



AGENDA

GUELPH CITY COUNCIL

December 17, 2007 - 7:00 p.m.

Please turn off or place on non-audible all cell phones, PDAs, Blackberrys and pagers during the meeting.

The Guelph Youth Singers will be performing a medley of seasonal songs at 6:45 p.m.

- O Canada – Guelph Youth Singers
- Silent Prayer
- Disclosure of Pecuniary Interest
- Confirmation of Minutes – November 5, 19, 26 and December 3, 2007 (Councillor Bell)
“THAT the minutes of the Council meetings held November 5, 19, 26 and December 3, 2007 and the minutes of the Council meetings held in Committee of the Whole on November 5, 19 and December 3, 2007 be confirmed as recorded and without being read.”

PRESENTATION

- a) Peter on behalf of Project Porchlight to provide and update on the initiative.
- b) Representative of Guelph Environmental Leadership with respect to their Green Impact Guelph (GIG) project. (Clause 2 of the Community Development & Environmental Services Committee Report)

REGULAR MEETING

DELEGATIONS

Resolution (Councillor Billings)

“THAT persons desiring to address Council be permitted to do so at this time.”

Delegations are limited to a maximum of five (5) minutes.

- a) Todd Dennis on behalf of the Clairfields Neighbourhood Group with respect to the South End Community Centre (Consent Report C-1)

COMMITTEE OF THE WHOLE

Resolution – Councillor Burcher

“THAT Council now go into Committee of the Whole to consider reports and correspondence.”

REPORTS FROM COMMITTEES OF COUNCIL AND OTHER COMMITTEES

- a) Community Development and Environmental Services Committee – 14th Report
“THAT the FOURTEENTH REPORT of the Community Development and Environmental Services Committee be received and adopted.”
- b) Emergency Services, Community Services & Operations Committee – 11th Report
“THAT the ELEVENTH REPORT of the Emergency Services, Community Services & Operations Committee be received and adopted.”
- c) Finance, Administration and Corporate Services Committee – 10th Report
“THAT the TENTH REPORT of the Finance, Administration and Corporate Services Committee be received and adopted.”
- d) Governance and Economic Development Committee – 9th Report
“THAT the NINTH REPORT of the Governance and Economic Development Committee be received and adopted.”
- e) Council as Committee of the Whole – 6th Report
“THAT the SIXTH REPORT of the Council as Committee of the Whole be received and adopted.”

CONSENT AGENDA

- A) Reports from Administrative Staff**
- B) Items for Direction of Council**
- C) Items for Information of Council**

Resolution to adopt the Consent Agenda.

Resolution:- Committee rise with leave to sit again (Councillor Farrelly)

“THAT the Committee rise with leave to sit again.”

Resolution:- proceedings in Committee of the Whole (Councillor Findlay)

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

SPECIAL RESOLUTIONS

BY-LAWS

Resolution:- First and Second Reading of By-laws. (Councillor Hofland)

Verbal Resolution:- Council go into Committee of the Whole to consider the by-laws.

NOTE: When all by-laws have been considered, a member of Council should move “THAT the Committee rise and report the by-laws passed in Committee without amendment (or as amended).

Resolution:- Third Reading of By-laws. (Councillor Kovach)

QUESTIONS

MAYOR’S ANNOUNCEMENTS

Please provide any announcements, to the Mayor in writing, by 12:00 noon on the day of the Council meeting.

NOTICE OF MOTION

ADJOURNMENT

Council Committee Room B
November 5, 2007 6:40 p.m.

A meeting of Guelph City Council.

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

Staff Present: Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

1. Moved by Councillor Laidlaw
Seconded by Councillor Beard

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act, with respect to:

- personal matters about an identifiable individual

Carried

The meeting adjourned at 6:41 o'clock p.m.

.....
Mayor

.....
Deputy Clerk

Council Committee Room B
November 5, 2007 6:42 p.m.

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

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

Staff Present: Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

Councillor Kovach provided information with respect to personal matters about an identifiable individual.

The meeting adjourned at 6:50 o'clock p.m.

.....
Mayor

.....
Deputy Clerk

Council Chambers
November 5, 2007

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

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

Staff Present: Mr. H. Loewig, City Administrator; Ms. Tricia Sinclair, Assistant City Solicitor; Mr. J. Riddell, Director of Community Design & Development Services; Mr. S. Hannah, Manager of Development & Parks Planning; Mr. A. Hearne, Senior Development Planner; Ms. M. Castellan, Senior Development Planner; Ms. T. Agnello, Deputy City Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

PLANNING PUBLIC MEETING

Mayor Farbridge announced that in accordance with The Planning Act, Council was now in a public meeting for the purpose of informing the public of various planning matters. She also advised everyone of the current process.

The Manager of Development & Parks Planning advised those present to sign the sign in sheet if they wish to receive further notification of meetings and/or decisions.

264, 348, 408, 452 Crawley Road and 385 Maltby Road West

Mr. A. Hearne, Senior Development Planner provided background information on this application. He stated that the lands are currently designated “Industrial”, “Core Greenlands”, and “Non-Core Greenlands Overlay” and there are “Provincially Significant Wetlands” and “Other Natural Heritage Features” that apply to the site. He also advised the subject lands are presently in the “Urban Reserve” zone, “Conservation Land” zone, “Wetland” zone, and “Specialized Industrial B.2 Holding Zone. He stated that overlays applying to the subject property include the “Lands Adjacent to Provincially Significant Wetlands” overlay and the “Lands with one of the following: Locally Significant Wetlands, Significant Woodlots, Natural Corridor, or Linkage” overlay.

The proposed plan of subdivision will create three large blocks for industrial development, four blocks for the protection of environmental features, one storm water management block, one sanitary pumping station block, roads and two road widening blocks along Crawley Road. The Zoning By-law amendment proposes to include two new Specialized Industrial B.3 Zones on Blocks 1 and 2 permitting mainly manufacturing and warehouse uses and on Block 3 includes a list of uses that are intended to assist in the reuse of the stone heritage house located at 264 Crawley Road. He also advised specialized parking provisions applying to manufacturing and malls are also proposed and the zoning also requests changes to the existing Conservation Land P.1 Zone and Wetland WL Zone boundaries. The proponent has submitted a revised application addressing many of the concerns received on the original application but there are still outstanding issues. He advised that the correspondence attached to the report was in response to the original application.

Mr. Mark Cowie, on behalf of Industrial Equities Guelph Corporation advised they have been investors in Guelph for seven years. The process has gone on for over two years and involved assembling five different properties. The first phase of Southgate has been completed, and they plan environmental stewardship with the next phase and have the intention to develop lands with utmost respect to the City, the environment, neighbours and stakeholders. He believes they have assembled a first class team to deal with the issues and believes they can be dealt with in a sensible and sensitive manner.

Astrid Clos, was present on behalf of the applicant and advised that the consulting team was also present and available to answer questions. She stated that when the properties were annexed in

1993 from the Township of Puslinch, the City was proactive in preparing the lands for future development as employment lands. She outlined the various hydrological and Environmental Impact Studies done in the vicinity. The Township of Puslinch and County of Wellington are on record as supporting these lands as being employment lands and that this was the spirit of the annexation. She advised of various requirements the Ministry of Transportation have in place with respect to the Hanlon Expressway. The original application was filed in 2006, but a number of changes have been made since then to reflect concerns expressed about linkages and environmental issues. She advised that Maltby Road improvements to pave to two lanes will be tied into improvements on Gordon Street with development applications. A list of prohibitive uses will be reviewed and possibly included in the application; as well as addressing berm issues and environmental concerns. Ms. Clos stated that grading would have to be similar to that of industrial sites in the vicinity and the results would actually assist with runoff and more water would go into the ground post-development than pre-development. They recognize they must meet or exceed the current recharge targets. She said there will be three peer reviews completed.

Mr. Bruce McEachern, on behalf of some of the residents of the Township of Puslinch advised they want the development to be done with respect of the environment. He reviewed their concerns as listed in their letter of October 30, 2007. He advised that the groundwater directly affects their properties and they want to ensure the existing groundwater will be maintained. They would like independent reports to prove that results meet or exceed current levels and they wish to have linkages maintained and regenerated. He also requested a traffic study of all of Maltby Road and the Hanlon south of Clair Road. He believes a more thorough long term study is needed. He also raised concerns with respect to noise, light and odour pollution and general site appearance. He advised that the residents are concerned that contaminants from the road such as sand/salt will damage the wetlands along Maltby Road. He feels they have constructive suggestions but had only two weeks to provide them and they have had no time to meet with planning experts. They would like to see a rural/urban interface but want one to point to with pride. Residents want assurance that their concerns are being addressed.

Mr. Paul Rice, a resident of Puslinch was present to address some issues on this application. He advised he was involved during the discussions at the time of annexation. He would like a monitoring program both during and after construction to ensure what is promised actually occurs. The Southgate extension was not advertised in Puslinch and they feel they were given no opportunity for them to provide input. They are concerned that loss of linkage areas is being proposed.

Councillor Dick Visser, Township of Puslinch, representing the ratepayers of Maltby Road in the Township stated that their residents have met with Township Council but will not sign off on the application until the residents' concerns have been addressed. Puslinch wants efficiency but not at the expense of the environment. He also stated they want a good interface between the City and Township.

Charles Cecile on behalf of Guelph Field Naturalists was present to express concerns and does not want to see a private well put in place. He requested that studies be done on the Moraine to ensure development is not done in piecemeal. He would also like to see restrictions in place with respect to pesticides or "salting" of road that could cause contamination. He is concerned about wildlife in woodlot that contains provincially significant species and locally significant species. He advised that although the Environmental Assessment study indicates woodland is now not worthy of protection, it failed to address natural regeneration of trees or seeding, as well as seeing the woodlot as a community of species of ground shrubs and flora as well. He believes the regenerative capacity is high and provides significant ecological function and feels it should be protected and maintained in any future development. He also raised concerns with respect to the Environmental Assessments failing to address the significance of the loss of all the small parcels of wetland combined. He expressed the need for conformity to the Hanlon Creek Watershed Plan and the Official Plan. He also stated that the tree bylaw should be updated to protect the woodlots.

John D. Stirling spoke on behalf of Courtney Alberta Inc./Tim Hortons. He raised concerns with respect to traffic capacity. The Hanlon has two interchanges and there have been intersection improvements at Laird & Clair, but he wants to advise that the construction of these improvements must take place before development takes place. He stated concern that development will use up traffic capacity before the interchanges are completed and will adversely affect their business expansion plans.

Jim Horton, traffic specialist, on behalf of the applicant provided information with respect to the traffic capacity in light of the improvements at Laird & Clair that are due to be completed by the end of November. He advised that the expansions have been taken under consideration with the traffic study.

Dr. Hugh Whiteley, was present to advise that this development has the opportunity to be a template for Moraine protection within development. He believes planning policy documents should be developed before individual applications are addressed. He stated set planning principles should be in place and the City should observe how they can be applied and make necessary changes. He

stated there are inconsistencies in what GRCA best storm water management states compared to what is being proposed. The City needs to clearly identify objectives and compare technologies against those objectives. He advised the issue of surplus water raises as much difficulty as limited or no recharge occurring. So staging elements need to be put into place and the City should proceed by developing moraine specific policy.

Mrs. Laura Murr was present to express concerns regarding the Moraine and submitted the following requests/comments:

- Planning approval of any major project on the moraine areas of Guelph should be given only after a comprehensive moraine-function-protection
- The importance of the moraine areas in Guelph with respect to recharge and wildlife needs to be kept in mind
- The moraine-function-protection policy will be (a) reduction of surplus water from development sites through enhanced evaporation from roofs (b) requirements for matching natural recharge amounts and patterns and (c) provision of continuous corridors in retained natural areas
- Protection of the entire remaining natural heritage features on site
- Enactment of a Tree Preservation By-law as soon as possible

Ms. Murr also read correspondence submitted from Mr. B. Wozniak with respect to the protection of the Moraine and the importance of considering the whole moraine and its protection regardless of the location and the different community groups or residents involved.

Mr. Robert Milburn, an existing business owner for almost 40 years stated that he is concerned with the road closures affecting his business and possible expansion plans. His business is the last property on Crawley Road and when Clair Road gets updated and cut off at the Hanlon and when Laird Road is in place, he will be without any real entrance to service his public customers and doesn't know how his business would remain viable in that situation.

Discussion of this application raised issues with potential runoff contaminants and what prohibitive uses might prevent that from happening. Staff was asked to look at best practices with respect to protection of the moraine and link that to the timing factor of the Moraine Protection Policy and legislation. Staff was also asked to report back with respect to traffic capacity of new and existing businesses. Staff was requested to provide current air photos with a high resolution of the site and surrounding properties to provide councillors with a better context of the development.

Mr. J. Riddell

1. Moved by Councillor Billings
Seconded by Councillor Burcher

THAT Report 07-97 dated November 5, 2007 regarding a Proposed Draft Plan of Subdivision and associated Zoning By-law Amendment to allow an Industrial Subdivision applying to property municipally known as 264, 348, 408, 452 Crawley Road and 385 Maltby Road West, City of Guelph, from Community Design and Development Services be received.

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

AGAINST: None (0)

Carried

108 Forest Street

Ms. M. Castellan, Senior Development Planner provided information on this application. The subject property is located on the south side of Forest Street, approximately 100 meters east of the intersection of Forest Street and Edinburgh Road, approximately one hectare site with an existing building that was formerly a school. The proposed Official Plan Amendment proposes to amend the designation of the eastern portion of the property from General Residential to Mixed Office Residential to permit the re-use of the existing school building for medical and professional offices with maximum gross leasable floor area of 1500 square meters. There is also an addition on top of the existing school building being proposed to accommodate 9 residential apartment units. The Zoning amendment proposes to amend the Zoning from the Institutional Zone to a new Specialized Office Residential and a new Specialized Cluster Townhouse Zone. Two specialized regulations being requested are:

- Maximum front yard (9.4 metres where 7.5 metres is permitted)
- Buffer strips (seeking exemption of requirement only for the buffer to the proposed new specialized R.3A Zone on the same property)

and propose to limit the proposed office space to a maximum floor area of 1500 square metres of which Medical Office would be limited a maximum of 471 square metres with the proposal to remove Personal Service Establishment from the list of permitted uses.

Specialized regulations have been requested for the zoning application which includes:

- Lot frontage (2.24 metres where minimum of 18 metres is required)

- Minimum side yard for windows to habitable rooms (3 metre side yard where 7.5 metres is required)
- Minimum distance between buildings with windows to habitable rooms (3 metres where 15 metres is required)
- Minimum distance between Private Amenity Area and wall of another buildings (3 metres where 6 metres is required) and between Private Amenity Area and wall of another building with windows to habitable rooms (e metres where 12 metres is required)
- Minimum Private Amenity Area (minimum depth and width of 2.5 metres where 4.5 metres is required).

She advised that four facilitation meetings have been held with the public and the applicant and the main issues as articulated through the process are highlighted in Schedule 5 of the planning application report.

Ms. Nancy Shoemaker, Planning Consultant, on behalf of the applicant was present to provide information on this application. She stated that the growth plan emphasizes intensification and maximizing usage of existing infrastructure. She advised there are a number of constraints on this property such as the existing school not being suitable for development; a heritage elm to be preserved presents grading challenges. She stated that the site plan was revised to relocate two townhouse units to protect the elm tree and green space; two units have been shifted around to face Dean Avenue instead of Edinburgh Road due to setbacks. She stated the parking areas are contained within two car garages and driveways and the requirement is only one space. She advised that overnight parking would be utilizing the office parking. It was requested that elevators be provided and this is being accommodated. She stated that the residential aspect of the application is committed to the wet/dry system. She also advised that the grading has been lowered to reduce the height of the stacked townhouse units. Parking for professional office has been reduced to 63 spaces eliminating six spots at back to allow greater setbacks and buffer units between Dean Avenue and parking stalls of commercial development. The parking module has shifted to the west to address the church's concern to allow buffering of the play area. They will also provide a mix of privacy fencing and landscaping on that side of the development. A redesign of residential units has allowed the lowering of roof facades to the east and front façade of the medical building has more windows and planting materials on the ground level. The applicant has also changed the access to the medical buildings to reduce traffic impact. Ms. Shoemaker also stated that a traffic study indicated that this development will not generate any more traffic than the previous school use and is well within limits in the Official Plan and neighbouring zoning. The application also meets city criteria for emergency vehicles and abilities of larger vehicles to enter the site. It was determined that one entrance is sufficient.

Mr. Lloyd Gringham, Architect on behalf of the applicant, advised the school building was constructed in 1964 with an addition in 1991, and the balance of the property is currently playing fields. He stated that retention and reuse of the existing structure is preferable to demolition, and that adding residential usage was viable. He provided details of the square footage and number of residential units that would be a part of the building structure. He stated that privacy issues and living areas and walkout areas have been moved away from 106 Forest Street to accommodate some of the concerns expressed. He advised that there will be internal and external stair/elevator access from the parking structure and arboured pathway. Two of three would face adjacent property but are well removed and fitted with obscured filtered glass. He said the applicant is cognizant of the proximity to neighbouring properties and they are trying to be sensitive to that. He stated that the shadowing effect has been addressed as well. He also stated that although the building can support residential units on the upper floors, they are not suitable for ground level due to privacy issues and access.

Dr. Doug Friars, the owner of the property, advised that this will be a high end condominium development and that he has been looking for a location within a built-in area of the city. He stated that the initial agreement of purchase and sale gave him the opportunity to look at feasibility of being able to open a practice, but extensive consultation and new legislation made it obvious that full commercial use would not be acceptable, and under Places to Grow there needed to be mixed usage on the property. He has been practicing medicine in Guelph for over 21 years and states that with the shortage of physicians, there is a need to provide high end offices.

Tom Kriszan, President and Owner of Thomasfield Homes and a partner in this venture stated this application is exactly what Places to Grow subscribes. No new roads or infrastructure need to be built and public transit is available and the office use of the existing building is most viable. He stated this development would speak volumes about how serious the City is in bringing new doctors to Guelph, and the priority of mixed use of a property and how much neighbours can affect a proposed development.

Mr. Mark Bailey, a local resident, advised that the Places to Grow legislation (PTG) is intended to protect green space, reduce sprawl and increase commerce and this should occur in a sustainable fashion. The CIP states that the key neighbourhood issues are to protect neighbourhood uses while protecting neighbourhood character. The OUNRA (Old University Neighbourhood Residents Association) believes any development should occur within the framework of PTG and the CIP. He stated the focus group meetings have failed because PTG appears to trump the CIP

and the onus remains on staff shoulders to prove how the development meets the CIP. He advised the residents feel the Mixed Use zoning does not suit this property and the compatibility between CIP and PTG targets for intensification do not correspond. He suggested that Forest Street be kept residential but the corner of Edinburgh Road and Municipal Street could be developed commercially because it would be walkable and infrastructure is in place. The OUNRA would prefer six residential homes with lots of trees and up to 21 units and they are willing to compromise on scale but not the manner. He also stated that intensification is acceptable but mixed use would erode the integrity of the community's character and they want this property to be a model infill project. He stated that collaboration among all sectors should be promoted to achieve the vision and the City has the opportunity to create a process and model.

Mr. John Campbell, an area resident, was present to express concerns with this application. He stated the buildings are too high, too close to each other and too close to the abutting properties and the residents don't want offices at all due to traffic issues. He also advised the residents are concerned it will lead to more offices. He stated the consensus of the residents is that the existence of the school is the only reason for the proposed offices which otherwise wouldn't be considered in such a residential area. The neighbourhood is concerned about mixed use development and they think professional offices are automobile friendly and not pedestrian friendly. He also advised the CIP selected Edinburgh Road for commercial development due to its physical proximity. He stated this development would be a poor example of mixed usage of a property and it makes five houses on Forest Street vulnerable.

Sara Lowe, a resident of the area who participated in the facilitated meetings stated that the development proposal is not compatible because most units in the neighbourhood are bungalows built in the 40s and 50s and there are no three storey houses. She said the scale is too large and too much intensification for the neighbourhood and that the extensive parking lot is excessive and there is a serious lack of green space. She advised the school is already 2-3 metres higher than the neighbouring properties and three storeys would not be suitable. She stated there are a number of unacceptable impacts such as: inadequate buffers/transition zones, loss of privacy, too much noise and light from office use, cars, lit signage and building security, drainage issues, snow plowing, garbage disposal and increased traffic concerns. She also advised there are too many unknowns because a site plan has not been completed and the residents would like the development proposal reworked. They advised they would like conditions of approval put in place including: a two-storey maximum, no reduced setbacks, wider buffers, more green space, preservation of

the elm tree, and site plan control to be a public process, She advised the OUNRA would prefer only residential usage on the property.

2. Moved by Councillor Laidlaw
Seconded by Councillor Burcher

That the procedural by-law be suspended to allow the meeting to continue until midnight.

Carried

Mr. Bruce Ryan, a local resident living in proximity to the entrance of the property stated he is in support of residential intensification but is firmly opposed to this development proposal. He stated he is in support of residential intensification on this property but is opposed to office use. He advised he is concerned about proximity to neighbours of the entrance, and the lighting and said that non-residential uses should be on an arterial road and not on this residential street.

Mr. Unto Kihlanki, lives in the area and is President of TALO Architect company hired by the OUNRA and expressed their concerns regarding the stability of the residential neighbourhood. He advised they wish to keep commercial uses and residential uses separate and would like the focus on the main issue of the idea of adaptive reuse of the school. He would like the City to evaluate why to keep the building – cultural value; or to conserve resources but doesn't want to throw out other planning considerations. He stated the neighbourhood believes this development is an incompatible use with obtrusive massing; blocking more sunlight, providing less privacy, too much lighting, and a need for retaining walls, He stated the process of extreme engineering is just as great an expenditure of resources as demolishing the building would be because they could recycle the steel and other materials. He stated the gain of keeping the existing building would be inexpensive development for proponent but doesn't see what the community would gain. He requested the City ask for new proposal.

Daphne Wainman-Wood, consultant for OUNRA, and architect advised the residents want development to occur in an appropriate manner. They want low-slung, residential character, with green and open nature and salvaging the old elm tree, and the walkability of the neighbourhood maintained. She advised the residents have no attachment to the old school and presented an alternative plan. The conceptual counter proposal includes 21 traditional-type townhouses with the front entrances off the public road or internal road and not the alleyway on the property. She stated a traditional townhouse site, not stacked will not bring privacy issues and would be appealing to a broader range of occupants. She

suggested two styles of units - two-storey units and one-storey units or (loft style 1 ½ storeys). The proposal included six buildings on site with the first building fronting onto Forest Street and situating larger units in centre of block with the setbacks being considerate of neighbours, preserving green space and a storm water management facility which would effectively double the density of the current neighbourhood

Mark Sears, on behalf of Harcourt Memorial United Church addressed two issues. The first was the potential for storm runoff onto their property at 87 Dean Avenue. He stated the developers have produced a plan that includes a catch basin system with back fill in the area to the east of the existing structure to the point drainage will be reversed. He stated the proposed retaining wall would be 1.8 m high and does not want such a high wall. He is opposed to the commercial development and requested further input on details of the site plan to ensure drainage is addressed as well as fences, garage, and appearance of wall, with a request for a 3 metre buffer strip. His second issue dealt with traffic noise, light pollution, litter and potential impact on church activities and the existing pre-school which would be immediately adjacent to the parking area. Increased height of parking area and the constant movement of vehicles will have an impact on church and preschool. He requested that consideration be given to these impacts and to require at least some restrictions in planning the proposed use of the site to alleviate these impacts and hopefully consider a more appropriate use.

Ms. Laura Maxie, owner of property on Edinburgh Road South in the vicinity of the development proposal expressed concern with the potential loss of privacy, and the increase of traffic, and she advised she is supportive of the residents and their objections. She stated she is against the amendment to change the Official Plan because it would set a precedent in the neighbourhood and open the door for other such developments. She would like the City to review the other delegates concerns and offer a reasonable compromise that would support a rejection of this application in its present form and one that would withstand the test of the OMB.

Mr. Peter Gill, a neighbourhood resident for just over 30 years stated appreciation for the focus groups held in the summer to try to create a win-win situation for the residents and developer. He stated he has seen five examples of successful infill on the street and sees this property can do the same thing but not as it is presented. He said the intent of the proposed mixed use makes no sense and design of the proposed structure is totally incompatible with existing neighbourhood. He agreed with previous delegations and would like to see the owner be present on the property, and

stated commercial services on a close by arterial road instead of at the proposed site would be more compatible with the neighbourhood.

3. Moved by Councillor Burcher
Seconded by Councillor Wettstein

THAT the procedural by-law be suspended to allow the meeting to continue until 12:10 a.m.

Carried

Ann Lotter, a resident of the area agreed with the previous delegations and stated she does not believe the doctors' offices would make it a walkable community as most would be from other neighbourhoods and would drive there. She advised she did not see this proposal as forward looking and doesn't believe there is enough green space, and there are not enough old trees for shade or ability for trees to grow within this proposal.

Elizabeth Snell, a resident from the north end of the city stated she views the proposal as a precedent-setting development. She believes the proposal meets the Places to Grow criteria and sees it as energy efficient, compact and connected. She stated that consultation is a key to meeting the challenge. She suggested that the City involve community input all along the process; use models or simulators – i.e. to show what it would look like after trees grow to help ease fear of the unknown; and, as infill increases, the City should increase the number of skilled facilitators; and allow for feedback for what they liked and didn't like. She also suggested the City investigate other municipalities; that all participants stress flexibility; possibly rent parking spaces to allow for movement and more green spaces or reduce parking allotments. She stated that all parties need to understand the big picture and our role and cooperatively set up a process to avoid the cost of an Ontario Municipal Board hearing. She stated that we will set a precedent under the Places To Grow and hopes it will benefit the community but wants the City to investigate how to improve the process to get there.

Mr. Bruce Monkhouse, a resident, stated more thought is needed and the current process is flawed.

Laura Murr, a city resident, inquired about parkland dedication and wanted to know what was going to happen to air quality as we intensify. She suggested rain gardens for water management. She stated that the City needs to address aspects of the policy and did not think the CIP results were addressed thoroughly. She also stated that the PTG density targets need clarity and policy framework around the Official Plan and Zoning By-law puts the onus on residents but should be on the proponent to prove test of

how they passed. She suggested the proponent come forward with digital imagery and simulations on this site with respect to site plan, and footprint. She also wanted clarification of interior site versus arterial site and what is considered to be mixed use. She suggested staff consider what the most appropriate use of the site would be if it were vacant.

Councillor Burcher made several requests of staff to address with respect to this application including:

- That staff document the Old University-Centennial Neighbourhood Community Improvement Plan results and their influence on and implications for the planning and design of this project. That staff communicate the link between the policy framework of the CIP, the link between the CIP and other policies including "Places toGrow" and the implementation of these in the development of the site.
- That staff clarify our policy framework with respect to "Places to Grow" intensification targets for infill outside of the downtown. (Our Growth Management policy framework is looking at 50 jobs and people per hectare through its current process while the applicant is indicating that we should be looking at a mid-point between 50 and 150).
- Request the applicant be asked to demonstrate proactively how the proposed development meets the policy tests of both an Official Plan amendment and zone changes and have the staff report and recommendations communicate this as well. (To date, the onus has been placed on residents to demonstrate why the proposal is not meeting the policy framework and "tests" for OP and zone changes.
- That staff render an opinion on whether this site is considered to be an "interior" site, ie interior to the arterial road network and, therefore, not appropriate for commercial development. Other policy documents indicate that is considered interior and therefore would not be appropriate for commercial development.)
- That the applicant be required to provide digital imagery/simulations of the proposal with a clear indication of the surrounding context and adjacent properties. The documentation presented to council indicates only the proposal on the site with no reference to adjacent properties or surrounding context. This should include 3 dimensional massing imagery, elevations and sections. (This material was requested several times throughout the facilitation process.)
- That the shadow studies prepared by the applicant and submitted tot he planning department be made available to Council and the public.

- That staff provide a definition of "mixed use" development as it relates to the "Places to Grow" policy and how this should support local use and encourage greater community walkability.

4. Moved by Councillor Billings
Seconded by Councillor Kovach

Mr. J. Riddell

THAT Report 07-96 dated November 5, 2007 regarding an Official Plan and Zoning By-law Amendment for property municipally known as 108 Forest Street from Community Design and Development Services be received.

IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
AGAINST: None (0)

Carried

ADJOURNMENT

The meeting adjourned at 12:10 o'clock a.m.

.....
Mayor

.....
Deputy Clerk

Council Committee Room B
November 19, 2007 5:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Beard, Bell, Burcher, Farrelly, Hofland, Kovach, Salisbury and Wettstein

Absent: Councillors Billings, Findlay, Laidlaw and Piper

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Ms. T. Sinclair, Assistant City Solicitor; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Hofland
Seconded by Councillor Farrelly

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b), (c), (e) and (f) of the Municipal Act, with respect to:

- personal matters about identifiable individuals;
- proposed or pending acquisition or disposition of land;
- litigation or potential litigation;
- advice that is subject to solicitor-client privilege.

Carried

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

.....
Mayor

.....
Clerk

Council Committee Room B
November 19, 2007 5:32 p.m.

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

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. P. Cartwright, Manager of Economic Development & Tourism; Mr. D. Corks, Downtown Economic Development Manager; Mr. R. French, Manager of Transit Services; Mr. R. MacKay, Manager of Recreation & Culture; Ms. T. Sinclair, Assistant City Solicitor; Ms. S. Smith, Associate Solicitor; Mr. J. Stokes, Manager of Realty Services; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

1. Moved by Councillor Burcher
Seconded by Councillor Laidlaw
THAT Council hear the delegation of their outside legal counsel.

Carried

The City's outside legal counsel provided information and advice.

PASSED IN COUNCIL
BY SPECIAL
RESOLUTION

2. Moved by Councillor Hofland
Seconded by Councillor Laidlaw
THAT the City of Guelph objects to the granting of a liquor licence to Ontario Corporation 002147494 for the establishment located at 55 Wyndham St. N. pending the outcome of a police investigation.

Carried

REPORT

3. Moved by Councillor Laidlaw
Seconded by Councillor Hofland
THAT Paul Reeve and Julia Philips be appointed to the Accessibility Advisory Committee for a term to expire in November 2010;

AND THAT Tanya Davies and Ann Candlish be appointed to the Accessibility Advisory Committee for a term to expire in November 2008;

AND THAT Hugh Spencer be appointed to the Guelph Cemetery Commission for a term to expire November 2010;

AND THAT Ron Gumbley be appointed to the Guelph Sports Hall of Fame Board of Directors for a term to expire November 2010;

AND THAT Will Lenssen be appointed to the Guelph Sports Hall of Fame Board of Directors for a term to expire November 2008;

AND THAT Peter Hohenadel be appointed to the MacDonald Stewart Art Centre Board of Directors for a term to expire November 2010;

AND THAT Fred Thoonen be appointed to the Locomotive 6167 Restoration Committee for a term expiring November 2010;

AND THAT Robert Cassolato, Kevin James and Susan Watson be appointed to the Guelph Museums Board of Directors for a term expiring November 2010;

AND THAT Craig Chamberlain and Sandra Ferguson-Escott be appointed to the Guelph Non-Profit Housing Committee for a term expiring November 2010;

AND THAT Lynda Davenport be appointed to the Wellington-Dufferin-Guelph Health Unit Board of Directors for a term expiring November 2010;

AND THAT Cathy Alexander, Lynn Broughton and Joanne McAuley be appointed to the River Run Centre Board of Directors for a term expiring November 2010;

AND THAT Dennis Deters and Lloyd Longfield be appointed to the River Run Centre Board of Directors for a term expiring November 2008;

AND THAT Michael Keegan be appointed to the Guelph Library Board for a term expiring November 2008.

