

# **Committee of the Whole Meeting Agenda**



**Monday, December 5, 2016 – 2:00 p.m.  
Council Chambers, Guelph City Hall, 1 Carden Street**

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## **Call to Order – Mayor**

Disclosure of Pecuniary Interest and General Nature Thereof

## **Presentations**

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### **Items for Discussion – Audit Services**

#### **Chair – Councillor Billings**

#### **COW-AUD-2016.1      2016 External Audit Plan**

##### **Presentation:**

Matthew Betik, Audit Partner at KPMG, LLP

##### **Recommendation:**

That the Audit Service Plan for the Year Ended December 31, 2016 attached in Appendix 1 to Report CS-2016-87, be received.

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

##### **Presentation:**

Catherine Spence, Internal Auditor

##### **Recommendation:**

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

#### **Audit Services Chair and Staff Announcements**

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## **Consent Agenda – Corporate Services**

### **Chair – Councillor MacKinnon**

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.

#### **COW-CS-2016.7      Q3 2016 Operating Variance Report**

##### **Recommendation:**

That Report No. CS-2016-47 Q3 2016 Operating Variance Report, be received.

#### **COW-CS-2016.8      2016 Q3 Capital Variance Report**

##### **Recommendation:**

That Report No. CS-2016-48 Q3 2016 Capital Variance Report, be received.

#### **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1, and 2 regarding the Terms of Use and manufacturing of the Tartan as noted in Attachment 1 of CS-2016-85 report be repealed.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.

## **Items for Discussion – Corporate Services**

### **COW-CS-2016.11      Digital Services Update**

#### **Presentation:**

Mark Amorosi, Deputy CAO, Corporate Services  
Blair Labelle, General Manager, Technology and Innovation  
Andy Best, Open Government Program Manager

#### **Recommendation:**

That the report CAO-C-1607, "Digital Services Update" dated December 5, 2016, be received.

### **Corporate Services Chair and Staff Announcements**

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## **Consent Agenda – Public Services**

### **Chair – Councillor Downer**

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.

### **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.

## **Items for Discussion – Public Services**

### **COW-PS-2016.6                  Street Tree Ownership**

#### **Presentation:**

Martin Neumann, Manager, Parks Operations & Forestry

#### **Recommendation:**

That the Public Services Report # PS-16-28 "Street Tree Ownership" dated December 5, 2016 be received.

## **Public Services Chair and Staff Announcements**

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### **Mayor as Chair**

#### **Announcements**

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

#### **Notice of Motion**

Notice of Motion provided by Councillor Wettstein.

### **Adjournment**



# Staff Report



To Committee of the Whole

Service Area Corporate Services

Date Monday, December 5, 2016

**Subject 2016 External Audit Plan**

Report Number CS-2016-87

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## Recommendation

1. That the Audit Service Plan for the Year Ended December 31, 2016 attached in Appendix 1 to Report CS-2016-87 be received for information.

## Executive Summary

### Purpose of Report

Present KPMG LLP's audit plan for the City of Guelph's 2016 Consolidated Financial Statements.

### Key Findings

Staff reviewed KPMG LLP's audit service plan, and have no concerns with proceeding as outlined in the attached report.

### Financial Implications

The external audit fees were agreed upon in advance through the request for proposal process and have been budgeted for through the annual operating budget.

## Report

Annually, the consolidated financial statements of the City of Guelph are required to be audited by an external auditor and the results of this audit are reported back to the Committee of the Whole. It is the auditor's duty to communicate to the Committee of the Whole the planned audit approach as well as any findings that are discovered throughout the audit. KPMG LLP is the external auditor for the term 2015 through 2019 as approved by Council through by-law (2015)-19984.

Attachment 1 is KPMG LLP's Audit Planning Report for the consolidated financial statement audit for 2016.

The audit fieldwork will begin December 2016 with interim testing, and will finish in May 2017 with the final fieldwork. The results of the audit will be reported back to this Committee by KPMG LLP in June 2017. Approval of the final consolidated financial statements by Council is also expected June 2017 at which point the statements will be made available to the public.

Audit Partner, Matthew Betik, from KPMG LLP will be presenting the attached audit plan to the Committee and will be available for questions.

### **Financial Implications**

None noted. The external audit fees were agreed upon in advance through the request for proposal process and have been budgeted for through the annual operating budget.

### **Corporate Strategic Plan**

2.3 Ensure accountability, transparency and engagement.

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

### **Communications**

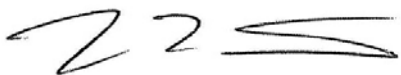
None required.

### **Attachments**

ATT-1 KPMG LLP's Audit Planning Report for the year ending December 31, 2016

### **Report Author**

Jade Surgeoner



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### **Approved By**

James Krauter  
Acting GM Finance & City Treasurer  
Corporate Services  
519-822-1260 Ext. 2334  
james.krauter@guelph.ca



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### **Recommended By**

Mark Amorosi  
Deputy CAO, Corporate Services  
519-822-1260 Ext. 2281  
mark.amorosi@guelph.ca



# City of Guelph

**Audit Planning Report for the year ended  
December 31, 2016**

*KPMG LLP*

Chartered Professional Accountants,  
Licensed Public Accountants

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December 5, 2016

[kpmg.ca/audit](http://kpmg.ca/audit)



The contacts at KPMG in connection with this report are:

**Matthew Betik**

Lead Audit Engagement  
Partner

Tel: 519-747-8245  
mbetik@kpmg.ca

**Brendan Hall**

Audit Senior Manager

Tel: 519-747-8273  
bhall@kpmg.ca

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At KPMG, we are **passionate** about earning your **trust**. We take deep **personal accountability**, individually and as a team, to deliver **exceptional service and value** in all our dealings with you.

At the end of the day, we measure our success from the **only perspective that matters – yours**.

# Executive summary

## Audit and business risk

Our audit is risk-focused. In planning our audit we have taken into account key areas of focus for financial reporting. These include:

- Accounting standard for contaminated sites,
- Tangible Capital assets,
- Post-employment benefits,
- Obligatory Reserve Fund Revenue

## KPMG team

The KPMG team will be led by Matthew Betik, Brendan Hall. Subject matter experts will be involved, if necessary.

## Effective communication

We are committed to transparent and thorough reporting of issues to the Deputy CAO - Corporate Services, Treasurer, senior management and the Committee of the Whole.

## Audit Materiality

Materiality has been determined based on revenue. We have determined materiality to be \$6,300,000 for the year ending December 31, 2016. The amount is based on revenues, adjusted to account for certain social services administered by the County of Wellington.

## A collective audit approach

We have planned the audit to coordinate our work with internal audit to reduce overlap and leverage the internal assurance work performed.

We will continue to liaise with internal audit.

## Independence

We are independent and have extensive quality control and conflict checking processes in place. We provide complete transparency on all services and follow Committee of the Whole approved protocols.

## Current developments

Please refer to Appendix 4 for relevant accounting changes relevant to the City.

This Audit Planning Report should not be used for any other purpose or by anyone other than the Audit Committee. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this Audit Planning Report has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.



# Audit approach

Professional standards presume the risk of fraudulent revenue recognition and the risk of management override of controls exist in all companies.

The risk of fraudulent recognition can be rebutted, but the risk of management override of control cannot, since management is typically in a unique position to perpetrate fraud because of its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively.

Professional requirements	Why	Our audit approach
Fraud risk from revenue recognition	<p>This is a presumed fraud risk. However, the audit team has rebutted this presumption due to the following reasons:</p> <ul style="list-style-type: none"> <li>• The presumed fraud risk is ordinarily associated with for-profit enterprises</li> <li>• The majority of revenue is calculated based on MPAC data, approved utility rates and user fees, and is not subject to complexity or judgement at the reporting level; and</li> </ul> <p>KPMG does not believe that the use of inappropriate cut-off would be utilized to perpetrate fraud.</p>	Not applicable.
Fraud risk from management override of controls	This is a presumed fraud risk.	As the risk is not rebuttable, our audit methodology incorporates the required procedures in professional standards to address this risk. These procedures include testing of journal entries and other adjustments, performing a retrospective review of estimates and evaluating the business rationale of significant unusual transactions.

# Audit approach

Other areas of focus include the following:

Other areas of focus	Why	Our audit approach
Post-employment benefits	<ul style="list-style-type: none"> <li>Estimates and judgements used by management</li> <li>Complexity of the accounting guidance</li> </ul>	<ul style="list-style-type: none"> <li>Communicate with management's actuarial specialists</li> <li>Assess the reasonableness of assumptions used, and</li> <li>Test the appropriateness of the underlying data, including employee populations</li> </ul> <p>We will also use the work of Nexus (Actuarial Consultant) in our audit of the accounts and disclosures.</p>
Obligatory Reserve Funds Revenue and Deferred Revenue	<ul style="list-style-type: none"> <li>Revenue recognized from the Development Charge Reserve Fund is subject to judgement as capital projects must be growth related in nature</li> </ul>	<ul style="list-style-type: none"> <li>Test controls around the recording of revenues/cash receipts</li> <li>Identify and evaluate the operative effectiveness of internal controls over the identification of development charge funding projects and allocation of related expenses</li> <li>Perform substantive testing over amounts being recognized as revenue</li> </ul>
Tangible Capital Assets	<ul style="list-style-type: none"> <li>Significance of the account balances</li> <li>Risk of error in inappropriately recognizing costs as either capital or operating</li> </ul>	<ul style="list-style-type: none"> <li>Discuss capitalization policies and their application with management</li> <li>Test a sample of capital additions to ensure existence and accuracy</li> <li>Test items recorded as repairs &amp; maintenance or other similar accounts to ensure completeness of capital additions</li> </ul>
Liabilities for contaminated sites	<ul style="list-style-type: none"> <li>Significance of the account balance</li> <li>Complexity, judgement, and estimates involved</li> </ul>	<ul style="list-style-type: none"> <li>Review management's prepared assessment of contaminated sites</li> <li>Test changes from the prior year</li> <li>Consider completeness of changes</li> </ul>

# Audit approach

Other significant accounts of focus and our audit approach include the following:

Other Significant Accounts	Our audit approach
Investments and related income	<ul style="list-style-type: none"> <li>• Confirmation of details with investment managers</li> </ul>
Taxation Revenue	<ul style="list-style-type: none"> <li>• Analytical procedures recalculating tax revenue using approved tax rates and related MPAC assessments</li> </ul>
Long term debt	<ul style="list-style-type: none"> <li>• Confirmation of debt balances to ensure completeness and accuracy</li> <li>• Examination of debt borrowing by-laws</li> </ul>
User Fees and Service Charge Revenue	<ul style="list-style-type: none"> <li>• Testing of internal controls over cash receipts and recording</li> <li>• Analytical procedures comparing current year's revenues on a disaggregated basis to the current year budget and the prior year, adjusting for known changes in assumptions</li> </ul>
Government Transfers	<ul style="list-style-type: none"> <li>• Review of agreements to ensure proper revenue recognition criteria was followed. To ensure the transfers were authorized and all eligibility criteria and any stipulations were met.</li> <li>• Perform test of details on significant transfers</li> </ul>
Expenses	<ul style="list-style-type: none"> <li>• Evaluate the design and implementation of controls over payroll and non-payroll expenses</li> <li>• Testing the operating effectiveness of key internal controls</li> <li>• Analytical procedures comparing current year's expenses on a disaggregated basis to the current year budget and the prior year, adjusting for known changes in assumptions</li> <li>• Testing the completeness, existence, and accuracy of year end accruals, most notably those that contain areas of estimate of judgment</li> </ul>



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Landfill Liabilities	<ul style="list-style-type: none"><li>• Communicate directly with the City's internal specialist to obtain post-closure liability calculation reports</li><li>• Review calculation and assess the reasonability of assumptions used</li><li>• Recalculation performed over estimated liability as at 12/31/2016</li></ul>
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# Audit scope of other entities and deliverables

Other entities and deliverables

Other entities	Scoping	F/S Impact
Downtown Guelph Business Association	<b>Audit</b>	<b>Consolidated</b>
Wellington-Dufferin-Guelph Public Health	<b>Audit</b>	<b>Proportionate consolidation</b>
Guelph Junction Railway	<b>Audit</b>	<b>Modified equity</b>
POA Court Program	<b>Special report</b>	<b>Consolidated</b>
Guelph Municipal Holdings (including Guelph Hydro Electric Systems Inc.)	<b>Audit</b>	<b>Modified equity</b>
The Elliott	<b>Audit</b>	<b>Consolidated</b>

# Materiality

Professional standards require us to re-assess materiality at the completion of our audit based on period-end results or new information in order to confirm whether the amount determined for planning purposes remains appropriate.

Our assessment of misstatements, if any, in amounts or disclosures at the completion of our audit will include the consideration of both quantitative and qualitative factors.

The first step is the determination of the amounts used for planning purposes as follows.

The determination of materiality requires professional judgment and is based on a combination of quantitative and qualitative assessments including the nature of account balances and financial statement disclosures.

Materiality determination	Comments	Amount
Metrics	Relevant metrics include Net assets/accumulated surplus, Total Revenue, and Total Expenses.	
Benchmark	Based on 2015 total revenues of \$430 million, adjusted by \$36 million, for a net benchmark of \$394 million.	\$394,000,000
Materiality	Determined to plan and perform the audit and to evaluate the effects of identified misstatements on the audit and of any uncorrected misstatements on the financial statements. Previous year's materiality was \$6,000,000.	\$6,300,000
% of Benchmark	Materiality as a percentage of gross benchmarks typically are within 0.5 and 3.0%.	1.6%
Performance materiality	Used 75% of materiality, and used primarily to determine the nature, timing and extent of audit procedures.	\$4,725,000
Audit Misstatement Posting Threshold (AMPT)	Threshold used to accumulate misstatements identified during the audit.	\$315,000 \$1,000,000 for reclassification

# Value for fees

In determining the fees for our services, we have considered the nature, extent and timing of our planned audit procedures as described above.

Our fees has been reviewed with and agreed upon by management and are aligned with our submitted pricing proposal submitted on September 23, 2015 in response to proposal call 15-133.

## Matters that could impact our fee

The proposed fees outlined above are based on the assumptions described in the engagement letter.

The critical assumptions, and factors that cause a change in our fees, include:

- Significant changes in the nature or size of the operations of the City beyond those contemplated in our planning processes;
- Changes in professional standards or requirements arising as a result of changes in professional standards or the interpretation thereof; and
- Changes in the time of our work.

# Audit cycle and timetable

Our key activities during the year are designed to achieve our one principal objective:

To provide a robust audit, efficiently delivered by a high quality team focused on key issues.

Key deliverables and expected dates	
Deliverables	Expected date(s)
Conduct interim audit field work	December 2016
Conduct year-end audit field work	March 2017 to April 2017
Present audit findings to the Committee of the Whole	May/June 2017
Provide audit opinion on financial statements	May/June 2017

# Appendices

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**Appendix 1: Audit quality and risk management**

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**Appendix 2: KPMG's audit approach and methodology**

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**Appendix 3: Required communications**

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**Appendix 4: Current developments**

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# Appendix 1: Audit quality and risk management

KPMG maintains a system of quality control designed to reflect our drive and determination to deliver independent, unbiased advice and opinions, and also meet the requirements of Canadian professional standards.

Quality control is fundamental to our business and is the responsibility of every partner and employee. The following diagram summarises the six key elements of our quality control systems.

Visit our [Audit Quality Resources](#) page for more information including access to our audit quality report, [Audit quality: Our hands-on process](#).

- Other controls include:
  - Before the firm issues its audit report, Engagement Quality Control Reviewer reviews the appropriateness of key elements of publicly listed client audits.
  - Technical department and specialist resources provide real-time support to audit teams in the field.
- We conduct regular reviews of engagements and partners. Review teams are independent and the work of every audit partner is reviewed at least once every three years.
- We have policies and guidance to ensure that work performed by engagement personnel meets applicable professional standards, regulatory requirements and the firm's standards of quality.



- All KPMG partners and staff are required to act with integrity and objectivity and comply with applicable laws, regulations and professional standards at all times.
- We do not offer services that would impair our independence.
- The processes we employ to help retain and develop people include:
  - Assignment based on skills and experience;
  - Rotation of partners;
  - Performance evaluation;
  - Development and training; and
  - Appropriate supervision and coaching.
- We have policies and procedures for deciding whether to accept or continue a client relationship or to perform a specific engagement for that client.
- Existing audit relationships are reviewed annually and evaluated to identify instances where we should discontinue our professional association with the client.

# Appendix 2: KPMG's audit approach and methodology

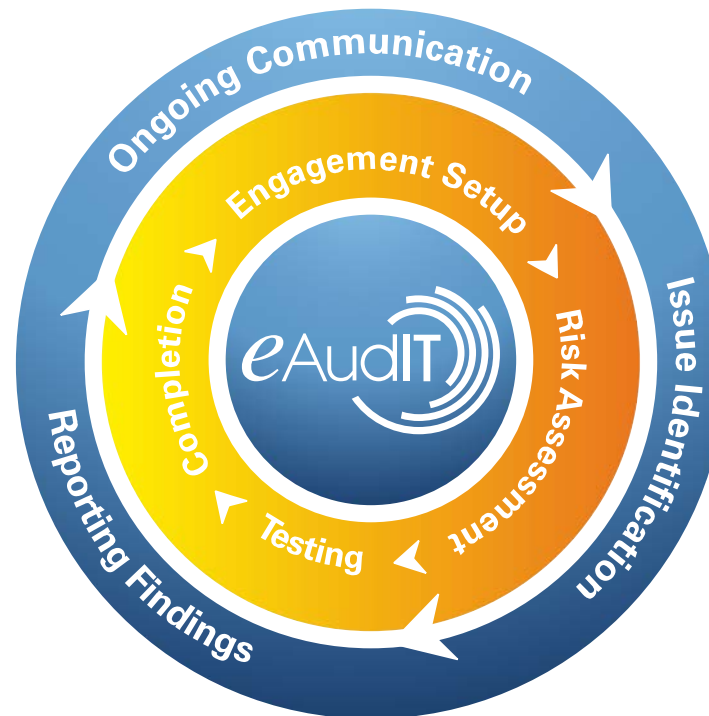
## Technology-enabled audit workflow (eAudit)

### Engagement Setup

- Tailor the eAudit workflow to your circumstances
- Access global knowledge specific to your industry
- Team selection and timetable

### Completion

- Tailor the eAudit workflow to your circumstances
- Update risk assessment
- Perform completion procedures and overall evaluation of results and financial statements
- Form and issue audit opinion on financial statements
- Obtain written representation from management
- Required Audit Committee communications
- Debrief audit process



### Risk Assessment

- Tailor the eAudit workflow to your circumstances
- Understand your business and financial processes
- Identify significant risks
- Plan the use of KPMG specialists and others including auditor's external experts, management experts, internal auditors, service organizations auditors and component auditors
- Determine audit approach
- Evaluate design and implementation of internal controls (as required or considered necessary)

### Testing

- Tailor the eAudit workflow to your circumstances
- Perform tests of operating effectiveness of internal controls (as required or considered necessary)
- Perform substantive tests



## Appendix 3: Required communications

In accordance with professional standards, there are a number of communications that are required during the course of our audit. These include:

- **Engagement letter** – the objectives of the audit, our responsibilities in carrying out our audit, as well as management's responsibilities, are set out in the engagement letter and any subsequent amendment letters. There are no required amendments for the 2016 fiscal year.

**Required inquiries** – professional standards require that during the planning of our audit we obtain your views on risk of fraud and other matters. We make similar inquiries to management as part of our planning process; responses to these will assist us in planning our overall audit strategy and audit approach accordingly

**Management representation letter** – we will obtain from management certain representations at the completion of the annual audit. In accordance with professional standards, copies of the representation letter will be provided to the Committee of the Whole

- **Audit findings report** – at the completion of our audit, we will provide a report to the Committee of the Whole

# Appendix 4: Current developments

The following is a summary of the current developments that are relevant to the City of Guelph.

Standard	Summary and implications
PS 3380, Contractual Rights	<p>This standard is a disclosure standard which defines contractual rights to future assets and revenue and sets out the required disclosures.</p> <p>Information about a public sector entity's contractual rights should be disclosed in notes or schedules to the financial statements and should include descriptions about their nature and extent and the timing. The standard also indicates that the exercise of professional judgment would be required when determining contractual rights that would be disclosed.</p> <p>Factors to consider include, but are not limited to:</p> <ul style="list-style-type: none"> <li>(a) contractual rights to revenue that are abnormal in relation to the financial position or usual business operations; and</li> <li>(b) contractual rights that will govern the level of certain type of revenue for a considerable period into the future.</li> </ul> <p>Examples of a contractual right include contractual rights to receive payments under a shared cost agreement or contractual rights to receive lease payments.</p> <p>This standard is effective for fiscal periods beginning on or after April 1, 2017 (the City's December 31, 2018 year end).</p> <p><b>Implications:</b> Additional disclosures may be required if contractual rights to assets or revenue exist</p>
PS 3210, Assets	<p>This Standard provides a definition of assets and further expands that definition as it relates to control.</p> <p>Assets are defined as follows:</p> <ul style="list-style-type: none"> <li>(a) They embody future economic benefits that involve a capacity, singly or in combination with other assets, to provide goods and services, to provide future cash inflows, or to reduce cash outflows</li> <li>(b) The public sector entity can control the economic resources and access to the future economic benefits.</li> <li>(c) The transaction or event giving rise to the public sector entity's control has already occurred.</li> </ul> <p>The standard also includes some disclosure requirements related to economic resources that are not recorded as assets to provide the user with better information about the types of resources available to the public section entity.</p> <p>This standard is effective for fiscal periods beginning on or after April 1, 2017 (the City's December 31, 2018 year end).</p> <p><b>Implications:</b> Assets such as accrued receivables will have to be reviewed to determine if they meet this definition.</p>

PS 3320, Contingent Assets	<p>This standard defines contingent assets.</p> <p>They have two basic characteristics:</p> <ul style="list-style-type: none"> <li>(a) An existing condition or situation that is unresolved at the financial statement date</li> <li>(b) An expected future event that will resolve the uncertainty as to whether an asset exists</li> </ul> <p>The standard also has specific disclosure requirements for contingent assets when the occurrence of the confirming event is likely.</p> <p>Contingent assets include grants receivable where the conditions are met but funding is conditional upon approval of an application for funding.</p> <p>This standard is effective for fiscal periods beginning on or after April 1, 2017 (the City's December 31, 2018 year end).</p> <p><b>Implications:</b> Additional disclosures may be required if contingent assets exist.</p>
PS 2200, Related Party Disclosures	<p>This standard relates to related party disclosures and defines related parties. Related parties could be either an entity or an individual. Related parties exist when one party has the ability to control or has shared control over another party. Individuals that are key management personnel or close family members may also be related parties.</p> <p>Disclosure is only required when the transactions or events between related parties occur at a value different from what would have been recorded if they were not related and the transactions could have a material financial impact on the financial statements. Material financial impact would be based on an assessment of the terms and conditions underlying the transaction, the financial materiality of the transaction, the relevance of the information and the need for the information to enable the users to understand the financial statements and make comparisons.</p> <p>This standard also specifies the information required to be disclosed including the type of transactions, amounts classified by financial statement category, the basis of measurement, and the amounts of any outstanding items, any contractual obligations and any contingent liabilities. The standard also requires disclosure of related party transactions that have occurred where no amounts has been recognized.</p> <p>This standard is effective for fiscal periods beginning on or after April 1, 2017 (the City's December 31, 2018 year end).</p> <p><b>Implications:</b> Related parties will have to be identified. Additional disclosures may be required with respect to transactions with related parties.</p>

PS 3420, Inter-entity Transactions	<p>This standard relates to the measurement of transactions between public sector entities that comprise the government's reporting entity.</p> <p>Transactions are recorded at carrying amounts with the exception of the following:</p> <ul style="list-style-type: none"> <li>(a) In the normal course of business – use exchange amount</li> <li>(b) Fair value consideration – use exchange amount</li> <li>(c) No or nominal amount – provider to use carrying amount; recipient choice of either carrying amount or value fair.</li> <li>(d) Cost allocation – use exchange amount</li> </ul> <p>This standard is effective for fiscal periods beginning on or after April 1, 2018 (the City's December 31, 2019 year end).</p> <p><b>Implications:</b> The City will have to identify these transactions and determine if they have been measured at the carrying amount if required.</p>
Financial Instruments	<p>A standard has been issued, establishing a standard on accounting for and reporting all types of financial instruments including derivatives. The effective date of this standard has recently been deterred and it is now effective for fiscal periods beginning on or after April 1, 2019 (the City's December 31, 2020 year-end).</p> <p><b>Implications:</b> This standard will require the City to identify any contracts that have embedded derivatives and recognize these on the consolidated statement of financial position at fair value. Portfolio investments in equity instruments are required to be recorded at fair value. Changes in fair value will be reported in a new financial statement – statement of re-measurement gains and losses.</p> <p>This standard sets out a number of disclosures in the financial statements designed to give the user an understanding of the significance of financial instruments to the City. These disclosures include classes of financial instruments and qualitative and quantitative risk disclosures describing the nature and extent of risk by type. The risks to be considered include credit, currency, interest rate, liquidity, and market risk.</p>
Revised Standard on Foreign Currency Translation	<p>A revised standard has been issued establishing standards on accounting for and reporting transactions that are denominated in a foreign currency.</p> <p>The effective date of this standard has been deferred and is effective for fiscal periods beginning on or after April 1, 2019 (the City's December 31, 2020 year-end). Earlier adoption is permitted. An entity early adopting this standard must also adopt the new financial instruments standard.</p> <p><b>Implications:</b> Exchange gains and losses arising prior to settlement are recognized in a new statement of re-measurement gains and losses.</p>

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# **Internal Audit Overview and 2017 Work Plan**

# **INTERNAL AUDIT OVERVIEW**

# Internal Audit's Responsibility

- Internal Audit is responsible for all internal audit activity as outlined in the City of Guelph's Audit Charter:

*All City departments, local boards including Downtown Guelph Business Association, the Elliott Community, and the Guelph Public Library, as well as other entities the City is related to or has an interest in.*

- Internal Audit assesses quality, economy, and efficiency of processes and evaluates emerging technologies and analyses opportunities.
- Provides accurate and timely communication.



