

COMMITTEE AGENDA



TO **Planning & Building, Engineering and Environment
Committee**

DATE July 16, 2012

LOCATION Council Chambers
TIME 12:30 p.m.

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

CONFIRMATION OF MINUTES – June 18, 2012

PRESENTATIONS (Items with no accompanying report)

a) Robyn Hamlyn – Blue Community

CONSENT AGENDA

The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Planning & Building, Engineering & Environment Committee Consent Agenda will be approved in one resolution.

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
A-30) Limiting Distance Agreement Between Skyline Real Estate Holdings Inc., Barrel Works Guelph Ltd. and The Corporation of the City of Guelph			
A-31) Proposed Lease Agreement with University of Guelph southern Ontario Water Consortium Platform Research Facility at Waste Water Treatment Plant		<ul style="list-style-type: none">Brenda Lucas, Southern Ontario Water Consortium	√

Resolution to adopt the balance of the Planning & Building, Engineering & Environment Committee Consent Agenda.

ITEMS EXTRACTED FROM CONSENT AGENDA

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

CLOSED MEETING

THAT the Planning & Building, Engineering and Environment Committee now hold a meeting that is closed to the public with respect to:

1. **Potential Acquisition of Land**
S. 239 (2) (c) proposed or pending acquisition or disposition of land

NEXT MEETING – September 17, 2012

**The Corporation of the City of Guelph
Planning & Building, Engineering and Environment Committee
Monday June, 18, 2012 at 12:30 p.m.**

A meeting of the Planning & Building, Engineering and Environment Committee was held on Monday, June 18, 2012 in Council Chambers at 12:30 p.m.

Present: Councillors Bell, Burcher (arrived at 12:34 p.m.), Guthrie, Piper and Mayor Farbridge

Also Present: Councillors Furfaro and Van Hellemond

Staff in Attendance: Dr. J. Laird, Executive Director of Planning, Building, Engineering and Environment; Mr. T. Salter, General Manager, Planning Services; Mr. D. Belanger, Water Supply Program Manager; Mr. B. Labelle, City Clerk; and Ms. D. Black, Council Committee Coordinator.

There was no declaration of pecuniary interest.

1. Moved by Councillor Bell
Seconded by Councillor Guthrie
THAT the minutes of the Planning & Building, Engineering and Environment Committee meeting held on May22, 2012 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Bell, Guthrie, Piper and Mayor Farbridge (4)

VOTING AGAINST: (0)

Carried

Consent Agenda

The following items were extracted from the June 18, 2012 Consent Agenda to be voted on separately:

- | | |
|----------------|--|
| PBEE 2012-A.25 | Guelph's Source Water Protection Policies for Consideration by the Lake Erie Source Protection Committee |
| PBEE 2012-A.26 | Status Report on the Implementation of the 2010 Building Services Operational Review Recommendations |
| PBEE 2012-A.27 | Property Standards By-law Amendments |

2. Moved by Councillor Bell
Seconded by Mayor Farbridge
THAT the balance of the Consent Agenda of the Planning & Building, Engineering and Environment Committee of June 18, 2012 as identified below, be adopted:

a) **2012 Ontario Heritage Trust Heritage Community Recognition Program and 2012 Lieutenant Governor's Ontario Heritage Award for Lifetime Achievement**

REPORT

THAT Planning, Building, Engineering and Environment Committee Report (12-68) dated June 18, 2012, regarding the Ontario Heritage Trust Heritage Community Recognition Program and Lieutenant Governor's Ontario Heritage Award for Lifetime Achievement, be received;

AND THAT the City of Guelph endorses the nomination of the Guelph Arts Council's Historical Walking Tours for the 2012 Ontario Heritage Trust Heritage Community Recognition Program;

AND THAT the City of Guelph endorses the nomination of Terry Crowley, Shirley Perrior and Susan Ratcliffe for the 2012 Lieutenant Governor's Ontario Heritage Award for Lifetime Achievement.

b) **Water Services and Wastewater Services Seeking Incident and Emergency Aid Through Participation in Ontario Water/Wastewater Agency Response Network**

REPORT

THAT the Planning, Building, Engineering and Environment report dated June 18, 2012 entitled 'Water Services and Wastewater Services Seeking Incident and Emergency Aid Through Participation in Ontario Water/Wastewater Agency Response Network' ("Agreement") be received;

AND THAT Council authorize the Mayor and Clerk to execute the Agreement, including future amendments, with the Ontario Water/Wastewater Agency Response Network (OnWARN), subject to the satisfaction of the Executive Director of Planning, Building Engineering and Environment and the City Solicitor.

VOTING IN FAVOUR: Councillors Bell, Guthrie, Piper and Mayor Farbridge (4)

VOTING AGAINST: (0)

Carried

Guelph's Source Water Protection Policies for Consideration by the Lake Erie Source Protection Committee

Dr. Janet Laird, Executive Director, Planning, Building, Engineering and Environment provided a synopsis of the process which was provided for in the staff report attached to the meeting agenda. She stated that the policy falls under Provincial legislation and staff are working with the Grand River Conservation Authority to establish the

necessary policies. She addressed the four principles of source protection and remarked that the plans are due to the Ministry of the Environment by December 30, 2012.

Ms. Ruth Victor, Ruth Victor and Associates, stated that there will be two opportunities for public consultation with respect to the process. She advised that all water quality threats must be addressed in the policies noting that the Official Plan and Zoning By-law would need to be amended in order to incorporate the provisions. She addressed the educational component and noted there are transition policies being recommended to prevent development applications from being held up due to policy changes.

Mr. Dave Belanger, Water Supply Program Manager, advised that the policies will modify the process for obtaining land use permits and approvals. Mr. Belanger also noted that an appeal process would be in place and that the plan will be monitored on an annual basis. Staff also commented that future expansion requests are probable as they will be required to support the program.

In response to questions, staff advised that aggregate activity is not addressed as a threat by the Ministry but staff continue to explore options to consider the issue. Once risks have been evaluated, staff will prioritize the items and report back on recommended action steps. They advised that changes will be required to the Official Plan.

There was discussion as to whether the amendments would be treated as a separate process or captured as part of the five year Official Plan review. The Committee also discussed the prospect for cost-sharing scenarios between partner municipalities to be considered by the Lake Erie Region Source Protection Committee.

3. Moved in amendment by Mayor Farbridge
Seconded by Councillor Burcher

REPORT

THAT the Planning, Building, Engineering and Environment report dated June 18, 2012 entitled Guelph's Source Water Protection Policies for Consideration by the Lake Erie Region Source Protection Committee be received;

AND THAT Council endorse the City of Guelph Source Protection Policies contained in Attachment 2 for submission to the Lake Erie Region Source Protection Committee;

AND THAT the Lake Erie Region Source Protection Committee explore the opportunity of developing a common policy framework for funding the implementation of source water protection.

June 18, 2012

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VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Status Report on the Implementation of the 2010 Building Services Operational Review Recommendations

Mr. Adrian Van Eck, Technical Services Specialist, summarized the staff report attached to the meeting agenda by highlighting the objectives of the study, the areas of review, and implementation plans. He also provided a status report of the items addressed within the report.

The Committee posed several questions with respect to online payments, customer service and the location of the Building Services section within City Hall in relation to access for customers.

4. Moved by Councillor Guthrie
Seconded by Mayor Farbridge

Dr. J. Laird
Mr. B. Poole

THAT the Status Report on the Implementation of Building Services Operational Review Recommendations from Planning, Building, Engineering and Environment dated June 18, 2012 be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

Property Standards By-law Amendments

The Committee posed various questions to staff regarding proposed revisions to the Property Standards By-law which related to the placement of garbage carts on private property. Members expressed concerns that in certain residential areas, the acceptable locations for storage may negatively impact on the adjacent property. Staff advised that there will be a communications plan designed to educate the public on best practices for placement of the garbage carts.

5. Moved by Councillor Burcher
Seconded by Mayor Farbridge

REPORT

THAT the report on Property Standards By-law Amendments from Planning, Building, Engineering and Environment dated June 18, 2012 be received;

June 18, 2012

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AND THAT Council approve the proposed amendments to Property Standards By-law (2000)-16454, as amended, as set out in Schedule A of Report.

VOTING IN FAVOUR: Councillors Bell, Burcher, Guthrie and Piper and Mayor Farbridge (5)

VOTING AGAINST: (0)

Carried

6. Moved by Councillor Burcher

Seconded by Mayor Farbridge

THAT the Planning & Building, Engineering and Environment Committee meeting of June 18, 2012 be adjourned.

Carried

The meeting adjourned at 2:03 p.m.

.....
Chairperson



Blue Communities Project Guide

**Paint the
Town Blue!**





Blue Communities Project Guide

In this guide:

What is a blue
Community? ... **pg 3**

Recognize water as a human
right ... **pg 5**

Ban the sale of bottled water in
municipal facilities and at municipal
events ... **pg 9**

Promote publicly-owned and
operated water and wastewater
infrastructure ... **pg 12**

Blue Communities
Checklist ... **pg 16**

What is a blue community?

A “blue community” is one that adopts a water commons framework by taking the three actions outlined in this guide.

A water commons framework treats water as belonging to no one, and the responsibility of all. Because water is central to human activity, it must be governed by principles that allow for reasonable use, equal distribution and responsible treatment in order to preserve water for nature and future generations.

The Blue Communities Project calls on communities to adopt a water commons framework by:

1. Recognizing water as a human right.
2. Promoting publicly financed, owned and operated water and wastewater services.
3. Banning the sale of bottled water in public facilities and at municipal events.