Carried

4. Moved by Councillor Wettstein
Seconded by Councillor Bell

Ms. L.E. Payne
Mr. G.W. Stahlmann

THAT staff be given direction with respect to a proposed or pending acquisition or disposition of land.

Carried

The Manager of Transit Services provided an update with respect to a litigation matter.

The Manager of Economic Development & Tourism provided information with respect to potential land acquisition.

The meeting adjourned at 6:50 o'clock p.m.

.....
Mayor

.....
Clerk

Council Chambers
November 19, 2007

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

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Mr. J. Riddell, Director of Community Design & Development Services; Ms. S. Aram, Manager of Budget Services; Mr. M. Cameron, Manager of Parklands and Greenways; Mr. P. Cartwright, Manager of Economic Development & Tourism; Mr. B. Chapman, Manager of Traffic & Parking; Mr. D. Corks, Downtown Economic Development Manager; Mr. R. Henry, City Engineer; Mr. M. Humble, Financial Consultant, Community Design & Development Services and Corporate Services; Mr. M. McCrae, Manager of Corporate Property Services; Mr. R. Mackay, Manager of Recreation & Culture; Ms. T. Sinclair, Assistant City Solicitor; Ms. J. Starr, Supervisor of Traffic Investigations; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

Councillor Findlay declared a possible pecuniary interest with regards to site selection for the Guelph new central library because he owns a business in the vicinity and did not discuss or vote on the matter.

Councillor Bell declared a possible pecuniary interest with regards to the Arthur-King-Queen Neighbourhood Traffic Management review as he owns property in the area and did not discuss or vote on the matter.

Councillor Farrelly declared a possible pecuniary interest with regards to the Arthur-King-Queen Neighbourhood Traffic Management review as she owns property in the area and did not discuss or vote on the matter.

1. Moved by Councillor Hofland
Seconded by Councillor Farrelly

THAT the minutes of the Council meetings held on October 15, 22, 29 and November 5, 2007 and the minutes of the Council meetings held in Committee of the Whole on October 15, 22 and 29, 2007 be confirmed as recorded and without being read.

Carried

PRESENTATIONS

The Mayor presented City of Guelph medals to the following members of the Guelph Gators Squirt 1 Baseball Team in recognition of winning the Provincial Tournament: Skyler Patteson, Melissa Cook, Taylor Lomax, Brooke Ciuman, Tori Patteson, Rachelle Washkevich, Nicole Bauman, Amy Campagnolo, Alex Dunbar, Ashlyn Northfield, Jessica Armstrong, Dwayne Patteson – Coach, Rob Patteson – Coach, Cathy Patteson – Manager

Pinky Langat and Aaliyah Afshar were present on behalf of the Guelph Youth Council and updated Council on their activities and the events planned for the coming year.

2. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

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

Carried

REGULAR MEETING

DELEGATIONS

South End Community Centre

Todd Dennis was not present at the meeting.

Policy Regarding Public Notice Provisions

Annie O'Donoghue on behalf of the Guelph Civic League was present and advised that the notice provisions would guide the citizens in knowing how much notice they are required to be given. She requested that Council consider including specific notice provisions for meetings where budgets will be dealt with. She further suggested that the City give consideration to using the various neighbourhood groups in providing notice and also to make provision for translation of the notices for the citizens whose first language is not English. She further suggested that the practice of giving two weeks notice be the standard and for special meetings that the various stakeholder groups be included as contacts.

Councillor Kovach presented Clause 1 of the EIGHTH REPORT of the Governance & Economic Development Committee.

Mrs. L.A. Giles

3. Moved by Councillor Kovach
Seconded by Councillor Piper

THAT the policy regarding public notice provisions as detailed in attachment "1" be adopted by Council;

AND THAT By-law (2003)-17290 being a by-law to provide for notice provisions be repealed;

AND THAT the City of Guelph Procedural By-law (1996)-15200 as amended, be amended to provide for public notice of Council and Committee meetings;

AND THAT Section 9 of schedule 2 in the City's Street Naming Policy dated July 25, 2000 be deleted and the provisions in this policy shall apply.

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

VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles

4. Moved by Councillor Bell
Seconded by Councillor Findlay

THAT the matter of notice provision for the permanent closure of a highway (road) be referred back to staff for further investigation into the appropriate timing of notice.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Mrs. L.A. Giles

5. Moved by Councillor Laidlaw

Seconded by Councillor Burcher

THAT the following issues be referred to staff to report back on inclusion in the public notice provision policy:

- standardized notice to neighbourhood/stakeholder groups
- use of multi language

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Delegations continued

Follow-up Arthur-King-Queen Neighbourhood Traffic Management Review

Lorenz Calcagno on behalf of the Allen's Mill Neighbourhood Group was present and provided a history of the traffic movement over the past years. He requested that Council consider the following:

- that pedestrian crosswalk at Arthur Street at Heffernan Street receive pavement markings to increase safety;
- that staff conduct a survey in partnership with the Allen's Mill Pond Neighbourhood Group to introduce two way traffic on King Street and Queen Street and report back with the results;
- that spring 2008 be specified as the time line for implementation on all items.

Paul Reeve on behalf of the Accessibility Advisory Committee expressed concern with the use of speed humps and their impact on the disabled. He suggested that any change in the vertical plain not be used. He requested that the Accessibility Advisory Committee be included in traffic calming discussions.

Stan Kozac advised that he worked with staff in 2005 to create the traffic management plan. He suggested that when the plan went into effect the residents were able to see the results. Since that time problems have begun to creep up with respect to enforcement issues and the number of people disobeying the traffic calming measures. He requested that a traffic management plan be in place

prior to the Eramosa Road Bridge closure. He advised that he is in support of the staff recommendation and requested that the City implement the plan.

Councillor Laidlaw presented Clause 4 of the TENTH REPORT of the Emergency Services, Community Services & Operations Committee

6. Moved by Councillor Laidlaw
Seconded by Councillor Beard
Mr. D. McCaughan THAT the existing traffic management measures presently in place for the Arthur-King-Queen Streets area be removed, except for the pavement markings on Arthur Street North between Rose and Queen Streets;

AND THAT the temporary road narrowing on Queen Street at Palmer Street be installed in a permanent manner in 2008;

AND THAT staff conduct a survey in partnership with the Allen's Mill Pond Neighbourhood Group to introduce two way traffic on King Street and Queen Street and report back with the results;

AND THAT spring 2008 be the specified time for the implementation of all the items.

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

VOTING AGAINST: (0)

Councillors Bell and Farrelly did not take part in the vote due to their declared potential pecuniary interest.

Carried

7. Moved by Councillor Laidlaw
Seconded by Councillor Beard
Mr. D. McCaughan THAT speed cushions be installed in a permanent manner on Arthur, King and Queen Streets in 2008.

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

VOTING AGAINST: Billings and Salisbury (2)

Councillors Bell and Farrelly did not take part in the vote due to their declared potential pecuniary interest.

Carried

Mr. P. Reeve
Ms. L. Warren
Mr. D. McCaughan

8. Moved by Councillor Kovach
Seconded by Councillor Billings
THAT the Accessibility Advisory Committee be requested to report back through the Emergency Services, Community Services & Operations Committee prior to the Spring of 2008 on better practices and other options used in other communities for traffic calming.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

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

Carried

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

Sign By-law Variance for Fairfield Inn & Suites at 35 Cowan Place

Mr. J. Riddell
Mr. B. Poole

10. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the request for a variance from the Sign By-law for 35 Cowan Place, to permit two building signs to be situated on the fifth storey of the building face in lieu of the by-law requirement of the first storey of a building face only, be approved.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Green Lane Landfill Site – Consent to Sale

Dr. J. Laird
Ms. L.E. Payne

11. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the Consent Agreement between Green Lane Landfill, a Division of St. Thomas Sanitary Collection Service Limited Partnership, Green Lane Environmental Group Limited Partnership, the City of Toronto and The Corporation of the City of Guelph, dated December 13th, 2007, be approved;

AND THAT the Mayor and Clerk be authorized to sign such Agreement, subject to the final wording of the agreement being to the satisfaction of the Director of Environmental Services and the City Solicitor.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Sewer Use Agreement with the University of Guelph

Dr. J. Laird
Ms. L.E. Payne

12. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT effective January 1, 2008, the University of Guelph be charged a daily fixed charge and volumetric rate consistent with other wastewater customers, and that this supersedes clauses in the 1966 Agreement that deals with the setting of annual sewer use rates;

AND THAT the Mayor and Clerk be authorized to sign an appropriate Amending Agreement to the 1966 Agreement, if appropriate.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Sign By-law Variances for Delta Hotel and Conference Centre at 50 Stone Road West

Mr. J. Riddell
Mr. B. Poole

13. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the request for a variances from the Sign By-law for 50 Stone Road West, to permit two identical Hi Rise Signages on existing tower with illuminated logo and letters as shown on Schedule B of the Community Design and Development Services report dated November 9, 2007 be approved;

AND THAT the request for a variance from the Sign By-law to permit Clock Tower signage be referred back to staff for consideration.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

River Systems Advisory Committee – Revised Terms of Reference

Mr. D. Beaton
Mr. J. Riddell

14. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT Council approve the River Systems Advisory Committee recommendation to revise the Terms of Reference of the Committee as outlined in Attachment 2;

AND THAT staff be directed to invite applications from interested persons to represent City Council on the River Systems Advisory Committee.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Strategic Urban Forest Management Plan – Framework

Mr. D. McCaughan

15. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT the Executive Summary of the report Framework for the Strategic Urban Forest Management Plan (September 2007) by Urban Forest Innovations Inc. and Dougan & Associates, as presented in the Environmental Services, Community Services & Operations Committee report Strategic Urban Forest Management Plan – Framework of November 9th, 2007 be received;

AND THAT the recommendations contained in the report Framework for the Strategic Urban Forest Management Plan (September 2007) by Urban Forest Innovations Inc. and Dougan & Associates be adopted as the policy framework for the development of the City's Forestry Management Plan.

AND THAT staff report back following the visioning process and include a cost estimate that would be incurred with the implementation of the plan.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Rockwood Wastewater Treatment and Conveyance Agreement

Mr. J. Riddell
Ms. L.E. Payne
Ms. J. Sheppard

16. Moved by Councillor Burcher
Seconded by Councillor Piper
THAT staff be directed to proceed with drafting an agreement with the Township of Guelph/Eramosa for the increased allocation of treatment and conveyance of wastewater capacity for the Village of Rockwood for a total of 1710 cubic metres per day.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Councillor Laidlaw presented the balance of the TENTH REPORT of the Emergency Services, Community Services & Operations Committee.

Special Event – National Cross-Country Championships

Mr. D. McCaughan

17. Moved by Councillor Laidlaw
Seconded by Councillor Beard
THAT the National Cross-Country Championships special event on Saturday, December 1, 2007, be approved.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Funding and Private Property Agreement for the University Centre Transit Terminal

Mr. G.W. Stahlmann
Mr. R. French
Mr. B. Stewart

18. Moved by Councillor Laidlaw
Seconded by Councillor Beard
THAT the Corporation of the City of Guelph approve funding for a University Centre Transit Terminal in the amount of \$397,500;

AND THAT the funding for this project be allocated from the Capital Trust Fund, and be spread over two years with \$200,000 being paid in 2007 and \$197,500 being paid in 2008;

AND THAT prior to payment, the Mayor and City Clerk be authorized to sign a long term private property agreement between Guelph Transit and the University of Guelph to govern Transit's use of this terminal.

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

VOTING AGAINST: (0)

Carried

Sparkles in the Park Fireworks Display

19. Moved by Councillor Laidlaw
Seconded by Councillor Beard

Mr. D. McCaughan
Mr. B. Stewart
Chief R. Davis
Mr. B. Poole
Chief S. Armstrong

THAT the request from the Rotary Club of Guelph to provide a fireworks display at Riverside Park for the December 31st, 2007 New Year's Eve celebration be approved subject to the Rotary Club of Guelph meeting the terms and conditions of the Guelph Fire Department;

AND THAT the Rotary Club of Guelph obtain liability coverage in the amount of five (5) million dollars with the City of Guelph named as an additional insured party, and provide a certificate indicating such coverage and that proof of third party coverage be submitted to the City of Guelph prior to the event, and that such coverage not be cancellable without (30) days written notice to the City;

AND THAT an exemption from the Noise By-law (2000)-16366, for the December 31, 2007, event be approved;

AND THAT the City accepts no responsibility for any liability that arises out of the granting of this permission for use of City property and facilities.

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

VOTING AGAINST: (0)

Carried

Free Parking for Veterans

20. Moved by Councillor Laidlaw
Seconded by Councillor Beard
Mr. D. McCaughan THAT the age restriction for the free parking for veterans be removed.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Councillor Wettstein presented the NINTH REPORT of the Finance, Administration & Corporate Services Committee.

2007 Audit Plan and Fees

21. Moved by Councillor Wettstein
Seconded by Councillor Findlay
Mr. B. Stewart THAT the 2007 audit plan and fees be approved with the exception of the Guelph Non-Profit Housing Corporation Paisley Road construction audit.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Benefits for Eligible Non-Union Employees Working Past Age 65 (City Wide)

22. Moved by Councillor Wettstein
Seconded by Councillor Findlay
Mr. M. Amorosi
Mr. B. Stewart THAT the City of Guelph provides health, dental, travel and a modified short-term disability benefit to eligible non-union employees choosing to work beyond the age of 65;

AND THAT a \$10,000 'death benefit' be provided to such employees in lieu of the life insurance coverage currently available to eligible non-union employees below the age of 65;

AND THAT Accidental Death and Dismemberment and Long Term Disability benefits not be provided to non-union employees working beyond age 65.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Reserve and Reserve Policy for Ontario Municipal Board, Other Administrative Tribunals and court Proceedings

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

23. Moved by Councillor Wettstein
Seconded by Councillor Findlay
THAT staff be directed to set up a Reserve for Ontario Municipal Board, other administrative tribunals, and court proceedings:

AND THAT Council approves the attached (Schedule 3) Ontario Municipal Board, other administrative tribunals, and court proceedings reserve policy.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Councillor Kovach presented the balance of the EIGHTH REPORT of the Governance & Economic Development Committee.

Human Resource Strategy Framework

Mr. M. Amorosi

24. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT the Human Resource Strategy Framework (Guelph's Commitment to Employees) be approved;

AND THAT the Director of Human Resources be authorized to proceed with the consultation process to support development of the full HR Strategy.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)
VOTING AGAINST: (0)

Carried

Guelph New Central Library Site Assessment

Mr. P. Cartwright
Mr. J. Riddell

25. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT the Baker Street Site be selected as the preferred location for the New Central Library.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Billings and Kovach (2)

Councillor Findlay did not take part in the vote due to his declared potential pecuniary interest.

Carried

26. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT Council direct staff to prepare a Terms of Reference for a Request For Proposals for the redevelopment of the Baker Street Site, which would include the integration of the new central library, municipal parking structure and mixed commercial, office and residential uses and report back on the content, incentives and implementation plan for this RFP;

AND THAT staff continue to work with Cooperators representatives to explore the development potential for their site and assist them in any redevelopment proposals.

27. Moved in Amendment by Councillor Billings
Seconded by Councillor Kovach
THAT the costs and budget be included when staff report back.

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

VOTING AGAINST: (0)

Carried

Mr. P. Cartwright
Mr. J. Riddell
Mr. B. Stewart
Ms. L.E. Payne

28. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT Council direct staff to prepare a Terms of Reference for a Request For Proposals for the redevelopment of the Baker Street Site, which would include the integration of the new central library, municipal parking structure and mixed commercial, office and residential uses and report back on the content, incentives and implementation plan, costs and the budget for this RFP.

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

VOTING AGAINST: Billings and Kovach (2)

Carried

Mr. P. Cartwright
Mr. J. Riddell

29. Moved by Councillor Kovach
Seconded by Councillor Piper

THAT staff continue to work with Cooperators representatives to explore the development potential for their site and assist them in any redevelopment proposals.

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

VOTING AGAINST: (0)

Carried

Councillor Laidlaw presented the FOURTH REPORT of the Land Ambulance Committee.

Land Ambulance Service Review

Chief S. Armstrong
Mr. S. Wilson

30. Moved by Councillor Laidlaw
Seconded by Councillor Beard

THAT the attached report submitted by the land ambulance consultant (Emergency Management & Training Inc.) in relation to the recent review of land ambulances services in Guelph and Wellington County be received;

AND THAT Royal City Ambulance provides a detailed breakdown of the total costs relating to the following items;

- Dedicated Supervisors for the service area by discontinuing the practice of dual duties as Supervisor/Paramedics on staffed ambulances
- Include additional staffing hours for identified areas of highest ambulance utilization
- Include the use of Paramedic Response Units to provide enhanced service to the Town of Erin and Guelph-Eramosa Township (Rockwood) area;

AND THAT staff prepare a business case for an Operations Manager and Quality Assurance/Training Supervisor reporting directly to the Delivery Agent on behalf of the City and the County;

AND THAT staff prepare a report recommending the future provision of land ambulance beyond 2008;

AND THAT staff provide a report respecting cross-border billing;

AND THAT the consultant attend the next Land Ambulance Committee meeting to provide an overview of the report.

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

VOTING AGAINST: (0)

Carried

Councillor Kovach presented the FIFTH REPORT of the Council as a Committee of the Whole.

Appointments to the Guelph Downtown Coordination Committee

Mrs. L.A. Giles

31. Moved by Councillor Kovach

Seconded by Councillor Laidlaw

THAT Barbara Turley McIntyre and Dr. Susan Healey be appointed to the Guelph Downtown Coordination Committee.

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

VOTING AGAINST: (0)

Carried

CONSENT AGENDA

The following items #A-1, C-1 and C-2 were extracted from the Consent Agenda to be voted on separately.

32 Moved by Councillor Kovach

Seconded by Councillor Billings

THAT the balance of the November 19, 2007 Consent Agenda as identified below, be adopted:

a) **Proposed Demolition of a Detached Dwelling known municipally as 14 Clearview Street, Ward 3**

Mr. J. Riddell
Mr. B. Poole

THAT the application to demolish the detached dwelling known municipally as 14 Clearview Street, be approved.

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

VOTING AGAINST: (0)

Carried

South End Community Centre

Mrs. L.A. Giles

33. Moved by Councillor Billings
Seconded by Councillor Wettstein

THAT the information report with respect to the south End Community Centre be deferred to the December 17th meeting of City Council to allow the delegation to be in attendance.

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

VOTING AGAINST: (0)

Carried

2008 Council and Committee Regular Meeting Schedule

34. Moved by Councillor Billings
Seconded by Councillor Piper

THAT Council maintain the current meeting schedule with regular Council meetings being held on the 3rd Monday of the month;

AND THAT the matter of the 2008 Council and Committee meeting schedule be referred back to staff to complete the schedule.

VOTING IN FAVOUR: Councillors, Billings, Farrelly, Findlay and Piper (4)

VOTING AGAINST: Beard, Bell, Burcher, Hofland, Kovach, Laidlaw Salisbury, Wettstein and Mayor Farbridge (9)

Defeated

Mayor Farbridge
City Council
Senior Mngt. Team

35. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT the 2008 regular meeting schedule for Guelph City Council; Council Planning Public Meetings; Community Development & Environmental Services Committee; Emergency Services, Community Services & Operations Committee; Finance, Administration & Corporate Services Committee; Governance & Economic Development Committee; and Land Ambulance Committee, be approved;

AND THAT the Procedural By-law be amended to provide for the regular Council meeting to be held on the 4th Monday of the month.

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

VOTING AGAINST: Billings and Piper (2)

Carried

FCM Members' Advisory – FCM Green Municipal Corporation Opens Carbon Offset Market to Canadian Municipalities

Dr. J. Laird

36. Moved by Councillor Laidlaw

Seconded by Councillor Kovach

THAT the City of Guelph extend an invitation to Doug Salloum, General Manager of Green Municipal Corporation to make a presentation to City Council with respect to the sale of municipal emission reductions as carbon offset credits.

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

VOTING AGAINST: (0)

Carried

SPECIAL RESOLUTION

Mrs. L.A. Giles

37. Moved by Councillor Wettstein

Seconded by Councillor Bell

THAT the City of Guelph objects to the granting of a liquor licence to Ontario Corporation 002147494 for the establishment located at 55 Wyndham St. N. pending the outcome of a police investigation.

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

VOTING AGAINST: (0)

Carried

38. Moved by Councillor Piper

Seconded by Councillor Findlay

THAT the Committee rise with leave to sit again.

Carried

39. Moved by Councillor Salisbury

Seconded by Councillor Hofland

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

Carried

BY-LAWS

40. Moved by Councillor Wettstein
Seconded by Councillor Burcher
THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2007)-18430 to (2007)-18449, inclusive.

Carried

The By-laws were read a first and second time at 9:55 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2007)-18430 to (2007)-18449, inclusive.

Mayor Farbridge in the Chair.

At 9:58 o'clock p.m., the Committee rose and reported By-laws Numbered (2007)-18430 to (2007)-18449, inclusive, passed in Committee without amendment.

41. Moved by Councillor Beard
Seconded by Councillor Hofland
THAT By-laws Numbered (2007)-18430 to (2007)-18449, inclusive, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 9:59 o'clock p.m.

NOTICE OF MOTION

Councillor Beard advised that at the next meeting of Council, she will be presenting a notice of motion requesting that the Governance & Economic Development Committee develop a policy relating to the cost of Councillor's attendance at events.

ADJOURNMENT

The meeting adjourned at 10:00 o'clock p.m.

Minutes read and confirmed December 17, 2007.

.....
Mayor

.....
Clerk

Tab	Council Policy	Schedule 1/ November 19, 2007
Authority	Clerk's Office, Corporate Services	
Subject	PUBLIC NOTICE PROVISIONS	
Related Policies	Guiding Principles for Public Involvement	
Approved by	Council	
Revision Date	As required	

POLICY STATEMENT This policy is to establish public notice provisions for matters directly affecting the public that are not otherwise prescribed by legislation.

PURPOSE To allow for the giving of notice to the public of matters that may affect them and to afford them the opportunity to make submissions, attend, and delegate before Council and standing committees.

PROCEDURE In this policy, "Newspaper" means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than a week, consisting in great part of news of current events of general interest and sold to the public and to regular subscribers.

Where notice provisions are prescribed for by statute or in a City By-law, those notice provisions shall prevail over this policy.

Nothing in this policy shall prevent the City from exceeding the notice provisions as set out in this policy.

Where Council or staff deems it in the public interest to exceed the standards set out in this policy, additional notice using various methods may be used, which may include but not be exclusive to the following: newspaper advertisements, notice by mail, notice by personal delivery etc.

Where the City is required to give notice under a provision of the Municipal Act in respect of a matter set out in the Schedules attached hereto, the notice shall be given in a form and manner and at the times set out in the Schedules unless:

- (a) the Municipal Act, another Act, or a regulation prescribes otherwise for the notice;
- (b) the requirements for notice are prescribed in another City by-law; or

- (c) Council directs that other notice is to be given that Council considers adequate to give reasonable notice under the provision.

Where notice is required under the Municipal Act for a matter to be considered by Council, but such notice is not otherwise provided for, notice shall be given by way of passing of a Council resolution at an open meeting of Council. Such notice shall be provided a minimum of ten days before the meeting at which the matter will be considered and the notice shall contain the following information:

- a) a general description of the matter;
- b) relevant section of the Act, including reference to regulations, if applicable;
- c) the date, time and place of the meeting at which the matter will be considered;
- d) where the matter relates to specific lands within the City of Guelph, sufficient particulars of such lands, such as municipal address, legal description or key map; and
- e) where additional information may be obtained.

Notice of Council and Standing Committee meetings shall be given in accordance with the Procedural By-law.

If a matter for which notice was given under this policy is deferred, adjourned or continued to a future meeting, no further notice is required, unless there is a statutory requirement requiring otherwise, if:

- a) a public statement is made at the meeting advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement, or
- b) a written statement is posted at the meeting location advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement.

If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Mayor, is considered urgent, time sensitive or an extraordinary occasion, or which could affect the health, safety or well-being of the residents of the City of Guelph, or if a State of Emergency is declared, or is so advised by a Provincial Ministry, the notice requirements of this policy may be waived and the City Clerk shall make best efforts to provide as much notice as is reasonable under the circumstances.

SCHEDULE TO POLICY REGARDING PUBLIC NOTICE PROVISIONS:

CLOSURE OR RENAMING OF HIGHWAYS

(a) Highway Closings and Alterations

1. In this Schedule,

“Permanently Altering” means if the alteration is likely to deprive any person of the sole means of motor vehicle access to and from the person’s land over any highway.
2. The following are the requirements for giving notice of intention to pass a by-law in respect of permanently closing a highway or permanently altering a highway:

(1) Manner of Notice

Notice shall be published in a Newspaper.

Where the highway that is to be permanently closed or permanently altered is within one kilometre of a neighbouring municipality, notice shall also be sent to the Clerk of that municipality by prepaid, ordinary mail or by facsimile before the meeting at which the by-law will be considered.

(2) Time of Notice

Notice published in a Newspaper shall be published once a week for two consecutive weeks in the Newspaper before the meeting at which the proposed by-law will be considered.

(3) Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Municipal Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

(b)Changing Names of Highways

1. The following are the requirements for giving notice of intention to pass a by-law renaming a highway:

(1) Manner of Notice

Notice shall be published in a Newspaper.

Where the highway that is to have its name changed is within one kilometre of a neighbouring municipality, notice shall also be sent to the Clerk of that municipality by prepaid, ordinary mail or by facsimile before the meeting at which the by-law will be considered.

(2) Time of Notice

Notice published in a Newspaper shall be published once a week for two consecutive weeks before the meeting at which the matter or proposed by-law will be considered.

(3) Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

(II) ADDITION OF NEW BUSINESS LICENSING CATEGORY OR AMENDMENT TO CONDITIONS REQUIRED FOR OBTAINING OR MAINTAINING A BUSINESS LICENCE

1. The following are the requirements for giving notice of intention to pass a by-law amending the Business Licensing By-law to add a new business licensing category or to amend the conditions required for obtaining or maintaining a business licence.

(1) Manner of Notice

Notice shall be published in a Newspaper.

(2) Time of Notice

Notice shall be given a minimum of fourteen days prior to the meeting at which the matter or proposed by-law will be considered.

(3) Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

(III)AMENDMENT TO THE CITY'S SIGN BY-LAW REGARDING SIGNAGE REQUIREMENTS

1. The following are the requirements for giving notice of intention to pass a by-law amending the Sign By-law to make any changes regarding signage requirements

(1) Manner of Notice

Notice shall be published in a Newspaper.

(2) Time of Notice

Notice shall be given a minimum of fourteen days prior to the meeting at which the matter or proposed by-law will be considered.

(3) Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

(IV) MUNICIPAL RESTRUCTURING

1. The following are the requirements for notice of a public meeting under Section 173(3) of the Municipal Act respecting a restructuring proposal.

(1) Manner of Notice

Notice shall be published in a Newspaper.

(2) Time of Notice

Notice shall be given a minimum of twenty-one days prior to the public meeting at which the matter will be considered.

(3) Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation.

(V) EFFICIENCY AND EFFECTIVENESS OF THE MUNICIPALITY'S OPERATIONS

1. The following are the requirements for notice in respect of the efficiency and effectiveness of the municipality's operations under section 299(4) of the Municipal Act.

Information regarding the efficiency and effectiveness of the City's operations as may be designated by the Minister of Municipal Affairs and Housing shall be published in a newspaper at the times designated by the Minister.

River Systems Advisory Committee
(RSCA)

Purpose:

To provide advice and assistance to City Staff and Council on issues that impact on waterways and adjacent lands within the City of Guelph.

Mandate of the Committee

The RSAC is a citizen advisory group established by and responsible to City Administration and through the Community Development & Environmental Committee. The RSAC will provide recommendations to City Staff and Council on the following items:

1. Monitoring, implementation and updating of the River Systems Management Study.
2. Monitoring, implementation and updating of subwatershed studies.
3. Planning and implementation of stream restoration for channels not included in the subwatershed plans.

The issues to be dealt with by the committee are:

5. Compatibility of land use in valley lands with river land values including natural and historical heritage concerns.
6. Stream ecology with emphasis on water quantity and quality.
7. Trails, Recreational access to streams and valley lands.
8. Education, Engagement, Awareness and Partnerships of River Systems.

Coordination & Implementation:

For specific implementation of projects, a subcommittee will be created i.e. Torrance Creek Subwatershed Committee comprised of membership from RSAC plus other community and agency members.

The RSAC will be circulated and involved in all new subwatershed studies as well as existing subwatershed studies.

The RSAC will be circulated for comment on selected public and municipal projects involving lands within the River System Management Plan corridor, lands adjacent to or abutting watercourses, and municipal infrastructure projects.

Operating Procedure and Staff Resources:

RSAC will report to City Council through the Community Development & Environmental Services Committee with an annual report as well as on an as needed basis. Subcommittees of the RSAC will report to the committee through a RSAC member.

The RSAC will advise Environmental Services and Community Design and Development Services staff on matters relating to river systems, subwatersheds, and natural and historical heritage concerns including public education, engagement, awareness and partnerships.

Community Design and Development Services staff will be the primary staff resource to the committee with staff liaisons from other City service areas to be available on an as needed basis.

All budget requests and related matters will be dealt with during the normal budget process through the appropriate City service area.

Meetings:

The River Systems Advisory Committee will meet the 3rd Wednesday of the month from 4:00 p.m. to 6:00 p.m. (four to six times per year)

Number of Appointments

Nine (9) citizens with a high level of expertise or experience with respect to environmental matters including landscape and open space planning, public education or community outreach, terrestrial and aquatic ecology and hydrology.

A Committee member shall be appointed by Council by By-law for one year for the first term and three years for any subsequent terms, up to a maximum of 10 years.

Tab	Finance
Authority	Finance
Subject	Ontario Municipal Board, Other Administrative Tribunals and court Proceedings Reserve
Related Policies	Reserve and Reserve Fund Policy
Approved by	Mayor and Members of Council
Revision Date	2 years

POLICY STATEMENT To create a discretionary reserve fund called "Ontario Municipal Board, Other Administrative Tribunals and Court Proceedings Reserve" with an established maximum limit of \$500,000.

PURPOSE To fund fees and expenses related to outside experts and consultants to assist the City in protecting its interests and supporting the City's position in respect of Ontario Municipal Board, Other Administrative Tribunal, and Court Proceedings.

PROCEDURE **Source of Funds**

Initial contribution of \$500,000 as transfer from current operating business unit 707-0540 which was established to deal with the Subbor litigation expenses.

As this initial contribution is drawn down, future reserve contributions from the operating budget will be recommended through the annual budget process.

Use of Funds

The Director of Community Design and Development Services and the Director of Corporate Services will administer the Ontario Municipal Board, Other Administrative Tribunals and Court Proceedings Reserve and Council will approve the use of funds in accordance with the general "Reserve and Reserve Fund Policy"

DEFINITIONS DISCRETIONARY RESERVE FUNDS CAN BE ESTABLISHED BY MUNICIPAL COUNCILS AS PART OF AN OVERALL FUNDING STRATEGY FOR PROGRAMS THAT ARE SET OUT IN ANNUAL BUDGETS OR BUDGET FORECASTS. FUNDS HELD IN A RESERVE CAN THEREFORE BE UTILIZED AT THE DISCRETION OF A COUNCIL, SUBJECT TO THE PARAMETERS DEFINED IN THE RESERVE WHEN ESTABLISHED.

