

Council Committee Room B
February 23, 2009 5: 30 p.m.

A meeting of Guelph City Council.

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. B. Coutts, Manger of Court Services; Ms. T. Sinclair, Manager of Legal Services; Ms. S. Smith, Associate Solicitor; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Hofland
Seconded by Councillor Burcher
THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) and (e) of the Municipal Act, with respect to:
 - personal matters about identifiable individuals;
 - litigation or potential litigation.

Carried

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

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Mayor

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Clerk

Council Committee Room B
February 23, 2009 5: 32 p.m.

A meeting of Guelph City Council meeting in Committee of the Whole.

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. B. Coutts, Manger of Court Services; Ms. T. Sinclair, Manager of Legal Services; Ms. S. Smith, Associate Solicitor; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

Ms. L. E. Payne

- 1. Moved by Councillor Beard
 Seconded by Councillor Burcher
 THAT staff be given direction with respect to a litigation or potential litigation matter.

Carried

The Director of Information Services/City Clerk provided an update on a litigation matter.

The Manager of Legal Services and the Director of Environmental Services provided the Committee with an update regarding a potential litigation matter.

REPORT

- 2. Moved by Councillor Burcher
 Seconded by Councillor Piper
 THAT Anna Bortolon and Katharine Demolder-Carere be appointed to the Eastview Public Liaison Committee for a term ending November, 2009.

Carried

REPORT

- 3. Moved by Councillor Burcher
 Seconded by Councillor Salisbury
 THAT Karen Chisholme and Dan McDonell be appointed to the River Systems Advisory Committee for a term ending November, 2009.

Carried

REPORT

- 4. Moved by Councillor Hofland
 Seconded by Councillor Findlay
 THAT Jordon Willcox be appointed to the River Run Centre Board of Directors for a term ending November, 2009.

Carried

The Manager of Legal Services updated the Committee on a litigation matter.

The meeting adjourned at 6:00 o'clock p.m.

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Mayor

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Clerk

Council Chambers
February 23, 2009

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

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Mr. J. Riddell, Director of Community Design and Development Services; Ms. T. Sinclair, Manager of Legal Services; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

- 1. Moved by Councillor Salisbury
Seconded by Councillor Hofland
THAT the minutes of the Council Meetings held January 19 and 26, 2009 and the minutes of the Council meetings held in Committee of the Whole on October 20, 2008 and January 26 and February 2 and 9, 2009 be confirmed as recorded and without being read;

AND THAT the minutes of the following Council minutes be amended (corrections were advised after minutes had been adopted):

December 15, 2008 – Delegation of Jane Cabral on behalf of the Neighbourhood Support Coalition requesting \$50,000 for a total of \$175,000

- Resolution #26 to reflect a 2009 Tax Supported Capital Budget in the amount of \$80,678,000

- Resolution #27 – to reflect the 2010-2018 Tax Supported Capital Forecast (Ten year total in the amount of \$785,660,000.

December 22, 2008 reflect that Ann Pappert was not in attendance for the 7 p.m. Council meeting.

Carried

CONSENT AGENDAS

The following items were extracted from the Consent Agendas to be voted on separately:

Community Development & Environmental Services: -

- Eastview Community Park Update Report
- Trans Canada Trail Update
- Heritage Redevelopment Reserve Application Update: The Gummer Building, 1 Douglas Street

Consent Agenda:

- Municipal Court in Old City Hall
- City of Guelph and Guelph Hydro Inc. Steering Committee Mandate and Charter
- Mountford Drive Affordable Housing (development charge late payment agreement) / Acquisition of Land for Expansion of Peter Misersky Park

Balance of Community Development & Environmental Services Committee Consent Report

2. Moved by Councillor Burcher
Seconded by Councillor Bell

THAT the balance of the February 23, 2009 Community Development & Environmental Services Consent Report as identified below, be adopted:

- a) **Sign By-law Variance for Days Inn at 785 Gordon Street**

Mr. J. Riddell
Mr. B. Poole

THAT Report 09-16, regarding a sign variance for 785 Gordon Street from Community Design and Development Services, dated February 17, 2009, be received;

AND THAT, the request for a variance from the Sign By-law for 785 Gordon Street to permit one building sign to be situated on the 2nd storey of the building face in lieu of the by-law requirement of the 1st storey only, be approved.

b) **Alternative Development Standards**

Mr. J. Riddell

THAT the Community Design and Development Services Report 09-08, dated February 17, 2009, on 'Alternative Development Standards Review' be received;

AND THAT staff be authorized to undertake the proposed Alternative Development Standards Review as presented in this report 09-08 dated February 17, 2009.