This guide provides information and resources to help you achieve these goals.

The Blue Communities Project

The Blue Communities Project is a joint initiative of the Council of Canadians and the Canadian Union of Public Employees (CUPE). This project builds on a decade of Water Watch work in coalition with many other groups to protect public water services and challenge the bottled water industry.

The Blue Communities Project Guide was created to help community activists and local leaders protect the water commons – our shared water resources – in the face of increasing pressure to put water up for sale and privatize water services. As a public sector worker, municipal councillor or community activist pursuing the creation of a “blue community,” you will become part of a growing movement for public water in Canada.



Why Blue Communities?

Canada's waterways are increasingly polluted and depleted by unsustainable industrial, agricultural and municipal activities. Our water services face the growing threats of underfunding and privatization. The need to protect water resources and services is urgent and governments must play a central role in ensuring water is used responsibly and allocated fairly.

The push to privatize Canada's water and sewage systems through long-term operation contracts, or so-called public-private partnerships (P3s), began more than a decade ago. The Harper government has made water privatization a key part of its agenda in the last few years by committing public money destined for water infrastructure to the hands of water profiteers through funding mechanisms aimed at promoting P3s.

In the meantime, the bottled water industry sells water – what should be a shared public resource – for huge profits. Greenhouse gasses are emitted and watersheds destroyed as a result of producing and transporting bottled water. Bottled water production places a huge stress on increasingly scarce water resources.

Finally, Canada has refused to recognize water as a human right domestically, and has actively prevented the adoption of water as a human right in international law.

Municipalities are responsible for water quality, supply, treatment and conservation. The adoption of a water commons framework to address these problems at the community level is crucial in the battle to preserve water and ensure fair access to all.





Blue Communities Project Guide

What community activists can do

Support a municipal declaration on recognizing water as a human right.

Ask your Member of Parliament to support Canada recognizing the right to water at the United Nations.

What municipalities can do

Sign a municipal declaration recognizing water as a human right.

Call on regional municipal bodies to recognize water as a human right.

Recognize water as a human right

Water is essential to life – no one should be able to control it or expropriate it for profit. The human right to water entitles everyone to sufficient, safe, accessible water for personal and domestic uses.

The recognition of water as a human right in Canada would ensure that all people living in this country are legally entitled to sufficient quantities of safe, clean drinking water and water for sanitation, and would require that access inequalities be addressed immediately. Unfortunately, water is not officially recognized as a human right by the federal government.

On the other hand, the rights of corporations, whose activities drain, contaminate and destroy watersheds, are protected in the North American Free Trade Agreement (NAFTA) and other international trade and investment agreements.

Internationally, the Canadian government has also actively prevented the recognition of water as a human right at key United Nations (UN) meetings.

In 2002, Canada was the only country to vote against the right to drinking water and sanitation at hearings of the UN Commission on Human Rights (now known as the Human Rights Council). The Canadian government has said that water is an important issue and that countries are responsible for ensuring their populations have access to water. But Canada has clearly stated it does not believe that international law should recognize the existence of a right to water.

In the current global water crisis, billions of people still lack access to basic water and sanitation services. Every day, thousands of people die from preventable diseases contracted because they do not have access to clean water. The recognition of water as a human right in international law allows for the means and mechanisms of the UN to be employed to hold governments accountable for ensuring that their populations have access to safe clean drinking water and water for sanitation purposes.

Canadian municipalities and the right to water

Responsibility for water is shared between provincial, municipal and federal governments. It is therefore crucial that the right to water be enshrined at every level of government.



A municipal recognition of the right to water would:

- Safeguard against a pricing scheme that would limit access to drinking water.
- Ensure all residents have equal access to adequate supplies of safe, clean water.
- Provide citizens with information on their water supply and the operation of their water services.
- Promote water conservation, treatment, reuse and source protection to enhance water quality and quantity.

Most Canadian municipalities already meet these criteria. However, official recognition of the right to water at the municipal level would cement these principles. It would also create much-needed momentum to apply pressure on other orders of government to play their role in recognizing water as a human right.



*Recognize water as a
human right*

Sample Resolution

WHEREAS one in six people around the world does not have access to clean drinking water; and,

WHEREAS over a quarter of Canadian municipalities have faced water shortages; and,

WHEREAS the Canadian Medical Association reported 1,766 boil water advisories in Canadian communities in 2008 leading to thousands of waterborne illnesses every year; and

WHEREAS Indigenous communities in Canada have been disproportionately affected by lack of access to clean safe drinking water; and,

WHEREAS the UN Conference on Water in 1977 in Mar del Plata affirmed the right of all persons to access clean drinking water in order to satisfy their fundamental needs; and

WHEREAS the Canadian Union of Public Employees and the Council of Canadians have asked Canadian municipalities to assist in their effort to have the federal government recognize access to drinking water as a human right;

THEREFORE BE IT RESOLVED that this Council recognizes and affirms that access to clean water is a fundamental human right.

BE IT FURTHER RESOLVED that this Council will call on the federal and provincial to enshrine water as a human right in federal and provincial law.

BE IT FURTHER RESOLVED that this Council will call on the government of Canada to support the recognition of water as a human right in international law.



*Recognize water as a
human right*

Good practices

Wallonia:

The Belgian region of Wallonia officially recognizes that, "Each person has the right to dispose of a drinking water of quality and in sufficient quantity for its nutrition, its household needs and its health."

In 2006, the Walloon Minister of Environment announced that the region would extend water solidarity to the international level. The region is in the process of developing legislation to support water projects in selected developing countries¹.

Union of Nova Scotia Municipalities

In 2007, the Union of Nova Scotia Municipalities recognized "access to clean water" as a "basic human right."

¹ <http://www.righttowater.org.uk>





Blue Communities Project Guide

What community activists can do

If your community isn't bottled-water free, work in coalition to introduce a motion to stop your municipality or school board from selling or serving bottled water in their facilities and at their events.

Push for access to public water by calling for new drinking water fountains in public spaces.

What municipalities can do

Ban or phase out the sale and purchase of bottled water in municipally-owned facilities and at municipal events.

Ensure access to tap water by installing and maintaining drinking water fountains in municipally-owned facilities and at municipally-sponsored events.

Promote the value of municipal water through public education campaigns.

Protect and improve the quality of municipal tap water.

Ban the sale of bottled water in municipal facilities and at municipal events

Bottled water represents an "enclosure" or private takeover of the water commons. Corporations take free flowing water from its natural state – or treated municipal water – put it in plastic bottles and sell it at exorbitant rates.

While twenty years ago, bottled water was considered a luxury product consumed by a niche market, today one-third of Canadian households rely on bottled water to meet their hydration needs, according to a 2006 Statistics Canada report¹. Agriculture and Agrifoods Canada reports that Canadians consume two billion litres of bottled water per year.

Canada is a net exporter of bottled water, selling its ancient glacier waters all over the world mostly for the profit of big foreign-owned water companies like Nestlé, Coca-Cola and Pepsi. Most provinces charge these companies next to nothing to extract this water from springs and aquifers. Whole watersheds are now under threat from this practice.

It also takes a lot of water to bottle water. The production process requires three to five litres of water to produce a one litre bottle of bottled water.

In order to persuade people to spend up to 3,000 times what they spend on tap water, bottled water companies advertise their products as a safer and healthier alternative. Nothing can be further from the truth. Bottled water is regulated as a food product under the Canadian Food Inspection Agency. Bottling plants are inspected on average only once every three years. Regulation of tap water, on the other hand, is far more stringent. In general, municipal tap water is tested continuously during and after treatment.

Finally, in an era when the world is dealing with the impacts of climate change, the bottled water industry requires massive amounts of fossil fuels to manufacture and transport its product.

Increasingly, Canadians are moving back to the tap, rejecting bottled water. A growing number of Canadian municipalities, school boards and other institutions are banning the sale and purchase of bottled water in their facilities and at their events.

¹ "Against the flow: Which households drink bottled water?" EnviroStats, Summer 2008, Vol. 2, no. 2



*Ban the sale of bottled
water in municipal
facilities and at
municipal events*

(*This resolution was passed by London, Ontario municipal council in August 2008, along with a timeline for implementation and further directions for accompanying studies and budget reports. To see the full municipal report, visit www.unbottleit.org)

Sample resolution

That, on the recommendation of the Acting General Manager of Environmental & Engineering Services & City Engineer, the following actions be taken:

A) Municipal council APPROVE a resolution stating the following:

WHEREAS the Corporation of the City of London operates and maintains a regulated and sophisticated water distribution system that meets some of the most stringent water quality requirements in the world;

WHEREAS the regulatory requirements for monitoring water quality contained in bottled water are not as stringent as those that must be met by the Corporation of the City of London;

WHEREAS The Corporation of the City of London delivers water to its residents and businesses that translates, on average, to about one-eighth of a cent per litre;

WHEREAS single-use bottled water sold in London is 230 to 3,000 times more expensive than water from the tap in London, even though estimates suggest that between 10% and 25% of the bottled water originates from municipal water systems;

WHEREAS resource extraction, packaging and distribution of single-use bottled water creates unnecessary air quality and climate change impacts and consumes unnecessary resources such as oil in the manufacture of plastic bottles and in the fuel used in the transportation of bottled water to the consumer;

WHEREAS single-use plastic bottles, although easily recycled through the City of London recycling program, approximately 60% are captured in the Blue Box Program and the rest end up in the garbage bag and ultimately delivered to the City's landfill site taking up unnecessary space without any further contribution to society;

WHEREAS single-use plastic bottles that are not recycled in the Blue Box program or placed in the garbage become litter in London's streets, parks and boulevards;