JANUARY

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
		1 New Year' Day	2	3	4	5
6	7 COUNCIL - Planning <i>(preview Dec 13)</i>	8	9 FACS <i>(preview Dec 20)</i>	10	11 CDES <i>(preview Dec 20)</i>	12
13	14	15	16 LAC / ECO <i>(preview Jan 3)</i>	17 GED <i>(preview Jan 3)</i>	18	19
20	21	22	23	24	24	26
27	28 COUNCIL <i>(preview Jan 17)</i>	29	30	31		

FEBRUARY

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
3	4 COUNCIL - Planning <i>(preview Jan 17)</i>	5 COUNCIL - Budget Presentations	6 FACS <i>(preview Jan 24)</i> COUNCIL - Budget Presentations	7 COUNCIL - Budget Presentations – if required	8 CDES <i>(preview Jan 24)</i>	9
10	11	12	13 LAC / ECO <i>(preview Jan 31)</i>	14 GED <i>(preview Jan 31)</i>	15	16
17	18 Proposed Provincial Holiday	19 COUNCIL – Budget Night	20	21	22	23
24	25 COUNCIL <i>(preview Feb 14)</i>	26	27	28	29	

MARCH

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1

2	3 COUNCIL - Planning <i>(preview Feb 14)</i>	4	5 FACS <i>(preview Feb 21)</i>	6	7 CDES <i>(preview Feb 21)</i>	8
9	10	11	12 LAC / ECO <i>(preview Feb 28)</i>	13 GED <i>(preview Feb 28)</i>	14	15
16	17	18	19	20	21 Good Friday	22
23	24 Easter Monday	25 COUNCIL <i>(preview Mar 13)</i>	26	27	28	29
30	31					

APRIL

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
		1	2 FACS <i>(preview Mar 20)</i>	3	4	5
6	7 COUNCIL - Planning <i>(preview Mar 20)</i>	8	9 LAC <i>(preview Mar 27)</i>	10	11 CDES <i>(preview Mar 27)</i>	12
13	14	15	16 ECO <i>(preview April 3)</i>	17 GED <i>(preview April 3)</i>	18	19
20	21	22	23	24	25	26
27	28 COUNCIL <i>(preview April 17)</i>	29	30			

MAY

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2	3
4	5 COUNCIL - Planning	6	7 FACS <i>(preview)</i>	8 GED <i>(preview)</i>	9 CDES <i>(preview April)</i>	10

	(preview April 17)		April 24)	April 24)	24)	
11	12	13	14 LAC / ECO (preview May 1)	15	16	17
18	19 Victoria Day	20	21	22	23	24
25	26 COUNCIL (preview May 15)	27	28	29	30 FCM Conference - Quebec	31 FCM Conference - Quebec

JUNE

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
1 FCM Conference – Quebec	2 FCM Conference - Quebec	3 COUNCIL - Planning (preview May 15)	4 FACS (preview May 22)	5	6 CDES (preview May 22)	7
8	9	10	11 LAC / ECO (preview May 29)	12 GED (preview May 29)	13	14
15	16	17	18	19	20	21
22	23 COUNCIL (preview June 12)	24	25	26	27	28
29	30					

JULY

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
		1 Canada Day	2 FACS (preview June 19)	3	4	5
6	7	8	9 LAC / ECO (preview June 26)	10	11 CDES (preview June 26)	12
13	14	15	16 ECO (preview July 3)	17 GED (preview July 3)	18	19

20	21	22	23	24	25	26
27	28 COUNCIL <i>(preview July 17)</i>	29	30	31		

AUGUST

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
3	4 Civic Holiday	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24 AMO Conference - Ottawa	25 AMO Conference - Ottawa	26 AMO Conference - Ottawa	27 AMO Conference - Ottawa	28	29	30
31						

SEPTEMBER

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1 Labour Day	2 COUNCIL - Planning <i>(preview Aug 14)</i>	3 FACS <i>(preview Aug 21)</i>	4	5 CDES <i>(preview Aug 21)</i>	6
7	8	9	10 LAC / ECO <i>(preview Aug 28)</i>	11 GED <i>(preview Aug 28)</i>	12	13
14	15	16	17	18	19	20
21	22 COUNCIL <i>(preview Sept 11)</i>	23	24	25	26	27
28	29	30				

OCTOBER

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
			1 FACS <i>(preview Sept 18)</i>	2	3	4
5	6 COUNCIL - Planning <i>(preview Sept. 18)</i>	7	8 LAC / <i>(preview Sept 25)</i>	9	10 CDES <i>(preview Sept 25)</i>	11
12	13 Thanksgiving Day	14	15 ECO <i>(preview Oct 2)</i>	16 GED <i>(preview Oct 2)</i>	17	18
19	20	21	22	23	24	25
26	27 COUNCIL <i>(preview Oct 16)</i>	28	29	30	31	

NOVEMBER

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1
2	3 COUNCIL - Planning <i>(preview Oct 16)</i>	4	5 FACS <i>(preview Oct 23)</i>	6	7 CDES <i>(preview Oct 23)</i>	8
9	10	11 Remembrance Day	12 LAC / ECO <i>(preview Oct 30)</i>	13 GED <i>(preview Oct 30)</i>	14	15
16	17	18	19	20	21	22
23	24 COUNCIL <i>(preview Nov 13)</i>	24	26	27	28	29
30						

DECEMBER

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1 COUNCIL - Planning <i>(preview Nov 13)</i>	2	3 FACS <i>(preview Nov 20)</i>	4	5 CDES <i>(preview Nov 20)</i>	6
7	8	9	10 LAC / ECO <i>(preview Nov 27)</i>	11 GED <i>(preview Nov 27)</i>	12	13
14	15	16	17	18	19	20
21	22 COUNCIL <i>(preview Dec 11)</i>	23	24	25 Christmas Day	26 Boxing Day	27
28	29	30	31			
Council - Planning - Regular	CDES – Community Development & Environmental Services ECO – Emergency Services, Community Services & Operations LAC – Land Ambulance Committee			FACS – Finance, Administration & Corporate Services GED – Governance & Economic Development		

Council Chambers
November 26, 2007

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

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

Absent: Councillors Hofland and Wettstein

Staff Present: Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Mr. J. Riddell, Director of Community Design & Development Services; Mr. B. Stewart, Acting Director of Finance; Ms. S. Aram, Manager of Budget Services; Mr. D. Belanger, Water Supply Program Manager; Mr. P. Busatto, Manager of Waterworks; Mr. B. Chapman, Manager of Traffic & Parking; Mr. R. Hagey, Financial Consultant – Operations & Environmental Services; Mr. R. Henry, City Engineer; Mr. D. Kudo, Infrastructure Planning; Design & Construction Manager; Mr. S. Mattina, Manager of Roads/Right of Ways; Mr. C. Walsh, Manager of Wastewater Services; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

The Mayor advised that the purpose of the meeting was to consider the 2008 Parking, Water and Wastewater Operating and Capital Budgets.

1. Moved by Councillor Bell
Seconded by Councillor Findlay

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

Carried

DELEGATIONS

Alan Dale, Chair; Paul Emerson CAO and Keith Murch Assistant CAO/Secretary-Treasurer of the Grand River Conservation Authority were present and outlined the challenges faced by the Authority with respect to population growth and climate change. They provided information with respect to water quality, supplies and flood prevention. They highlighted the proposed 2008 budget.

Premier McGuinty
Hon. J. Gerretson
Hon. D. Cansfield
Hon. D. Duncan
Ms. L. Sandals
Watershed Members
AMO
Mr. B. Stewart
Mr. P. Emerson

2. Moved by Councillor Kovach
Seconded by Councillor Piper

THAT Guelph City Council send a letter to Premier McGuinty and the appropriate Ministries advising that the City of Guelph is deeply concerned with the lack of suitable funding by the Province as required by the Act for the Grand River Conservation Authority, and that the City request the Province to appropriately fund the Grand River Conservation Authority;

AND THAT a copy of this correspondence be forwarded to the local MPPs, municipalities within the Grand River Watershed and the Association of Municipalities of Ontario.

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

VOTING AGAINST: (0)

Carried

The Financial Consultant – Operations & Environmental Services introduced the user pay budgets. He briefly outlined the roles and responsibilities of the Senior Management Team and Council in the budget process.

2008 Parking Operating and Capital Budgets

The Director of Operations presented the 2008 Parking Operating and Capital Budgets. He advised that the operating budget maintains the current service levels and rate and fine structure. He further advised that the Capital Budget maintains and upgrades existing parking infrastructure. He outlined the parking reserves.

The Manager of Traffic & Parking provided background information on the two hour free downtown parking pilot and the proposed funding for the project in the 2008 budget.

3. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT on page 14 of the proposed 2008 Parking Operating Budget, Parking Meters & Tokens, under Revenue the Internal Recoveries 2008 base be shown as \$0 and the Revenue and Financing reflect the full amount;

AND THAT on page 10 of the proposed 2008 Parking Operating Budget, Enforcement, under Revenue – Revenue and Financing be increased by \$176,550.

4. Moved by Councillor Laidlaw
Seconded by Councillor Farrelly

THAT Council reconsider the two hour free on-street parking in the downtown pilot.

VOTING IN FAVOUR: Councillors Bell, Billings, Farrelly, Kovach, Laidlaw, (5)

VOTING AGAINST: Councillors Beard, Burcher, Findlay, Piper, Salisbury and Mayor Farbridge (6)

Defeated

5. Moved by Councillor Kovach
Seconded by Councillor Salisbury

Mr. B. Stewart

THAT the internal recoveries from Guelph Police Services in the amount of \$32,000 for parking in the Fountain Street Parking Lot be deleted from the Parking Operating Budget.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Farrelly, Findlay, Kovach, Laidlaw, Piper, Salisbury and Mayor Farbridge (10)

VOTING AGAINST: Councillor Burcher (1)

Carried

6. Moved by Councillor Burcher
Seconded by Councillor Piper

Mr. D. McCaughan
Mr. B. Stewart

THAT the 2008 Parking Operating Budget in the amount of \$3,316,100 be approved;

AND THAT the 2008 Parking Capital Budget and Forecast in the amount of \$16,910,000 be approved.

VOTING IN FAVOUR: Councillors Beard, Burcher, Farrelly, Findlay, Piper, Salisbury and Mayor Farbridge (7)

VOTING AGAINST: Councillors Bell, Billings, Kovach, Laidlaw, (4)

Carried

2008 Water & Wastewater Operating and Capital Budgets

The Director of Environmental Services outlined the proposed increases to the Waterworks Operating and Capital Budgets which relate to regulatory compliance, meeting the needs of growth and sustaining the City's water infrastructure. She provided detailed information relating to the proposed expansion to reduce lead in municipal drinking water – phase 1 expansion.

The Director of Environmental Services outlined the factors impacting the proposed wastewater operating and capital budgets relating to regulatory compliance, sustaining the infrastructure, process upgrade and continuous improvement and meeting the needs of growth. She highlighted the 2008 initiatives.

The Financial Consultant – Operations & Environmental Services summarized the proposed rate impact for the average homeowner.

7. Moved by Councillor Laidlaw

Seconded by Councillor Burcher

Dr. J. Laird
Mr. B. Stewart

THAT the proposed expansion packages in the net amount of \$508,800 for Water be approved;

AND THAT the 2008 Water and Wastewater Operating Budgets in the amounts of \$16,371,300 and \$19,005,500 respectively, inclusive of expansions, be approved;

AND THAT the 2008 Water and Wastewater Capital Budgets and Forecasts in the amount of \$174,631,000 and \$140,236,000 respectively be approved;

AND THAT the City of Guelph water rate of \$0.82 cents per cubic metre effective March 1, 2008 and the wastewater rate of \$0.88 cents per cubic metre, effective March 1, 2008 be approved;

AND THAT the City of Guelph water and wastewater basic service charges and various fees and charges, be increased as per attached Schedule "A" effective March 1, 2008;

AND THAT the Mayor and City Clerk be authorized to sign the Waterworks Fees and Services By-law.

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

VOTING AGAINST: (0)

Carried

8. Moved by Councillor Kovach

Seconded by Councillor Laidlaw

Dr. J. Laird

THAT staff be directed to investigate potential wording to be included in the water bills to inform the public that the increases to the water and waste water fees are owing to the fact that the Province has downloaded mandated programs to the City but have not provided any funding for these mandated services.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings,
Burcher, Farrelly, Findlay, Kovach, Laidlaw, Piper, Salisbury and
Mayor Farbridge (11)
VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 10:30 o'clock p.m.

Minutes read and confirmed December 17, 2007.

.....
Mayor

.....
Clerk

**2007/2008 Water and Wastewater Basic
Service Charge Summary
Stated as a Daily Charge**

WATER

Meter Size	2007 Basic Service Charge	2008 Basic Service Charge	\$ Change
5/8"	\$0.13	\$0.15	\$0.02
3/4"	\$0.13	\$0.15	\$0.02
1"	\$0.19	\$0.21	\$0.02
1 1/2"	\$0.53	\$0.58	\$0.05
2"	\$1.13	\$1.24	\$0.11
3"	\$2.38	\$2.61	\$0.23
4"	\$4.10	\$4.51	\$0.41
6"	\$7.68	\$8.44	\$0.76
8"	\$13.36	\$14.69	\$1.33
10"	\$22.04	\$24.24	\$2.20

WASTEWATER

Meter Size	2007 Basic Service Charge	2008 Basic Service Charge	\$ Change
5/8"	\$0.21	\$0.23	\$0.02
3/4"	\$0.21	\$0.23	\$0.02
1"	\$0.35	\$0.38	\$0.03
1 1/2"	\$0.90	\$0.99	\$0.09
2"	\$2.00	\$2.20	\$0.20
3"	\$4.07	\$4.47	\$0.40
4"	\$7.27	\$7.99	\$0.72
6"	\$13.64	\$15.00	\$1.36
8"	\$24.02	\$26.42	\$2.40
10"	\$40.02	\$44.02	\$4.00

Council Committee Room B
December 3, 2007 6:30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillor Laidlaw, Mayor Farbridge

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. Tina Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

1. Moved by Councillor Billings

Seconded by Councillor Hofland

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) of the Municipal Act, with respect to:

- personal matters about an identifiable individual

Carried

The meeting adjourned at 6:31 o'clock p.m.

.....
Councillor Lise Burcher, Chair

.....
Deputy Clerk

Council Committee Room B
December 3, 2007 6:32 p.m.

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

Present: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw (arrived at 6:35 p.m.), Piper, Salisbury and Wettstein

Absent: Mayor Farbridge

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. T.A. Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

The City Administrator provided information with respect to identifiable individuals.

The meeting adjourned at 6:38 o'clock p.m.

.....
Councillor Lise Burcher, Chair

.....
Deputy Clerk

Council Chambers
December 3, 2007

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

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

Absent: Mayor Farbridge

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. Tricia Sinclair, Assistant City Solicitor; Mr. J. Riddell, Director of Community Design & Development Services; Mr. S. Hannah, Manager of Development & Parks Planning; Mr. C. DeVriendt, Senior Development Planner; Mr. A. Hearne, Senior Development Planner; Ms. Tina Agnello, Deputy Clerk; and Ms. D. Black, Assistant Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

PLANNING PUBLIC MEETING

Councillor Burcher, Chair announced that in accordance with The Planning Act, Council was now in a public meeting for the purpose of informing the public of various planning matters.

1159 VICTORIA ROAD SOUTH

Mr. A. Hearne, Senior Development Planner provided information with respect to this application. He advised there are two separate development applications on the same property. The Official Plan amendment proposes to re-designate portions of the Open Space to the “General Residential” designation to allow the development of the proposed 210 plus 14 total residential units including the retention of a 9-hole golf course. The first proposed plan of subdivision for a 210 unit residential subdivision would create lots and blocks to provide for single-detached, on-street townhouse and apartment units with a private road access to Victoria Road through the approval of the common elements condominium application. The second subdivision is independent of the first and would be a 14 lot subdivision relying on roads and servicing through the Kortright Road East Subdivision.

The proposed condominium plan will create common elements for condominium ownership for the roads, golf course and accessory uses, storm water management areas and the open space lands and will include a 210 unit residential subdivision.

The proposed zoning amendment would rezone lands to the Wetland Zone to highlight the Torrance Creek and buffers, and the Specialized Residential Zone would allow the 210 unit residential development including a golf course with accessory buildings and the Park/Conservation zone would recognize stormwater management and open space to allow the continued use of the existing golf course and buffers and the Urban Reserve zone. The owner is requesting that the zoning of the lands be changed to the Single Detached Residential Zone to implement the 14 lot subdivision and the Park Conservation Zone for the buffers and stormwater management facilities.

Mr. Hearne then proceeded to explain that the review of the application will include the following:

- review of the criteria outlined in the Planning Act;

- evaluation of the proposal against the General Residential, Greenlands and Open Space policies of the Official Plan and the South Gordon Community Plan
- evaluation of the proposal against the Provincial Policy Statement and the Places to Grow legislation
- review and assess the Environmental Impact Study including the treatment of wetlands, buffers, corridors and linkages
- consider whether the Torrance Creek wetlands, buffers and associated open space lands should be dedicated to the City for conservation and protection
- review of the Stormwater Management Strategy and Servicing Report considering water quality and quantity, infiltration and recharge, groundwater and effects on the Creek.

Ms. N. Shoemaker, was present on behalf of the applicant. She stated that Ms. Tanya Lonsdale and Ms. Barb Dowsley who are involved with this project were also present to answer questions if needed. She advised the applicant is working with the GRCA to set out guidelines and buffers to best protect the wetlands. The applicant has increased the size of the buffers since the initial proposal and will allow the wetlands to regenerate naturally. She advised less water will be taken from the well since half the current golf course will be gone. She then provided information with respect to services to be available within the vicinity of this development proposal in conjunction with the surrounding subdivision plans. Ms. Shoemaker stated that the applicant does plan to erect some fencing. She advised that a traffic study will be done and that grading and storm water management issues are being examined in cooperation with the GRCA. An Environmental Impact Study has been completed and the developer has regard to the Torrance Creek Watershed Study.

In response to questions, Ms. Dowsley advised that the goal is to protect the wetlands and see the sustainability improve with the naturalization they have planned.

The issue of a park was raised and Ms. Shoemaker stated the development is geared to seniors. They are re-evaluating park usage, trails, sidewalks and pedestrian connectivity to adjacent lands.

Staff assured Council full scale detailed drawings will be available when the application comes back to Council.

Mr. S. Brouwer, a property owner within the area, inquired about the buffer zone distance from the closest part of the development to the wetlands and asked questions about the length and type of fencing to occur on the south side of the development. He also

expressed a concern with respect to the water usage and water table in the area.

Ms. Barb Dowsley, a listed delegation, did not speak at this time.

Questions were raised regarding how this application will integrate into the trail masterplan and connectivity.

Staff members were asked if there is anywhere else within the City with a 3 metre interface setback. Staff advised they believe so, although not at the same scale, and they will report back on this. Staff were also asked to qualify the urban design implications from the perspective of looking at future development on the south.

Parkland dedication was addressed and Council was advised that various options are being considered at this time including cash in-lieu for parkland. More information regarding public transit was also requested.

Staff also advised they will provide density targets that will be reviewed against Places to Grow and the Official Plan when they report back.

Mr. J. Riddell

1. Moved by Councillor Kovach

Seconded by Councillor Billings

THAT Report 07-108 regarding Official Plan Amendment, Subdivision, Condominium and Rezoning applications to allow a residential development applying to property municipally known as 1159 Victoria Road South, City of Guelph, from Community Design and Development Services dated December 3, 2007, be received.

Carried

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

VOTING AGAINST: (0)

120 WESTMOUNT ROAD

Mr. S. Hannah, Manager of Development and Parks Planning provided information regarding this application. The applicant proposes to amend the zoning on the subject property from the I.3 Zone to a new Specialized I.3 Zone to permit the development of life-lease residential apartment units for seniors. The 300 apartments proposed will be in three buildings; the first two buildings being 7 storeys and the third building to be 10 storeys. The apartments will be typical units with accessibility features and the residents will have access to home/personal care services if

required. The net residential density will be 81.7 units per hectare, a maximum height of 10 storeys with the location and siting of the buildings regulated by the Residential Apartment Zoning. In addition to the uses permitted in the I.3 Zone, the following uses would also be permitted:

- Apartment building
- Retirement residential facility
- Home for the Aged
- Nursing Home.

The following specialized regulations have also been requested:

- Underground parking to have a side yard setback of 0 metres where 3 metres is required (for building 1 for the south property boundary only)
- Minimum side yard
 - of 43.5 metres on the north side for residential apartment buildings where $\frac{1}{2}$ the building height but in no case less than 3 metres is permitted (in this case $\frac{1}{2}$ the building height is 12m for the 7 storey buildings and 16m for the 10 storey building);
 - 3 metres on the south side where $\frac{1}{2}$ the building height but no case less than 3 metres is permitted
- Minimum distance between buildings with windows to habitable rooms to be 15 metres where $\frac{1}{2}$ the building height and in no case less than 15 metres is required (only required for distance between buildings 2 and 3);
- Off-street parking to be 1.25 spaces per unit where the Zoning by-law requires 1.5 spaces per unit for the first 20 units and 1.25 spaces per unit for the remainder of the units

He also advised the review of the application will address the following:

- Evaluation of the proposal against the 'Major Institutional' designation, objectives and policies in the Official Plan; and
- Other comments and issues raised during the circulation of the application.

Mr. Hannah stated that the applicant intends to keep the existing berm and they may have a day care centre in the future. At a meeting with residents, the building height and placement of buildings were the key concerns. He advised that 10 stories is permitted already under the current zoning. He said a traffic impact assessment and preliminary storm water management study have already been completed and he showed an air photo of the property.

Marianne Walker on behalf of St. Joseph's provided an overview of the services they have provided, currently provide and plan to provide in the future.

Mr. John Cox provided information with respect to the application. He advised they will be retaining the berm between the site and Kimberly Drive. He stated the original concept was going to be two z-shaped buildings that extended into the berm area but the current site plan consists of L-shaped buildings pulled back from the berm area. The third building is tallest but would not be higher than the others due to the drop in the property. He stated they have scaled back the development since the original meeting in September, 2007. Changes have been made to scale back the upper stories and made the building face more articulated. Six stories face onto Westmount Road and one additional storey faces the back. He provided drawings of shadow studies for April 21st and August 21st – which he advised are typical dates. A traffic study was prepared which stated that the nature of the development results in very low traffic generation in peak hours so there would be no need for turning lanes on adjacent streets. Mr. Cox advised that Blandford Gates, architect for the project, and Gary Zock, President of Life Lease Associates of Canada were also present to answer questions.

It is planned that the first phase will be ready by spring of next year, and the complete project will take five to ten years. The eligibility criteria would be sixty years of age or older and the average age of buyer is mid to late seventies. It will be independent living seniors with a certain amount of services provided and it is not a retirement home.

There will be no through access on the property. They are examining different options for sorting garbage to avoid all the garbage going to landfill. The applicant is currently approaching landscape architects for possibilities of trail access and wetland issues.

Maria Case and Stuart Wren, residents within the area were present to express concern with the height of the building and the issue of compatibility with the neighbourhood. They believe the development is taking advantage of their desirable neighbourhood instead of being closer to the industrial end of the property and Willow/Edinburgh area. They would like to see a maximum height of six storeys, a reduction in the total number of units.

Brad Wallaker, a listed delegation did not attend.

Ms. Lisa Sharp was present to express concerns with respect to the height of the buildings being proposed and the incompatibility with the single and two storey homes within the area. She expressed concern with Kimberley Drive becoming a short cut. She proposed the buildings be a maximum of five storeys high with peak roofs in keeping with the main building. She advised the

residents of the neighbourhood wish to be more informed as many changes were made that were not provided to them.

Mr. Granger was present to express concerns with respect to integration of the development with the neighbourhood. He asked Council to consider the ramifications of a decision on property values. He also commented that the development could be a mixed bag of people and with 300 cars traffic congestion at Westmount & Speedvale would be a concern. He also inquired about the trails locations. He believes it would be more pertinent to put development closer to the St. Joseph's facility and further away from residents on Kimberley Drive.

Ms. Dickinson, a resident of Kimberley Drive requested that the shadow studies be done with respect to Kimberley Drive instead of Westmount Road and suggested they be done at 8 a.m. and 10 a.m.

Mr. Bob Webb, a resident within the area, just wanted to reiterate concerns already raised. He also expressed concern about headlights streaming into some of the houses along Westmount Road and problems with construction traffic. He asked that consideration be given to setting up barrier to keep dust, etc. to a minimum.

Mr. J. Fazekas, a long time resident of the area stated the height of the building is totally incompatible with the neighbourhood. He said that St. Joseph's has maintained good relationship with the neighbourhood thus far and he would like to see that continue. He wants staff to consider the issues of lights, and construction access and egress. He would also like site lines studies done from Kimberley Drive to show the actual view and shadow studies to be done as requested by the previous delegation

When asked why there was a need to amend the zoning by-law when the development is exceeding requirements, staff advised it was a form of guarantee to neighbours that the applicant will do what they have put on paper.

Council requested that the River Systems Advisory Committee be made aware of the development and provide comment before the application proceeds. They also requested a traffic study to be done in light of 300 units plus 96 additional beds being proposed.

The question was raised as to what the footprint would be of the development if the density of 81.7 units per hectare was implemented with fewer stories and whether there would be a loss of too much greenspace to accomplish this.

Council was assured that the St. Joseph's Board does want to do what is fair and compatible with the neighbourhood and hopes to continue open communication.

Construction traffic routing can be done, and they will evaluate if it can be done off Edinburgh Road to protect the residents of Kimberley Drive.

The Streetscape on Westmount building is setting a precedent and staff should consider the ramification of this type of building setup propagating itself all the way down the street.

It was suggested that a policy around density aspect should be addressed to alleviate the great deal of variation currently occurring and staff needs to review targets and make it equitable.

Three dimensional imagery was requested to be provided by the proponent when the application comes back to Council. There was also the request for the proponent to provide shadowing done with the most extreme shadows in December for the morning, noon and night.

2. Moved by Councillor Kovach

Seconded by Councillor Wettstein

Mr. J. Riddell

THAT Report 07-109 dated December 3, 2007 regarding a Zoning By-law amendment for property municipally known as 120 Westmount Road from Community Design and Development Services be received.

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

VOTING AGAINST: (0)

Carried

168 FIFE ROAD

Mr. C. DeVriendt, Senior Development Planner provided background information with respect to this application. The applicant proposes to amend the zoning on the subject property from the Urban Reserve Zone to the Residential Semi-Detached/Duplex Zone and a new Specialized Residential Cluster Townhouse Zone. The application does not affect the 0.54 hectare triangular southwestern portion of the property directly south of Pamela Place. This means that future development of that remnant would need to occur as a land assembly to the western lands fronting on the southerly extension of Elmira Road. A total of 18 residential units are proposed with this application, consisting of 4

semi-detached units and 14 townhouse units. The semi-detached units would have frontage on Fife Road, while access to the 14 townhouse units to the south would be provided from a 6 metre wide private road from Fife Road. The existing house on the property is proposed to be demolished and Heritage Guelph has reviewed the application and have expressed no concerns. The lots for the semi-detached dwellings and the parcel for the cluster townhouse development are proposed to be created through a subsequent application for severance through the Committee of Adjustment.

Specialized regulations are being requested for the proposed Cluster Townhouse Zone including:

- A 15 metre setback from the Canadian National Railway right-of-way due to the proximity of the CNR, the units abutting the railway require a safety setback from the railway right-of-way. This setback has been approved by the CNR
- A maximum building height of 2 storeys, whereas the standard R.3A zoning specifies a maximum building height of 3 storeys
- A maximum of 14 townhouse dwellings permitted within the proposed R.3A Zone, whereas the maximum density permitted in the standard R.#A zone is 37.5 dwellings per hectare, which would permit a maximum of 27 townhouse units on the subject site
- A minimum side yard setback of 16 metres, whereas the standard regulation requires a minimum side yard setback equal to one-half the building height, and in no case, less than 3 metres from any rear or side lot line
- A minimum landscaped buffer strip of 10 metres along the easterly property line and 3 metres along the westerly property limit, whereas the standard zoning regulation requires a minimum buffer width of 1.5 metres
- A minimum of 6 visitor parking spaces located a minimum of 9 metres from the western property line, whereas the standard regulation would be a minimum of 3 visitor parking spaces to be located a minimum of 3 metres from the property line; and
- Permitting the distance between buildings which contain windows of habitable rooms to be located 3 metres from each other.

This application was received and under review before new process was implemented. He advised that concerns from residents seemed to primarily be that the density is too high, the impact on existing privacy, the impact on traffic and the lack of compatibility with the existing neighbourhood. He advised that before site plan can be approved a tree conservation plan must be

submitted. The issue of garbage/snow removal would need to be addressed. Staff will encourage the three-stream approach to accommodate multi-residential units and it will be looked at as part of site plan approval.

The question was raised why a maximum building height rather than maximum number of stories was not implemented and the planner advised that “storey” is defined in the City’s Zoning bylaw to address the issue. Council also inquired if there will be raised decks, and if so, what would the height limit be? The intent is for the decks to be ground level amenity areas and the grading on site will address this concern.

The issue of idling of vehicles on the property is also to be addressed.

Mr. Roberto Masferrer, a local resident, stated he was misinformed with respect to the process. He expressed concern with the density and the location of the guest parking and the effect that will have on his trees. He stated there is already a lot of high density properties on the multi-residential properties and there is not enough park space. He was concerned about garbage being right behind his property as well because of raccoons, litter and pollution and noise from the garbage vehicles. He wanted to know the type of materials to be used and what could be done to prevent a flip of the land once the zoning amendment occurs.

Mr. Ken Coutts, a joint owner of property on Gombas Place and long time resident expressed concern with the demolition of the detached building including the loss of the cedar trees and shrubbery on Fife road. He would like precautions to be taken to for sidewalks to go around the trees and he would like a tree conservation plan to be implemented. He inquired if an UR parcel of land could have storm water management put on it. He also wants the road widening’s purpose to be clearly identified. He would also like Fife Road to be like other arterial roads within the City with two lanes and bicycle lanes instead of four lanes. He stated the aesthetics of the area is a quiet neighbourhood with single detached, mainly brick and stone houses that are pleasing to look at, utilizing asphalt shingles, surrounding yards fenced with wood mostly providing a balanced appeal. With southerly exposures, he requested nothing of a highly reflective nature be used and that energy efficient windows should be used, and siding should be kept to a minimum.

Ms. Doris Orr, a resident within the vicinity, stated she is concerned about pollution and parking overflow that will be caused by all the vehicles that will come with this development. The development will be family-oriented and will likely mean 36-54 extra cars.

