withdrawn.
- 8. That Council recommend to the Province that the review include appropriate consultation with First Nations communities impacted.**
- 9. That Council recommend to the Province that water bottling companies be mandated to directly promote reduction of waste, and encourage recycling and reuse of plastic water bottles.**

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried
Unanimously

Council recessed at 9:34 p.m. and reconvened at 9:46 p.m.

**CON-2016.63 City-initiated Official Plan Amendment (OP1603) -
Proposed revision to the Downtown Zoning By-law
Amendment (ZC1612) as it pertains to 75 Dublin Street
North**

Ms. Stacey Laughlin, Senior Policy Planner, outlined the proposed changes submitted by the property owner of 75 Dublin St. N. and the various land uses for the property.

The following individuals delegated on this matter:

- Claudia Durbin & Elizabeth Ferreira
- Kathryn Folkl
- Tom Lammer
- Owen Scott
- James Fryett
- Astrid J. Clos
- Scott Snider
- Patricia Kandel
- Alan Heisey, Upper Grand District School Board
- Brian Campbell
- Ian Flett, Old City Resident's Committee
- Susan Ratcliffe (presentation)
- Anne Gajerski-Cauley
- Elbert van Donkersgoed
- Patrick Martin
- Chris Findlay
- Luke Weiler
- Elizabeth Mcrae
- Kathryn Folkl (presentation)
- Catherine Killen
- Lin Grist
- Stephen Jones, Wellington Guelph Housing Committee
- Jane Londerville, Wellington Guelph Housing Committee
- Eric Lyon
- Melissa Dean
- Jennifer Jupp
- Mervyn Horgan
- John Parkyn
- Lise Burcher
- Christine Main
- Paul Pinarello
- Mary Tivy

The following individuals submitted correspondence regarding this matter:

- Astrid J. Clos
- Janet Dalgleish
- Christine Main
- Kathryn Folkl
- Nick Black
- Joan Hicks
- Claudia Durbin, Elizabeth Ferreira, L.J., Patrol Captains at Central Public School
- Rev. Dennis Noon
- Lois Etherington Betteridge
- Alex Folkl
- Cherolyn Knapp
- Leanne Johns
- Bogna Dembek
- Bill Chesney and Jane Macleod
- Michael Bennett
- Lynn Punnett
- Will Mactaggart
- Martina Meyer
- David Eastill
- Ingrid Driussi
- Heather Daymond
- Bruce Matheson
- Eric, Jennifer, Sarah and Adrian Lyon
- Glenda Moase
- Alina Sercherchi
- Jayne Suzuki
- George Kelly, Chair, Guelph Wellington Social Justice Coalition
- Susan Watson
- Linda Hathorn
- Vanessa Currie
- Melissa Dean
- Patrick Martin
- Chris Findlay
- Karen Phipps
- Nancy Bower Martin
- Janet Fowler
- Alan Milliken Heisey, Upper Grand District School Board
- Robert Dragicevic
- J.M. Crawley
- Jeff Thomason and Melody Wren
- Patti Maurice
- Susan Ratcliffe
- Susan Douglas
- Pia Muchaal
- Patricia Kandel
- Elbert and Nellie van Donkersgoed
- Paula and Malcolm Manford
- Lynn and Albert Knox
- Randalin Ellery
- Ian Flett, Old City Resident's Committee

- Daniel Cabena
- Marlene Santin
- Stephen Jones, Wellington Guelph Housing Committee

Mayor Guthrie ceded the Chair to Councillor Downer at 9:56 p.m. and resumed as Chair at 10:11 p.m.

Extension of Meeting Per Procedural By-law

19. Moved by Councillor Gibson
Seconded by Councillor Van Hellemond

That Section 4.13 (a) and (b) of the Procedural By-law be invoked to allow Council to continue to 11:59 p.m.

Carried

Suspending the Procedural By-law

20. Moved by Councillor Gibson
Seconded by Councillor van Hellemond

Councillor Salisbury called a point of order regarding the suspension of the rules for the purposes of extending the meeting beyond the 12:00 a.m. time.

That Section 4.13 (b) rules be suspended the Procedural By-law be suspended to allow Council to continue beyond 12:00 a.m.

Defeated

Reconsideration

21. Moved by Councillor Gibson
Seconded by Councillor Wettstein

That Section 5.8 of the Procedural By-law be suspended to allow Council to reconsider the motion to continue beyond 12:00 a.m.

Voting in Favour: Mayor Guthrie, Councillors Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Van Hellemond and Wettstein (9)

Voting Against: Councillors Allt, Bell, and Salisbury (6)

Carried

Suspending the Procedural By-law

22. Moved by Councillor MacKinnon
Seconded by Councillor Van Hellemond

That the Procedural By-law be suspended to allow Council to continue beyond 12:00 a.m.

Voting in Favour: Mayor Guthrie, Councillors Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Van Hellemond and Wettstein (9)

Voting Against: Councillors Allt, Bell, and Salisbury (6)

Carried

Council recessed at 12:01 a.m. Tuesday, November 29, 2016 and reconvened at 12:11 a.m.

Motion to Recess

23. Moved by Councillor Salisbury
Moved by Councillor Allt

That Council establish Wednesday, November 30 at 4:00 p.m. to reconvene for consideration of the balance of Item CON-2016.63 City-initiated Official Plan Amendment (OP1603) - Proposed revision to the Downtown Zoning By-law Amendment (ZC1612) as it pertains to 75 Dublin Street North.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

By-laws

24. Moved by Councillor Salisbury
Seconded by Councillor Gordon

That By-laws Numbered (2016)-20111, (2016)-20112 and (2016)-20114, as amended, on all matters considered in advance of the recess, are hereby passed.

Voting in Favour: Mayor Guthrie, Councillors Allt, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (11)

Voting Against: Councillor Bell (1)

Carried

Mayor's Announcements

Mayor Guthrie announced that he is hosting a Town Hall Meeting at 7:00 p.m. on Tuesday, November 29, 2016 at the West End Community Centre.

25. Moved by Councillor Bell
Seconded by Councillor Van Hellemond

That Council recess until Wednesday, November 30, 2016 at 4:00 p.m.

Carried

Council recessed at 1:28 a.m. Tuesday, November 29, 2016 and reconvened at 4:00 p.m. on Wednesday, November 30, 2016.

CON-2016.63 City-initiated Official Plan Amendment (OP1603) - Proposed revision to the Downtown Zoning By-law Amendment (ZC1612) as it pertains to 75 Dublin Street North

Councillor Bell requested Council to consider a motion to amend the recommendation provided by Ms. Astrid Clos, Planning Consultant, prior to consideration of the original staff recommendation.

Councillor Hofland called a point of order to request that Ms. Clos's motion be displayed for the public to view.

26. Moved by Councillor Bell
Seconded by Councillor Gibson

1. That the City-initiated Official Plan Amendment for 75 Dublin Street North to permit a maximum building height of five (5) storeys; whereas a maximum of four (4) storeys is currently permitted be approved.
2. That the proposed Zoning By-law Amendment from the I.1 (Institutional) Zone to the D.2-9 (Downtown) Zone be approved as part of the Downtown Zoning By-Law Amendment as it pertains to the land municipally known as 75 Dublin Street North in accordance with the zoning regulations appended in the applicant's letter dated November 21, 2016.

Authority to Resolve into a Closed Meeting of Council

27. Moved by Councillor Salisbury
Seconded by Councillor Allt

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (f) of the Municipal Act with respect to a matter that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

Closed Meeting (4:40 p.m.)

The following matter was considered:

CON-2016.63 City-initiated Official Plan Amendment (OP1603) - Proposed revision to the Downtown Zoning By-law Amendment (ZC1612) as it pertains to 75 Dublin Street North

Rise and recess from Closed Meeting (5:03 p.m.)

Council recessed.

Open Meeting (5:04 p.m.)

Mayor Guthrie called the meeting to order.

Closed Meeting Summary

Mayor Guthrie spoke regarding the matters addressed in closed and identified the following:

**CON-2016.63 City-initiated Official Plan Amendment (OP1603) -
Proposed revision to the Downtown Zoning By-law
Amendment (ZC1612) as it pertains to 75 Dublin Street
North**

Information was received and no direction was given.

Point of privilege was called by Councillor Allt regarding a comment made by Councillor Gibson.

28. Moved by Councillor Bell
 Seconded by Councillor Gibson

Councillor Bell requested that the Clauses be voted on separately.

1. That the City-initiated Official Plan Amendment for 75 Dublin Street North to permit a maximum building height of five (5) storeys; whereas a maximum of four (4) storeys is currently permitted be approved.

Voting in Favour: Mayor Guthrie, Councillors Bell, Billings, and Wettstein (4)

Voting Against: Councillors Allt, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, and Van Hellemond (8)

Defeated

2. That the proposed Zoning By-law Amendment from the I.1 (Institutional) Zone to the D.2-9 (Downtown) Zone be approved as part of the Downtown Zoning By-Law Amendment as it pertains to the land municipally known as 75 Dublin Street North in accordance with the zoning regulations appended in the applicant's letter dated November 21, 2016.

Withdrawn

29. Moved by Councillor Hofland
 Seconded by Councillor MacKinnon

1. That the City-initiated Official Plan Amendment for 75 Dublin Street North to permit a maximum building height of five (5) storeys; whereas a maximum of four (4) storeys is currently permitted be refused.
2. That the proposed Zoning By-law Amendment from the I.1 (Institutional) Zone to a modified D.2-9 (Downtown) Zone be approved as part of the Downtown Zoning By-law Amendment as it pertains to the land municipally known as 75 Dublin Street North in accordance with the zoning regulations

and conditions outlined in ATT-2 of Infrastructure, Development and Enterprise Services Report 16-85, dated November 28, 2016.

3. That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed revision to the Downtown Zoning By-law Amendment as it pertains to 75 Dublin Street North.

Councillor Hofland requested the clauses be voted on separately.

Clause 1

1. That the City-initiated Official Plan Amendment for 75 Dublin Street North to permit a maximum building height of five (5) storeys; whereas a maximum of four (4) storeys is currently permitted be refused.

Voting in Favour: Mayor Guthrie, Councillors Allt, Billings, Downer, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (10)

Voting Against: Councillors Bell and Gibson (2)

Carried

Referral

30. Moved by Councillor Hofland
Seconded by Councillor Gordon

That Clause 2 of the staff recommendation be referred to staff for a more comprehensive study of the area and a further public consultation process by end of Q2.

Voting in Favour: Councillors Gordon, and Hofland (2)

Voting Against: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, MacKinnon, Salisbury, Van Hellemond and Wettstein (10)

Defeated

Clause 2

31. Moved by Councillor Hofland
Seconded by Councillor MacKinnon

That the proposed Zoning By-law Amendment from the I.1 (Institutional) Zone to a modified D.2-9 (Downtown) Zone be approved as part of the Downtown Zoning By-law Amendment as it pertains to the land municipally known as 75 Dublin Street North in accordance with the zoning regulations and conditions outlined in ATT-2 of Infrastructure, Development and Enterprise Services Report 16-85, dated November 28, 2016.

Voting in Favour: Mayor Guthrie, Councillors Bell, Billings, Gibson, MacKinnon, Salisbury, Van Hellemond and Wettstein (8)

Voting Against: Councillors Allt, Downer, Gordon, and Hofland (4)

Carried

Clause 3

That in accordance with Section 34(17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed revision to the Downtown Zoning By-law Amendment as it pertains to 75 Dublin Street North.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, MacKinnon, Salisbury, Van Hellemond and Wettstein (10)

Voting Against: Councillors Gordon, and Hofland (2)

Carried

New Motion

32. Moved by Councillor Downer
Seconded by Councillor Hofland

That intergovernmental staff report back to Council on the process used by the County of Wellington to select affordable housing projects and explore opportunities for City involvement.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gordon, Hofland, Salisbury, and Wettstein (9)

Voting Against: Councillors Gibson, MacKinnon, and Van Hellemond (3)

Carried

New Motion

33. Moved by Mayor Guthrie
Seconded by Councillor Salisbury

That a letter be sent to MP Lloyd Longfield outlining that he request, on behalf of the City of Guelph, an extension to the affordable housing grant of \$3 million dollars towards another viable project within the City of Guelph.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

By-laws

34. Moved by Salisbury
Seconded by Bell

That By-Law Numbers (2016)-20013 and (2016)-20115 are hereby passed.

Voting in Favour: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Salisbury, Van Hellemond and Wettstein (12)

Voting Against: (0)

Carried

Adjournment (Wednesday, November 30, 2016 at 6:34 p.m.)

35. Moved by Councillor Bell
Seconded by Councillor Allt

That the meeting be adjourned.

Carried

Minutes to be confirmed on Monday, December 19, 2016.

Mayor Guthrie

Stephen O'Brien - City Clerk



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
November 30, 2016 at 6:45 p.m.**

Attendance

Council: Mayor C. Guthrie
Councillor P. Allt
Councillor B. Bell
Councillor C. Billings
Councillor C. Downer
Councillor D. Gibson

Councillor J. Gordon
Councillor J. Hofland
Councillor M. MacKinnon
Councillor M. Salisbury
Councillor A. Van Hellemond
Councillor K. Wettstein

Absent: Councillor L. Piper

Staff: Mr. D. Thomson, Chief Administrative Officer
Mr. M. Amorosi, Deputy CAO, Corporate Services
Ms. C. Clack, Deputy CAO, Public Services
Mr. S. Stewart, Deputy CAO, Infrastructure, Development and Enterprise Services
Mr. P. Cartwright, General Manager, Business, Development and Enterprise
Mr. J. Krauter, Acting City Treasurer
Mr. P. Busatto, General Manager, Environmental Services
Mr. C. Walsh, Plant Manager, Solid Waste Services
Ms. A. Springate, Communications Officer
Ms. D. Black, Acting Deputy Clerk
Mr. D. McMahon, Council Committee Coordinator

Call to Order (6:45 p.m.)

Mayor Guthrie called the meeting to order.

James Krauter, Acting City Treasurer, recapped the 2017 budget process and presented the results of the 2017 Budget Simulator.

The following individuals spoke regarding the 2017 Tax Supported Budget:

Sian Matwey
James Smith
Glen Wilson
Bill Summers
Carolyn Lentz
Ted Pritchard
Michelle Kelly
Kithio Mwanzia
Marios Matsias
Steve Petric
Jean Claude Simon
Pat Fung

The following registered delegates were not present:

MacKenzie Bell
Gale Moase

Budget Considerations

Members of Council advised of their intentions to raise the following items for discussion at the December 7, 2016 Council Budget meeting:

- Adopting a 1% levy (split between city building and infrastructure) to allow for the south end recreation centre and library to be built sooner
- Adopting a .5% levy for infrastructure and .5% levy for city building
- Adopting a 1% infrastructure tax levy
- Restoring transit service levels to the 2015 level
- Restoring bus service on civic holidays
- Adding an \$80,000 expansion to transit services to match service with the Go train schedule
- Moving funding for the multi-residential waste collection vehicle from the 2018 to 2017 budget
- Removing the 5% additional pay for Service Area Chairs
- Reallocating funds for the bike park planning
- Eliminating remuneration to Council members for service on Boards and Commissions
- Adding \$20,000 into the budget for livestreaming of Council meetings
- Removing the \$700,000 allocated for new parking metres in the downtown core
- Removing \$116,000 from parking metres to be used for the south end recreation centre and a water fountain at the Silvercreek skate park
- Adding \$40,000 for garbage pick-up downtown on Sundays
- Consideration of all ten expansions
- Directing \$82,000 that is coming from the County Social Services Board to infrastructure funding
- Removing \$110,000 from the Brant Avenue Park funding
- Reallocating \$684,000 for a detailed design of Phase 1 of the south end recreation centre
- Removing \$100,000 from affordable housing budget and
- Adding \$150,000 for water fountain at the skate park, extra benches, garbage containers, etc.

Staff were also asked to provide some information regarding the following matters:

- The possibility of a higher than 1.5% dividend from hydro
- Adjusting bus fares to create a revenue neutral transit budget
- The repercussions of not instituting an infrastructure levy this year and
- Communication plans regarding the removal of the \$5 per bag drop-off fee for yard waste

Adjournment (9:36 p.m.)

1. Moved by Councillor Bell
Seconded by Councillor MacKinnon

That the meeting be adjourned.

Carried

Minutes to be confirmed on December 19, 2016.

Mayor Guthrie

Dolores Black – Acting Deputy Clerk

TO Committee of the Whole

SERVICE AREA Office of the Chief Administrative Officer

DATE December 5, 2016

SUBJECT Internal Audit Work Plan 2017 -2019

REPORT NUMBER CAO-A-1601

RECOMMENDATION

1. That the report CAO-A-1601, "Internal Audit Work Plan 2017-2019" dated December 5, 2016 be approved.

EXECUTIVE SUMMARY

PURPOSE OF REPORT

This report provides an overview of the 2017-2019 Internal Audit Annual Work Plan as well as a review of the 2016 annual work plan activity.

KEY FINDINGS

The work plan was developed taking into consideration the risk assessment results conducted by Internal Audit, feedback from management and Council, previous audit results, other identified issues/trends and resources available to complete activities. The Plan has been developed in compliance with the City of Guelph's Internal Audit Charter.

The Work Plan may be modified during the year as appropriate.

Financial Implications

n/a

BACKGROUND

The Internal Audit annual work plan for 2017 was developed using a risk based methodology approach and complies with City of Guelph's Internal Audit Charter mandate and supports the City's corporate strategic plan.

The mandate for Internal Audit, as approved by Council, is as follows:

"a professional, independent assurance and consulting function designed to add value and improve the City of Guelph's operations and systems of internal controls. Internal Audit brings a systematic, disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes."

Internal Audit is focused on performing an objective assessment of evidence to provide an independent opinion in regard to the effectiveness, efficiency and economy of a process, system or program in order to assist management in achieving their business objectives and goals.

The results of each audit are communicated to management and the Audit Committee to assist them in carrying out their governance responsibilities.

In addition to performing audits, the Internal Audit Charter authorizes Internal Audit to provide consulting services to staff and management. Consulting projects are requested by staff that includes activities such as: control advice, facilitation and training. The nature and scope of the engagement are agreed upon between staff and Internal Audit in order to add value and help improve the organization's risk management and control processes without Internal Audit assuming management responsibilities. Consulting engagement results are reported to management.

Several factors are taken into consideration in developing the work plan such as:

- Risk assessment results;
- Last time an area/process was audited;
- Results of previous audits;
- Consideration requests from Management and Council;
- Strength of internal control environment;
- Emerging trends.

The annual work plan may be adjusted throughout the year as issues or concerns are identified. Changes to the work plan will be communicated to the Audit Committee.

REPORT

The 2017 work plan (Attachment A) sets out the priorities of the Internal Audit function, that are reflective of the City of Guelph's objectives, concerns and priorities; integrated and coordinated with the risk assessment performed by Internal Audit and the strategic plan.

The work plan was also developed taking into consideration available Internal Audit resources however, with the number of audits identified it is not certain all projects for 2017 will be completed by the end of 2017.

Staff Report - *Internal Audit – 2016-2018 Work Plan* was presented to Council earlier this year which identified projects to be performed in 2017 and 2018. These projects along with additional potential projects identified through the current work plan development process were assessed using risk factors identified above. As a result, four projects previously identified have been deferred to a future year based on the risk assessment results. The 2017 Internal Audit work plan (Attachment A) focuses on the City's systems of internal control.

The proposed 2018 and 2019 audit projects (Attachment B) may be revised based on audit results, events during the year and updated risk assessment results.

Internal Audit activities will be conducted in compliance with the International Standards for the Professional Practice of Internal Auditing.

The majority of the projects on the 2016 work plan (Attachment C) were completed with the following exceptions:

- 1) Fuel Security and Systems audit – in Progress.
- 2) Single Sourced Purchase audit deferred until 2017.
- 3) Guelph Public Library Audit – to be presented to Audit Committee early 2017.

Vendor/Payment Process audit was added to the Internal Audit Work Plan during 2016. A data analytical review was completed earlier in 2016 related to purchase orders and invoice activity. Late 2016, a vendor and payment process audit was initiated which encompasses the results of the data analytical review. The review will be completed in 2017 and the scope includes assessing the effectiveness and efficiencies of processes and compliance to policies, procedures, etc.

Conclusion:

The 2017 work plan will be reviewed during the year and updated if necessary. Any additional projects added to the Plan will be identified as a 'special project' and communicated during the year to the Audit Committee. The Plan is designed to add value to the City and provide the highest standard of professional, quality and timely solutions in partnership with City departments.

Financial Implications

n/a

CORPORATE STRATEGIC PLAN

- 1.3 Organizational Excellence - Build robust systems, structures and frameworks aligned to strategy.
- 2.3 Innovation in Local Government - Ensure accountability, transparency and engagement.

DEPARTMENTAL CONSULTATION

The Executive Team has been consulted and fully supports the proposed plan.

