



**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
Monday, July 14, 2014 at 5:30 p.m.**

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**Attendance**

Council: Mayor Farbridge  
Councillor B. Bell  
Councillor L. Burcher (*arrived at 5:35 p.m.*)  
Councillor T. Dennis  
Councillor I. Findlay  
Councillor J. Furfaro  
Councillor C. Guthrie  
Councillor J. Hofland  
Councillor G. Kovach  
Councillor M. Laidlaw  
Councillor L. Piper  
Councillor A. Van Hellemond  
Councillor K. Wettstein

Staff: Ms. A. Pappert, Chief Administrative Officer  
Mr. M. Amorosi, Executive Director of Corporate & Human Resources  
Mr. A. Horsman, Executive Director of Finance and Enterprise  
Dr. J. Laird, Executive Director of Planning, Building, Engineering and Environment  
Mr. D. McCaughan, Executive Director of Operations, Transit & Emergency Services  
Mr. D. Thomson, Executive Director of Community & Social Services  
Mr. P. Meagher, General Manager Community Connectivity & Transit  
Ms. F. Tranquilli-Nardini, Manager Labour Relations, Health & Safety  
Ms. J. Maitland, Labour Relations Specialist  
Mr. S. Worsfold, Deputy City Solicitor  
Ms. S. Kirkwood, Manager of Development Planning  
Mr. S. O'Brien, City Clerk  
Ms. T. Agnello, Deputy Clerk  
Ms. D. Black, Council Committee Co-ordinator

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

Mayor Farbridge called the meeting to order.

**Authority to Resolve into a Closed Meeting of Council**

1. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (d), (e) and (f) of *the Municipal Act*, with respect to labour relations or employee negotiations; litigation or potential litigation; advice that is subject to solicitor-client privilege.

CARRIED

**Closed Meeting (5:31 p.m.)**

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

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The following matters were considered:

**C.2014.37      Urbacon Litigation**

**C.2014.38      ATU Negotiations**

**Statement Regarding Construction of City Hall**

**Rise from Closed Meeting (6:50 p.m.)**

*Council recessed.*

**Open Meeting** (7:00 p.m.)

**Call to Order**

Mayor Farbridge called the meeting to order.

**Silent Prayer**

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

**Council Consent Agenda**

The following item was extracted:

**CON-2014.37      Proposed Demolition of 170 to 178 Elizabeth Street**

**Planning Public Meeting**

Mayor Farbridge 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.

**50 Law Drive Proposed Zoning By-law Amendment (File: ZC1404) - Ward 1**

Mr. Michael Witmer, Development Planner advised the applicant is requesting the zoning be changed from Urban Reserve to R.1B Zone on the south side of Law Drive and R.1C Zone on the north side of Law Drive (all Single Detached Residential). The applicant intends to build five single detached homes on five separate lots. He advised the front yard setbacks will be consistent with existing homes. Mr. Witmer explained that a minor modification on the northwesterly lot is being proposed to merge the existing R.2-6 Zone that permits single detached dwellings but contains different provisions for building setbacks with the R.1C Zoning being requested.

Jamie Laws, Van Harten Surveying Inc., on behalf of the applicant, advised two years ago they required the Law Drive extension for access to their new subdivision and they would now like to build single family homes on the lots.

1. Moved by Councillor Findlay  
Seconded by Councillor Dennis

That Report 14-41 regarding a proposed Zoning By-law Amendment application (File ZC1404) by Dunmill Homes Inc. to permit the development of five (5) single detached dwellings at 50 Law Drive, legally described as Block 220, 61M-18m & Part Lot 16, Plan 468 Designated As Part 1, 61R-11219 Except Part 1, 61R-11967, City of Guelph, from Planning, Building, Engineering and Environment dated July 14, 2014, be received.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (13)*  
*VOTING AGAINST: (0)*