Ms. Lorna Schwartzentruber, a resident on Pamela Place adjacent to the property on Fife Road. She sent in a letter previous to the meeting and advised that she had concerns with the process. She stated that she would like more bushes & shrubs to mitigate the impact of the development. She was concerned that the residents' issues were not being addressed. She advised that with the current density, 3-4 townhouses would back onto her property and would have a negative impact on her privacy. She does not believe the roadway would be adequate for residents, guests, emergency vehicles and garbage removals and believes the vehicle activity would be high for the size of lots, and expressed concern about wildlife and the clear cutting on the west end tree areas. She does not believe the development is balanced with the amenities of the area and location of site is near the edge of the city, but little access to shopping or recreational facilities and the residents need to take a bus. She would like a bike lane, and more than the one existing pedestrian crosswalk. She stated that purchasers would be car dependent and an R.2 would be more beneficial to the neighbourhood.

Rosemary & John McKinnon of Gombas Place were present to state they share the concerns of the other delegates on the issues of density, parking, traffic, and lighting. They are concerned about loss of privacy and shadowing on their outdoor pool. They advised the second storey of the townhouses would have a clear view of their backyard and 3 townhouses would back directly onto their backyard. They would like to see a shadowing presentation especially for the hours between 3:00 p.m. and 5:00 p.m. They believe it would be difficult to sell their home with the pool in the shade and little privacy. They did not wish to see the 80 year old maple trees lost. Their biggest concern was inquiring if the rezoning were to take place would the developer have carte blanche to do whatever they want such as changing the height of the building or selling it to someone else and coming up with a worse plan. They suggested the City buys the property and make it a park

Mr. Soehner was present to express issues concerns and opportunities with respect to this development. He presented concerns with traffic site lines and suggested a crosswalk be installed. The close proximity of the sidewalk to the road is a safety concern, and would like to see the City realign the sidewalk in front of the property, and add a bicycle lane. He expressed concern with the high volume of garbage that will be produced and with a high frequency of unaccepted garbage, he is concerned about garbage sitting around. He also stated the residents are concerned about where the guests would park. He was concerned about the pollution, noise and environment with idling cars. He also raised the issue of drainage due to the sloping land because the existing drainage is poor and would be made worse with more

pavement. He stated he does not believe there is enough space to add 14 units plus a road. He raised the concern with the disappearing green space with only 3 small parks in the area. He stated residents are concerned about the mature trees on the subject property; and would like to save the trees.

3. Moved by Councillor Laidlaw

Seconded by Councillor Beard

THAT the procedural by-law be suspended to allow the meeting to continue until 11:30 p.m.

Carried

Ms. Leanne Clymont, a resident of Pamela Place, expressed concern about a garbage truck being right behind her backyard; and inquired whether vehicles will be parked at the back of her property. She advised she there are already many people using the back part of the property inappropriately and is concerned that if the property is paved, then this type of activity will increase.

4. Moved by Councillor Kovach

Seconded by Councillor Laidlaw

THAT the report be received and the application be refused.

5. Moved by Councillor Findlay

Seconded by Councillor Bell

Mr. J. Riddell

THAT the application regarding a Zoning By-law Amendment for property municipally known as 168 Fife Road be referred back to staff to work with the community members and the developer to reconcile the issues raised, including but not limited to, a reduced density, a specific building height, the issue of ground level amenities, the use of building materials, the issue of light pollution, the urban tree strategy fit with this application, the issue of a light-activated crosswalk, the issue of drainage, the issue of lighting, and the issue of bicycle lanes.

The motion to refer took precedence and was voted on first.

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

VOTING AGAINST: (0)

Carried

The meeting adjourned at 11:25 o'clock p.m.

.....
Councillor Lise Burcher, Chair

.....
Clerk

REPORT OF THE COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES COMMITTEE

December 17, 2007

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Community Development and Environmental Services Committee beg leave to present their FOURTEENTH REPORT as recommended at its meeting of December, 2007.

CLAUSE 1 THAT the Community Design and Development Services Report 07-117, dated December 7, 2007 be received;

AND THAT Council request the Provincial Government to fund the interregional component of the proposed Transportation Terminal, estimated to be 35% of the total cost;

AND THAT the Mayor advise the Minister of Transportation, Minister of Public Infrastructure Renewal, and the Minister of Finance of Guelph's request for Provincial funding support for the Guelph Interregional Transportation Terminal;

AND THAT the Mayor advise the Guelph MPP of the Council resolution requesting Provincial funding support for the Guelph Interregional Transportation Terminal.

CLAUSE 2 THAT Council congratulates and endorses Guelph Environmental Leadership on their two large projects which are funded through the Minister of Energy "Green Impact Guelph" and the "Ontario Power Authority";

AND THAT Council endorses the efforts of Guelph Environmental Leadership and other community groups that are seeking to support the implementation of Guelph's Community Energy Plan.

CLAUSE 3 THAT the City Clerk be authorized to publish and serve Notice of Intention to Designate 1-7 Douglas Street, originally known as the Brownlow Block and more recently the Gummer Building, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

CLAUSE 4 THAT the City Clerk be authorized to publish and serve Notice of Intention to Designate 60 Cardigan Street, originally known as the Robert Stewart Lumber Company, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before Council for approval if no objections are received within the thirty (30) day objection period.

CLAUSE 5 THAT the Community Design and Development Services Report 07-118, dated December 7, 2007, be received;

 AND THAT a fiberglass bridge deck be included as an option in the tender for the reconstruction of the Eramosa Road bridge.

 AND THAT staff report back to the Committee with costs and timing details when the tender is closed.

CLAUSE 6 THAT the Community Design and Development Services Report 07-112 dated December 7, 2007 regarding the review of the request for financial assistance by Options for Homes/Home Ownership Alternatives Non-Profit Corporation be received; and

 THAT Council agrees in principle to defer the payment of municipal development charges by the proponent for a period of up to 10 years in respect of the proposal for affordable ownership housing at 35 Mountford subject to:

- 1) all required planning development approvals being obtained; and
- 2) Council considering and approving at a future Council meeting an agreement or agreements in accordance with the terms and conditions outlined in Report 07-112 and any other terms and conditions required by the City

All of which is respectfully submitted.

Councillor Lise Burcher, Chair
Community Development & Environmental Services Committee



TO: Community Development and Environmental Services

DATE: December 7, 2007

SUBJECT: GUELPH TRANSPORTATION TERMINAL

RECOMMENDATION:

"THAT the Community Design and Development Services Report 07-117, dated December 7, 2007, be received;

AND THAT Council request the Provincial Government to fund the interregional component of the proposed Transportation Terminal, estimated to be 35% of the total cost;

AND THAT the Mayor advise the Minister of Transportation, Minister of Public Infrastructure Renewal, and the Minister of Finance of Guelph's request for Provincial funding support for the Guelph Interregional Transportation Terminal;

AND THAT the Mayor advise the Guelph MPP of the Council resolution requesting Provincial funding support for the Guelph Interregional Transportation Terminal."

BACKGROUND:

In October 2004, City Council, based on the recommendations of the Guelph Transportation Terminal Feasibility Study, approved the following:

"That the VIA Station/Carden Street site be approved as the preferred site for relocating the transit transfer point from St. George's Square, as recommended in the Feasibility Study subject to Council receiving additional information regarding funding and costs and subject to the VIA Station/Carden Street site being feasible as an inter-regional transportation terminal;

And that the concept design recommended by the Feasibility Study for the proposed Inter-regional Transportation Terminal, which will also include the new transfer point for Guelph Transit, be approved;

And that staff be authorized to prepare an implementation plan, including costs, for the proposed Transportation Terminal, and undertake negotiations with:

- a) Provincial and Federal agencies for cost sharing;
- b) Transit operators, rail right-of-way owners/lessees, and property owners, as appropriate, regarding operational issues and property issues/impacts;

And that staff be directed to present the implementation plan, for consideration by Council, prior to the City entering into agreements and proceeding with the construction of the proposed Transportation Terminal;

And that the Inter-Regional Transportation Terminal recommendation be referred to the priority planning session for Council to determine its priority status."

REPORT:

In 2003, the City initiated the Guelph Transportation Terminal Feasibility Study with Provincial funding support to assess the feasibility of: (a) establishing an inter-regional transit terminal in Guelph; and (b) relocating Guelph Transit's downtown operations from St. George's Square to the new inter-regional terminal site.

The Feasibility Study was carried out by Dillon Consulting in two phases. In the First Phase, the study assessed the suitability of seven potential sites including St. George's Square and recommended the VIA Station/Carden Street site as the preferred location for the downtown transit transfer point. This site has the advantage of serving as an inter-regional transit terminal accommodating both inter-city rail and bus services. The relocation of the transit transfer point is also required to reduce the travel lanes on Wyndham Street to one lane in each direction in accordance with the Downtown Public Realm Plan. At present, there are two lanes per direction on Wyndham Street at St. George's Square.

In 2002, prior to the Transportation Terminal Feasibility Study, the City had completed the "Route Planning, Service Design and Downtown Transfer Point Relocation Study" to meet current and future transit demand in Guelph. A further review of Guelph Transit's routing and service design was undertaken in the 2005 Guelph Wellington Transportation Study. Both studies recognized that the downtown will remain the principal transit hub even as routing changes are implemented to improve the existing radial system to a modified radial-grid system. The relocation of the downtown transfer point from St. George's Square to VIA Station/Carden Street is consistent with the future changes to Guelph Transit's routing and service design.

The Second Phase of the Feasibility Study developed a concept plan for the new terminal along with preliminary cost estimates and identified stakeholders and issues that need to be addressed as part of project implementation (Figure 1 illustrates the Concept Plan). The concept plan, which was approved by Council in 2004, provides for (i) a long bus platform along Carden Street; (ii) station

improvements; (iii) roadway/intersection modifications at the Carden Street/Wyndham Street and Carden Street/Macdonell Street intersections; and (iv) improvements to the existing pedestrian underpass across the railway tracks. The concept plan is flexible to accommodate long-term expansion of the Terminal to the south of the railway tracks.

Both during and after the Feasibility Study and following Council direction, City staff and consultant held a number of discussions on the project with officials from the Ministry of Public Infrastructure Renewal, Ministry of Transportation, GO Transit, Railway agencies, and Intercity Bus agencies, all of whom indicated general support for the project.

Extensive public consultation was held throughout the Feasibility Study involving the Downtown Board and businesses, Guelph residents, adjacent property owners, and other stakeholders. The owners of Travelodge Inn & Suites and the apartments in the Willoughby Block (both located north of Carden Street), and the Walker Building (on Farquhar Street on the south side of the railway tracks) raised concerns specific to their properties, mainly in regard to noise and parking impacts. Public consultation during the Feasibility Study included the following: September 2003 presentation to a joint meeting of the Downtown Board of Management and the Downtown Economic Strategy Steering Committee; Council workshop in May 2004; and public meeting in June 2004.

An information update on the project was again presented to the Downtown Board in February 2007 and at a workshop for the new Council in July 2007. Attachment A summarizes the next steps and outstanding issues pertaining to the implementation of the new Transportation Terminal.

Preliminary cost estimates at current prices including property indicate a total project cost of \$6 M. At the time of the Feasibility Study, the Provincial approach to municipal transit funding was to provide one-third Provincial support for approved Municipal transit projects and leave the Municipality and Federal Government to fund the remaining two-thirds on an equal basis. With the introduction of the Federal and Provincial Gas Tax Agreements for transit funding, Municipalities are expected to finance transit capital projects using Gas Tax funding. However, as the proposed Terminal in Guelph is designed to serve interregional transit in addition to local transit, the City should ask for Provincial support for the interregional component of the Transportation Terminal, which is currently estimated to be 35% of the total costs. The remainder would be paid from Federal/Provincial gas tax funding and Development Charges.

CORPORATE STRATEGIC PLAN:

Goal 1: An attractive, well-functioning and sustainable city

- A sustainable transportation approach that looks comprehensively at all modes of travel to, from and within the community

Goal 2: A healthy and safe community where life can be lived to the fullest

- The most physically and socially active residents in Canada

Goal 3: A leader in conservation and resource protection/enhancement

- Less total greenhouse gas emissions for the City as a whole compared to the current global average

FINANCIAL IMPLICATIONS:

Preliminary allocations are included in the 2008-2010 Capital Budget as Carden Street Upgrades (RD 0164) and Transit Terminal (TR0016).


INTER-DEPARTMENTAL CONSULTATION:

This report dated December 7, 2007, has been reviewed and agreed to by the Manager of Transit Services and the Director of Community Services.

ATTACHMENTS:

Appendix A: Transportation Terminal Implementation – Next Steps and Outstanding Issues

Figure 1: Concept Plan.



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Director of Community Design &
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Endorsed By:
Richard Henry, P.Eng.
City Engineer
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APPENDIX A

Transportation Terminal Implementation Next Steps and Outstanding Issues

(1) Project Cost and Funding: Preliminary cost estimates at current prices including property indicate a total project cost of \$6 M. At the time of the Feasibility Study, the Provincial approach to municipal transit funding was to provide one-third Provincial support for approved Municipal transit projects and leave the Municipality and Federal Government to fund the remaining two-thirds on an equal basis. With the introduction of the Federal and Provincial Gas Tax Agreements for transit funding, Municipalities are expected to finance transit capital projects using Gas Tax funding. However, as the proposed Terminal in Guelph is designed to serve interregional transit in addition to local transit, the City should ask for Provincial support for the interregional component of the Transportation Terminal, which is currently estimated to be 35% of the total costs. The remainder would be paid from Federal/Provincial gas tax funding and Development Charges.

(2) Property Requirements: The construction of the bus platform will require land that is currently part of the Greyhound Bus Station, the VIA Station, and surplus CNR lands. Staff have had discussions with all property owners and railway stakeholders. There is general support for the project and willingness to make property available at market value.

(3) Adjacent Property Concerns: Noise and Parking Impacts: Three adjacent property owners have expressed concerns about the potential impacts of the proposed Terminal.

(a) The owners of the Travelodge Inn & Suites and the Willoughby Block apartment are concerned about increased noise levels due to bus operations. The City could provide technical assistance in assessing potential noise level changes because of bus operations, while noting that these buildings have long been in the vicinity of day/night rail operations.

(b) The owner of the Walker Building on Farquhar Street is mainly concerned about the impact to the parking spaces his building currently uses on the railway lands to the south when the parking in front of the VIA Station is reduced as part of the Transit Terminal development. The Downtown Guelph Business Association (DGBA) also has expressed concern about the reduction in parking spaces on Carden Street and at the VIA Station. There are a total of 86 on-street and Station parking spaces available on Carden Street east of Wyndham Street and the Station property, of which 23 spaces will be retained as part of the proposed Terminal. However, the design for the Terminal also provides for the upgrading of the pedestrian tunnel from the south parking lot to the

north of the tracks including an access stairway and elevator to the bus platform. This will provide safe and convenient access to the Station platform and beyond for commuters and others who choose to park their vehicles on the south side, where there is potential for increasing the parking supply. More importantly, the purpose of the integrated Transportation Terminal is to encourage train users to ride the bus to the Station, instead of driving, and then transfer to the train. The expected integration of rail and bus fare media in Guelph and other Municipalities will provide the necessary incentive for rail commuters to ride the bus to the Station instead of driving.

(4) Impacts on Amenities: The DGBA has raised the need for public washrooms, which could be addressed in the final design of the Terminal. The existing VIA Station has washroom facilities for patrons during Station hours.

(5) Locomotive: The construction of the new bus platform would require the Steam Locomotive to be relocated from its current site at the south of the Greyhound Bus Station. Staff have met with the Steam Locomotive Committee and discussed potential locations for this heritage equipment.

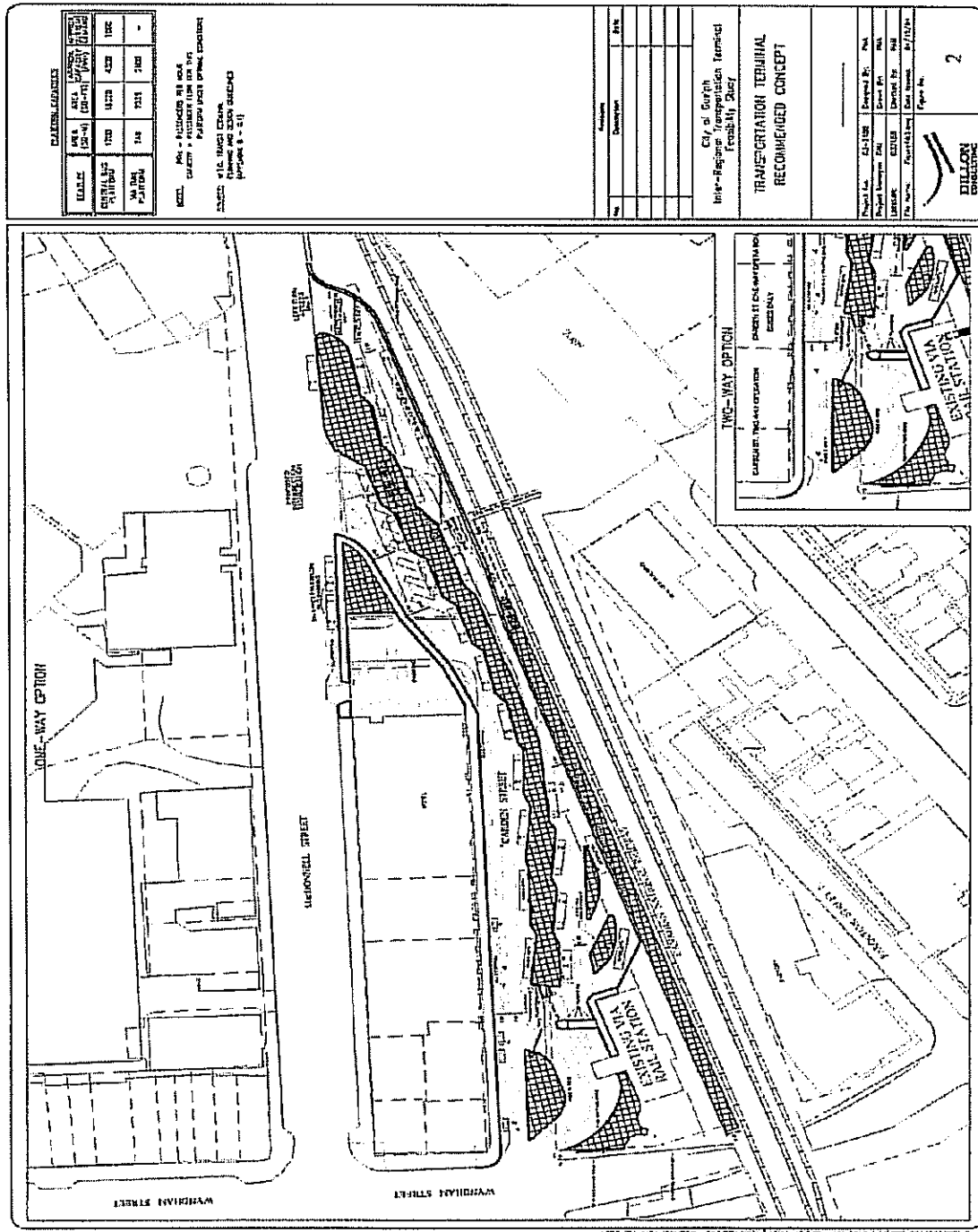
(6) Ad hoc Subcommittee on Neighbourhood/Community Transit Issues: Following recent Council direction, an Ad hoc Subcommittee on Neighbourhood/Community Transit Issues is being formed to identify and recommend improvements to routing and transit level of service. The recommendations of this committee will be used in the arrangements for bus circulation at the new Transportation Terminal and for identifying transit priority measures at the entry/exit points on Wyndham Street and Macdonell Street.

(7) Urban Design Precinct Study for the Civic Square and Carden Street: Council has also directed the completion of an urban design precinct study to finalize the landscaping and urban design features for the Civic Square and the surrounding streets. Staff are working with the consultant carrying out the urban design assignment to develop appropriate urban design criteria and features for the Transportation Terminal and Carden Street east of Wyndham Street. These concepts will be incorporated into the final design of the Terminal.

(8) Design of the Transportation Terminal and Environmental Assessment (EA): Requirements: The new EA guidelines for Municipal infrastructure projects include certain requirements for transit related projects. They will be addressed as part of the design of the Transportation Terminal that will be undertaken in 2008.

(9) Project Construction: The new Terminal should be in place to enable the relocation of buses from St. George's Square to Carden Street before the commencement of Wyndham Street upgrading. The construction work on the new Terminal could commence in 2009.

Figure 1



Summary of Ministry of Energy Community Conservation Initiative (CCI) and Guelph's Proposal: *Green Impact Guelph (GIG) Pilot Project*

CCIA Funding Request \$49,999.70	Total Project Cost \$148,133.20	Other Funders Cash \$78,721.00	Other Funders In Kind \$19,412.50
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Project Description

The Green Impact Guelph (GIG) project is designed to engage *massive change* in household energy reduction, change that is symbolic of Giga (Watt hours, Watt or Litre) scale. The GIG project will draw upon existing provincial and federal programs and lessons learned locally to drive energy, water and transportation reductions through training, assistance, products and incentives and innovative benchmarking – for aggregated progress that is measurable at the neighbourhood level.

The project will motivate sectors and expertise from across the community including the thirteen local Neighbourhood Groups, various departments of the City of Guelph, the Urban Systems Environmental Design Centre (University of Guelph), Remmer Consulting, local non-profits and citizens at large. A Community Behaviour/Barriers Survey, Household Energy, Water and Transport Conservation Action Summaries, Green Leadership training program and Benchmarking System will provide Guelph citizens with multiple tools designed to assist, promote, and track conservation efforts. This integrative approach will provide the action-oriented means to accelerate, measure and track green impacts on a household, neighbourhood and community level. The GIG project will end with a final summary of engagement numbers, actual changes and the resulting energy, water and transportation reductions. To acknowledge success, the neighbourhood demonstrating greatest acceleration in change (the greatest number of actions) will be chosen for Guelph's first GIG award, perhaps even a renewable demonstration site in a public space (as an icon of progress).

The following notes provide further clarification on the funding organization, the proposal itself and the budget.

Ministry of Energy CCI Fund

The aims of the Ministry of Energy CCI Fund are to:

- Directly enhance the capacity of individuals or communities to conserve energy and/or promote small-scale ("behind the meter") renewable energy
- Foster long-term behaviour change of energy consumers
- Contribute to a reduction in energy demand/consumption

CCI looking for projects that:

- Are grassroots community-based initiatives
- Include local community partnerships

- Engage individuals in conservation action
- Demonstrate an effort to address “barriers” to conservation
- Display innovation in terms of program, audience or delivery mechanism
- Include clear measurables
- Do not duplicate a program being delivered provincially by another organization.

Details of funding available through the OPA 2007 Conservation Fund:

- The overall budget of the 2007/2008 CCI program is \$1,500,000.
- In general, the maximum CCI contribution available to each project is \$50,000.
- Project timeline: 6 months to March 21, 2008

Guelph’s Proposal Submission: Green Impact Guelph (GIG) Pilot Project

- Submitted to the Ministry of Energy CCI Fund on June 27, 2007
- Notification of success September 10, 2007
- Contract currently being finalised
- Major Working Partners in project:
 - Lead: Guelph Environmental Leadership (GEL)
 - Remmer Consulting
 - School of Engineering, University of Guelph
- Plus support from community partners:
 - City of Guelph
 - Elora Centre for Environmental Excellence.

Guelph’s Proposal summary:

- 3 key steps
 - skill development and mentoring
 - education and facilitation in the home
 - aggregated benchmarking on progress
 - Sustainability Kiosk System
 - Education Modules

Components of Guelph’s OPA Proposal

Community Behaviour/Barriers Survey and Household Conservation Action Summaries

GEL has long been compiling information on community achievement. A formalized survey and summation process will be developed to compile baseline data for the GIG project. This process will include integration of other databases such as the City of Guelph’s Project Porchlight, the City of Guelph’s State of Sustainability Reporting and Energuide for Homes.

Door to Door Education Campaign

The first home visit will target a select number of households to introduce the project, ask households to complete the survey on current behaviours (mentioned above) and provide free products and incentives to promote participation and voluntary action. The number and location of households will be developed based

on the distribution routes completed during the first phase of Project Porchlight and other product distribution efforts locally.

Green Leadership Training

Volunteers will be solicited and trained to assist with completion of the Household Conservation Action summaries and will perform home visits. The household visits and neighbourhood accessibility of the Green Leaders will facilitate immediate conservation actions as well as remove many simple barriers to change. Green Leaders will be drawn from a variety of sources including volunteers from recent product distribution activities, High School Environmental Clubs, Neighbourhood Group members, non-profit and for-profit businesses and GIG participants. The aim will be to develop an ever-growing network of expertise that will include families and your neighbours down the street. The City of Guelph is developing a database of volunteers from last year's Project Porchlight. This database will assist recruitment and management throughout the pilot. Within neighbourhoods, Green Leader teams of two will be created. Each neighborhood will select Green Tech Leaders who will take on two full days of technical training and will be the focus for queries from the Green Leader teams. Building on the experience of the Elora Centre for Environmental Excellence, national leaders in EnerGuide and Eco auditing, the GIG project, Green Tech Leaders and Green Leader teams will build a system of easily accessible knowledge and experience.

Energy "Gig" Ecomarket (product and supplier ecomarket in a high profile location)

The ecomarket will be held to educate as many citizens as possible on a range of energy saving products while formally enrolling participants to take on a range of desirable actions over a two-month period. A list of product choices will help participants select certain actions and retrofits, in general, and those requiring Green Leadership assistance to complete installation in the home. GEL held its first Ecomarket last spring, with great success, and will build upon this model.

Household Conservation Actions

Participating households will identify how they will accomplish actions through self instructed and/or assisted installation. Homes that have signed up for retrofit assistance will receive Green Leadership support through advise, bulk purchasing, free product delivery and retrofit assistance in conjunction with the appropriate non-profit and/or expertise to complete the installation. All homes will be asked to record their changes through an online benchmarking tool (already in development at the University of Guelph). Finally, all households will be contacted after the two-month period to assess progress and substantiate the recording of actual energy, water and transportation changes.

Accelerated Change Renewable Technology Reward

Once results are summarized, the neighbourhood most engaged to accelerate changes will be decided and publicly profiled for their achievements. A neighbourhood block-like celebration will be held, where it will be determined how this neighbourhood can become the first location in Guelph for a public space renewable demonstration site (as an icon of progress).



City of Guelph

Report:
COMMUNITY DESIGN AND DEVELOPMENT SERVICES
(07-113)

TO: Community Development & Environmental Services Committee

DATE: 2007/12/07

SUBJECT: NOTICE OF INTENTION TO DESIGNATE 1-7 DOUGLAS STREET,
PURSUANT TO THE ONTARIO HERITAGE ACT

RECOMMENDATION:

THAT the City Clerk be authorized to publish and serve Notice of Intention to Designate 1-7 Douglas Street, originally known as the Brownlow Block and more recently the Gummer Building, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

BACKGROUND:

The Brownlow Block/Gummer Building is one of the older commercial buildings on the City's Heritage Inventory. The limestone façade is an excellent example of 19th century stone commercial architecture. Contextually the building is located along one of the few surviving historic roadways of John Galt's 1827 Plan still largely intact.

The property was unfortunately part of a severe fire in the spring of 2007 which destroyed most of the interior of the building. During clean-up of the site, over the proceeding several months, the red brick addition to the building (circ. 1910) had to be demolished. Fortunately, all four (4) stone walls of the building have been secured and are to be incorporated into the redevelopment of the site. In addition, a number of interior elements have been salvaged. On October 15, 2007 City Council authorized the Mayor and City Clerk to enter into a Financial Assistance Agreement with the owner subject to a number of conditions including the heritage designation of the site.

REPORT:

The façade of 1-7 Douglas Street meets the criteria for designation as defined under Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest.

Publishing and serving the Notice of Intention to Designate gains the property immediate protection under the Ontario Heritage Act. All permits to alter or demolish the property are considered void.

Publication of the Notice also provides a thirty-day period for comments and objections to be filed.

At the end of the thirty-day period, and having dealt with any objections that may have been submitted through the Conservation Review Board, Council may choose to pass the by-law registering the designation of the property on title, or it may decide to withdraw the Notice and not proceed with the designation.

Staff and Heritage Guelph are recommending Council proceed with publishing and serving the Notice of Intention to Designate to provide a clear statement to the owner and the public on the heritage value of the façade and its reincorporation into a future development. The historic designation of the structure is one of the conditions included in a Financial Assistance Agreement being drafted under the City's newly established Heritage Redevelopment Reserve.

CORPORATE STRATEGIC PLAN:

Goal 4 – A vibrant and valued arts, culture and heritage identity.

FINANCIAL IMPLICATIONS:

None

DEPARTMENTAL CONSULTATION:

Heritage Guelph, the municipal heritage committee, has endorsed staff taking the Notice of Intention to Designate to Council for consideration. The Committee has also been kept apprised of the redevelopment plans for the site.

COMMUNICATIONS:

In accordance with the Ontario Heritage Act (Section 29, Subsection 1), Notice of Intention to Designate shall be:

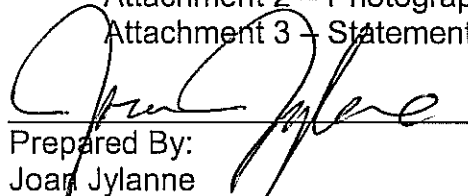
1. Served on the owner of the property and on the Ontario Heritage Trust; and,
2. Published in a newspaper having general circulation in the municipality.