COMMUNICATIONS

N/A

ATTACHMENTS

- Attachment A:** Internal Audit Work Plan 2017
- Attachment B:** Proposed Audit Projects 2018-2019
- Attachment C:** Internal Audit Work Plan 2016 Status



approved by

Catherine Spence
Internal Auditor
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2017 Internal Audit Work Plan

Name of Audit/Project	Type of Audit
Vendor/Payment Process Audit (commenced in 2016) <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures and legislation.</i>	Operational
Single Sourced Purchases (deferred from 2016) <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation and By Laws</i>	Operational
Fuel Security and Systems Audit (commenced in 2016) <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation, etc.</i>	Operational
Guelph Public Library Audit (commenced in 2016) <i>To assess the efficiency and effectiveness of operations in place at the Guelph Public Library to deliver services, adequacy of Board governance and the reasonableness of the cost of service delivery.</i>	Operational
Driver Certification Program Compliance Annual Audit <i>To access compliance to the Ministry of Transportation criteria</i>	Compliance
Payroll Process Audit <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation, etc.</i>	Operational
Contract Management Audit <i>For a selected construction project assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation, etc.</i>	Operational
Status Report on Outstanding Audit Recommendations <i>Provides an update to Council on management's implementation status of recommendations agreed upon by staff.</i>	N/A

Long Term Audit Plan – Proposed Projects for 2018 and 2019

Below is an alphabetical list of projects Internal Audit is forecasting to perform in 2018 and 2019. These projects may be revised based on the results of next year's risk assessment, results from audits performed, emerging trends and/or any new projects that are identified during the period.

The projects are as follows:

1. Building Permit Audit
2. Cash Handling Audit
3. Contract Management
4. Driver Certification Program Compliance Annual Audit
5. Employee Business Expense Audit
6. Fuel Systems and Security Follow up Audit
7. IT Asset Management Audit
8. Property Tax Billing and Collection Process Audit
9. Time Management Process Audit

2016 Internal Audit Work Plan Status

As of November 30, 2016

Name of Audit/Project	Type of Audit	Status
Fleet Management and Operations	Value for Money	Changed to a consulting review- Completed
Single Sourced Purchases <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation and By Laws</i>	Operational/Compliance	Deferred to 2017
Vendor/Payment Process Audit <i>To assess the effectiveness and efficiency of the processes City Wide and compliance to policies, procedures, legislation and By Laws</i>	Operational	In Progress
Driver Certification Program Compliance <i>To assess compliance to Provincial requirements.</i>	Compliance	Completed
Fuel Security and Systems Audit <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation, etc.</i>	Operational	In Progress
Guelph Public Library <i>To assess the efficiency and effectiveness of operations in place at the Guelph Public Library to deliver services, adequacy of Board governance and the reasonableness of the cost of service delivery.</i>	Operational	To be presented to Audit Committee early 2017
Annual Follow Up Audit	Follow Up	Completed
Ad Hoc Requests	Various	Completed as required
Risk/Consulting Advice	N/A	Completed as required

Staff Report

To Committee of the Whole

Service Area Corporate Services

Date Monday, December 5, 2016

Subject Outstanding Motions of the Corporate Services Area

Report Number CS-2016-89

Recommendation

1. That the outstanding motion list of the Corporate Services Area be approved as updated.

Executive Summary

Purpose of Report

To provide Committee of the Whole - Corporate Services and Council an update of all outstanding motions, as circulated by the City Clerk, for November 2016.

Key Findings

Staff are continuing to plan work required to address outstanding motions previously passed by the Committee.

Staff has reviewed all outstanding motions and has provided updates.

Financial Implications

None

Report

Included for information is the outstanding motion list for the Corporate Services Area, as circulated by the City Clerk, for November 2016, including the status of the work and the timing, when available, for when the work may be completed.

Date of Committee	Resolution	Lead Area / Update
Nov 23/15 Council	CS-2015.41 Property Tax Policy – Tax Ratios That once the 2017-2020 four year phase in assessment cycle is finalized in 2016 staff bring forward a report analyzing tax shifts and seeking tax policy direction.	FINANCE <i>Dependant on receipt of data from MPAC. 2017 pending receipt of data</i>
May 26/14 Council	AUD-2014.11 Internal Audit Report – Legal & Realty Services Follow Up Audit That the Legal & Realty Services Follow Up Audit be referred to the Corporate Administration, Finance & Enterprise Committee to consider the status of the recommendations.	LEGAL <i>Report going to Committee of the Whole December 5, 2016</i>
May 25/09 Council	That staff report back on the financial impact of the final decision of the appeal to ascertain Council's commitment to offset the impact on staff. (Canada Revenue Agency)	HUMAN RESOURCES <i>Ongoing</i>

Financial Implications

None

Corporate Strategic Plan

2.3 Ensure accountability, transparency and engagement.

Communications

N/A

Attachments

None

Report Author

Mary Stoddart,
 Executive Assistant



Approved & Recommended By

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 Corporate Services
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Staff Report



To Committee of the Whole

Service Area Corporate Services

Date Monday, December 5, 2016

Subject City of Guelph Tartan Inventory

Report Number CS-2016-85

Recommendation

1. That the recommendations contained in Clause 1, and 2 regarding the Terms of Use and manufacturing of the Tartan as noted in Attachment 1 of CS-2016-85 report be repealed; and
2. That the Tartan Committee be dissolved; and
3. That the City Clerk develop a policy on the sale and distribution of the Tartan material and any related promotional items and that guidelines on the complimentary distribution of small promotional items be incorporated into the policy; and
4. That the City Clerk be delegated the authority to consider requests for the Tartan material from local community groups and not-for-profit organizations.

Executive Summary

Purpose of Report

To review the November 1994 Council resolutions restricting the use of the Official Guelph Tartan and delegate authority to the City Clerk for determining the use and distribution of the Tartan inventory.

Key Findings

Since 2000, the Guelph Tartan inventory has remained relatively unchanged. Due to significant restrictions on the use and distribution of the Tartan material, individuals from the community or community groups have been limited in their ability to use the Tartan. Without greater flexibility in how the Tartan can be

distributed, it will remain difficult to promote the sale of the inventory resulting in the risk of the material eventually deteriorating and necessitating its disposal. There continues to be some community interest in the historical value of the Guelph Tartan. On occasion, the City Clerk's Office will receive enquiries from members of the public or community groups regarding obtaining Tartan material. However, due in large part to the restrictions placed on the inventory, enforcing the requirements of the Committee's original recommendations have been a challenge and the sale of the Tartan inventory has proven relatively unsuccessful.

Financial Implications

In order to recover some costs of the \$22,650 Tartan inventory before (seven 140m rolls at \$2,400 each) it depreciates, it is necessary to grant more flexibility to the City Clerk's Office in the sale and distribution of the Tartan fabric and garments currently in-stock. Failure to do so may result in the deterioration and ultimate disposal of the inventory.

Report

Origins of the City of Guelph Tartan

On June 15th, 1992, City Council approved Mr. David Newlands request to consider adopting an official tartan and to establish a Special Committee directed to make recommendations regarding the design and distribution of the tartan.

Expiration of Copyrights and Royalties

City Council adopted the Guelph City Tartan design on May 3rd, 1993. Council also endorsed the request to have the Chair of the Tartan Committee, Mr. Archibald McIntyre, present a sample of the Tartan to the Scottish Tartans Society¹ (in Scotland) and formally request registration by the Society as a restrictive design copyright. In addition, City Council approved the Tartan be copyrighted for registration in Canada allowing royalties to be collected on the sale and use of the tartan design. The tartan design was registered on January 26, 1995 and subsequently renewed in 2000 for an additional 5 years – the maximum allowable term. The copyright expired on January 26, 2005 and thus the City of Guelph no longer has exclusive rights to the Guelph Tartan design.

¹ The Scottish Tartans Society was formed in 1963 to preserve and record every woven tartan known in its registry, the *Register of All Publicly Known Tartans*. Due to financial difficulties, the Society ceased to record new tartan designs by the year 2000. Currently the Scottish Register of Tartans keeps the only legally recognised archive of tartans and records new tartans upon request and holds the world's only tartan register of designs recorded and registered.

Restrictions on Tartan Material Limiting Use

The Tartan Committee reported back to Council on November 7th, 1994 with a list of conditions (Attachment 1) by which the Tartan design could be used, manufactured, marketed and distributed. Royalties from the sale of any Tartan products by manufacturers were to be collected by the City of Guelph; however, no royalties have been collected to date. Local clothing producers were required to submit proposals to provide exclusive tailoring services for the City of Guelph Official Tartan products. Council approved the proposals of two local tailors: Sue's Dressmaking and Giovanni Custom Tailor. Since Sue's Dressmaking and Giovanni Custom Tailor made their original purchase of Tartan material in 1996, they have not submitted a request to replenish their material supply.

The key restrictions inhibiting the production, sale, and distribution of the Tartan material and related products include:

- only local firms may submit a proposal in the manufacturing of garments and other promotional items, thereby limiting the City of Guelph's options available to utilize the Tartan fabric and contravening the City of Guelph's purchasing policy;
- all local firms must be approved by Council including all items to be produced. This routine matter can be delegated to staff;
- the sale of promotional items remains with the City of Guelph and cannot be offered to other retail outlets such as community theatres, local gift shops, and local tourist attractions;
- direct purchases of material must be large bulk orders (1 full 140m roll minimum) prohibiting requests for smaller, more affordable quantities of material;
- promoting the use of the tartan to schools and other institutions would require an infinite amount of tartan material, of which is not available, as students and employees at these institutions would require the tartan material for subsequent years.

Tartan Committee Inactive

The Tartan Committee has been inactive since 1994 and had not proceeded with implementing Council's last direction to the Committee: to make recommendations on marketing the tartan. Since there has been no activity since 1994 and no appointments to this committee, staff are recommending the Tartan Committee be formally dissolved.

Risk of Finite Tartan Inventory Depreciating

The City Clerk's Office continues to maintain the woollen fabric material and garments in the tartan inventory. The fabric and garments are in good condition with no trace of mold, insects, or other damage. West Coast Woollen Mills was the manufacturer of the Guelph Tartan fabric and is no longer in business. Therefore,

once the Tartan Inventory has been exhausted, the Tartan material should not be replaced.

As of July 2016, the City Clerk's Office was maintaining \$16,800 worth of Tartan material and \$5,850 worth of attire including neck ties, clip on ties, bow ties, cummerbunds, and scarves for a total of \$22,650 in Tartan inventory.

Since 2004, the City Clerk's Office has not received any additional requests from clothing producers to use the tartan material for the manufacturing of apparel or requests for existing clothing in inventory. However, recent requests have been received from local community theatres to use the material in their theatrical costumes. Under the current distribution conditions, the material can only be used to produce an entire garment rather than incorporate the material into existing costumes or attire. In addition, all items that are tailored would require successive approval from Council. Requests for fabric have been for small volumes or pieces to accent existing clothing, thus restricting members of the community or local organizations from purchasing the fabric for community or celebratory events.

Promoting the Tartan for Equitable Distribution

As the Tartan is a symbol of Guelph's history, there may still be significant community interest in the Tartan fabric as is evident from the occasional inquiries received by the City Clerk's Office. The repeal of the original recommendations that restrict the distribution of the Tartan will enable the City Clerk's Office to dispense the fabric in a reasonable, responsible manner that can result in the recovery of costs for the original manufacturing of the fabric. To ensure equitable distribution and appropriate use of the Tartan design, associated fabric and garments, staff will develop an administrative procedure for the disposition and use of the Tartan products and fabric. Moreover, information on the Guelph Tartan and how the material can be acquired will be made available on the City of Guelph website. The City Clerk's Office will be collaborating with staff in the Culture, Tourism and Community Investments department and the Corporate Communications and Customer Service department to connect with community agencies, not-for-profit groups, and charitable organizations to promote the use of the City of Guelph Tartan.

Corporate Strategic Plan

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

Communications

Culture, Tourism & Community Investment and Guelph Museums have been assisting with the assessment of the condition of the material, ensuring a specimen

of the tartan has been preserved, and connecting with community groups that may be interested in using the Guelph Tartan.

In collaboration with the Culture, Tourism & Community Investment, the City Clerk's Office will solicit interest in the Guelph Tartan and related material among community groups for use in community and cultural events. The City Clerk's Office will also publicize the Guelph Tartan and Terms of Use policy on the City of Guelph website.

Attachments

ATT-1 Council Resolutions from 1994 Council Meeting

Report Author

Gina van den Burg
Council Committee Coordinator



Approved by

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Recommended By

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REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE

November 7th, 1994

His Worship the Mayor and
Members of Guelph City Council.

Your Administrative Services Committee beg leave to present this their FIFTEENTH REPORT as recommended at its meetings of October September 28th and October 12th, 1994:

- CLAUSE 1. 1. THAT the City invite proposals from local firms to offer tailoring services. This invitation would be by mail to those who have expressed an interest, those firms currently advertising tailoring services, and by advertisement in the local media.
2. That for the manufacture of small promotional items (ties, scarves, etc.) this be offered to a local firm.
3. That for the manufacture of other types of apparel, this be offered to a local firm.
4. That all items to be tailored or manufactured, must be approved in advance by the City of Guelph.
5. That the City retain control over the sale of promotional items through the City Clerk's Office, the Guelph Museums, the Macdonald Stewart Art Centre, and area Tartan shops, but that for now these promotional items not be offered to other retail outlets for sale.
6. That with the exception of direct purchases from the manufactures from which we would receive royalties, tartan material not be available for sale to the general public or employees. (Note that direct purchases must be for large bulk orders, usually 140m or more. In this area, we would have no control over its use.)
7. That the City of Guelph promote the use of the tartan to schools and other institutions for use in uniforms, e.g. schools, University, hospitals, etc.
8. That incentives be offered to City employees for promotional items through the City Clerk's Office in order to promote the tartan.
9. That incentives or promotions for tailored or manufactured products be in accordance with terms set by the tailor or manufacturer, as per their proposal.
10. That the Tartan Committee be asked to make recommendations on marketing of the tartan, incorporation of the tartan into City of Guelph employee uniforms and ceremonial badges.

CLAUSE 2. THAT the City of Guelph enter into a licencing agreement with West Coast Woollen Mills for the manufacture of the Guelph tartan.

CLAUSE 3. THAT in order to maintain the prestige of the City of Guelph Tartan, the small tartan promotional items not be provided free of charge to persons or municipal departments wishing to present mementos to visitors and dignitaries.

All of which is respectfully submitted.

Councillor J. Young
Chair
Administrative Services Committee

Staff Report



To Committee of the Whole

Service Area Public Services

Date Monday, December 5, 2016

Subject By-law Service Review – Animal Control

Report Number PS-16-29

Recommendations

1. That the licensing of cats be phased in and not become mandatory until 2018, and that no collar or license tag be required if the cat is micro chipped and the information is kept current
2. That the User Fee By-law be amended to include a \$25 Annual Licensing Fee for cats
3. That \$5 of each cat license sold be allocated to a program to be developed by the Animal Control Working Group, Guelph Humane Society and City Staff to address health and welfare issues for cats
4. That a requirement to restrict cats from being at large be reviewed in five years and staff be directed to continue to work with external partners to develop an education package regarding cats at large
5. That staff be directed, with input from representatives from pet stores and other stakeholders to develop regulations including the prohibition of dog and cat sales within the City's Business Licensing By-law
6. That roosters be prohibited in the City of Guelph
7. That the User Fee By-law be amended to include a one-time fee of \$25 for the registration of keepers of domestic poultry and breeders of reptiles

8. That an exception to the Prohibited Animal Schedule "A" be added to permit sheep and goats up to a limit of two on a single property for up to 12 properties, as an introductory program to determine the feasibility of the exemption
9. That City staff continue to work with the Animal Control Working Group to develop a Code of Practice respecting care and treatment of animals
10. That City staff continue to work with stakeholders to develop an education package and outreach materials to assist in providing information to help address wildlife conflicts within the City
11. That the fees for animal licensing provide a 25% discount for residents purchasing a licence for a second or subsequent licenses
12. That the licence fees be reduced by 50% for any resident who qualifies for other City subsidies, such as the Affordable Bus Pass

Executive Summary

Purpose of Report

To provide information on the community engagement process and results, and to propose a draft Animal Control By-law.

Key Findings

Through the community engagement process, a number of issues were identified as needing to be addressed. There are currently multiple by-laws and amendments addressing animal control issues that could be better served under a single by-law. Further, the individual by-laws were identified as overly restrictive in some areas and not restrictive enough in others.

Financial Implications

The cost of implementing the draft by-law and the requirements within the by-law are provided within the existing operating budget of the City's By-law Compliance, Security and Licensing Department. For 2017, if the expanded licensing of animals is approved, we anticipate a revenue increase of about \$10,000. However, as licensing is based on a cost recovery model, all revenues through animal licensing will be used to off-set expenditures.

Background

Staff continue to review by-laws as part of the on-going By-law Service Reviews process initiated in 2008. Based on public concerns received over the past few years related to domestic and wildlife animal issues and as a result of an exhaustive review by the Animal Control Working Group of the existing by-laws, a draft by-law incorporating all the relevant by-laws was developed. The specific by-laws reviewed were the Animal Control By-law (1991) – 14008, Exotic and Non-Domestic By-law (2013) -19577, the Poultry By-law (1985) – 11952 and the Stoop and Scoop By-law (1979) – 10081.

Report

The review of the Animal Control By-laws began in December of 2013. Based on the City's Community Engagement Framework, a working group was created consisting of City staff, stakeholders and members of the public.

In addition to the involvement of community members interested in animal control, representatives from the following groups were invited to join the working group:

- Guelph Humane Society
- Ontario Society for the Prevention of Cruelty to Animals
- The Ontario Veterinary College
- Local pet stores
- The Canadian Kennel Club
- Local animal daycares
- By-law Compliance staff
- Building Services staff
- Parks and Open Spaces staff
- Environmental Planning staff
- Environmental Advisory Committee
- River Systems Advisory Committee
- Guelph Police Services
- Guelph Health Unit
- Canherp

Once the working group was formed, the group met on a regular basis to consider the existing by-laws. First consideration of the working group were the eight Council directed considerations for any by-law review. Each component by-law was subjected to the questions in each section:

1. Philosophy of by-law
2. By-law deficiencies
3. By-law fees
4. Enforcement
5. Fines
6. Calls for enforcement
7. What strategies might be considered to promote a reduction in the number of calls
8. How can the burden on the taxpayer for By-law Compliance and Enforcement be reduced

The results and comments on each component by-law and the committee's answers are attached as ATT-4 to this report. These questions as well as many other issues concerning animal control were discussed at length by the working group in eight meetings held over a period of five months.

The next part of the process was a facilitated series of four public information sessions, held November 19, November 24 (morning and afternoon sessions) and November 26, 2015. There was a series of 16 questions that were asked of each group that attended the sessions and their individual responses are tabulated and found in ATT-4.

Also provided in this report is an analysis (ATT-2) from SAGE SOLUTIONS, the consultant that facilitated the public sessions. The report from SAGE consolidates and presents the results from the public meetings as well as the results from the on-line survey held through December of 2015. Due to the uncontrolled response element of the survey the results are not statistically valid but, because the response was so significant – 2,100 responses online – there is definite indication of desired elements of the by-law.

Feeding of Wildlife

The first question was, "Should the feeding and intentional attracting of wildlife (other than through the use of birdfeeders) be prohibited in Guelph?" The overwhelming response to this was "yes"; 68 responses (89%) agreed that wildlife feeding should be prohibited.

"Should the City prepare a wildlife management strategy to address and provide direction regarding wildlife management issues?" The groups were again mostly united at a ratio of 70 to 4 (95%) that a wildlife management strategy is needed. The individual comments revolve around essentially leaving the wildlife alone and educating the public as a main focus.

Next was a generalized question asking if there was anything else the groups would like to see addressed in the by-law dealing with wildlife. Responses ranged from technical content to specific personal ideas of animal responsibility. The individual responses to these questions can be found in ATT-2.

Section 37 of the Draft By-law prohibits the feeding of wildlife within City limits.

Sales of Cats and Dogs

Survey question #2, "Should pet stores/pet daycares and pet grooming businesses require a business license?" Responses were again overwhelmingly in favour of licensing pet stores, daycares and groomers with the majority of individual responses commenting that breeders need to be captured and those private rescue operations should not be licensed.

In a similar vein the next question "Should pet stores be restricted from selling cats and dogs?" (Instead they would only be permitted to offer cats and dogs from animal shelters for adoption.) Again, most respondents agreed that cats and dogs should not be sold in pet stores. There were a number of individuals who thought the list of restricted animals should be wider than just cats and dogs. Other comments from the meetings included concerns with online pet sales, regulating kennels and breeders and with small businesses being restricted unfairly.

Staff recommends that this issue not be included in the Animal Control By-law but that it be addressed through the City's Business Licensing By-law. Input would be sought from the business community as well as the Animal Control Working Group.

Exotic Animals

"Should sheep and goats be permitted in the City of Guelph?" The responses to this question were not as one-sided. 40 (59%) responded "yes" and 28 (41%) responded "no". Of the "no's" the main concerns were property size, use (for pets or meat), numbers of animals and nuisance factors such as noise, smell and excrement.

A list of animals prohibited in Guelph under the Exotic Animal By-law had been distributed. The next question was "Do you support the list of prohibited animals?" Most of the responses were questions regarding species that had not been included and why certain species were included.

As a result of comments from this public consultation and the input of the working group, the list, ATT-3, has been updated to include comments and suggestions. Parrots and cockatoos have been removed from the list of prohibited animals, as have hedgehogs. Included in the exception column is a provision to permit a maximum of two sheep or goats, or one of each, on up to 12 properties, as a pilot project to determine the feasibility of such an exception.

Burial on City Property

“Should the City restrict the burying or disposal of dead animals within the City of Guelph (with the exception of pet cemeteries)?” Responses to this question were generally agreed that burial should not be allowed on public property but that it should be allowed on private property, along with regulations for size of animal and dimensions of site.