# Auditor General's Responsibility

Under the Municipal Act the Auditor General:

*"is responsible for assisting the council in holding itself and its administrators accountable for the quality of stewardship over public funds and for achievement of value for money in municipal operations."*

# Key Factors that Differentiate Internal and External Auditing

	Internal Audit	External Audit
Focus	Provides financial, operational, information technology audits, consultative, and fraud investigations.	Primarily attests to financial statements.
Management	Reports administratively to CAO and reports to Audit Committee results of the completed audits.	Primarily reports to the audit committee on financials.
Independence	Demonstrates organizational independence and objectivity in work approach and by functionally reporting to the Audit Committee.	Independent of the City of Guelph.
Risk	Identifies and qualifies key business risks to estimate probability of occurrence and impact on business. Makes appropriate recommendations as a result of the risk assessment.	Identifies key transactions and exposures for financial statements.
Follow-up	Follows through with departments to ensure recommendations are implemented and are effective.	Limits follow-up primarily to financial areas.

# **Internal Audit's Relationship to Audit Committee**

Internal Audit activities enhance Council's oversight and stewardship responsibilities and strengthens the impartial, objective and independent review of management practices.

# **Internal Auditing = Assurance, Insight, & Objectivity**

Council and senior management rely on Internal Auditing for objective assurance and insight on the effectiveness and efficiency of governance, risk management and internal control processes.

# Governance, Risk, Control

- Internal Audit helps the organization focus on strong controls, accurate reporting, effective oversight, mitigation of risks, and protection of investments.
- Assists management and Council in identifying risks.
- Provides insight on effectiveness of controls and compliance with procedures and regulations, and recommends improvements.

# Internal Audit's Responsibilities

- Provide independent, objective assurance and advisory services designed to add value and improve processes/programs.
- Assist the City with accomplishing its objectives by bringing a systematic disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.
- Coordinate fraud investigation activities.

# Internal Audit Key Services

- Cash Audits
- Operational Audits
- Governance Reviews
- System Audits
- Special Projects
- Investigative Services
- Consulting Services

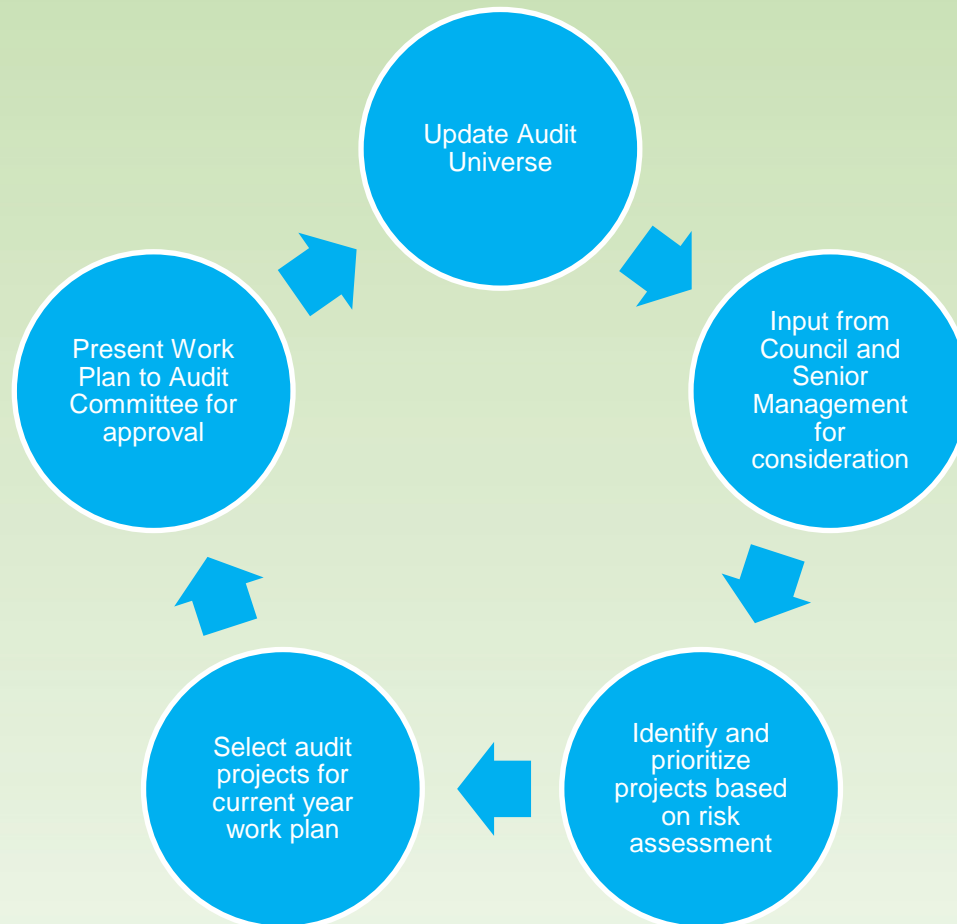
# **2017 Work Plan Overview**



# Work Plan Objective

Set out priorities 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.

# Work Plan Development Process



# 2017 Work Plan Highlights

- All potential projects identified and prioritized based on risk level;
- Potential projects assessed included those identified through the 2016 Work Plan process;
- Consists primarily of operational audits that focus on the effectiveness and efficiency of processes and compliance;
- Emphasis on systems of internal controls;
- Available resources – one Auditor;
- Draft 2017 Internal Audit Operating budget includes funding for contracting professional consulting services;
- Plan is flexible to accommodate unforeseen events;
- Resources may not be sufficient to complete all 2017 projects.

# Questions

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

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## **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.

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**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  
519-822-1260 x 3373  
[catherine.spence@guelph.ca](mailto:catherine.spence@guelph.ca)



## 2017 Internal Audit Work Plan

Name of Audit/Project	Type of Audit
<b>Vendor/Payment Process Audit</b> (commenced in 2016) <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures and legislation.</i>	Operational
<b>Single Sourced Purchases</b> (deferred from 2016) <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation and By Laws</i>	Operational
<b>Fuel Security and Systems Audit</b> (commenced in 2016) <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation, etc.</i>	Operational
<b>Guelph Public Library Audit</b> (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
<b>Driver Certification Program Compliance Annual Audit</b> <i>To access compliance to the Ministry of Transportation criteria</i>	Compliance
<b>Payroll Process Audit</b> <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation, etc.</i>	Operational
<b>Contract Management Audit</b> <i>For a selected construction project assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation, etc.</i>	Operational
<b>Status Report on Outstanding Audit Recommendations</b> <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
<b>Fleet Management and Operations</b>	Value for Money	Changed to a consulting review-Completed
<b>Single Sourced Purchases</b> <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
<b>Vendor/Payment Process Audit</b> <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
<b>Driver Certification Program Compliance</b> <i>To assess compliance to Provincial requirements.</i>	Compliance	Completed
<b>Fuel Security and Systems Audit</b> <i>To assess the effectiveness and efficiency of the processes and compliance to policies, procedures, legislation, etc.</i>	Operational	In Progress
<b>Guelph Public Library</b> <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
<b>Annual Follow Up Audit</b>	Follow Up	Completed
<b>Ad Hoc Requests</b>	Various	Completed as required
<b>Risk/Consulting Advice</b>	N/A	Completed as required

# Staff Report

To Committee of the Whole

Service Area Corporate Services

Date Monday, December 5, 2016

**Subject Q3 2016 Operating Variance Report**

Report Number CS-2016-47

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## Recommendation

That Report No. CS-2016-47 Q3 2016 Operating Variance Report is received for information.

## Executive Summary

### Purpose of Report

The purpose of this report is to provide an in-year projection of the 2016 year-end position for the Tax Supported and Non Tax Supported programs based on financial information as of September 30, 2016.

### Key Findings

Overall a \$279,800 net unfavourable variance is being projected for the City's tax supported budget comprised of:

In-Year Council Decisions	\$575,000
City Departments	\$1,434,800
Local & Outside Boards	(\$1,730,000)

Unfavorable variances are projected for Planning & Building Services, Engineering, Environmental Services, Parks, Recreation, Culture Tourism & Community Investment, and Project Management Office.

The City's non-tax supported budget is projecting a \$946,500 net favourable variance comprised of:

Water Services	(\$240,000)
Wastewater Services	(\$606,500)
OBC	\$100,000
Courts	(\$200,000)

Unfavorable variance projected for Environmental Services of \$2.8M due to a fire at the Solid Waste Material Recovery Facility along with lower than anticipated overall

revenues. A \$3M variance was reported via the Solid Waste Services Negative Variance Update, Nov 7 report to Council. The difference is attributed to confirmed lease agreement revenue.

At the time of writing this report the City is trending positively on supplementary revenue. This additional revenue may provide for a significant favorable variance at year end.

The identified variances are discussed at a high level throughout this report, along with the associated mitigation measures being undertaken to offset any projected shortfalls. **Appendix 1** provides detailed comments for all projected variances.

## Financial Implications

Any realized surplus or deficit will be transferred to or from the City's reserves at year-end.

## Report

### 2016 YEAR END PROJECTED OPERATING VARIANCE

Departments were provided with financial data as of September 30, 2016. Current and projected expenditures and revenues were analyzed and related commentary was provided with Finance staff support. The chart below summarizes the projected 2016 year-end position.

#### Summary of Projected Operating Variance for Dec 31, 2016

	Total Annual Budget for Year 2016 (\$)	Projected Variance for Dec 31,2016	Variance for Dec 31, 2016 (%)
<b>Tax Supported</b>			
City Departments	\$ 117,837,272	\$ 3,684,800	1.9%
General Revenues and Expenses	\$ (196,197,978)	\$ (1,675,000)	0.9%
Sub-Total City Departments and Financing	\$ (78,360,706)	\$ 2,009,800	1.0%
Local Boards	\$ 47,865,140	\$ (500,000)	(1.0%)
Grants, Outside Boards and Agencies	\$ 30,495,566	\$ (1,230,000)	(4.3%)
Total Local and Outside Boards	\$ 78,360,706	\$ (1,730,000)	(2.2%)
<b>Total Tax Supported</b>	<b>\$ -</b>	<b>\$ 279,800</b>	<b>0.1%</b>
<b>Non Tax Supported Budgets</b>			
Water	\$ -	\$ (240,000)	(0.9%)
Wastewater	\$ -	\$ (606,500)	(2.0%)
OBC	\$ -	\$ 100,000	3.3%
Court Services	\$ -	\$ (200,000)	(9.9%)
<b>Total Non Tax Supported</b>	<b>\$ -</b>	<b>\$ (946,500)</b>	<b>(1.5%)</b>

\*\*\*[Brackets indicate a favourable variance]

Note: Non Tax Supported programs (Water, Wastewater, OBC, Courts) show a net zero budget due to revenue fully offsetting anticipated expenditures. The %age shown is based on total expenditures.

The tax supported Service Area Managers are projecting an unfavourable variance of \$279,800 which is 0.1% of the overall net tax levy, while the non-tax supported Service Area Managers are expecting a net favourable variance of \$946,500.

## **Variance Drivers Overview**

### **Tax Supported – Unfavourable Variances**

#### **In Year Council Decisions**

As reported in the Q2 variance report, Council was required to make some difficult in-year decisions that have negatively impacted the projected variance, as these items were not budgeted for. The following departments were affected:

##### **Culture, Tourism & Community Investments**

- Projecting \$500k decrease in net revenues due to the new agreement between the City and the Guelph Storm Hockey Club. The 2017 budget will be adjusted to reflect the new contract.

##### **Transit**

- Projecting \$75k in additional costs for helper buses that were implemented in order to increase summer service. The additional cost of helper buses was added to the 2017 budget.

#### **Departments**

Parks and Recreation projecting an unfavourable variance of \$354.5k due to:

- The VRRC renovation and closure which has resulted in decreased revenues, partially offset by lower operating costs and increased programming at other facilities;
- Increased customer service costs to cover daytime rentals and programs at Centennial Pool for leased space;
- Lower capital labour recoveries for Park Planners;
- Tree planting recovery in subdivisions and March ice storm related costs for Forestry; and
- Health & Safety related repairs, additional summer watering, fleet rentals and technology required for maintenance programs.

Culture, Tourism & Community Investment projecting an unfavourable variance of \$336k due to:

- Timing differences on advertising (loss of Storm advertising is also linked to the new agreement);

- Lower than expected revenues due to shorter spring ice season, reduced number of summer rental events, and lower than expected food and beverage product sales; and
- Youth shelter shortfall due to higher than budgeted contract services. Budget corrected for 2017 to match contract.

Planning and Building Services projecting an unfavourable variance of \$150k due to lower revenue from plan of subdivision and site plan applications.

Engineering projecting an unfavourable variance of \$173k due to lower revenue from plan of subdivision and site plan applications.

Environmental Services projecting \$2.8M unfavourable variance as follows:

- Public Drop Off, Transfer Station and Yard Waste tipping fees revenue shortfall due to overstated budgeted revenues;
- Fleet maintenance charges overspent as budget is inadequate in relation to the costs charged to the division;
- Lower funding from provincial blue box stewardship program than anticipated. Budget is based on a three year running average that uses commodity market prices, steward fees, and operating costs. Waste Diversion Ontario determines funding allocation; and
- Lower recyclables revenue due to overstated budgeted revenues, lower commodity market prices and lower tonnage received from Waste Management, partially offset by recyclables purchasing costs and discontinuation of the second shift.

The report titled Solid Waste Services Negative Variance Update dated November 7, 2016 reports a \$3M variance. The difference between the \$2.8M and the \$3M is attributed to confirmed lease agreement revenue.

Project Management Office is projecting \$52k unfavourable due to budgeted recovery from reserve no longer eligible for recovery. The 2017 budget corrects this issue.

### **Tax Supported - Mitigation Measures**

Departments have identified measures to mitigate the variances as follows:

#### **Recreation Programs & Facilities**

- Additional programs at other facilities to offset decreased revenues.

## Culture, Tourism & Community Investment

- Reduction of program expenses, staffing, and food & beverage expenses, along with exploring additional sponsorship and donations opportunities.

## Planning & Building Services and Engineering

- The City's current development review fee structure is under review.
- Staffing levels required to support the processing of applications is under review.
- Development process mapping and performance monitoring system has been completed as part of the Integrated Operational Review and will inform this review.
- Time tracking data collected by Planning and Engineering over the past year and a half will inform the comprehensive review.
- Work plan to be completed by Q1 2017 and will inform the 2018 budget.

Environmental Services – please refer to the report titled **Solid Waste Services Negative Variance Update, November 7, 2016** for the mitigation measures that the Solid Waste Resource Taskforce has recommended.

## **Tax Supported – Favourable Variances**

- Finance is projecting a favourable variance of \$200k due to:
  - Net savings from salary & wages and benefits; and
  - Higher recoveries of HST.
- Transit is projecting a favourable variance of \$130k due to:
  - Fuel savings caused by lower than budgeted fuel prices;
  - Trapeze warranty savings due to delayed implementation.
- Operations is projecting a favourable variance of \$430k mainly due to:
  - Lower roads winter control vehicle maintenance, equipment and operator cost because of mild winter;
  - Lower sidewalk equipment maintenance; and
  - Administration purchased goods and services savings.

If the favourable variance for winter control is realized at year-end, staff will be recommending a transfer to the operating contingency reserve.

- General Revenues are projected to be favorable by \$1.67M due to:
  - Increased supplementary taxation revenue;
  - Higher than planned penalties and interest on property tax receivables;
  - Lower taxes written off, partially offset by;



- An increase in Property tax rebates.
- Police are projecting a favourable variance of \$500k due to:
  - Lower than expected spending related to vehicle gasoline and maintenance, utilities and personnel supplies costs;
  - Salaries and benefits favourable due to savings related to vacancies, offset by overages related to overtime; and
  - Grant revenues related to the SCOPP/CPP grant
- Social Services County budget is projecting a favourable variance of \$1.23M due to the City's budget being set higher by \$400k than the final County approved budget. This amount will be adjusted in the 2017 budget. Per the County of Wellington Social Services financial statements and variance projections as of Sept 30, 2016 report, it is anticipated that the City will experience year end savings of \$830k.

### **Non Tax Supported – Unfavourable Variances**

- Ontario Building Code (OBC) is projecting \$100k unfavourable variance due to lower building permit revenue.

### **Non Tax Supported - Mitigation Measures**

- The OBC variance will be offset by a transfer from the Building Services OBC Stabilization Reserve Fund at year end.

### **Non Tax Supported – Favourable Variances**

- Water Services are projecting a favourable variance overall of \$240k due to Water Revenue increased consumption based on current forecasts of \$350k offset with Water Operations increased energy costs and maintenance activities of \$110k.
- Wastewater Services are projecting a favourable variance of \$606.5k due to Wastewater Revenues trending higher by \$400k from increased consumption and Wastewater Operations experiencing lower expenditures for chemicals and tools & equipment of \$206.5k.
- Court Services are projecting \$200k favourable due to higher than anticipated by-law fine collections and higher than planned City revenue ratio of 58% compared to the planned 50%.

## **OTHER CONSIDERATIONS/RISKS**

### **Collective bargaining**

- The Guelph Professional Firefighters' Association and Ontario Public Service Employee Union (OPSEU) local 231 paramedics' collective agreements expired on December 31, 2014 and March 31, 2015 respectively. The City has allowed for estimated compensation costs related to the two union groups. There is risk of negative variance if an arbitrated settlement is higher than the anticipated increase in compensation for Guelph Professional Firefighter's Association.

### **Transit**

- After experiencing significant equipment breakdowns or rebuilds in previous years and none experienced up to the time of the report. There is risk of significant variance if a major repair is required.

### **Local Boards & Outside Agencies**

- Police are currently anticipating \$500k favourable year-end variance with the following possible risks: level or severity of crime may impact overtime and project expenses; higher US dollar has increased the price for some uniform and equipment needs; and an increase to the number of accommodations would increase compensation costs.

### **General Revenues**

- At the time of writing the report the City is trending positively on supplementary revenue this additional revenue may provide for a significant favorable variance at year end.

## **Financial Implications**

Any realized surplus or deficit will be transferred to or from the City's reserves at year-end.

## Corporate Strategic Plan

2.3 Ensure accountability, transparency and engagement.

### Departmental Consultations

Departments are responsible for managing their programs according to municipal standards and within the approved budget. The responsibility of monitoring the operating budget is shared by Finance and the Departments managing their programs. Department managers were given financial information based on revenue and expenditures to September 30, 2016 with which they provided a year-end projected position and commentary in consultation with the Finance department.

### Communications

Operating variance reports are produced on schedule for Council to compare actual results against budget. Finance and Executive Team have committed to producing quarterly variance reports for the year. This is the third operating variance report for 2016.

### Attachments

Appendix-1 Operating Budget Variance and YTD Actuals as at September 30, 2016

#### Report Author

Raquel Gurr, Senior Corporate Analyst  
DCs and Long Term Planning

#### Reviewed By

Ron Maeresera, CPA, CMA | Acting  
Manager, Financial Planning & Budgets



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#### Approved By

James Krauter  
Acting GM Finance & City Treasurer  
Corporate Services  
519-822-1260 Ext. 2334  
[james.krauter@guelph.ca](mailto:james.krauter@guelph.ca)



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#### Recommended By

Mark Amorosi  
Deputy CAO, Corporate Services  
519-822-1260 Ext. 2281  
[mark.amorosi@guelph.ca](mailto:mark.amorosi@guelph.ca)

**Appendix 1**  
**Projected Year End Operating Budget Variance and Actual Spending**  
**as at September 30, 2016**

(Brackets indicate a favourable variance)						
Department	2015 YE Variance	Annual Budget 2016	**YTD Net Expenditures Sept 30, 2016	Projected 2016 Variance	As a % age of budget	Comments
<b>TAX SUPPORTED</b>						
<b>CAO - ADMINISTRATION</b>						
MAYOR AND COUNCIL	\$ (32,285)	\$ 967,400	\$ 683,608	\$ -		Insignificant variance
CAO ADMINISTRATION	\$ (104,303)	\$ 940,004	\$ 691,259	\$ -		Insignificant variance
INTERGOVERNMENTAL AFFAIRS & POLICY	\$ 1,841	\$ 1,133,400	\$ 859,657	\$ -		Insignificant variance
CITY SOLICITOR	\$ (110,749)	\$ 1,858,661	\$ 848,371	\$ -		Insignificant variance
<b>SUB-TOTAL CAO</b>	<b>\$ (245,496)</b>	<b>\$ 4,899,465</b>	<b>\$ 3,082,895</b>	<b>\$ -</b>	<b>0.0%</b>	
<b>INFRASTRUCTURE, DEVELOPMENT &amp; ENTERPRISE</b>						
IDE ADMINISTRATION	\$ 38,833	\$ 248,800	\$ 128,633	\$ -		Insignificant variance
PLANNING & BUILDING SERVICES	\$ 13,177	\$ 3,342,930	\$ 1,578,333	\$ 150,000		<b>Unfavourable</b> due to less revenue from plan of subdivision and site plan applications than projected. Planning is currently undertaking the service level and fee review that will address the fee structure and better revenue projections.
FACILITIES MANAGEMENT	\$ (6,739)	\$ 1,992,253	\$ 1,602,122	\$ -		Insignificant variance
ENGINEERING	\$ (175,182)	\$ 1,660,844	\$ 3,370,316	\$ 173,000		<b>Unfavourable</b> due to lower recoveries from subdivisions. The 2017 Budget has been adjusted to reflect the correct projection for subdivision recoveries. Currently undertaking fee and service level reviews to address the fee structure.
ENVIRONMENTAL SERVICES	\$ 2,631,361	\$ 10,584,080	\$ 9,394,878	\$ 2,788,000		<b>Unfavourable</b> due to: \$3.3M loss of sales of recyclable goods due to elimination of 2nd shift, less tonnage sold, and lost revenue from fire \$700k transfer station tipping fees due to less revenue from commercial tip fee \$500k higher MM charges based on YTD actuals and historical data \$250k for parts related to deferred maintenance associated with the second shift \$160k Grants lower due to less funding from WDO grant and Product Care funding shortfall \$150k Public Drop Off revenue shortfall \$100k yard waste revenue loss \$100k for insurance deductible for fire \$100k from capital and labour recoveries Partially offset by: \$1.31M compensation savings due to elimination of second shift \$1.1M recyclable material due to elimination of second shift and less tonnage purchased
BUSINESS DEVELOPMENT & ENTERPRISE	\$ (66,469)	\$ 1,600,259	\$ 1,068,698	\$ -		Insignificant variance
<b>SUB-TOTAL INFRASTRUCTURE, DEVELOPMENT AND ENTERPRISE</b>	<b>\$ 2,434,981</b>	<b>\$ 19,429,166</b>	<b>\$ 17,142,980</b>	<b>\$ 3,111,000</b>	<b>16.0%</b>	
<b>PUBLIC SERVICES</b>						
PS ADMINISTRATION	\$ 9,359	\$ 628,280	\$ 497,645	\$ 20,000	0.0%	<b>Unfavourable</b> due to unbudgeted advertising for staffing and allocation of leadership training expense.