ATTACHMENTS:

Attachment 1 – Location Plan

Attachment 2 – Photographs

Attachment 3 – Statement of Reasons for Designation



Prepared By:

Joan Jylanne

Heritage & Senior Policy Planner

837-5616 x2519

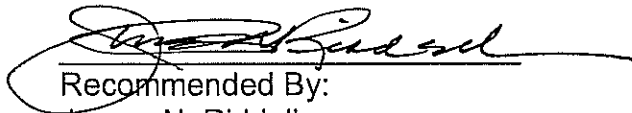
joan.jylanne@guelph.ca



Recommended By:

Paul Ross

Chair, Heritage Guelph



Recommended By:

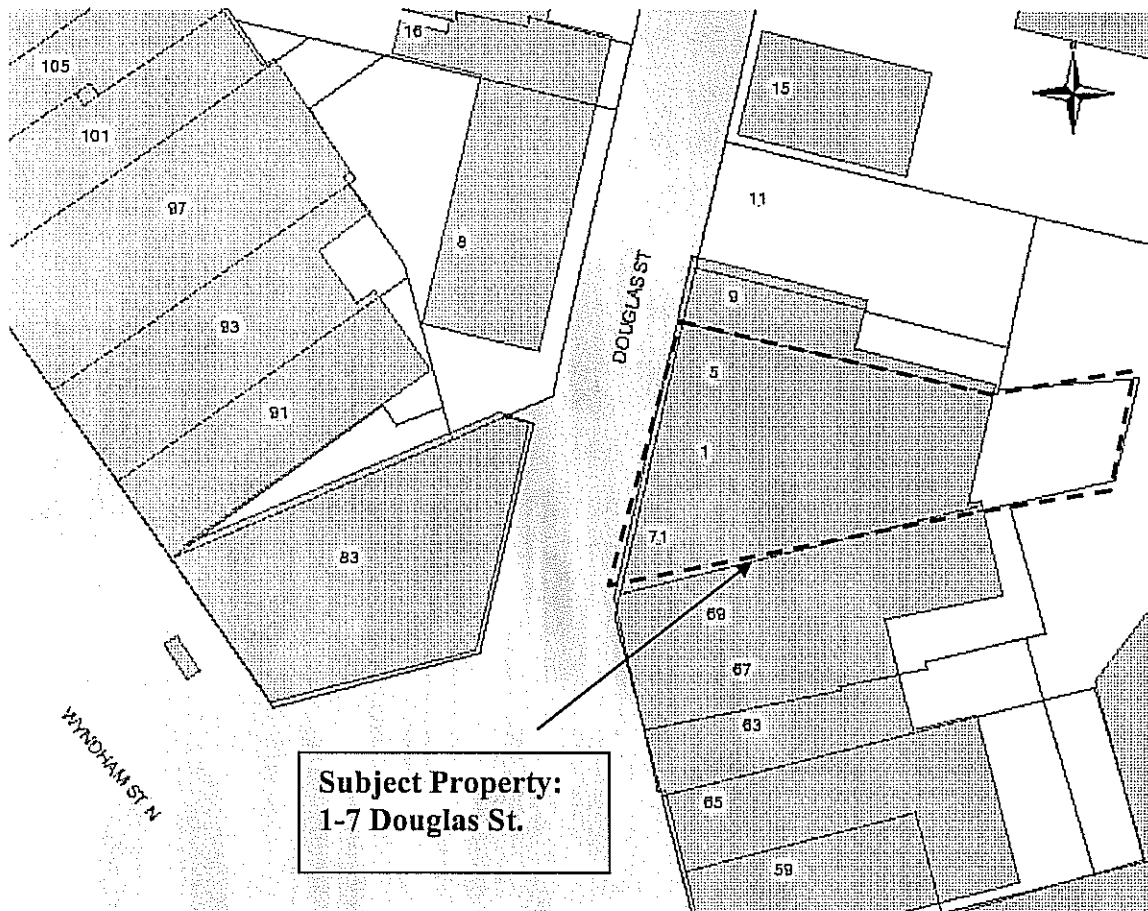
James N. Riddell

Director of Community Design and Development Services

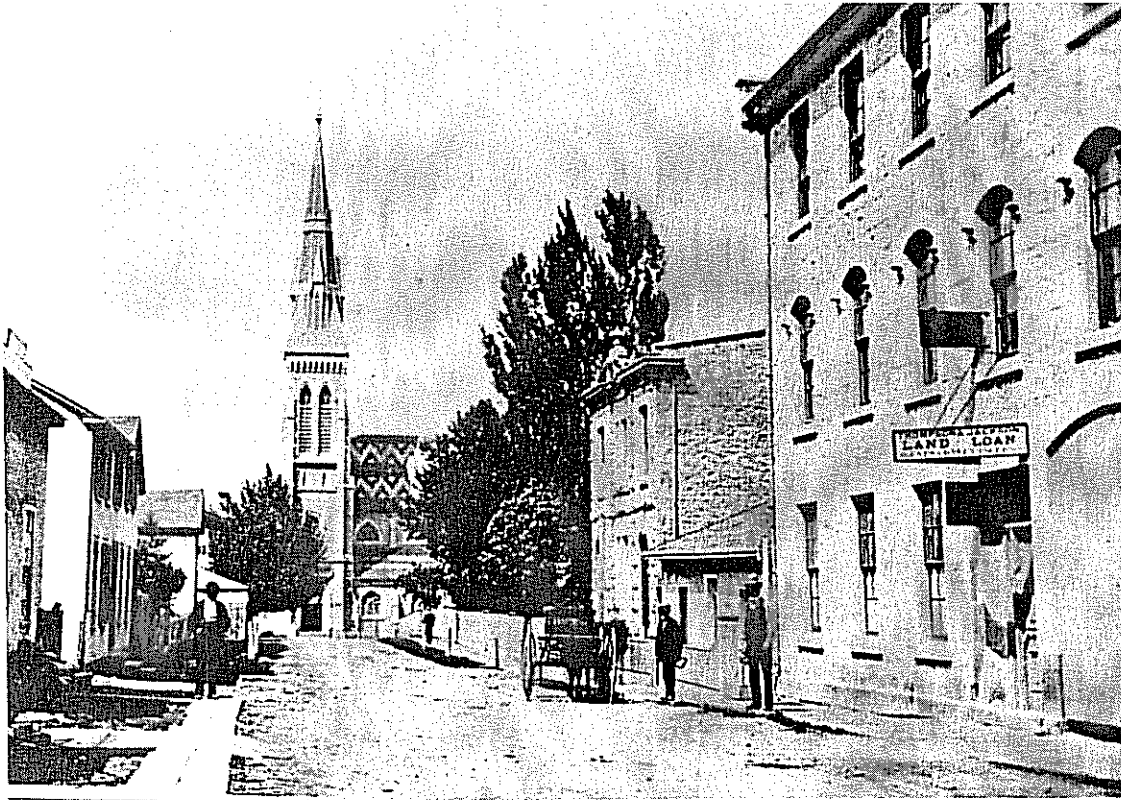
837-5616 x2361

jim.riddell@guelph.ca

ATTACHMENT 1 – LOCATION PLAN



ATTACHMENT 2 – PHOTOGRAPHS



Photograph appears courtesy of the Guelph Public Library Archives, F23-0-14-0-0-251
Douglas Street, 1875



Douglas St, Parade Post WWI

The City That Makes A Difference



City of Guelph Inventory of Heritage Structures, 1995

ATTACHMENT 3 – STATEMENT OF REASONS FOR DESIGNATION

1-7 DOUGLAS STREET “GUMMER BUILDING”

WHY THE PROPERTY IS BEING DESIGNATED

The original building was constructed c. 1870 with the top floor and additions constructed in the late 1890's early 1900's. The Gummer Building (Brownlow Block) is built of locally quarried limestone. The building plays a strategic role in the character of Douglas Street with stone buildings on both sides of the structure.

The property was first purchased by Jonas Ely from the Canada Company in 1843. William Brownlow, a carpenter owned the property in 1872 giving it its early reference name as the Brownlow Block. A number of additional tenants were added to the building in 1876 when it became known as the Douglas Street Offices with William Day as the owner. In 1905 Gertrude Gummer owned the building jointly with the Day family. Bertrum Gummer took on full ownership by 1912 and operated the Gummer Press, publishers of the Guelph Herald. Over the years the building has been used by barristers, insurance agents, retailers and artist studios.

The façade at 1–7 Douglas Street is an excellent surviving example of 19th century stone commercial architecture. The Neo-Classic Vernacular/Italianate building has tooled stone sills, tooled lintels above the third and fourth floor windows and segmental-headed lintels above the second floor windows. There is also an impressive moulded cornice. Contextually the building is located along one of the few surviving historic roadways of John Galt's 1827 Plan still largely intact.

References:

City of Guelph, Inventory of Heritage Structures
Land Registry Records

WHAT IS TO BE PROTECTED BY DESIGNATION:

- The exterior stone walls, including the front, side and rear walls
- All original door and window openings, including sills, surrounds, and dressings for the buildings
- The interior stone walls
- Interior elements salvaged and restored including safe doors, elevator cab and boiler face plate

It is intended that features may be returned to documented earlier designs or to their documented original without requiring City Council permission for an alteration to the designation.



City of Guelph

Report:
COMMUNITY DESIGN AND DEVELOPMENT SERVICES
(07-74)

TO: Community Development & Environmental Services Committee

DATE: 2007/12/07

SUBJECT: NOTICE OF INTENTION TO DESIGNATE 60 CARDIGAN STREET, PURSUANT TO THE ONTARIO HERITAGE ACT

RECOMMENDATION:

THAT the City Clerk be authorized to publish and serve Notice of Intention to Designate 60 Cardigan Street, originally known as the Robert Stewart Lumber Company, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

BACKGROUND:

Heritage Guelph, the Municipal Heritage Committee, recommends to Guelph City Council that the converted industrial building situated at 60 Cardigan Street, formerly known as the Robert Stewart Lumber Company, be designated under Part IV of the Ontario Heritage Act. The building is situated on the southeast corner of the property located on the west side of Cardigan Street between Norwich Street and London Road (see Attachment 1).

The building previously housed the Robert Stewart Lumber Company, one of the City's oldest industrial firms. The building is representative in scale, construction and appearance of early 20th century industrial Ontario architecture, and stands as a local landmark.

The redevelopment of the property into residential condominiums was financially supported by the City in part due to the cultural heritage value of the site. As part of the Financial Assistance Agreement signed between the Developer and the City, the Developer agreed to enter into a heritage easement and to designate portions of the exterior of the building. The offer to purchase (homebuyers) also specifically stated that Purchasers agree to accept the designation of the property as an historically significant or "heritage site". The building is currently protected by a Heritage Easement Agreement with the City. The designation process is being initiated via this report.

The owner of the property, Stewart Mill Development Corporation, has expressed support for the designation. Heritage Guelph is pleased to recommend this property for heritage designation.

REPORT:

The two-storey building located at 60 Cardigan Street meets the criteria for designation as defined under Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest as outlined in Attachment 3 of this report.

Notice of Intention to Designate will be published and served. Publication of the Notice provides a 30-day period for comments and objections to be filed. At the end of the 30-day period, and having dealt with any objections that may have been submitted through the Conservation Review Board, Council may choose to pass the by-law registering the designation of the property on title, or it may decide to withdraw the Notice and not proceed with the designation.

Community Design and Development Services staff and Heritage Guelph members are recommending that Council proceed with publishing and serving the Notice of Intention to Designate.

CORPORATE STRATEGIC PLAN:

Goal 4 – A vibrant and valued arts, culture and heritage identity.

FINANCIAL IMPLICATIONS:

None

DEPARTMENTAL CONSULTATION:

At their July 23, 2007 meeting Heritage Guelph, the City's Municipal Heritage Committee, endorsed staff taking the Notice of Intention to Designate to Council for consideration.

COMMUNICATIONS:

In accordance with the Ontario Heritage Act (Section 29, Subsection 1), Notice of Intention to Designate shall be:

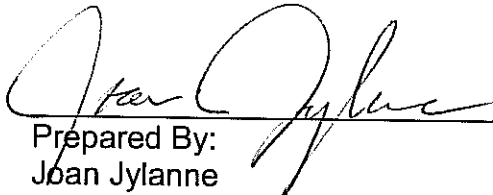
1. Served on the owner of the property and on the Ontario Heritage Trust; and,
2. Published in a newspaper having general circulation in the municipality.

ATTACHMENTS:

Attachment 1 - Location Map

Attachment 2 – Statement of Reasons for Designation

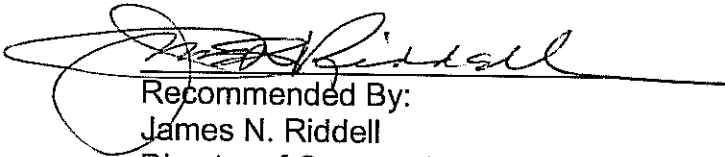
Attachment 3 – Heritage Guelph Background Information Report: 60 Cardigan Street



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Recommended By:
Paul Ross
Chair, Heritage Guelph



Recommended By:
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ATTACHMENT 2 – STATEMENT OF REASONS FOR DESIGNATION

60 CARDIGAN STREET “ROBERT STEWART LUMBER COMPANY”

WHY THE PROPERTY IS BEING DESIGNATED:

Built in 1922, the two-storey red-brick structure is typical of Guelph's 1920s era industrial buildings. It is of a functional Neo-Classic industrial design, with a flat roof and an L-shaped plan. Decoration is minimal, though the south and east elevations feature pilastered walls and a corbelled parapet. The façade is divided into seven sections of two bays. The paired windows on each floor are 6 over 6 panes and all have slightly arched heads. To the rear of the building is a distinctive square 40 foot tall smokestack.

Architecturally the building is representative in scale, construction and appearance of small industrial/commercial buildings common at the turn of the century, now rare in the centre of Guelph. The building's connection with the City's early industrial growth and its importance as a local landmark warrant its consideration for historic designation under Part IV of the Ontario Heritage Act. The smokestack to the rear of the building has become a local landmark and complements the smokestack that stands at Goldie Mill Park, which is located across the street.

The cultural and historic association with a once prominent Guelph enterprise, the Stewart Lumber Company; architectural merit as a rare example of the type of industrial building that was once common in Guelph's centre at the turn of the century; and contextual presence across the street from the former Goldie Mill, highlights the property as a significant addition to the City of Guelph's designated properties.

WHAT IS TO BE PROTECTED BY DESIGNATION:

- The exterior brick walls including the corbelled parapet;
- All original door and window openings, including their sills, surrounds and dressings; and
- The 40-foot brick smoke stack at the northwest corner of the building.

It is intended that non-original features may be returned to documented earlier designs or to their documented original without requiring City Council permission for an alteration to the designation.

ATTACHMENT 3 – HERITAGE GUELPH BACKGROUND INFORMATION
REPORT

CITY OF GUELPH

HERITAGE GUELPH (MUNICIPAL HERITAGE COMMITTEE)

BACKGROUND INFORMATION FOR PROPOSED DESIGNATION OF
SITE

60 CARDIGAN STREET

ROBERT STEWART LUMBER COMPANY



PREPARED BY: LYNDSEY HAGGERTY
HERITAGE RESEARCH ASSISTANT
JULY, 2007

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St,60\Background Information for Proposed Designation of Site2.doc

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1.0 INTRODUCTION

Heritage Guelph, the City of Guelph Municipal Heritage Committee, has undertaken an assessment of the Cultural Heritage Value or Interest of the property at 60 Cardigan Street, for the intention of heritage designation. The following report contains the mandatory information required for heritage designation as well as a property profile, architectural descriptions, significance of the property, location maps, sources and photographs.

The property at 60 Cardigan Street is recommended for designation for historic, architectural and contextual reasons. Located in the heart of Guelph, the former Robert Stewart Lumber Company building was constructed in 1922.

Significant features of the building:

The two-storey, pink buff brick building at 60 Cardigan Street is one of the last surviving examples of industrial factories from the 1920's era. It is a good example of pre-war architectural construction.

2.0 LOCATION OF PROPERTY

The Robert Stewart Lumber Company (Stewart Lumber) building, located at 60 Cardigan Street, is situated on the west side of the street between London Road East and Norwich Street East in the City of Guelph. The building occupies the south-east corner of the property, which is roughly 2.3 acres in size. It is more particularly described as:

Lot 1, Plan 144, Part Park Lots 88 & 92, Plan 8, Part Lots 6 & 7, Plan 144, designated as Parts 1, 2, & 3, 61R9750 except Parts 1 to 5 inclusive, 61R10381.

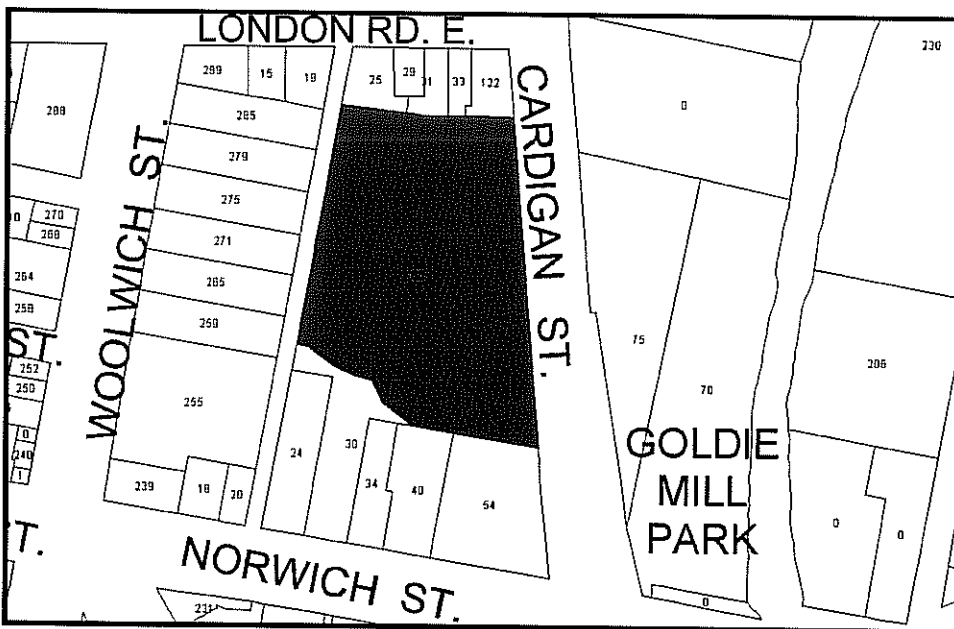


Figure 1.0: Subject property is highlighted, 60 Cardigan Street.

3.0 HISTORICAL REVIEW OF ROBERT STEWART LUMBER COMPANY

The Robert Stewart Lumber Company was founded in Guelph in 1854 by Robert and James Stewart, specializing in the production of sashes, doors, blinds, and mouldings. They first operated a planing mill on Paisley Street at the site now occupied by St. James Church, and later moved to a site near the Eramosa Bridge, now occupied by apartment buildings. The business met with great success and in 1869 it moved again to open a planing mill and lumber yard on Wyndham Street that employed between 20 and 30 people. Claimed to be the largest lumber dealership in the country in the late 1800s, the downtown planing mill remained in operation until its destruction in 1921 in one of the City's worst fires.

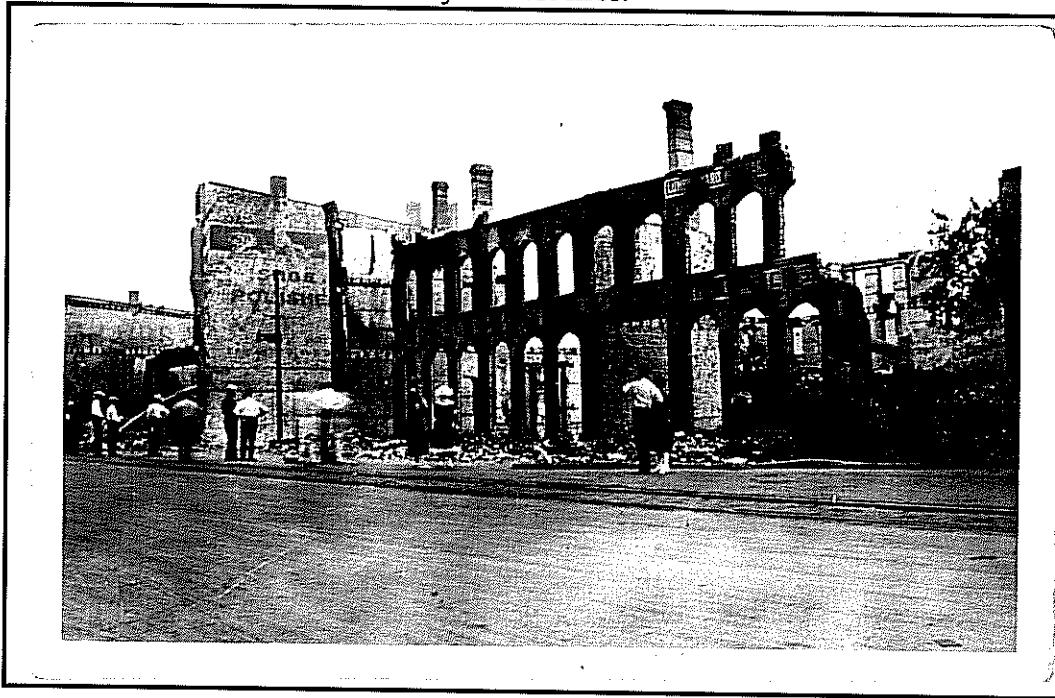


Figure 2.0: View of the Wyndham Street factory after the great fire of 1921 (courtesy of Guelph Museums)

The site remained empty, leaving a gap in the downtown streetscape, until construction of the post office (Dominion Public Building) in 1935.

After the fire the company built a new planing mill on Cardigan Street, just north of downtown, on land that the firm had used as a lumber yard since 1875. The site was quite large and had room to accommodate the new planing mill and attached powerhouse, extensive lumber yards, a storage shed, a barn, and a small 19th century stone cottage. The company continued to operate at this location, passing through three generations of Stewarts, before finally closing in 1962.

3.1 LAND REGISTRY REVIEW

The Stewart Lumber land at 60 Cardigan Street was originally owned by the Canada Company. This particular site fell within the original Plan of the Town of Guelph that was surveyed by John McDonald and registered in 1855.

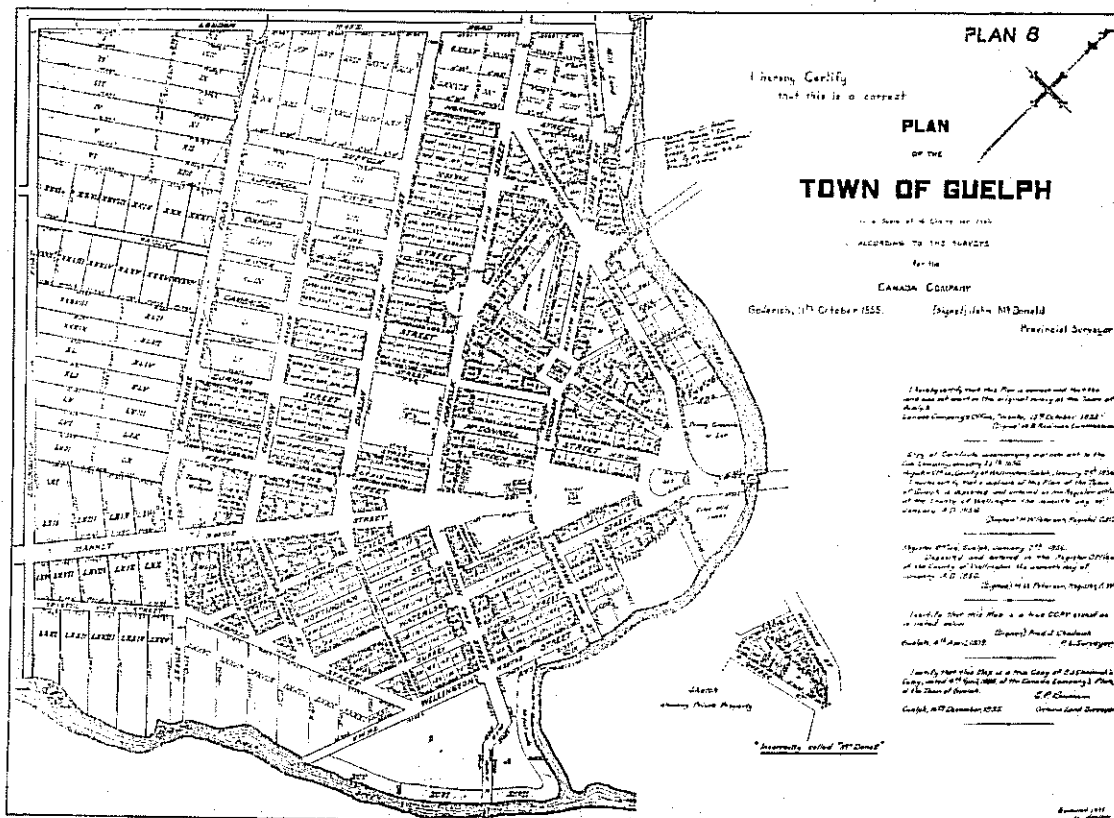


Figure 3.0: 1855 Plan of the Town of Guelph. Future 60 Cardigan Street property is circled

The property was divided into Plan 144 and Plan 8. Robert Stewart bought lots 1, 2 & 3 of Plan 144 from Andrew Lemon and his wife in 1875. In 1875, Robert Stewart also bought part of Park lot 92 of Plan 8 from Richard Baker and bought the rest of the lot from Robert Doughty in 1904. Robert Stewart slowly bought park lot 88 from its various owners between 1911 and 1915. By the 1950's the company had changed its name to Robert Stewart Limited. In 1953, Robert Stewart Limited began granting portions of the property to Stewart Lumber Limited. The property eventually passed into the ownership of Devan Development Group Ltd. In 2002, Devan Development transferred ownership of the property to the Stewart Mill Development Corporation, who has since completed its first phase of construction on the property for a project called "Stewart Mill Lofts".

4.0 ARCHITECTURAL AND CONTEXTUAL VALUE

4.1 ARCHITECTURAL VALUE

The only building remaining on the site today is the planing mill. This two-storey pink buff brick structure is typical of Guelph's 1920s era industrial buildings. It is of a functional Neo-Classic industrial design, with a flat roof and an L-shaped plan. Decoration is minimal, though the south and east sides feature pilastered walls and a corbelled parapet. The façade is divided into seven sections of two bays. The paired windows on each floor are 6 over 6 panes and all have slightly arched heads. To the rear of the building is a distinctive square 40 foot tall smokestack.

Architecturally this building is representative in scale, construction and appearance of small industrial/commercial buildings common at the turn of the century, but is now becoming rare in the centre of Guelph.



Figure 4.0 - Southeast corner of planing mill building (Lyndsay Haggerty, 2007)

4.2 CONTEXTUAL VALUE

While the two-storey factory structure is not unusual, it is a good example of pre-war industrial architecture. Its ties to the City's early industrial growth and its importance as a local landmark warrant its consideration for historic designation under Part IV of the Ontario Heritage Act. The smokestack to the rear of the building has become a local landmark and complements the smokestack that stands at Goldie Mill Park, which is located across the street.

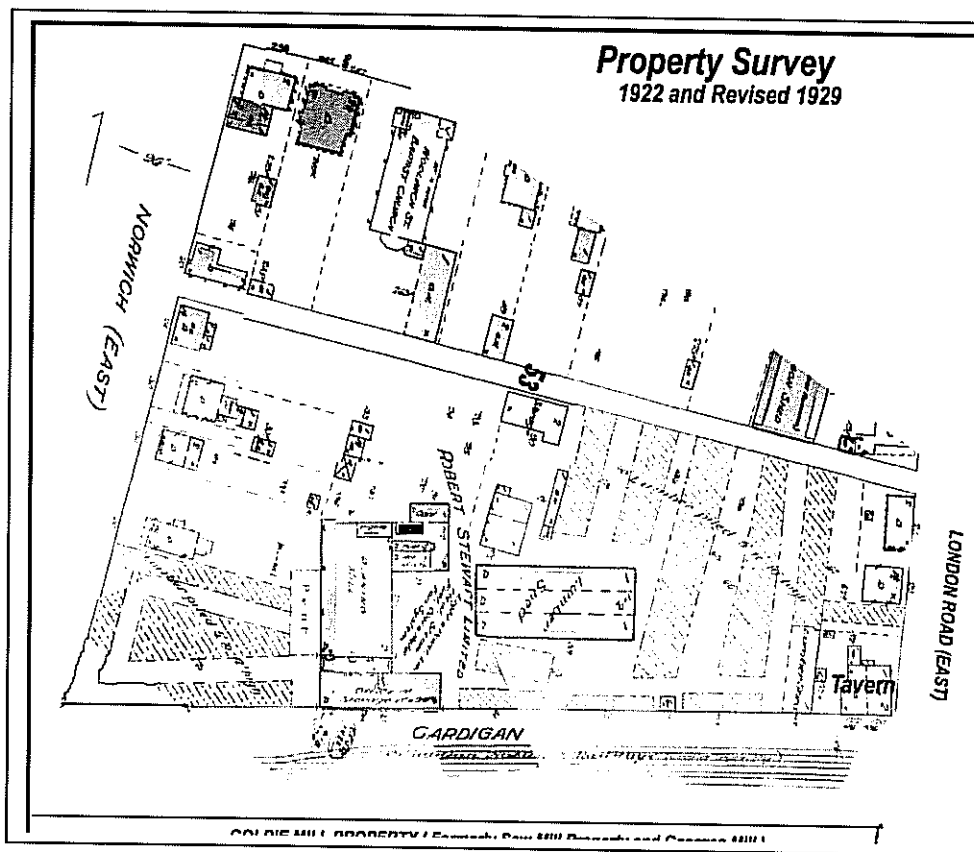


Figure 5.0: 1922 (revised 1929) property survey of Robert Stewart Lumber Co.

5.0 SUMMARY

The two-storey factory building is a good example of pre-war industrial construction. The cultural and historic association with a once prominent Guelph enterprise, the Stewart Lumber Company; architectural merit as rare example of the type of industrial building that was once common in Guelph's centre at the turn of the century; and contextual presence across the street from the Former Goldie Mill, highlights this property as a significant addition to the City of Guelph's designated properties. It is currently protected by a Heritage Easement Agreement with the City.

6.0 SOURCES

City of Guelph. (1995). "Mavis Bank": Burcher/Stokes Heritage Building Inventory

De Bled, Robin (2005). *Background information report for 60 Cardigan Street.*

Johnson, Leo. A. (1977). *History of Guelph: 1827-1927*. Guelph, ON: Guelph Historical Society

Stewart, R.A.M. (1978). *A picture history of Guelph, 1827-1978: Volume two*. Guelph, ON: Ampersand Press.

IMAGES

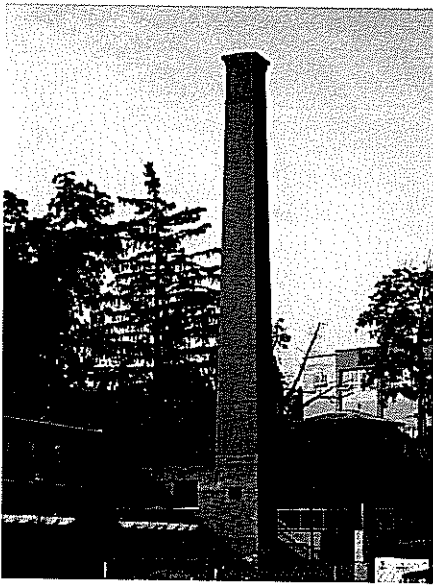


Figure 6.0: 40-foot smokestack at the northwest corner of the property.

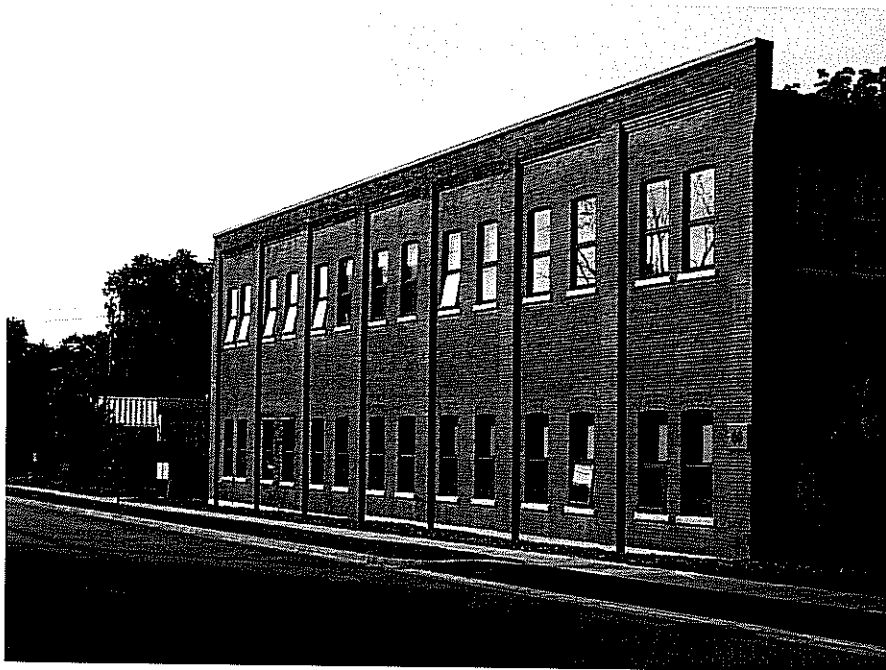


Figure 7.0: Cardigan Street façade



Figure 8.0: West elevation of the planing mill

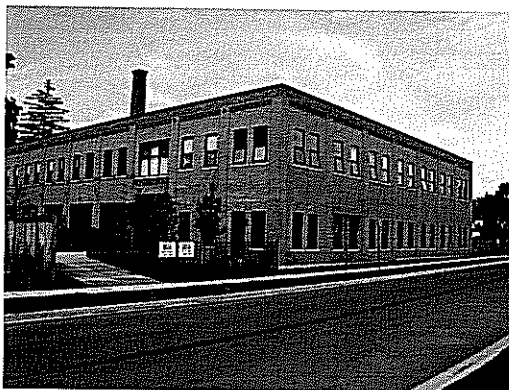


Figure 9.0: Northwest corner of the planing mill

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HERITAGE NOMINATION PROFILE



60 CARDIGAN STREET

Description / Statement of Significance: The Robert Stewart Lumber Company building located at 60 Cardigan Street is a good example of 1920s industrial/commercial architecture that was once common in Guelph.