WHEREAS the cost of managing single-use plastic bottles along with other recyclable material in the Blue Box program, after material revenue, has been removed, is currently 35% paid by industry stewards and 65% paid by London taxpayers and when the single-use plastic bottles and other recyclable materials are sent to landfill industry stewards do not pay any of the costs;

WHEREAS City of London tap water is safe, healthy and accessible to Londoners and visitors, and substantially more sustainable than single-use bottled water;

WHEREAS City of London tap water is readily available at most indoor public facilities, either in the form of a faucet in a bathroom or drinking fountain and, where it is not readily available a plan be put in motion to



*Ban the sale of bottled
water in municipal
facilities and at
municipal events*

increase access to municipal water subject to water quality and safety requirements, budget and other considerations;

WHEREAS a priority of London Municipal Council remains that where easy access to municipal tap water does not exist, the availability of bottled water is a very appropriate alternative;

WHEREAS the City Council wishes to set a positive example to the London community on environmental matters;

THEREFORE BE IT RESOLVED THAT a) single-use bottled water will no longer be sold in the City Hall cafeteria, from City-owned or City administered concessions and vending machines in public facilities where easy access to municipal tap water exists; b) single-use bottled water will no longer be purchased and provided at meetings where easy access to municipal water exists; c) The availability of water jugs with municipal water will be increased, where required; d) a City staff and public awareness campaign be developed to support the rationale for these important changes including the need for Londoners to do their part; and e) the following implementation schedule be followed subject to an assessment that tap water is readily accessible at these locations.

Good practices

Toronto's "HTO to Go"

The City of Toronto recently created "HTO to Go" – a mobile water trailer that serves as a big drinking fountain and a fun way to educate people about the city's water. Residents of Toronto organizing a public event can contact the city to have HTO to Go at their event.

U.S. mayors challenge bottled water

In June 2008, at their annual conference, U.S. mayors passed a resolution to phase out the municipal use of bottled water in favour of tap water. Since then, the movement to ban bottled water has spread among U.S. municipalities.





Blue Communities Project Guide

What community activists can do

Demand a national water infrastructure fund that supports publicly-owned and operated facilities and services by pressuring federal Members of Parliament to make this a priority.

Bring a resolution to your local municipal government to protect publicly-owned and operated infrastructure.

Establish a Water Watch Committee in your community to monitor city council meetings. Think of having a rotating water watcher who attends every council and relevant committee meeting to be on guard against the early warning signs of privatization. Contact the Council of Canadians or the CUPE to find out more.

What municipalities can do

Raise the issue at the Federation of Canadian Municipalities by bringing a resolution about P3s and public ownership to their next annual conference.

Pass a resolution or declaration to keep water and waste water infrastructure in public hands in your community.



Promote publicly-owned and operated water and wastewater infrastructure

Local communities directly own and operate the vast majority of Canadian drinking water and sewage treatment facilities. But as the need for reinvestment grows, our cities and towns are strapped with little new funding or revenue to pay to upgrade existing systems and build new ones. Local governments are considering privatizing through public-private partnerships (P3s), but they should be cautioned.

A P3 is a form of privatization. P3s are multi-decade contracts for private management of public services or infrastructure. They can include private financing, ownership and/or operation. P3s result in higher costs, lower quality and loss of public control.

Very few communities in Canada have experimented with P3s for drinking water or sewer services, but there are lessons we can learn from those that have. Experience shows that privatization means water rates go up and accountability goes down.

P3s waste the public's money and leave communities at risk

P3s are more expensive than public ownership and operation because of higher private-sector borrowing costs, transaction fees, and the need to generate a profit. The costs of lawyers and consultants alone can set municipal governments back by millions of dollars before projects even get off the ground. Corporations charge a premium for so-called "risk-transfer." But despite the cost, governments have not been successful in transferring risk to the private sector.

Companies can walk away if a project is not profitable for them, but governments cannot. Taxpayers absorb the costs of failed P3 deals, since the public "partner" is ultimately responsible for delivering services and infrastructure.

The credit crisis has made this abundantly clear as daily news stories tell of private financiers that are unable to finance privatized infrastructure projects. Projects are being delayed or even cancelled, leaving governments scrambling to find ways out of expensive messes.

Resisting federal P3 pressure

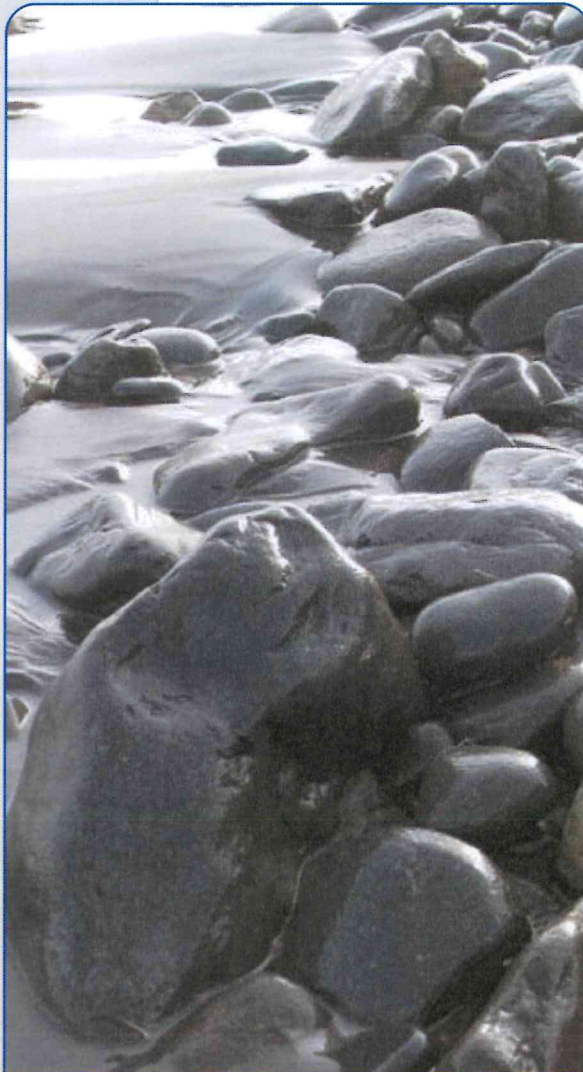
Despite the evidence that P3s are more expensive, risky, less effective and unaccountable, the federal government is aggressively pushing privatization as a prerequisite for federal funding. The Harper government's Building Canada infrastructure plan forces governments seeking \$50 million or more in federal contributions for a project to consider privatization through a costly and time-consuming P3 review.

But communities don't have to take the bait. Local governments still have access to the lowest borrowing rates available. With new accounting standards requiring that P3s show up as public debt, there is no incentive left to rely on more expensive private financing, or to lock communities into long-term deals that tie governments' hands.

Decades of infrastructure funding cuts have resulted in a "municipal infrastructure deficit." The Federation of Canadian Municipalities estimates that Canadian communities need \$31 billion to upgrade and develop new water and wastewater infrastructure.

Drinking water services have important public health and environmental implications. Protecting the public interest requires public control and autonomy. Public water utilities are responsive and accountable to communities.

The Council of Canadians and CUPE are calling on the federal government to provide funding to support publicly-owned and operated infrastructure through a national water infrastructure fund.



*Promote publicly-
owned and operated
water and wastewater
infrastructure*

Sample resolution

WHEREAS public health depends on equitable access to clean water supplies; and

WHEREAS public ownership and operation of drinking water and wastewater treatment systems have improved access and quality over the past century; and

WHEREAS our community is committed to protecting water and wastewater systems from the consequences of privatization through “public-private partnerships” or P3s, including:

- Lack of transparency and accountability to the public
- Increased costs and higher user fees
- Projects being delayed and cancelled leaving governments to deal with the consequences; and

WHEREAS the privatization of municipal water and wastewater treatment services through P3s or contracting out turns water into a commodity to be sold for profit;

THEREFORE BE IT RESOLVED that [the name of the municipality] oppose privatization in any form of water and wastewater treatment services, including through P3s, retaining these services in the public domain; and

BE IT FURTHER RESOLVED that Council lobby the federal government to fulfill its responsibility to support municipal infrastructure by investing in a national water infrastructure fund that would address the growing need to renew existing water and wastewater infrastructure and build new systems; and

BE IT FURTHER RESOLVED that Council forward this resolution to the Federation of Canadian Municipalities for circulation to all of its members.



*Promote publicly-
owned and operated
water and wastewater
infrastructure*

Cases in point

Hamilton

The cost of cleaning up a sewage spill in Hamilton, where a P3 was tried for 10 years, was borne by the city. P3s also reduced transparency. In Hamilton, elected officials had to pay access to information fees under the Freedom of Information Act in order to see the contracts. The cost of so-called risk-transfer is high. Negotiations to renew the deal in Hamilton fell apart when the corporation tried to charge the city twice as much if they were to be accountable for risks in the future. The system is now back in public hands, surpassing environmental standards and delivering significant cost savings.

Seymour Capilano

In 2001, the Greater Vancouver Regional District rejected the P3 option for their water treatment facility in response to public protests against the P3. Along with worries about loss of control, lack of accountability and higher costs, citizens voiced fears about the dangers under international trade deals of privatizing the water system. It is currently projected that the capital cost of the public project will be \$566 million, even though the budget was set in 2003 at \$600 million. That means the public project is currently projected to come in \$34 million (5.6 per cent) under-budget. This is a sharp contrast to the major P3 projects now underway in B.C. in water and other areas, which have all turned out to be considerably more costly than they were estimated to cost when approved.