Department	2015 YE Variance	Annual Budget 2016	**YTD Net Expenditures Sept 30, 2016	Projected 2016 Variance	As a % age of budget	Comments
PARKS	\$ 173,157	\$ 9,165,170	\$ 7,354,943	\$ 290,500		<b>Unfavourable</b> due to: \$110k due to lower than anticipated capital labour recoveries for Parks Planners for vacancies and development application work \$25k Forestry external recoveries for tree plantings in new subdivisions from developers \$125k in additional OT due to extra watering, implementing a new On-call system for after-hours calls, for added turf maintenance and fleet rentals, temporary labour related to extension of services into fall \$25k contracted services for repairs, health and safety items and electronic communication support charges due to implementation of grass cutting program and irrigation control monitoring
RECREATION PROGRAMS AND FACILITIES	\$ 447,394	\$ 2,842,568	\$ 1,803,891	\$ 64,000		<b>Unfavourable</b> due to: \$200k in Aquatics revenues due to closure and renovation of VRRC \$50k VRRC arena due to lower ice rental revenues \$35k part-time wages due to increased usage at Centennial Pool \$35k due to non-receipt of chargeback from school board for Centennial Pool \$70k WECC arena due to utility costs and lower than budgeted ice rental revenue Partially offset by: \$250k Centennial & WECC aquatics due to increased usage as a result of VRRC closure \$55K WECC savings in salary & benefits, utilities and maintenance supplies
CULTURE, TOURISM & COMMUNITY INVESTMENT	\$ 176,596	\$ 6,091,569	\$ 5,649,532	\$ 336,300		<b>Unfavourable</b> due to: Sleeman Centre \$492k due to Council approved revised License Agreement with the Storm \$160k in lost advertising revenue due to timing. River Run Centre \$102k shortfall due to reduced sponsorships, lower product sales, lower staff recoveries, utilities, and P/T staffing costs all offset by favourable variances for higher ticket sales, saving in artist fees and lower staff chargebacks for grounds maintenance. Museum \$25k due to lower program revenue and repayment of OCAF grant. Social Services & Community Investments \$40k due to higher than budgeted Community Benefit Agreement payments partially offset by savings in compensation due to change in positions.
TRANSIT	\$ 528,221	\$ 14,698,370	\$ 13,703,504	\$ (130,000)		<b>Favourable</b> due to: (\$243K) due to Trapeze warranty delay (\$90K) surplus on equipment/building and operator rental (\$271K) surplus on MM-Fuel due to actual fuel cost lower than what was budgeted (\$26K) surplus on program support costs, work staff chargeback and payroll recovery Partially offset by: \$250K revenue shortfall due to lower ridership and service changes in summer and during statutory holidays \$166K compensation due to OT and PT wages higher to cover staff absences \$100K for MM-MTCE due to major repairs undertaken to mobility vehicles \$37K for printing and reproduction for transit brochure and promotional items



Department	2015 YE Variance	Annual Budget 2016	**YTD Net Expenditures Sept 30, 2016	Projected 2016 Variance	As a % age of budget	Comments
WDG PUBLIC HEALTH	\$ (40,357)	\$ 3,969,867	\$ 3,196,275	\$ -		Insignificant variance
SOCIAL ASSISTANCE	\$ (173,988)	\$ 3,636,000	\$ 1,578,996	\$ (530,000)		<b>Favourable</b> due to: (\$400k) 2016 City social services budget being set higher than the final County budget. (\$830k) year-end surplus projected by the County for the City's portion of the social services budget.
WELLINGTON TERRACE	\$ (20,591)	\$ -	\$ -			
CHILD CARE-ASSISTANCE	\$ (643,695)	\$ 3,004,000	\$ 2,221,333	\$ (200,000)		
SOCIAL HOUSING	\$ (1,794,603)	\$ 17,679,000	\$ 13,140,005	\$ (500,000)		
GJR Clearing/GMHI	\$ (1,794,864)	\$ -	\$ 1			
<b>SUB-TOTAL OUTSIDE BOARDS &amp; AGENCIES</b>	<b>\$ (4,468,099)</b>	<b>\$ 28,288,866</b>	<b>\$ 20,136,610</b>	<b>\$ (1,230,000)</b>	<b>(4.3%)</b>	
<b>GRANTS</b>						
GRANTS - SPECIAL PROJECTS	\$ (104,700)	\$ 2,206,700	\$ 2,197,000	\$ -		Insignificant variance
<b>SUB-TOTAL GRANTS</b>	<b>\$ (104,700)</b>	<b>\$ 2,206,700</b>	<b>\$ 2,197,000</b>	<b>\$ -</b>	<b>0.0%</b>	
<b>GENERAL AND CAPITAL FINANCING</b>						
Subtotal Grants, Local and Outside Boards & Agencies	\$ (5,316,674)	\$ 78,360,706	\$ 55,029,857	\$ (1,730,000)	(2.2%)	
<b>TOTAL TAX SUPPORTED (incl Outside Boards, Grants and Financing)</b>	<b>\$ (1,815,552)</b>	<b>\$ -</b>	<b>\$ (58,430,796)</b>	<b>\$ 279,800</b>	<b>0.1%</b>	
<b>Non Tax Supported</b>						
WATER REVENUE	\$ (983,528)	\$ -26,743,042	\$ -20,931,434	\$ (350,000)		<b>Favourable</b> due to increased consumption revenue based on current forecasts.
WATER OPERATIONS	\$ 983,532	\$ 26,743,042	\$ 24,344,494	\$ 110,000		<b>Unfavourable</b> due to increased energy costs and maintenance activities of the water supply and distribution system.
<b>SUB-TOTAL WATER WORKS</b>	<b>\$ 4</b>	<b>\$ -</b>	<b>\$ 3,413,060</b>	<b>\$ (240,000)</b>	<b>(0.9%)</b>	
WASTEWATER REVENUE	\$ (1,153,255)	\$ (29,784,028)	\$ (23,219,742)	\$ (400,000)		<b>Favourable</b> due to increase in consumption attributed to above average dry, hot weather this summer.
WASTEWATER OPERATIONS	\$ 1,153,257	\$ 29,784,028	\$ 26,009,841	\$ (206,500)		<b>Favourable</b> due to: \$115k Chemicals: reduction in current year demand & improved contract pricing \$85k Tools & Equipment: less equipment renewal than expected \$140k Projects: reprioritizing projects & redistributed funding \$100k Staffing: reflection of previous vacancies being filled Partially offset by: \$233.5k increase in utilities, protective equipment and emergency generator rental
<b>SUB-TOTAL WASTEWATER</b>	<b>\$ 2</b>	<b>\$ -</b>	<b>\$ 2,790,099</b>	<b>\$ (606,500)</b>	<b>(2.0%)</b>	
ONTARIO BUILDING CODE REVENUE	\$ (657,816)	\$ (3,070,000)	\$ (3,015,415)	\$ 100,000		<b>Unfavourable</b> due to less permit revenue collected. A transfer from the building reserve at year end will offset the shortfall.
ONTARIO BUILDING CODE COSTS	\$ 601,309	\$ 3,070,000	\$ 2,940,343	\$ -		Insignificant variance
<b>SUB-TOTAL OBC</b>	<b>\$ (56,507)</b>	<b>\$ -</b>	<b>\$ (75,072)</b>	<b>\$ 100,000</b>	<b>3.3%</b>	
COURT SERVICES REVENUE	\$ 456,666	\$ (2,027,895)	\$ (1,491,513)	\$ (200,000)		<b>Favourable</b> due to significant bylaw fine payments in May, June, and October, with the City's share coming in higher than originally budgeted. Original budget had City at 50% but the actual ratio is City at 58% ytd.
COURT SERVICES EXPENSES	\$ (383,546)	\$ 2,027,895	\$ 1,483,569	\$ -		Insignificant variance
PARKING TICKET FINE COLLECTIONS	\$ (73,118)	\$ -	\$ (60,324)	\$ -		Insignificant variance
<b>SUB-TOTAL COURTS</b>	<b>\$ 2</b>	<b>\$ -</b>	<b>\$ (68,268)</b>	<b>\$ (200,000)</b>	<b>(9.9%)</b>	
<b>TOTAL Non Tax Supported</b>	<b>\$ (56,499)</b>	<b>\$ -</b>	<b>\$ 6,059,819</b>	<b>\$ (946,500)</b>	<b>(1.5%)</b>	

# Staff Report

To Committee of the Whole

Service Area Corporate Services

Date Monday, December 5, 2016

**Subject 2016 Q3 Capital Variance Report**

Report Number CS-2016-48

## Recommendation

1. That Report CS-2016-48 2016 Q3 Capital Variance Report be received for information.

## Executive Summary

### Purpose of Report

The purpose of this report is to provide the following: a summary of 2016 capital spending activity as of September 30<sup>th</sup>; an update on longer term & large scale projects; and to disclose any funding adjustments and project closures.

### Key Findings

This report reflects spending part way through the capital construction season, the majority of the City's capital spending will occurs throughout Q3 and into early Q4. Currently no projects are forecast to be over budget, with the exception of the Clair/Laird Hanlon Interchange (\$455K).

Below is the capital activity for 2016 as of September 30<sup>th</sup>, further details are provided in ATT 1.

### Tax Supported

2016 capital budget was approved at	\$57.0 million
2015 carryover budget of	\$84.6 million
Total available capital funding for the year is	\$141.6 million

### As of September 30, 2016

Funding adjustments of	\$(209) thousand
Capital spending totalled	\$27.4 million
Open purchase orders totaled	\$54.1 million
Work in progress balance of	\$59.9 million



**Non-Tax Supported**

2016 capital budget was approved at	\$31.9 million
2015 carryover budget of	\$81.3 million
Total available capital funding for the year is	\$113.2 million

**As of September 30, 2016**

Capital spending was	\$16.1 million
Open purchase orders totaled	\$23.7 million
Work in progress balance of	\$73.4 million

Funding adjustments \$(209)k shown above are detailed in ATT-2.

Projects with budgets over \$2.5 million are listed in ATT-3, with status updates in the body of the report.

**Financial Implications**

There are no financial implications from this report.

**Report****Current Year Spending**

Capital spending totaled \$43.5 million as of September 30, 2016; \$27.4 million on tax supported projects and \$16.1 million on non-tax supported projects. Of this spending, the following are the significant areas:

Vehicle & Equipment replacement	\$8.4 million
Waste Water and Water Services facility upgrades and expansions	\$4.1 million
Facilities Maintenance and Upgrades	\$11.0 million
Outdoor Spaces	\$2.1 million
Full Corridor Reconstruction – Growth and Renewal	\$8.3 million
Wastewater Collection – Growth and Renewal	\$4.2 million

Planned activity as indicated by the largest open purchase orders as at September 30, 2016 are in the following areas:

Guelph Police Services – headquarters renovation	\$24.9 million
Victoria Road Recreation Centre	\$7.2 million
Vehicle & Equipment Replacement	\$12.4 million
Full Corridor Reconstruction – Growth and Renewal	\$12.0 million
Waste Water and Water services facility upgrades and expansions	\$4.6 million
Storm sewer replacement and upgrades	\$1.7 million
Outdoor Spaces	\$1.3 million

Attn-1 provides a summary of capital activity by Department.

## **Over Budget Projects**

Currently no projects are forecasted to be over budget, with the exception of the Clair/Laird Interchange. This project was completed by the MTO and the City agreed to pay a portion of the construction costs. The project was completed in 2014 and the final payment is due to the MTO in 2016. The project was over budget, with the City's portion being \$455k, about 2.6% of the project budget. This overage will be funded from the Roads DC Reserve Fund.

## **Capital Projects Closed and Funding Adjustments**

As of September 30, 2016 32 projects were closed and/or had funding adjustments totaling \$(209)k. There were 13 projects that have been closed and 19 have been adjusted year to date.

Of the 13 projects that were closed, 2 were transferred into new projects that carry on the same activities (\$122k transferred), 1 was the Baker Street project (SS0019) mentioned below and 10 were consolidated into 6 existing projects to improve efficiency of project delivery.

The funding reallocations completed for the 19 projects year to date, were done for the following; 2 received funds from the operating budget, 8 received funds from closed projects above, 4 were a realignment to proper project code, 1 from a 2015 project closure and 4 due to additional approved funding (details below).

## **Additional Approved Funding**

The first is the purchase of parkland for \$400k for Starwood Park; funding was approved by Council to be taken from the Parkland Dedication reserve fund.

In March the Recreation department brought forward a report requesting additional funding for the renovation of the Victoria Road Recreation Centre, Council approved \$2,515,700 in additional funding for this project, Report CON-2016.10 Victoria Road Recreation Centre – Renovation Update, Reference Number 16-05. This additional funding brought the total budget to \$15.1 million, in order to award the construction contract. The approved increase is \$1.055m in debt funding from SS0019 Baker St Land Purchase, \$960k in additional Recreation DC funding and \$500k from the Parkland Dedication Reserve Fund.

The third is the Clair/Laird Interchange project mentioned above, approval was granted when the agreement was entered into in 2014.

The new Snow Disposal Facility required additional funding mid-year in order to move the design forward to enable construction in 2017. Council approved \$515k in additional funding from the Federal Gas Tax reserve.

Attn-2 provides a summary by department of projects closed or funding adjusted.

## **Significant Projects**

All capital projects are managed to deliver the expected outcome within the approved funding, however, some projects have a more significant impact on the City both financially and operationally due to their scope and budget. Attn-3 provides a list of all projects with a budget of \$2.5 million or greater, excluding routine lifecycle. There are 21 projects in this list; they represent a variety of assets, from linear infrastructure to operational and parks & recreation facilities.

Below are the details of some of the more significant projects currently approved; these projects are identified due to their risk to the organization. Risk considerations include scope, cost, HR resources, external stakeholders or other factors. They have been categorized into Tier 1 and 2 which aligns to the new complex capital project management methodology that the City has started to implement through the work of the PMO. As the City continues to develop this methodology and reporting structure, the quarterly capital variance reports will become more integrated with the reporting delivered from the project steering committees. Please refer to Schedule C for complete financial details of these projects as at September 30, 2016.

### **Tier 1 Projects**

#### **Police Head Quarters Renovation (PS0033)**

Tendering and awarding of the construction contract was completed in Q1 2016. Construction began in April 2016 with expected occupancy in winter 2019. The project is currently forecasting to be on budget.

#### **Victoria Road Recreation Centre Renovation (RF0051)**

Tendering and awarding of the construction contract was completed in April 2016. Construction has begun with expected completion in 2017. Project is currently forecasting to be on budget.

**Wilson St. Parkade (PG0078)**

This project is the first step in implementing the Parking Master Plan which was approved by Council in 2015. The tendering for the design/build of the parkade was cancelled due to none of the bids being within budget, retendering of the project is currently being planned.

**Tier 2 Projects****York Trunk/Paisley Feedermain (WD0007 & WS0085)**

Construction of trunk water and sewer mains from west of Hanlon to Watson; Phase 2 construction was tendered and awarded in May 2016 (\$13M).

**VIA Station Upgrade (TC0037)**

Upgrades to the VIA station to remediate current issues as well as provide amenities required for future tenants, including Greyhound and GO. Work also includes construction of a break room for Guelph Transit drivers. Contract was awarded in April and work continued throughout the summer.

**York Road – Wyndham to Ontario (RD0336)**

The City received a grant through the Connecting Links Program from the province to complete this project. Awarding of the contract was completed in May 2016, construction continued throughout the summer, road to be reopened in fall 2016 with construction to be completed in spring 2017.

**Wastewater Bio-solids Facility Upgrade (ST0003)**

This project is currently paused pending a comprehensive review of capital projects including confirmation of business cases for projects. Review will be completed in 2017 with an updated capital budget and forecast created for the 2018 and beyond budgets.

**Burke Water Treatment facility upgrades (WT0013)**

Final detailed design reaching completion, Water Services staff actively working with Legal Services at this time to form tender package and associated agreements. Based on latest construction estimate final installment of project funding (coming forward in 2017) required to have sufficient budget to tender project. Tender anticipated for early 2017, subject to input from Complex Projects Committee.

**Major road/water/sewer/storm upgrades (Various RD/WD/SC/SW Projects)**

This encompasses replacement or expansion of existing linear infrastructure along the following roads; York (Wyndham to Neeve), Stevenson (Grange to Cassino), Arthur Trunk (Howitt-Margaret-Howitt-Neeve), Wheeler (Elizabeth to Ferguson), Speedvale (hydro property), Eastview (Summit to Watson). The 2016 construction

season is underway, many of these projects were tendered and awarded in Q2 2016, completion expected throughout Q3/4 2016.

### **Facilities and Equipment upgrades/replacements (Various Projects)**

Ongoing lifecycle of existing vehicles, equipment and facilities by all departments across the organization.

### **Conclusion**

The review and accurate monitoring of financial reporting and asset management is critical to the effective utilization of funding, and contributes to better cash flow modeling that can lead to improved investment opportunities.

### **Financial Implications**

There are no financial implications from this report.

### **Corporate Strategic Plan**

2.3 Ensure accountability, transparency and engagement.

### **Communications**

Regular and timely variance reporting is necessary to ensure Council is making informed decisions throughout the year. Capital variance reports are produced on a quarterly basis.

### **Attachments**

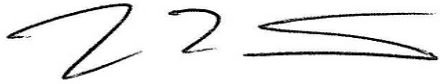
ATT-1 Summary of all open capital projects as of September 30, 2016

ATT-2 Summary of projects closed or funding adjusted as of September 30, 2016

ATT-3 Summary of significant projects

**Report Author**

Greg Clark



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**Approved By**

James Krauter  
Acting GM Finance & City Treasurer  
Corporate Services  
519-822-1260 Ext. 2334  
james.krauter@guelph.ca

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**Recommended By**

Mark Amorosi  
Deputy CAO, Corporate Services  
519-822-1260 Ext. 2281  
mark.amorosi@guelph.ca

# ATT-1 Summary of all open capital projects as of September 30, 2016

## Summary of All Open Capital Projects as at September 30, 2016

	# of Open Projects	Budget Carried over from 2015	2016 Budget	2016 Expenditures	Net Funding Adjustment	Open POs	Work in Progress
	Note 1	Note 2	Note 3		Note 4		
<b>Tax Supported</b>							
<b>Infrastructure, Development &amp; Enterprise Services</b>							
Business Development & Enterprise	6	11,323,815	13,520,000	448,071	(5,048,300)	218,564	19,128,880
Engineering Services	44	7,877,630	11,763,500	5,160,187	877,317	6,133,741	9,224,518
Environmental Services	5	1,092,730	100,000	862,578	-	280,468	49,684
Facilities Maintenance	16	2,188,101	5,539,500	1,169,039	-	1,259,771	5,298,792
Planning & Building Services	11	1,575,528	242,200	193,044	225,240	742,834	1,107,091
<b>IDE Total</b>	<b>82</b>	<b>24,057,804</b>	<b>31,165,200</b>	<b>7,832,920</b>	<b>(3,945,743)</b>	<b>8,635,377</b>	<b>34,808,965</b>
<b>Public Services</b>							
Culture, Tourism & Community Investments	7	40,994	200,000	166,599	-	24,403	49,992
Emergency Services	7	446,552	3,377,000	1,283,889	155,300	1,412,444	1,282,519
Operations	14	3,190,015	5,134,700	1,999,706	515,000	3,205,569	3,634,441
Parks & Recreation	33	19,855,574	5,400,000	7,980,038	2,916,343	9,352,165	10,839,714
Transit	10	4,074,578	5,811,900	1,937,176	-	4,990,948	2,958,354
<b>PS Total</b>	<b>71</b>	<b>27,607,713</b>	<b>19,923,600</b>	<b>13,367,406</b>	<b>3,586,643</b>	<b>18,985,528</b>	<b>18,765,021</b>
<b>Corporate Services</b>							
Finance	2	(2,495,269)	-	-	150,000	-	(2,345,269)
Information Technology	12	2,126,661	2,809,749	945,257	-	1,403,138	2,588,015
<b>CS Total</b>	<b>14</b>	<b>(368,609)</b>	<b>2,809,749</b>	<b>945,256</b>	<b>150,000</b>	<b>1,403,138</b>	<b>242,745</b>
<b>Local Boards</b>							
Library	6	68,719	500,000	140,238	-	98,160	330,321
Police	16	33,211,380	2,625,800	5,143,444	-	24,975,475	5,718,261
<b>Local Boards Total</b>	<b>22</b>	<b>33,280,099</b>	<b>3,125,800</b>	<b>5,283,683</b>	<b>-</b>	<b>25,073,635</b>	<b>6,048,583</b>
<b>TAX SUPPORTED TOTAL</b>	<b>189</b>	<b>84,577,007</b>	<b>57,024,349</b>	<b>27,429,265</b>	<b>(209,100)</b>	<b>54,097,678</b>	<b>59,865,315</b>
<b>Non-Tax Supported</b>							
Engineering Services	42	32,197,496	18,960,000	11,658,716	-	20,059,943	19,438,836
Environmental Services	39	48,691,320	12,827,800	4,220,452	-	3,491,713	53,806,955
Planning & Building Services	1	47,000	35,000	-	-	-	82,000
POA	5	397,399	27,800	196,528	-	194,805	33,866
	<b>87</b>	<b>81,333,214</b>	<b>31,850,600</b>	<b>16,075,696</b>	<b>-</b>	<b>23,746,461</b>	<b>73,361,657</b>
<b>CITY TOTAL</b>	<b>276</b>	<b>165,910,221</b>	<b>88,874,949</b>	<b>43,504,962</b>	<b>(209,100)</b>	<b>77,844,139</b>	<b>133,226,972</b>

Note:

1 Projects open as of September 30, 2016

2 Finance negative unspent is due to commitment to fund GO Metrolinx which is currently unbudgeted.

3 Transfer of Stormwater Services to Non-tax budget moved \$3,660,000 from Tax Supported - IDE - Engineering to Non-Tax Supported Engineering

4 "Net Funding Adjustment" details provided in Schedule B

## ATT-2 Summary of projects closed or funding adjusted as of September 30, 2016

	# of Adjusted Projects	Net Funding Adjustment	Donations & Own Revenue	Developer & Partner	Development Charges	Capital Tax/Rate Funded	Tax/Rate Funded Debt
<b>Tax Supported</b>							
<b>Infrastructure, Development &amp; Enterprise Services</b>							
Business Development & Enterprise	2	(5,048,300)	1,248,300	-	1,750,700	-	2,049,300
Engineering Services	9	877,317	-	-	(455,317)	-	(422,000)
Environmental Services	-	-	-	-	-	-	-
Facilities Maintenance	-	-	-	-	-	-	-
Planning & Building Services	2	225,240	-	-	(149,890)	(75,350)	-
<b>IDE Total</b>	<b>13</b>	<b>(3,945,743)</b>	<b>1,248,300</b>	<b>-</b>	<b>1,145,493</b>	<b>(75,350)</b>	<b>1,627,300</b>
<b>Public Services</b>							
Culture, Tourism & Community Investments	2	-	-	-	-	-	-
Emergency Services	3	155,300	-	(155,300)	-	-	-
Operations	1	515,000	-	-	-	-	-
Parks & Recreation	10	2,916,343	-	(900,643)	(960,695)	-	(1,055,005)
Transit	-	-	-	-	-	-	-
<b>PS Total</b>	<b>16</b>	<b>3,586,643</b>	<b>-</b>	<b>(1,055,943)</b>	<b>(960,695)</b>	<b>-</b>	<b>(1,055,005)</b>
<b>Corporate Services</b>							
Finance	1	150,000	-	-	-	(150,000)	-
Information Technology	-	-	-	-	-	-	-
<b>CS Total</b>	<b>1</b>	<b>150,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(150,000)</b>	<b>-</b>
<b>Local Boards</b>							
Library	-	-	-	-	-	-	-
Police	2	-	-	-	-	-	-
<b>Local Boards Total</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>TAX SUPPORTED TOTAL</b>	<b>32</b>	<b>(209,100)</b>	<b>1,248,300</b>	<b>(1,055,943)</b>	<b>184,798</b>	<b>(225,350)</b>	<b>572,295</b>
<b>Non-Tax Supported</b>							
Engineering Services	-	-	-	-	-	-	-
Environmental Services	-	-	-	-	-	-	-
Planning & Building Services	-	-	-	-	-	-	-
POA	-	-	-	-	-	-	-
<b>NON-TAX SUPPORTED TOTAL</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>CITY TOTAL</b>	<b>32</b>	<b>(209,100)</b>	<b>1,248,300</b>	<b>(1,055,943)</b>	<b>184,798</b>	<b>(225,350)</b>	<b>572,295</b>



