Council Committee Room B August 13, 2007 5:30 p.m.

### A meeting of Guelph City Council.

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

Absent: Councillor Kovach

Staff Present: Mr. H. Loewig, Interim Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. G. Stahlmann, Director of Community Services; Mr. D. Wyman, Manager of Solid Waste Resources; Ms. T. Agnello, Deputy City Clerk; and Ms. J. Sweeney, Council Committee Coordinator

 Moved by Councillor Billings Seconded by Councillor Hofland

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.

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

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Council Committee Room B August 13, 2007 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, Laidlaw, Piper, Salisbury and Wettstein

Absent: Councillor Kovach

Staff Present: Mr. H. Loewig, Interim Chief Administrative Officer; Chief S. Armstrong, Director of Emergency Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. G. Stahlmann, Director of Community Services; Mr. D. Wyman, Manager of Solid Waste Resources; Ms. T. Agnello, Deputy City Clerk; and Ms. J. Sweeney, Council Committee Coordinator

### DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

Moved by Councillor Billings
 Seconded by Councillor Farrelly
 THAT Committee hear the delegation from the City's outside legal
 Counsel.

Carried

The City's outside legal counsel provided an update with respect to a litigation matter.

The Director of Corporate Services/City Solicitor provided a status update on litigation matters.

2. Moved by Councillor Burcher Seconded by Councillor Piper

THAT Hugh Whiteley be appointed to the Wastewater Treatment Master Plan Public Advisory Committee for the duration of the mandate of the committee.

Carried

3. Moved by Councillor Burcher Seconded by Councillor Piper

THAT Stephen Rodd be appointed to the Organic Processing Technology Review Public Steering Committee for the duration of the mandate of the committee.

REPORT

Carried

REPORT

August 13, 2007 Page No. 239 4. Moved by Councillor Burcher Seconded by Councillor Piper THAT staff be given direction with respect to the appointment of Mrs. L.A. Giles Ms. L.E. Payne citizens to a committee. A recorded vote was requested which resulted as follows: VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (11) VOTING AGAINST: Councillor Billings (1) The motion was carried. 5. Moved by Councillor Piper Seconded by Councillor Hofland Mrs. L.A. Giles THAT the e-mail from Ricardo Ramirez tendering his resignation from the Green Plan Steering Committee, be received with regret. Ms. L.E. Payne Carried 6. Moved by Councillor Hofland Seconded by Councillor Billings THAT the correspondence from Loretta Rose tendering her Mrs. L.A. Giles Ms. L.E. Payne resignation from the Guelph Twinning Committee, be received with regret. Carried 7. Moved by Councillor Billings Seconded by Councillor Burcher THAT the Litigation Status Report dated July 30, 2007, be Ms. L.E. Payne received for information. Carried The meeting adjourned at 6:30 o'clock p.m. Mayor

Deputy Clerk

Council Chambers August 13, 2007

#### 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, Interim Chief Administrative

Officer; Chief S. Armstrong, Director of Emergency Services; Mr. M. Amorosi, Director of Human Resources; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design & Development Services; Mr. G. Stahlmann, Director of Community Services; Mr. B. Stewart, Acting Director of Finance; Mr. P. Busatto, Manager of Waterworks; Mr. B. Chapman, Manager of Traffic and Parking; Mr. R. French, Manager of Transit Services; Mr. D. Kudo, Infrastructure Planning: Design & Construction Manager; Mr. C. Walsh, Manager of Wastewater Services; Mr. R. Henry, City Engineer; Ms. T. Agnello, Deputy City Clerk; and Ms. J. Sweeney,

### DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

Council Committee Co-ordinator

Councillor Burcher declared a possible pecuniary interest with regards to Essex Street because of a potential interest in property in the vicinity and vacated the Council Chambers during the discussion, and did not vote on the matter.

1. Moved by Councillor Findlay Seconded by Councillor Piper

THAT the minutes of the Council meetings held on July 16 and 30, 2007 and the minutes of the Council meeting held in Committee of the Whole on July 16 and 30, 2007 be confirmed as recorded and without being read.