The draft by-law contains a clause simply prohibiting the burial of any animal on City property. Staff felt that restricting burial on private property should not be addressed in a regulatory by-law but that if desired to be further explored, that consultation between the Humane Society and the Animal Control Working Group would be the direction to pursue.

Running at Large

The next part of the consultation gave a choice of four statements and asked each participant to choose the one that best applied to them. The four questions were:

- a) I agree that all animals, including cats, should be restricted from running at large. (43, 57%)
- b) I disagree – cats should be allowed to run at large; however all other animals should be restricted from running at large. (10, 13%)
- c) I disagree – only dogs should be restricted from running at large. (11, 14%)
- d) Other (12, 16%)

The responses of “other” had various reasons, mostly further restrictions on dogs as opposed to cats and further definition of when the regulations would apply.

Continuing with the running at large theme, the next question asked if all animals are not restricted from running at large, should they be required to wear a leash while in a City park, not including leash-free areas. Responses varied widely but common themes were fenced in leash free areas, difficulty with off-leash dogs in areas where they are supposed to be leashed, and how cats would fit into a running

at large restriction. Many were supportive of the need for dogs to be able to run but recognized the nuisance factor caused by off-leash.

Again, further to the previous two questions, the groups were asked "Should all animals be restricted from sports fields at all times, recognizing that additional off-leash areas will be required if animals are not permitted on sports fields." Most responses were in favour of maintaining access to sports fields while recognizing that more restrictions on time of use and leash restrictions are needed or that if sports fields are not to be used for leash free areas, that more leash free areas need to be created. The use of the sports fields for training was also noted.

The draft by-law prohibits dogs from running at large and from being off leash. The issue of sports fields and leash free zones is being investigated by Parks and Recreation staff.

Number of Animals Permitted

The next set of questions were with respect to numbers of animals to be permitted. First, should there be a limit on dogs and cats older than three months old per household? The responses were almost equal, 42 "yes" (53%) and 37 "no" (47%).

The follow up question was "If you believe there should be a limit, how many dogs and how many cats should be permitted? Why?" Responses ranged from determining the number based on size of residence, apartment or house, size of animal, condition of property, financial ability of owner, based on noise issue, based on health and welfare of owner and pets, based on number of adults in residence and based on spay/neuter condition of animal. Strict number responses ranged from a maximum of three animals in total (cats and dogs) to an unlimited number of either or both.

The next question was regarding poultry and the number of birds that should be permitted on a single property, provided they are properly cared for. Responses were grouped by number that should be permitted. Comments ranged from not wanting poultry anywhere within the city to not wanting any restrictions on number or space required. Most public comments seemed to be concerned with the nuisance value to neighbours; noise, smell, dust and yard conditions.

The next question asked if the number of all animals in a household should be limited. The question was further delineated by not including cats, dogs or poultry, which is dealt with elsewhere, and involved the participation of the Ontario Association for the Prevention of Cruelty to Animals (OSPICA) in deciding proper and sufficient care to guarantee the animal's welfare.

Generally speaking, comments on this question recognized the value of the OSPCA's involvement and felt that the current legislation is sufficient. Most felt that the animals' welfare was the most important factor to consider, whether a hard number was decided upon or not.

The Animal Control Working Group recommends that no maximum number be placed on pet ownership but that the by-law focus on animal welfare as opposed to a limiting number.

Code of Practice

Questions in the final portion of the public meeting were centered on whether the City should have a code of practice that would outline minimum guidelines for the care of animals. Specific questions dealt with particular questions and asked whether the idea was supported and whether the requirements should be included in the by-law or if they should appear in a separate code of practice.

First of all, there was general support for a code of practice and responses were approximately equal for including requirements in both the revised by-law as well as in a code of practice. With respect to specifics to include in a code of practice, respondents were in favour of restrictions for leaving animals in vehicles (temperature, access to water), securing animals in vehicles during transportation, confining un-spayed female animals and guidelines for tethering animals outdoors.

With respect to licensing, the online survey and the public meetings asked for input on whether animals other than dogs should be licensed. The responses were varied but seemed to support the idea of licensing any animals that are kept as pets and/or for breeding purposes. There was support for micro chipping for cats and for more affordable spay/neuter services. There was also general agreement that there should be a discount for licensing multiple animals in a single household.

The subject of licensing cats in particular was a long discussion among the Animal Control Working Group and of the responses from the public meetings and in the online survey. There was support for both sides of the issue. The draft by-law contains a clause for the licensing of cats, however staff recommends that the licensing of cats be voluntary in 2017 with enforcement commencing in 2018. That being said in 2017, licences would be required for all cats adopted or released from the Guelph Humane Society. Staff also recommends that of the fees collected for licensing cats, \$5 from each license be earmarked for a health and welfare program for cats to address such issues as overpopulation.

General Comments

Finally, the question "Is there anything else you would like to see in the revised by-law?" Of the approximately 2,100 online survey responses, 525 had a comment to this section. Those comments are available attached to this report in ATT-4 and ATT-5, but to summarize:

- Many comments related to animals being properly cared for
- 42 responses concerned animals left outside (barking, shelter, food and water)
- Over 20 asked for more affordable spay/neuter services
- Approximately 20 responses concerned a need for more or stricter enforcement

Responses received include:

- Keep all pets indoors
- More/better fenced dog parks
- More educational resources
- For and against mandatory vaccination
- For and against cats running at large
- Guidelines for pinch collars, aggressive animals
- Feral cat control
- No selling of cats or dogs at pet stores

Items of Note in the Draft By-law

The draft by-law, ATT-1, has been created to reflect the comments and concerns conveyed to staff and the Animal Control Working Group. The consultation was a long and inclusive process and, as many comments and suggestions were diametrically opposed to others, it is not possible to contain all of the regulations as presented. The draft as attached is the proposed version of as many of the comments and ideas as possible, from the community input gathered.

Section 2 of the by-law deals with prohibited animals and replaces the existing Exotic Animal By-law. The restrictions are essentially the same as in the Exotic Animal By-law with an up-dated and expanded Schedule "A" (list of prohibited animals).

Sections 4 to 11 deal with licensing and tagging of animals. The major difference between this and the former by-law is the reference to licensing "animals" as

opposed to “dogs”. This leaves it open to encompass other species in a licensing program should such be decided.

Sections 12 and 13 of the draft by-law regulates the registration of domestic poultry; chickens, ducks, geese and pigeons. The requirements are essentially the same as was in the Poultry By-law in respect to the pen location and construction but requires that anyone with more than a single bird has to register with the City. There is no limitation on the number of birds that may be registered. The Animal Control Working Group suggests that a restriction be added to prohibit roosters due to the noise factor.

It should be noted that while there were a few requests for a reduction in the distance from a chicken coop to the nearest residence, it was decided by the Animal Control Working Group to not address the issue.

Staff would suggest that this section of the by-law be expanded to include the registration of breeders of snakes. This expansion would assist in tracking where snakes are located, for Fire Services and Emergency Medical Services purposes as well as any other services that may be required to enter the property.

Sections 18 and 19 require the registration and licensing of cats. The process is essentially the same as with dogs. As this process for cats is new, staff is recommending that licensing be phased in over 2017 on a voluntary basis and that during that period, no collar or tag be required if the cat is micro chipped and the information is up to date.

Sections 24 to 27 regulate and require licenses for facilities (kennels and catteries). The regulations are similar to the previous By-law but now include catteries as well as kennels.

Section 28 is new and simply prohibits the burying of dead animals on City land.

Regulations for requiring dogs to be kept on a leash are contained in Section 30. Section 31 defines when a dog is at large and prohibits running at large and trespassing.

Section 35 is a new provision, dealing with animal welfare and restricting confinement and the number of animals such that the animals would be caused distress.

Section 36 deals with the removal of excrement and replaces the Stoop and Scoop By-law.

Section 37 is another new section of the by-law and addresses the feeding of wild animals. As this was addressed by many in the surveys and public meetings, the restriction will prohibit food being left outside for, or that may attract, wild animals, except for bird seed in appropriate bird feeders.

Enforcement Practices

Staff do not recommend any major changes in the way animal control issues are enforced. The majority of the enforcement will be on a complaint basis with the exception of increased proactive enforcement of running at large and unlicensed dogs. The one change in enforcement is to have the Guelph Humane Society assist Property Standards staff in the enforcement of domestic poultry.

Fines

Staff will seek set fines for offences under the by-law. The process of set fines allows staff to address offences through the ticketing process as well as through the court system. Ticketing is commonly used for offences that are minor in nature. Staff will be seeking set fines that are commensurate with the other set fines currently in place in other City by-laws.

Fees

Staff recommends that the fee structure for licenses and registrations under the by-law be contained within the User Fee By-law rather than in the by-law itself. This process lends itself to easier adjustments in the future. While staff recommends an annual fee of \$25 for cats and a one-time registration fee of \$25 for domestic poultry and breeders of reptiles, staff are recommending no change to the dog licence fees outlined in the proposed 2017 budget.

Staff also recommends that as the implementation of this by-law may have a financial impact on families that have multiple pets, that a discount for those having multiple pets be considered, specifically that a 25% discount for second and subsequent licences. Further staff recommends that a 50% subsidy be authorized, per license, for any applicant who already qualifies for a City subsidy, such as for transportation services.

Financial Implications

Implementation of the by-law will expand the licensing categories and will result in an increase in revenue. If the phase in periods are followed it is not expected that

there will be a significant revenue increase the first year but that as more aspects of the licensing come on line, revenues will increase. Nevertheless, licensing is based on cost recovery and considering the cost to administer the animal shelter and the costs associated with enforcement and other shelter programs, all revenues will be used to off-set expenditures.

Corporate Strategic Plan

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

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

2.2 Deliver public services better.

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

3.3 Strengthen citizen and stakeholder engagement and communications.

Communications

Upon approval of the Animal Control By-law, staff will continue their strategy to engage and educate the public on this matter. This report was created in consultation with:

Guelph Humane Society
Guelph Legal Department
Animal Control Working Group
Community Investment Staff

Attachments

ATT-1	Draft Animal Control By-law
ATT-2	SAGE SOLUTIONS Analysis of Resident Feedback
ATT-3	Schedule "A", Prohibited Animals
ATT-4	Public Engagement Records
ATT-5	Index of Comments to Council Directed Comments
ATT-6	Summary of Stakeholder Communications
ATT-7	Index of Working Group Meetings
ATT-8	Index of Current By-laws
ATT-9	City Parks Leash-Free Areas

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THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2016)-XXXXX

Being a by-law in respect of animal control.

WHEREAS the *Municipal Act, 2001* permits a single-tier municipality to pass by-laws respecting animals and the protection of persons and property;

AND WHEREAS the *Municipal Act, 2001* permits a by-law regulating or prohibiting with respect to the being at large or trespassing of animals to provide for the seizure, impounding and sale of such animals;

AND WHEREAS the *Municipal Act, 2001* permits a municipality to provide for a system of licences with respect to animals;

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

Definitions

1. In this By-law the following terms shall have the corresponding meanings:

- (a) "Agricultural Area" means any area designated by the City as being for agricultural, rural or livestock use, and where Animal excrement is permitted;
- (b) "Animal" means a specimen of any species of fauna other than human;
- (c) "Animal Licence" means a licence in respect of a specific Animal;
- (d) "Animal Protection Officer" means a person enforcing this By-law on behalf of the Pound Operator;
- (e) "Animal Tag" means a form of Animal Licence comprising a tag capable of being affixed to a collar which is affixed to an Animal;
- (f) "Built Outdoor Recreation Facility" includes, but is not limited to, a City owned or operated splash pad, wading pool, tennis courts, skateboard park, swimming pool, water feature, playground, basketball court, volleyball court, bowling green, but does not include an unfenced baseball diamond, cricket pitch, soccer field or football field in any park of the City, "Cat" means a domestic cat;
- (g) "Cattery" means a place where, for profit or gain, four or more Cats are boarded, bred or Kept;
- (h) "City" means The Corporation of the City of Guelph;
- (i) "Dog" means a domestic dog;
- (j) "Domestic Poultry" means Chickens, domestic Ducks, domestic Geese and Pigeons

- (k) "Facility Licence" means a licence in respect of a Kennel or Cattery and may include a printed document of the licence which is large enough to be legible when posted on a wall, and a printed document of the licence which is small enough to be carried in a wallet;
- (l) "Facility Operator" means the person who manages a Kennel or Cattery, and includes directors, officers, employees and agents of such person;

- (m) "Keep" means have temporary or permanent ownership, possession or custody of an Animal;
- (n) "Keeper" means a person who Keeps an Animal, or, if such person is a minor, the parent or guardian of such minor;
- (o) "Kennel" means a place where, for profit or gain, four or more Dogs are boarded, bred or Kept;
- (p) "Leash" means a leash, cord or chain, no greater than 1.8 metres (6 feet) in length;
- (q) "Microchip" means a device, designed to an approved Canadian standard, implanted in an Animal, containing a unique code that permits or facilitates access by the Pound Operator to information such as the name and contact information of the Animal's Keeper;
- (r) " "Police Work Animal" means an Animal trained for and engaged in law enforcement by any Federal, Provincial or municipal government or government agency;
- (s) "Pound Operator" means the person appointed by the City to manage a facility for the Keeping of seized, impounded and/or unclaimed Animals and to enforce animal-related requirements, including this By-law, and includes the directors, officers, employees and agents of such person;
- (t) "Registration" means a record of ownership and of the keeping of animals, as required under this by-law. "Register" shall have a corresponding meaning.
- (u) "Wild Animal" is an animal that is, as a matter of common knowledge, naturally ferocious, unpredictable, dangerous, mischievous, or not by custom devoted to the service of mankind at the time and in the place in which it is kept.

Prohibited Animals

2. No person shall Keep any Animal of a kind indicated in Schedule "A" to this By-law, except:
 - (a) In accordance with:
 - i. An exception indicated in Schedule "A" to this By-law,
 - ii. A licence or loan agreement under Federal or Provincial wildlife legislation, or
 - iii. The City's Zoning By-law;
 - (b) If the person is a Federal or Provincial animal officer or enforcement officer; or
 - (c) At the site of:
 - i. A veterinary hospital under the care of a licensed veterinarian,
 - ii. A pound,
 - iii. The Guelph Humane Society,
 - iv. The University of Guelph,
 - v. Any premises registered under the *Animals for Research Act* as a research facility, or
 - vi. An animal education event, a special event, or other exemption as approved by the City.
3. Notwithstanding the foregoing, no person shall Keep an Animal of a kind prohibited by or under any Federal or Provincial legislation.

Animal Licences in General

4. The City may from time to time establish fees, procedures/timelines and charges in respect of Animal Licences.

5. The City may determine whether, and in what circumstances, Animal Licences will take the form of Animal Tags.
6. Every Animal Licence expires one year after its issuance.
7. No Animal Licence is transferable except with the approval of the City or the Pound Operator.
8. Every Animal Licence expires and becomes void upon the sale, transfer, death or disposal of the Animal in respect of which it was issued unless permitted as in section 7. Above.

Animal Tags in General

9. If an Animal Licence in the form of an Animal Tag has been issued to the Keeper of an Animal, the Keeper of the Animal shall keep that Animal Tag securely affixed on the Animal at all times.
10. No person shall use an Animal Tag upon any Animal other than the Animal for which the Animal Tag was issued. However, should the animal expire before the end of the licensing period, the license may be transferred to a new animal and a new tag issued.
11. If an Animal Tag is lost or destroyed before the expiry of the corresponding Licence, the Pound Operator may issue a replacement Animal Tag.

Animal Registrations

12. Any person who Keeps domestic poultry shall register such Keeping with the City or Pound Operator. No person shall Keep a rooster within the City limits.
13. No person shall Keep any domestic poultry unless it is Kept at all times in a pen that:
 - (a) Has a solid floor that is kept free from standing water, and is cleaned and disinfected regularly; and
 - (b) Is located at least 15 metres (50 feet) from any school, church or residence building on any land other than the land owned or occupied by the Keeper.
14. Any person Keeping reptiles for the purposes of breeding, as permitted under the Prohibited Animals Schedule, shall register such Keeping with the City or Pound Operator.
15. The Pound Operator shall maintain a register listing Poultry, Reptiles, Sheep and Goats that have been Registered. The Register shall list the number of animals, the name and address of the Keeper, the date of Registration, the date and result of any inspection completed and the name of the Animal Protection Officer performing the inspection.

Microchips

16. Every Keeper of an Animal that contains a Microchip shall ensure that the Keeper's name and contact information, which is accessible from the code in the Microchip, is kept current.

Dog Licence

17. Every Keeper of a Dog over the age of four months, other than a Police Work Animal, shall register it with, and obtain an Animal Licence from the City or the Pound Operator.
18. Every Keeper of a Dog shall ensure that when applying for an Animal Licence in respect of a Dog, or at any time during the licensed period, the Dog has a current rabies immunization certificate, and upon demand, shall provide it to the City or the Pound Operator.
19. Notwithstanding the other provisions of this By-law, if a Dog has been implanted with a Microchip and is being lawfully used for hunting, then the Dog Keeper may remove the Animal Tag during such hunting.

Cat Licence

20. Every Keeper of a Cat over the age of four months shall register it with, and obtain an Animal Licence from, the City or the Pound Operator.
21. Every Keeper of a cat shall ensure that when applying for an Animal Licence in respect of a cat or at any time during the licensed period that the cat has a current Immunization Certificate and, upon demand, shall provide it to the City or Pound Operator.

Facility Licences in General

22. The City may from time to time establish fees and charges in respect of Facility Licences.
23. Every Facility Licence expires one year after its issuance.
24. No Facility Licence is transferable except with the approval of the City or the Pound Operator.
25. Every location which applies for a 'Facility License' shall meet the requirements of an annual inspection.
26. Every Facility Operator who holds a Facility Licence shall keep the poster-sized printed document of the Facility Licence posted at the facility and shall ensure that any individual, who, on behalf of the facility, accompanies any Animal of the facility, when outside the facility, carries a wallet-sized printed document of the Facility Licence.
27. Every Facility Operator who operates a Kennel or Cattery shall register it with, and obtain a Facility Licence from, the Pound Operator.
28. When applying for a Facility Licence in respect of a Kennel or a Cattery and at any time during the licensed period the Facility Operator shall provide to the Pound Operator a list of all Dogs or Cats over the age of four months Kept at the Kennel or Cattery, and, for each such Dog or Cat for which a current Dog Licence or Cat License has not been issued:
 - (a) Its breed;
 - (b) Its gender;
 - (c) A current rabies immunization certificate; and
 - (d) Particulars of any permanent identification, including any Microchip or tattoo.

Disposal of Dead Animals

29. No person shall dispose of or bury a dead Animal on City land.

Control of Dogs

30. No Keeper shall permit the Keeper's Dog, other than a Dog that is a Police Work Animal, to:
 - (a) Be Leash-free except:
 - i. On land owned or occupied by the Keeper,
 - ii. On the land of a person other than the Keeper, with the permission of that other person, or
 - iii. In a leash-free area of a park of the City, as per Schedule B and in compliance with the requirements of that leash-free area;
 - (b) Approach within 1.0 metre of any other person or any other person's Animal, except:
 - i. On land owned or occupied by the Keeper, or
 - ii. On the land of a person other than the Keeper, with the permissions of the person whose land it is, and the person who is approached or whose Animal is approached;

- (c) Be on the land of a person other than the Keeper, except with the permission of such person; or
 - (d) Enter any built outdoor recreation facility unless otherwise permitted by law. .
 - (e) To be leash-free on any City trail, park, sidewalk or other lands, unless permitted elsewhere in this by-law.
31. No Keeper shall permit the Keeper's Dog, other than a Dog that is a Police Work Animal, to be at large or trespass. A Dog is at large and/or trespassing if it is not under the control of any person and:
- (a) Is Leash-free except:
 - i. On land owned or occupied by its Keeper,
 - ii. On the land of a person other than its Keeper, with the permission of that other person, or
 - iii. In a leash-free area of a park of the City, and in compliance with the requirements of that leash-free area;
 - (b) Approaches within 1.0 metre of any other person or any other person's Animal, except:
 - i. On land owned or occupied by its Keeper, or
 - ii. On the land of a person other than its Keeper, with the permissions of the person whose land it is, and the person who is approached or whose Animal is approached;
 - (c) Is on the land of a person other than its Keeper, except with the permission of such person; or
 - (d) Enters any built outdoor recreation facility unless otherwise permitted by law.

Seizure and Impounding of Animals

32. If an Animal is at large and/or trespassing, an Animal Protection Officer may seize and impound such Animal.
33. If an Animal has been seized and impounded by the Pound Operator, the Keeper of the Animal shall claim the Animal before the expiry of five full business days (excluding weekends and holidays) after such impounding. If the Keeper of the Animal fails to claim the Animal before the expiry of that period, the Pound Operator may sell, destroy or otherwise dispose of the Animal.
34. If the Keeper of an Animal impounded for being at large and/or trespassing wishes to claim the Animal, the Keeper shall:
- (a) Pay any applicable fees and charges provided for in the City's user fee by-law, within the permitted timelines, including any applicable fees and charges based on the number of days (or parts thereof) during which the Animal was impounded; and
 - (b) Have the Animal registered and licensed with the Pound Operator.

Animal Welfare

35. No person shall create a situation where an Animal is likely to be in distress, as defined by the OSPCA, because of:
- (a) Confinement by that person; or
 - (b) The number of Animals being Kept by that person.