Address / Identification: 60 Cardigan Street N1H 3Z6

Description of Boundary: Lot 1, Plan 144, Part Park Lots 88 & 92, Plan 8, Part Lots 6 & 7, Plan 144, designated as Parts 1, 2 & 3, 61R9750 except 1 to 5 inclusive, 61R10381.

Construction Date: 1922

Original Owner: Robert Stewart

Original Use: Planing mill

Ward: 2

Coordinates: X-

Y-

Architect: none found

Builder/Craftsman: Robert Stewart Lumber Company

Architecture Style: Neo-Classical Industrial/Commercial

Additions/Alterations: The property is being converted into loft apartments.

Recorder: Lyndsay Haggery, Heritage Research Assistant
For the City of Guelph

Report Date: June 2007

DESCRIPTION OF PROPERTY – 60 CARDIGAN STREET

60 Cardigan Street is a two-storey loft apartment building of Neo-Classical Industrial/Commercial architecture with a flat roof. It is located in the north section of the original Plan of the Town of Guelph.

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

60 Cardigan Street's cultural heritage value lies in its association with a once prominent Guelph enterprise, the Robert Stewart Lumber Company, which operated from 1854 until 1962. This two-storey red-brick structure is a rare example of the type of industrial building that was once common in Guelph's City centre at the turn of the century and it is a good example of pre-war industrial construction. Its location across the street from the former Goldie Mill highlights this property as a significant addition to the City of Guelph's designated properties.

DESCRIPTION OF HERITAGE ATTRIBUTES

The following features should be considered for designation under Part IV of the Ontario Heritage Act:

- The exterior brick walls including the corbelled parapet;
- All original door and window openings, including their sills, surrounds and dressings; and
- The brick smokestack at the northwest corner of the building.

DESIGNATION ASSESSMENT

Property: 60 Cardigan Street	Date: August 2007
------------------------------	-------------------

CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST

The criteria set out below are taken directly from the Ministry of Culture Regulation 9/06 made under the Ontario Heritage Act for the purpose of assessing property for designation under Section 29 of the Act..

CRITERIA	NOTES	SCORE
The property has design value or physical value because it...		
...is a rare, unique, representative or early example of a style, type, expression, material or construction method	Representative in scale, construction and appearance of small industrial/commercial buildings common at the turn of the century.	✓
...displays a high degree of craftsmanship or artistic merit		
...demonstrates a high degree of technical or scientific achievement		
The property has historical value or associative value because it...		
... has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community	Associated with the Robert Stewart Lumber Company	✓
...yields, or has the potential to yield, information that contributes to an understanding of a community or culture	Significant industry in Guelph from 1854 to 1962	✓
... demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community		
The property has contextual value because it...		
... is important in defining, maintaining or supporting the character of an area	Situated in a former industrial area and across the street from the former Goldie Mill	✓
...is physically, functionally, visually or historically linked to its surroundings		
... is a landmark		✓



COMMUNITY DESIGN AND DEVELOPMENT SERVICES

TO: Community Development & Environmental Services Committee

DATE: December 7, 2007

**SUBJECT: PROPOSED REHABILITATION OF THE ERAMOSA ROAD
BRIDGE (REVISED)**

RECOMMENDATION:

"THAT the Community Design and Development Services report 07- , dated December 7, 2007, be received;

AND THAT a fiberglass bridge deck be included as an option in the tender for the reconstruction of the Eramosa Road bridge."

BACKGROUND:

At the September 7, 2007 CDES meeting, the Committee passed a resolution as follows: "THAT Eramosa Road be closed at the Eramosa Road bridge location in 2008 for the rehabilitation of the bridge structure as per Option 1 of the staff report of Sept. 11/07 and that staff report back on the available construction options."

REPORT:

The total cost for the 2 types of bridge deck are \$928,000 for the concrete option and \$1,002,000 for the fiberglass option. This represents a \$74,000 difference in cost for the 2 types of bridge deck. However, there is a significant difference in the number of working days required for the construction of each type of bridge deck. The number of working days required to construct the concrete option is 56 and the number of working days required to construct the fiberglass option is 31, a difference of 25 working days, therefore, the concrete bridge deck would require 5 weeks additional closure as compared with the fiberglass bridge deck.

It has been estimated that a fiberglass bridge deck will have a similar life span as a concrete bridge deck. However, the fiberglass bridge deck will not be affected by road salt and will not “spall” (concrete areas that separate from the bridge and fall into the river) and therefore the environmental impact will be minimized with the installation of the fiberglass bridge deck. The fiberglass bridge deck is considerably lighter than a concrete bridge deck, therefore, the dead load (weight of the bridge) on the bridge abutments is lower which will increase the lifespan of the abutments.

There are also time constraints for the bridge reconstruction. The GRCA constraints for in water work on the Speed River are from July 1 to September 30. The Migratory Bird Act will not permit any work on the bridge prior to August 1 if there are active bird nests under the existing bridge. The Downtown Guelph Business Association (DGBA) have events on Wyndham Street in early July and mid September. Taking all of these constraints into account, there is a short window of time to reconstruct the Eramosa Rd. bridge.

Minimizing the closure of Eramosa Road is a concern related to this project and staff believe that the cost difference between the 2 types of construction is minimal when compared to the additional 5 weeks of road closure. The DGBA has passed a resolution requesting that the City utilize the construction method that minimizes the duration of the closure of Eramosa Road. Taking into account the request of the DGBA and the difference in the duration of the construction of the 2 options, staff recommend that the City proceed with the design and tender utilizing a fiberglass bridge deck, as an option for the reconstruction of the Eramosa Road Bridge.

CORPORATE STRATEGIC PLAN:

1. An attractive, well-functioning and sustainable city

DEPARTMENTAL CONSULTATION / CONCURRENCE:

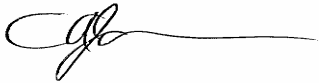
Operations staff were consulted regarding possible detour routes, traffic mitigation and the preferred timing for the Eramosa Road closure.

COMMUNICATIONS:

A Public Information Centre (PIC) is proposed to be held prior to the completion of the design in order to display project details, road detour plans and traffic mitigation plans. Letters to area residents and businesses will also be issued advising them of project details, road detour plans and traffic mitigation plans. In addition, staff will ensure that the Downtown Guelph Business Association is informed on a regular basis regarding the status of the project, however, their involvement in the RFP and selection process is not recommended by staff as the rehabilitation of the bridge is a City project and the City's selection process will be followed.

FINANCIAL:

Capital budget funding of \$525,000 is available for project design and utility relocates. Additional funding of \$600,000 for construction will require approval of the 2008 Capital Budget based on estimate from the consultant.



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City of Guelph

Report: 07-112
COMMUNITY DESIGN AND DEVELOPMENT SERVICES

TO: Community Development & Environmental Services Committee

DATE: December 7, 2007

**SUBJECT: REQUEST FOR FINANCIAL ASSISTANCE – AFFORDABLE HOUSING
PROPOSAL BY OPTIONS FOR HOMES**

RECOMMENDATION:

THAT the Community Design and Development Services Report 07-112 dated December 7, 2007 regarding the review of the request for financial assistance by Options for Homes/Home Ownership Alternatives Non-Profit Corporation be received; and

THAT the City of Guelph hereby agrees to defer the payment of municipal development charges by the proponent for a period of up to 10 years, in the instance where the proposal for affordable ownership housing at 35 Mountford Drive is approved through the development review process; and

THAT following a successful development approval for 35 Mountford Drive, that the Mayor and Clerk be authorized to enter into agreements with the proponent of the aforementioned property as per the terms and conditions as outlined in Report 07-112.

SUMMARY:

This report recommends City financial assistance to aid in the provision of affordable home ownership in the community. The assistance is in the form of a deferral of development charges for a set time period to permit lower income households the opportunity to afford units in a project being proposed on the Mountford Surplus School Site. The developer, Options for Homes and their financier, Home Ownership Alternatives Non-Profit Corporation have requested that the City give consideration to providing assistance to their project located at 35 Mountford Drive. In return for the financial assistance, and in accordance with agreement(s) to be entered into with the proponent, some of the units in the project will be able to be marketed to lower income households. This new financial assistance package replaces an earlier grant proposition that was provided to the developer by City Council in April 2007.

It is important to note here that the financial incentive aspects of this report are separate from the development application review process that is currently being processed for the Mountford project by Community Design and Development Services.

BACKGROUND:

The CD & ES Committee gave consideration to a staff report at its meeting on April 2, 2007 (Report 07-34 in attached **Schedule 'A'**) that outlined the background information concerning a development proposal for affordable housing on a surplus Upper Grand District School Board site located on Mountford Drive. The Committee, and then Council approved the request (See Council Resolution attached as **Schedule 'B'**).

Subsequent to the recommendation being accepted by Council, the proponent and their primary financier Home Ownership Alternatives Non-Profit Corporation made an appearance at the CD & ES Committee in July 2007, and at that time requested an alteration to the funding assistance being contemplated for their project at 35 Mountford Drive.

The proponent indicated that they would like consideration for the exemption of development charges required by the City whereby these savings could be placed in a 'pool' that would be drawn upon to provide financial assistance to qualifying lower income households. Assistance would be provided in the form of deferred-payment second mortgages.

The proponent went on to indicate that the deferred charges from the City would be repaid over a maximum 10 year timeframe as beneficiaries from the program would be making payments during this time period. If at the end of 10 years any monies were still owing, the financier for the overall project, Home Ownership Alternatives Non-Profit Corporation would guarantee to pay any remaining debts.

At the July meeting, the CD & ES Committee directed staff to investigate the details of the proponent's submission and to report back to the Committee. This report lays out the background discussions that have occurred between staff and the proponent, and makes a recommendation to enter into agreement(s) to provide financial assistance for this project.

REPORT:

In April 2007, the Community Design and Development Services report 07-34 recommended and City Council endorsed the proposition that the City give a grant of \$210,000 from the Affordable Housing Reserve account to offer increased affordability to households considering purchase in the Mountford development. The assistance would be provided to a total of 22 households, and was intended for households who qualified for assistance in deeper core need. The City's financial contribution was also tied to units receiving down payment assistance under the Federal-Provincial Affordable Housing Ownership Program.

Following direction from the CD & ES Committee in July 2007, the proponent has outlined additional details to their intended request for financial assistance and these details are contained in **Schedule 'C'**.

New Proposal Being Put Forward for Committee/Council Consideration

As a result of discussions between City Staff and the proponent, an alternative financial proposal is being suggested to the one provided by the City and approved by City Council in April 2007. The following points highlight the draft agreement that has been reached to date, and would form the basis of any contractual agreement(s):

- That only the deferral of municipal development charges as per provisions of the Development Charges Act will be considered. It is estimated that the multiple housing project at 35 Mountford Drive, comprising 129 units, would generate approximately \$1.1 million in development charges;
- That the City repayment agreement for the deferral of development charges will only need to be enacted with the umbrella financial organization (rather than individual property owners within the condominium corporation as originally contemplated in the April 2007 CD & DS Report 07-34);
- That financial assistance via the pooled assets of the deferred DC charges will be provided to assist a minimum of 40 households within the overall project. Rather than funding individual households, the pooled deferral of development charges will be applied by the proponent to assist additional households (above the original 22 households contemplated in the April 2007 report);
- That the repayment of the deferral of the DC charges begins when benefiting households begin paying the 2nd mortgage back to the principal financier for the project, Home Ownership Alternatives Non-Profit Corporation. The repayment of any outstanding amount of the initial DC charge deferral will be repaid within 10 years;
- That the proponent agree to provide financial assistance to a broad spectrum of households that may be eligible for assistance, i.e. households that require one, two or three bedroom units, and are eligible to be on the central waiting list for the Wellington and Guelph Housing Services area;
- That the proponent agrees that agreement(s) between the City and itself will need to be prepared, that annual interim repayments of the deferred DC charges are required, and that an annual reporting system of the conditions/requirements of this report be implemented. This annual reporting is intended to ensure that funding provided by the City is going to targeted households, and that the City's financial assistance is secured;
- That, as a component of the minimum 40 households receiving assistance, that additional assistance is offered by the proponent to households requiring assistance as defined by the requirements of the Federal-Provincial Affordable Housing Program.

The proposed DC deferral agreement to be struck with the Mountford development proponent will provide assistance to a greater number of households than was possible under the original grant proposal. The present value of the lost interest that will result from the deferral of the \$1.1 million development charges over the ten year time period has been calculated to be approximately \$298,000 (based on an assumed cost of capital for the City of 5%). While this is greater than the original Council-approved \$210,000 grant option, almost double the number of households will receive assistance as outlined in this report for about \$88,000 more. It is estimated that the development charges will be repaid at a rate of 8% of the outstanding balance each year (based on the assumption that 8% of the units will be sold each year) until the full balance is repaid at the end of the tenth year.

If Council approves Staff's recommendation, the terms and conditions of advancing the City's funds will be outlined in agreement(s) between the proponent and the City.

CORPORATE STRATEGIC PLAN:

Goal 2 - A healthy and safe community where life can be lived to the fullest;
Objective 2.2 - Diverse housing options and health care services to meet the needs of current and future generations

Goal 3 - A diverse and prosperous local economy;
Objective 3.5 - A diverse and skilled local workforce

Goal 5 - A community-focused, responsive and accountable government;
Objective 5.4 - Partnerships to achieve strategic goals and objectives

FINANCIAL IMPLICATIONS:

A present value calculation indicates the deferral of development charges will result in lost interest to the City's DC reserve funds of approximately \$298,000. This lost interest will be transferred to the "DC reserve funds" account from the Affordable Housing Reserve which currently has a balance over \$550,000. The increased municipal property taxes generated by the project of approximately \$130,000 annually can be directed back into the Affordable Housing Reserve over an approximate pay-back 2 ½ year period to offset this transfer.

DEPARTMENTAL CONSULTATION:

Financial Services, Corporate Services, Community Design and Development Services

COMMUNICATIONS:

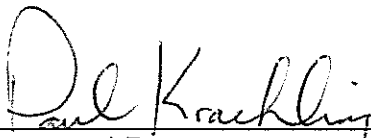
N/A

ATTACHMENTS:

Schedule 'A' – CDDS Committee Report 07-34 – Mountford School Site – The Creation of Affordable Ownership Housing (*Note: this is the original report providing financial assistance*)

Schedule 'B' – Council Resolution Passed April 2007

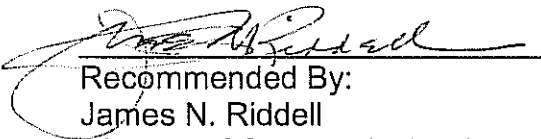
Schedule 'C' – Proposal by Options for Homes/Home Ownership Alternatives Non-Profit Corporation to Provide Additional Financial Assistance to Qualifying Lower Income Households to Assist in Making Home Ownership More Affordable



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Schedule 'A'



City of Guelph

Report:
COMMUNITY DESIGN AND DEVELOPMENT SERVICES

(Report # 07-34) Revised from CD&ES Committee, March 23, 2007

TO: City Council

DATE: April 2, 2007

SUBJECT: Mountford School Site – The Creation of Affordable Ownership Housing

RECOMMENDATION:

"That Guelph City Council advise the County of Wellington and the Upper Grand District School Board of its support for the use of the Mountford School land for affordable ownership housing consistent with the submission by 'Options for Homes' pertaining to County of Wellington Project CW2007-007-Mountford School Site, dated February 22, 2007 subject to any required refinement of the development concept through the statutory development application approval process; and

That the City enter into necessary agreements with the Upper Grand District School Board and Options for Homes to act as an intermediary to facilitate the transfer of the land from the School Board to Options for Homes to implement the affordable housing proposal and that the Mayor and Clerk be authorized to enter into such agreements as are necessary for this purpose;

That the City of Guelph provide financial assistance for 22 units of the overall housing site that will receive subsidy from the Canada-Ontario Affordable Home Ownership Program in the form of a grant from the City's Affordable Housing Reserve that will offset City development fees and charges subject to the terms set out in Report 07-34; and

That the acquisition of the land and the development of the affordable housing project is contingent upon successful development approvals being obtained".

BACKGROUND:

Context:

The provision of opportunities for affordable housing in the City has been a formal priority of Guelph City Council since 2002 when Council adopted an

Affordable Housing Action Plan that outlined a number of mechanisms to assist in the provision of new affordable housing in the community – both for rental and ownership housing. This Action Plan was updated in 2005 by the County of Wellington (to reflect the statutory partnership arrangement for housing services which was assigned to the County by the Province). This report entitled Wellington and Guelph Affordable Housing Strategy is found on the City's web page. Affordable housing is a key objective of the City's current Strategic Plan.

Since 2002 the City has been involved in a variety of initiatives related to the issue of facilitating the production of low cost housing. These include:

- Participating in Round 1 of the Canada-Ontario Affordable Housing Program in 2003/4 by contributing \$1.6 million in incentives to assist in building 88 affordable rental units in 3 separate projects (\$18,000 subsidy per unit);
- Creating an Affordable Housing Reserve Account which currently stands at \$588,500. This fund provides a mechanism for the City to offer incentives to assist in the production of affordable housing.
- Working with a local developer to implement a demonstration project of alternative lot sizes and the use of 'granny flats' in a new subdivision under the Federal Affordability and Choice Today (ACT) program;
- Assisting in the preparation and implementation of a homelessness strategy and initiatives including the provision of an emergency youth shelter in the City under the Federal Supportive Community Partnership Initiatives Program (SCPI) (\$390,000 total grant).
- Completing the Shared Rental Housing Review to assist in the continued provision of this important form of affordable housing while also ensuring that safety, compatibility and by-law enforcement measures are effectively addressed (2006).
- Commitment to participate in the second round of the Canada-Ontario Affordable Housing Program which has allocated funding for the provision of 55 affordable rental units and 56 affordable ownership units to Wellington – Guelph. The County has allocated the rental unit funds for the purposes of adding new affordable rental housing through the direct development of new units both in the City and in the County. This proposal would add units to an existing non-profit development owned by the County of Wellington located on a Speedvale Avenue site.

REPORT:

The Mountford School Site Initiative:

The reuse of the Mountford school site owned by the Upper Grand District School Board (UGDSB) is a further innovative initiative that brings together a series of public sector agencies to try to facilitate the provision of affordable housing.

1. In 2006 the UGDSB indicated that the proposed 6 acre school site was surplus to its needs and that the Board was initiating its land disposal process. The City responded in May 2006 indicating that it had an interest

2. in the site for the potential development of affordable housing. It was identified at the time that funding could be made available using the
3. Canada-Ontario Affordable Housing Program and potential funds from the City's Affordable Housing Reserve.

In conjunction with the May 2006 Council report, Staff were directed to report back with options and recommendations which is the purpose of this report.

In the Fall of 2006, staff from the School Board, the County Social Services Housing Department and the City formed a partnership to explore the potential of facilitating an affordable housing project. This evaluation was conducted through a two stage process consisting of an Expressions of Interest proposal call followed by a more formal joint Request for Proposal process. The RFP prepared under the auspices of the County included criteria from all three agencies, and was intended to determine if there was any interest from the development sector to construct an affordable housing project on the lands (See the **Appendix** for an Excerpt of the RFP –Wellington Project CW2007-007 Mountford School Site, dated February 22, 2007 for the selection criteria). Council was apprised of this process in September 2006 through Information Report 06-80.

With the allocation of the Canada-Ontario Affordable rental housing funds as outlined in the 'Context' section above, the focus of the Mountford initiative has been toward creating affordable ownership housing, and the County has 'reserved' 22 of the 56 ownership units allocated under the Canada-Ontario affordable ownership program for this. (The balance of the ownership funds have been allocated to several other projects in the City and County).

During the Fall of 2006 and Winter of 2007 the aforementioned processes were conducted. The Expression of Interest process yielded three submissions. The Request for Proposal process resulted in two proposals that met the identified criteria - a private development proposal from Reids Heritage Homes and a proposal from a non-profit organization Options for Homes. The County as the Service Provider for the Canada-Ontario Affordable Housing Program and the School Board (as the owner) are recommending that the proposal from Options for Homes for a 112 unit affordable ownership project be accepted.

These other agencies are anxious to proceed – the School Board would like the proceeds from the sale of the land to assist them in their other capital improvement programs and the County wishes to utilize the funding that has been made under the Canada-Ontario Affordable Housing Ownership Program to assist lower income households to purchase new homes. The County is considering endorsement of the proposal at their March 29th, 2007 Council meeting while the School Board is considering adoption of the proposal at their Operations Committee meeting in March 2007. City Staff concur with the recommended proponent on the basis that this proposal provides housing that will be more affordable housing to a greater range of income levels.

The Affordable Housing Project Recommended by City Staff:

The affordable housing project being recommended by Staff is outlined below and is conceptually shown on **Figure 1**. Council is not being requested to endorse the concept as the proposal will be 'fine-tuned' through a required re-zoning application and community consultation. It is noted, however, that the concept is an infill project that is in keeping with the type of units and densities allowed under the current Official Plan and is consistent with development contemplated under the Places to Grow Plan. The key elements of the proposal are as follows:

- The selected proponent is Options for Homes, a Waterloo based private, not for profit corporation that has a mandate to providing affordable home ownership for low to middle-income households. This company recently completed an award-winning 60 unit stacked-townhouse development in Waterloo in 2005 and is currently completing a second project in that community. 97% of the units in these developments are owner-occupied.
- The company is proposing to construct approximately 112 free-hold and stacked condominium townhouses (four-plexes) on the property with unit sizes ranging from 624 to 1276 square feet in area that would appeal to multi-generational buyers (i.e. singles, young families and seniors). The overall density would be in the order of 55 units per hectare of land. **Figure 2** shows the proposed unit types.
- The units would be sold for between \$130,000 to \$150,000 which is approximately 20% below the cost of similar housing product in the City and which would be affordable to households earning \$31,000 to \$44,000 annually.
- After finalizing details on the purchase and transfer of the lands from the School Board, it is expected that Options for Homes will initiate the planning approval process immediately and is contemplating construction in the Fall of 2007.
- 22 of the proposed 112 units will receive funding from the Canada-Ontario Affordable Housing ownership program. These funds (about \$8,800 per household) are provided to tenant households purchasing a home to be used towards a down payment in the form of a long-term interest free loan. Preference is given to residents of existing social housing so this housing is 'freed-up' for others on the waiting list to use. The Canada-Ontario program contains controls to ensure this housing remains affordable for 20 years by requiring the homeowner to repay the loan plus five percent of the capital gains if it is sold before this timeframe ends.

Matters Requiring Council Direction:

City Council is being requested to provide direction with respect to the following questions:

1. Will the City use its expressed interest in these lands by acting as an intermediary to facilitate the transfer of the property to Options for Homes from the School Board?
2. Will the City provide incentive funding from its Affordable Housing Reserve to further augment the affordability of the proposal?

1) Facilitating the Transfer of the Land:

Under the School Board's statutory disposal process public agencies get the first opportunity to acquire the land before it is put on the private market. The City has formally expressed its interest in the lands. The City needs to use its 'place in line' to ensure that the land gets acquired and transferred to the affordable housing developer. If no public body acquires the land it is put on the open market and thus there would be no guarantee that it would be redeveloped for affordable housing. The Request for Proposal process has ensured that the selected proponent met all of the criteria in an open and transparent process. In order to facilitate the land transfer the City of Guelph will need to enter into necessary agreements with the Upper Grand District School Board and Options for Homes to act as an intermediary so that the cost of acquiring the land is solely the responsibility of Options for Homes. Staff support the City taking on this role.

2) Affordable Housing Funding from the City:

As part of its Request for Proposal submission, Options for Homes has indicated that the current budget includes City development charges and other fees and that if the City waived, deferred or reduced these charges the company would be able to lower its sales price and target lower income groups. The fees are in the order of \$9,400 per unit in the company's budget.

Staff support the concept of using a portion of the City's Affordable Housing Reserve funds in this manner subject to the following conditions:

- a) That a grant off-setting City charges (total approximate cost of \$210,000) only be provided for the 22 units allotted under the Canada-Ontario Affordable Housing program provided that the sales amount of the units are reduced by a corresponding per unit amount. These owners will also receive assistance under the Canada-Ontario program in the form of down payment assistance. By combining the City assistance with that under the Canada-Ontario program, the combined per unit subsidy would be about \$18,000 and the units would be affordable to households in deeper core need of affordable housing. See chart below:

Type	Unit Size (in square feet)	Selling Price	Income Required	Income Required after City & Federal-Provincial Funds
1-bed	624	109,900	31,050	28,553
2-bed	819	129,900	36,285	33,706
2-bed	1081	139,900	38,902	36,282
3-bed	1276	159,900	44,136	41,471

- b) In order to receive the additional City subsidy the purchaser will need to be a tenant occupying an existing non-profit or social housing unit, be on the joint waiting list for such a unit or be eligible to be placed on the waiting list. This condition will ensure that the City funds are used for their intended purpose of assisting in meeting households with the greatest need.
- c) That Options for Homes require that each homeowner receiving City subsidy as a condition of purchase and sale enter into a legal agreement with the City stipulating that if the unit is sold before a 20 year affordability period expires, the homeowner will repay the City the equivalent of the per unit grant subsidy provided. This approach is consistent with the framework established under the Canada-Ontario Affordable Home Ownership program to receive funds from it and ensures that the subsidy is used to provide and maintain affordable housing rather than augmenting property value capital gains if the unit is sold.

Staff also recommend that following construction, for a period of 6 years (the payback period to recoup the total \$210,000 subsidy amount from the 22 units) that the tax revenue received from this development be used to 'replenish' the Affordable Housing Reserve so that this reserve becomes a revolving fund that can be used for other similar future affordable housing projects.

Other Affordable Housing Initiatives:

As noted previously the City is working with the County to promote the development of new rental housing under the Canada-Ontario Affordable Housing Program through the expansion of units on to an existing County owned not for profit development located on Speedvale Avenue. Also City funding assistance is being contemplated to help a Habitat for Humanity project on Morris Street which will require a separate Council approval.

COMMUNICATION:

The proposal that is being considered for funding will be refined through the Zoning By-law amendment process that the proponent is responsible to complete. City staff will assist in providing public opportunities for comment on the development proposal.

Through the statutory requirements to notify the Province when a School Board is disposing of land, the Province has indicated their support for the local agencies to work together in considering a development proposal for affordable housing for these lands.

CORPORATE STRATEGIC PLAN:

This initiative supports the following Strategic Directions:

- To manage growth in a balanced and sustainable manner
- To enhance community wellness
 - *Partner with other levels of government and the private sector to provide affordable housing*
- To have exemplary management practices.

ATTACHMENTS:

1. Appendix – Excerpt of Request for Proposal - Wellington Project CW2007-007-Mountford School Site, dated February 22, 2007.
2. Figure 1 – Concept Plan – Options for Homes
3. Figure 2 – Housing Elevations – Options for Homes

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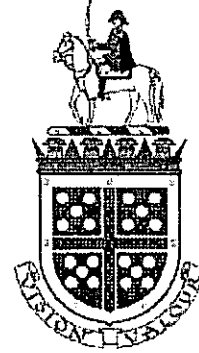
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Approved for Presentation:
Larry Kotseff
Chief Administrative Officer

Recommended By:
David Kennedy
Director of Finance

County of Wellington
Project CW2007-007
Request for Proposal
Development of Mountford Site



County of Wellington
Purchasing and Risk Management Services
74 Woolwich Street
Guelph, Ontario
N1H 3T9

County Of Wellington
Project No. CW2007-007
Request for Proposal
Development of Mountford Site

Closing Date: Thursday February 22, 2007
Time: 2:00 p.m.

Contact: Mark Bolzon, CPPB
Manager, Purchasing and Risk Management Services
Phone 519-837-2600 ext 241
Fax 519-837-1850

f:\treasury\purchasing\2007 contracts\social housing\CW2007-007 RFP Development of Mountford Site

Mountford Site

Within the City of Guelph there is a parcel of vacant land currently owned by the Upper Grand Board of Education which can be made available for a proponent who wishes to create affordable ownership housing on that site.

A portion of the Mountford site is available to proponents who wish to purchase the site at fair residential market value. It is anticipated that the remaining portion of the property would be purchased by the City of Guelph to enhance adjacent Misersky Park.

The following key information should be considered and submitted with your Request for Proposal:

- The site will have approximately 4.5 to 5 acres available for the residential housing development on the northwest portion of the site.
- Submit a draft site plan based on your proposed development of the property, and in consideration of the parkland/public access/parking specifications outlined in this RFP
- In order to provide some design flexibility and yet promote home affordability objectives, a range of overall site density of 15 to 30 units per acre is anticipated
- Federal-Provincial Affordable Housing Programme funding may be available for new purchasers for up to 22 units.
- Specify the size of each unit proposed including details on each room size within each unit.
- Project to have a blend of 1, 2 and 3 bedroom units. Specify the proposed number of units and bedroom configurations. 1 and 2 bedroom units are preferred.
- The proponent will have to state what market price they will pay for the land and the number of ownership units they are proposing to construct on the site
- The proponent should state the type of housing being proposed (i.e. freehold/condominium, single, semi, row house, apartment etc.)
- The proponent will be responsible for administering the rezoning process for the property from its current I1 Institutional classification. Community consultation will be required as a component of this process. City staff will be available to assist in this endeavour.

Please note that a portion of the surplus school lands are to be purchased by the City of Guelph for use as an adjunct to the existing Misersky Park site. The exact extent and configuration of the City land acquisition is to be a component of the zone change/design exercise contemplated for the Mountford site. As outlined in the attached air photo portions of the Mountford site are to be used to buffer the existing sports fields in Misersky Park (ie. A width of up to 15 metres), and to provide space for 20 car parking spots. Public vehicular and pedestrian access is required to be provided from Mountford Drive (may be by way of an easement across the housing site). Parking provision for Misersky Park may be provided in a parallel parking arrangement along a "mews" roadway or in a parking lot adjacent to Misersky Park.

County of Wellington
 Project CW2007-007
 Request for Proposal
 Development of Mountford Site

In preparing the draft site plan, the proponent should give consideration to the following -

- Existing property site plan (see attached "Mountford School Site" Plan 637, Block D description) including a +/- 9m wide sanitary/storm sewer easement.
- Configuration of proposed housing site to adjoining public parkland area (surplus Mountford school site lands as well as existing Misersky Park), i.e. promotion of advancing public safety objective of maximizing 'eyes to the public park space', ease of public vehicular/pedestrian access across housing site to access Park;
- Site road/pedestrian access and servicing design reflecting the sloping property characteristics.
- City of Guelph Official Plan and Urban Design Guidelines to maximize land use compatibility to surrounding area;

The City of Guelph is prepared to provide financial development incentives, (through its Affordable Housing Reserve account), dependent upon City objectives being achieved through a final design stage. These incentives would deal with matters concerning planning and development charge fees for the Federal-Provincial Affordable Housing units being proposed for the site.