Carried

#### **PRESENTATIONS**

The Mayor presented City medals to the members of the Guelph Ringette Petite "A" team in recognition of winning the Provincial "A" Championships -Meagan Stultz; Taylor Jarvis; Enya Farrelly; Moira Davidson; Kate Lapello; Katie Worthen; Jessica Mezenberg; Jackie Kelton; Colleen Scott; Nicole Evans; Trisha

Roszwell; Mellissa Cook; Abigayle Richardson; Rachel Shaw; Craig Richardson – Head Coach; John Mezenberg – Assistant Coach; Patty Roswell – Manager

2. Moved by Councillor Hofland Seconded by Councillor Farrelly

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

Carried

#### **REGULAR MEETING**

#### **DELEGATIONS**

# River Valley Developments Inc. – aggregate resources permit for the Guelph Dolime property

Greg Sweetnam was present on behalf of the company that operates Guelph Dolime. He advised that there is a great need for the type of aggregate that is extracted from this location. He further advised that the location is zoned for this use and is licensed for quarry operations and that the tonnage extracted has not been increased for a number of years. He also advised that they have not received complaints with respect to traffic or noise relating to processing of the aggregate. He then advised that the company has worked with the community on a blasting schedule and that the resulting vibrations are well below provincial standards. He suggested that if the application to increase the extraction of the aggregate is not approved, then the life of the site will be extended, as increased extraction would speed up the closure of the site. He also suggested that the water taking rate would not be increased with this application.

Robert Baxter was present on behalf of River Valley
Developments Inc. and suggested that if the application for
increased aggregate extraction is approved, it has the potential of
cutting the life of the site in half. He also suggested that the water
taking would remain the same no matter how much tonnage is
removed. He advised that they will be holding a community
meeting in late fall or in the winter to discuss the end use of the
site and the future vision once extraction is completed.

3. Moved by Councillor Burcher Seconded by Councillor Laidlaw

THAT the City of Guelph object to the current application by River Valley Developments Inc. for a change to their Aggregate Pit License No. 5672 in order to double the annual extraction limit to 1,000,000 tonnes from the DoLime Pit, Township of Guelph/Eramosa;

AND THAT Council reaffirms its position passed at its meeting held June 21, 1999, while recognizing the change in the requested annual tonnage:

WHEREAS citizens living in the area and beyond, moved there with the DoLime Limited activity at its present level;

AND WHEREAS the present level of noise, vibrations and dust has a continuous serious negative effect on citizens;

THEREFORE BE IT RESOLVED THAT, based upon serious public complaints received over a number of years relating to the existing level of operations at Guelph DoLime, the City of Guelph strenuously objects to a proposal to expand the extraction activities of Guelph DoLime from 500,000 tonnes per year to 750,000 tonnes per year;

AND THAT the Council resolution be forwarded to the Minister of Natural Resources, Brenda Elliott, M.P.P., Brenda Chamberlain M.P. and the Mayor of Guelph/Eramosa Township;

AND THAT staff be instructed to bring further correspondence regarding this matter forward to Council as it becomes available.

- Moved in Amendment by Councillor Piper Seconded by Councillor Burcher
   THAT the Ministry of Natural Resources be requested to decommission the Guelph Dolime as quickly as possible.
- Moved by Councillor Kovach
   Seconded by Councillor Billings
   THAT the matter of requesting the Ministry of Natural Resources to decommission Guelph Dolime be deferred until staff have all the

Carried

6. Moved by Councillor Burcher Seconded by Councillor Laidlaw

necessary information.

THAT the City of Guelph object to the current application by River Valley Developments Inc. for a change to their Aggregate Pit License No. 5672 in order to double the annual extraction limit to 1,000,000 tonnes from the DoLime Pit, Township of Guelph/ Eramosa;

AND THAT Council reaffirms its position passed at its meeting held June 21, 1999, while recognizing the change in the requested annual tonnage:

Hon. D. Ramsay Dr. J. Laird Mr. J. Riddell Mayor C. White Ms. L. Sandals Ms. B. Chamberlain

WHEREAS citizens living in the area and beyond, moved there with the DoLime Limited activity at its present level;

AND WHEREAS the present level of noise, vibrations and dust has a continuous serious negative effect on citizens;

THEREFORE BE IT RESOLVED THAT, based upon serious public complaints received over a number of years relating to the existing level of operations at Guelph DoLime, the City of Guelph strenuously objects to a proposal to expand the extraction activities of Guelph DoLime from 500,000 tonnes per year to 750,000 tonnes per year;

AND THAT the Council resolution be forwarded to the Minister of Natural Resources, Brenda Elliott, M.P.P., Brenda Chamberlain M.P. and the Mayor of Guelph/Eramosa Township;

AND THAT staff be instructed to bring further correspondence regarding this matter forward to Council as it becomes available;

AND THAT the Council resolution be forwarded to the Ministry of Natural Resources, Liz Sandals, MPP, Brenda Chamberlain, MP and the Mayor of Guelph/Eramosa Township.