Removal of Excrement

36. Except on land owned or occupied by an Animal's Keeper that is located in an Agricultural Area, every Keeper shall immediately remove and sanitarily dispose of all excrement of the Keeper's Animal.

Feeding of Wild Animals

- 37.No person shall feed any Wild Animal, or leave outdoors any food that might attract a Wild Animal, except if the person:
- (a) Is leaving bird food for songbirds on land owned or occupied by the person, and the person:
 - i. Places the bird food in a bird feeding device which, by its construction or height above grade, is not accessible by Animals other than birds,
 - ii. Ensures that the bird food does not attract large flocks of homing birds, such as pigeons,
 - iii. Promptly removes any bird food spilled on the ground, and disposes of it in such a way as not to attract any Wild Animal,
 - iv. Removes any accumulation of bird feces, and
 - v. Ensures that the birds that are attracted to the bird food do not interfere with the normal use or enjoyment of other land; or
 - (b) Is authorized under this By-law or any other legislation to leave food as bait for Wild Animals.

Geographic Limits

- 38.Unless otherwise specified in this By-law, all provisions of this By-law apply everywhere within the geographic limits of the City.

Offence and Enforcement

- 39.Every person who contravenes any provision of this By-law is guilty of an offence, and on conviction is liable to a maximum fine of \$10,000 for each offence.
- 40.The provisions of this By-law may be enforced by an Animal Protection Officer.

Severability of Provisions

- 41.If any provision of this By-law or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, then such invalidity does not affect other provisions or applications of this By-law which can be given effect without the invalid provision or application, and to this end, the provisions of this By-law are severable.

Repeals

- 42.The following by-laws are hereby repealed:
- (a) By-law Number (1979)-10081;
 - (b) By-law Number (1985)-11952;
 - (c) By-law Number (1991)-14008;
 - (d) By-law Number (2013)-19577.

In Force

PASSED THIS DAY OF , 2016.

Cam Guthrie – Mayor

Stephen O'Brien – City Clerk

ATTACHMENT 2

BYLAW SERVICE REVIEW REPORT

ANIMAL CONTROL

ANALYSIS OF RESIDENT FEEDBACK

on the REVISIONS to the

CITY OF GUELPH'S ANIMAL CONTROL BY-LAW

(compiled by Rebecca Sutherns, January 2016)

Analysis of Resident Feedback on the Revisions to the City of Guelph’s Animal Control Bylaw

Compiled by Rebecca Sutherns, January 2016

Background

As the City of Guelph looks to revise and consolidate its bylaw related to Animal Control, it hosted four identical facilitated public meetings in November 2015, followed by an online survey throughout December 2015, to gather public input on draft revisions proposed by the Animal Control Working Group. This report summarizes the feedback received from residents. It is intended to inform the work of the Animal Control Working Group, whose final recommendations will shape the content of a report to Council containing a recommended new Animal Control bylaw.

The written background information provided and questions posed at the in-person meetings and in the electronic survey were the same, although participants at the meetings benefited from additional context provided orally through questions and answers. At the meeting, participants were given space to provide written feedback after each question; on the survey, written answers were clustered into 3 areas.

81 people submitted written feedback at the public meetings and 2100 distinct survey responses were received. Responses from the public meetings have been consolidated into a single data set so as not to differentiate among the four meetings. A synthesis of all responses from the meetings and the survey is provided here.

Colour coding has been used for quick reference as follows:

	Feedback is consistent with Working Group recommendation
	Mixed feedback
	Advice differs from Working Group recommendation

Results

Disposal of Dead Animals

1. Should the City restrict the burying or disposal of dead animals within the City of Guelph?

	Meetings	Surveys
Yes	58%	37%
No	42%	63%

Comments from meetings:

People would welcome more information/guidelines/options here but not necessarily regulations. Some also wondered if this is a Waste Management responsibility, and/or had concerns about enforceability. There was a general sense that any rule should only apply to large animals and only on public property.

Number of Animals

2. Should there be a limit on dogs and cats older than three months per household?

	Meetings	Surveys
Yes	53%	64%
No	47%	36%

Comments from Meetings:

Opinions were very mixed. Most comments related to the need to ensure animal welfare on a case-by-case basis. Some people did suggest a specific number of animals – those ranged from a total of 4-10 per household. People were skeptical about enforceability.

3. How many flock animals should be allowed to be kept on each property, provided they are cared for properly?

	Meetings	Surveys
No limit	23%	23%
1 to 6	12%	21%
7 to 12	10%	16%
13 to 20	5%	9%
21 to 50	2%	4%
Zero (no poultry)	19%	7%
Not sure/Don't care	28%	20%

4. Should the number of all other animals be limited?

	Meetings	Surveys
Yes	65%	60%
No	35%	40%

Wildlife

5. Should the feeding and intentional attracting of wildlife (other than through bird feeders) be limited in Guelph?

	Meetings	Surveys
Yes	84%	66%
No	10%	26%
Other	6%	8%

6. Should the City prepare a wildlife management strategy to assist and provide direction with wildlife management issues?

	Meetings	Surveys
Yes	90%	83%
No	10%	17%

7. Is there anything else you would like to see or not see in the revised bylaw related to wildlife?

Meeting Responses

- 30 people commented that contact between humans and wildlife is bad for both sides – can be dangerous, unhealthy – in favour of minimizing contact.
- 16 people affirmed the need for public education regarding wildlife
- Other comments addressed the following issues:
 - Bird feeder guidelines
 - No culls
 - Need for consistent enforcement
 - Not the City’s responsibility
 - Geese concerns
 - Wildlife corridors
 - Less development
 - Better signage
 - Better handling of garbage

Survey responses

- 573 people commented in response to this question. 102 of those said “no,” therefore 471 comments were made, representing 22% of respondents.
- Roughly 25 comments each were made about the following:
 - Need for more public education regarding wildlife, including favouring education over legislation
 - Need for better management of Canada geese in urban areas
- Between 10 and 20 comments were submitted about the following:
 - Need to protect green space, trees etc. from developers
 - Desire for the list of banned exotics to be less comprehensive, particularly in relation to parrots
 - Not the City’s job to do this – leave it to other levels of government, and common sense
 - Desire for co-existence between humans and wildlife
 - Concerns about skunks and beavers
- There were mixed opinions regarding the following:
 - Hunting vs. relocation
 - Restrictions on exotics
 - Whether coyotes require more controls or to be left alone
 - Cats running at large
- These topics were raised by between 3 and 10 respondents:
 - Desire for wildlife corridors, sanctuaries, natural habitats
 - Desire for experts to write policy, strategy
 - Stricter penalties for people out of compliance
 - Better guidelines for removal of wildlife and/or treatment of injured animals
 - Less strict regulations re: poultry
 - Recognition that humans created this problem
 - Better garbage pickup, including residences, parks and restaurants

Animals Running At Large

8. Please choose the statement that best applies to you:

	Meetings	Surveys
I agree that all animals, including cats, should be restricted from running at large	56%	56%
I disagree – cats should be allowed to run at large, however all other animals should be restricted from running at large	12%	19%
I disagree – only dogs should be restricted from running at large	14%	14%
Other option	15%	11%

9. If all animals are not restricted from running at large, should all animals be on a leash while in City parks?

	Meetings	Surveys
Yes	65%	71%
No	15%	18%
Other/NA	20%	11%

10. Should all animals be restricted from sports fields?

	Meetings	Surveys
Yes	40%	48%
No	56%	38%
Other	4%	14%

Comments from the Meetings regarding Running At Large

The main emphasis here was on the need for more off-leash areas that are easily accessible and fenced. A few respondents were keen for exceptions for dog trainers. There is a desire for fields and parks in the city to be well used.

Care of Animals

11. Should the City of Guelph adopt a Code of Practice that would outline guidelines for the minimal care of animals?

	Meetings	Surveys
Yes	97%	89%
No	3%	11%

12. Please if you support including the following statements in the Animal Control Bylaw or in a Code of Practice:

	Meetings				Surveys			
	Bylaw - Yes	Bylaw- No	Code of Practice - Yes	Code of Practice - No	Bylaw - Yes	Bylaw- No	Code of Practice - Yes	Code of Practice - No
Animals may not be left in a vehicle unless there is enough water and ventilation to prevent the animal from distress	77%	low	70%	low	83%	7%	53%	5%
Animals may not be transported outside passenger compartments...unless the animal is secured	70%	low	68%	low	71%	16%	51%	9%
Owners of unspayed female animals must keep their animals confined when they are in heat, so they do not attract other animals	56%	low	73%	low	56%	24%	48%	16%
Animals must not be kept tethered on a rope or chain that is less than 10 feet in length other than when the animal is being exercised or in the backyard	65%	low	68%	low	67%	18%	46%	12%

*Please note that the wording of the above examples was problematic, and respondents found the distinction between a Code of Practice and a bylaw confusing. The no/other response rate at the meetings was low, but inconsistently recorded. It is my sense that these answers reflect people’s commitment to animal welfare rather than a clear understanding of the intent of this question.

13. Is there anything else you would like to see in the revised bylaw related to caring for animals?

Survey comments:

- 20% of survey respondents (535 people) made a comment in response to this question.
- There was considerable confusion over the wording of the scenarios in this question and the distinction between a Code of Practice and a Bylaw
- Many comments related to the need for animals to be properly cared for

- The most common specific response (about 8% of comments or 42 people) related to animals being left outside unsupervised. These comments related to barking, lack of shelter in extreme weather, length of time an animal is tethered etc.
- Over 20 people asked for more affordable spay/neuter services.
- **About 20 people** each made comments related to the following:
 - The need for unaltered males to be controlled (i.e. not just females in heat)
 - Stricter punishment for animal cruelty
 - The need to focus more heavily on enforcement
 - Seeing animal control as a provincial matter, not the City's concern, and therefore a waste of municipal tax dollars
 - Desire to ban all animals from vehicles
 - Need for stricter enforcement re: pet waste
- About 10 responses each related to the following topics:
 - Desire not to ban the keeping of parrots or other domesticated birds as pets
 - Pets should only be indoors
 - People found guilty of cruelty to animals should not be allowed to keep pets in the future
 - Need for more/better [fenced] dog parks in Guelph
 - Desire for more educational resources re: pet ownership, including for enforcement officers
- Other comments were fairly common but mixed in their intent. These included:
 - Vaccinations (for and against mandatory vaccinations)
 - Cats running at large
- Fewer than 10 comments each but some repetition was reported on the following issues:
 - Guidelines re: pinch collars, muzzles, aggressive animals
 - Feral cat control
 - No cats or dogs sold at pet stores
 - Desire to learn from other municipalities such as Calgary and Ottawa

Prohibited Animals

14. Should sheep and goats be permitted in the City of Guelph (subject to licensing and keeping in appropriate conditions)?

	Meetings	Surveys
Yes	59%	63%
No	41%	31%
Other		6%

Comments from the meetings:

Few comments given; most related to noise, smell and size of property.

15. Do you support this list of prohibited animals?

	Meetings	Surveys
Yes	62%	45%
No	38%	55%

Comments from meetings:

- Strong support for parrots, hedgehogs, lizards to be removed from list – especially parrots
- Suggestion to limit the list to genus not order
- Change “venomous” to “harmful to humans when in captivity”
- Most people did not feel they had the knowledge to comment

Pet Businesses

16. Should pet stores, pet daycares and pet grooming businesses etc. require a business license?

	Meetings		Surveys	
	Yes	No	Yes	No
Pet stores	96%	4%	92%	8%
Pet daycares	85%	15%	82%	18%
Grooming businesses	85%	15%	78%	22%

17. Should pet stores be restricted from selling cats and dogs?

	Meetings	Surveys
Yes	89%	79%
No	11%	21%

Comments from the meetings:

- Strong affirmation for the business licensing and adoption rather than sale of cats and dogs – would like rabbits added to that list
- Concerns about online pet sellers, puppy mills
- Interest in regulating kennels and breeders
- Concern about very small businesses – would like exemption
- Income from these licenses should be channelled toward animal welfare
- Some confusion about whether all businesses require a license anyway

Licensing

18. Please indicate if you do or do not support licensing for the following animals, in addition to licensing dogs:

	Meetings		Surveys	
	Yes	No	Yes	No
Cats	86	14	58	40
All reptiles	63	37	43	54
All flock animals	75	25	45	53
Ferrets	63	37	38	59
Pot-bellied pigs	68	32	56	42
Any animals used for breeding purposes	79	21	75	24

Comments from meetings:

The comments on this question were fairly limited and quite varied. There is interest in one-time microchipping rather than licensing for cats, and some support for cats to be treated equivalently to dogs. There is support for more affordable spay/neuter service and lower licensing fees. There is minimal support for licensing indoor animals.

19. Should there be a discount for licensing multiple animals in the same household?

	Meetings	Surveys
Yes	71%	80%
No	29%	20%

20. Do you have any other comments about animal control in the City of Guelph?

This question was only asked in the survey, although in-person respondents were also welcome to write any other comments they had. One third of survey respondents made comments in response to this question (i.e. 700 people). Despite the large number of responses, themes were easily discernable.

The largest number of comments (10% or 70 people) related to the recommended list of prohibited animals. Of those, some people were concerned with the accuracy/adequacy of the list overall, while others wanted specific animals removed from the list. The groups of animals most frequently mentioned for removal were:

- Parrots (and in some cases other birds) – these were mentioned most frequently by far
- Lizards (including geckos)
- Turtles and tortoises
- Hedgehogs
- Aquarium fish
- Tarantulas
- Snakes under 3m

There were mixed comments regarding red ear sliders.

Other themes that were raised in 30 comments or more included:

- Encouragement to the City to avoid over-regulation
- A strong desire for more off-leash areas for dogs, particularly ones that are fenced
- Concerns about enforcement capacity, of existing bylaws as well as proposed new ones
- A desire to eliminate the problem of cats running at large

Issues that elicited 20-30 comments each included:

- A desire for Guelph to lead in this area by emphasizing education and incentives over legislation and punishment
- Resistance to punishing/restricting/discriminating against responsible pet owners because of the poor behaviour of a few irresponsible ones
- Encouragement to the City to focus on other more pressing issues because this one is perceived to be a waste of taxpayer time and money.
- Reminders that to some people, pets are loved like family
- Thanks for engaging in this process!

Issues that generated 10-20 comments included:

- A desire for lower licensing fees, which would be in line with some other municipalities, particularly if the range of animals being licensed expands
- Concerns with dogs being out of control when off leash
- Keeping animal welfare paramount in this discussion

Issues that generated 5-10 comments were more numerous, including:

- Assertion that animal owners should be the ones paying for animal control and shelters etc. rather than the full tax base doing so
- Maintaining access to sports fields for off leash animals at certain times, especially in Exhibition Park
- Encouragement to use the expertise of vets and the OVC more
- A desire for Guelph to stay known as an animal friendly city
- Concerns about Canada geese
- Affordability of spay/neuter
- Concerns about barking dogs left unattended
- Affirmations that this process has been useful
- Support for cats being allowed to roam freely
- Stiffer penalties for infractions, animal abuse
- Changes to the current poultry regulations, most notably the floor service and the distance from lot lines
- Desire for more evidence and expert advice to inform the proposed policy changes
- Faster response time from OSPCA officers

- Support for licensing but not for restrictions on the number of animals per household
- Mandatory spay/neuter and/or microchipping
- Concerns about feral cats
- Affirmation of “grandfathering” existing pets if these changes are adopted
- More money to the Humane Society

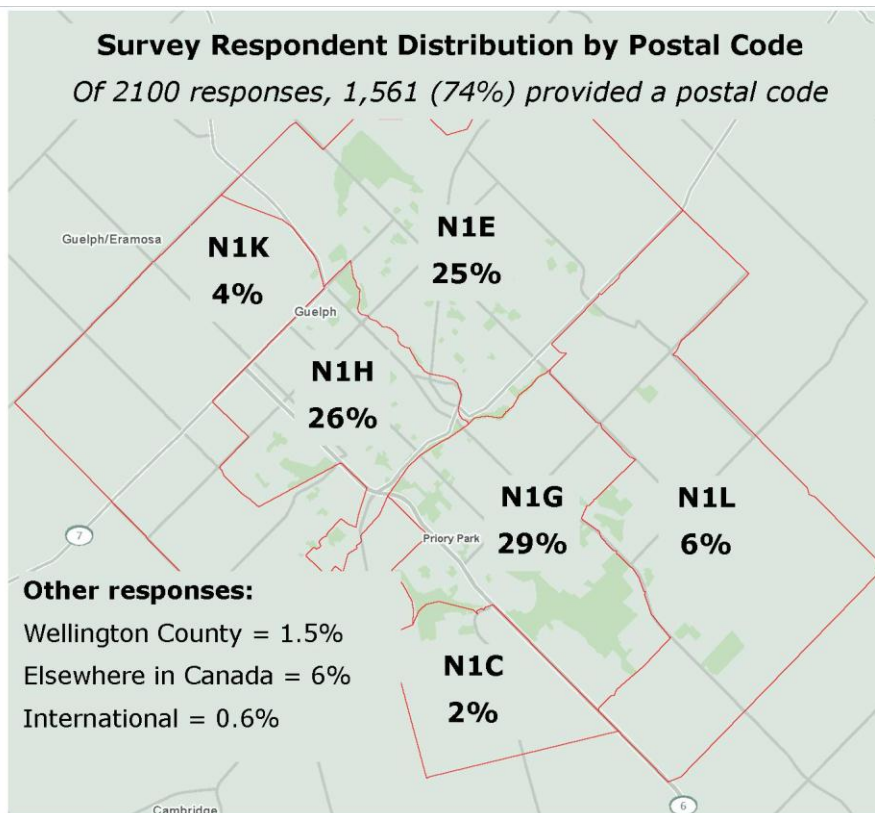
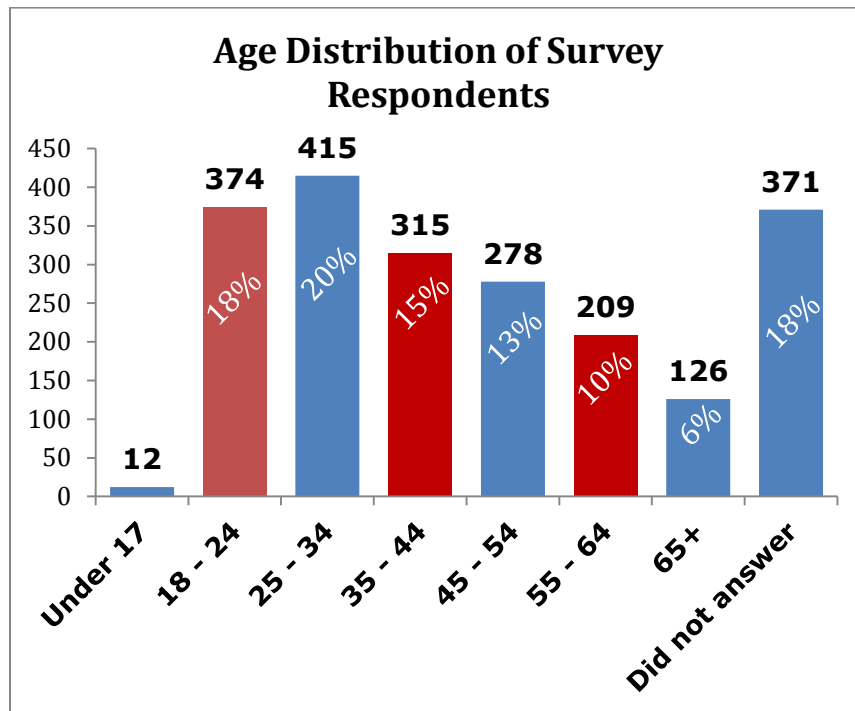
2-5 comments were made about the following issues:

- Desire for backyard beehives
- Concerns about skunks in neighbourhoods
- Pet ownership is not a right – it’s a privilege
- License only outdoor cats
- Be more proactive about enforcement – not just complaints-based
- Food security issues (related to chicken, geese)
- Puppy mills
- Retractable/Flexi leashes on dogs
- Desire for better training for OSPCA officers

Some specific ideas were raised in the comment section, including:

- Establishing an ongoing Animal Control Advisory Board (this person left their contact information if anyone would like to follow up with him/her)
- Desire for a summary of the survey responses to be made public
- Why would people invest in microchipping if they also need to buy a license?
- A free license for retired service dogs
- Dogs being allowed on public transit
- Sliding scale for business license fees
- Off leash cat areas
- Volunteer, trained animal control officers
- De-linking animal control and animal shelter
- Concerns about bylaw compliance being run by a third party (i.e. the Humane Society)

Demographic Distribution of Survey Respondents



ATTACHMENT 3

BYLAW SERVICE REVIEW REPORT

ANIMAL CONTROL

SCHEDULE "A"

Animal Control Licensing Bylaw
Schedule "A"