Moncton Water Treatment Facility

In 2002, US Filter Canada, a subsidiary of a French multinational water company, was selected to design, build, operate and maintain Moncton's water treatment facility over a 20-year contract. Today residents pay high water fees that are increasing much faster than they did prior to the P3. Between 1995 and 1999 fees increased by up to 7 per cent each year. Rates increased 75 per cent between 1999 and 2000.



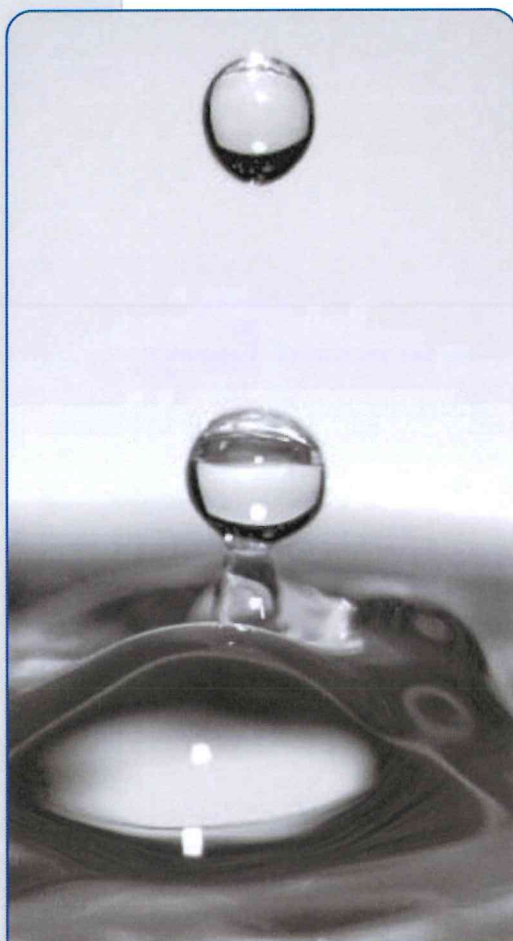
Steps to creating a blue community

1. Send an email to bluecommunities@canadians.org to join the network of community activists, public sector workers, and local government officials working on creating a blue community.
2. Community members working on promoting the water commons are setting up Water Watch committees across the country. Visit www.canadians.org or cupe.ca to find out more.
3. Using the information provided in this guide, develop a strategy to promote water as a human right, keep water in public hands, and ban the sale of bottled water at public facilities and events.

Blue Community checklist

We hope the information provided in this guide is useful in helping you develop strategies to protect the water commons in your community to:

- Recognize water as a human right.
- Promote publicly-owned and operated water infrastructure.
- Ban the sale of bottled water in publicly-owned facilities and at public events.



This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface. There is no handwriting or other markings on the paper.





1-800-387-7177 | www.canadians.org/water | www.cupe.ca/water

**PLANNING & BUILDING, ENGINEERING and ENVIRONMENT COMMITTEE
CONSENT AGENDA**

July 16, 2012

Members of the Planning & Building, Engineering & Environment Committee.

SUMMARY OF REPORTS:

The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Planning & Building, Engineering & Environment Committee Consent Agenda will be approved in one resolution.

A Reports from Administrative Staff

REPORT	DIRECTION
<p>PBEE-30) LIMITING DISTANCE AGREEMENT BETWEEN SKYLINE REAL ESTATE HOLDINGS INC., BARREL WORKS GUELPH LTD. AND THE CORPORATION OF THE CITY OF GUELPH</p> <p>That Council authorize the execution of a Limiting Distance Agreement which would allow for the required limiting distance to be measured to a point beyond the actual property line to permit the construction of the north face of the new Gummer Building to include unprotected openings such as 26 exterior windows and one exterior door;</p> <p>AND THAT the Report on Limiting Distance Agreement between Skyline Real Estate Holdings Inc., Barrel Works Guelph Ltd. and the Corporation of the City of Guelph from Planning, Building, Engineering and Environment dated July 16, 2012, be received.</p>	Approve
<p>PBEE-31) PROPOSED LEASE AGREEMENT WITH UNIVERSITY OF GUELPH SOUTHERN ONTARIO WATER CONSORTIUM PLATFORM RESEARCH FACILITY AT WASTE WATER TREATMENT PLANT</p> <p>THAT the Mayor and Clerk be authorized to execute a Lease Agreement between the University of Guelph and the City, as outlined in the report by the Manager of Realty Services entitled " <i>Proposed Lease Agreement with University of Guelph- Southern Ontario Water Consortium Platform – Research Facility at Waste Water Treatment Plant</i>" and dated July 16, 2012, subject to the final form of the Lease Agreement being satisfactory to the Manager of Realty Services and the Executive Director of Planning, Building, and Environmental Services.</p>	Approve

Attach.

COMMITTEE REPORT



TO **Planning & Building, Engineering and Environment Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE July 16, 2012

SUBJECT **Limiting Distance Agreement between Skyline Real Estate Holdings Inc., Barrel Works Guelph Ltd. and the Corporation of the City of Guelph**

REPORT NUMBER

SUMMARY

Purpose of Report: To obtain authority to enter into a Limiting Distance Agreement to permit the owner of lands (Skyline Real Estate Holdings Inc.) legally described in the Parcel Register (Abbreviated) for Property Identifier 71286-0099 (LT) (the "Gummer Building Lands") to have unprotected openings (26 exterior windows and 1 exterior door) exceeding those permitted under Article 3.2.2.1., in Division D, of the Ontario Building Code.

Council Action: To receive the report and for Council to authorize the Mayor and City Clerk to execute the proposed Limiting Distance Agreement between Skyline Real Estate Holdings Inc., Barrel Works Guelph Ltd. and the Corporation of the City of Guelph for lands (owned by Barrel Works Guelph Ltd.) legally described in the Parcel Register (Abbreviated) for Property Identifier 71286-0098 (LT) (the "Barrel Works Lands").

RECOMMENDATION

"THAT Council authorize the execution of a Limiting Distance Agreement which would allow for the required limiting distance to be measured to a point beyond the actual property line to permit the construction of the north face of the new Gummer Building to include unprotected openings such as 26 exterior windows and one exterior door;

AND THAT the Report on Limiting Distance Agreement between Skyline Real Estate Holdings Inc., Barrel Works Guelph Ltd. and the Corporation of the City of Guelph from Planning, Building, Engineering and Environment, dated July 16, 2012, be received."

BACKGROUND

The Ontario Building Code regulates “unprotected openings” such as exterior windows and doors that are not sprinklered, in relation to the distance from the actual property line (limiting distance). A limiting distance is required to reduce the risk of fire spreading from a building situated on one property to a building located on an adjacent property. The adjacent property to the north of the new Gummer Building is under the ownership of Barrel Works Guelph Ltd.

In order to permit these unprotected windows and door, the Ontario Building Code allows for Limiting Distance Agreements to be entered upon by adjoining property owners and the municipality. This allows for greater unprotected openings than would be calculated when using the actual property line. Sentences 3.2.3.1.(8) and (9), in Division B, of the Ontario Building Code state;

"(8) The required limiting distance for an exposing building face is permitted to be measured to a point beyond the property line that is not the centre line of a street, lane or public thoroughfare if,

(a) the owners of the properties on which the limiting distance is measured and the municipality enter into an agreement in which such owners agree that,

(i) each owner covenants that, for the benefit of land owned by the other covenantors, the owner will not construct a building on his or her property unless the limiting distance for exposing building faces in respect of the proposed construction is measured in accordance with the agreement,

(ii) the covenants contained in the agreement are intended to run with the lands, and the agreement shall be binding on the parties and their respective heirs, executors, administrators, successors and assigns,

(iii) the agreement shall not be amended or deleted from title without the consent of the municipality, and

(iv) they will comply with such other conditions as the municipality considers necessary, including indemnification of the municipality by the other parties, and

(b) the agreement referred to in Clause (a) is registered against the title of the properties to which it applies.

(9) Where an agreement referred to in Sentence (8) is registered against the title of a property, the limiting distance for exposing building faces shall be measured to the point referred to in the agreement."

REPORT

Skyline Real Estate Holdings Inc. is in the process of redeveloping the existing Gummer Building. As part of this redevelopment, Skyline has proposed more unprotected openings (26 exterior windows and one exterior door), than what the Ontario Building Code would allow (see Attachment 'A').

The percentage of unprotected openings permitted is based upon the distance between the actual property line and the exterior wall of the building. This distance is referred to as the "Limiting Distance" and in cases where the limiting distance does not permit the proposed amount of unprotected openings in an exterior wall, the Ontario Building Code allows the owner to enter into an agreement with all affected parties to increase this limiting distance (see Attachment 'B') or to protect the openings with an automatic sprinkler system, which in most cases is very expensive.

The owner of the building, Skyline Real Estate Holdings Inc., has signed a Limiting Distance Agreement with the adjacent owner, Barrel Works Guelph Ltd. agreeing that no building will be constructed within the limit of the lands to which the Limiting Distance Agreement applies. This agreement is required to be registered on the title of both properties (see Attachment 'C').

Once the agreement is registered, it has the effect of creating an imaginary line, other than the actual property line from which the limiting distance is measured to. This agreement would then allow for the proposed amount of unprotected openings to be in compliance with the Ontario Building Code. The agreement will be binding upon all subsequent owners of both properties.

The municipality's role is merely as an administrator and this agreement cannot be amended without the consent of the municipality. Also, under the terms of the agreement, the City and the City's members of Council, officers, employees, contractors and agents are indemnified against all losses and liabilities in connection with this agreement.