	Total Approved Budget	Total Additional Approved	Total Budget	Total Spending	Open POs	Work In Progress	Project Manager Comment
Tax Supported							Note 1
<b>Infrastructure, Development &amp; Enterprise Services</b>							
<b>Business Development &amp; Enterprise</b>							
WILSON ST PARKADE (PG0078)	13,370,000	-	13,370,000	174,880	5,422	13,189,698	This project is the first step in implementing the Parking Master Plan which was approved by Council in 2015. This project is the first step in implementing the Parking Master Plan which was approved by Council in 2015. The tendering for the design/build of the parkade was cancelled due to none of the bids being within budget, retendering of the project is currently being planned.
HANLON CREEK BUSINESS PARK (SS0002)	22,435,000	146,504	22,581,504	21,627,208	213,116	741,180	This is a multi-year land development project. Current expenditures relate to annual marketing and environmental monitoring activities. Phase 1 is developed and land sales are occurring at a slower pace than forecasted. Cash flow projections are not being met and this is putting pressure on the Industrial Land Reserve Fund. The timing to develop Phase 3 is dependent upon market conditions.
<b>Engineering Services</b>							
GORDON-HARTS LANE TO MALTBY (RD0047)	6,206,950	2,458,998	8,665,948	8,515,548	-	150,400	Surface asphalt between Clair and south of Poppy deferred due to recent servicing in area
VICTORIA - STONE-ARKELL (RD0078)	6,875,000	348,642	7,223,642	6,642,336	174,400	406,906	Construction substantially complete with exception of culvert relining at Torrance Creek to be completed in 2016
CLAIR/LAIRD & HANLON INTERCHNG (RD0267)	17,400,000	146,762	17,546,762	18,002,078	-	(455,316)	Final payment to Ministry of Transportation to be made in Q4 2016
STONE - EVERGREEN TO VICTORIA (RD0271)	5,900,000	-	5,900,000	5,179,500	647,888	72,612	Construction substantially complete except for surface course asphalt and utility work.
<b>Environmental Services</b>							
NEW PUBLIC DROP OFF FACILITY (WP0001)	2,873,000	21,990	2,894,990	2,786,715	80,428	27,847	Work ongoing, completion expected in Q2 2016.
<b>Public Services</b>							
<b>Parks &amp; Recreation</b>							
EASTVIEW COMMUNITY PARK (PK0014)	5,952,300	-	5,952,300	3,213,840	85,957	2,652,504	Pre-qualification of a general contractor closed on Nov. 9, 2016. There were 59 plan takers and a total of 15 bids submitted. The bids are currently under review. Tendering of the construction contract planned for December 2016. Construction to start winter 2017. It is estimated that construction duration will be 6-8 months.
VRRC EXPANSION/RENOVATION (RF0051)	15,100,000	-	15,100,000	5,828,435	7,199,592	2,071,973	Tendering and awarding of the construction contract was completed in Q1 2016. Construction began in April 2016 with expected completion in Q2 2017
<b>Transit</b>							
CAD/AVL REPLACEMENT (TC0026)	3,030,000	-	3,030,000	1,677,675	1,334,345	17,980	Ongoing milestone payments over the next months. The uncommitted funds will be used for a IVR change order once executed.
<b>Local Boards</b>							
<b>Police</b>							
POLICE HQ RENOVATIONS (PS0033)	34,111,000	-	34,111,000	6,178,664	24,873,856	3,058,479	Tendering and awarding of the construction contract was completed in Q1 2016. Construction began in April 2016 with expected occupancy fall 2018/winter 2019.

Note 1 - Work in progress is defined as project budgets that do not yet have committed purchase orders open against the balance.

	Total Approved Budget	Total Additional Approved	Total Budget	Total Spending	Open POs	Work In Progress	Project Manager Comment
Non-Tax Budget							Note 1
<b>Infrastructure, Development &amp; Enterprise Services</b>							
<b>Engineering Services</b>							
W16 SPEEDVALE-WATSON-WESTMOUNT (WD0005)	3,000,000	1,830	3,001,830	1,449,284	84,331	1,468,215	Phase 2 of project to improve water transmission east-west, to be integrated with road work along Speedvale Ave.
W19 WELLINGTON: HANLON-WATSON (WD0007)	9,300,000	-	9,300,000	5,636,269	3,663,730	0	Phase 1 construction is substantially complete and tender for Phase 2 construction was awarded May 2016
W1-1 CLAIR - CRAWLEY TO GORDON (WD0012)	2,520,000	-	2,520,000	2,401,849	41,059	77,092	Remaining construction is development related
W116 HANLON CROSSING - PAISLEY (WD0016)	5,000,000	-	5,000,000	402,659	60,455	4,536,886	Project expected to tender in Spring 2017
WW11 YORK - HANLON-VICTORIA (WS0085)	16,470,000	-	16,470,000	9,312,944	7,157,055	0	Phase 1 construction is substantially complete and tender for Phase 2 construction was awarded May 2016
<b>Environmental Services</b>							
WWF1 DECOMMISSION GORDON SPS (SC0023)	2,700,000	-	2,700,000	-	-	2,700,000	Design of sanitary sewer connection through Hart Farm development lands in 2016, with construction in subsequent years. Will allow for decommissioning of current pumping station.
WWTP BIOSOLIDS FACILITY UPGRD (ST0003)	13,800,000	-	13,800,000	582,393	89,667	13,127,940	This project is currently paused pending a comprehensive review of capital projects including confirmation of business cases for projects. Review will be completed in 2017 with an updated capital budget and forecast created for the 2018 and beyond budgets.
WWTP PHASE 2 EXPANSION (ST0004)	8,690,857	-	8,690,857	5,463,032	213,460	3,014,365	This project is currently paused pending a comprehensive review of capital projects including confirmation of business cases for projects. Review will be completed in 2017 with an updated capital budget and forecast created for the 2018 and beyond budgets.
DIGESTER GAS PROOFING (ST0014)	3,613,000	-	3,613,000	1,879,925	5,848	1,727,226	Preliminary inspection work has been delayed. Forecasting project tender in Q1 of 2017 with construction happening over the summer of 2017. Digester is currently out of service pending repairs.
BURKE TREATMENT (WT0013)	5,102,700	-	5,102,700	341,223	209,674	4,551,803	Final detailed design reaching completion with staff actively working with Legal Services at this time to form tender package and associated agreements. Based on latest construction estimate final installment of project funding (coming forward in 2017) required to have sufficient budget to tender project. Tender anticipated for early 2017, subject to input from Complex Projects Committee.
Note 1 - Work in progress is defined as project budgets that do not yet have committed purchase orders open against the balance.							

# 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

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## 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.

<b>Date of Committee</b>	<b>Resolution</b>	<b>Lead Area / Update</b>
Nov 23/15 Council	<b>CS-2015.41 Property Tax Policy – Tax Ratios</b> 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.	<b>FINANCE</b>  <i>Dependant on receipt of data from MPAC. 2017 pending receipt of data</i>
May 26/14 Council	<b>AUD-2014.11 Internal Audit Report – Legal &amp; Realty Services Follow Up Audit</b> That the Legal & Realty Services Follow Up Audit be referred to the Corporate Administration, Finance & Enterprise Committee to consider the status of the recommendations.	<b>LEGAL</b>  <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)	<b>HUMAN RESOURCES</b>  <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**

Mark Amorosi, Deputy CAO  
Corporate Services  
519.822.1260 Ext 2281  
[Mark.Amorosi@guelph.ca](mailto:Mark.Amorosi@guelph.ca)

# Staff Report



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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

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## 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 15<sup>th</sup>, 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 3<sup>rd</sup>, 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 Society<sup>1</sup> (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.

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<sup>1</sup> 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 7<sup>th</sup>, 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



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### **Approved By**

Stephen O'Brien  
City Clerk  
519-822-1260 ext. 5644  
stephen.obrien@guelph.ca



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### **Recommended By**

Mark Amorosi  
Deputy CAO - Corporate Services  
519-822-1260 ext. 2281  
mark.amorosi@guelph.ca

## 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

# Digital Services Update

December 5, 2016

Corporate Services  
Committee of the Whole

# Corporate Administrative Plan



# OURSERVICES

*Delivering municipal services that make lives better*

## Service Modernization Program

### Objectives

- The right services delivered in an effective and efficient way
- Convenient ways to access services
- Clear quality customer standards that we are consistently achieving

### Initiatives

- Customer Service Framework
- Digital Services/myGuelph
- Accountability & Performance Management Framework
- Service Review & Improvement Network

# Digital Services Vision

- A customizable digital services portal for citizens
- Integrated dashboards that provide access to multiple City services in one place
- A digital service channel that equals telephone and in-person in service excellence

- Solid waste pick up is Thursday
- Fall swim registration opens 05AUG16. Your last session you registered for was Wednesday 17:30 at West End Recreation Center

Service or report a problem. After submitting a service request, you will receive a Service Request Number or Tracking Number. Track the status of your service request from the 311 homepage, or call 311 anytime for additional information and assistance.

Request a Service

Register/Apply

Pay/Purchase

Get Information

Track Your Service Request

Service Request #

Service Requests Map

Service requests can be searched for and rendered on a map.

View Map


Product Information

Visit our corporate site to learn more about Adxstudio products.

Contact Us

Contact us for more information.

#### Tweets by @cityofguelph


 **City of Guelph** @cityofguelph

Thanks @MercuryTribune for the write up on Aboriginal Day celebrations taking place Jun-21! [ow.ly/5Gou301hXsL](http://ow.ly/5Gou301hXsL)


  40m

# 311


Request a service or report a problem. After submitting a service request, you will receive a Service Request Number or Tracking Number. Track the status of your service request from the 311 homepage, or call 311 anytime for additional information and assistance.




Food Safety Complaint




Information Request




General Service Request




Noise Complaint




Park Maintenance Request




Pothole Service Request




Street Lighting Service Request




Tree Down Service Request




Report Graffiti




Sidewalk Service Request



Sign Missing or Damaged



Tree Service Request Home



Waste Collection Request

## Track Your Service Request

## Service Requests Map

Service requests can be searched for and rendered on a map.

[View Map](#)

## Product Information

Visit our corporate site to learn more about Adxstudio products.

## Contact Us

Contact us for more information.

## Tweets by @cityofguelph

**City of Guelph** @cityofguelph  
Thanks @MercuryTribune for the write up on Aboriginal Day celebrations taking place Jun-21!  
[ow.ly/5Gou301hXsL](http://ow.ly/5Gou301hXsL)



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# Open Guelph Digital Services

- Council funded a \$42,500 annual budget (for 3 years) to deliver new digital services
  - In response to community needs
  - To accelerate delivery of myGuelph, the one-stop-shop for digital City services
  - To be built and delivered quickly

# Community Consultation: Jan/Feb 2016

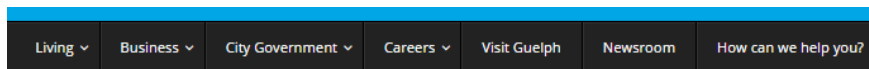
- What digital services would make your life or business better?
- 40 unique ideas from citizens
- Four new services ready to launch



# Waste Reminder

- Goals
  - Reduce incorrect cart placement
  - Increase citizen satisfaction
  - Increase City service efficiency
- Sends reminder of date and proper carts the night before collection day
  - Text, phone call or email at the time you choose

# Old Waste Schedule Tool



Home » Living » Garbage and recycling » Resources » Garbage and recycling Frequently Asked Questions (FAQ) » Waste collection lookup tool

## Waste collection lookup tool



Use the form below to search for your waste collection schedule.

1. Enter your street number in the **Street Number** field
2. Select your street name from the dropdown list (you can start typing the first few letters to filter the street names)
3. Click **Submit**

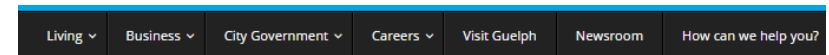
Street Number \*

Street Name \*

WATERWORKS PL  
WATERLOO AVE  
WATERFORD DR  
WATER ST

Submit

Reset



Home » Living » Garbage and recycling » Resources » Garbage and recycling Frequently Asked Questions (FAQ) » Waste collection lookup tool

## Waste collection lookup tool



Address: **219 WATERLOO AVE**

Schedule: **Week B**

Collection day: **MONDAY**

[View Week B collection schedule](#)

[Waste Sorting Lists](#)  
[Sort your waste](#)

[Additional Resources](#)

[Waste Sorting List](#) (printer friendly)

[Bulky Item Collection](#)

[Electronic Waste](#)

For more information please contact Solid Waste Resources at 519-767-0598 or [waste@guelph.ca](mailto:waste@guelph.ca)

[Search for another address](#)

# New Waste Reminder Tool

## Collection information

**Address:** 219 WATERLOO AVE  
**Week:** Week B **Day:** Monday  
**Next:** Monday, November 21, 2016  
**Carts:** GREY and GREEN

[Calendar](#)[Change Address](#)

## Sign up for reminders



We send email, phone and text reminders.  
Please provide us with one or more pieces of contact information.

	<input type="text" value="youname@example.com"/>
	<input type="text" value="(519) 555-5678"/>
	<input type="text" value="Number to receive phone calls"/>

☐ I'm not a robot

[Sign Up](#)

# Council Search

- Goal
  - Make it easy for citizens, staff and Council to search Council minutes and find information
- Automated tool that indexes Council minutes, breaking them down by issue, date or motion

## Council Search

The Council Search tool allows you to easily search City Council minutes to find out what decisions Council has made on the issues you're interested in.

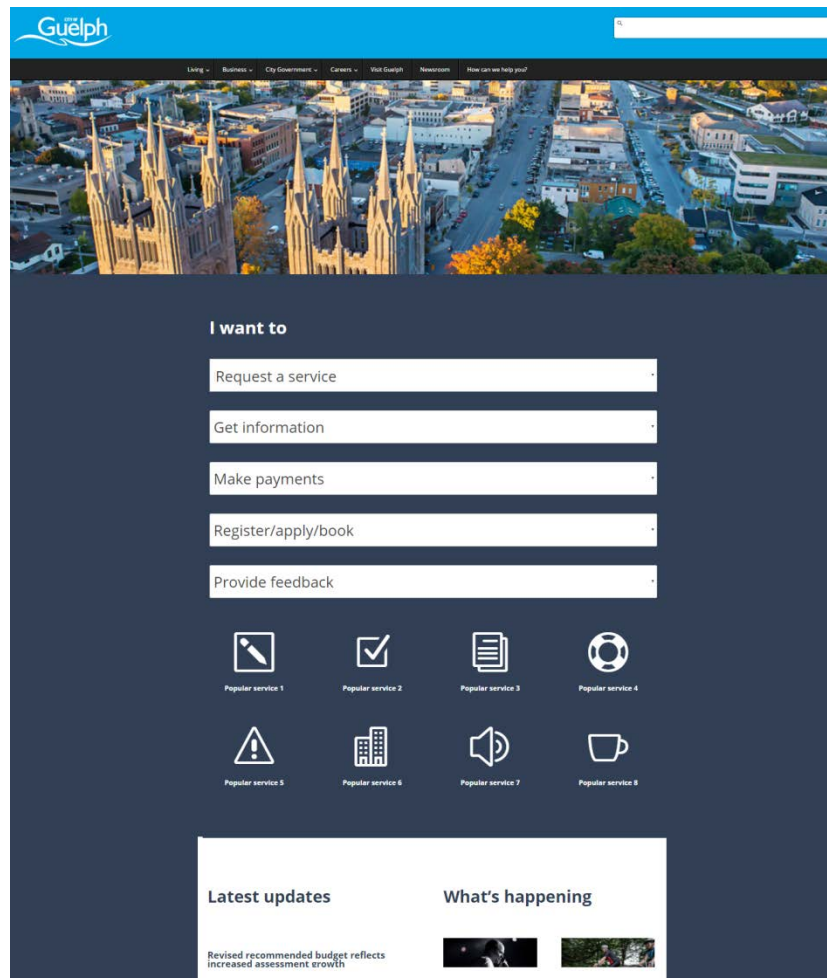
	File Name	Meeting Date	Open PDF
1	<a href="#">July 11, 2016</a>	Monday, July 11, 2016 at 7:00 p.m.	<a href="#">Open PDF</a>
2	<a href="#">October 24, 2016</a>	Monday, October 24, 2016 at 6:30 p.m.	<a href="#">Open PDF</a>
3	<a href="#">September 12, 2016</a>	September 12, 2016 at 6:30 p.m.	<a href="#">Open PDF</a>
4	<a href="#">September 6, 2016</a>	Monday, October 24, 2016 at 6:30 p.m.	<a href="#">Open PDF</a>

# **“I Want To...”**

- Goal
  - Create a simple user experience for residents accessing our current suite of digital services
- An important first step towards the first CRM-driven myGuelph citizen services portal
  - Current version is a test to get user feedback and suggestions to support future portal launch

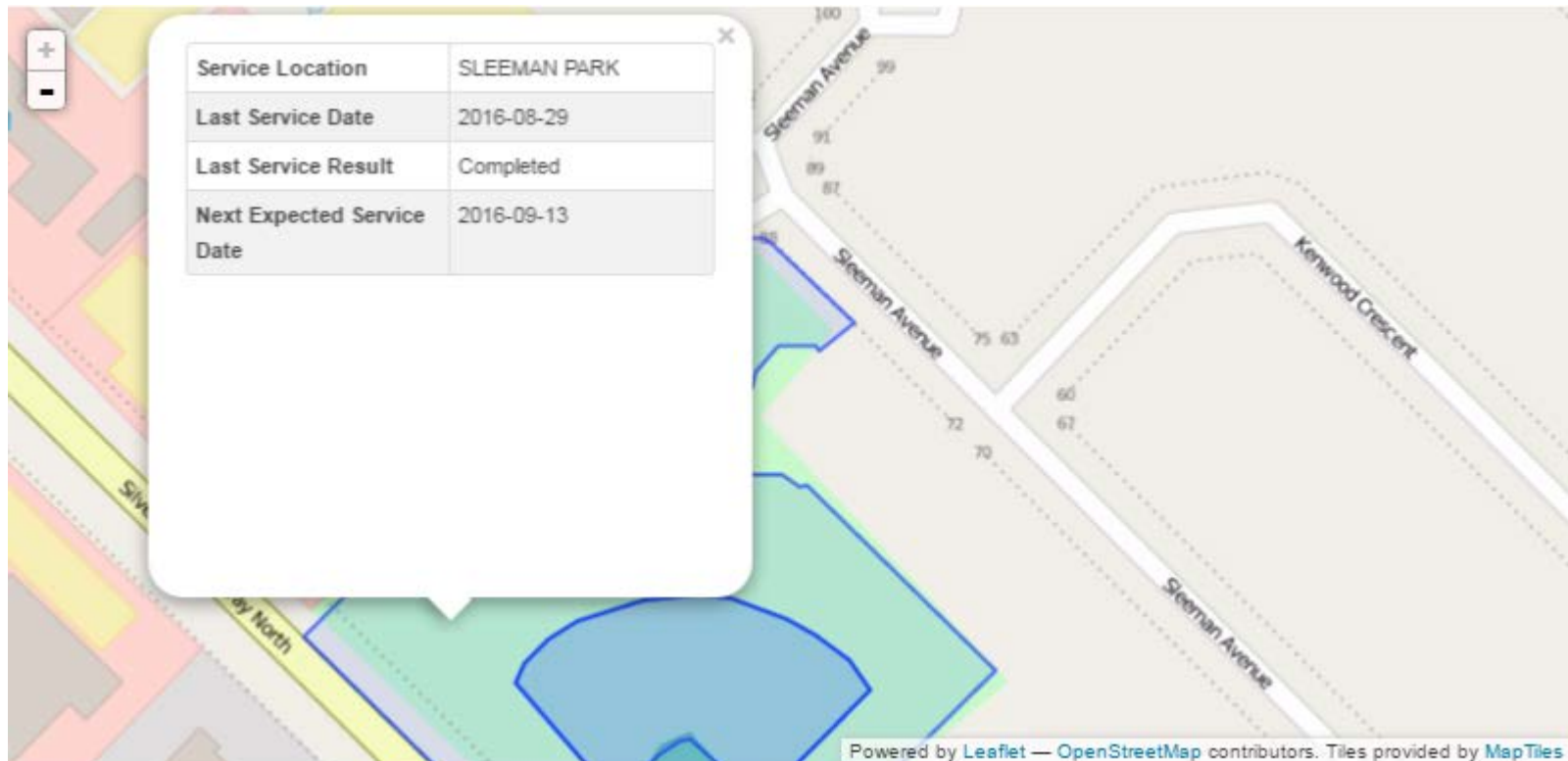
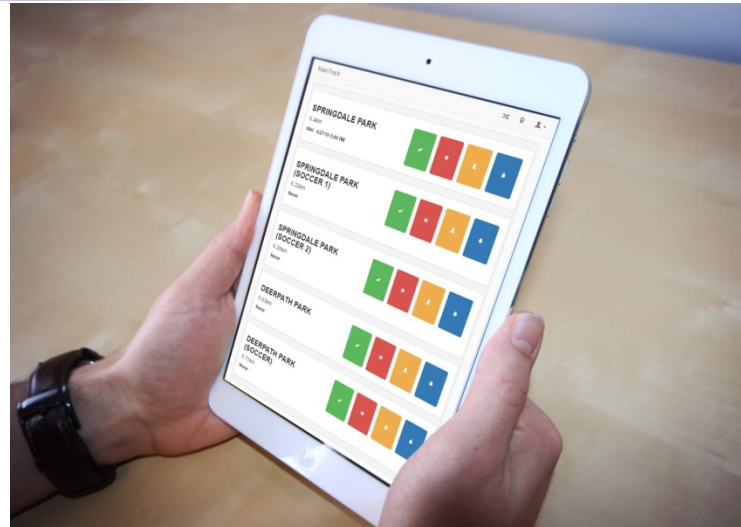


# "I Want To..."



# Parks Maintenance Tracker

- Goal: Allow the public to see when their local park was last maintained and when it is projected to be maintained next
- Can pre-empt a common customer service request from the public
- Creates internal efficiencies by reducing manual data entry time for each worker each day



# Civic Accelerator

- Gives staff to gain a deeper understanding of complex problems and how to solve them;
- Tests new ways of serving citizens better and delivering more value for each tax dollar spent;
- Creates a framework to partner with businesses on R+D to improve City services;
- “Try before you buy” on complex purchases



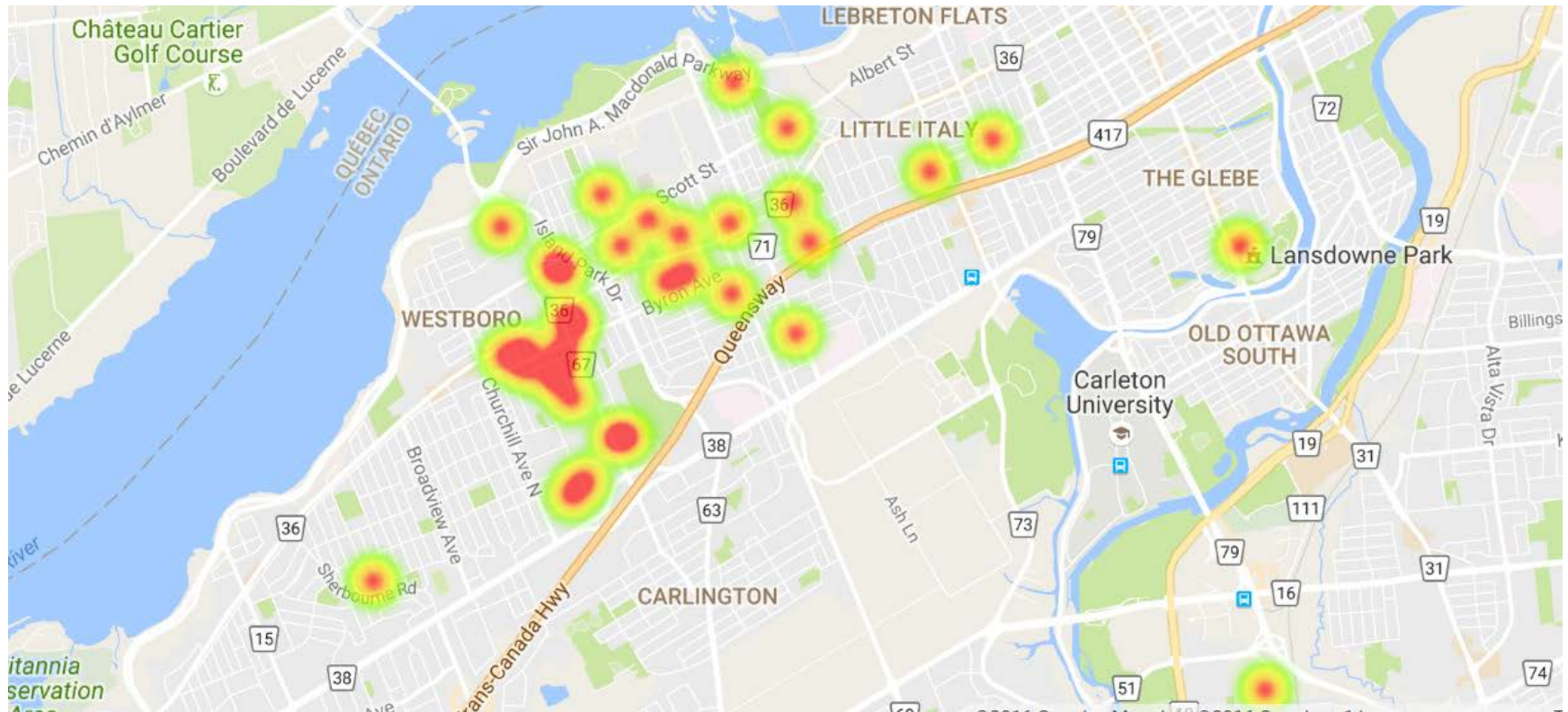
# Planning Notifications / Engagement

- Challenge
  - Improve planning notification and engagement experience for residents
- Staff Benefit
  - Potential to streamline back end planning work in support of IOR and improve customer service on a common City consultation process



What's being built in my city?