Class	Order	Examples (Including, Not Limited To)	Exceptions/Notes
Mammalia (Mammals)	<i>Afrosoricida</i>	Tenrecs, Golden Moles	
	<i>Artiodactyla</i>	Deer, Cattle, Pigs, Sheep, Goats, Giraffes, Hippos, Camels, Llamas	Except for pot-bellied pigs/mini pigs kept as pets And a maximum of 2 (total) sheep and goats per property for up to 12 properties, 1 per
	<i>Carnivora</i>	Felines (Tigers, Lions, Leopards, Servals), Feline Hybrids, Civets, Mongooses, Hyaenas, Canines (Coyotes, Wolves, Foxes), Canine Hybrids, Bears, Seals, Walrus, Pandas, Skunks, Weasels, Raccoons, Coatis	Except Domestic Dogs, Domestic Cats, and Domestic Ferrets
	<i>Cetacea</i>	Whales, Dolphins	
	<i>Chiroptera</i>	Bat, Flying Foxes	
	<i>Cingulata</i>	Armadillos	
	<i>Dasyuromorphia</i>	Tasmanian Devils	
	<i>Dermoptera</i>	Flying Lemurs, Colugos	
	<i>Didelphimorphia</i>	Opossums	
	<i>Diprotodontia</i>	Koalas, Wombats, Kangaroos, Sugar Gliders	Except Sugar Gliders derived from self-sustaining captive populations
	<i>Erinaceomorpha</i>	Hedgehogs, Moonrats	Except domestic hedgehogs
	<i>Hyracoidea</i>	Hyrax, Dassies	
	<i>Lagomorpha</i>	Pikas, Rabbits, Hares	Except Domestic Rabbits
	<i>Macroscelidea</i>	Elephant Shrews	
	<i>Microbiotheria</i>	Monito del Montes	
	<i>Monotremata</i>	Echidnas, Platypuses	
	<i>Notoryctemorphia</i>	Marsupial Moles	
	<i>Paucituberculata</i>	Shrew Opossums	
	<i>Peramelemorphia</i>	Bandicoots, Bilbies	
	<i>Perissodactyla</i>	Horses, Zebras, Donkeys, Tapirs, Rhinoceros	
<i>Pholidota</i>	Pangolins, Scaly Anteater		
<i>Pilosa</i>	Anteaters, Sloths		

Animal Control Licensing Bylaw
Schedule "A"



Class	Order	Examples (Including, Not Limited To)	Exceptions/Notes
	<i>Primates</i>	Lemurs, Bush Babies, Monkeys, Apes	
	<i>Proboscidea</i>	Elephants	
	<i>Rodentia</i>	Beavers, Squirrels, Mice, Porcupines, Capybaras, Rats	Except rodents which do not exceed 1,500 grams & derived from self-sustaining captive populations
	<i>Scandentia</i>	Treeshrews	
	<i>Sirenia</i>	Dugongs, Manatees	
	<i>Soricomorpha</i>	Moles, Shrews	
	<i>Tubulidentata</i>	Aardvarks	
Aves (Birds)	<i>Anseriformes</i>	Ducks, geese, swans	Except Domestic Ducks and Geese as in Animal Registration Section
	<i>Apodiformes</i>	Hummingbirds, Swifts	
	<i>Bucerotiformes</i>	Hornbills	
	<i>Caprimulgiformes</i>	Nightjars	
	<i>Cathartiformes</i>	Vultures	
	<i>Charadriiformes</i>	Gulls, Auks, Plovers	
	<i>Ciconiiformes</i>	Storks	
	<i>Coliiformes</i>	Mousebirds	
	<i>Columbiformes</i>	Pigeons, Doves	Except Domestic Pigeons as noted in Animal Registration Section
	<i>Coraciiformes</i>	Kingfishers	
	<i>Craciformes</i>	Curassows, Guans	
	<i>Cuculiformes</i>	Cuckoos, Turacos	
	<i>Falconiformes</i>	Falcons, Eagles, Hawks	Except those owned by falconers licensed by the Ontario Ministry of Natural Resources
	<i>Galbuliformes</i>	Jacamars, Puffbirds	
	<i>Galliformes</i>	Pheasants, Quail	Except Domestic Poultry as noted in Animal Registration Section
	<i>Gaviiformes</i>	Loons	
	<i>Gruiformes</i>	Bustards, Cranes, Rails	
	<i>Musophagiformes</i>	Turacos	
	<i>Passeriformes</i>	Wrens, Swallows, Warblers,	

Animal Control Licensing Bylaw
Schedule "A"



Class	Order	Examples (Including, Not Limited To)	Exceptions/Notes
	<i>Pelecaniformes</i>	Pelicans	
	<i>Phaethontiformes</i>	Tropicbird	
	<i>Phoenicopteriformes</i>	Flamingos	
	<i>Piciformes</i>	Toucans, Woodpeckers	
	<i>Podicipediformes</i>	Grebes	
	<i>Procellariiformes</i>	Albatrosses, Petrels	
	<i>Pteroclidiformes</i>	Sandgrouse	
	<i>Strigiformes</i>	Owls	Except those owned by falconers licensed by the Ontario Ministry of Natural Resources
	<i>Struthioniformes</i>	Ostriches, Emus, Kiwis	
	<i>Tinamiformes</i>	Tinamou	
	<i>Trogoniformes</i>	Trogons, Quetzals	
	<i>Upupiformes</i>	Hoopoes	

Animal Control Licensing Bylaw
Schedule "A"



Class	Order	Examples (Including, Not Limited To)	Exceptions/Notes
Reptilia (Reptiles)	All squamata purely or partially of the following species:	<ul style="list-style-type: none"> • the genus Eunectes [Anacondas] • Morelia amethystina [Amethystine and Scrub pythons] • Python molurus [Indian python, Indian rock python, Burmese python] • Python sebae [African rock python] • Python reticulatus [Reticulated python] • Varanus niloticus [Nile monitor] • Varanus salvadorii [Crocodile monitor] • Varanus salvator [Water monitor] • Varanus varius [Lace monitor] • Varanus giganteus [Perentie] • Varanus komodoensis [Komodo dragon] • the family Viperidae [True vipers, Fea's viper, Night adders, Rattlesnakes etc.] • the family Elapidae [Cobras, Mambas, Kraits, Coral snakes etc.] • the subfamily Hydrophiinae [Sea snakes, Coral reef snakes etc.] • the genus Dispholidus [Boomslang snakes] • the genus Thelotornis [Twig snakes] • the genus Rhabdophis [Keelbacks] • the genus Atractaspis [Burrowing vipers, Mole vipers] • Philodryas viridissimus [South American Green racer] • the family Helodermatidae [Gila monster, Beaded lizards] 	
	<i>Crocodylia</i>	All species purely or partially of the order Crocodylia [Alligators, Crocodiles, Caymans, Gavials etc.]	

Animal Control Licensing Bylaw
Schedule "A"

Class	Order	Examples (Including, Not Limited To)	Exceptions/Notes
	All arachnids purely or partially of the following species:	<ul style="list-style-type: none"> • the family Buthidae [Fat tailed scorpions, Bark scorpions etc.] • the family Ctenidae [Wandering spiders] • the genus Latrodectus [Black widow spiders] • the family Sicariidae [Brown recluse spider, Assassin spider, etc.] • the family Hexathelidae [Australian Funnel web spiders] 	
		All species purely or partially of the class Chilopoda [Centipedes]	
	<i>Rhynchocephalia</i>	Tuatara	
	<i>Testudines</i>	Sea turtles, Red-eared slider	
Amphibia (Amphibians)	<i>Anura</i>	Frogs, Toads	Except those derived from self-sustaining captive populations
	<i>Caudata</i>	Salamanders, Newts	Except those derived from self-sustaining captive populations
	<i>Gymnophiona</i>	Caecilian	
Other		Any and all poisonous or venomous animals including insects, spiders, reptiles, amphibians, centipedes, fish	
		All Characidae fish (piranhas), and Gymnotidae (Electric eel)	

ATTACHMENT 4

BYLAW SERVICE REVIEW REPORT

ANIMAL CONTROL

PUBLIC ENGAGEMENT RECORDS

Sept 17

DEFINITIONS:

SECTION 1

ORIGINAL WORDING

“**animal control officer**” means the person or persons employed by the Guelph Humane Society to enforce this By-law;

Proposed Wording

“**animal protection officer**” means the person or persons employed by the Guelph Humane Society to enforce this By-law;

ORIGINAL WORDING

“**dog**” means a male or female dog; and

PROPOSED WORDING

“**animal**” means a male or female, dog or cat and

SECTION 2

ORIGINAL WORDING

2. (1) Every owner of a dog shall register and obtain from the City of Guelph an annual license for each dog over the age of three months.
- (2) The annual licence fee shall be as follows:
 - male or female dog: \$20.00
 - neutered male dog or spayed female dog
(certificate of neutering/spaying required) \$10.00
- (3) Notwithstanding subsection (2), the fee for any licence for a dog acquired after September 1st in any year shall be 50% of the annual licence fee provided the owner can provide adequate proof of the date of taking such ownership.
- (4) Each licence shall expire on the last day of December in the year it was issued.
- (5) Notwithstanding subsection (4) any licence purchased after December 1st shall be valid for the remainder of that year and the whole of the following year.

Proposed Wording

- 2.(1) Every owner of a animal shall register and obtain from the City of Guelph an annual license for each animal over the age of three months. as per the user fee bylaw.
- (2) Licence expires 1 year after date of purchase

SECTION 3

ORIGINAL WORDING

3. (1) On payment of the licence fee set out in Section 2, the owner shall be provided with a dog tag for each dog licensed and registered.
- (2) The owner shall keep the dog tag securely fixed on the dog at all times.
- (3) Notwithstanding subsection (2), the dog tag and collar may be removed while the dog is being lawfully used for hunting in the bush.
- (4) The tag shall bear a serial number and the year for which it was issued and a record shall be kept by the Guelph Humane Society and the City of Guelph showing the name and address of the owner, the serial number of the tag and any other information as may be considered necessary.
- (5) No person shall use a tag upon a dog other than the dog for which such tag was provided.
- (6) No licence shall be transferable
- (7) A licence shall expire and become void upon the sale, death or disposal of the dog for whom the licence was issued.
- (8) No person other than the owner of a dog shall remove the tag from the dog.

Proposed Wording

- 3.(1) On payment of the licence fee set out in Section 2, the owner shall be provided with a animal tag for each animal licensed and registered.
- (2) The owner shall keep the animal tag securely fixed on the animal at all times.
- (3) Notwithstanding subsection (2), the animal tag and collar may be removed while the animal is being lawfully used for hunting in the bush. Any animal used in this manor must be mico chipped. All contact information related to the registration of the microchip must be kept current any changes are to be provided to the Guelph Humane Society and The City of Guelph.
- (5) No person shall use a tag upon a animal other than the animal for which such tag was provided.
- (6) No licence shall be transferable- unless authorized by the City of Guelph or the Guelph Humane Society
- (7) A licence shall expire and become void upon the sale, death or disposal of the animal

SECTION 4

4. (1) No person shall allow a dog to run at large in the City of Guelph.
- (2) A dog shall be deemed to be running at large if found in any place other than the premises of the owner of the dog and not under the control of any person.
- (3) A dog which is found running at large may be seized and impounded by an animal control officer.
- (4) A dog so impounded shall be held for a period of not less than three full days, excluding Sundays and holidays, unless earlier claimed by its owner, and if not claimed within such time, may be sold, destroyed or otherwise disposed of, in the discretion of the Manager of the Guelph Humane Society.
- (5) A dog impounded pursuant to subsection (3) shall not be released to the owner until the owner has paid the amount of \$8.00 for each day or part thereof during which the dog has been so impounded plus an administration fee of \$20.00.
- (6) Any dog impounded pursuant to subsection (3) shall not be released to the owner until the owner has provided satisfactory evidence that the dog has been licensed

PROPOSED CHANGES

4. (1) No person shall allow a animal to run at large in the City of Guelph.
Discussion: Cats can run at larged provided that they are micro chipped and spayed/neutered that a lower cost for return to owner if microchipped/spayed/neutered
- (2) A animal shall be deemed to be running at large if found in any place other than the premises of the owner of the animal and not under the control of any person.
- (3) A animal which is found running at large may be seized and impounded by an animal protection officer. (4) A animal so impounded shall be held for a period of not less than five full business days, excluding holidays, unless earlier claimed by its owner, and if not claimed within such time, may be sold, destroyed or otherwise disposed of, in the discretion of the Manager of the Guelph Humane Society.
- (5) A animal impounded pursuant to subsection (3) shall not be released to the owner until the owner has paid the amount as set out in the user fee bylaw for each day or part thereof during which the animal has been so impounded plus any associated fees and an administration fee of \$35.00.
- (6) Any animal impounded pursuant to subsection (3) shall not be released to the owner until the owner has applicable satisfactory evidence that the animal has been identified.

SECTION 5

ORIGINAL WORDING

5. (1) The Guelph Humane Society is hereby appointed by the City of Guelph as Poundkeeper and is authorized to collect the amounts required to be paid under Section 4 of this By-law.
- (2) The Poundkeeper shall issue a receipt approved by the City Treasurer to all persons making payment under Section 4, and shall remit to the City of Guelph each month all payments collected

PROPOSED CHANGES

5. (1) The City of Guelph shall appoint a poundkeeper and is authorized to collect the amounts
(2) As contracted the Poundkeeper shall issue a receipt approved by the City Treasurer to all persons making payment under Section 4, and shall remit to the City of Guelph each month all payments collected.

SECTION 6

ORIGINAL WORDING

6. Every owner of a dog in the City of Guelph shall provide such dog or cause it to be provided with such food, potable water, exercise and attention as may be required from time to time to keep it in good health.

PROPOSED CHANGES

6. Every owner of a animal in the City of Guelph shall provide such animal or cause it to be provided with such food, potable water, exercise and attention as may be required

SECTION 7

Original Wording

7. If a dog is customarily kept out of doors, the owner shall, at all times, provide for its use a structurally sound, weather-proof enclosure with off the ground flooring.

PROPOSED CHANGES

Delete refer to Provincial/Federal Standards

SCHEDULE "A"

ORIGINAL WORDING

SCHEDULE "A"

to City of Guelph By-law Number (2000)-16365
being new Schedule "A" to By-law Number (1991)-14008

AREA OF CITY PARKS WHERE DOGS ARE PERMITTED UNLEASHED,
WHILE UNDER CONTROL OF A PERSON

On any unoccupied sports field:

- (a) between the hours of **8:00** p.m. and 8:00 a.m., from the first day of **May** to the fourteenth day of **September** inclusive;
- and
- (b) between the hours of 5:00 p.m. and 8:00 a.m. from the fifteenth day of **September** to the thirtieth day of **April** inclusive.

AREAS OF SPECIFIED CITY PARKS WHERE DOGS ARE PERMITTED UNLEASHED AT ALL TIMES WHILE UNDER CONTROL OF A PERSON

Within the specified area of the park indicated at any time:

- Ward 1: Eramosa Park (east end)
- Grangehill Park (south end)**
- Ward 2: **Riverside Park (east of the river, south of Woodlawn Road to the Country Club gates) delete**
- Riverside Park (west of the river, north of Woodlawn Road)
- Ward 3: **Norm Jary** Park (between the ball diamonds)
- Ward 4: Margaret Greene Park (westerly end off Ferman Drive)
- Ward 5: Crane Park (all areas)
- Centennial Park (between the parking lot and ball diamonds at C8 and C9)
- Ward 6: John Gamble Park (Old Hanlon Road south of access road leading to Shadybrook Cres.)

Proposed Wording

SCHEDULE "A"

to City of Guelph By-law Number (2000)-16365
 being new Schedule "A" to By-law Number (1991)-14008

AREA OF CITY PARKS WHERE ANIMALS ARE PERMITTED UNLEASHED, WHILE UNDER CONTROL OF A PERSON

TAKE THIS SECITON BACK TO PARKS IF WE ELIMINATE IT WHAT COULD REPLACE THIS??

On any unoccupied sports field:

- (a) between the hours of **8:30** p.m. and 8:00 a.m., from the first day of **May** to the fourteenth day of **September** inclusive;
- and
- (b) between the hours of 5:00 p.m. and 8:00 a.m. from the fifteenth day of **September** to the thirtieth day of **April** inclusive.

UPDATE THIS SECITON –RECOMMENDATION THAT IN NEW DEVEOPEMENT THAT A LEASH FREE ZONE BE CREATED.

AREAS OF SPECIFIED CITY PARKS WHERE ANIMALS ARE PERMITTED UNLEASHED AT ALL TIMES WHILE UNDER CONTROL OF A PERSON

Within the specified area of the park indicated at any time:

Ward 1: Eramosa Park (east end)

Grangehill Park (south end)

Ward 2 Riverside Park (west of the river, north of Woodlawn Road)

Ward 3: **Norm Jary** Park (between the ball diamonds)

Ward 4: Margaret Greene Park (westerly end off Ferman Drive)

Ward 5: Crane Park (all areas)

Centennial Park (between the parking lot and ball diamonds at C8 and C9)

Ward 6: John Gamble Park (Old Hanlon Road south of access road leading to Shadybrook Cres.)

SECTION BY-LAW (1993)-14008

ORIGINAL WORDING

By-law (1993)-14433

A by-law to amend By-law (1991)-14008, with respect to the requirements that dogs be leached while on highway in the City of Guelph and to adopt Municipal Code Amendment #127 to amend Chapter 105-11 (Licensing and Control of Dogs) of The Corporation of the City of Guelph's Municipal Code.

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

1. Section 1 of By-law (1991)-14008 and Chapter 105 "Licences" Section 105-11 of The Corporation of the City of Guelph's Municipal Code are hereby amended by adding the following:

1. (e) "highway" means a common and public highway, street, avenue, parkway, driveway, square, place bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of pedestrians and vehicles and includes the area between the lateral property lines thereof.

2. Section 4 of By-law (1991)-14008 and Chapter 105 "Licences" Section 105-11 of The Corporation of the City of Guelph's Municipal Code are hereby amended by adding the following subsection:

4. (7) Notwithstanding subsection 4(2) of this By-law, no owner shall permit a dog to be on a highway within the City of Guelph without the dog being under the control of a person by a leash, cord or chain.

PROPOSED CHANGES

This entire section be deleted

SECTION BY-LAW NUMBER (1993)-14500

ORIGINAL WORDING

2(6) Every owner of a kennel of dogs that are registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada) shall pay an annual licence fee in the amount of \$50.00 to the Corporation of the City of Guelph as a licence fee for the kennel instead of a licence fee for each dog and such licence fee shall be paid to the Corporation of the City of Guelph.

PROPOSED CHANGES

2(6) Every owner of a kennel of animals that are registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada) shall pay an annual licence fee as set out in the user fee bylaw to the Corporation of the City of Guelph as a licence fee for the kennel instead of a licence fee for each animal and such licence fee shall be paid to the Corporation of the City of Guelph.

SECTION BY-LAW (1997)-15549

ORIGINAL WORDING

1. "Notwithstanding subsection 4.(2) of this By-law, every owner of a dog shall ensure that when such dog is on a highway it is under the control of a person by a leash, cord or chain that is not greater than 1.8 metres (6 feet) in length."

PROPOSED CHANGES

1. "Notwithstanding subsection 4.(2) of this By-law, every owner of a animal shall ensure that when such animal is on a highway it is under the control of a person by a leash that is not greater than 1.8 metres (6 feet) in length."

SECTION BY-LAW (1999)-15966

ORIGINAL WORDING

1. Section 1 of By-law Number (1991)-14008 is hereby amended by adding the following definition as subsection (f):

"Trail" means any trail located within the City of Guelph that is owned or maintained by the Corporation of the City of Guelph, the Grand River Conservation Authority or any other public body, or by any walking or trail club, association or the like, which is open to the public for use as a walking trail, and includes the area within 2.0 metres (6.6 feet) of each side of such trail.

2. Chapter 105-11, Definitions, of the Corporation of the City of Guelph's Municipal Code is hereby amended by adding the following definition:

"Trail" means any trail located within the City of Guelph that is owned or maintained by the Corporation of the City of Guelph, the Grand River Conservation Authority or any other public body, or by any walking or trail club, association or the like, which is open to the public for use as a walking trail, and includes the area within 2.0 metres (6.6 feet) of each side of such trail.

3. By-law Number (1991)-14008 is hereby amended by adding the following provision as subsection 4(8):

"Notwithstanding subsection 4(2) of this By-law, every owner of a dog shall ensure that when such dog is in any portion of a City park or on any trail it is under the

control of a person by a leash, cord or chain that is not greater than 1.8 metres (6 feet) in length.”

PROPOSED CHANGES

Delete Item 1 and 2

3. By-law Number (1991)-14008 is hereby amended by adding the following provision as subsection 4(8):

“Notwithstanding subsection 4(2) of this By-law, every owner of a animal shall ensure that when such animal is in any portion of a City park or on any trail it is under the control of a person by a leash that is not greater than 1.8 metres (6 feet) in length.”

SECTION BY-LAW (1999)-16016

ORIGINAL WORDING

Highways and Trails

(a) Every owner of a dog shall ensure that, when such dog is on any highway or trail, it is under the control of a person by a leash, cord or chain that is not greater than 1.8 metres (6 feet) in length.

Parks

(b) Every owner of a dog that is in a City park shall ensure that such dog is:

- (i) under the control of a person by a leash, cord or chain, which may be an extendable device; and
- (ii) prevented at all times from entering any wading pool area, playground or occupied sports field.

PROPOSED CHANGES

Highways and Trails\Parks

Parks

(b) Every owner of a animal that is in a City park shall ensure that such animal is:

- (i) under the control of a person by a leash, which may be an extendable up to 6 ft; and
- (ii) prevented at all times from entering any wading pool area, splash pad, water feature, playground or occupied sports field.