Building Services staff are satisfied that the request for a Limiting Distance Agreement is in accordance with the provisions of the Ontario Building Code. The two adjoining property owners, Skyline Real Estate Holdings Inc. and Barrel Works Guelph Ltd. have entered into the required agreement, which is attached and has also been reviewed by the Associate City Solicitor.

CORPORATE STRATEGIC PLAN

Government & Community Involvement

Goal #5:- *A community-focused, responsive and accountable government.*

FINANCIAL IMPLICATIONS

No costs related to the preparation, execution and registration of this agreement will be the responsibility of the City.

DEPARTMENTAL CONSULTATION

Approval from Legal Services.

COMMUNICATIONS

Limiting Distance Agreements are to be registered on title of the properties to which it applies.

ATTACHMENTS

Three (3) copies of Limiting Distance Agreement to be executed.

Prepared By:

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Plans Examiner II
519-837-5615 ext.2305
tammy.hogg@guelph.ca

"original signed by Bruce Poole"

Recommended By:

Bruce A. Poole
Chief Building Official
Building Services
519-822-1260, ext 2375
bruce.poole@guelph.ca

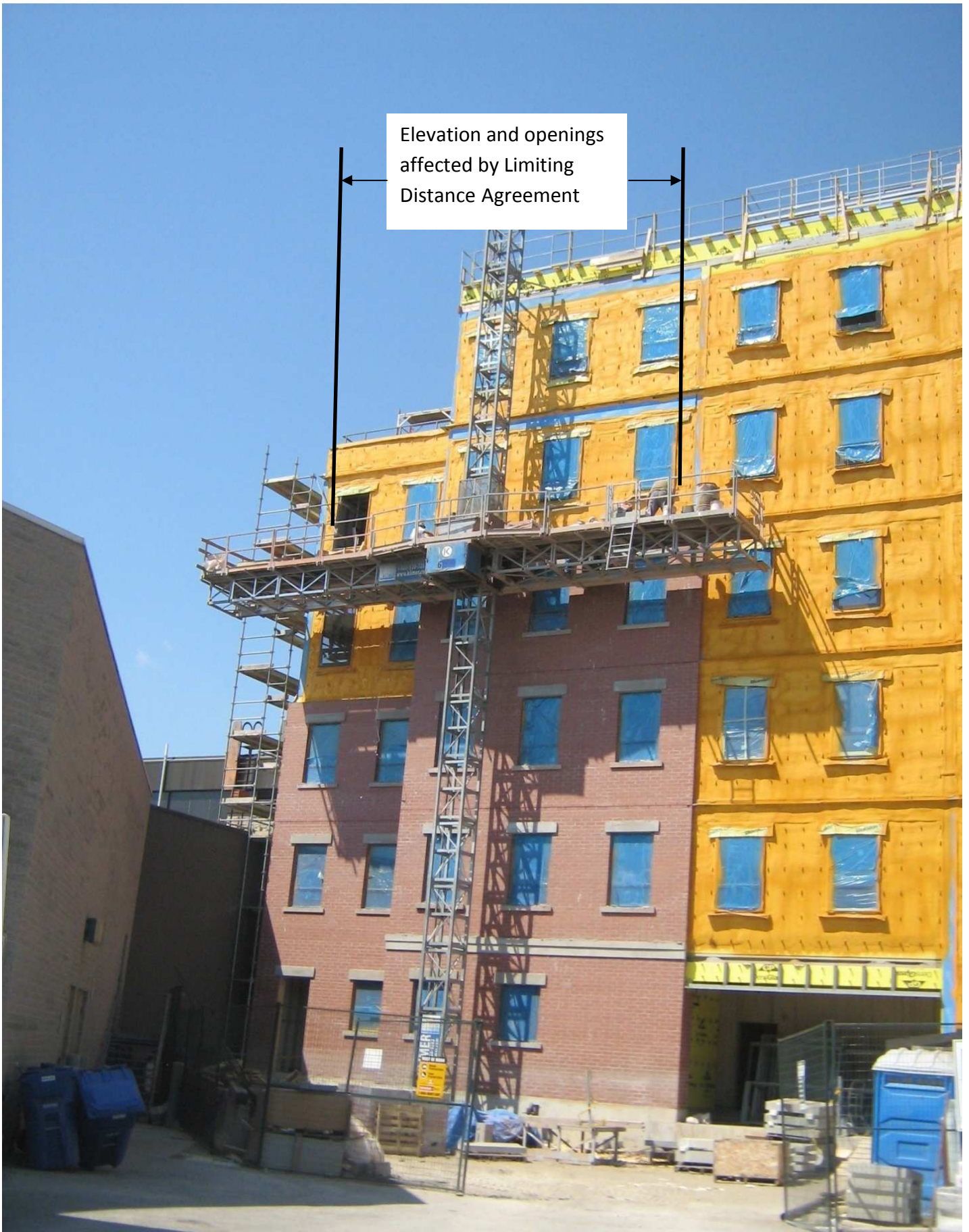
Reviewed By:

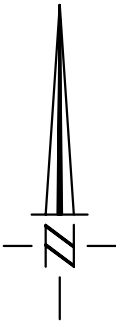
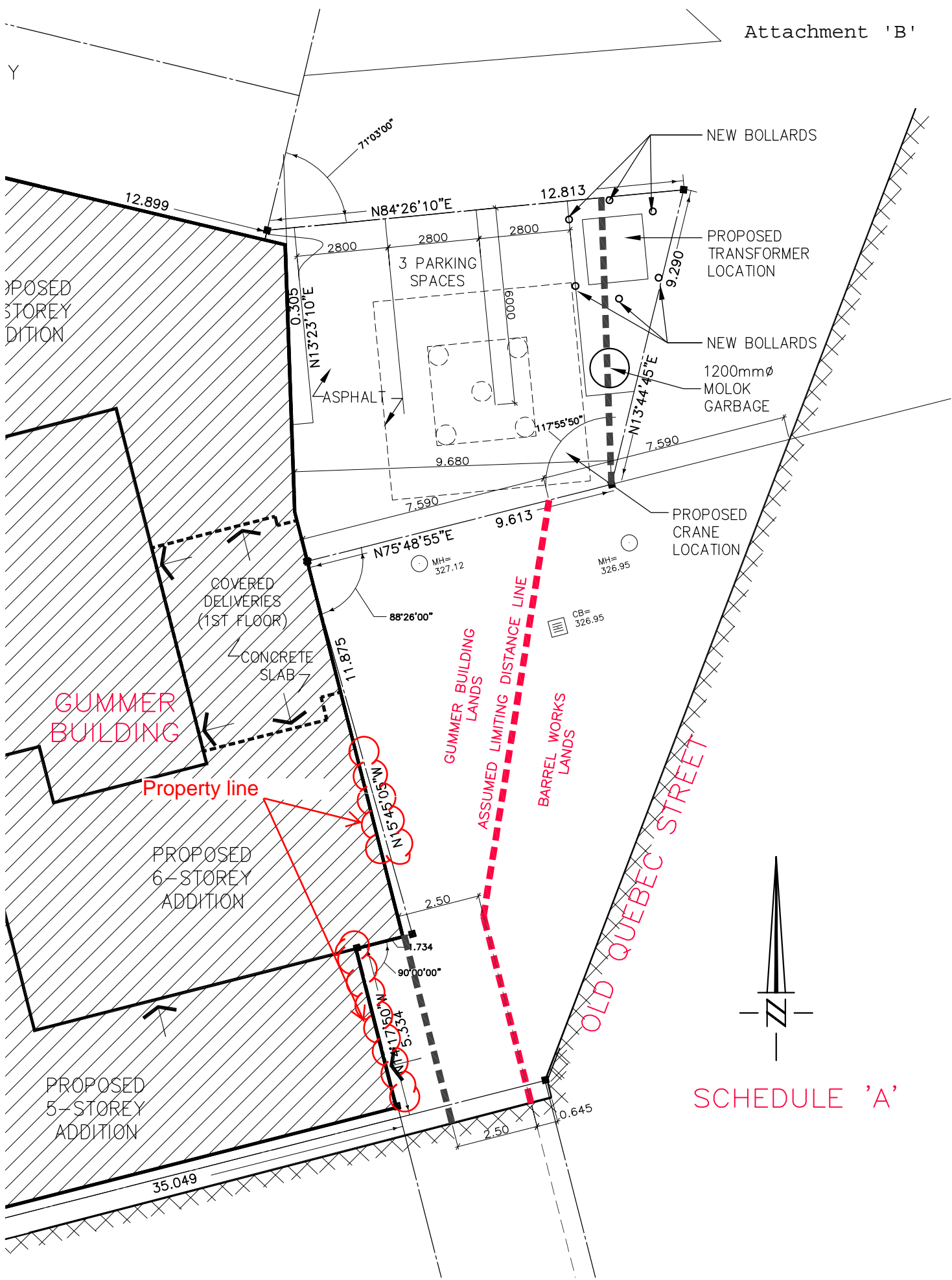
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"original signed by Janet Laird"

Recommended By:

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Planning, Building, Engineering
and Environment
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SCHEDULE 'A'

LIMITING DISTANCE AGREEMENT

THIS AGREEMENT made this 11th day of May, 2012,

A M O N G:

SKYLINE REAL ESTATE HOLDINGS INC.
(hereinafter referred to as "Skyline")

OF THE FIRST PART

- and -

BARREL WORKS GUELPH LTD.
(hereinafter referred to as "Barrel Works")

OF THE SECOND PART

- and -

THE CORPORATION OF THE CITY OF GUELPH
(hereinafter referred to as the "City")

OF THE THIRD PART.