A recorded vote was requested, which resulted as follows:

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

**VOTING AGAINST: (0)** 

The motion was carried.

### **Essex Street Petition, Signage, Truck Turning Movements and Egress**

Gary Chapman was present and expressed concern with the closure of the access to Essex Street. He advised that he was not aware of the closure until the barriers were erected. He expressed concern that there is no real truck access to the street and with the movement of emergency vehicles. He further expressed concern with his business viability if there is no street traffic. He requested some form access to the street.

Emery Dawson owner of 44 and 42 Essex Street expressed concern that trucks making deliveries cannot turn around without driving over someone else's property. He requested that the street be returned to its original configuration.

Ali Hoji owner of the downtown car wash requested that Essex Street be accessed from Waterloo Avenue which would not require the removal of trees. He suggested that this would bring customers back and would make it safer for trucks.

Rick Kowalszykowski was not present.

Peter Hettinga read a letter from Sid Brower who was unable to attend the meeting and requested that Council consider the needs of the businesses along Essex Street and allow access from Waterloo Avenue.

Mr. Hettinga advised of various meetings held to discuss alternatives for access to Essex Street. He suggested that access from Waterloo Avenue would give the properties access similar to what they had prior to Gordon Street reconstruction and would not impact the trees in the park.

# Councillor Billing presented Clause 4 of the TENTH REPORT of the Community Development & Environmental Services Committee.

7. Moved by Councillor Billings Seconded by Councilor Piper

THAT the request in the petition, received December 11, 2006 to re-establish a right-in only access from Gordon Street to Essex Street, be refused:

AND THAT no action be taken at this time regarding the access to Waterloo Avenue;

AND THAT staff be directed to utilize a full consultation process at such time when redevelopment within the area occurs.

8. Moved by Councillor Salisbury Seconded by Councillor Piper

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:

• advice that is subject to solicitor-client privilege.

Carried

The meeting adjourned in camera at 8:45 p.m.

The Director of Corporate Services/City Solicitor provided information.

The in camera meeting adjourned to open session at 8:53 p.m.

9. Moved by Councillor Billings Seconded by Councillor Piper

THAT the request in the petition, received December 11, 2006 to re-establish a right-in only access from Gordon Street to Essex Street, be refused:

AND THAT no action be taken at this time regarding the access to Waterloo Avenue;

AND THAT staff be directed to utilize a full consultation process at such time when redevelopment within the area occurs.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, and Mayor Farbridge (2)

VOTING AGAINST: Councillors Bell, Billings, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury and Wettstein (10)

Councillor Burcher did not participate in the discussion or vote on the matter due to her declared possible pecuniary interest.

The motion was defeated.

10. Moved by Councillor Laidlaw Seconded by Councillor Kovach

THAT access to Essex Street be re-opened as it was prior to the reconstruction of Gordon Street, and that the new trees which were planted be relocated.

Lost

11. Moved by Councillor Salisbury Seconded by Councillor Bell

THAT staff proceed with final design and implementation for access to Essex Street via Waterloo Avenue in keeping with the intent of Option C.

12. Moved in Amendment by Councillor Piper Seconded by Councillor Laidlaw THAT access to Essex Street be one-way.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Hofland, Kovach, Laidlaw, Piper and Mayor Farbridge (6)

VOTING AGAINST: Councillors Bell, Billings, Farrelly, Findlay, Salisbury and Wettstein (6)

Councillor Burcher did not participate in the discussion or vote on the matter due to her declared possible pecuniary interest.

The motion was lost due to a tied vote.

13. Moved by Councillor Salisbury Seconded by Councillor Bell

THAT staff proceed with final design and implementation for access to Essex Street via Waterloo Avenue in keeping with the intent of Option C.

A recorded vote was requested, which resulted as follows:

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

**VOTING AGAINST: (0)** 

Councillor Burcher did not participate in the discussion or vote on the matter due to her declared possible pecuniary interest.

The motion was carried.