SECTION BY-LAW (2001)-16598

ORIGINAL WORDING

1. Subsection 4(5) of By-law (1991)-14008 is hereby repealed and the following new subsection 4(5) substituted therefor:

- 4. (5) A dog impounded pursuant to subsection (3) shall not be released to the owner until the owner has paid the amount of twelve dollars (\$12.00) for each day or part thereof during which the dog has been so impounded, plus an administration fee of fifty dollars (\$50.00).

2. Subsection E of Chapter 105-14 of the Corporation of the City of Guelph's Municipal Code is hereby repealed and the following new subsection E substituted therefor:

E. A dog impounded pursuant to Subsection C shall not be released to the owner until the owner has paid the amount of twelve dollars (\$12.00) for each day or part thereof during which the dog has been so impounded, plus an administration fee of fifty dollars (\$50.00).

Proposed Wording

Remove fine amounts and reference the user fee bylaw

SECTION BY-LAW NUMBER (2001)-16745

Section 1

ORIGINAL WORDING

1. (i) "eligible dog" means a dog that is three (3) months of age or older.
- (j) "guide dog" means a dog trained for and actually used as a guide for or for the assistance of a handicapped person
- (k) "microchip" means an approved Canadian-standard, encoded device implanted into an animal, which contains a unique code that permits or facilitates access to owner information, including the name and address of the owner, which is stored in a central database accessible to the Guelph Humane Society and "microchipped" has a corresponding meaning.
- (l) "police work dog" means a dog trained for and actually engaged in law enforcement by any federal, provincial or municipal government agency.
- (m) "handicapped person" includes a person who is visually or hearing-impaired.

PROPOSED CHANGES

1. (i) "eligible animal" means a animal that is three (3) months of age or older.
- (j) "Service animal" means a animal trained for and actually used as a guide for or for the assistance of an accessible person
- (k) "microchip" means an approved Canadian-standard, encoded device implanted into an animal, which contains a unique code that permits or facilitates access to owner information, including the name and address of the owner, which is stored in a central database accessible to the Guelph Humane Society and "microchipped" has a corresponding meaning.
- (l) "police work animal" means a animal trained for and actually engaged in law enforcement by any federal, provincial or municipal government agency.
- (m) "accessible person" includes a person who is visually or hearing-impaired.

Section 2

ORIGINAL WORDING

Guide dog – means a dog trained for and actually used as a guide for or for the assistance of a handicapped person

Handicapped person – includes a person who is visually or hearing impaired.

PROPOSED CHANGES

Service animal – means a animal trained for and actually used as a guide for or for the assistance of an accessible person

Accessible person – includes a person who is visually or hearing impaired.

Section 3

ORIGINAL WORDING

2.(1) Every owner of a dog shall register and obtain from the City of Guelph, prior to March 1st of each calendar year, an annual license for that year for each eligible dog.

PROPOSED CHANGES

2.(1) Every owner of a animal shall register and obtain from the City of Guelph, year from the date of purchase, an annual license for that year for each eligible animal.

Section 13

ORIGINAL WORDING

13. Subsection 2(6) of By-law (1991)-14008 is hereby repealed and the following new subsection 2(6) substituted therefor:

Exemptions

2.(6) (i) Subsection (1) shall not apply to any guide dog.

(ii) The owner of a guide dog shall produce, upon request, evidence satisfactory to the Guelph Humane Society that the dog is required as a guide for or for the assistance of a handicapped person.

PROPOSED CHANGES

Exemptions

2.(6) (i) Subsection (1) shall not apply to any service animal.

(ii) The owner of a service animal shall produce, upon request, evidence satisfactory to the Guelph Humane Society that the animal is required as a guide for or for the assistance of a accessible person.

Section 14

ORIGINAL WORDING

Exemptions

F. (1) Subsection (A) shall not apply to any guide dog.

(2) The owner of a guide dog shall produce, upon request, evidence satisfactory to the Guelph Humane Society that the dog is required as a guide for or for the assistance of a handicapped person.

PROPOSED CHANGES

Exemptions

F. (1) Subsection (A) shall not apply to any service animal.

(2) The owner of a service animal shall produce, upon request, evidence satisfactory to the Guelph Humane Society that the animal is required as a guide for or for the assistance of a accessible person.

Mark 26

BYLAW SERVICE REVIEW REPORT – POULTRY

Council Directed Questions:

1. PHILOSOPHY OF BYLAW

- What are the reasons for implementation?

To permit poultry within the City with minimum regulations

To ensure Health and Welfare of the animals and people

To provide a process to follow to have poultry and to set regulations

Protect neighbours and reduce impact

Complaint process

Urban agriculture program

To ensure the owners of the birds take responsibility for their animals

- Are the reasons for its implementation still relevant today?

YES - It is still happening – people own chickens

Urban agriculture is on the rise

Bird flu implications

There continue to be a few complaints each year

2. BYLAW DEFICIENCIES

- Are amendments required to the bylaw?
- Is the bylaw still current?

Limitations on the number? Expectations for number of chickens and size of dwelling? Increase in flock – can double at times due to flock nature.

Seasonality? – how are they treated in extreme weather

Ban roosters? – Noise related. It is the nature of a rooster to crow. You could have a rooster if it isn't noisy? Keep the whole flock including the rooster in a darkened coop until 7 am?

Registration – to help with public health issues

Database through poultry farmers of Ontario

Animal care standards as per OPSCA to be included in by-law? There are many things to address to consider adding this. Animal control officers would need to be given power over compliance from an animal welfare standpoint.

Each chicken owner to receive "chicken ownership training"?

Homing pigeons to be included in by law? The by-law already handles this through insistence they be kept in a coop or cage

Burial/ disposal of dead stock.

Manure? Amount/ odour/ yard maintenance?

Transportation

Protection of animals or residents or both to be included in a bylaw (another service agency might need to handle animal welfare complaints)

If humane society is moving toward animal protection as opposed to control should our by-laws reflect this change

SPCA standards may be different from the community standards

Number compared to space available

No specifications about where they are housed – garage, apartment, houses, yards

Chicken rentals? Licence?

What is the reason for 50 ft?

Odour? Tough one – subjective.

Communicable diseases – public health regulations?

Are our by-laws specifically the floor in coop/ pen may not be the best for the chickens – needs research

Clarify domestic vs wildlife? – How are we supposed to tell?

3. BYLAW FEES

- Are there fees associated with the bylaw?
- Are they set at an appropriate level?

No/ N/A

Boarding fees/ poultry relinquishing fees?

Registration fee/ business licence fee? Keep these low or nonexistent to encourage compliance

Cost recovery?

4. ENFORCEMENT

- How are violations currently managed?
- Should the enforcement approach be changed?

Currently enforced through complaints – not proactive

Don't change it – complaints are low and stay low. Building in education would likely be enough.

If we change our approach to one of animal welfare complaints

Have only one agency responsible for compliance of the by-law in its entirety?

- Should violations of the bylaw be managed on a proactive or reactive basis?

If there is a registry this will in effect create a proactive component

- What other agencies/departments are involved with enforcement of the bylaw?

Building and property standards is responsible for this by law. Currently noise is separate by-law.

Recommendation looking at another agency?

Public Health to be listed as an enforcement agency? Would have to be able to prove a health hazard.
(This trumps any by-law already)

- If enforcement is shared, to what extent will the Bylaw Compliance staff enforce this bylaw?

Animal control/ humane society/ public health to be involved?

OSPCA can enforce through legislation animal cruelty or neglect and does not need to be included in this by law.

5. FINES

- Does the Bylaw have Set Fines in place?

Not at this time

- Are the Set Fines up to date and appropriate?

Not up to date. Unknown if they are appropriate. Section 2 that indicates fine amounts are not current/ appropriate.

6. CALLS FOR ENFORCEMENT

- What is the number calls received annually for enforcement of this bylaw?

5-10 annually

7. WHAT STRATEGIES MIGHT BE CONSIDERED TO PROMOTE A REDUCTION IN THE NUMBER OF CALLS FOR SERVICE?

Education – proactive – registry (at no cost)

On-line registry with quick easy access to by-law, standards and education piece

Is this registry public? (Check privacy issues on this point)

Look at the rooster issue re: noise (could educate about rooster in the online registry tools)

8. HOW CAN THE BURDEN ON THE TAXPAYER FOR BYLAW COMPLIANCE AND ENFORCEMENT BE REDUCED?

Negligible/ minimal burden

Registry if managed by the City would increase cost however another agency/ organization could take this on at no cost to us.

Is there authority in a by-law to enforce registry if it is a voluntary registry?

Different kinds of costs associated with different by-law scope. Most changes suggested today would potentially increase costs.

Local Food/ urban agriculture and political will suggest continuing with allowing poultry.

April 9

BYLAW SERVICE REVIEW REPORT – EXOTIC ANIMALS

Council Directed Questions:

1. PHILOSOPHY OF BYLAW

- What are the reasons for implementation?
Public safety
Public health
Animal welfare
- Are the reasons for its implementation still relevant today?
Yes
Doug gave an overview of the changes made to the Bylaw last year they took the Farm, Exotic and Reptile sections and applied it to one bylaw

2. BYLAW DEFICIENCIES

- Are amendments required to the bylaw?
Yes
GRCA for H
Consistency in wording of bylaws
Consider type of list prohibited or permitted
Conflicts with the zoning bylaw- animal care, farms, urban reserve
Education in schools
Clarification of sex in reference length- Snakes not permitted -concerns are that it is too restrictive as to the size – need more clarity
Some municipalities going away from the 3m length
Other legislation defines the welfare and keeping of exotic animals
Provincial task force to review exotic animals after the tragedy out east –not sure of the recommendations – MLEO has requested to have input on review under the association –both Doug and Randy sit on the board
Question as to whether invasive species are covered – the province is looking at an invasive species act to address the gaps –fines would be issued for bringing them in
Enforcement issues-gaining entry to determine compliance
Welfare/well being of animals kept within the home
Residential vs. commercial dwelling
Exotic limit on number of animals look at licence for breeders, hobbyist
Distinguish between single family residence and multi dwelling
Cannot put a limit on exotic you have to look at each species individually
Registry for exotic animals –volunteer
No impounding seizure clauses in current bylaw
Give our animal control staff more authority to deal with situation rather than having to go through SPCA

Measure in place for the harm that an exotic can do to another animal

The storage of the exotic animal i.e. indoors, cage etc.

Registration should be free or apply to household rather than for each individual animal

Have to have control of the animal

Responsible ownership-look at other municipalities, cost associated, look at success rate

Waterloo has more control we should look at the Waterloo Bylaw

We need to look at Port Colborne and ??????? for floor plan reference in Bylaw

Look at adoption fee/registration fee for all animals that are purchased through pet stores

Question was raised if we could address a list similar to CANHERP – Doug stated that we could but it would be better to wait for Provincial Legislation

- We could refer to a list with a specific date but the list could disappear
- A reference to a Schedule will define the document

Schedule 10 (Wildlife) regulates birds -

Look at a clause for the destruction of an animal

Insects – commercial breeding???

Large mammals be vaccinated against rabies

- Is the bylaw still current?

No

3. BYLAW FEES

- Are there fees associated with the bylaw?

Not currently

- Are they set at an appropriate level?

n/a

4. ENFORCEMENT

- How are violations currently managed?

Bylaw staff rarely attends calls GHS will attend call

Surrenders accepted at GHS

Attend, warning for compliance no compliance summoned to court –fines/charges

Currently enforce on a reactive basis

- Should the enforcement approach be changed?

Any costs associated with the seizure or housing of animal should be relayed to the owner

No authority within bylaw for seizure of animal

- Should violations of the bylaw be managed on a proactive or reactive basis?

Status quo

- What other agencies/departments are involved with enforcement of the bylaw?

GHS, OSPCA, Bylaw enforcement, police, public health referring

- If enforcement is shared, to what extent will the Bylaw Compliance staff enforce this bylaw?

Support

5. FINES

- Does the Bylaw have Set Fines in place?
No set fines
Enforcement is by way of summons only
- Are the Set Fines up to date and appropriate?
No- want to review the use of set fines

6. CALLS FOR ENFORCEMENT

- What is the number calls received annually for enforcement of this bylaw?
Less than 10

7. WHAT STRATEGIES MIGHT BE CONSIDERED TO PROMOTE A REDUCTION IN THE NUMBER OF CALLS FOR SERVICE?

Given that the number is low there may not be a need for strategy for reduction

When an exemption is requested Public Health will be notified of the details of the exemption

8. HOW CAN THE BURDEN ON THE TAXPAYER FOR BYLAW COMPLIANCE AND ENFORCEMENT BE REDUCED?

Clarification of the bylaw

Licensing or registration fees (on all animals) per household

Permits for shows and special events through the GHS or CSS

Review licensing fees for commercial businesses- stores as well as circus,

Special event permits –review the inspection fees associated with the permit

April 23

BYLAW SERVICE REVIEW REPORT –ANIMAL CONTROL

Council Directed Questions:

1. PHILOSOPHY OF BYLAW

- What are the reasons for implementation?
Regulating and licensing dogs
Set rates for dog licences
Set authority for City to operate a pound
Set location and times for dogs off leash
Set times for keeping dogs for disposition
- Are the reasons for its implementation still relevant today?
Yes – needs to be expanded to include:
 - Public safety
 - Public health
 - Animal welfare
 - Animal health
 - Cats and other pets

2. BYLAW DEFICIENCIES

- Are amendments required to the bylaw?
Yes
Should consider bringing in all other bylaws to create one bylaw
Update definitions – guide dogs to change to “service dogs” (letter from doctor)
Expand the philosophy of the bylaw
Requirement for rabies vaccinations
Look at other bylaws from different cities
Staggering licences (annual)
Update leash free areas
Remove the fees and make reference to the user fee bylaw
Regulating pet facilities – doggy day care/pet stores
No pets to be sold at pet stores unless rescue animals
Licensing pet stores that are selling rescue animals
Page 2 (6) change the wording
Consideration should be given not to overregulate and to provide education to address online sales
Create an information sheet to consumers
Considering age limit of the pet to be in a pet store – puppy socialization period/vaccine
Vaccinations
Set requirements for notification of impounded animals; consider free rides for first offence
Care and control for pets in public/private property – leash tied up/dogs in cars
Public safety issue for dogs unattended

Number of animals per residences and kennels – crate free doggy day care and boarding
Wildlife feeding outside – in parks
Dog bite regulations
Conditions of kennels
Fines – dogs at large and dogs walking with owners at large
Boarding kennels in the city? – How many are there?
All fees and charges should be listed – i.e. Vet costs
Zoning – restrictions on commercial operations – need to be reviewed
Deceased animals – burial
Number of dogs dog walkers can walk – animal control
Add poop and scoop – enlarge, maintenance of parks and where to dispose
Invisible fencing
Enhancing care and welfare of dogs outside and backyards
Regulating cats and adding it to the bylaw – licensing cats? (Household licensing fee)
Spade and neutered cats if outside of home
One-time fee if micro chipped/neutered/spade/vaccinations (cats)
Incentives for licensing
Definition between an owned cat and feral cats (Owen Sound’s bylaw)
Portion of licensing of cats will go to trap/neutered/release program
Animal safety (transportation) – in vehicle restraints

- Is the bylaw still current?
No

3. BYLAW FEES

- Are there fees associated with the bylaw?
- Are they set at an appropriate level?

4. ENFORCEMENT

- How are violations currently managed?
- Should the enforcement approach be changed?
- Should violations of the bylaw be managed on a proactive or reactive basis?
- What other agencies/departments are involved with enforcement of the bylaw?
- If enforcement is shared, to what extent will the Bylaw Compliance staff enforce this bylaw?

5. FINES

- Does the Bylaw have Set Fines in place?
- Are the Set Fines up to date and appropriate?

6. CALLS FOR ENFORCEMENT

- What is the number calls received annually for enforcement of this bylaw?

7. WHAT STRATEGIES MIGHT BE CONSIDERED TO PROMOTE A REDUCTION IN THE NUMBER OF CALLS FOR SERVICE?

8. HOW CAN THE BURDEN ON THE TAXPAYER FOR BYLAW COMPLIANCE AND ENFORCEMENT BE REDUCED?

-



BYLAW SERVICE REVIEW REPORT –ANIMAL CONTROL Set fine schedule

Council Directed Questions:

1. PHILOSOPHY OF BYLAW

- What are the reasons for implementation?
- Enforcement –deterrent-cost recovery
- Are the reasons for its implementation still relevant today?
- Yes

2. BYLAW DEFICIENCIES

- Are amendments required to the bylaw?
- Need to look at the current fine amount-fine description needs to be in line with the purposed changes to the bylaw
- Is the bylaw still current?
- No currently being reviewed

3. BYLAW FEES

- Are there fees associated with the bylaw? Yes
- Are they set at an appropriate level? No being reviewed

4. ENFORCEMENT

- How are violations currently managed?
- Education- enforcement Part 1 bylaw and GHS
- Should the enforcement approach be changed?no
- Should violations of the bylaw be managed on a proactive or reactive basis?it is a combination of both types of enforcement -
- What other agencies/departments are involved with enforcement of the bylaw?GHS OSPCA, Police public health
- If enforcement is shared, to what extent will the Bylaw Compliance staff enforce this bylaw?yes but mostly enforced by GHS and OSPCA

5. FINES

- Does the Bylaw have Set Fines in place? Yes
- Are the Set Fines up to date and appropriate? No not updated since 1991 fines seem to be low and not punitive- possibly look at a tiered scale for repeat offenders

6. CALLS FOR ENFORCEMENT-

- What is the number calls received annually for enforcement of this bylaw?between 800-850 calls per year GHS for bylaw and building approx. 150-200 per year health investigated approx. 850 calls for dog bites

7. WHAT STRATEGIES MIGHT BE CONSIDERED TO PROMOTE A REDUCTION IN THE NUMBER OF CALLS FOR SERVICE?higher fines education and signage

8. HOW CAN THE BURDEN ON THE TAXPAYER FOR BYLAW COMPLIANCE AND ENFORCEMENT BE REDUCED?

- Realistic fees for services
- Regular bylaw reviews and clear and have under one bylaw
- Clarify who does what –once agency responsible for the majority of bylaw with regular communication between the agencies
- Bylaw under responsible pet (animal)ownership

**Attachment 5
BYLAW SERVICE REVIEW REPORT**

ANIMAL CONTROL

INDEX of COMMENTS to COUNCIL DIRECTED QUESTIONS

Tab 1 - Philosophy of By-law

Tab 2 - By-law Deficiencies

Tab 3 - By-law Fees

Tab 4 - Enforcement

Tab 5 - Fines

Tab 6 - Calls for Enforcement

Tab 7 - Strategies to Promote a reduction in number of Calls for Service

Tab 8 - Burden on the Taxpayer

Tab 9 - Set Fine Schedule

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

PHILOSOPHY OF BYLAW	Excrement	Exotic Animals	Poultry	Animal Control
What are the reasons for implementation?	health and safety	public safety	to permit poultry within the City with minimum regulations	regulating and licensing dogs
	environmental	public health	to ensure health and welfare of animals and people	set rates for dog licences
	cleanliness of City	animal welfare	to provide a process to follow to have poultry and to set regulations	set authority for City to operate a pound
	tourist attractiveness		to protect neighbours and reduce impact	set location and times for dogs off leash
	protection of property		complaint process	set times for keeping dogs for disposition
			urban agriculture program	
			to ensure the owners of the birds take responsibility for the animals	
Are the reasons for its implementation still relevant today?	yes- health and cleanliness is still an issue	yes	Yes - it is still happening - people with chickens	yes - needs to be expanded to include: public safety; public health; animal welfare; animal health; cats and other pets
	number of animals continue to increase	* Doug Godfrey provided an overview of the changes made to the by-law last year when the Farm, Exotic Animal and Reptile sections were combined into one bylaw	urban agriculture is on the rise	
			bird flu implications	
			there continue to be a few complaints each year	

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

BYLAW DEFICIENCIES	Excrement	Exotic Animals	Poultry	Animal Control
Are amendments required to the bylaw?	By-law has not been updated since 1979	Yes	limitations on the number - expectations for number of chickens and size of dwelling? Increase in flock - can double at times due to flock nature	Yes
	make it clearer and more user friendly	GRCA for H	seasonality? - how are they treated in extreme weather	should consider bringing in all other bylaws to create one comprehensive bylaw
	include in consolidated by-law currently being worked on	consistency in wording of by-laws	Ban roosters? - noise related. It is the nature of a rooster to crow. You could have a rooster if it isn't noisy. Keep the whole flock including the rooster in a darkened coop until 7 a.m.	under definitions - guide dogs to change to "service dogs" (letter from doctor)
		consider a list of prohibited or permitted	Registration - to help with public health issues	expand philosophy of the bylaw
		conflicts with zoning by-law - animal care, farms, urban reserve	Database through poultry farmers of Ontario	requirement for rabies vaccinations
		education in schools	animal care standards as per OSPCA to be included in by-law? There are many things to address to consider adding this. Animal control officers would need to be given power over compliance from an animal welfare stand point.	look at other bylaws from different cities
		clarification of sex in reference length - snakes not permitted - concerns are that it is too restrictive as to size - need more clarity	each chicken owner to receive "chicken ownership training"	staggering licences (annual)