Due to the anticipated integrated nature of the city parkland and the housing site configuration, the City is also prepared to cover the reasonable costs associated with the design elements for the parkland and associated public parking. Capital improvements to the parkland area would be at the City's cost.

EVALUATION

The following provides a list of considerations that the County has determined are important in order to achieve a successful project. Parties submitting a response should consider these factors as well as adding any additional points that they may have considered.

<i>Points of Consideration</i>
Experience in developing and selling ownership housing (including potential partners) <ul style="list-style-type: none"> - experience in construction management - experience in residential sales
Community consultation approach recognizing that a zone change (and associated parkland expansion plan) is required on the property
Financial viability of business plan
Affordability of price <ul style="list-style-type: none"> - meeting requirement - ability to offer prices below \$196,000
Site characteristics/quality of design/quality of building materials
Development Schedule
Building readiness (need for rezoning etc) <ul style="list-style-type: none"> - can building permit be achieved by Fall 2007
Energy efficiency measures
Accessibility features
The preferred housing designs will incorporate 1-2-3 bedroom concepts and incorporate accessibility requirements.
Unit design – units may be detached, semi-detached, town (condo and freehold), stacked homes, row houses, or apartments.
Unit sizes – The home must be modest in size, relative to community norms, in terms of floor area and amenities and must be in the range of Provincial Unit Size Requirements.

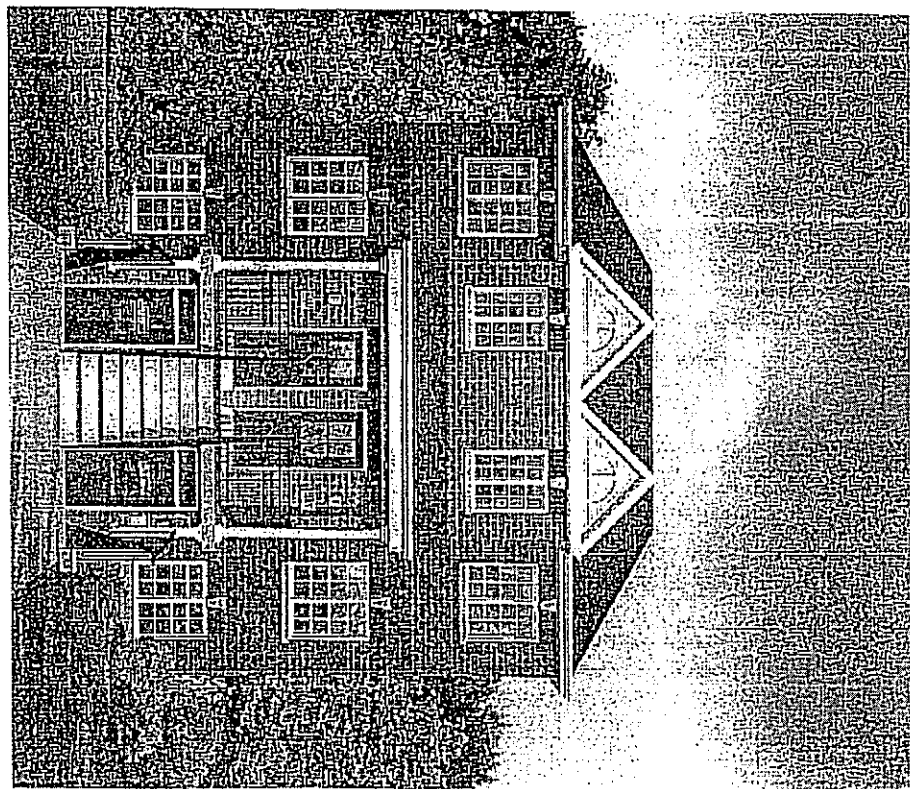
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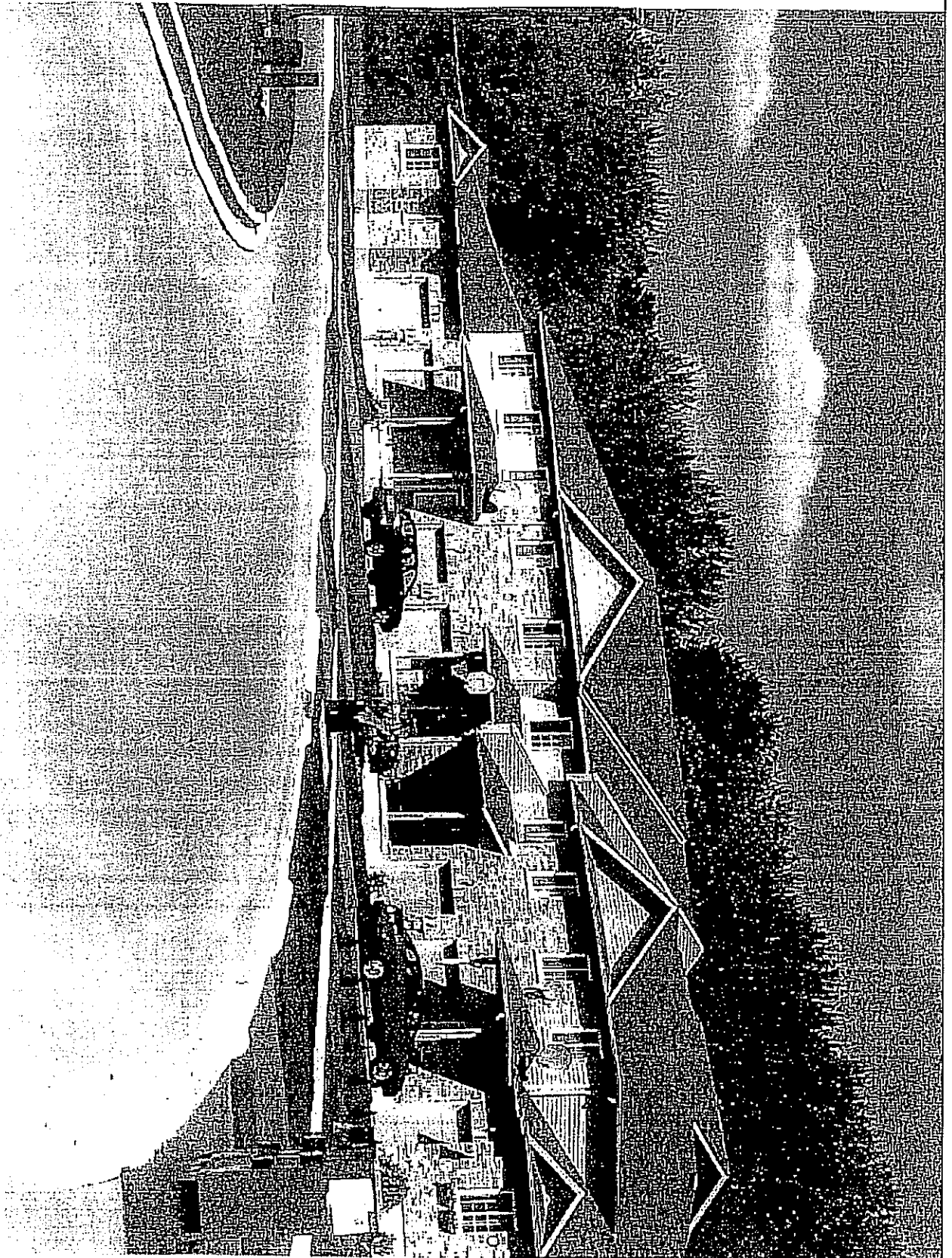
Figure 2
Options for Homes Housing Types

GARDEN HOME C



GARDEN HOME B





Schedule 'B'

Council Resolution Passed April 2007

"That Guelph City Council advise the County of Wellington and the Upper Grand District School Board of its support for the use of the Mountford School land for affordable ownership housing consistent with the submission by 'Options for Homes' pertaining to County of Wellington Project CW2007-007-Mountford School Site, dated February 22, 2007 subject to any required refinement of the development concept through the statutory development application approval process; and

That the City enter into necessary agreements with the Upper Grand District School Board and Options for Homes to act as an intermediary to facilitate the transfer of the land from the School Board to Options for Homes to implement the affordable housing proposal and that the Mayor and Clerk be authorized to enter into such agreements as are necessary for this purpose;

That the City of Guelph provide financial assistance for 22 units of the overall housing site that will receive subsidy from the Canada-Ontario Affordable Home Ownership Program in the form of a grant from the City's Affordable Housing Reserve that will off-set City development fees and charges subject to the terms set out in Report 07-34; and

That the acquisition of the land and the development of the affordable housing project is contingent upon successful development approvals being obtained".

Schedule 'C' – Proposal by Options for Homes/Home Ownership Alternatives Non-Profit Corporation to Provide Additional Financial Assistance to Qualifying Lower Income Households to Assist in Making Home Ownership More Affordable

Overall Approach:

Several meetings and discussions have been held between City staff and the proponent - Jan Chicura, Options for Homes, and Richard Owen, Home Ownership Alternatives Non-Profit Corporation. These discussions have been held to review the various aspects of the requested financial assistance proposal. From these discussions the following points are relevant.

Development charge exemptions from the City would be used by the proponent to assist a portion of the purchasing property owners. As a requirement for purchase of one of the units in the development, all condominium owners would be required to take out a second mortgage through the Non-Profit Corporation. This mechanism is intended to reduce potential housing resale speculation (on expected price increases in the development), and to be a central financing administration tool.

The company uses what they refer to as a 'shared appreciation mortgages' approach to offering financial assistance to a portion of the prospective purchasers in their development.

Example of Financial Assistance Offered to Qualifying Home Purchases:

Prospective home purchases are pre-qualified by the proponent, i.e. households who require financial assistance and have the ability to make payments on their mortgage. Funding is advanced on a 'first come, first served basis' in line with marketing/community social cohesion objectives for the overall development. An example of how financial assistance can be used to qualify a lower income household to purchase a 624 square foot – 1 bedroom townhouse unit is outlined below (see chart entitled 'Example of Affordable Housing Assistance').

In the example given, a unit constructed for a cost of \$117,900 could be afforded by lower income households depending on the amount of financial assistance that is offered. In an instance where there is no financial assistance, a household would require an annual income of approximately \$33,100. In tapping into the financial assistance pool for the development, households could be given financial assistance of up to \$75,000 whereby the unit price would be subsidized down to a cost of approximately \$42,000 and a household on a low annual income of \$15,300 could qualify. The amount of subsidy, and the number of potential households assisted is dependent upon the size of the overall financial assistance pool for the development.

How the Development Fee Exemptions are Paid Back to the City, and Under What Conditions:

When purchasers of the units in the development sell their units, the anticipated appreciation in the value of the unit is used to assist the household to pay back the mortgage pool, and these funds in turn are used to pay back the City for their initial 'investment' in the project.

Based on previous experience in other municipalities, the proponent estimates that each year 8% of the total purchasers will resell, thereby requiring the payback requirement. The proponent would turn these funds over to the City to repay the initial outlay of assistance from the municipality. The proponent has gone on to say, that in order to reduce uncertainty on the terms of repayment to the City that they will guarantee to pay out all funds advanced initially by the City at the end of 10 years. These requirement are to be included in agreements between the City and the proponent.

Example of Affordable Housing Assistance

- Illustrates how different deferral levels affect the annual income levels required to carry a smaller unit within the Mountford project

Mountford Village

Stacked Town Homes - 4-Plex

Type	Square Feet	Selling Price	5% Down	Deferrals	Monthly Charges				Income Required
					P&I 5.75%	Taxes	Condo Fees	Total	
1-bed	624	\$117,900	\$5,895	\$0	\$ 700	\$ 123	\$ 122	\$ 945	\$33,144
		\$107,900	\$5,895	\$10,000	\$ 638	\$ 123	\$ 122	\$ 882	\$30,800
		\$92,900	\$5,895	\$25,000	\$ 544	\$ 123	\$ 122	\$ 789	\$27,285
		\$67,900	\$5,895	\$50,000	\$ 388	\$ 123	\$ 122	\$ 632	\$21,425
		\$42,000	\$5,895	\$75,000	\$ 226	\$ 123	\$ 122	\$ 470	\$15,355

Note: Under the above example, all identical unit sizes are selling for the same price and have a minimum 5% downpayment required. Income required is calculated at approximately 32% of P&I, Taxes and Condo Fees

**REPORT OF THE EMERGENCY SERVICES, COMMUNITY SERVICES
& OPERATIONS COMMITTEE**

December 17, 2007

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Emergency Services, Community Services & Operations Committee beg leave to present their ELEVENTH REPORT as recommended at its meeting of December 12, 2007.

CLAUSE 1 THAT Elmira Road North between Willow Road and Speedvale Avenue West be marked with two travel lanes, two bike lanes, a two-way left turn lane and one parking lane on the east side.

CLAUSE 2 THAT staff promote education and awareness of the importance of wearing personal safety equipment while participating in recreational activities;

AND THAT to reduce the exposure to injury while participating in outdoor recreational hockey, pond-hockey style nets be adopted as a City standard for use on community ice rinks.

All of which is respectfully submitted.

Councillor Maggie Laidlaw, Chair
Emergency Services, Community Services & Operations
Committee



City of Guelph

OPERATIONS

Report:

TO: Emergency Services, Community Services & Operations Committee

DATE: 2007/12/12

SUBJECT: ELMIRA ROAD NORTH PAVEMENT MARKINGS

RECOMMENDATION:

"THAT Elmira Road North between Willow Road and Speedvale Avenue West be marked with two travel lanes, two bike lanes, a two-way left turn lane and one parking lane on the east side."

BACKGROUND:

On November 12, 2007, the Emergency Services, Community Services and Operations (ECO) Committee passed the following resolution:

"THAT the report be referred back to staff to include the parking on the east side of Elmira Road and to accommodate a bike lane on each side of the road along with the current recommendation."

REPORT:

The Ontario Traffic Manual is staffs' usual reference for lane width guidelines. However using the guidelines found in the Transportation Association of Canada's Bikeway Traffic Control Guidelines, staff have confirmed that the requested pavement marking scheme can be accommodated using **minimum** lane widths as shown in Table 1 – Lane Widths below. Appendix A illustrates the roadway markings being recommended.

Table 1 – Lane Widths

Lane Description	Proposed Lane Width	Preferred ¹ Lane Width
Bike Lane	1.20 m	1.50 m
Parking Lane	2.40 m	2.50 m

¹ Preferred Lane width – the typical pavement marking widths used on City streets.

Although the suggested lane widths do not meet the normal lane widths preferred for use in the City of Guelph, they do meet the minimum standards in guidelines found in the Transportation Association of Canada's Bikeway Traffic Control Guidelines. Staff point out the use of minimum standards on lanes that are adjacent to one another can have an aggregate negative affect on the performance of each lane. However, in light of the desire to satisfy neighbourhood parking requirements and to extend the bicycle network consistent with our corporate goal of promoting alternate transportation, staff are prepared to recommend the implementation of the pavement marking plan on Elmira Road between Speedvale Avenue and Willow Road that includes two travel lanes, two bike lanes, a two-way left turn lane and one parking lane on the east side.

The original staff report of November 12 is attached for reference as Appendix B.

CORPORATE STRATEGIC PLAN:

A healthy and safe community where life can be lived to the fullest.

FINANCIAL IMPLICATIONS:

Capital Budget DA0067. Installation of the new pavement markings will occur in the spring of 2008.

DEPARTMENTAL CONSULTATION:

n/a

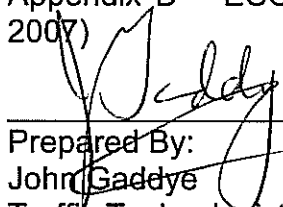
COMMUNICATIONS:

Residents have been notified of staff recommendation and that this matter is before the Committee on this date.

ATTACHMENTS:

Appendix A – Pavement marking illustration

Appendix B – ECO Report, Elmira Road Pavement Marking Changes (November 12, 2007)



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Recommended By:

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Derek.McCaughan@guelph.ca



City of Guelph

Report: OPERATIONS

TO: Emergency Services, Community Services & Operations Committee

DATE: 2007/11/14

SUBJECT: ELMIRA ROAD NORTH PAVEMENT MARKINGS

RECOMMENDATION:

"THAT Elmira Road North between Willow Road and Speedvale Avenue West be marked with one marked bike lane, one travel lane, a two-way left turn lane, one shared travel / bike lane and one parking lane."

BACKGROUND:

On September 12, 2007, the Emergency Services, Community Services and Operations (ECO) Committee passed the following resolution:

"THAT the report from the Operations Department dated September 17, 2007 entitled "Elmira Road North Pavement Markings" be referred back to staff to review possible solutions to include parking on one side of the street."

REPORT:

As expressed at the ECO Committee Meeting on September 12, 2007, there is desire on the part of some residents of Elmira Road to have some on-street parking available to accommodate guests. In October staff conducted a follow up mail survey with all the households on Elmira Road North, between Willow Road and Speedvale Avenue, seeking their input on options for pavement markings and parking on Elmira Road. A map of area is attached as Appendix A. These options included:

- Option # 1: Two travel lanes, one two-way left turn lane and two bike lanes (as per Council resolution from 2002)
- Option # 2: Four travel lanes (Official Plan)
- Option # 3: Two travel lanes (as is)
- Option # 4: Two travel lanes, two bike lanes and two parking lanes
- Option # 5: Two travel lanes, one two-way left turn lane and one parking lane (one side only)

All of the options that were considered for implementation will fit within the existing road pavement width and provide adequate capacity for the anticipated traffic volumes in the near future. Appendix B lists the pros and cons of each option. For illustrations of each of the road markings refer to Appendix C – Pavement Marking Options.

Survey:

Given the five (5) options available to them, the residents were asked to rank the options in order of preference. One-hundred and six (106) surveys were sent out and a response rate of 25% was realized from residents of the affected section of Elmira Road North.

The following list shows the options in order of preference based upon the resident responses, showing the most preferred option first:

1. Option #4 – Two travel lanes, two bike lanes and two parking lanes
2. Option #3 – Two travel lanes (as is)
3. Option #5 – Two travel lanes, one two-way left turn lane and one parking lane (one side only)
4. Option #2 – Four travel lanes (Official Plan)
5. Option #1 – two travel lanes, one two-way left turn lane and two bike lanes (as per Council resolution from 2002)

Recommendation:

Clearly, the provision of some on-street parking is of importance to this neighbourhood. The residents preferred option (#4) which provides for on-street parking and the continuation of bicycle lanes. However, the fact the option requires motorists to execute left turns from the through lanes create the following concerns:

- Implementing an option that requires motorists to execute left turns from the through lane introduces undesirable delay for motorists. While the mixed lane use may be acceptable on a local-classed roadway where volumes are substantially less, permitting this design on an arterial-classed roadway may create unsafe situations as impatient motorists may be encouraged to improperly use the bicycle lane or parking lane to go around stopped vehicles;
- Design induced delays on Elmira Road may encourage unwanted additional traffic on Imperial Road, a collector-classed roadway;
- Eliminating the bicycle lanes to provide a left turn lane is not desirable as it creates a truncated bicycle network, stopping at Willow Road.

In light of these concerns, staff recommend that Elmira Road North between Willow Road and Speedvale Avenue West be marked with a two-way left turn lane, two travel lanes and one parking lane (as provided for in Option #5) in addition to a bike lane on one side. While only one side of the roadway would have a marked bike lane, the other side of the roadway will have a travel lane wide enough to safely accommodate bicycles and vehicular traffic. It is staff opinion that marking the roadway in this manner would meet the needs of the residents while still ensuring the safe flow of traffic.

CORPORATE STRATEGIC PLAN:

A healthy and safe community where life can be lived to the fullest.

FINANCIAL IMPLICATIONS:

Capital Budget DA0067.

Installation of the new pavement markings may be installed in 2007, weather permitting. However, in the event conditions do not permit installation this year, the new markings will be installed in the spring of 2008.

DEPARTMENTAL CONSULTATION:

n/a

COMMUNICATIONS:

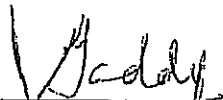
Residents have been notified of staff recommendation and that this matter is before the Committee on this date.

ATTACHMENTS:

Appendix A – Area Map

Appendix B – Pavement Marking Options – pros and cons

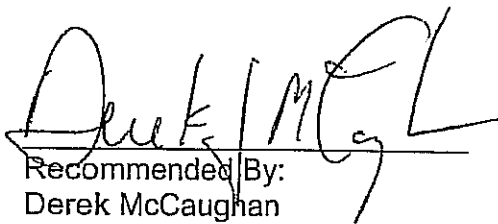
Appendix C – Pavement Marking Option Illustrations



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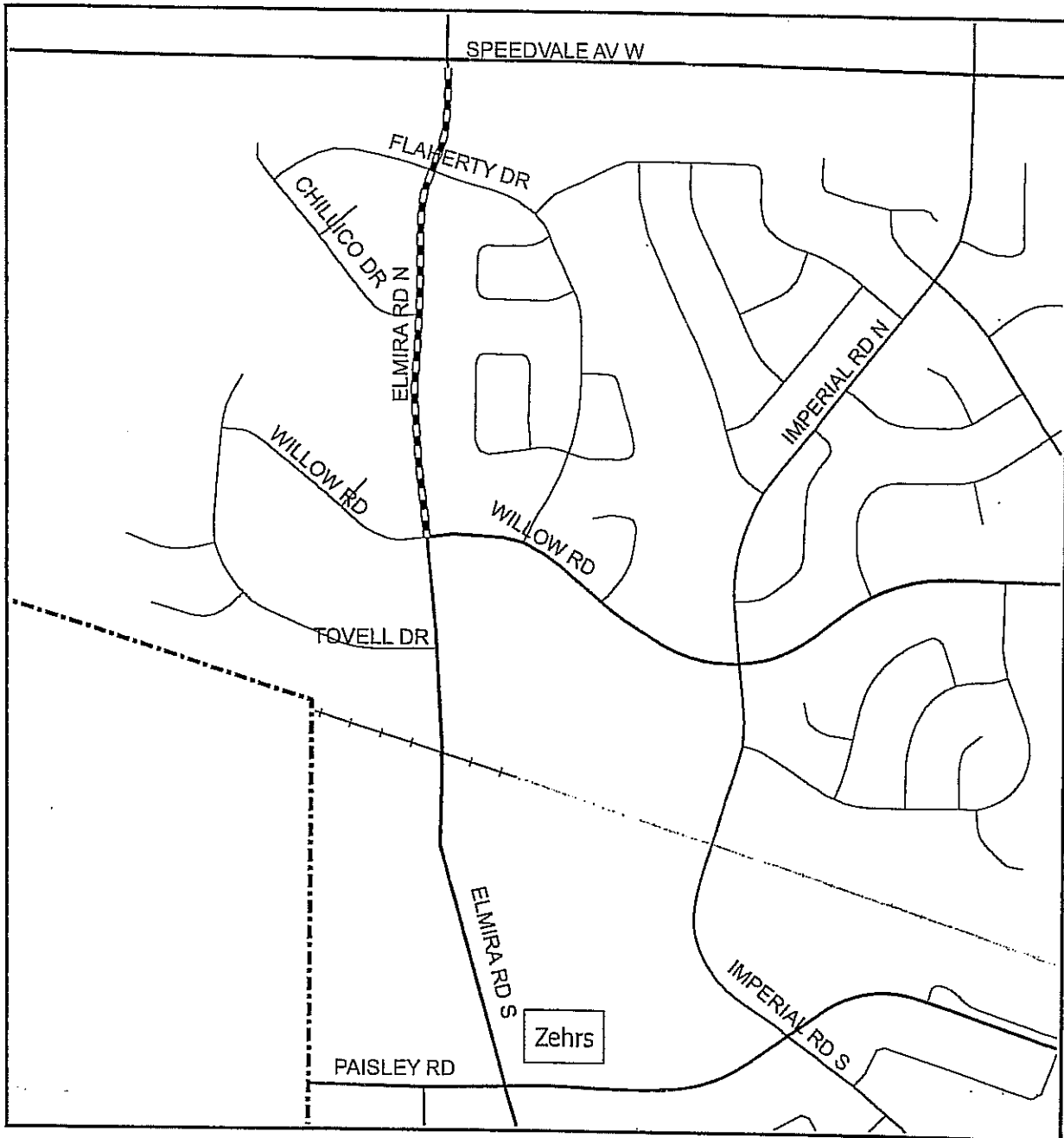


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Appendix A Area Map



Legend:



Subject Area

Appendix B

Table 1: Pavement Marking Options
Pros and Cons

Option	Pros	Cons
1. Two travel lanes, two-way left turn lane and bike lanes (as per Council resolution from 2002)	<ul style="list-style-type: none">• Provides reserved lane for cyclists.• Two-way left turn lane minimizes conflicts between turning vehicles and through vehicles.• Two-way left turn lane allows through traffic to continue without delay.• The two-way left turn lane also provides a refuge area for motorists to safely access into adjacent intersections and driveways.• The two-way left turn lane also provides a refuge area for vehicles exiting adjacent driveways / intersections to safely merge into traffic.• The two-way left turn lane also provides a potential refuge area for pedestrians crossing Elmira Road although staff do not promote use of the lane for this purpose	<ul style="list-style-type: none">• No on-street parking permitted.• Elmira Road is classified as an arterial roadway under the Official Plan and therefore will likely require remarking to a four lane cross section when capacity issues arise.

Table 1: Pavement Marking Options - Pros and Cons

Option	Pros	Cons
2. Four lanes (as per Official Plan)	<ul style="list-style-type: none"> No need to remark in future when traffic volumes require additional travel lanes. Parking may be permitted in curb lane outside of peak hours (e.g. No Parking, 8am-6pm, Monday - Friday). 	<ul style="list-style-type: none"> Additional travel lane provides passing opportunities which would accommodate motorists travelling at higher speeds. If parking was permitted in curb lane, may create potential conflicts between vehicles travelling in the curb lane and parked vehicles (e.g. unsafe merging manoeuvres) Absence of two-way left turn lane: <ul style="list-style-type: none"> does not provide refuge area for turning vehicles to safely access into adjacent intersections and driveways. Does not provide a refuge area for vehicles exiting adjacent driveways / intersections to safely merge into traffic. Does not provide a potential refuge area for pedestrians crossing Elmira Road although staff do not promote use of the lane for this purpose Bicycle network disrupted. No marked bike lanes provided.

Table 1: Pavement Marking Options - Pros and Cons

Option	Pros	Cons
3. Two lanes (existing)	<ul style="list-style-type: none"> Provides adequate lane width to be shared by through vehicles, cyclists and parked vehicles. 	<ul style="list-style-type: none"> Wide lane width makes it more comfortable to travel at higher speeds. Motorists may attempt unsafe passing manoeuvres within wide lane. Lack of organization of traffic (traffic, parked cars and bicycles) Absence of two-way left turn lane: <ul style="list-style-type: none"> does not provide refuge area for turning vehicles to safely access into adjacent intersections and driveways. Does not provide a refuge area for vehicles exiting adjacent driveways / intersections to safely merge into traffic. Does not provide a potential refuge area for pedestrians crossing Elmira Road although staff do not promote use of the lane for this purpose

Table 1: Pavement Marking Options - Pros and Cons

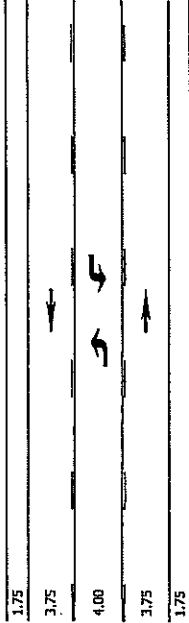
Option	Pros	Cons
<p>4. Two travel lanes with bike lanes and parking lanes (both sides)</p>	<ul style="list-style-type: none"> • Provides reserved lane for cyclists. • Provides parking lane on both sides. 	<ul style="list-style-type: none"> • Elmira Road is classified as an arterial roadway under the Official Plan and therefore will likely require remarking to a four lane cross section when capacity issues arise • Left turns made from travel lane may result in delays to traffic; • May result in increased rear-end type collisions; • May result in improper/unsafe use of bicycle and parking lane (e.g. through vehicles merging into the bicycle / parking lane) . • Delays to through traffic may encourage motorists to use Imperial Road. • Absence of two-way left turn lane: <ul style="list-style-type: none"> • does not provide refuge area for turning vehicles to safely access into adjacent intersections and driveways. • Does not provide a refuge area for vehicles exiting adjacent driveways / intersections to safely merge into traffic. • Does not provide a potential refuge area for pedestrians crossing Elmira Road although staff do not promote use of the lane for this purpose

Table 1: Pavement Marking Options - Pros and Cons

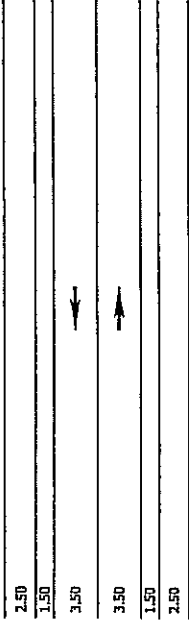
Option	Pros	Cons
5. Two travel lanes, two-way left turn lane and one parking lane (one side only)	<ul style="list-style-type: none"> • Two-way left turn lane minimizes conflicts between turning vehicles and through vehicles. • Parking permitted on one side. • Two-way left turn lane allows through traffic to continue without delay. • The two-way left turn lane also provides a refuge area for motorists to safely access into adjacent intersections and driveways. • The two-way left turn lane also provides a refuge area for vehicles exiting adjacent driveways / intersections to safely merge into traffic. • The two-way left turn lane also provides a potential refuge area for pedestrians crossing Elmira Road although staff do not promote use of the lane for this purpose 	<ul style="list-style-type: none"> • Elmira Road is classified as an arterial roadway under the Official Plan and therefore will likely require remarking to a four lane cross section when capacity issues arise • Very wide lane widths make it more comfortable to travel at higher speeds. • Parking on one side would require pedestrians to cross Elmira Road in order to access homes on the opposite side. • Bicycle network disrupted. No marked bike lanes provided.