Q Enter an address



Heat Map of respondents to an Ottawa consultation

# Real Time Water Usage Data

- Citizens not currently able to receive real time water usage data, which can
  - Identify leaks and inefficient appliances/tools
  - Alert you immediately in a flood (risk mitigation)
  - Support our water conservation goals

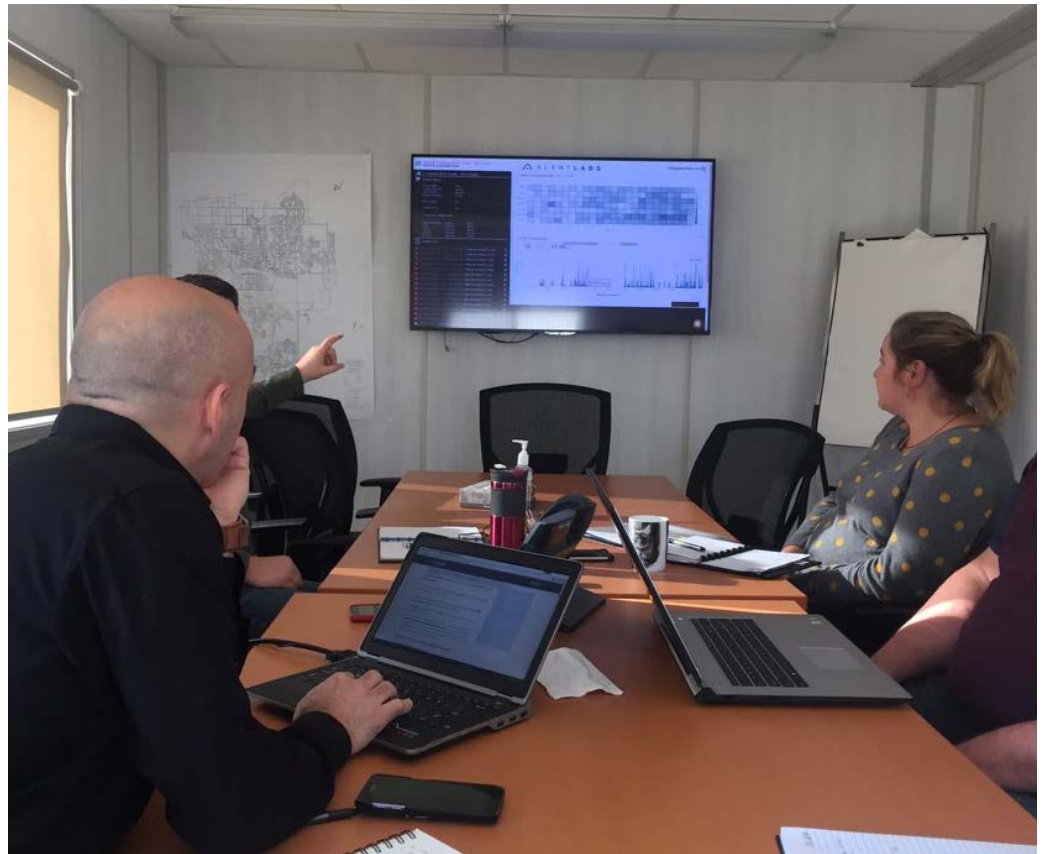




# Real Time Water Usage Data



*Testing an Alert Labs Water Flow Sensor at the West End Community Centre*



*Gaining insights into building performance with the Water Services team*



# Civic Accelerator Partners



## Conclusion: 2017 Plans

- Working with Civic Accelerator partners to drive Guelph's role in the TO-KW Innovation Corridor (civic tech and social enterprise)
  - Creating intergovernmental strategy
  - Unlocking economic potential of open data
- Supporting new digital services across the City, deploying CRM and next version of myGuelph digital services portal
- Improvement Network

# Staff Report

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To Committee of the Whole

Service Area Office of the Chief Administrative Officer

Date Monday, December 5, 2016

**Subject Digital Services Update**

Report Number CAO-C-1607

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## Recommendation

1. That the report CAO-C-1607, "Digital Services Update" dated December 5, 2016, be received.

## Executive Summary

### Purpose of Report

Digital service and innovation projects are key components of the Corporate Administrative Plan's "Our Services" pillar and its service modernization work. These new tools for the public and staff will help achieve the Plan's goals of Service Excellence, Innovation and Financial Stability.

Expanding online service helps make lives better by making it easier for citizens to access City services, giving them a great user experience, and creating potential internal efficiencies or process improvements. Importantly, it's how an ever-growing number of Guelph residents expect to be served.

This report updates Council on the 2016 budget commitment it made to support new digital City services through the Open Guelph initiative, in close collaboration with multiple City departments.

### Key Findings

A digital service is any entry point into City services that residents access online by computer, tablet or smartphone.

Work on six new digital services took place in 2016. Four are ready to launch and are described in this report. One of those is an early test version of a new digital portal, which consolidates the full range of digital City services currently available into one location. Work on two more new services is still underway through the Civic Accelerator program.

The potential benefits of digital modernization were clearly described in the City's 2012 Open Government Framework report and the Council-approved Open Government Action Plan from 2014, which laid out a roadmap towards the services described in this report. More recently, the latest phase of the I.T. strategy is focused on updating the City's major business systems in order to support the creation of a comprehensive digital service platform.

Over the next few years, staff are building myGuelph: a digital one-stop-shop for accessing City services, information and ways to participate. The main public product will be a customizable digital services dashboard: a single place where you can access many different types of services in a coordinated way. The City is in the latter stages of buying the software that will power this portal. In the meantime, digital services are being built and released, driven by community and operational needs.

### Financial Implications

In the 2016 budget, Council approved a three-year project: \$42,500 a year to create two new digital services per year. The tools in this report were built within that budget, which is fully allocated for this year.

## Report

The service modernization program is a set of initiatives that, together, aim to create:

1. great citizen experiences;
2. continuous improvement for the City;
3. easy access to services through multiple channels.



## *The Our Services CAP Pillar*

The creation of myGuelph, a digital one-stop-shop for accessing City services, information and ways to participate is central to the service modernization program. It will increase our ability to easily create more digital service options, enhance customer service and unlock potential internal process improvements.

This update report focuses on digital service work from 2016 and shares what's next for 2017 as staff work towards the full myGuelph portal launch.

### **Section 1: Current State and Long-term Vision**

#### **Citizen expectations for digital services**

A 2016 study found that more than two thirds of Canadians expect governments to expand their use of digital technology to deliver public services (EnviroNics: *Canadian Public Opinion on Governance*, 2016).

A City of Guelph study in 2014 showed that 85% of Guelph residents surveyed believed digital modernization can improve City services.

The potential benefits of digital modernization were also clearly described in the City's 2012 Open Government Framework report and the Council-approved Open Government Action Plan from 2014, which laid out a roadmap towards the services described in this report.

It's clear that citizen expectations for digital services are increasing and that the City must meet this need. However, it is important to note that creating new digital tools does not mean the City is forcing residents to interact with us online. Rather, the City is striving to provide a consistent, high-quality service experience, through whichever service channel a resident chooses.

#### **Early digital services**

Two digital tools that are outside the scope of this report but merit mention are How Can We Help You (launched in late 2013) and 311GIS (launched in late 2015). These are issue reporting platforms that simplified the citizen's user experience, allowed for more data-driven decision making and reduced pressure on other issue-reporting channels, like telephone or in person visits. Between the two platforms, 8,420 issues have been reported by the public since their launch and 12,453 have been inputted by staff who use 311GIS to help manage their work flow.

There are many different digital modernization projects happening across the City. To be effective, digital service projects must pay equal attention to the external citizen experience and internal City staff and processes. The tool must have the proper functionality and business processes must be adapted as well.

The City uses both buy and build methods in its digital projects, where appropriate. This can be thought of as off the shelf vs. custom software. A number of factors influence these decisions in every case:

- Cost of up front purchase and annual operating expenses;
- Extent to which specific business requirements are met by an off-the-shelf product;
- Any potential efficiency trade-offs in modifying business requirements to fit a product,
- Departmental capability to adapt and plan for adopting this new tool;
- Extent to which current technology and business systems can integrate with a solution;
- Whether or not base features of an off-the-shelf tool are easily replicable;
- Availability of affordable talent to create custom solutions.

Typically, building instead of buying allows for greater customization if there are particular business needs that must be included in a project for it to be effective. Buying can be more favourable if there are time constraints facing a project. Each of the digital services described below includes a brief explanation of why the route chosen was the appropriate one.

### **The digital vision: A customizable digital services portal**

*"The private sector has revolutionized customer care, and these improvements have raised the expectations of individuals as they interact with their government. Citizens and constituents now expect seamless, personalized, convenient self-service options for interacting with government across multiple channels at any time of day or night."*

- [Microsoft Dynamics CRM for Government](#)

City staff from multiple departments are currently preparing to roll out customer relationship management (CRM) software across the City. This will have implications for the public and for staff.

For the public, CRM will power a comprehensive digital services portal called myGuelph. myGuelph will allow a citizen to log in to their personal account and access multiple types of City services from one simple dashboard, such as finding information about the City, applying or registering for permits and programs, requesting services such as reporting a pothole or paying their taxes. Residents will

able to customize their dashboard to give them more information or updates about issues and services that interest them, providing a personalized digital service experience.

myGuelph will not launch with all of these services and functionality available from the start. Staff are starting small and scaling up across City departments to ensure that those departments have enough time to adapt their internal processes to harness the full potential of online service delivery, alongside their existing telephone, email and in-person service delivery channels.

For staff, the main result is that a CRM platform allows for quick and easy deployment of online services without the need for extensive development due to the native functionality of CRM.

While longer-term projects like CRM are underway, staff are also taking steps to immediately improve our digital services channel by creating individual digital service. These streams of work will merge together in 2017-18 as CRM comes online.

## **Section 2: 2016 Digital Services Work**

### **Public Consultation**

Staff committed to Council that the newly funded digital services project would be heavily influenced by community priorities.

In January and February of 2016, residents were asked “What digital services would make your life easier or business better?” Forty-one unique ideas were received, covering more than a dozen City departments. Some were already on departmental work plans or partly underway, others were not feasible for reasons of cost and scope. The new digital tools described below were chosen from the remaining ideas based on departmental readiness, technological feasibility and cost.

The full list of resident suggestions is attached to this report as ATT-1.

### **What’s happening now and next?**

Work on six new digital services took place in 2016. Four are ready to launch and are described below. Work will continue on two into 2017 through the Civic Accelerator program, described in the next section.

#### **1. Waste Reminder**

This tool allows residents to sign up for reminders letting them know it’s their collection day and what carts to set out. Reminders are available by text, phone call or email.

This program will help to educate and inform citizens, increase customer service satisfaction and improve City efficiency by reducing calls associated with incorrect set outs or residents missing their collection days.

There are two companies in the Canadian market that provide a similar tool. Guelph's version was built, not bought, to both provide a higher level of service than those provided, to be fully AODA compliant, and to realize back-end efficiencies for the Waste and I.T. staff who administer the system.

## **2. Council Search**

This tool allows for easy searching of Council minutes dating back to 2006. For all Council meetings after the launch of Committee of the Whole (September 2016), Council Search will also display search results by specific motion and vote result.

The goal is to make it easy for citizens, staff and Council to search Council minutes and find information about what issues were discussed and when.

This tool was a custom software project as there was no suitable off the shelf solution on the market.

## **3. "I Want To"**

This new tool is a single portal to our current suite of digital services. This is a test version to get user feedback and can be considered an early first version of the full myGuelph portal. A benefit of this test is that it immediately makes accessing our current digital services easier by highlighting them in an easy to navigate menu.

The goals are to:

- Improve the user experience for citizens accessing digital City services;
- Make progress towards the comprehensive, CRM-driven myGuelph digital services portal.

This tool was built internally by staff as the City had the web design resources to complete the project.

## **4. Park Maintenance Tracker**

This new tool allows the public to see when their local park was last maintained and when it is projected to be maintained next. This can pre-empt a common customer service request from the public by opening up maintenance schedules.

To achieve this, the reporting process used by our parks maintenance staff was modernized, moving them from a paper-based system (where automated public schedule sharing was not possible) to a new scheduling app. This app reduces the



time each worker spends daily on manual data entry while allowing for real-time reporting of park maintenance progress.

The technology was developed and tested during the 2016 season and will be formally launched for the summer of 2017.

This tool was built at a significant discount to the City in an early trial of the Civic Accelerator model, where the City served as a test bed for a company developing a new product.

### **Section 3: Innovation and Improvement Work**

#### **Civic Accelerator**

The January 2016 public consultation identified a wide array of possible digital services projects. There were not, however, products or solutions on the market to address all of the ideas we received. Some suggestions, like improving the planning notifications process or providing citizens with real time water usage data for their homes, did not have off-the-shelf solutions that could be easily implemented. This created an opportunity for an emerging City innovation program called the Civic Accelerator to help create solutions to these complex problems.

Launched in June of 2016, the Civic Accelerator emerged from research work done by the Guelph Lab, the City's civic innovation partnership with the University of Guelph, on how to improve outcomes from City procurement, especially in complex areas where new technology may be involved. Building on the insights from the Guelph Lab work, the Accelerator has turned City departments into research and development labs for civic tech companies seeking to build new products that solve complex City issues.

The Accelerator is a partnership between Innovation Guelph, the University of Guelph, the Guelph Lab, the Centre for Business and Student Enterprise, the Guelph Chamber of Commerce and Canada's Open Data Exchange.

Some benefits of the Accelerator are that it:

- Allows staff to gain a deeper understanding of complex problems and learn about alternative approaches or ideas that could solve them;
- Tests new ways of serving citizens better and delivering more value for each tax dollar spent;
- Creates a framework to partner with businesses on R+D to improve City services;
- Allows staff to try before they buy on complex purchasing decisions.

The program works by releasing a challenge for private sector innovators and start-ups to solve. Successful applicants are currently embedded within two City departments developing their products. The embed period runs from September to December of this year.

There are three possible outcomes at that point:

- The solution created does not meet City needs and we end the prototyping arrangement.
- The City and company agree that work is promising but more time is needed;
- The product meets City needs and a purchase is considered.

Regardless of which option the City chooses, the Accelerator process has the practical effect of bringing experimentation, prototyping and insightful new forms of evaluation prior to making complex purchasing decisions.

The Civic Accelerator is the first of its kind in Canada: a business accelerator program, focused on solving City issues, inside of a municipal government. Staff have received over a dozen inquiries from other Ontario cities, provincial governments and the federal government about the program design and outcomes. Staff are very pleased with the program's progress to date.

## **Active Civic Accelerator Projects**

### **1. Real Time Water Usage Data**

The Challenge: Citizens are not currently able to receive real-time water usage data, which can

- immediately identify leaks or floods;
- provide insight into inefficient appliances or tools;
- support our water conservation goals.

Currently, if a resident experiences a spike in water usage, which could be caused by legitimate usage, a leak on their property or in their home, or another issue, Guelph Hydro will notify our Water Services Department after the once-per-month meter reading identifies the spike. For extreme cases, the City then sends a technician to discuss the issue with the homeowner. This occurs 2-3 times per week.

This system is reactive (with an approximately 6-week lag) and not preventative, as one that runs on real time data would be.

The City is working with Alert Labs to evaluate its water meter sensor technology for possible use in City facilities and inclusion in City rebate programs, the goal of

which would be to make it as simple as possible for local residents to adopt this technology in their homes.

## **2. Planning Notification and Consultation**

The Challenge: Improve planning notification and engagement experience for residents while streamlining the back end work flow for planners.

In this case, the benefit is the potential to streamline back end planning work in support of IOR and increase customer service satisfaction on one of the City's most common notification and consultation processes.

The City is working with Milieu Technologies on its notifications and consultation platform to evaluate whether or not it addresses City needs in this area.

## **Section 4: Work Planned for 2017**

### **Innovation Corridor**

Work has already begun with Civic Accelerator partners to drive Guelph's role in the Toronto-Waterloo Innovation Corridor and explore the development of a civic technology and social innovation cluster in Guelph. Staff believe there is significant potential in this project to support existing economic development strategies (i.e. Prosperity 2020) and create a unique innovation cluster that harnesses Guelph's existing strengths and potential. Work is already underway with the Civic Accelerator partners to form a common intergovernmental advocacy strategy to secure federal and provincial dollars in support of developing this innovation cluster.

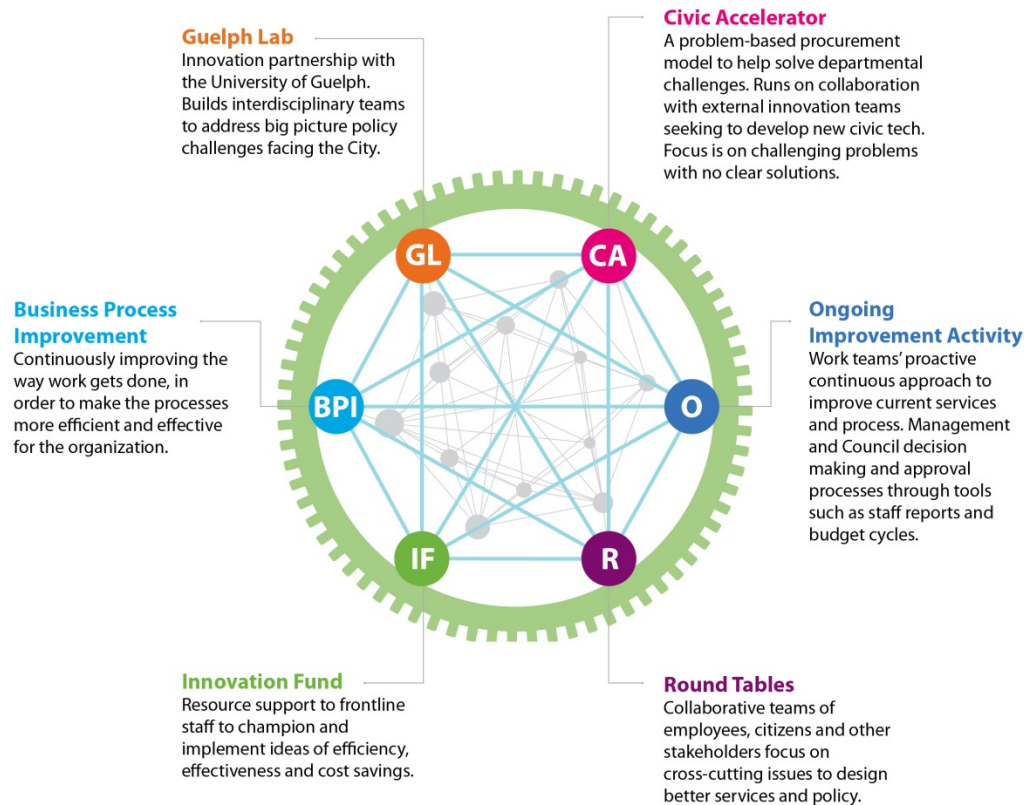
### **Digital Services**

Work will continue to enable new digital services across City departments, including more individual digital services like the ones described in this report and the first version of the CRM-backed myGuelph digital services portal.

### **Growing a Culture of Continuous Improvement**

The work of the Improvement Network, founded in 2016, will ramp up in 2017. This is an internal network of programs and supports for employees to solve complex issues facing their work that can improve efficiency and effectiveness. This work can also help build our culture of innovation, as well as integrate and better coordinate our many improvement initiatives such as Service Reviews and the Innovation Fund.

# Improvement Network



*The Improvement Network. Note: Service Reviews are included under BPI.*

## Financial Implications

In the 2016 budget, Council approved a three-year digital City services project: \$42,500 annually to create up to two new digital services per year. The new tools described in this update were created within that budget, which is fully allocated for 2016.

## Communications

Approach to Communications following decision from Council

## Attachments

ATT 1- 2016: Full list of citizen-requested digital services

**Report Authors**

Andy Best  
Jennifer Smith  
Blair Labelle



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**Approved By**

Barbara Swartzentruber  
Executive Director, Policy,  
Intergovernmental Affairs  
and Open Government  
519-822-1260 ext. 3066  
Barbara.Swartzentruber@guelph.ca



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**Recommended By**

Mark Amorosi  
Deputy CAO, Corporate Services  
519-822-1260 ext. 2281  
Mark.Amorosi@guelph.ca

## ATT-1

### **Full List of Citizen Suggestions for City Digital Services from 2016 Consultation: What digital services would make your life easier or business better?**

Note: Many of the suggested services either already exist or are already on City work plans for the future. This is the raw list of resident suggestions.