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

BYLAW DEFICIENCIES	Excrement	Exotic Animals	Poultry	Animal Control
		some municipalities going away from the 3 m length	Homing pigeons to be included in by-law. By-law already handles this through insistence that they be kept in a coop or cage	update leash free areas
		other legislation defines the welfare and keeping of exotic animals	manure? Amount/odour/yard maintenance?	remove fees and make reference to user fee bylaw
		provincial task force to review exotic animals after the tragedy "out east"	transportation	regulating pet facilities - doggy day care/pet stores
		question as to whether invasive species are covered - the province is looking at an invasive species act to address the gaps - fines would be issued for bringing them in	protection of animals or residents or both to be included in a by-law (another service agency might need to handle animal welfare complaints)	no pets to be sold at pet stores unless rescue animals
		enforcement issues - gaining entry to determine compliance	if humane society is moving toward animal protection as opposed to control should our by-laws reflect this change	licensing pet stores that are selling rescue animals
		welfare/well being of animals kept within the home	SPCA standards may be different from the community standards	page 2(6) change wording
		residential vs. commercial dwelling	number compared to space available	consideration should be given not to over regulate and provide education to address on line sales
		limit on number of exotic animals - look at licence for breeders, hobbyist	No specifications about where they are housed - garage, apartment, houses, yards	create an information sheet for consumers
		distinguish between single and multi family dwelling	chicken rentals? Licence?	considering an age limit of the pet to be in a pet store - puppy socialization period/vaccine
		cannot put limit on exotic - you have to look at each species individually	what is reason for 50 ft?	vaccinations

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

BYLAW DEFICIENCIES	Excrement	Exotic Animals	Poultry	Animal Control
		registry for exotic animals - voluntary	odour? Tough one - subjective	set requirements for notification of impounded animals; consider free rides for first offence
		no impounding seizure clauses in current by-law	communicable diseases - public health regulations?	care and control of pets in public/private property -leash tied up/dogs in cars
		give animal control staff more authority to deal with situation rather than having to go through SPCA	are our by-laws specifically the floor in coop/pen may not be best for the chickens - needs research	public safety issue for unattended dogs
		measure in place for the harm that an exotic animal can do to another animal	clarify domestic vs. Wildlife - how are we supposed to tell?	number of animals per residence and kennels - crate free doggy day care and boarding
		storage of the exotic animal i.e. indoors, cage, etc.		wildlife feeding outside - in parks
		registration should be free or apply to a household rather than for each individual animal		dog bit regulations
		have to have control of the animal		conditions of kennels
		responsible ownership - look at other municipalities, cost associated, look at success rate		boarding kennels in the City? How many are there?
				all fees and charges should be listed i.e. vet costs
				zoning - restrictions on commercial operations - need to be reviewed
				deceased animals - burial
				number of dogs dog walkers can walk - animal control
				add "poop and scoop" -enlarge, maintenance of parks and where to dispose
				invisible fencing

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

BYLAW DEFICIENCIES	Excrement	Exotic Animals	Poultry	Animal Control
				enhancing care and welfare of dogs outside and backyards
		look at Port Colborne re: floor plan reference in By-law		regulating cats and adding it to the by-law - licensing cats? (household licensing fee)
		look at adoption fee/registration fee for all animals purchased through pet stores		spay and neutering cats if outside of home
		can we address a list similar to CANHERP - Doug suggested we could but it would be better to wait for Provincial legislation		one-time fee if microchipped/neutered/spay or neutered/vaccinations (cats)
		Schedule 10 (wildlife) regulates birds		incentives for licensing
		look at clause for destruction of an animal		definition between an owned cat and feral cats (Owen Sound's bylaw)
		insects - commercial breeding		portion of licensing of cats will go to trap/spay-neuter/release program
		large mammals be vaccinated against rabies		animal safety (transportation) - in vehicle restraints
Is the bylaw still current?	No - needs to be rephrased for the short form wordings	No		No - recommend following changes:
				add definition for "animal protection officer" and "animal" (to include cat or dog). Change definition of "eligible dog" to "eligible animal"; "guide dog" to "service dog" "handicapped person" to "accessible person"

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

BYLAW FEES	Excrement	Exotic Animals	Poultry	Animal Control
Are there fees associated with the bylaw?	No - there is no set fine	Not currently	No	
			boarding fees/poultry relinquishing fees	
			registration fee/business licence fee? Keep these low or non-existent to encourage compliance	
			cost recovery	
Are they set at an appropriate level?	n/a	n/a	n/a	

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

ENFORCEMENT	Excrement	Exotic Animals	Poultry	Animal Control
How are violations currently managed?	Reactive	Bylaw staff rarely attend calls; GPS will attend	currently enforced through complaints - not proactive	
		surrenders accepted at GHS	don't change it - complaints are low and stay low. Building in education would likely be enough	
		attend, warning for compliance, no compliance summoned to Court - fines/charges	if we change our approach should be to one of animal welfare complaints	
		currently enforce on reactive basis	If there is a registry this will in effect create a proactive component (what other agencies/departments are involved with enforcement of the by-law?)	
			recommendation looking at another agency	

BYLAW SERVICES REVIEW REPORT – ANIMAL CONTROL

ENFORCEMENT	Excrement	Exotic Animals	Poultry	Animal Control
Should the enforcement approach be changed?	Yes	any costs associated with the seizure or housing of an animal should be relayed to the owner	have only one agency responsible for compliance of the by-law in its entirety. (should violations of the by-law be managed on a proactive or reactive basis?)	
		no authority within by-law for seizure of animal	Public Health to be listed as an enforcement agency? Would have to be able to prove a health hazard (This supersedes any by-law already) (If enforcement is shared, to what extent will the Bylaw Compliance staff enforce this by-law)	
			OSPCA can enforce through legislation – animal cruelty or neglect – and does not need to be included in this by-law	
Should violations of the bylaw be managed on a proactive or reactive basis?	Combination of both types of enforcement	status quo		
			building and property standards is responsible for this by-law. Currently noise is a separate by-law.	
What other agencies/departments are involved with enforcement of the bylaw?	Health Unit, GHS, OSPCA, Bylaw, GPS and U of G Campus Police, property standards	GHS, OSPCA, Bylaw enforcement, Police, Public Health referring	Animal control/humane society/public health to be involved	
If enforcement is shared, to what extent will the Bylaw Compliance staff enforce this bylaw?	We are the support for the GHS	support		

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL				
FINES	Excrement	Exotic Animals	Poultry	Animal Control
Does the Bylaw have Set Fines in place?	No set fines at this time	No set fines at this time	No set fines at this time	
Are the Set Fines up to date and appropriate?	n/a	No - want to review the use of set fines	Not up to date. Unknown if they are appropriate.	

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

CALLS FOR ENFORCEMENT	Excrement	Exotic Animals	Poultry	Animal Control
What is the number calls received annually for enforcement of this bylaw?	no more than 50 calls per year	less than 10	5-10 annually	
	more about parks and lanes			

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

STRATEGIES	Excrement	Exotic Animals	Poultry	Animal Control
What strategies might be considered to promote a reduction in the number of calls for service?	Fines	Given that the number is low, there may not be a need for strategy for reduction	Education - proactive - registry (at no cost)	
	refuse containers/composter bag dispensers	When an exemption is requested Public Health will be notified of the details of the exemption	on-line registry with quick easy access to by-law, standards and education piece	
	education campaign		Is this registry public (check privacy issues on this point)	
	park clean up day		Look at the rooster issue re: noise (could educate about rooster in online registry tools)	
	hand out information sheets and bags			
	advertising, and news articles after events			
	partner events - trail clean up etc.			
	Guelph police ventures			

BYLAW SERVICES REVIEW REPORT – ANIMAL CONTROL

BURDEN ON TAXPAYER	Excrement	Exotic Animals	Poultry	Animal Control
How can the burden on the taxpayer for bylaw compliance and enforcement be	partnerships (see strategies)	clarification of the by-law	negligible/minimal burden	
	signs	Licensing or registration fees (on all animals) per household	registry if managed by the City would increase cost however another agency/organization could take this on at no cost to us	
	advertise a business on bags	permits for shows and special events through the GHS or CSS	is there authority in by-law to enforce registry if it is a voluntary registry?	
	GPS ventures to go out to provide information at the parks	review licensing fees for commercial businesses – stores as well as circus	different kinds of costs associated with different by-law scope	
	neighbourhood dog groups	Special Event permits – review the inspection fees associated with the permits	most changes suggested would potentially increase costs	
	neighbourhood associations to distribute information flyers		local food/urban agriculture and political will suggest continuing with allowing poultry	
	electronic information			

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL				
Animal Control By-laws	Set Fines			
Philosophy of By-law				
What are the reasons for implementation?	Enforcement - deterrent - cost recovery			
Are the reasons for its implementation still relevant today?	Yes			
Bylaw Deficiencies				
Are amendments required to the bylaw?	Need to look at the current fine amount			
	Fine description needs to be in line with proposed changes to by-law			
Is the by-law still current?	No - bylaw is currently under review			
Bylaw Fees				
Are there fees associated with the Bylaw	Yes			
Are they set at an appropriate level?	No - being reviewed			
Enforcement				
How are violations currently managed?	Education			
	Enforcement - Part 1 - by bylaw and GHS			
Should the enforcement approach be changed?	No			
Should violations of the by-law be managed on a proactive or reactive basis?	It is a combination of both types of enforcement			
What other agencies/departments are involved with enforcement of the bylaw?	GHS, OSPCA, Police, Public Health			
If enforcement is shared, to what extent will the Bylaw compliance staff enforce this bylaw?	yes, but mostly enforced by GHS and OSPCA			
Fines:				
Does the by-law have set fines in place?	Yes			
are the set fines up to date and appropriate?	No - not updated since 1991 - fines seem to be low and not punitive - should look at a tiered scale for repeat offenders			
Calls for Enforcement:				

BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL				
Animal Control By-laws	Set Fines			
What is the number of calls received annually for enforcement of this by-law?	between 800-850 calls per year GHS; approx. 150-200 per year for bylaw and building; health investigated approx. 850 calls for dog bites.			
Strategies:				
What strategies might be considered to promote a reduction in the number of calls for service?	higher fines			
	education			
	signage			
Burden on Taxpayer:				
How can the burden on the taxpayer for bylaw compliance and enforcement be reduced?	realistic fees for services			
	regular bylaw reviews			
	clear by-laws			
	have all regulations under one bylaw			
	clarify who does one - one agency responsible for majority of by-law with regular communication between agencies			
	promote responsible ownership of pets/animals			

ATTACHMENT 6

BYLAW SERVICE REVIEW REPORT

ANIMAL CONTROL

SUMMARY OF STAKEHOLDER COMMUNICATIONS

ATTACHMENT 6
BYLAW SERVICE REVIEW REPORT
ANIMAL CONTROL

SUMMARY OF STAKEHOLDER COMMUNICATIONS

Date of communication	Form of communication	Topic	In Support	Does Not Support	No Position
June 18, 2013	Email	Cats - regulation and control incl. at large; trespassing and damage by cats; spay/neuter; protection of wildlife from cats; avoid lost cats, vehicular accidents, disease and parasites	x		
November 30, 2013	Email	Cats - regulation and control - prohibit at large, stoop and scoop; protect wildlife/birds	x		
December 7, 2013	Email	Cats and dogs - regulation and control - cats at large/trespassing; barking; protection of birds/wildlife from cats; license	x		
May 6, 2014	Email	Cats (particularly re: feral cats) - spay/neuter	x		
May 9, 2014	Email	Cats - cat welfare - indoor vs. outdoors - control of cats	x		
June 12, 2014	Email	Cats - keeping cats indoors	x		
December 4, 2013	Email	Chickens & Exotic Animals- <u>rationale?</u>			x
February 10, 2014	Email	Chickens - homeowner's right to raise healthy, happy chickens	x		
March 25, 2014	Email	Chickens - backyard unusable		x	
June 13, 2014	Email	Chickens - participation on working group			x
No date	Letter	Chickens - does not want to get rid of hens	x		

Date of communication	Form of communication	Topic	In Support	Does Not Support	No Position
December 3, 2013	Email	Chicken & Exotic Pets - requesting updates			x
Also recorded above - see May 6, 2014	E-mail re: cats	Also addressed: Chickens - disposition of non-laying hens	x		
July 3, 2014	Email	Dogs of leash - enforcement on trails -	X		
July 2, 2014	Email	Goats - limit.no intact males/not dehorned/permitted breeds/ noise/ leashing & poop and scoop	X		
May 21, 2014	Email	Snakes - participation on working group			x
April 30, 2014	Email	Bee keeping, invasive species, migratory birds			x

Date of communication	Form of communication	Topic	In Support	Does Not Support	No Position
November 30, 2013	Email	Participation on working group			x
November 30, 2013	Email	Participation on working group			x
January 24, 2014	Email	Participation on working group			x
January 26, 2014	Email	Participation on working group			x
February 3, 2014	Email	Participation on working group			x
March 11, 2014	Email	Participation on working group			x
March 20, 2014	Email	Participation on working group			x
March 21, 2014	Email	Participation on working group			x
March 21, 2014	Email	Participation on working group			x
April 4, 2014	Email	Participation on working group			x
April 11, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 14, 2014	Email	Participation on working group			x
May 15, 2014	Email	Participation on working group			x
May 15, 2014	Email	Participation on working group			x
May 16, 2014	Email	Participation on working group			x
May 21, 2014	Email	Participation on working group			x
June 13, 2014	Email	Participation on working group			x

ATTACHMENT 7
BYLAW SERVICE REVIEW REPORT
ANIMAL CONTROL
INDEX OF WORKING GROUP MEETINGS

March 5, 2014	Introductory meeting
March 26, 2014	Review Philosophy of Bylaw
April 9, 2014	Review of Exotic Animal Bylaw
April 23, 2014	Review of Animal By-law number (1991)-14008
May 7, 2014	Review of Animal By-law number (1991)-14008 (cont'd)
June 18, 2014	Review of Off Leash Parks; Animal Bylaw number (1991)-14008 (cont'd)
July 9, 2014	Review of Animal Control Set Fines and User Fees; Wildlife

ATTACHMENT 8
BYLAW SERVICE REVIEW REPORT
ANIMAL CONTROL
INDEX OF CURRENT BY-LAWS

By-law (1985)-11952	A by-law to regulate the keeping of ducks, geese, poultry and pigeons in the City
By-law (1991)-14008	A by-law to provide for the licensing and regulating of dogs and for prohibiting or regulating the running at large of dogs in the City
By-law (2013)-19577	A by-law to regulate and/or prohibit the keeping of animals of certain classes in the City

ATTACHMENT 9

BYLAW SERVICE REVIEW REPORT

ANIMAL CONTROL

SCHEDULE "B"

City Parks Leash-Free Areas

SCHEDULE "B"

to City of Guelph By-law Number (2016)-XXXXX

AREA OF CITY PARKS WHERE DOGS ARE PERMITTED UNLEASHED,
WHILE UNDER CONTROL OF A PERSON

On any unoccupied sports field:

- (a) between the hours of **8:00** p.m. and 8:00 a.m., from the first day of **May** to the fourteenth day of **September** inclusive;
and
- (b) between the hours of 5:00 p.m. and 8:00 a.m. from the fifteenth day of **September** to the thirtieth day of **April** inclusive.

AREAS OF SPECIFIED CITY PARKS WHERE DOGS ARE PERMITTED UNLEASHED AT
ALL TIMES WHILE UNDER CONTROL OF A PERSON

Within the specified area of the park indicated at any time:

Ward 1: Eramosa Park (east end)
Grangehill Park (south end)

Ward 2: **Riverside Park (east of the river, south of Woodlawn Road to the
Country Club gates) delete**
Riverside Park (west of the river, north of Woodlawn Road)

Ward 3: **Norm Jary** Park (between the ball diamonds)

Ward 4: Margaret Greene Park (westerly end of Ferman Drive)

Ward 5: Crane Park (all areas)
Centennial Park (between the parking lot and ball diamonds at C8 and C9)

Ward 6: John Gamble Park (Old Hanlon Road south of access road leading to
Shadybrook Cres.)

Staff Report



To City Council

Service Area Corporate Services

Date Monday, December 19, 2016

Subject Council reappointments to the Business Licence Appeals Committee and the Committee of Management for the Elliott

Report Number CS-2016-91

Recommendation

1. That the former members of the Corporate Services Standing Committee, Mayor Cam Guthrie; Councillors Phil Allt; Christine Billings; June Hofland; and Mike MacKinnon, be reappointed and continue their role on the Business Licence Appeals Committee until November 30, 2018.
2. That the former members of the Public Services Standing Committee, Mayor Cam Guthrie; Councillors Christine Billings; Cathy Downer; James Gordon; and Andy Van Hellemond, be reappointed and continue their role on the Committee of Management for the Elliott until November 30, 2018.

Executive Summary

Purpose of Report

To reappoint members of Council who were previously appointed to the Business Licence Appeals Committee and the Committee of Management for the Elliott before the City of Guelph governance model transitioned from a Standing Committee system to a Committee of the Whole.

Key Findings

To ensure quality, uninterrupted service, the current members of the Business Licence Appeals Committee and the Committee of Management for the Elliott should continue their role as the subject matter experts. This solution also offers greater efficiency for the community, stakeholders, Council and staff.

Financial Implications

None

Report

Origins of the Current Committee Composition

In its Meeting Management Review report presented to Council in June 2016, staff identified two existing Committees of Council that would be impacted by the change to a Committee of the Whole structure: the Business Licences Appeals Committee and the Committee of Management for the Elliott Long-Term Care Residence (CoME). These two Committees did not report directly to Council and for this reason, staff recommended that they remain independent from the Committee of the Whole. By appointing members from the former Standing Committees to these independent Committees, it enabled a more efficient and logical appointment process.

The Business Licences Appeals Committee is composed of 5 members of Council appointed for the term of Council to hear appeals under the Business Licence By-law. The former Corporate Services Committee had oversight over this Committee and membership consisted of all members of the Corporate Services Committee.

The Committee of Management for the Elliott is composed of 5 members of Council for the term of Council and is the decision-making body responsible for oversight of the Elliott Long-Term Care residence in accordance with section 132 of the Long-Term Care Homes Act, 2007 (LTCHA). The original composition included members of the former Public Services Committee who were reappointed in July 2016 following the transition to the Committee of the Whole structure. The term of membership expired on November 30, 2016 or until their successors are appointed.

Advantages of continuing membership on the Business Licence Appeals Committee and the Committee of Management for the Elliott

Business Licences Appeals Committee

- **Timeliness** – When an appeal is received, a decision is required within 30 days of receiving the appeal or request for a hearing. Therefore, it is necessary to assemble trained members quickly by ensuring their membership is in place when an appeal is received.
- **Membership availability** – Committee meetings coincide with meetings of Council (Committee of the Whole) for ease of coordinating members' availability.
- **Training** - Considerable training of members is required on various legislation and policies and a significant amount of time from members is necessary to complete this training. Continuing the current membership will not require

additional training and shall ensure the effective use of Councillors time considering the infrequency of these appeals.

- Experience - Current members have gained moderate experience on the appeals committee, but due to the irregularity of these meetings they have had little opportunity to build on that experience. New members would be at an even greater disadvantage having no experience to practically apply their new knowledge acquired from training.

Committee of Management for the Elliott

- Membership availability – Similar to the Business Licences Appeals Committee, meetings coincide with meetings of Council to ensure the availability of members.
- Training – An orientation program developed by staff at the Elliott Community in collaboration with City staff is provided to new members in order to become familiar with the Elliott Community's policies and the Long-Term Care Homes Act, 2007. For similar reasons to the Business Licences Appeals Committees, there is greater efficiency by reserving training for the beginning of the Council term rather than conducting orientations every two years.
- Experience – CoME meetings occur on a quarterly basis. The final quarterly report for 2016 is presented in spring 2017. Therefore, to minimize disruptions in the business and decision-making operations for the Elliott Long-Term Care Residence continued membership will allow members the ability to complete their annual quarterly review. Moreover, the Committee of Management is given the authority to make decisions about the Elliott Long-Term Care Residence without the approval of Council and thus it requires CoME members to develop subject matter expertise regarding the Residence to fulfill their duty of care under the LTCHA that can essentially be achieved through a four year Council term.

Amendments to Terms of Reference prior to 2018 election

As a consequence of the transition to a Committee of the Whole structure, the Business Licence Appeals Committee and the Committee of the Management for the Elliott will eventually require new membership independent from the former Corporate Services Committee and Public Services Committee membership. However, at this time it is not recommended that the current Council membership or their role (Chair/Vice-Chair) on these committees be changed in order to provide consistency and uninterrupted service to the community and stakeholders. The Business Licence Appeals Committee Terms of Reference will be updated by Q2 2017 to remove reference to the Corporate Services Committee and propose an alternative method for membership appointments. The Committee of Management

for the Elliott Terms of Reference does not require any modifications and the continued membership of its members until November 30, 2018 remains in compliance with the Terms.

Financial Implications

There are no financial implications associated with this report or recommendations.

Corporate Strategic Plan

3.3 Strengthen citizen and stakeholder engagement and communications.

Communications

Council members residing on these Committees would be notified of their reappointment. In addition, the respective staff liaisons and, in the case of the Committee of Management for the Elliott, the Chief Executive Officer of the Elliott Community will also be informed.

Report Author

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Staff Report

To City Council

Service Area Infrastructure, Development & Enterprise Services

Date Monday, December 19, 2016

Subject Guelph Innovation District - Implementation Update

Report Number IDE-BDE-1622

Recommendation

1. That Guelph City Council directs staff to implement Option 4 – Respond to the Expression of Interest (City/Provincial Collaboration) as described in Report IDE-BDE-1622 – Guelph Innovation District – Implementation Update.