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

VOTING AGAINST: (0)

Carried

Emergency Services, Community Services & Operations Committee Consent Report

3. Moved by Councillor Hofland
Seconded by Councillor Findlay

THAT the February 23, 2009 Emergency Services, Community Services & Operations Committee Consent Report as identified below, be adopted:

a) **Local Immigration Partnership (LIP) Contribution Agreement**

Mr. K. Kakonge
Ms. A. Pappert

THAT Report No. CS-AD-0902 entitled "Local Immigration Partnership (LIP) – Contribution Agreement be received;

AND THAT the City of Guelph enters into a Contribution Agreement with the Government of Canada to receive funding as per the Local Immigration Partnership File #IB08043;

AND THAT the Mayor and Clerk be authorized to sign the agreement, subject to the satisfaction of the City Solicitor.

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

VOTING AGAINST: (0)

Carried

Consent Agenda

4. Moved by Councillor Findlay
Seconded by Councillor Hofland
THAT the balance of the February 23, 2009 Consent Agenda as identified below, be adopted:

a) **Proposed Demolition of 117 Liverpool Street**

Mr. J. Riddell
Mr. B. Poole

THAT Report 09-21 regarding the proposed demolition of a detached dwelling at 117 Liverpool Street, City of Guelph, from Community Design and Development Services dated February 23, 2009, be received;

AND THAT the proposed demolition of the detached dwelling at 117 Liverpool Street, be approved.

b) **City Hall and POA Courthouse Project Update**

Ms. L.E. Payne

THAT the report of the Director of Corporate Services/City Solicitor with respect to City Hall and POA Courthouse Project Update, dated February 23, 2009, be received for information.

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

VOTING AGAINST: (0)

Carried

PRESENTATIONS

2009 Water Conservation & Efficiency Awards

The Mayor presented the 2009 Water Conservation & Efficiency Awards:

- Residential Award to: Dr. Khosrow Farahbakhsh
- Community/Educational Award to: Guelph Campus Co-op

2009 Heritage Plaques

Susan Ratcliffe highlighted the various properties being recognized and the Mayor presented the 2009 Heritage Plaques to:

- Brownlow/Gummer Building - 1 Douglas Street:- Jason Ashdown (owner)
- McLean House – 21 Nottingham St.:- Julia Grady (owner)

- Mavis Bank - 74 Arthur St. N.: - Paul Ross, Chair of Heritage Guelph, accepting on behalf of David Ottens (owner)
- Robert Stewart Lumber Mill: - Jeff Scarfone (developer of project and condominium unit owner)
- Victoria Hotel – 67 Wyndham St.: – Jason Ashdown (owner)
- Woodside – 40 Spring: - Janet Pocock (owner)

The Manager of Corporate Property Services provided an update on the status of the New City Hall. He advised that staff will begin moving into the facility March 17. He further noted that April 21 will be the ceremonial opening of the new Chambers and on April 25 the facility will be open to the public as part of Doors Open Guelph.

5. Moved by Councillor Wettstein
Seconded by Councillor Farrelly

THAT persons wishing to address Council be permitted to do so at this time.

Carried

REGULAR MEETING

DELEGATIONS

Jan Ciuciura on behalf of Options for Homes was present and responded to questions with respect to the Mountford Drive Affordable Housing project. He provided information with respect to the impact the new development charges would have on the financial assistance to proposed homeowners.

Mountford Drive Affordable Housing (Development Charge Late Payment Agreement) / Acquisition of Land for Expansion of Peter Misersky Park

6. Moved by Councillor Findlay
Seconded by Councillor Hofland

THAT the Mayor and Clerk be authorized to execute an amending agreement in a form satisfactory to the City Solicitor, to change the date at which the rates for development charges is calculated to be February 23, 2009 in respect of the Development Charge Late Payment Agreement dated February 22, 2008 between Maple Grove Co-operative Development Corporation, Home Ownership Alternatives Non-Profit Corporation (Greater Toronto Area), and The City of Guelph;

AND THAT the Mayor and Clerk be authorized to execute an amending agreement, in a form satisfactory to the City

Solicitor, to allow the School Board to reserve easements for access, infrastructure, and maintenance, in support of the affordable housing project at 35 Mountford Drive, in the lands being sold to the City for parks purposes in respect of the agreement dated February 26, 2008 between the Upper Grand District School Board and The City of Guelph.