<b>Idea</b>	<b>Relevant City Department(s)</b>
Provide real time data on residential water usage	Water Services
Real time information about when waste carts will be picked up, including other required interactions with Waste	Waste
Clarification of council minutes	Clerks
Digital Access to Development, Zoning and Variance Application: Real-time Info when an application to the city has been made depending on perimeter of interest	Planning
Input home address to determine closest bus stop and next arrival time	Transit
Track busses on your route	Transit
e-tickets that can just be scanned from your phone when you board the bus	Transit
Cross reference to other transit schedules to enable more complex trip planning	Transit
Track snow plow progress in real time	Operations
Improve traffic flow by coordinating traffic lights	Operations and Facilities (Energy)
Comprehensive construction and detour page	Engineering
Customer Dashboard for tax accounts and online payment of taxes	Finance
Pay parking tickets online	Courts
Online payments for all bylaw infractions	Courts
Online payment for facility bookings and community guide ads	Recreation
Comprehensive "City Card" to replace library card, bus pass, pay for waste fees at public drop off, and more	Multiple departments
Budget Viewer with Drilldown/up Capabilities	Finance
Budget Breakdown: How Taxes are allocated in the community	Finance
Digital Version of the Active Transportation Map	Engineering and GIS
Community Programs Signup: Signup by	Community Services

smartphone/tablet/computer	
Centralized Events Page	Tourism
Calendar for viewing and booking sport fields, arenas, gyms, community centre rooms	Recreation
Community rink locations and conditions	Recreation
Camp Information: City area summer camps listed	Recreation
Online Opinion Polls for Public Issues	TBD
Reporting Public Works related concerns	Operations
Local News: Pop up notifications for City news	Communications
An App for various digital services: road closures, parking permits, local news (311 GIS)	Bylaw and numerous other departments
Digital Signage at high traffic areas	Engineering and Operations
Tool to show citizens about applicable rebates for products such as the Royal Flush Program	Water Services
Staff and City Council Directory Revised: To include improved communication with staff and councillors	IT
Access to ALL Public City Documents	n/a
Free Wifi in the Downtown Core	Downtown Guelph Business Association is pursuing this project.
Traffic flow Concerns, light timing and accident prone areas: A way to report infrastructure concerns	Engineering and Operations
Parking Exemption via an App – where to park, how to get an exemption	Bylaw
Digital Access to Guelph Library Services	Library
Digital Classifieds Section/Community Service Opportunities	TBD
Information about local taxis	n/a
Local Digital Bulletin Board: Info on City events- Community groups and citizens to post on – Citizen of the week Section – Local Picture Board	Tourism or Community Services
Guelph's own ISP	IT
Social Services Programs: Info pertaining to specific social services (ex: hours of operation)	Community Services

# Staff Report



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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

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## 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

## **Report Author**

Randy Berg



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**Approved By**

Doug Godfrey  
General Manager  
Operations  
519-822-1260 ext. 2520  
[doug.godfrey@guelph.ca](mailto:doug.godfrey@guelph.ca)



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**Recommended By**

Colleen Clack  
Deputy CAO  
Public Services  
519-822-1260 ext. 2588  
[colleen.clack@guelph.ca](mailto:colleen.clack@guelph.ca)

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.

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Cam Guthrie – Mayor

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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
<b>Yes</b>	59%	63%
<b>No</b>	41%	31%
<b>Other</b>		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

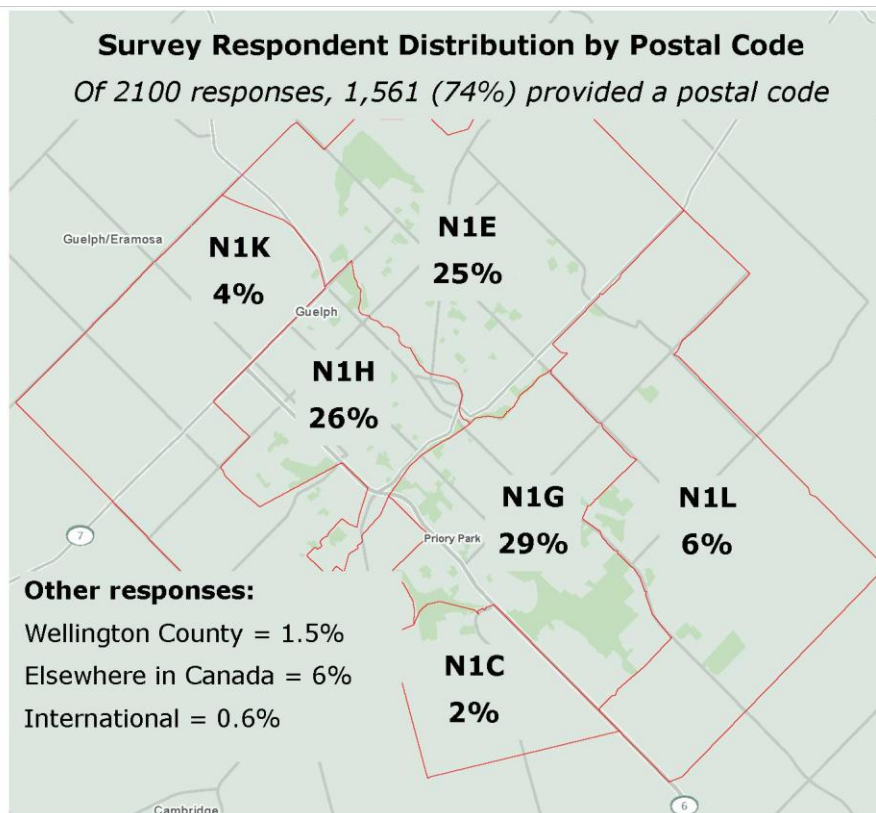
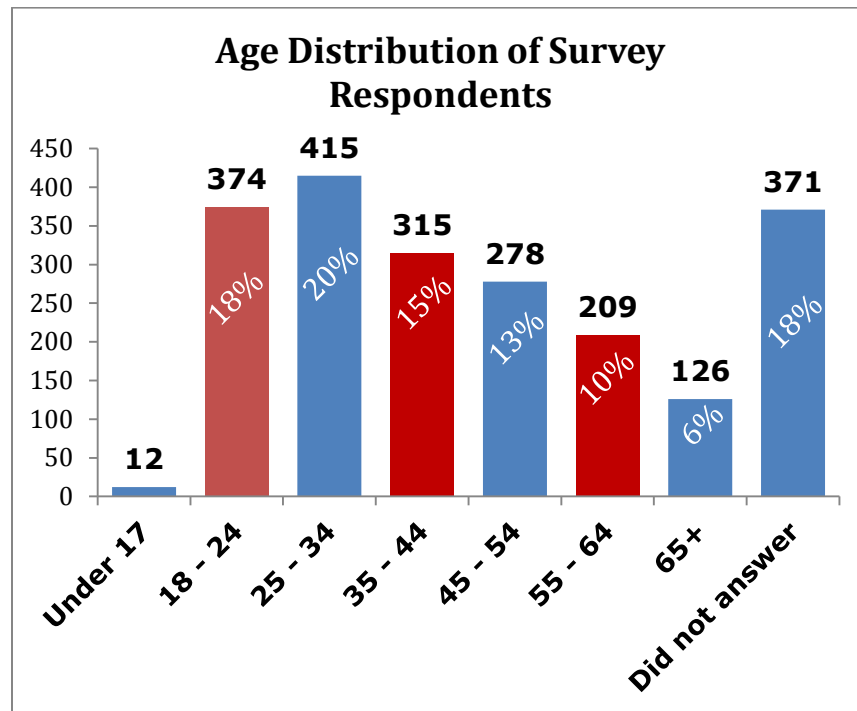
2-5 comments were made about the following issues:

- 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, Serval), 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	
	<i>Anseriformes</i>	Ducks, geese, swans	Except Domestic Ducks and Geese as in Animal Registration Section
Aves (Birds)	<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"> <li>the genus Eunectes [Anacondas]</li> <li>Morelia amethistina [Amethystine and Scrub pythons]</li> <li>Python molurus [Indian python, Indian rock python, Burmese python]</li> <li>Python sebae [African rock python]</li> <li>Python reticulatus [Reticulated python]</li> <li>Varanus niloticus [Nile monitor]</li> <li>Varanus salvadorii [Crocodile monitor]</li> <li>Varanus salvator [Water monitor]</li> <li>Varanus varius [Lace monitor]</li> <li>Varanus giganteus [Perentie]</li> <li>Varanus komodoensis [Komodo dragon]</li> <li>the family Viperidae [True vipers, Fea's viper, Night adders, Rattlesnakes etc.]</li> <li>the family Elapidae [Cobras, Mambas, Kraits, Coral snakes etc.]</li> <li>the subfamily Hydrophiinae [Sea snakes, Coral reef snakes etc.]</li> <li>the genus Dispholidus [Boomslang snakes]</li> <li>the genus Thelotornis [Twig snakes]</li> <li>the genus Rhabdophis [Keelbacks]</li> <li>the genus Atractaspis [Burrowing vipers, Mole vipers]</li> <li>Philodryas viridissimus [South American Green racer]</li> <li>the family Helodermatidae [Gila monster, Beaded lizards]</li> </ul>	
	<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"> <li>the family Buthidae [Fat tailed scorpions, Bark scorpions etc.]</li> <li>the family Ctenidae [Wandering spiders]</li> <li>the genus Latrodectus [Black widow spiders]</li> <li>the family Sicariidae [Brown recluse spider, Assassin spider, etc.]</li> <li>the family Hexathelidae [Australian Funnel web spiders]</li> </ul>	
		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**

### **Orginal 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 leashed 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 1<sup>st</sup> 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)
		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



BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL				
BYLAW DEFICIENCIES	Excrement	Exotic Animals	Poultry	Animal Control
		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
		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

## BYLAW SERVICES REVIEW REPORT - ANIMAL CONTROL

BYLAW DEFICIENCIES	Excrement	Exotic Animals	Poultry	Animal Control
		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
				enhancing dare 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)

# **BYLAW SERVICES REVIEW REPORT – ANIMAL CONTROL**

BYLAW DEFICIENCIES	Excrement	Exotic Animals	Poultry	Animal Control
		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				
<b>CALLS FOR ENFORCEMENT</b>	<b>Excrement</b>	<b>Exotic Animals</b>	<b>Poultry</b>	<b>Animal Control</b>
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			
<b>Philosophy of By-law</b>				
What are the reasons for implementation?	Enforcement - deterrent - cost recovery			
Are the reasons for its implementation still relevant today?	Yes			
<b>Bylaw Deficiencies</b>				
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			
<b>Bylaw Fees</b>				
Are there fees associated with the Bylaw	Yes			
Are they set at an appropriate level?	No - being reviewed			
<b>Enforcement</b>				
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			
<b>Fines:</b>				
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			
<b>Calls for Enforcement:</b>				

# 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.			
<b>Strategies:</b>				
What strategies might be considered to promote a reduction in the number of calls for service?	higher fines			
	education			
	signage			
<b>Burden on Taxpayer:</b>				
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		

<b>Date of communication</b>	<b>Form of communication</b>	<b>Topic</b>	<b>In Support</b>	<b>Does Not Support</b>	<b>No Position</b>
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 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.)

# Street Tree Ownership

December 5, 2016

Martin Neumann

Manager of Parks Operations & Forestry



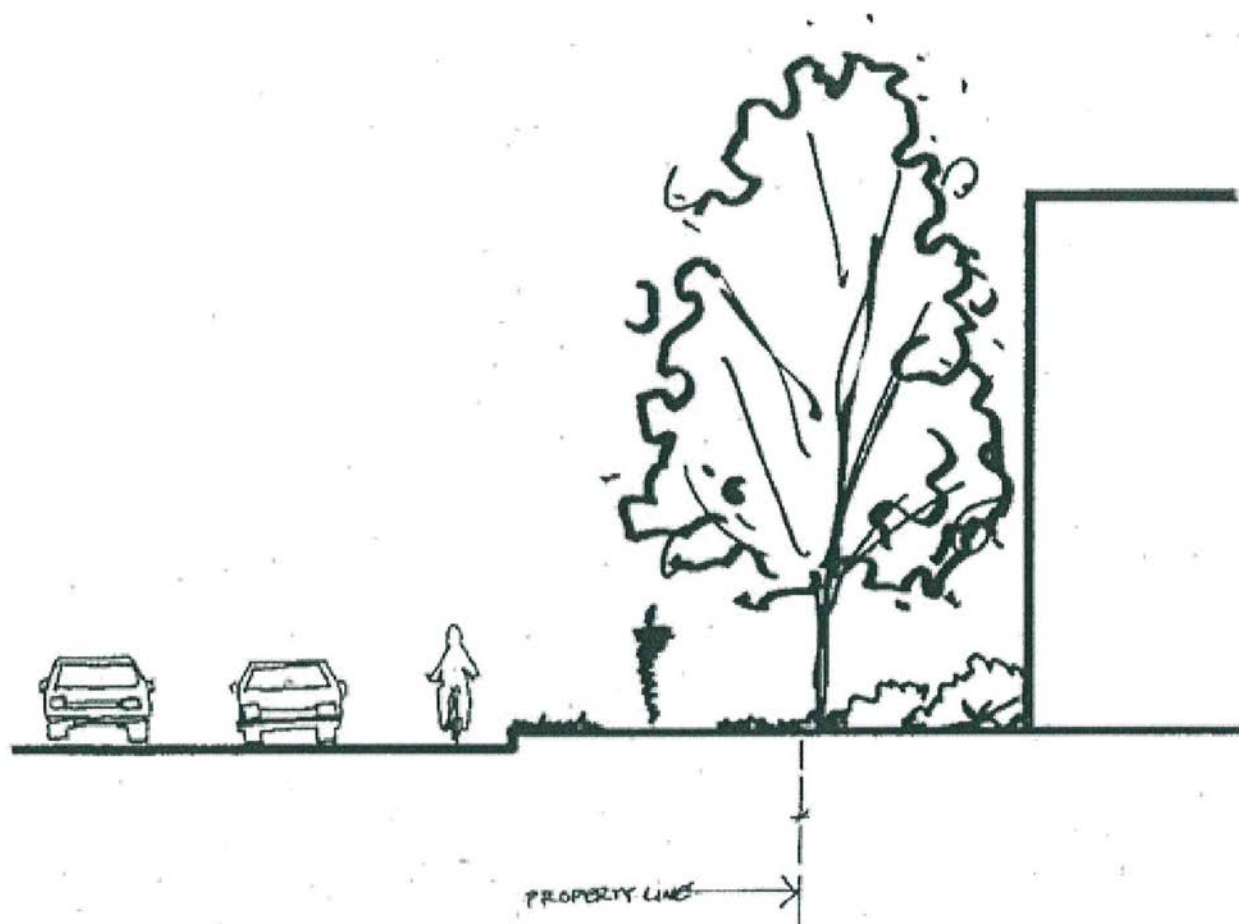
- ☐ **How to determine tree ownership**
- ☐ **Why street trees are sometimes planted on private land**
- ☐ **Tree inventory**
- ☐ **Street tree ownership in Guelph**