CARRIED

### **Extracted Consent Agenda Items**

#### **CON-2014.37 Proposed Demolition of 170 to 178 Elizabeth Street**

2. Moved by Councillor Piper  
Seconded by Councillor Laidlaw
  1. That Report 14-40 regarding the proposed demolition of two (2) detached dwellings at 170 to 178 Elizabeth Street inclusive, legally described as Part Lot 5, Plan 263 designated as Parts 3 & 4, Plan 61R11826, Lot 6, Plan 263 and Lot 7, Plan 263; City of Guelph, from Planning, Building, Engineering and Environment dated July 14, 2014, be received.
  2. That the proposed demolition of two (2) detached dwellings at 170 to 178 Elizabeth Street inclusive be approved.
  3. That the applicant be requested to erect protective fencing at one (1) metre from the dripline of any existing trees on the property or on adjacent properties which can be preserved prior to commencement of demolition and maintain fencing during demolition and construction of the new dwellings.
  4. **That Council approve the** removal of the dwelling located at 170 Elizabeth Street from the City of Guelph's Municipal Register of Cultural Heritage Properties provided that the owner or proponent work with Heritage Planning staff to determine and retain any architectural elements of the building that may be practically salvaged for reuse, to the satisfaction of the General Manager of Planning Services.
  5. **That Council approve the** removal of the dwelling located at 178 Elizabeth Street from the City of Guelph's Municipal Register of Cultural Heritage Properties provided that the owner or proponent work with Heritage Planning staff to determine and retain any architectural elements of the building that may be practically salvaged for reuse, to the satisfaction of the General Manager of Planning Services, and that the owner or proponent create, at their own expense, a commemorative feature on-site to recognize

both the houses that were originally on the site and also to show how the Franchetto family conducted a market garden/greenhouse business from the premises for 43 years.

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

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

*VOTING AGAINST: (0)*

CARRIED

## **Special Resolutions**

### **ATU Contract Negotiations**

3. Moved by Councillor Piper  
Seconded by Councillor Laidlaw

That the Memorandums of Agreement between the City of Guelph and the Amalgamated Transit Union Local 1189 on file with Human Resources be approved.

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

*VOTING AGAINST: (0)*

CARRIED

### **Statement Regarding the Construction of City Hall**

4. Moved by Councillor Piper  
Seconded by Councillor Hofland

That Council directs the Mayor to read into record a statement regarding the construction of City Hall.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Hofland, Kovach, Laidlaw, Piper and Wettstein (10)*

*VOTING AGAINST: Councillors Furfaro, Guthrie and Van Hellemond (3)*

CARRIED

The Mayor read the following statement:

In July 2006, Urbacon was awarded a \$42 million contract as the general contractor for the construction of City Hall and the Provincial Offences Administration (POA) Court. On September 19, 2008, the City terminated Urbacon's right to work to completion and Urbacon was ordered to leave the site. On March 31, 2014, a court ruling found the City did not have the right to terminate the contract with Urbacon and a trial to determine damages is set to begin in October.

After the damages trial, the City will consider the status of an appeal.

Regardless of Council's next steps, this capital project will cost more than was budgeted for. For that, on behalf of the City of Guelph, I want to apologize to the people of Guelph.

The construction of City Hall has involved four terms of Council and many senior City employees, some no longer employed with the City of Guelph. Collectively, we are responsible for this project.

There have been many lessons learned as a result of these events. While we can't undo what happened with the City Hall project, we can – and are – making sure it's not repeated.

**By-laws**

5. Moved by Councillor Kovach  
Seconded by Councillor Furfaro

That By-laws numbered (2014)-19775 to (2014)-19782, inclusive, are hereby passed.

*VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (13)*  
*VOTING AGAINST: (0)*

CARRIED

**Adjournment (7:16 p.m.)**

6. Moved by Councillor Hofland  
Moved by Councillor Burcher

That the meeting be adjourned.

CARRIED

*Minutes to be read and confirmed July 26, 2014.*

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Mayor Farbridge

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Deputy Clerk