Carried

Councillor Burcher presented the balance of the TENTH REPORT of the Community Development & Environmental Services Committee

To Obtain Authorization from City Council regarding various properties on Property Standards Matters

14. Moved by Councillor Burcher Seconded by Councillor Piper

THAT staff be authorized to direct agents or staff of the City to enter onto the properties identified on Appendix 'A' of the report from Community Design and Development Services dated July 8, 2007, if required, for the purpose of effecting exterior remedial work on these properties as required by Property Standards By-law (2000)-16454, in accordance with Section 15.4 of the Building Code Act S.O. 1992, Chapter 23, as amended

AND THAT expenses incurred by the City from such remedial work be added to the City tax rolls as real property taxes;

Mr. J. Riddell Mr. R. Henry

Mr. J. Riddell Mr. B. Poole Ms. L.E. Payne

AND THAT these properties be subject to ongoing inspections, as required, to ensure compliance with the Property Standards By-law is being maintained.

Carried Unanimously

#### Site Alteration By-law

15. Moved by Councillor Burcher Seconded by Councillor Piper

THAT Report #07-68 from Community Design and Development Services concerning the passage of a Site Alteration By-law be received and the proposed Site Alteration By-law, attached as Appendix 'A' of this report be approved;

AND THAT the enforcement of the proposed by-law be referred to the by-law enforcement committee for review and recommendations;

AND THAT staff review the City's practice and best practices of other municipalities with respect to the depth and composition of topsoil required in new developments and on City rights-of-way and report back to Council with a policy based on their findings and recommendations.

Carried

## **Guelph Environmental Leadership's Project "Supporting Energy Productivity Improvements in Guelph Community"**

16. Moved by Councillor BurcherSeconded by Councillor PiperTHAT Guelph City Council endorse Guelph Environmental

Leadership's (GEL) project entitled "Supporting Energy Productivity Improvements in the Guelph Community", which is supportive of Guelph's Community Energy Plan (CEP);

AND THAT Guelph City Council congratulates GEL on their receipt of \$233,760 from the Ontario Power Authority (OPA).

17. Moved by Councillor Kovach Seconded by Councillor Billings

THAT the matter with respect to endorsing Guelph Environmental Leadership's Project "Supporting Energy Productivity Improvements in Guelph Community" be deferred for further information.

Dr. J. Laird

Mr. J. Riddell Mr. R. Henry

Carried

18. Moved by Councillor Kovach Seconded by Councillor Billings

Ms. G. Logue Dr. J. Laird THAT Guelph City Council congratulates Guelph Environmental Leadership on their receipt of \$233,760 from the Ontario Power Authority (OPA).

Carried

#### **Clean Water Act – Source Protection Committees**

19. Moved by Councillor Burcher Seconded by Councillor Piper

Mayor Farbridge Dr. J. Laird Mr. J. Riddell Ms. L. Minshall THAT Council support the recommendations for the composition of the Lake Erie Source Protection Committee, as documented in the Grand River Conservation Authority Update to Report No. GM-06-07-32 (June 29, 2007);

AND THAT the Mayor write to the GRCA by August 15, 2007 indicating Council's support for GRCA's recommendations for the composition of the Lake Erie Source Protection Committee;

AND THAT Council appoint the Director of Environmental Services or designate as the City of Guelph representative on the Source Protection Committee for the Grand River Source Protection Area.

Carried

Councillor Hofland presented the SEVENTH REPORT of the Emergency Services, Community Services & Operations Committee.

Response to Ministry of Community and Social Services Request for Public Review of Transportation Standards

20. Moved by Councillor Hofland Seconded by Councillor Beard

THAT the City of Guelph respond to the Ministry of Community and Social Services regarding the Transportation Standards developed under the Accessibility for Ontarians with Disabilities (AODA);

AND THAT the City of Guelph support the Transportation Standards as developed under the AODA in principle;

AND THAT the province be asked to provide funding.

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

THAT the third clause be amended to read as follows: THAT the Province provides full funding for all of the costs of the Transportation Standards that we have identified in this report totalling almost \$14.4 million;

AND THAT a copy be forwarded to the Association of Municipalities of Ontario and Liz Sandals our MPP, asking for her support in this funding request;

AND THAT municipalities with a population over 50,000 be circulated a copy of this request.

Carried

22. Moved by Councillor Hofland Seconded by Councillor Beard

THAT the City of Guelph respond to the Ministry of Community and Social Services regarding the Transportation Standards developed under the Accessibility for Ontarians with Disabilities (AODA);

AND THAT the City of Guelph support the Transportation Standards as developed under the AODA in principle;

AND THAT the Province provides full funding for all of the costs of the Transportation Standards that we have identified in this report totalling almost \$14.4 million;

AND THAT a copy be forwarded to the Association of Municipalities of Ontario and Liz Sandals our MPP, asking for her support in this funding request;

AND THAT municipalities with a population over 50,000 be circulated a copy of this request.