7. Moved in Amendment by Councillor Billings
Seconded by Councillor Kovach

THAT the following be added to the first paragraph following February 23, 2009 "for the affordable housing units only".

VOTING IN FAVOUR: Councillors Billings and Kovach (2)

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

Carried

8. Moved by Councillor Findlay
Seconded by Councillor Hofland

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

THAT the Mayor and Clerk be authorized to execute an amending agreement in a form satisfactory to the City Solicitor, to change the date at which the rates for development charges is calculated to be February 23, 2009 in respect of the Development Charge Late Payment Agreement dated February 22, 2008 between Maple Grove Co-operative Development Corporation, Home Ownership Alternatives Non-Profit Corporation (Greater Toronto Area), and The City of Guelph;

AND THAT the Mayor and Clerk be authorized to execute an amending agreement, in a form satisfactory to the City Solicitor, to allow the School Board to reserve easements for access, infrastructure, and maintenance, in support of the affordable housing project at 35 Mountford Drive, in the lands being sold to the City for parks purposes in respect of the agreement dated February 26, 2008 between the Upper Grand District School Board and The City of Guelph.

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

VOTING AGAINST: Councillors Billings and Kovach (2)

Carried

9. Moved by Councillor Beard
 Seconded by Councillor Farrelly
 THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

Councillor Burcher presented the Clauses that were extracted from the Community Development & Environmental Services Committee First Consent Report.

Eastview Community Park: Update Report

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

10. Moved by Councillor Burcher
 Seconded by Councillor Piper
 THAT the Community Design and Development Services Update Report 09-09 dated February 17, 2009, pertaining to the Proposed Eastview Community Park be received;

AND THAT the proposal for the use of the clay capped land-filled part of the site to develop a Pollinator Park, as outlined in Community Design and Development Services Report 09-09 dated February 17, 2009 be approved;

AND THAT the Mayor and Clerk be authorized to sign a license agreement between Pollination Guelph and the City as outlined in Community Design and Development Services Report 09-09 dated February 17, 2009, subject to the form and content being satisfactory to the Director of Community Design and Development Services and the City Solicitor, prior to the implementation of the Pollinator Park Master Plan.

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

VOTING AGAINST: (0)

Carried

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

11. Moved by Councillor Burcher
 Seconded by Councillor Piper
 THAT staff be directed to identify additional funding needs in the 10 year capital forecast, for the implementation of the Master Plan, for the Eastview Community Park, during the 2010 budget process to ensure a timely implementation of all phases of the plan.

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

VOTING AGAINST: Councillors Billings and Kovach (2)

Carried

Trans Canada Trail Update

In response to questions, Rory Templeton, Parks Planner provided information with respect to the proposed trail.

12. Moved by Councillor Burcher
Seconded by Councillor Piper

THAT the Community Design and Development Services Report 09-14 dated February 17, 2009, be received;

AND THAT the Conceptual Alignment of the Trans Canada Trail Project Design be approved as outlined in Report 09-14, dated February 17th, 2009, in keeping with Segment A (Appendix 8), Segment B (Appendix 9) and Option #1 for Segment C and Segment D (Appendix 10);

AND THAT staff include a public consultation component with respect to landscaping and buffering;

AND THAT the Mayor and Clerk be authorized to sign any agreements regarding Conditions of Use and Maintenance for the proposed trail, with Guelph Junction Railway (GJR) and the City, to the satisfaction of the City Solicitor.

13. Moved by Councillor Bell
Seconded by Councillor Farrelly

THAT staff be directed to contact the property owner on the east side of the railway track to see if they are interested in entering into an agreement for a portion of the Trans Canada Trail to go across their property;

AND THAT staff be directed to obtain the costs of moving a portion of the railway line between Marcon Street and Pipe Street by ten feet to enable the trail to be placed on the east side of the railway tracks.