Executive Summary

Purpose of Report

To provide Guelph City Council with an update on activities relating to the implementation of the Guelph Innovation District Secondary Plan.

To provide Council with options and recommendations regarding the Province of Ontario's pending disposition of property within the Guelph Innovation District (GID).

Key Findings

The GID Secondary Plan was approved by Council in 2014.

The Plan is currently with the Ontario Municipal Board for its approval.

The Province of Ontario is the majority landowner within the GID.

Guelph City Council provided direction to BDE to develop a Memorandum of Understanding (MOU) with the Province of Ontario to implement the development of the Research and Development as well as the Former Guelph Correctional Centre portions of the GID.

Despite on-going outreach to various Provincial staff and elected official, an implementation MOU with the Province has not yet been achieved.

City staff have recently learned from Infrastructure Ontario that the Province's real estate is to be soon marketed, and that the City will be provided the opportunity to submit an Expression of Interest (EOI) in late 2016/early 2017.

This report provide options regarding the City's response to the EOI.

Financial Implications

It is staff's opinion that the financial impact to implement Option #4 would be minimal and achievable within proposed 2017 operating budgets, and would be in the range of \$20 to \$30k.

Report

At its meeting of May 12th, 2014 Guelph City Council received Report 14-24 – Official Plan Amendment No. 54: Guelph Innovation District Secondary Plan. At this meeting Council approved Official Plan Amendment No.54 – Guelph Innovation District Secondary Plan. The Secondary Plan was subsequently appealed to the Ontario Municipal Board (OMB) and awaits final approval. Report 14-24 can be viewed in its entirety at:

http://guelph.ca/wp-content/uploads/council_minutes_0512141.pdf

In summary, the vision and principles of the Guelph Innovation District Secondary Plan are as follows:

1. The creation of a compact, mixed-use community providing meaningful places to live, work, shop, play and learn;
2. A knowledge-based innovation cluster that attracts employment and residential uses both anchored by a new mixed use urban village and main street;
3. Building on natural and cultural heritage resources of the area;
4. Working towards carbon neutrality through building performance standards, on and off-site renewable energy and potential district energy.

When approved the GID Secondary Plan will represent a district of approximately 1,100 acres, of which approximately 549 acres is owned by the Province of Ontario. Infrastructure Ontario (I.O.) is currently managing the Province's real estate interests within the GID.

The policies currently contained with the Secondary Plan contemplate accommodating close to 7,000 people and 9,000 jobs. The policies also contemplate

achieving carbon neutral development activities within its boundaries. The proposed land uses within the Secondary Plan are provided in Attachment 1 of this report, which in part includes the development of a Research and Development Cluster and the adaptive re-use of the former Guelph Correctional Facility. With respect to the implementation of these two activities, and based upon best practice research, Report 14-24 cited the need to explore partnerships between the City, Province and the University of Guelph. Council therefore also passed at its May 12th, 2014 meeting the following resolution.

'That the General Manager of Economic Development be directed to explore with the Province of Ontario the creation of an updated Memorandum of Understanding to address an implementation strategy framework regarding the development of a Research and Development cluster and the redevelopment of the former Guelph Correctional Facility for the purposes described in Report 14-24.'

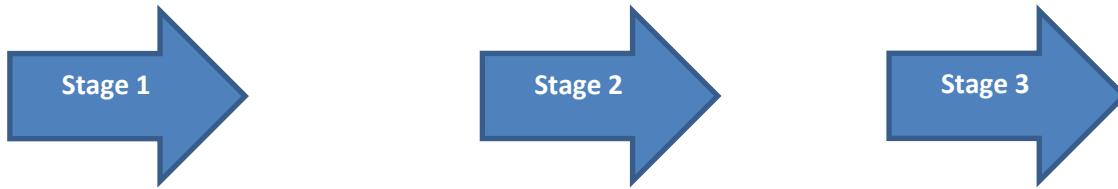
From 2014 to present, Business Development and Enterprise, Intergovernmental Affairs and the Offices of the City CAO and Mayor have initiated a number of activities with the intended purpose of establishing an implementation strategic framework with the Province of Ontario and possible other partners. In summary this has included:

- Delegating to various Provincial Ministers and staff at annual AMO Conferences;
- Individual meetings with Provincial government staff;
- Meetings with the University of Guelph;
- Meetings with Conestoga College.

In summary, the City has attempted to promote the benefits of the Secondary Plan with respect to meeting growth, environment and economic objectives for both the City and the Province. While the City's outreach has for the most part been positively received, to date our efforts have not resulted in commitments by the Province to enter into a Memorandum of Understanding with the City to implement the GID Secondary Plan.

As mentioned earlier in this report, I.O. has been given the mandate to manage the Province's GID real estate holdings, and to position it for disposition. City staff have proposed to I.O. and other relevant Provincial interests (as stated above), that consideration be given to a performance based Request for Proposal process, which would reflect the objectives of the GID Secondary Plan. At this time, I.O. has been directed to dispose of the property through its normal process, as summarized in Figure 1.

Figure 1



PROVINCIAL FEDERAL CIRCULATION	EXPRESSION OF INTEREST FROM THE LOCAL ENTITIES	OPEN MARKETING OF THE PROPERTY
<ul style="list-style-type: none"> I.O. circulates the property to provincial/Federal Ministries to declare interest in the property. In the event that interest is declared, the process then focuses on the transfer of property to the interested party. In the event that no interest is declared, the property is deemed to be "surplus" and the process proceeds to the next stage. At the time of writing this report, I.O. was in the process of circulating the property as described. It is staff's understanding that this stage is to be completed by the end of November/early December. 	<ul style="list-style-type: none"> In the event the property is deemed to be surplus, I.O. will then issue an Expression of Interest (EOI) to the local entities, which includes upper tier municipalities, lower tier municipalities, the Ontario Non-Profit Network (not for profit organizations) and school boards. If there are multiple expressions of interest, municipalities are given preference. It is staff's understanding that the local municipality would be provided a 20 working day period to respond to the EOI, although I.O. has indicated this timeframe may be extended. It is staff's understanding that should the local municipality express its interest to acquire property, no financial deposit is required. It is staff's understanding that the Province wishes to dispose of its entire real estate holdings at fair market value (which at the time of writing this report is to be confirmed by the Province). It is staff's understanding that an EOI may be issued by the Province as early as late 2016/early 2017 	<ul style="list-style-type: none"> In the event that the local municipality does not express its interest to acquire the property, I.O. will then proceed to the open market. It is staff's understanding that this stage will be facilitated through the use of a commercial real estate broker. It is staff's understanding that the objective of this stage would be to dispose of the entire property to the highest bidder, subject to acceptable terms and conditions. City staff have proposed that should this stage be implemented, a Request for Proposals (RFP) process would better result in achieving joint City/Provincial growth, environmental and economic development goals, while still maintaining a competitive bid process.

It is understood that it is the Province’s intention to dispose of its entire holdings through a consolidated transaction, as opposed to phasing the disposition of property.

In anticipation of the Province issuing an EOI to the City of Guelph, staff would like to provide for Council’s consideration the following response options along with our recommendations. The following has been prepared in consultation with Planning, Engineering, Realty Services, Parks and Recreation, Finance, and Intergovernmental Affairs.

Option 1

Respond to the Expression of Interest (No City Interest)

In this option, the City would simply acknowledge that it has no interest in acquiring or developing the GID property, which would result in I.O. proceeding to the open real estate market.

It is staff’s understanding that should the property be placed on the open market, I.O.’s mandate is to dispose of the entire property for the best price and transactional conditions.

It is anticipated that offers received from the market would be conditional, resulting in significant due diligence by prospective purchasers, and negotiation with the Province. Most likely this would include clarification of municipal planning and development matters and possible commitments.

The City’s most active participation in this scenario would occur at the planning and development application. At this stage the City would rely on the policies contained in the GID Secondary Plan to achieve its land use planning, urban development, environmental and energy and economic development objectives.

Upside	Downside
<ul style="list-style-type: none"> • This option: <ul style="list-style-type: none"> ○ Presents no resource risk to the City; ○ Avoids the potential acquisition of property that has suspected environmental issues; ○ Allows for free market development of the property with no risk of future municipal financial risk. 	<ul style="list-style-type: none"> • The property would be placed on the open market through a bid process, which may result in attracting a developer that does not share the vision of the secondary plan. • The transfer of the property would only be done to achieve only a financial benefit for the Province. Broader economic development, environmental, energy conservation, and urban growth objectives do not appear to be considered. • The City would have limited influence over

	<p>the development phasing, perhaps putting at risk the timing of the development of the employment lands and the adaptive re-use of the former Guelph Correction Centre. This would be contrary to the intent of Council's May 12th, 2014 resolution as stated earlier in this report.</p>
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Staff Recommendation

Based on the above assessment, it is staff's opinion that this option not be pursued.

Option 2

Respond to the Expression of Interest (City Acquisition of the Property)

Based on staff's understanding of the EOI objectives, in this scenario the City would express its interest to acquire the entire inventory of Provincial GID real estate.

As stated elsewhere in this report, I.O. has been given the mandate to achieve, at a minimum, fair market value for the property (which is yet to be confirmed by I.O.).

If the City was successful with its expression, the Province would transfer title of the property to the City, at which time the City could potentially act as the developer or market the property for sale or lease to potential private sector investors.

It is staff's understanding that the transfer of property from the Province to the City would include conditions relating to the City's transfer of property to a third party. Specifically, should the property be sold to a third party for more than the City paid of it, the Province may still wish to be involved and benefit from such transactions.

It is also staff's understanding that currently the Province' policy is to only consider municipal interest that addresses local operational and recreational matters. However, the Province appears willing to consider other municipal benefits relating to economic development, urban growth management, as well as energy and environmental conservation objectives. It is staff's understanding that Infrastructure Ontario is investigating the possibility of an expanded policy, however at the time of writing this report this matter is still unresolved.

Upside	Downside
<ul style="list-style-type: none"> Ownership of the property allows for better control in achieving local economic development, energy and environment conservation and urban growth goals and objectives. 	<ul style="list-style-type: none"> This option would financially expose the municipality. The municipality does not have the financial or administrative resources required to implement this option. The City would assume all financial, environmental and general stewardship of the property, which it does not have the financial and resource capacity to undertake. This would also be very risky given the unknown liabilities that may exist with the property. It is staff's understanding that a direct purchase of the property from the Province would include a '<i>Participation Agreement</i>', which is essentially an anti-flip clause that remains on title for 20 years. The Province will not consider amendments to a <i>Participation Agreement</i>. It appears that such an agreement would share only the proceeds of the sale of property to a third party, but not the costs to prepare the property for development.

Staff Recommendation

Based on the above assessment, it is staff's opinion that this option not be pursued.

Option 3

Respond to the Expression of Interest (City/Private Partnership Interest)

Recently the City has received unsolicited enquiries from two private sector developers regarding the possible partnering with the City to acquire and develop the GID lands. In both cases, the developer has proposed that the City express its interest to acquire the GID, with the private developer providing the financing to acquire and develop the property.

Upside	Downside
<ul style="list-style-type: none"> Shared ownership of the property still allows for better control in achieving local economic development, energy and environment conservation and urban growth objectives. Subject to negotiation with the private party, the financial burden on the City might be more viable. 	<ul style="list-style-type: none"> This option raises flags with respect to local and provincial procurement policies. At the time of writing this report, it is unclear if such an approach has been successfully implemented elsewhere. Partnering with a private investor may create conflict and clarity regarding the City's role in separating and addressing

<ul style="list-style-type: none"> • There would be shared risk between the City and a private party. 	<p>the business requirements from planning and development applications.</p> <ul style="list-style-type: none"> • Staff cautions that it is most likely that a private partner will not entirely fund the acquisition and development of the property and will be seeking significant financial participation from the City (the amount is unknown at this time). • A developer will most likely develop the most financially beneficial portions of the Secondary Plan, leaving such portions such as the former Guelph Correctional Centre and the Employment Lands to later dates, or not at all. • A private party will most likely want to be the controlling partner.
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Staff Recommendation

Based on the above assessment, it is staff’s opinion that this option not be pursued.

Option 4

Respond to the Expression of Interest (City/Provincial Collaboration)

In this scenario, it is proposed that the City would submit an expression of interest, detailing a collaboration with the Province to develop and deliver to the market a Request for Proposal process, its contents and evaluation criteria in large part reflecting the goals and objectives of the GID Secondary Plan (and other municipal strategies) as well as relevant Provincial objectives.

This proposal would be consistent with previous City efforts to promote this approach as achieving the best balanced return on investment for the Province, from a real estate transaction, economic development, environmental and energy conservation and urban growth management perspective. This approach would also further support the implementation of the GID Secondary Plan policies, goals and objectives.

Regarding this approach, the City’s previous outreach to parties, as referenced earlier in this report, was positively but tentatively received. It is staff’s opinion that in the absence of senior Provincial political direction to consider alternate approaches to dispose of the property, the Province’s focus will continue to achieve only the best financial valuation for the property, thus ignoring or not considering the added value that the property would achieve with respect to achieving common economic development, energy conservation and urban growth objectives.

Staff are of the common opinion that the City needs to elevate such discussions through the Province’s EOI process to senior Provincial government political and administrative leaders.

Upside	Downside
<ul style="list-style-type: none"> • This option is low risk from a financial and resource allocation perspective. • This option is intended to achieve a more balanced return on investment for the Province, which includes not only a financial return on the land transactions, but will also serve to implement Provincial goals with respect to job growth, energy conservation, urban intensification, and environmental stewardship. • This option will support the implementation of the City’s goals as stated within the GID Secondary Planning policies. • Embedding of the above benefits may be more successful through the Province’s formal process, as submissions are reviewed at a higher administrative and political level. 	<ul style="list-style-type: none"> • The cost and resource implications are unknown at this time, and are dependent on the willingness of the Province to pursue and discuss the details of this approach.

Staff Recommendation

This approach provides the City of Guelph with a cost and resource efficient manner in which to influence ownership and development of the property.

Based on staff’s previous provincial outreach, it is unknown the level of support that Provincial officials at the administrative level will lend to this option.

It is the collective opinion of the City Department’s that are noted earlier in this report that this option presents the best opportunity to promote a more performance based marketing of the property, which supports the implementation of the goals and objectives of the Guelph Innovation District Secondary Plan, which are:

1. The creation of a compact, mixed use community providing meaningful places to live, work, shop, play and learn;
2. A knowledge-based innovation cluster that attracts employment and residential uses both anchored by a new mixed use urban village and main street;
3. Building on natural and cultural heritage resources of the area;

4. Working towards carbon neutrality through building performance standards, on and off-site renewable energy and potential district energy.

If this option is approved by Council, it is staff's recommendation that the Mayor communicate the City's intent to respond to the EOI as described in Option 4, and to promote the benefits of a collaborative RFP approach to the local MPP (Hon. Liz Sandals), the Minister of Infrastructure (Hon. Bob Chiarelli), the Minister of Energy (Hon. Glen Thibeault), the Minister of Agriculture, Food and Rural Affairs (Hon. Jeff Leal), the Minister of Economic Development and Growth (Hon. Brad Duguid), the Minister of Environment and Climate Change (Hon. Glen Murray), and the Premier of Ontario (Hon. Kathleen Wynne). In addition, it is the staff's recommendation that similar outreach be conducted with the local Federal Member of Parliament (Hon. Lloyd Longfield).

Financial Implications

It is staff's opinion that the financial impact to implement Option #4 would be minimal and achievable within proposed 2017 operating budgets, and would be in the range of \$20 to \$30k.

Corporate Administrative Plan

Service Excellence

Achieving quality and showing results.

Financial Stability

Managing our resources to achieve maximum public value.

Communications

Subject to Council's direction regarding the implementation of options, staff will develop a communications plan to support the Mayor's office with the proposed outreach to Provincial and Federal elected officials. In addition, a communication plan which will target senior provincial government officials advising them of the City's intention to respond to the EOI.

Both communication programs will be developed jointly by Business Development and Enterprise, Intergovernmental Affairs, and Communications.

Attachments

No attachments

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Staff Report



To City Council

Service Area Office of the Chief Administrative Officer

Date Monday, December 19, 2016

Subject Social Services Committee Update

Report Number CAO-I-1611

Recommendation

That Council confirm Mayor Guthrie as the City's representative on Wellington County's Social Services Committee, in an ex-officio role, without voting privileges.

Executive Summary

Purpose of Report

To update City Council on the status of the City's participation on the County's Social Services Committee and to confirm Mayor Guthrie's appointment as the City's representative on the committee.

Key Findings

On March 21, 2016, City Council approved report #GOV-2106.1: Governance Options Regarding the County of Wellington's Social Services Committee which recommended that a strategic partnership between the City and County be reconstituted with the purpose of strategically influencing matters of mutual interest, including matters related to social services. On May 24, 2016, Council appointed Mayor Guthrie as the City's representative to work with the County to develop a joint Terms of Reference with respect to the City's participation on the Social Services Committee, as well as planning for the potential establishment of joint strategic meetings of both councils to be held on a yearly basis.

Since that time, the City and County reached an agreement that a City representative would sit on the County's Social Services Committee as an ex-officio member. The City representative will be a participatory member of the committee but will be excluded from voting privileges. The Social Services Committee abides by the County's procedural by-laws and any applicable terms of reference. As a result, the March 21, 2016 Council resolution regarding a negotiated shared Terms of Reference is no longer applicable. However, a representative must be selected

to represent the City on the County's Social Services Committee. The City representative will provide regular reports to City Council, through the Governance Committee, about the Social Services Committee meetings. It is recommended that Mayor Guthrie assume this role.

Financial Implications

There are no financial implications related to the City's participation on the Social Services Committee.

Report

On March 21, 2016, City Council approved report #GOV-2106.1: Governance Options Regarding the County of Wellington's Social Services Committee. The report recommended that a strategic partnership between the City and County be reconstituted for the purpose of working together to strategically influence matters of mutual interest, including matters related to social services. This enhanced relationship also proposed strategic planning sessions on a regular basis, planned jointly by the City and County.

The Council-approved recommendation was:

That Governance Committee recommend to Council:

Reconstitute a Strategic Partnership between the City and County.
Components to include:

- A negotiated Terms of Reference – City Council representative(s), with staff support to work with County representatives to produce a Terms of Reference.
- Joint strategic planning sessions – Co-coordinated by City and County staff to be delivered on a regular basis (at least annually). The agenda and focus will be determined through enhanced City and County staff collaboration to ensure that matters of shared interest/responsibilities are tabled.
- Enhanced City staff and Council participation at the County's Social Services Committee – Identified staff representative(s) to actively participate at the Committee to facilitate information sharing and provide strategic input. Once Council representative to be appointed.

On May 24, 2016, Council approved agenda item #**NOM-2016.1: Council Appointment to the Joint Social Services Terms of Reference Advisory Committee**, which appointed Mayor Guthrie "to the Social Services Terms of Reference Advisory Committee as the City of Guelph's Council representative for

such time as the mandate of the Committee has been met, to end no later than November 30, 2018.” This appointment stipulated that the City would work with the County to develop a joint Terms of Reference which clarified roles and responsibilities related to the City’s participation on the County’s Social Services Committee, as well as potentially establish joint strategic meetings of both councils on a yearly basis. Once this mandate was achieved, through a report-back to Council, the negotiated Terms of Reference was to be presented.

Since that time, an agreement was reached between the City and County that a City representative would participate on the County’s Social Services Committee. As an ex-officio member of the committee, the City representative will be a participatory member of the committee with the same rights as other members to receive reports, pose questions, propose motions and participate in discussions. However, the City representative will be excluded from voting privileges. The practices and protocols of the Social Services Committee abide by the County’s procedural by-laws and any applicable terms of reference.

With respect to the March 21, 2016 Council resolution, the components of the City-County strategic partnership have either been achieved or are no longer applicable.

- Since the County’s Social Services Committee is governed by the County’s procedural by-laws, and the City is agreeable to those conditions, the need to negotiate a terms of reference is no longer required.
- While City and County staff have been working collaboratively on matters of shared interest, the City’s participation on the Social Services Committee represents a renewed commitment to collaborative governance and strategic planning. These practices will continue as other matters of shared interest/responsibility are identified.
- The City representative on the Social Services Committee will receive the same privileges as the other committee members, with the ability to fully participate in committee discussions. Intergovernmental Relations, in the Office of the CAO, will provide any necessary support to the City’s committee representative.

Since the mandate of the Joint Social Services Terms of Reference Advisory Committee has also been achieved, a representative must be selected to represent the City on the County’s Social Services Committee. The City representative will provide regular reports to City Council, through the Governance Committee, regarding areas of interest. It is recommended that Mayor Guthrie assume the role as the City’s representative to participate in an ex-officio role, without voting privilege, on the Wellington County’s Social Services Committee.

Financial Implications

There are no financial implications related to the City's participation on the Social Services Committee.

Corporate Strategic Plan

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

2.2 Deliver public services better.

2.3 Ensure accountability, transparency and engagement.

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

Communications

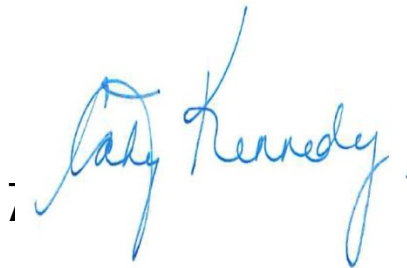
N/A

Attachments

N/A

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