WHEREAS Skyline is the owner of those lands municipally known as 65 Wyndham Street North, 67-71 Wyndham Street North, and 1-7 Douglas Street, Guelph, which properties are legally described in the Parcel Register (Abbreviated) for Property Identifier 71286-0099 (LT) (the "Gummer Building Lands");

AND WHEREAS Barrel Works is the owner of those lands immediately to the northeast and east of the Gummer Building Lands, which property is legally described in the Parcel Register (Abbreviated) for Property Identifier 71286-0098 (LT) (the "Barrel Works Lands");

AND WHEREAS Skyline is in the process of redeveloping the Gummer Building Lands with a six-storey, mixed-use building terraced back from St. George's Square (the "New Gummer Building");

AND WHEREAS portions of the New Gummer Building will be situated on the Gummer Building Lands as shown on Schedule "A";

AND WHEREAS portions the New Gummer Building will be built right up to the property line separating the Barrel Works Lands from the Gummer Building Lands, as shown on Schedule "A";

AND WHEREAS Skyline wishes to construct windows along the eastern face of the New Gummer Building, which windows will face the Barrel Works Lands (the "North Windows");

AND WHEREAS the North Windows will be operable and will not be sprinklered;

AND WHEREAS the North Windows will, for purposes of the Building Code, be "unprotected openings";

AND WHEREAS the Building Code provides for various "limiting distances" from the "exposing building faces" of buildings to property lines or the centre lines of streets, lanes or public thoroughfares;

AND WHEREAS Skyline wishes to establish certain limiting distances that are measured to points that are beyond the above-mentioned property line, but are not the centre line of a street, lane or public thoroughfare;

AND WHEREAS Sentence 3.2.3.1(8) of the Building Code provides for certain agreements that may be entered into among owners of adjoining lands and the "municipality", as defined in the Building Code;

AND WHEREAS the parties intend that this agreement be an agreement pursuant to Sentence 3.2.3.1(8) of the Building Code;

AND WHEREAS the parties intend that the covenants contained in this agreement run with the lands;

NOW THEREFORE IN CONSIDERATION OF the sum of \$10.00 paid by each party to the other and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree with each other as follows:

1. LIMITING DISTANCE

- (1) Skyline and Barrel Works hereby agree that the limiting distances for all exposing building faces of all buildings heretofore or hereafter constructed on the Gummer Lands

facing the Barrel Works Lands will be measured to points on a line shown as the "Assumed Limiting Distance Line" on Schedule "A".

- (2) Skyline covenants that, for the benefit of the Barrel Works Lands, Skyline will not construct a building on the Gummer Building Lands unless the limiting distances for all exposing building faces in respect of the proposed construction are measured to points on the Assumed Limiting Distance Line.

2. REGISTERED ON TITLE

Skyline covenants and agrees to register this agreement on title to the Gummer Building Lands at its cost. Upon registration, Skyline will provide the City and Barrel Works with a copy of the registered instrument. Barrel Works hereby authorizes Skyline to register this agreement on title to the Barrel Works Lands at Skyline's cost. Skyline covenants and agrees to register this agreement on title to the Barrel Works Lands at its cost. Upon registration, Skyline will provide the City and Barrel Works with a copy of the registered instrument.

3. PARTIES TO COMPLY WITH CONDITIONS IMPOSED BY CITY

- (1) Skyline and Barrel Works hereby agree that they will comply with such other conditions as the City considers necessary, including indemnifying the City.
- (2) Skyline and Barrel Works will, jointly and severally, indemnify the City and the City's members of Council, officers, employees, contractors and agents, against all losses and liabilities in connection with this agreement. Skyline and Barrel Works will, jointly or severally, at the City's election, either assume the City's defence of any proceeding brought in respect of any loss or liability, or cooperate with the City in the defence, including providing the City with prompt notice of any possible loss or liability and providing the City with all information and material relevant to the possible loss or liability.
- (3) Without limiting the generality of the foregoing, Skyline and Barrel Works will jointly and severally, pay to the City all fees, costs and expenses of the City related in any way to this agreement, including, without limitation, the preparation, approval, execution, registration, amendment, enforcement or termination thereof.
- (4) Barrel Works will not construct any building or addition in the area between the Assumed Limiting Distance Line and the property line separating the two lands.
- (5) In redeveloping the Gummer Building Lands, Skyline will construct the building in accordance with the plans approved by the City's Chief Building Official, and, without limiting the generality of the foregoing, will not, at any time, increase the percentage of window openings per building face.

4. NOTICES

- (1) Any notice, demand, acceptance or request required to be given hereunder will be in writing, will be deemed to be given if either personally delivered or mailed by registered mail, postage prepaid (at any time other than during a general discontinuance of postal services due to a strike, lockout or otherwise), or by facsimile transmission, and addressed

to Skyline as follows:

Skyline Real Estate Holdings Inc.
70 Fountain Street East
Guelph, Ontario, N1H 3N6

Attention: R. Jason Ashdown, Vice-President

Fax: 519-836-2320

or such change of address or fax number as Skyline has by written notification forwarded to the other parties hereto;

to Barrel Works as follows:

Barrel Works Guelph Ltd.
55 Wyndham Street North
Guelph, Ontario, N1H 7T8

Attention: Tom Lammer, President

Fax: 519-763-2041

or such change of address or fax number as Barrel Works has by written notification forwarded to the other parties hereto;

and to the City as follows:

The Corporation of the City of Guelph
1 Carden Street
Guelph, Ontario, N1H 3A1

or such change of address as the City has by written notification forwarded to the other parties hereto.

- (2) Any notice will be deemed to have been given to and received by the party to which it is addressed:
- (a) if delivered personally, on the date of delivery;
 - (b) if mailed, then on the fifth day after the mailing thereof; or
 - (c) if faxed, on the date of faxing provided an original receipt confirmation can be provided.

5. WARRANTIES

Skyline represents and warrants to the other parties hereto as follows:

- (a) it is the owner of the Gummer Building Lands;
- (b) Skyline is a corporation validly subsisting under the laws of Ontario and has full corporate power and capacity to enter into this agreement and any documents arising from this agreement; and
- (c) all necessary corporate action has been taken by Skyline to authorize the execution and delivery of this agreement.

Barrel Works represents and warrants to the other parties hereto as follows:

- (a) it is the owner of the Barrel Works Lands;
- (b) Barrel Works is a corporation validly subsisting under the laws of Ontario and has full corporate power and capacity to enter into this agreement and any documents arising from this agreement; and
- (c) all necessary corporate action has been taken by Barrel Works to authorize the execution and delivery of this agreement.

6. BINDING ON SUCCESSORS

It is hereby agreed by and among the parties that this agreement will be enforceable by and binding on the parties hereto, and their respective heirs, executors, administrators, successors and assigns. This agreement may not be amended or deleted from title to the Gummer Building Lands or the Barrel Works Lands without, in either case, the consent of the City.

7. Schedule "A" attached hereto is integral to and forms part of this agreement.

IN WITNESS WHEREOF the parties have executed this agreement as of the date first written above.

[BALANCE OF THIS PAGE BLANK. SIGNATURE PAGE FOLLOWS.]

SKYLINE REAL ESTATE HOLDINGS INC.

per: _____

R. Jason Ashdown, Vice-President

I have authority to bind the corporation.

BARREL WORKS GUELPH LTD.

per: _____

Tom Lammer, President

I have authority to bind the corporation.

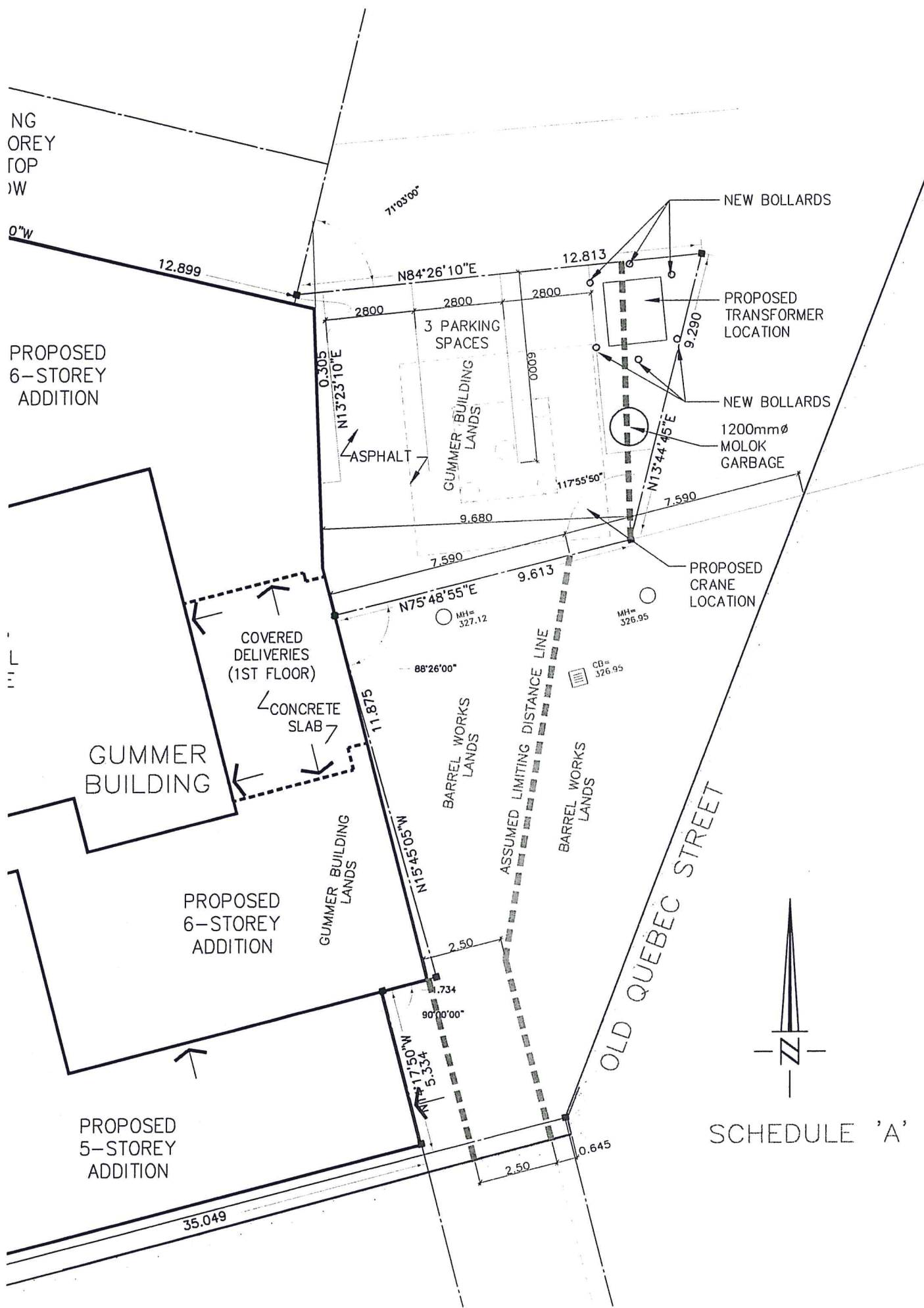
**THE CORPORATION OF THE CITY OF
GUELPH**