Carried

#### **Watson Parkway North Parking Changes**

23. Moved by Councillor Hofland Seconded by Councillor Beard

THAT a 'No Parking, 8 a.m. to 6 p.m., Monday to Friday' zone as outlined in the report of the Director of Operations dated August 8, 2007, be implemented on the west side of Watson Parkway North from Grange Road to 91 metres south of Fuller Drive;

AND THAT 'No Parking Anytime' zones be implemented on the east side of Watson Parkway North from Watson Road North to

Hon. M. Meilleur Ms. L. Sandals AMO Mr. G. Stahlmann Ont. Municipalities

Mr. D. McCaughan

Grange Road, and on the west side of Watson Parkway North from 91 metres of Fuller Drive to Watson Road North.

Carried

## Elmira Road at Willow Road – New Traffic Signals and School Crossing Guard

24. Moved by Councillor Hofland Seconded by Councillor Beard

THAT a School Crossing Guard be posted at the intersection of Elmira Road and Willow Road to assist children crossing Elmira Road as of the commencement of the 2007-2008 school year;

AND THAT a new capital project in the amount of \$80,000 and funded by Development Charges be established for the installation of traffic signals at the intersection of Willow Road and Elmira Road.

Carried

#### **CONSENT AGENDA**

The following item #A-1 was extracted from the Consent Agenda to be voted on separately.

### a) Composition of Guelph Non-Profit Housing Corporation Board of Directors

Mr. H. Blinkhorn Mrs. L.A. Giles

Mr. D. McCaughan Mr. B. Stewart

THAT the Resolution of the Guelph Non-Profit Housing Board of Directors amending the qualifications for directors to provide that employees, contractors conducting business and current tenants of the corporation are not eligible for appointment to the Board, be approved.

## b) **Proposed Demolition of 781-783 Wellington Street** West, Ward 4

Mr. J. Riddell Mr. B. Poole THAT the application to demolish the building known municipally as 781-783 Wellington Street West, be approved.

> c) Proposed Demolition of a Detached Dwelling known municipally as 348 Crawley Road, Ward 6

Mr. J. Riddell Mr. B. Poole

THAT the application to demolish the detached dwelling known municipally as 348 Crawley Road, be approved.

Proposed Demolition of a Detached Dwelling known d) Municipally as 609 Hanlon Road, Ward 5

Mr. J. Riddell Mr. B. Poole

THAT the application to demolish the building known municipally as 609 Hanlon Road, be approved

Carried

25. Moved by Councillor Laidlaw Seconded by Councillor Burcher

Mr. H. Loewig THAT Council approve and adopt the 2007 strategic plan vision, mission, goals and strategic objectives for the City of Guelph.

Carried

26. Moved by Councillor Laidlaw Seconded by Councillor Kovach THAT the Committee rise with leave to sit again.

Carried

27. Moved by Councillor Piper Seconded by Councillor Findlay

THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

#### **BY-LAWS**

28. Moved by Councillor Salisbury Seconded by Councillor Hofland

THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2007)-18357 to (2007)-18378, inclusive.

Carried

The By-laws were read a first and second time at 9:58 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2007)-18357 to (2007)-18378, inclusive.

Mayor Farbridge in the Chair.

At 10:01 o'clock p.m., the Committee rose and reported By-laws Numbered (2007)-18357 to (2007)-18378, inclusive, passed in Committee without amendment.

29. Moved by Councillor Wettstein
Seconded by Councillor Bell
THAT By-laws Numbered (2007)-18357 to (2007)-18378, inclusive, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 10:02 o'clock p.m.

#### **MAYOR'S ANNOUNCEMENTS**

The Mayor announced that the matter of the transit moving to a 40 minute cycle during peak hours will be discussed at the September 12, 2007 meeting of the Emergency Services, Community Services & Operations Committee.

Lois Payne advised that the City received the court decision on SUBBOR today, and the City was found that it had not breached the terms of the agreement and that no damages were owing to SUBBOR and that the court awarded the City costs.

The Mayor thanked all staff involved for their work on this hearing.

#### NOTICE OF MOTION

Councillor Salisbury advised that he will be presenting a notice of motion at a future meeting of Council with respect to enhancing public safety.

#### **ADJOURNMENT**

Iinutes read			

Mayor	
Deputy Clerk	