# Three Categories of Ownership

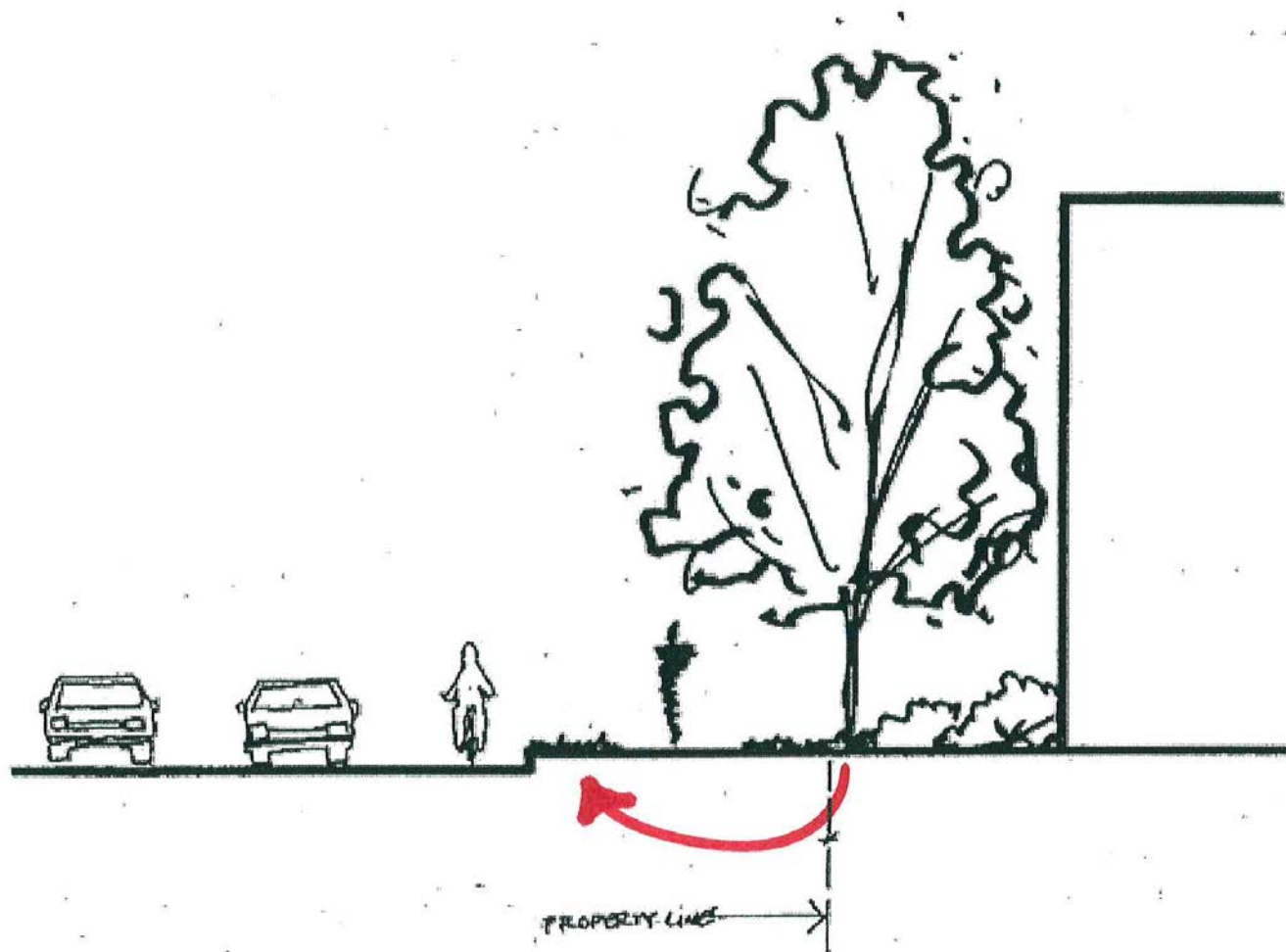
**1. City**

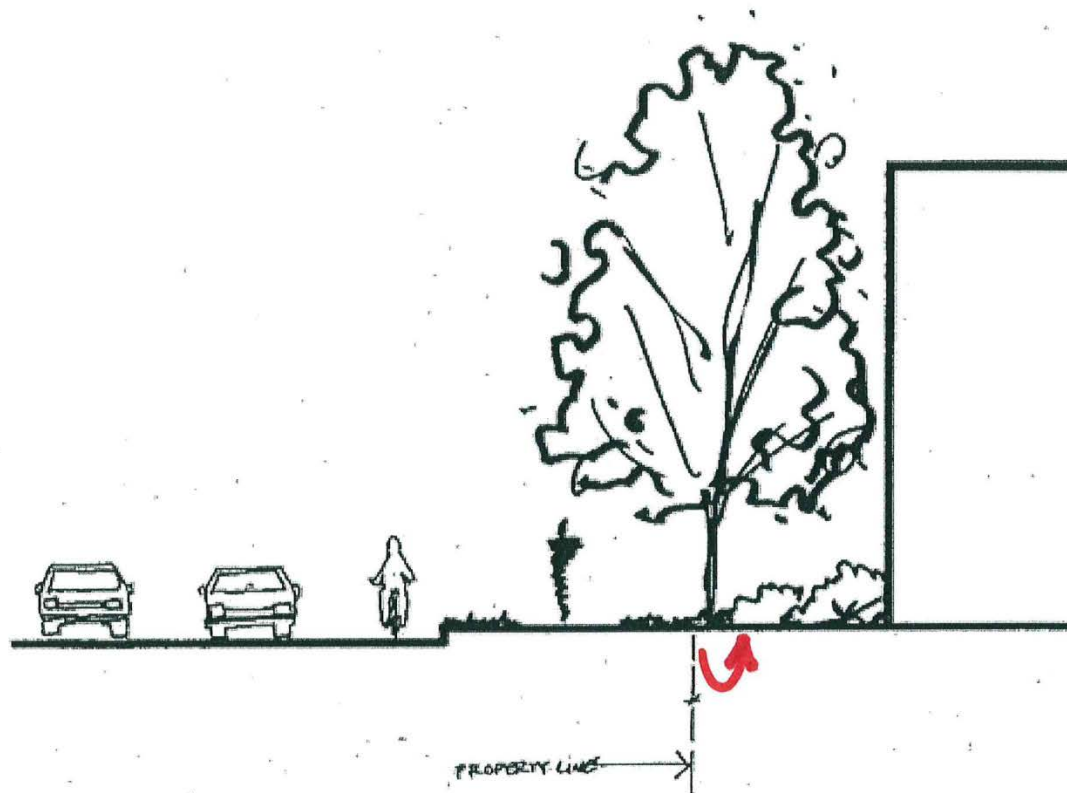
**2. Private**

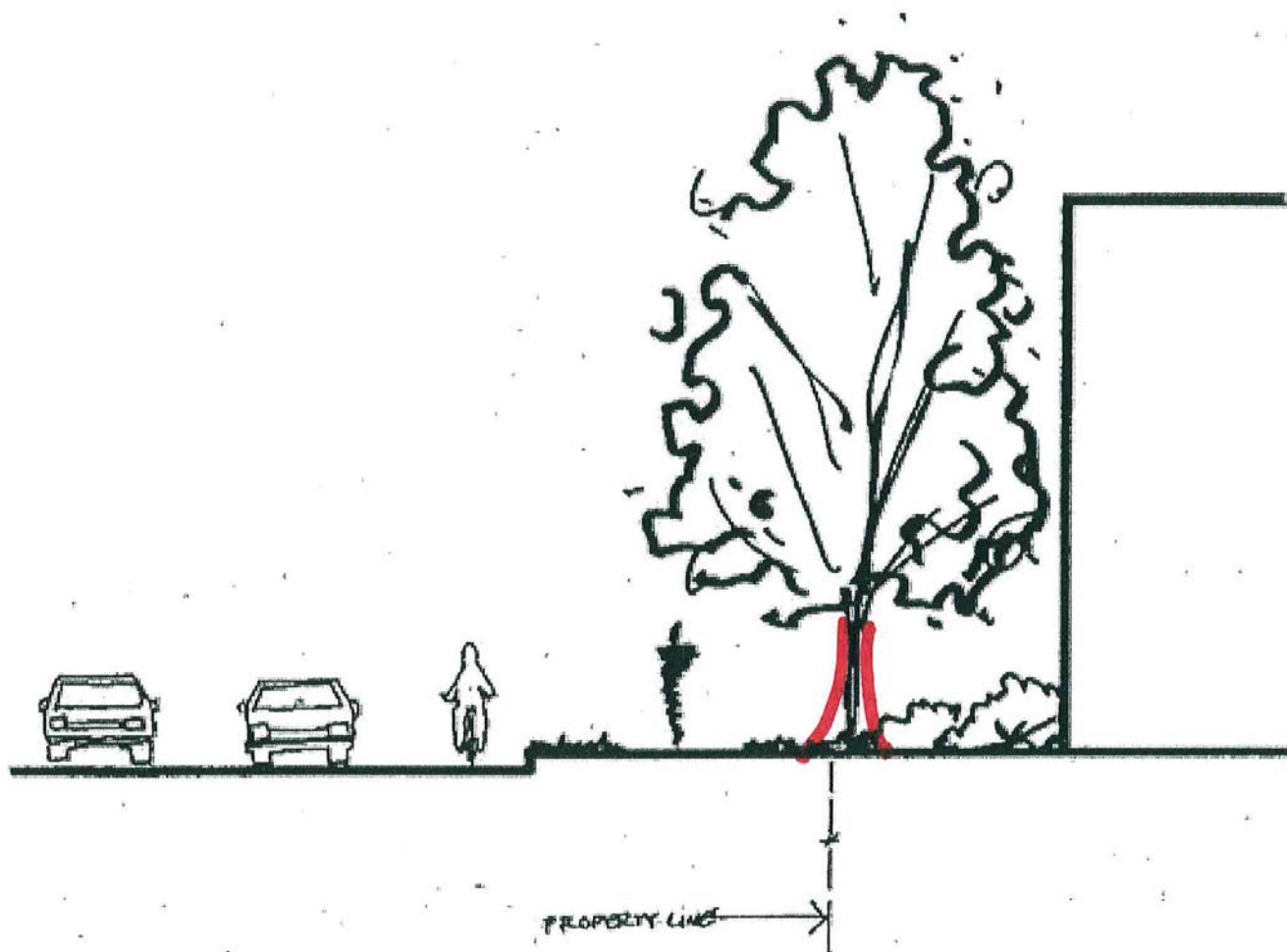
**3. “Shared” or “Boundary”**

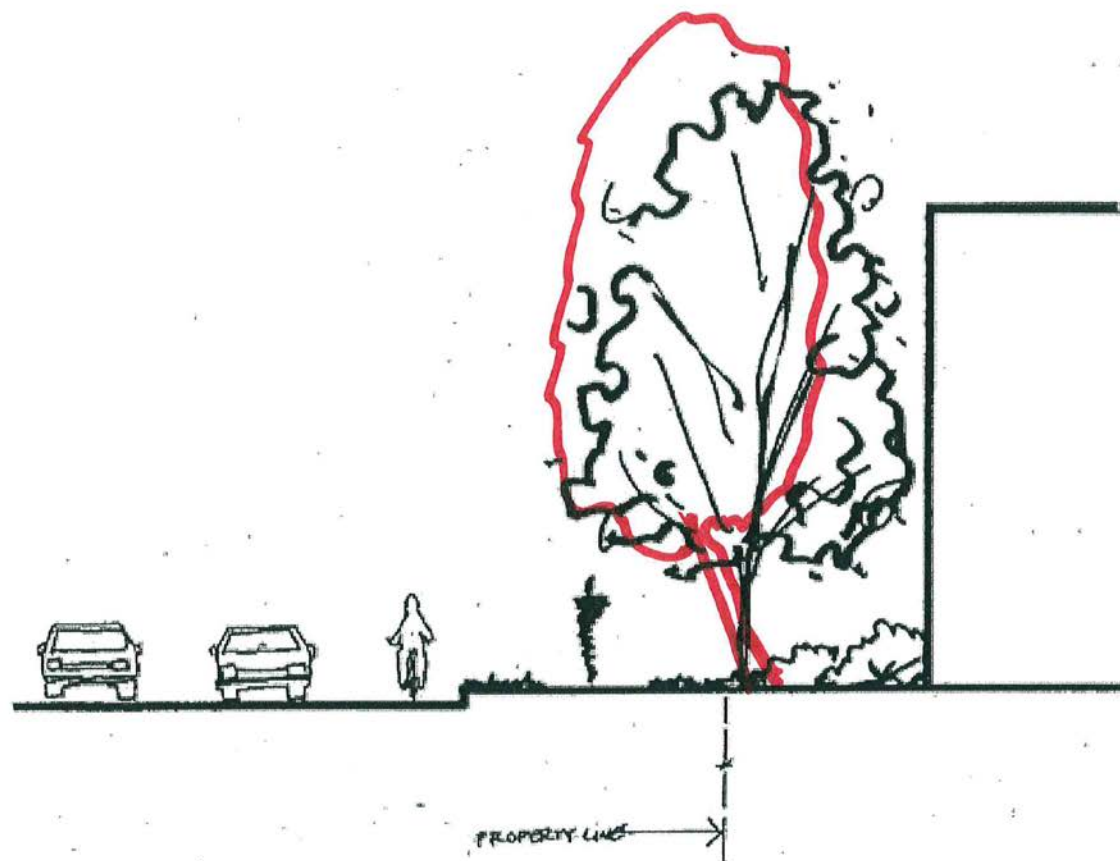






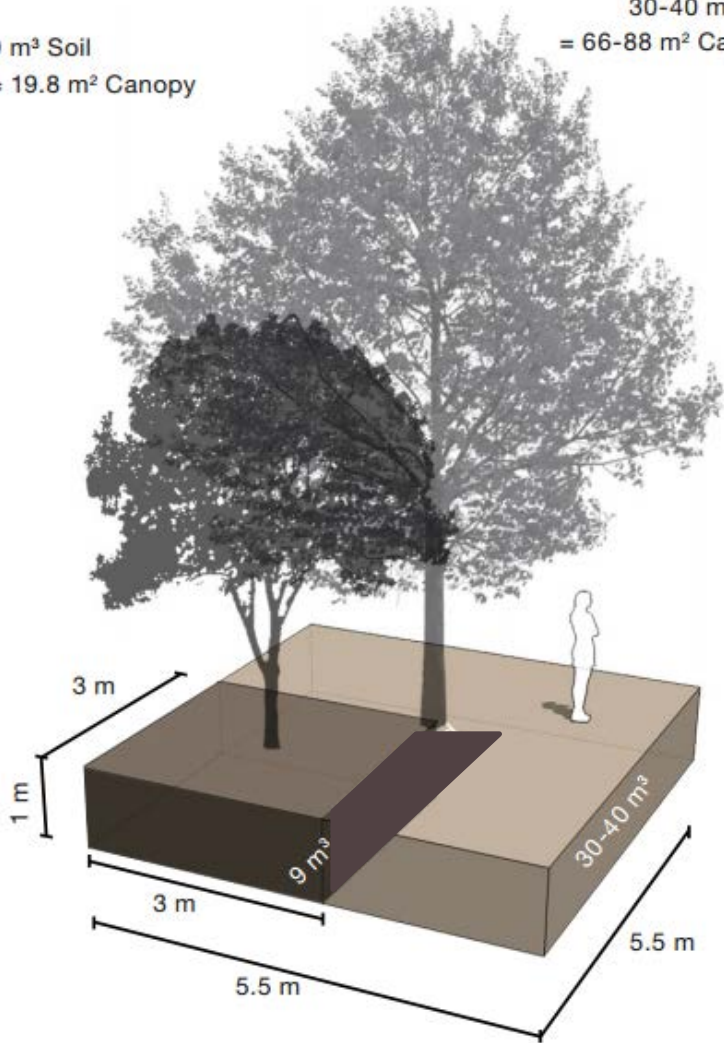






9 m<sup>3</sup> Soil  
= 19.8 m<sup>2</sup> Canopy

30-40 m<sup>3</sup> Soil  
= 66-88 m<sup>2</sup> Canopy

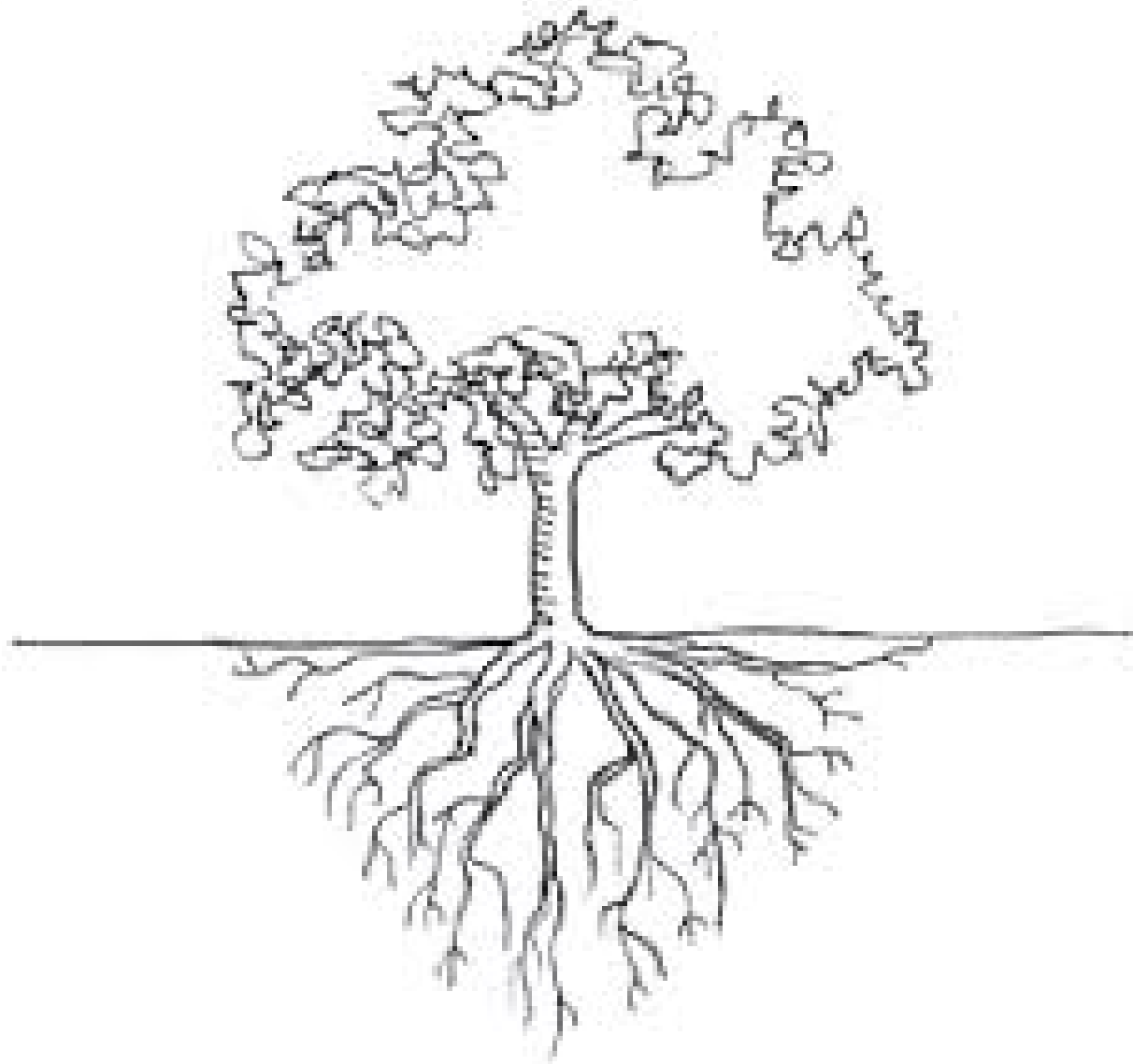


**Why are street trees  
sometimes planted on  
private land?**

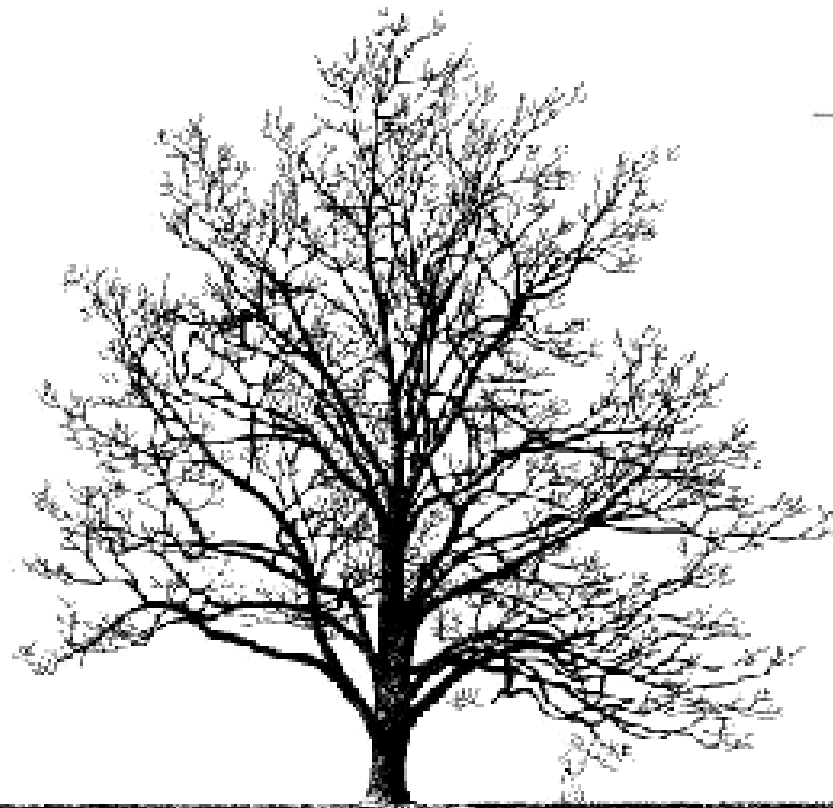
**Conflict with buried  
utilities, roads,  
sidewalks**

**Soil volume needed**

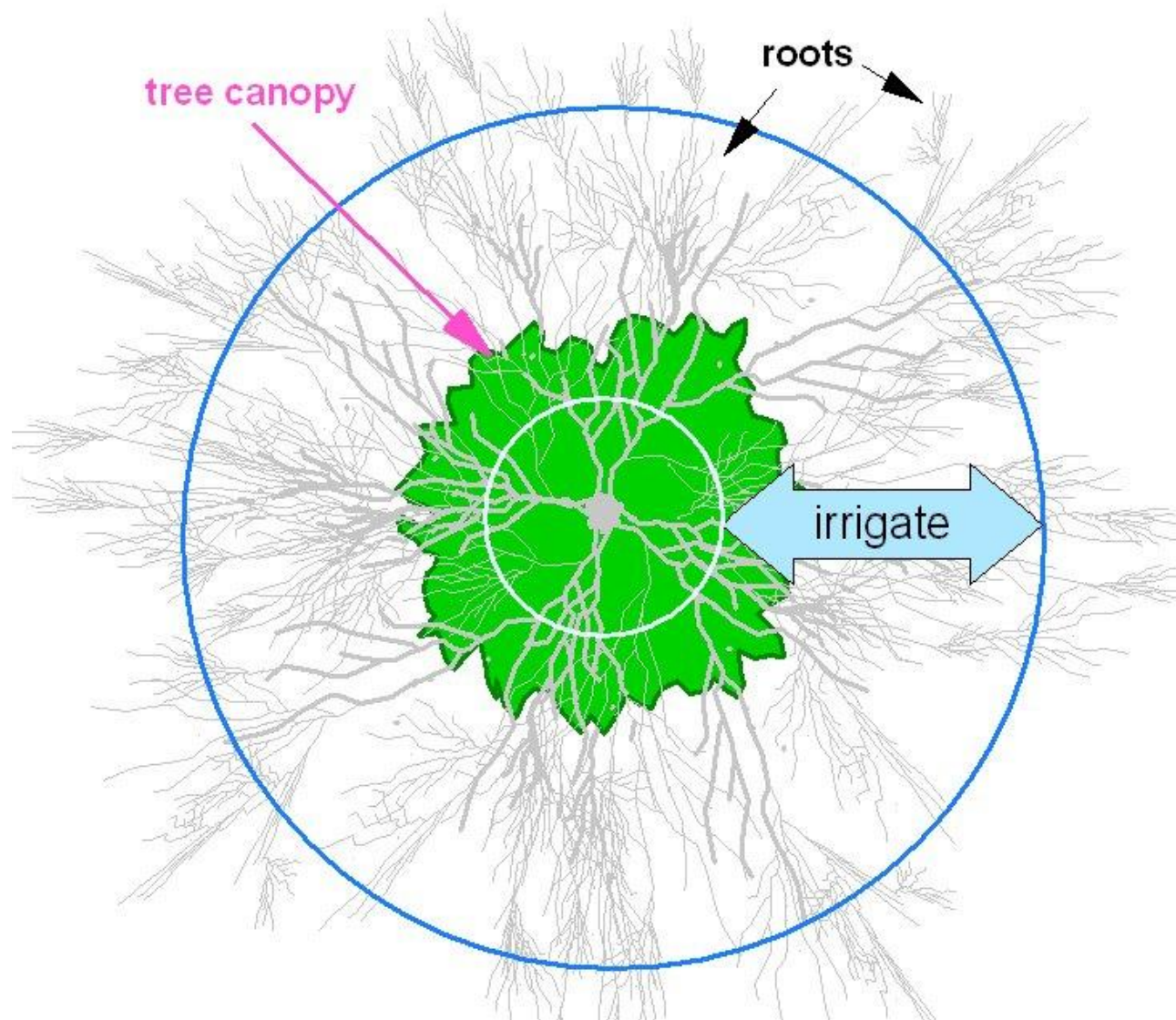
**Tree benefits increase  
exponentially with  
tree size**

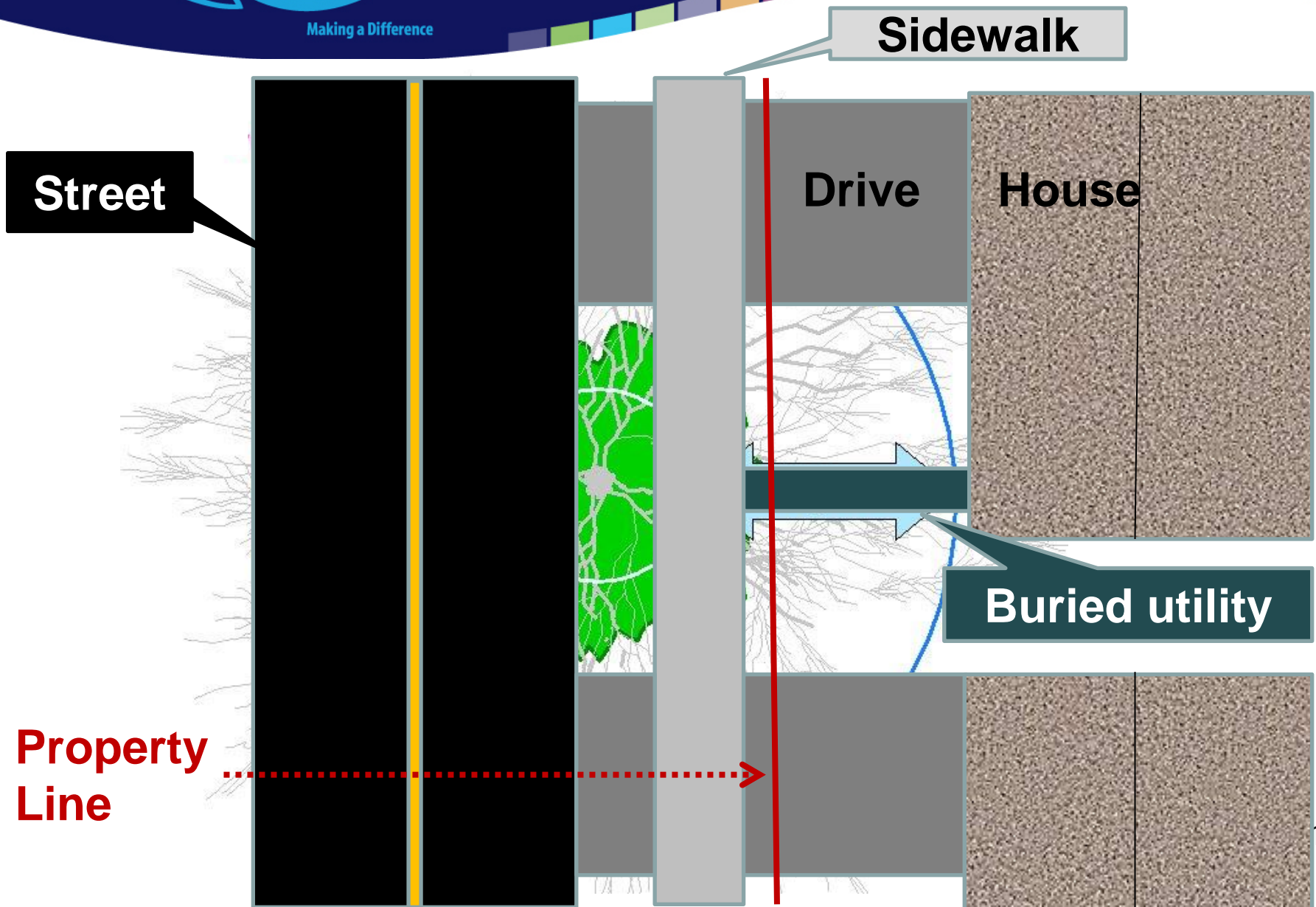












## Overall Inventory stats

**Street trees** **39,786**

**Park Specimens** **10,024**

**TOTAL** **49,810**

**Forests within City** **570 ha** **444,000 trees**  
(maintained by Parks & Forestry; includes GRCA lands under maintenance agreement)

**Forests outside City** **330 ha** **293,000 trees**  
(comprised of wellfields – e.g. Arkell Springs – managed by Water Dept., plus Guelph Lake Sportsfield complex)





<b>City-owned</b>	<b>16,579</b>
<b>Privately-owned</b>	<b>10,841</b>
<b>Shared Ownership</b>	<b>10,387</b>
<b>Ownership Determination Pending</b>	<b>1,979</b>
<b>Total Street Trees Inventoried To-date</b>	<b>39,786</b>



# Who owns these trees?





# Sample "Street Tree" Ownership Mixed Ownership



## Tree Owner

- City
- Shared
- Private

0 25 50 75 m

1:1,500

Coordinate System: NAD 1983 UTM Zone 17N



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Produced by the City of Guelph, Public Services, Parks & Recreation (DM), April 19, 2016