per: _____

Karen Farbridge, Mayor

per: _____

Blair Labelle, City Clerk



SCHEDULE 'A'

COMMITTEE REPORT



TO **Planning, Building, Engineering and Environment
Committee**

SERVICE AREA Planning, Building, Engineering and Environment
DATE July 16, 2012

SUBJECT **Proposed Lease Agreement with University of Guelph
Southern Ontario Water Consortium Platform
Research Facility at Waste Water Treatment Plant**

REPORT NUMBER

SUMMARY

Purpose of Report:

To outline the details of a proposed lease agreement with the University of Guelph in regard to a research facility to be located on City lands.

Committee Action:

To recommend approval of the proposed lease agreement to enable a research facility to be located at the City's wastewater treatment facility.

RECOMMENDATION

THAT the Mayor and Clerk be authorized to execute a Lease Agreement between the University of Guelph and the City, as outlined in the report by the Manager of Realty Services entitled "*Proposed Lease Agreement with University of Guelph-Southern Ontario Water Consortium Platform - Research Facility at Waste Water Treatment Plant*" and dated July 16, 2012, subject to the final form of the Lease Agreement being satisfactory to the Manager of Realty Services and the Executive Director of Planning, Building, Engineering and Environment.

BACKGROUND

Previous Council Approval

At its meeting of September 22, 2008, Council adopted the following resolution:

"THAT staff be authorized to engage in discussions with the University of Guelph to develop an agreement to provide land and services for a proposed Pilot Scale Wastewater Research Facility adjacent to the existing Wastewater Treatment Plant and bring the proposed agreement back to Council for its consideration."

Water Opportunities Act

The Water Opportunities Act came into effect in November 2010. One of the goals of this legislation is to make Ontario a leader in developing water technologies and services and making our expertise available to the world. As of November 2010, there were over 22,000 people employed in the water technology sector in Ontario. The global technology sector is valued at more than \$400 billion and is expected to double every five to six years.

This strategic direction and the opportunities for economic development are important context for a program currently being undertaken by eight universities as the Southern Ontario Water Consortium (formerly The Water Quality Research Platform in Urban and Urbanizing Watersheds).

Southern Ontario Water Consortium (SOWC)

The SOWC a collaboration involving eight Universities (Western, Laurier, Guelph, McMaster, Toronto, Ryerson, UOIT, and Waterloo) to create a platform (SOWC Platform) for public and private research, technology development, testing and demonstration in water systems.

SOWC Platform Supporters

The \$53 million SOWC Platform is supported by:

- The federal government, through the Technology Development Program of the Federal Economic Development Agency for Southern Ontario (\$19.6M);
- The provincial government, through the Ministry of Economic Development and Innovation (\$9.4M);
- The eight member universities;
- Numerous companies, including IBM, the lead private sector investment partner (\$20.1M). Other research partners include: Trojan UV, GE Water, Solinst, Geosyntec, Purifics, Aracadis, NIR Science Corp, and Siemens;
- Numerous municipalities are identified as supporters and are involved in this SOWC initiative. Cities actively involved include the Cities of Guelph, London, and the Regional Municipality of Waterloo. London has committed a contribution of \$3.8M to the SOWC facility being constructed in that city. Other cities that have pledged support include Kitchener, Waterloo, Cambridge, and the Regional Municipalities of Peel and Niagara. Given the City of Guelph's close ties with the University of Guelph and the City's interest in optimizing our wastewater treatment systems, the City has been invited to actively participate in this significant program.

This significant (\$53M) and unique program will be funded as follows:

Federal Economic Development Agency (FedDev)	\$19,580,000 (37%)
Ontario Ministry of Economic Development and Innovation (MEDI)	\$9,387,627 (18%)
IBM	\$20,068,233 (\$38%)
University and Other Contributors (e.g. municipalities)	\$3,714,724 (7%)
TOTAL	\$52,750,585

SOWC Platform Facilities

The SOWC Platform will include facilities for the testing and development of drinking water solutions, wastewater purification, ecotoxicological analysis, watershed management, and sensor development. It includes a diversity of existing or proposed facilities in Southern Ontario located at or within:

- The Grand River watershed;
- The Mimico Creek sub-watershed near Toronto;
- The City of London;
- Greenway Wastewater Treatment Centre;
- The Sensor Development Labs at McMaster University;
- Drinking Water Treatment Labs at the Universities of Toronto and Waterloo;
- Ecotoxicological labs and staging facilities at Wilfrid Laurier University;
- Ground Water Research Facilities at Base Borden and the University of Guelph.

These facilities are augmented with a variety of mobile facilities that can be deployed as needed across the watersheds. The facilities are linked together with a large computational and data facility invested by IBM and installed at the University of Toronto to process, analyze, store, and distribute the data produced across the platform. This integrated SOWC Platform will be the first of its kind in the world.

Expected Benefits of the SOWC Platform

It is expected that the SOWC Platform will result in significant public and private benefits:

- Facilities will be available for use by researchers and will foster collaboration between municipal partners, private sector partners and leading academic researchers to conduct development and testing of new technologies;
- The development and commercialization of municipal and private technologies and solutions for maintaining and accessing clean water;
- The creation of new high quality jobs through the creation of new companies and the attraction and expansion of existing companies involved in the clean water field.

It is expected that no financial gain or profit will be sought for the use of facilities. The SOWC Platform facilities will generate revenues from rental and user fees which will be used to cover operating costs of the facilities.

REPORT

Proposed SOWC Platform Facility in Guelph

Since the Federal and Provincial funding announcements in 2011, City and University of Guelph representatives have been meeting to discuss a facility located at the Waste Water Treatment Plant (WWTP) located on Wellington Street West. This facility will comprise a research building located on City land (see Attachments 1 and 2) that will be interconnected with the WWTP in order to supply wastewater in raw wastewater form, or at varying stages of treatment for research and testing purposes. The facility will be a "living laboratory" in the Grand River Watershed and will be managed by the SOWC and will be available to universities,

governments, other public sector and private firms interested in undertaking research and demonstration activities at the facility.

New, more efficient, more effective technologies will be explored that have the potential to address emerging concerns with respect to wastewater treatment, including the more effective use/reuse of wastewater effluent, leading to the consideration of wastewater as a resource rather than a waste.

It is anticipated that attracting companies to undertake R&D in Guelph will provide economic benefits to our City and aid in economic growth. Research and the demonstration of new technologies at an operating wastewater treatment facility will be a critical ingredient in the creation of new water-related jobs.

Although the University has not finalized the details, the estimated cost for this facility is \$1,625,000. This is to be funded in part by the MEDI grant (approximately \$1,213,000) and the balance (\$412,000) is to be funded by other cash or eligible in-kind contributions.

Proposed City Contributions for the Guelph Facility

In 2008, when discussions first began, the funding model for the SOWC Platform was 40% Federal, 40% Provincial, and 20% required to come from the University and other contributors (e.g. municipalities) for, both, facilities and equipment. The original estimate for the facility (i.e. not including equipment) was \$1.2M and discussions with University of Guelph representatives were based on a 20%, or \$240,000, in-kind contribution from the City towards the capital cost of the facility, only. Although the estimated cost of the project has increased as details have emerged, staff are recommending that the City's contribution remain at the original maximum of \$240,000.

A chart showing proposed City contributions is shown in Attachment 3, with eligible and ineligible in-kind contributions as well as capital infrastructure. To be eligible, in-kind contributions must be directly related to the facility construction project. The chart indicates eligible in-kind contributions in the amount of \$45,000, largely comprised of City staff time through providing assistance in this project.

Ineligible contributions relate to ongoing operational matters. A proposed lease, with no rental payments, together with winter maintenance of parking areas and driveways is estimated at \$22,000 over the term of the proposed lease (i.e. 12 Years).