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

VOTING AGAINST: Councillors Bell, Farrelly, Piper and Salisbury (4)

Carried

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

14. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the Community Design and Development Services Report 09-14 dated February 17, 2009, be received;

AND THAT the Conceptual Alignment of the Trans Canada Trail Project Design be approved as outlined in Report 09-14, dated February 17th, 2009, in keeping with Segment A (Appendix 8), Segment B (Appendix 9) and Option #1 for Segment C and Segment D (Appendix 10);

AND THAT staff include a public consultation component with respect to landscaping and buffering;

AND THAT the Mayor and Clerk be authorized to sign any agreements regarding Conditions of Use and Maintenance for the proposed trail, with Guelph Junction Railway (GJR) and the City, to the satisfaction of the City Solicitor.

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

VOTING AGAINST: (0)

Carried

Mr. J. Riddell

15. Moved by Councillor Piper
Seconded by Councillor Burcher
THAT staff be directed to investigate an easement, the cost and funding, of a secondary or tertiary trail on the east side of the railway line;

AND THAT staff report back through the Council priority setting session.

VOTING IN FAVOUR: Councillors Bell, Burcher, Farrelly, Findlay, Laidlaw, Piper and Salisbury (7)

VOTING AGAINST: Councillors Beard, Billings, Hofland, Kovach, Wettstein and Mayor Farbridge (6)

Carried

**Heritage Redevelopment Reserve Application
Update: The Gummer Building, 1 Douglas Street**

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

16. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the Heritage Redevelopment Reserve grant for the property known as 1 Douglas Street, The Gummer Building, be increased to an upset limit of \$2.05M over a

ten year period following completion of the project;

AND THAT the Finance Department reallocate \$30,000 per year from the Brownfields Reserve to the Heritage Redevelopment Reserve to accommodate the increase in the 1 Douglas Street grant;

AND THAT, subject to the final form and content of the agreements being satisfactory to the Director of Community Design and Development Services and the City Solicitor; the Mayor and City Clerk be authorized to execute the Financial Assistance Agreement, in substantially the form attached to the October 15, 2007 report (07-102) but including the updated terms outlined in this report (09-024), and the execution of the Heritage Easement Agreement based on the revised project which now includes the restoration of 65 Wyndham Street North, 67-71 Wyndham Street North and 1-7 Douglas Street.

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

VOTING AGAINST: Councillors Billings and Kovach (2)

Carried

17. Moved by Councillor Burcher
Seconded by Councillor Piper

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

THAT staff ensure that the Financial Assistance Agreement for 1 Douglas Street be structured so that the release of funds from the Reserve does not start until the increased assessment value has been added to the assessment roll and has been billed accordingly.

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

VOTING AGAINST: (0)

Carried

Extracted Consent Reports

Municipal Court in Old City Hall

18. Moved by Councillor Burcher
Seconded by Councillor Wettstein

THAT the matter of the Municipal Court being located in the Old City Hall be re-opened.

VOTING IN FAVOUR: Councillor Burcher (1)

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

Defeated

Ms. L.E. Payne
Ms. M. Neubauer
Mr. H. Loewig

19. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the report regarding the Municipal Court in old City Hall dated February 23, 2009, be received for information.

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

VOTING AGAINST: (0)

Carried

City of Guelph and Guelph Hydro Inc. Steering Committee Mandate and Charter

Ms. B. Boisvert
Mr. H. Loewig

20. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT the Steering Committee Mandate and Charter that will guide the work of the City of Guelph and Guelph Hydro Inc. Steering Committee be amended by replacing Section 6 Reporting with the following:
"The Committee will report to Council with recommendations for review, debate and discussion and approval as necessary by Council, throughout the course of the Committee deliberations and upon completion of their work."

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

VOTING AGAINST: (0)

Carried

21. Moved by Councillor Bell
Seconded by Councillor Findlay
THAT the Committee rise with leave to sit again.

Carried

22. Moved by Councillor Billings
Seconded by Councillor Burcher
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

BY-LAWS

23. Moved by Councillor Burcher
Seconded by Councillor Wettstein
THAT By-laws Numbered (2009)-18733 to (2009)-18747, inclusive, are hereby passed.

Carried

QUESTIONS

In response to questions by Councillor Salisbury on the new consent format, the Mayor advised that she will speak with the Chairs of the Standing Committees and the Director of Information Services/City Clerk on the best way to provide the public with information on what Council has approved under the Consents.

NOTICE OF MOTION

Councillor Laidlaw advised that she will be presenting a notice of motion with respect to the egg purchasing policy in City owned facilities.

ADJOURNMENT

The meeting adjourned at 10:05 o'clock p.m.

Minutes read and confirmed March 23, 2009.

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Mayor

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Clerk