# Sample "Street Tree" Ownership

## Mostly Private




**Tree Owner**

- City
- Shared
- Private

0 40 80 120 m

1:2,300

Coordinate System: NAD 1983 UTM Zone 17N

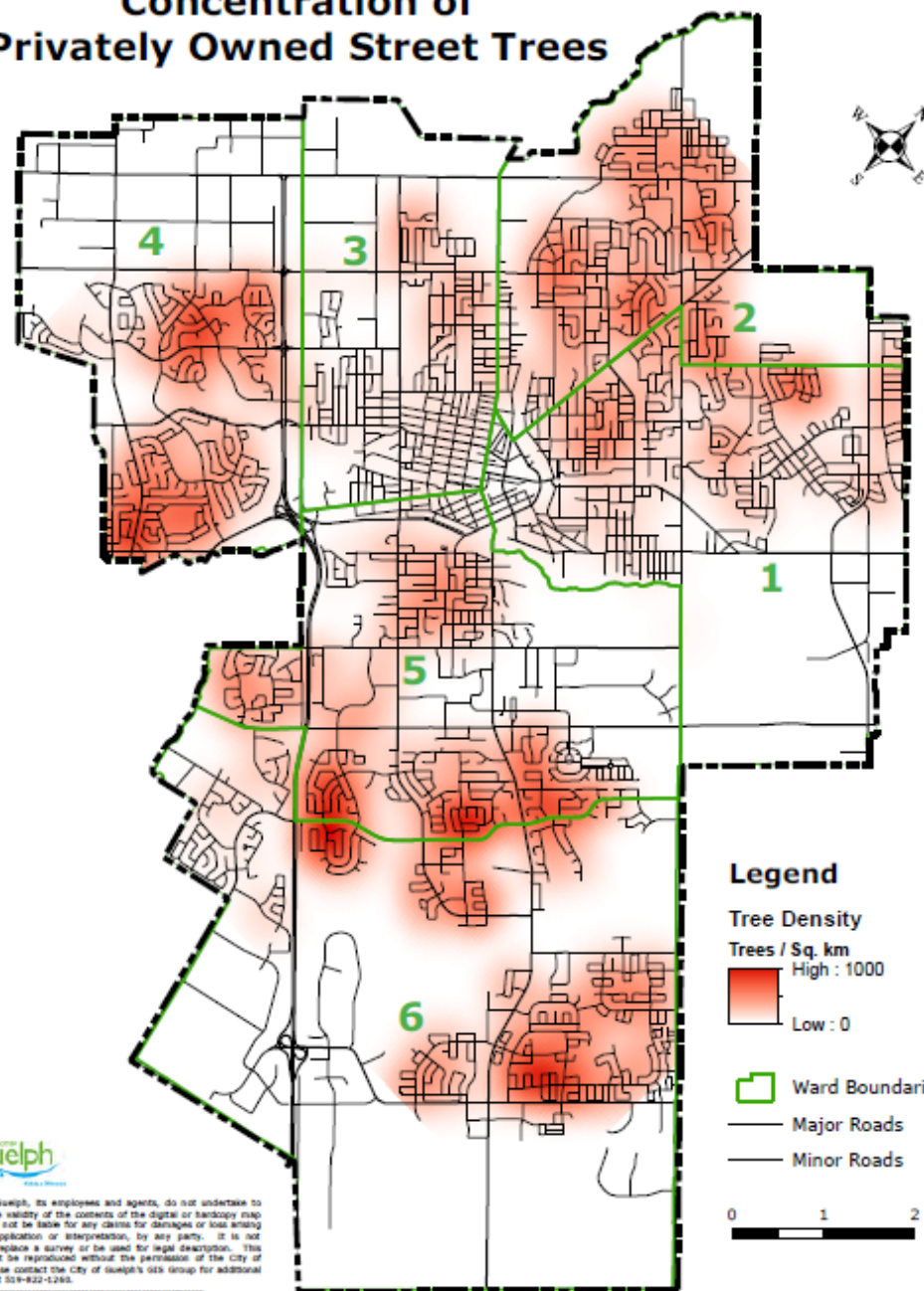


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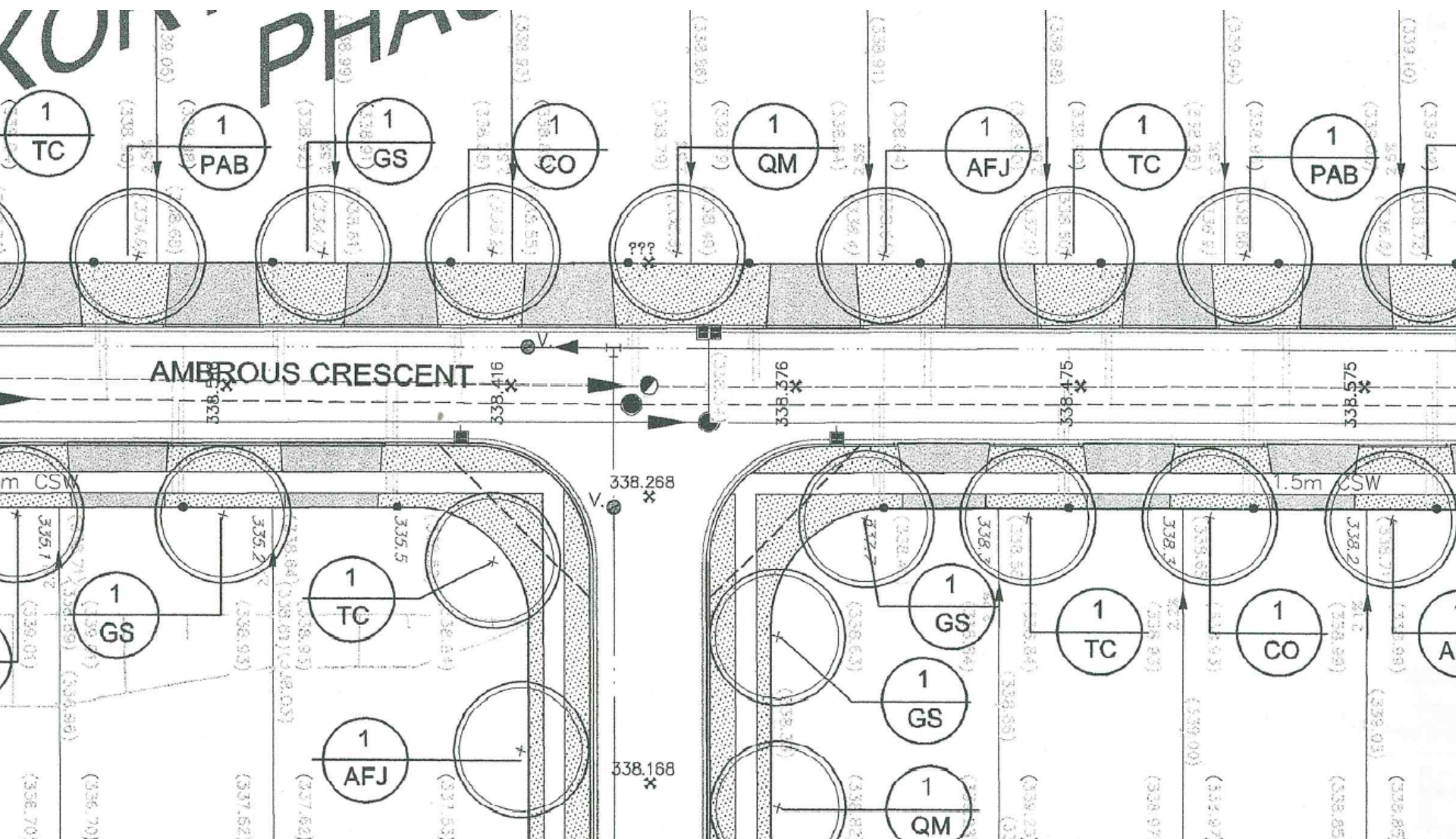


# Concentration of Privately Owned Street Trees



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Produced by the City of Guelph, Public Services, Parks & Recreation (DM), October 29, 2016



**Going Forward**

**Policy paper**

**Developers plant trees**

**Tree Technical Manual**

**Cross-departmental collaboration toward more  
tree-friendly street design**



**Thank you!**

**Questions?**



# Staff Report

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To Committee of the Whole

Service Area Public Services

Date Monday, December 5, 2016

**Subject Street Tree Ownership**

Report Number PS-16-28

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## **Recommendation**

That the Public Services Report # PS-16-28 "Street Tree Ownership" dated December 5, 2016 be received.

## **Executive Summary**

### **Purpose of Report**

To advise Council that through substantial progress in Forestry's tree inventory, more than a quarter of residential "street trees" have recently been confirmed as privately owned, and to outline related considerations and proposed next steps.

### **Key Findings**

Substantial progress on the City's tree inventory lays the foundation for proactive urban forest management, in support of the direction and recommendations of the Council-adopted Urban Forest Management Plan.

More than 10,000 residential street trees are privately owned. Many owners are presumably unaware of the ownership status of their tree and this may be an unwelcome surprise to some affected homeowners. The City has total maintenance obligation for municipally-owned trees, but for privately-owned trees, has only a maintenance mandate to ensure right-of-way safety. Some owners are glad to have control of their "street" tree; some are neutral; and some take exception to the notion, feeling the City is trying to offload costs.

Staff will draft a policy to address maintenance approaches to the various ownership scenarios and budgetary implications for consideration in Q2 2017.

There are currently about 50,000 street and park trees inventoried, in addition to an estimated 737,000 trees in City-owned and City-managed forests. The inventory is considered about 90% complete. The road right-of-way is crowded with underground and sometimes overhead utilities and other constraints to trees, making it increasingly difficult to find “plantable spaces” and to grow healthy trees to maturity in the right-of-way.

The need to review and update the City’s right-of-way design in order to accommodate utilities and optimize “plantable spaces” is recognized and being pursued through inter-departmental work such as the development of a Tree Technical Manual.

### **Financial Implications**

Future savings are possible, on account of potentially reduced City expenditures on private street trees. In the near term, costs associated with consultations around ownership are expected to rise. Staff will monitor these costs over the coming months, but are confident they can be absorbed within the existing 2017 proposed budget for Forestry.

## **Report**

### **Introduction**

The on-going tree inventory process is laying the foundation for a better-informed and proactive urban forest management program, including risk mitigation. It has revealed that more than a quarter of Guelph’s residential “street trees” are privately owned. In many cases, these trees were previously considered and possibly treated as City-owned. Some homeowners are not receptive to the determination that the street tree at their address is actually owned by them and is their responsibility. Additionally, there is a perception that this is a deliberate downloading by the City to the homeowner of the liability and financial burden associated with the tree.

This report anticipates a communication plan to help homeowners better understand the ownership and associated considerations of trees at their address. A small number of these homeowners have recently learned of the ownership status when Forestry has had to decline to work on private trees, though they were believed to be City-owned by the homeowner.

## Tree Ownership

For the purpose of this report, there are three types of trees: City-owned, privately-owned, and “shared” or “boundary” trees. A shared tree is one in which the property line intersects with the main trunk of the tree. For shared trees, legally speaking, there is shared ownership and shared responsibility, although in practice, the City has shouldered the maintenance burden of shared trees. In law, where a tree’s trunk is clearly on one side or the other of a property line, the tree is owned by that landowner, regardless of who planted the tree or caused it to be planted. The only time this would not be true would be the very rare case of a legal instrument on title to the contrary.

Where a continuous line of street trees is uniformly distant from the street and often identical in species and age, the natural assumption is that they are owned and maintained by the City-boundary trees. It is very common that homeowners are not aware of their property line location relative to a street tree, and it also requires considerable effort for the City to make that determination during the inventory process. In most cases where there is a sidewalk, trees between it and the curb are City-owned; all other street trees are subject to the potential confusion about ownership because the property line is not normally marked, and its distance from curb or sidewalk is highly variable and can be somewhat onerous to establish. This street tree ownership issue is mostly related to residential areas.

## City Tree Maintenance Mandate

The Parks Operations & Forestry division has a mandate to work on City trees for safety, tree health, and aesthetics. It has a mandate to work on private trees only to the extent that those trees pose a risk to the safety of road right-of-way users, including pedestrians on the sidewalks. City Forestry crews very commonly work on private trees for this reason, likely contributing to confusion around who owns street trees.

The authority for this private tree work stems from Section 62 of the Municipal Act, which permits the City to enter onto private property at any reasonable time to inspect and test trees, and to remove decayed, damaged or dangerous trees, or branches of trees, if, in the opinion of the municipality, the trees or branches pose a danger to the health or safety of any person using the road right-of-way.

## Plantings for Housing Developments

The builder of each new residence built in Guelph has historically been required to provide funding for City staff to plant a tree on each residential frontage, ideally, on City property within the right-of-way. This practice gave the opportunity for City control over a valuable community asset and amenity: the street tree element of municipal infrastructure and streetscape. Unfortunately, the right-of-way is crowded with buried and sometimes overhead utilities, and finding “plantable spaces” within the right-of-way is becoming more and more difficult. It is not just the need to find space for a planting hole; there needs to be space for a tree’s root system to expand as the tree matures, with minimal conflict between the tree and other infrastructure.

This is the main reason that trees often get planted on the private side of the property line: the space in many cases does not exist in the City-owned right-of-way for a tree root system, and sometimes the tree crown, to grow relatively conflict-free to maturity, when competing with traditional placement of utilities. Even on the private side of the property line, utilities, buildings, and driveways are significant constraint factors for tree planting and tree growth.

Creating well-treed neighbourhoods is essential to community and individual well-being, and requires creative new approaches to accommodating trees in the road right-of-way. Making rights-of-way more amenable to tree planting will be addressed through inter-departmental initiatives such as the Tree Technical Manual and Engineering Services’ 2017 review of the Alternative Design Manual.

Historically, it was mainly the City doing street tree plantings in new greenfield developments, though at various developments over the years, the Guelph Horticultural Society and/or the relevant developer may have had a role in the process. Where the City planted the tree, the protocol going back at least three decades was that after utility locates are completed, the best site closest to the street is selected, preferably within the right-of-way, and a stake is placed in the ground to indicate the proposed tree location. A “doorknocker” is left on the door of the house indicating a tree is to be planted at the staked location, and advising to call the office with any questions or concerns. It is routine for the crew to switch tree species or even leave a spot unplanted, based on homeowner response to the stake and doorknocker protocol.

The doorknocker protocol is now enhanced to include the requirement for written permission from the landowner for the City to plant on the private side of the property line. The doorknocker itself will be revised to explicitly indicate ownership status for the relevant trees. It is often the case, especially more recently, that



intensification of development results in very small front yards crowded with utilities, and no plantable space can be found for the tree; in such cases, the City plants the tree as close to that house as possible, usually in a nearby park.

In the past year, responsibility for new “greenfield” development street tree plantings has been shifted to the developer, although there is still a small amount of planting to be done by the City for developments approved before the change. In other situations, such as replacement plantings, the City continues to do the planting. The responsibility of the developer includes creating a City-approved Street Tree Plan which includes utility information. Through review and approval of Street Tree Plans, City staff work with the developer, and in turn utility companies, to strategically locate utilities in order to optimize “plantable spaces” for trees. The new protocol also requires developers to advise the purchasers, on title, that they are responsible for maintenance of trees on the private side of the property line. Most of the trees currently being planned or planted are on the private side of the line, because of constraints already outlined. Many will become shared trees – that is, shared ownership with the City – when the trunk grows large enough to intersect the property line.

Street trees that are privately owned are typically not covered by the Private Tree By-Law, because the minimum lot size threshold, below which the by-law does not apply, is 0.2 hectares (0.5 acres), which is greater than the vast majority of residential lots. For lots smaller than the threshold, there is no regulatory control over the removal of these trees by their owners.

## Tree Inventory

The City of Guelph has never before had a complete inventory of its substantial resource of City-owned trees. Efforts began around 2002 to inventory them using tablets in the field and linking to GIS and the work order system in the office. However, the resources were not available to undertake a comprehensive inventory. Council’s adoption of the Urban Forest Management Plan in 2012 gave new impetus to that initiative: to proactively manage a portfolio of City-owned assets, one needs to know asset location, size, condition, age, and in the case of trees, species and work history.

The current tree inventory process began in summer of 2014, and continued through the following two field seasons, and is now very close to “complete”. An inventory of living organisms is never really complete, because tree condition is an ever-changing parameter, and trees can be added or lost or replaced. The inventory is almost at the point where it is in maintenance of inventory mode, rather than initial data collection mode. The following table outlines the ownership status of

street trees inventoried to-date. The definition of “street tree” in this case is essentially any tree within the City-owned road right-of-way and any tree that might easily be confused with same. We consider the initial data collection for street trees to be more than 90% complete, and anticipate completion mid-2017.

<b>Inventoried Street Trees</b> (as at October 2016)	
City owned	16,579
<b>Privately owned</b>	<b>10,841</b>
Shared ownership (boundary trees)	10,387
Undetermined ownership (pending determination)	1,979
<b>Total Inventoried Street Trees</b>	<b>39,786</b>
Total City-owned/maintained trees (estimated)*	787,000

\*Note that City-owned and City-maintained trees number an estimated 787,000, most of which are in forests and parks; about 494,000 fall into the purview of Parks Operations & Forestry, while the remainder are at City wellfields outside City boundaries under management by the Environmental Services (Water Supply) department.

In a street tree inventory, establishing ownership with confidence is fairly onerous, due to the number of trees. There is a high degree of variability and related difficulty in establishing the location of the property line, often without a legal survey. The GIS (Geographic Information System) parcel fabric is generally not of sufficient accuracy for this purpose, necessitating substantial background work to prepare for fieldwork. This includes searching records for subdivision plans and any recent surveys on file, and then using plan measurements to establish the distance from curb or sidewalk to the property line.

When staff members have knowledge that a tree is privately owned, the City must act accordingly. The only current mandate staff believe they have to work on private trees is to the extent that right-of-way safety is imperilled. When a street tree is confirmed as privately-owned, our practice has always been to provide only work that directly addresses right-of-way safety. The difference now is that a much clearer picture is emerging from the tree inventory as to ownership status of street trees, and more than a quarter of residential street trees in the community have been recently confirmed as privately owned.

#### Communication and Policy

A communication plan is under development by Parks Operations & Forestry with Corporate Communications staff to help homeowners understand street tree

ownership, as it relates to their address and responsibilities. The preferred method of making this information available to homeowners is to make the GIS-based tree inventory publicly viewable on-line: click on the dot representing a given tree overlying aerial imagery and the data for that tree is displayed, including ownership status. If owners believe a tree is incorrectly classified, staff will work with them to resolve the matter. This application is being developed on a priority basis, and is anticipated to be available in early 2017. The availability of the data would be made known to homeowners through media and/or mail-outs.

Staff will draft a policy for Council consideration for approval in Q2 of 2017 to address maintenance of private trees; maintenance of City-owned and shared trees; and, City-caused tree planting on private land. In addition, it will outline any financial implications.

Street trees are an important contributor to the quality of life in Guelph. They are particularly important for human health, societal wellness, traffic calming, and beneficial moderation of microclimate, air quality, and stormflow.

## **Financial Implications**

If the City stays within its currently mandated street tree maintenance regime, one might expect private ownership of a fraction of street trees to result in lower maintenance costs, as 10,000+ trees would receive a lower level of maintenance. However, these privately owned street trees will still in all likelihood receive maintenance from the City, as required to keep the road right-of-way safe. That type of maintenance comprises the bulk of our maintenance costs on street trees, even those that are City-owned, so the savings in the trimming program would likely be marginal.

The more significant savings would potentially accrue from the cessation of tree removal and tree replacement for privately owned street trees. This will be reviewed and outlined in the Q2 report.

Dealing with tree ownership questions and resolving disputes with potentially thousands of homeowners will drive up related near-term costs, as will the recognized need to be more communicative with residents about proposed work on trees at their address.

Staff will monitor these costs over the coming months, and are confident that they can be absorbed within the existing 2017 proposed budget for forestry.

## **Corporate Strategic Plan**

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

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

## **Communications**

A communications plan will be developed to share information with affected homeowners.

## **Attachments**

- ATT-1 Map Showing Prevalence of Private Ownership of Street Trees in Guelph
- ATT-2 Example Map of Neighbourhood with High Incidence of Private Ownership of Street Trees
- ATT-3 Example Map of Neighbourhood with Moderate Incidence of Private Ownership of Street Trees

## **Report Author**

Martin Neumann



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### **Approved By**

Heather Flaherty  
General Manager  
Parks and Recreation  
519-822-1260 ext. 2664  
Heather.flaherty@guelph.ca

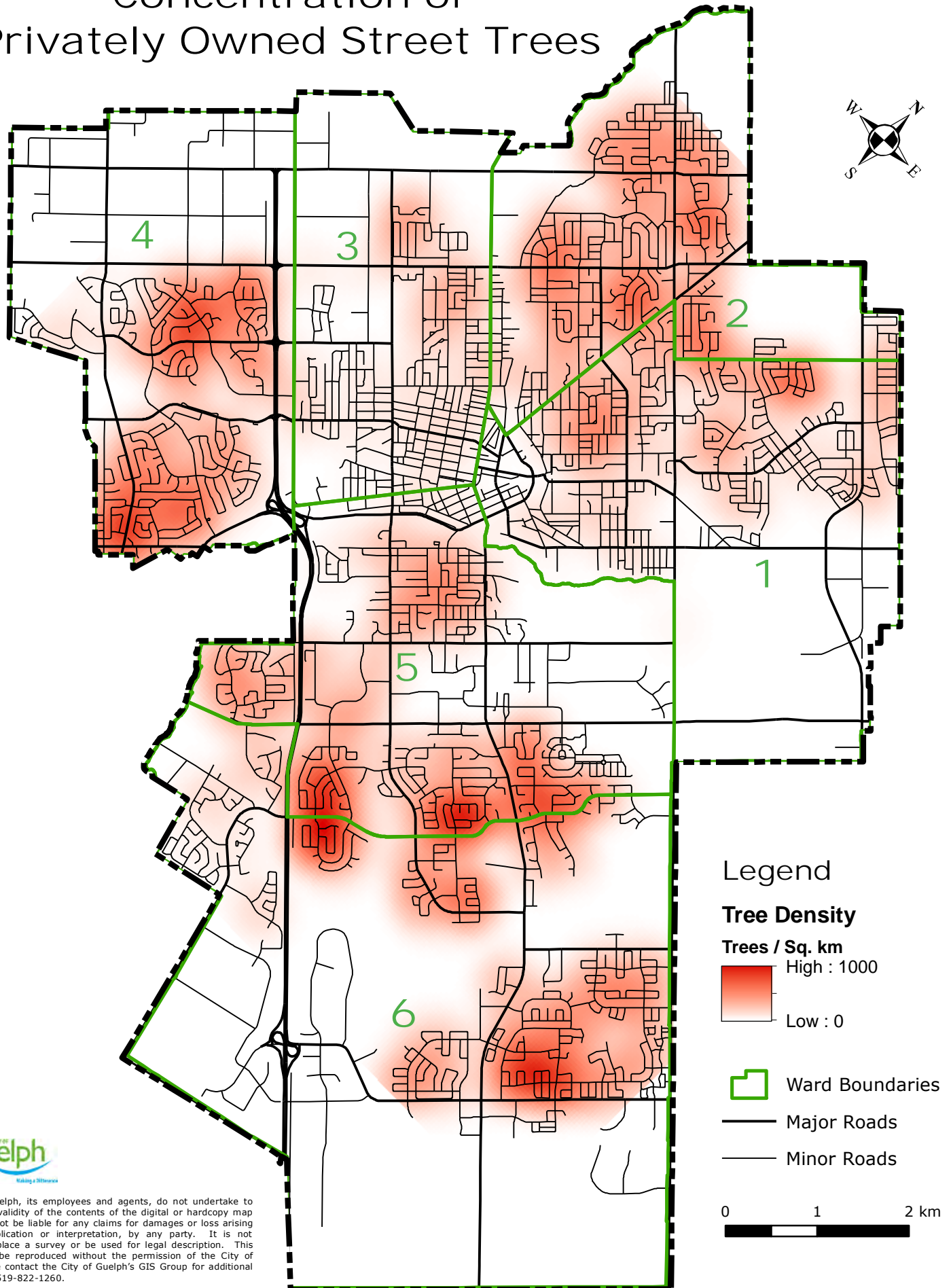


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### **Recommended By**

Colleen Clack  
Deputy CAO  
Public Services  
519-822-1260 ext. 2588  
colleen.clack@guelph.ca

# Concentration of Privately Owned Street Trees



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Produced by the City of Guelph, Public Services, Parks & Recreation (DM), October 28, 2016

# Sample "Street Tree"

## Ownership

### Mostly Private



#### Tree Owner

- City
- Shared
- Private

0 40 80 120 m

1:2,300

Coordinate System: NAD 1983 UTM Zone 17N



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Produced by the City of Guelph, Public Services, Parks & Recreation (DM), November 7, 2016

# Sample "Street Tree"

## Ownership

### Mixed Ownership



#### Tree Owner

- City
- Shared
- Private

0 25 50 75 m

1:1,500

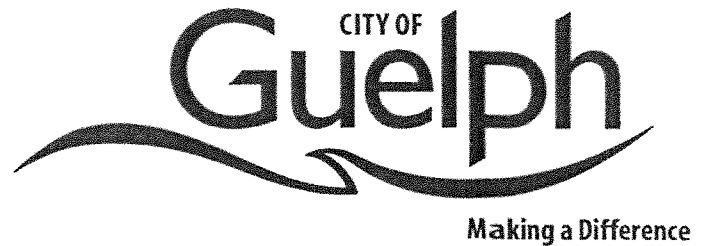
Coordinate System: NAD 1983 UTM Zone 17N



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Produced by the City of Guelph, Public Services, Parks & Recreation (DM), April 19, 2016

# NOTICE OF MOTION



## **Title of Motion: Striking Committee Policy Review**

**Moved by: Councillor Wettstein**

### **SUMMARY**

The following Notice of Motion is partially based on our recent Nov.14, 2016 Striking Committee meeting.

As the role of Standing Committee Chairs has been substantially reduced under our new Committee of the Whole structure and as there continues to be concern expressed about the fair and balanced distribution of Councillor responsibilities and compensation beyond our basic annual Council salary, the Board and Commission compensation issue needs to be revisited.

This issue has been discussed by every Council over the past 15+ years without effective resolution. With the reduction of Standing Committee Chair responsibilities this may be a good time to consider entirely removing these stipends and per diems. If we have a compensation issue it might better be dealt with by the Council Remuneration Advisory Committee and evaluated as part of Council's annual compensation and benefits.

Some other policy and process considerations that need to be discussed include:

- Making sure nominations do not begin until all Councillors have had an opportunity to express their reasons for their choices ( at least 1st choices) .
- Due consideration for requests from Vice Chairs (succession planning).
- Full attendance at Striking Committee meetings - to ensure first hand feedback.
- If there have to be compensation differences there needs to be a process to ensure a fair distribution of opportunity.



# NOTICE OF MOTION



## RECOMMENDATIONS

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

1. That staff be directed to 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.

Date: December 5, 2016