Capital infrastructure is proposed at a cost of \$195,000. All proposed capital modifications are considered eligible in the capital project funding model. Most of this infrastructure (\$170,000) relates to the installation of pumps, piping, and electrical connections to the facility. This capital infrastructure will be largely located within the City's WWTP facility and external to the proposed research facility. This infrastructure is considered to be integral to the WWTP and should remain under the direct control of the City. Staff are recommending this capital infrastructure be included as part of the City's support of this project. Funding for

this capital infrastructure is included in the approved 2012 Enterprise Capital Budget (i.e. User Pay budget).

Proposed Lease Agreement

Staff have continued to work with the University of Guelph and the Node Leader (Dr. Ed McBean) of the SOWC to develop a proposed lease agreement that would allow the University to construct and operate the proposed research facility at the WWTP site. Although details are still being finalized, the general terms of the lease are expected to be as follows:

Term:	12 Years
Basic Rent:	\$2.00 per year
Additional Costs:	Tenant to be responsible for all costs for utilities, property taxes, and maintenance and repair of facility (except winter maintenance of parking areas and driveways).
Construction:	Tenant responsible for construction of the facility, subject to City's prior approval of design.
Decommissioning:	Tenant to remove facility at the end of the lease unless the City decides to keep it.
Access:	Tenant shall have non-exclusive right to use the driveway from Wellington Street West to the facility.
Insurance:	Tenant to maintain insurance on the facility.

Conclusions

Staff are recommending approval of the proposed lease and of the City's support in regard to the SOWC Platform and the proposed facility based on the following:

- The program cannot proceed without engaged municipal participants supplying opportunities for research and collaboration;
- The SOWC Platform is a significant undertaking in wastewater research and re-use involving the public and private sectors. The City of Guelph has been invited to be part of this program and will ultimately benefit from its results;
- Funding of 55% of the total \$53M program funding has been secured through MEDI and FedDev programs. An additional 38% of the funding has been secured from IBM. The City will be a direct participant in support of public-private innovation which this program intends to encourage;
- Funding for the balance of this program must come from other public and private participants;
- It is expected that the SOWC Platform will serve as an economic driver, expanding on the already more than 22,000 jobs in water and providing opportunity to directly participate in the rapidly growing world-wide water technology sector.

CORPORATE STRATEGIC PLAN

This initiative supports the following Strategic Directions:

- 2.2 Deliver Public Service better;
- 2.3 Ensure accountability, transparency and engagement;
- 3.2 Be economically viable, resilient, diverse and attractive for business.

FINANCIAL IMPLICATIONS

Eligible in-kind contributions in the amount of \$45,000, largely comprised of City staff time through providing assistance in this project will be funded through current and future Operating Budgets.

Ineligible contributions for the proposed lease, with no rental payments, require no funding. Winter maintenance of parking areas and driveways, estimated at \$12,000 over the term of the proposed lease (i.e. 12 Years), will be funded through the User Pay Operating Budget for the WWTP.

Capital infrastructure in the amount of \$195,000 are included in the approved 2012 Enterprise Capital Budget.

DEPARTMENTAL CONSULTATION

Staff from Wastewater Services and Realty Services have been involved in this initiative.

ATTACHMENTS

Attachment 1 – Proposed Wastewater Pilot Facility (Draft)

Attachment 2 – Proposed Facility Location

Attachment 3 - Proposed City Contributions

“original signed by Jim Stokes”

Prepared By:

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jim.stokes@guelph.ca

“original signed by Kiran Suresh”

Reviewed By:

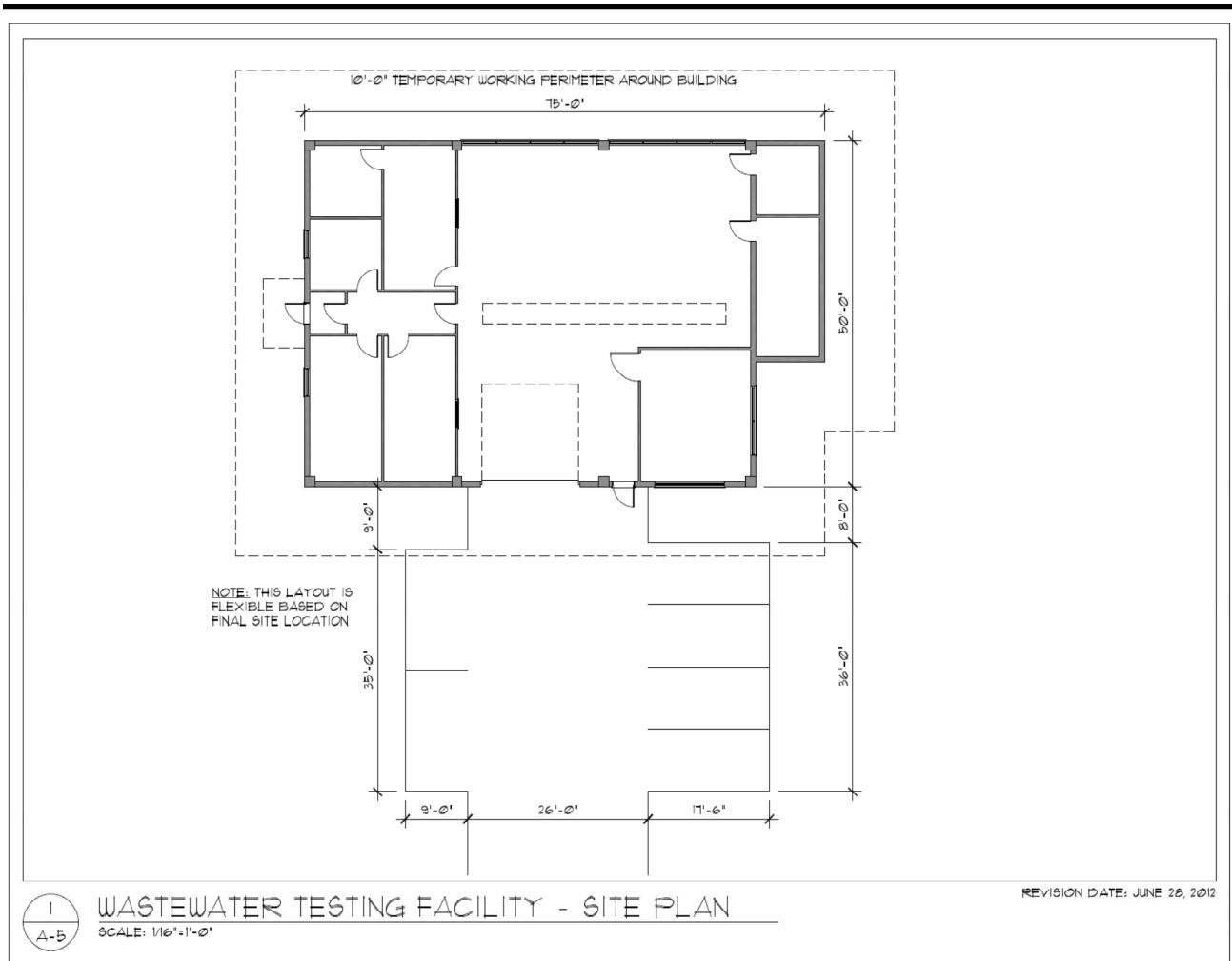
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Wastewater Services
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kiran.suresh@guelph.ca

“original signed by Janet Laird”

Recommended By:

Janet L. Laird, Ph.D.
Executive Director
Planning, Building, Engineering and Environment
519-822-1260, ext. 2237
janet.laird@guelph.ca

Attachment 1 – Proposed Wastewater Pilot Facility (Draft)



Attachment 2 - Proposed Facility Location



Attachment 3 – Proposed City Contributions

Estimates of City of Guelph Contributions to the SOWC Wastewater Pilot Facility (located at the Guelph Wastewater Treatment Plant)					
Item #	Dimension	Contribution Value			
		Eligible Cash (Capital)	Eligible In-Kind (Capital)	Non-Eligible In-Kind (Operational)	Totals
1	City technical staff assistance and consultation guidance during the development of the SOWC platform (legal and realty services - preparation of lease and agreements, attending meetings, site plan review process, preparation of site plan drawings, report preparation)		\$ 26,000		\$ 26,000
2	City staff assistance with the preparation and submission of the required government permits associated with the SOWC platform		\$ 8,000		\$ 8,000
3	Site maintenance during construction (e.g. landscaping, snow removal, de-icing of access roads and pathways into the pilot site)		\$ 5,000		\$ 5,000
4	Contribution toward supply of water and electricity during construction		\$ 6,000		\$ 6,000
5	Install piping in City tunnels to provide wastewater connections between take-off points and SOWC platform, as well as effluent piping from the SOWC platform to the City of Guelph WWTP	\$ 75,000			\$ 75,000
6	Contribution toward fencing around the perimeter of the pilot facility	\$ 10,000			\$ 10,000
7	Contribution toward soil remediation works (berm construction, soil stability)	\$ 5,000			\$ 5,000
8	Contribution toward potable water line connection to the pilot facility	\$ 10,000			\$ 10,000
9	Electric supply connection on WWTP to feed SOWC Platform during construction	\$ 25,000			\$ 25,000
10	Contribution toward providing/installing pumps at the City of Guelph WWTP take-off points to deliver wastewater to the platform	\$ 70,000			\$ 70,000
11	Lease/Use of Land at no cost for 12 years.			\$ 10,000	\$ 10,000
12	Snow clearing/de-icing of access road and parking lot, post-construction (during 12-year lease)			\$ 12,000	\$ 12,000
Project Total		\$ 195,000	\$ 45,000	\$ 22,000	\$ 262,000