Appendix C Pavement Marking Option Illustrations

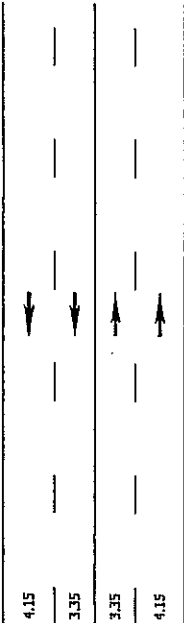
Option 1
Two-way left turn lane + bike lanes
(Council resolution, 2002)



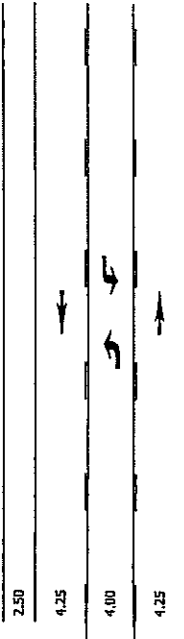
Option 4
Two travel lanes + bike lanes
+ 2 parking lanes



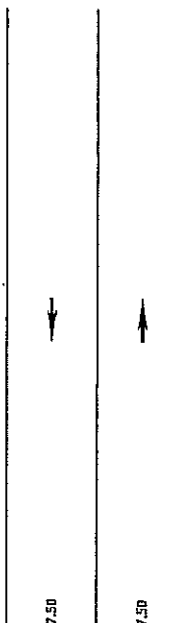
Option 2
Four lanes
(Official Plan)



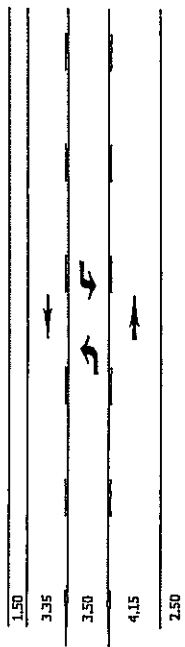
Option 5
Two-way left turn lane
+ 1 parking lane



Option 3
Two lanes
(existing)

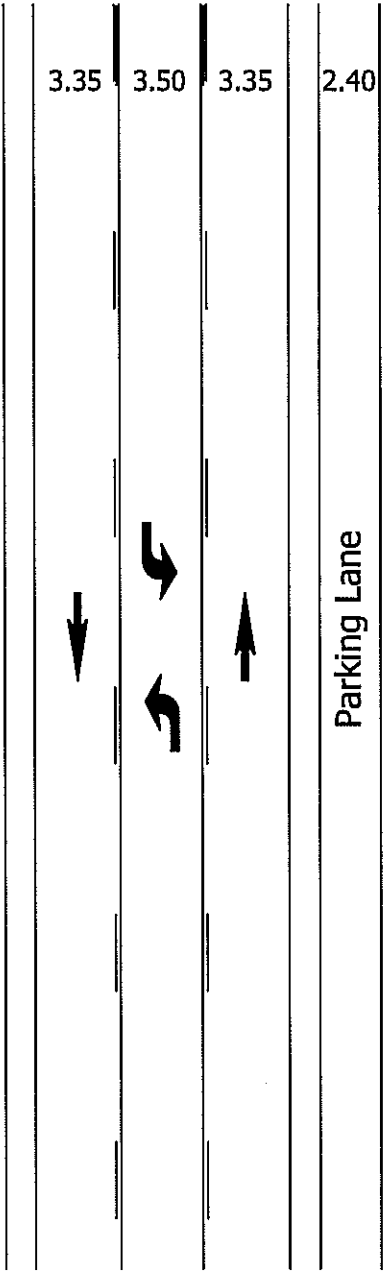


Staff Recommendation
1 bike lane, 1 travel lane, two-way left turn
lane, 1 shared travel/bike lane, 1 parking lane



Appendix A

Pavement Marking Illustration





City of Guelph

Report:

OPERATIONS

TO: Emergency Services, Community Services & Operations Committee

DATE: December 12, 2007

SUBJECT: REVIEW OF PERSONAL SAFETY EQUIPMENT REQUIREMENTS OF
PARK AND FACILITY PATRONS

RECOMMENDATION:

THAT staff promote education and awareness of the importance of wearing personal safety equipment while participating in recreational activities;

AND THAT to reduce the exposure to injury while participating in outdoor recreational hockey, pond-hockey style nets be adopted as a City standard for use on community ice rinks.

BACKGROUND:

Further to the fatal injury sustained by a 10 year old while playing hockey on the outdoor community ice rink at St. George's Park last February 2007, the use of (or lack of) personal safety equipment by participants engaged in such recreational activities was raised as a concern.

A staff report to ECOS Committee dated July 11, 2007 (attached), recommended that staff from Operations, Finance and Community Services form an ad hoc working group inviting community stakeholders to review the City's current practices (in the context of municipal best practices) and develop recommendations to increase personal safety for persons participating in recreational activity and to consider additional risk mitigation prior to the start-up of the 2007/2008 outdoor ice rink season.

REPORT:

Staff extended an invitation to 31 neighbourhood ice rink community groups and a representative of the Guelph Youth Sports Advisory Council to meet to review the City's current risk management practices related to sporting activities and requirements to wear personal safety equipment at both our indoor and outdoor recreational facilities.

The recurring themes resulting from these meetings were the need for public education and an improved awareness of the importance of the use of personal safety equipment while participating in recreational sporting activities, whether skate boarding, bicycling or skating. The committee is recommending the following:

- requesting parent/teacher groups to:
 - develop an awareness campaign to be shared through the schools via newsletters generated by and distributed through the boards of education;
 - present the merits of using personal safety equipment to the student bodies as part of school assemblies.
- raising the profile of this issue through a personal safety equipment campaign. The committee discussed the opportunity to schedule an official launch in 2008, involving local sports celebrities.
- promoting the importance of enjoying recreational activities safely through the placement of signs at indoor and outdoor facilities.
- promoting personal responsibility rather than developing a 'Rules of Use' sign, which has proven to be open to interpretation. The placement of 'Responsibility Code' sign will place the onus on participants to comply with the noted requirements and behaviours. The tag line suggested for the outdoor facilities sign is, '**Use Your Head, Wear a Helmet.**'
- Discontinuing the use of full-sized hockey nets currently provided by the City. Large nets promote slap shots and "shooting for the top corner" which results in a puck being shot at head-level for some of the younger users of these rinks. The full-size nets also encourage the need for a participant to play goalie. Rarely are those choosing to tend goal outfitted with full gear.
- Introducing pond-hockey style nets as a City standard---see appendices---which have very low cross bars. Such nets do not require a goalie and rising shots would be discouraged as they would generally go over the 10-12" high cross bar. Although full-sized nets would not be banned from the outdoor rinks, as it would not be possible for City staff to police the activity; however the recommended signs would discourage their use.
 - Note: consideration to encourage the use of sponge pucks was discussed but not pursued as the consensus among the group was that implementing the pond-hockey style nets would significantly diminish any concern for errant slap shots.
- that volunteer ice maintainers work with a partner, carry a cell phone or another means of communication when working, advise spouses or partners as to expected return time to 'base' and wearing of non-slip footwear whenever possible.

CORPORATE STRATEGIC PLAN:

The formation and recommendations of the working group support our Mission to achieve excellence through Leadership, Innovation, Partnerships and Community Engagement and the following strategic goals:

Personal and Community Well-Being

A healthy and safe community where life can be lived to the fullest.

Government and Community Involvement

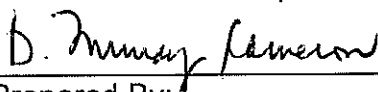
A community-focused, responsive and accountable government.

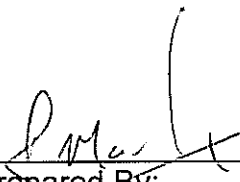
FINANCIAL IMPLICATIONS:

The cost of acquiring the pond-hockey nets and signage is estimated at \$13,500. The Nicholas Lambden Foundation has tentatively committed to cost-share these initial purchases. The City's share of these costs will be funded from approved operating budgets.

ATTACHMENT:

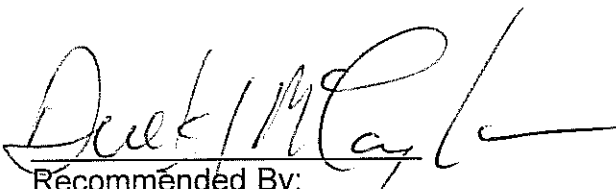
ECOS Committee report dated July 11, 2007.


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City of Guelph

Report:
OPERATIONS AND COMMUNITY SERVICES

TO: Emergency Services, Community Services & Operations Committee

DATE: 2007/07/11

SUBJECT: FORMATION OF WORKING GROUP TO REVIEW PERSONAL SAFETY EQUIPMENT REQUIREMENTS OF PARK AND FACILITY PATRONS

RECOMMENDATION:

THAT staff be directed to establish a working group comprised of community stakeholders and city staff to review current requirements to wear personal safety equipment by our park and facility patrons, with a specific focus on risk assessment and mitigation strategies;

AND THAT staff report back to Council prior to the start-up of the 2007/2008 outdoor ice rink season on the findings and recommendations of the working group reviewing the use of personal safety equipment and risk mitigation.

BACKGROUND:

The fatal injury sustained by a 10 year old child last winter while playing hockey on the outdoor community ice rink at St. George's Park has brought into question the use of personal safety equipment while participating in recreational activities and the City's current risk mitigation strategy.

REPORT:

To address current concerns, staff are prepared to assemble a working group comprised of community stakeholders from the Sports Advisory Group and recognized neighbourhood associations, and city staff representing Risk and Procurement, Community Services, and Operations, with a mandate to review our risk management practices related to sporting activities and requirements to wear personal safety equipment at both our indoor and outdoor recreational facilities.

Staff will report on trends within the public realm regarding the requirement to wear personal safety equipment while participating in both casual and formal recreational activities, and messaging used to reinforce any personal safety equipment requirements.

CORPORATE STRATEGIC PLAN:

The creation of the working group supports the corporate goal of having exemplary management practices, and the strategic direction to build on relationships and partnerships with stakeholders to enhance service provision.

FINANCIAL IMPLICATIONS:

n/a

DEPARTMENTAL CONSULTATION:

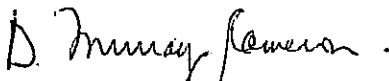
Finance, Community Services and Operations concur with this approach.

COMMUNICATIONS:

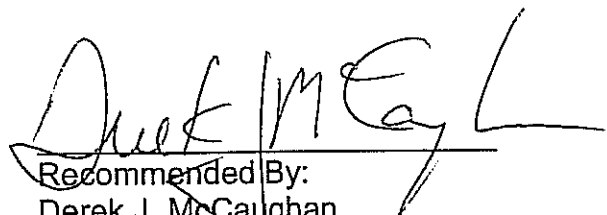
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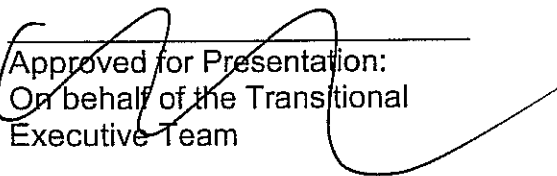
n/a



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Approved for Presentation:
On behalf of the Transitional
Executive Team

A Great Place to Call Home



REPORT OF THE FINANCE, ADMINISTRATION AND CORPORATE SERVICES COMMITTEE

December 17, 2007

Her Worship the Mayor and
Councillors of the City of Guelph

Your Finance, Administration and Corporate Services Committee beg leave to present this their TENTH REPORT as recommended at its meeting of December 5, 2007;

CLAUSE 1 THAT the Mayor and Clerk be authorized to execute a Software License Agreement and a Software Support Agreement between the City of Guelph and the Regional Municipality of Niagara for the provision of the Court Administration Management System Software and support services to the City of Guelph, subject to the final form and content of the agreements being satisfactory to the City Solicitor.

CLAUSE 2 THAT the City of Guelph adopt the third Monday of every February as a new public holiday, pursuant to the provincial government declaration of 'Family Day';

AND THAT information regarding changes to the minimum wage be received for information.

CLAUSE 3 THAT the City of Guelph endorses the resolution passed by the Large Urban Mayor's Caucus of Ontario supporting the ongoing national campaign, calling on the government of Canada to fulfil its obligations to contribute to the growth and success of cities across Canada by providing long-term and sustainable infrastructure funding, including sharing the equivalent of one cent of GST with cities and communities to address their urgent infrastructure deficit needs, beginning with commitments in the next federal budget.

AND THAT LUMCO support the local campaigns within individual municipalities, including the Cities Now! Campaign in Mississauga that help to explain the issues to local residents.

CLAUSE 4 THAT the timeline within the motion of the Finance, Administration & Corporate Services Committee, dated June 6, 2007, regarding the recovering of downtown policing and garbage collections/clean up costs be deferred to no later than March 2008;

AND THAT Council directs staff to develop options and recommendations in conjunction with the appropriate staff and in consultation with the Guelph Downtown Business Association and the Downtown Nightlife Task Force.

All of which is respectfully submitted.

Councillor Karl Wettstein, Chair
Finance, Administration & Corporate Services
Committee



City
of Guelph

CORPORATE SERVICES

Report:

TO: Finance, Administration & Corporate Services Committee

DATE: December 5, 2007

SUBJECT: SOFTWARE LICENSING & SUPPORT SERVICE AGREEMENTS

RECOMMENDATION: "THAT the Mayor and Clerk be authorized to execute a Software License Agreement and a Software Support Agreement between the City of Guelph and the Regional Municipality of Niagara for the provision of the Court Administration Management System Software and support services to the City of Guelph, subject to the final form and content of the agreements being satisfactory to the City Solicitor."

BACKGROUND: In May 2000, the Province transferred the responsibilities for Provincial Offences Court ("POA Court") administration, prosecution and court facilities to the City of Guelph as the service provider for the Guelph-Wellington court service area. Guelph became one of 52 municipal service providers of POA Courts throughout the province as part of the Province's local services realignment initiative. POA Courts administer all provincial offence charges issued under provincial legislation such as the Highway Traffic Act, Environmental Protection Act, Liquor Licence Act, Compulsory Automobile Insurance Act, Occupational Health and Safety Act, Building Code Act, Fire Protection and Prevention Act and contraventions of municipal by-laws.

The POA Court transfer included the transfer of all outstanding fines owed in each court jurisdiction. In Guelph-Wellington, the amount owed was 5.5 million dollars at transfer and is presently 10.8 million dollars. Province-wide, outstanding fines total 875 million dollars and that amount is increasing at a rate of 62 million dollars per year.

Guelph's fine collection initiatives include written notices to defendants, driver's license suspensions (where applicable by statute), Small Claims Court judgments, the use of collection agencies, debt notifications to credit bureaus, the filing of writs of seizure and sale and wage garnishments. Although the total outstanding fine amount continues to increase annually, these collection efforts have reduced the annual rate of that growth from 11.9% in 2001 to 1.3% in 2007. In addition, staff continue to work with the Provincial government and various provincial associations on the Provincial Offences Act streamlining initiative to implement legislative changes to provide municipalities with stronger tools to address the issue of non-payment of fines.

REPORT: The Regional Municipality of Niagara has developed a fine collection software system and has offered a license to use the software system, at no cost, to municipally-operated courts. Niagara will provide initial installation and training for the system at a cost of \$2,400.00 and on-going technical support service at a cost of \$2,000.00 per year, based on Guelph's present number of case files. The software license would be granted in perpetuity subject to the termination provisions of the software license agreement. The software support agreement would be for an initial term of one year and would be renewable upon the consent of the parties.

This software is a fully comprehensive system that automates the collection processes including the issuance of fine payment notices, payment plans and court filing documents. It provides effective management of collections in terms of assignment of case files to collection staff and agencies, electronic monitoring of outstanding accounts, payment plans and judicial orders and the production of statistical and status reports. This automation will reduce staff time associated with the manual collection processes and is intended to increase the payment rate on outstanding fines. Implementation of the system requires that Guelph and Niagara enter into standard Software License and Support Service Agreements, for which staff are seeking Council's approval.

CORPORATE STRATEGIC PLAN:

Objective 1.6 – "A balanced tax assessment ratio"

Objective 5.5 – "A high credit rating and strong financial position"

FINANCIAL IMPLICATIONS:

Costs are included in the current budget.

DEPARTMENTAL CONSULTATION:

Corporate Services - Information Technology Services.

Corporate Services – Legal Services.

COMMUNICATIONS:

N/A

ATTACHMENTS:

None



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City of Guelph

HUMAN RESOURCES

Report:

TO: Finance, Administration & Corporate Services Committee

DATE: 2007/12/05

SUBJECT: HR UPDATE- FAMILY DAY AND MINIMUM WAGE CHANGES

RECOMMENDATION:

- 1) That the City of Guelph adopt the third Monday of every February as a new public holiday, pursuant to the provincial government declaration of 'Family Day' and,
- 2) Information regarding changes to the minimum wage be received for information

SUMMARY:

On October 11th, 2007, the provincial election resulted in a second majority government for Premier McGuinty. Among the immediate human resource implications for the City include the following two items:

- 1) On October 12th, 2007, Premier McGuinty signed an Order in Council declaring the third Monday of each February as a new public holiday to be named Family Day. Ontario Regulation 547/07 was subsequently filed, which will ensure it is in place for February 2008.
- 2) Under the ESA, increases to the minimum wage will proceed as announced previously by the government.

BACKGROUND:

The new public holiday, known as Family Day, was one of the election promises made by the Ontario Liberal Party. Upon being re-elected, Family Day was proclaimed through an Order in Council on October 12th, 2007.

The minimum wage increases were announced during the previous government session, and will proceed as scheduled in 2008, 2009 and 2010.

REPORT:

Family Day

The addition of a new holiday creates a number of issues for employers that need to be considered, including the question of whether a particular employer must recognize the new holiday. When Boxing Day was introduced as a holiday, some arbitrators found that, where a collective agreement already provided a greater benefit than the Employment Standards Act (taking into account the new holiday), the employer did not have to recognize the new holiday. While the former statute had a specific greater benefit provision for public holidays that is not duplicated in the current ESA, the same basic principles should apply and the argument may still be available in the appropriate case.

Some relevant factors that any employer, including the City of Guelph, should consider include the following:

- Do the City's collective agreements or other contract language obligate you to recognize any new government-created holiday?
- Do the City's collective agreements or other contract language provide only the public minimum holiday entitlements?
- Do the collective agreements or other contract language provide a greater benefit than the ESA even when the new holiday is factored in?
- Rates of pay for working on a paid holiday
- Qualifying conditions for entitlement to a paid holiday
- The effect of a paid holiday falling on a designated day off
- The employer's right to require and employee to work (for a premium) during a public holiday
- How will employees react if the new holiday is not recognized?

Currently, none of the City's collective agreements or other contract language provides for the recognition of 'new' holidays, and itemizes the current public holiday entitlements by employee group. In addition, all employee groups covered by a collective agreement and NUME provide for 'floater' days. As a result all of the above groups are provided with 12 paid days off (i.e. public/public holidays plus floater days)

When factoring in the new holiday, all of the city's collective agreements still provide a greater benefit to employees than the ESA. As a result, the City technically does not have to recognize the new 'Family Day'.

The City however employs temporary and casual employees (430 average headcount for 2006/2007). For these employees, the Employment Standards Act is followed with respect to the provision of public holidays, which currently recognizes 8 public/public holidays. For this group, the City is obligated to recognize the new 'Family Day'.

With respect to the items related to rate of pay during a paid holiday, qualifying conditions for entitlement to a paid holiday, the effect of a paid holiday on a designated day off, and the employer's right to require an employee to work during a public holiday, in each case the City's collective agreement entitlements supercede requirements in the Employment Standards Act.

If Council were to not recognize the new public holiday for the majority of city employees given they already have a greater benefit yet must recognize it for some, there would be a perceived inequity created between employees based solely on their employment status.

If Council were to not recognize the new public holiday, this would also likely have a negative impact on employee relations and will likely be inconsistent with other municipal employers, based on information currently available.

Approving the new public holiday would be consistent with the corporate value of wellness, recognizing the importance of balancing work and life responsibilities, and would be considered a strong 'people' practice.

Minimum Wage Changes:

As announced by the previous government, the following changes to the minimum wage will take effect as follows.

March 31, 2008 - \$8.75 (from \$8.00)

March 31, 2009 - \$9.50

March 31, 2010 - \$10.25

CORPORATE STRATEGIC PLAN:

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

5.6 Organizational excellence in planning, management, human resources and people practices; recognized as a top employer within the community.

FINANCIAL IMPLICATIONS:

The financial implications of providing another public holiday is approximately \$233,000.00, which represents the cost to the city of wages paid in lieu of a public holiday. This is not new cost to the city, but represents one day of annual salaries for city staff who would be eligible to be off on Family Day.

Currently there are 430 staff paid at minimum wage. The total cost based on current headcount of the changes to the minimum wage is as follows.

2008 - \$29,000

2009 - \$36,000

2010 - \$36,000

DEPARTMENTAL CONSULTATION:

N/A

COMMUNICATIONS:

Once approved, a communication will be sent to all City staff notifying them of the new public holiday

ATTACHMENTS:



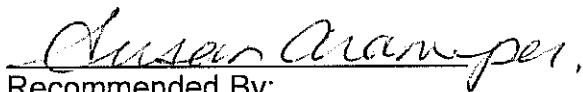
Prepared and Recommend By:

Mark Amorosi

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WHEREAS LUMCO members represent the largest cities in Ontario

AND WHEREAS public ownership of infrastructure has shifted significantly over the past 50 years away from the Federal Government and become an increasing responsibility for cities

AND WHEREAS eighty percent of all Canadians now live in cities

AND WHEREAS cities are the economic engine of Canada and their long term sustainability is at risk without adequate infrastructure funding

AND WHEREAS national economic prosperity is inextricably linked to the economic prosperity of our cities and further that federal fiscal revenues depend on the provision of the basic municipal, physical and social infrastructure that supports the development of our economy.

AND WHEREAS the Federal Government is naturally and inextricably involved in generating the population growth that municipalities welcome but do not have the resources or tax tools to pay for, it is appropriate for the Federal Government to make a greater contribution to the financial solution

AND WHEREAS the Federation of Canadian Municipalities has reported that a growing municipal infrastructure deficit of \$60 - \$100 billion exists across Canada

AND WHEREAS cities are making do with just 8 cents of every tax dollar while the federal and provincial governments together take 92 cents

AND WHEREAS the Finance Minister of the Government of Canada disclosed in his Economic Statement of October 30, 2007 that there is a projected federal surplus of \$11.6 billion for the current fiscal year and projected surpluses of \$65 billion cumulative to 2013

AND WHEREAS Canada's cities are underfunded

AND WHEREAS in June 2006, the Federation of Canadian Municipalities Big City Mayors' Caucus, which includes LUMCO members, released a report called, "Our Cities, Our Future", which encouraged all orders of government to realign roles and responsibilities and called on the federal government to:

- Establish a National Transit Strategy and
- Provide Canadian cities with access to long-term predictable sources of revenue that grow within the economy

AND WHEREAS on March 9, 2007, it was resolved that LUMCO support the strategy adopted in principle by the Big City Mayors' Caucus, on September 20, 2006 to address the fiscal imbalance of municipalities and pursue:

- Realignment of roles and responsibilities with appropriate funding – which in Ontario is the Municipal Fiscal and Service Delivery Review
- Obtaining a share of revenues that grow with the economy
- Establishing a National Transit Strategy

AND WHEREAS municipalities across Canada, the Federation of Canadian Municipalities, several provincial municipal associations and the Premier of Ontario have endorsed the ongoing national advocacy campaign calling on the Federal Government to share the equivalent of one cent of GST with Canada's cities and communities

AND WHEREAS the Standing Senate Committee on National Finance has recommended that the Federal Government consider giving municipalities access to growth taxes including the GST

AND WHEREAS the Prime Minister, the Premier and leading economists have stated their agreement with the principle that cities should have access to a share of revenues that are responsive to economic growth

AND WHEREAS while the Building Canada Plan includes welcome extensions to the federal gas tax transfer, the GST rebate for municipalities and project-based infrastructure the Government of Canada has not yet committed to permanent sustainable revenue sharing to assist municipal governments meet their growing responsibilities to invest in the quality of life of citizens and the productivity of businesses.

AND WHEREAS individual municipalities have initiated local campaigns, such as the Cities Now! initiative in Mississauga, to explain to residents the issues and the need for sustainable federal investment in Canada's cities

NOW THEREFORE BE IT RESOLVED THAT the Large Urban Mayors' Caucus of Ontario support the ongoing national campaign, calling on the government of Canada to fulfill its obligations to contribute to the growth and success of cities across Canada by providing long-term and sustainable infrastructure funding, including sharing the equivalent of one cent of GST with cities and communities to address their urgent infrastructure deficit needs, beginning with commitments in the next federal budget

AND FURTHER THAT LUMCO support the local campaigns within individual municipalities, including the Cities Now! campaign in Mississauga that help to explain the issues to local residents

AND THAT copies of this Resolution be forwarded to the Prime Minister, Federal Ministers of Finance and Transport, Infrastructure and Communities, Premier of Ontario, Finance Minister, Minister of Municipal Affairs and Housing, the Minister of Public Infrastructure Renewal of the Province of Ontario, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM) and the Big Cities Mayors' Caucus of FCM.



City of Guelph

ECONOMIC DEVELOPMENT & TOURISM SERVICES

Report:

Report # 07-121

TO: Finance, Administration and Corporate Services Committee

DATE: December 5, 2007

SUBJECT: Recover of Downtown Policing and Garbage Collections/Clean Up
Costs – Status Report

RECOMMENDATION:

“That notwithstanding the Motion of the Finance, Administration and Corporate Services Committee, dated June 6, 2007, Council agrees that the matter of recovering of downtown policing and garbage collections/clean up costs be deferred to no later than March 2008;

AND THAT Council directs staff to develop options and recommendations in conjunction with the appropriate staff and in consultation with the Guelph Downtown Business Association and the Downtown Nightlife Task Force.”

BACKGROUND:

At the June 6, 2007 Finance, Administration and Corporate Services Committee meeting the following resolutions were passed:

“THAT staff be directed to report back to the Finance, Administration and Corporate Services Committee with respect to how to recover downtown policing and garbage collection/clean up costs;

AND THAT this be coordinated by the Downtown Project Manager, in conjunction with the appropriate staff and in direct consultation with the Downtown Board of Management;

AND THAT the resulting costs be reflected in the 2008 budget.”

Since that time staff have been assembling and considering background information regarding the legal and funding options for the recovery of downtown policing, garbage collection and clean up costs.

Parallel to staff's activities, a Downtown Nightlife Task Force has recently been struck to identify and assess issues and options relating to the care and maintenance of the downtown, including ways of reducing extra downtown policing and maintenance. The task force is comprised of representatives from the downtown business community, the University of Guelph, Guelph Police Services, Guelph City Council, the public at large and City staff.

REPORT:

With respect to the estimated cost of providing extra police and maintenance for the downtown, staff has researched the following information.

-
- **Cost Estimates for Extra Downtown Police Services**
 - 4 Constables – Mid-night to 4 am - Thursday, Friday and Saturday = \$124,823.46 (*source: Guelph Police Services – September 25, 2007*)
 - **Cost Estimates for Extra Garbage Downtown Collection and Clean Up**
 - \$279,000(*source: FACS Report – May 18, 2005*)

In regard to the recovering of fees, the question becomes how to develop a policy that is fair and equitable in identifying which businesses should be levied. Suggestions have been made that only those establishments that are open after mid-night should be subject to a special fee. However this is problematic as it has been difficult to identify, with any degree of certainty, which business establishments are contributing to the current situation. Others feel that all establishments should contribute, while there are groups that feel the implementation of such a recovery is an unfair tax and counter to creating a positive environment for new investment in the downtown.

The manner in which costs are to be calculated has also been difficult to rationalize. For example, if one was to distribute costs based on the pro-rated number of licensed seats for an establishment then fast food take out restaurants may not have to pay such a fee because they do not have licensed seats.

Staff have not been able to address these matters within the time frame requested by council due in part to the late employment start date of the Downtown Economic Development Manager (September). This combined with other downtown priorities, commitments (i.e. the redevelopment matters with respect to the Gummer Building, public consultation sessions for the Community Improvement Plan, etc) and resource issues throughout the fall resulted in delays in conducting the required work and developing options in a consultative fashion with the Guelph Downtown Business Association and others.

While staff have not been able to address this matter by the preparation of the 2008 Budget, staff are encouraged by the Downtown Nightlife Task Force's efforts and that most establishments are showing a willingness to become more vigilant and directly involved in reducing the amount of downtown policing and maintenance. In fact, staff would comment that there has been unprecedented co-operation on behalf of the bar owners, especially those who are working amongst themselves and with police to minimize problems with patrons in the public realm. This is an approach that has been successful in other communities.

Therefore, given the recent events and notwithstanding the Finance, Administration and Corporate Services Committee's resolutions of June 6, 2007, staff is recommending that the matter of assessing and recommending to Council options for the recovery of municipal costs relating to downtown policing and maintenance services be deferred to no later than March 2008 to provide additional time for staff to fully develop options and seek the required consensus of the Guelph Downtown Business Association and the Downtown Nightlife Task Force.

It is staff's opinion that such a delay will not negatively impact the 2008 Operating Budget and will permit for a thorough and consultative approach in addressing the matter of extra costs and the issues driving these costs.

CORPORATE STRATEGIC PLAN:

- **Goal 1 – An Attractive, Well Functioning and Sustainable City**
 - ***1.5 The downtown as a place of community focus and destination of national interest.***
- **Goal 3 – A diverse and Prosperous Local Economy**
 - ***3.4 Fair tax policies and streamlined processes across all levels of government***
- **Goal 5 - A Community – Focused, Responsive and Accountable Government**
 - ***5.2 A consultative and collaborate approach to community decision making***
 - ***5.3 Open, accountable and transparent conduct of municipal business***
 - ***5.4 Partnerships to achieve strategic goals and objectives.***

FINANCIAL IMPLICATIONS:

None

CONSULTATION:

CAO's Office

COMMUNICATIONS:

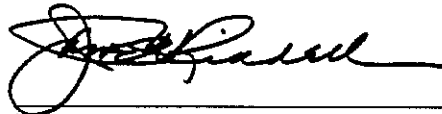
None

ATTACHMENTS:

None



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REPORT OF THE GOVERNANCE & ECONOMIC DEVELOPMENT COMMITTEE

December 17, 2007

Her Worship the Mayor and
Councillors of the City of Guelph

Your Governance & Economic Development Committee beg leave to present this their
NINTH REPORT as recommended at its meeting of December 10, 2007;

CLAUSE 1 THAT the City of Guelph appoint The Association of Municipalities of
Ontario Local Authority Services Limited as the City's Meeting Investigator
pursuant to S.239 of the Municipal Act and that the Mayor and City Clerk be
authorized to execute the necessary documents.

CLAUSE 2 THAT the draft delegation of authority and the accountability and transparency
policy be approved as amended, and attached as Schedule A and B, subject to
review by Legal Services for compliance with the legislation.

All of which is respectfully submitted.

Councillor Gloria Kovach, Chair
Governance & Economic Development
Committee

REPORT OF THE ACCOUNTABILITY AND TRANSPARENCY COMMITTEE

December 10, 2007

Chair and
Members of the Governance & Economic Development Committee

Your Accountability & Transparency Committee beg leave to present this their FIRST REPORT as recommended at its meeting of November 20, 2007;

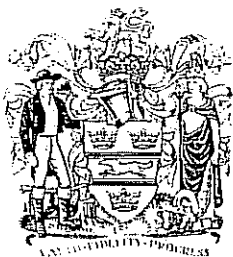
CLAUSE 1 THAT the City of Guelph appoint The Association of Municipalities of Ontario Local Authority Services Ltd. as the City's Meeting Investigator pursuant to S. 239 of the Municipal Act;

AND THAT staff be requested to investigate the ability to have early termination of the agreement in the event such provisions are not included in the Association's document.

CLAUSE 2 THAT the draft delegation of authority policy and the accountability and transparency policy be approved as amended, and attached as Schedule A and B, subject to review by Legal Services for compliance with the legislation.

All of which is respectfully submitted.

Councillor Vicki Beard, Chair
Accountability & Transparency Committee



City of Guelph

CITY CLERK'S OFFICE

TO: *Accountability & Transparency Committee*

DATE: 2007 11 15

SUBJECT: Meeting Investigator

RECOMMENDATION:

THAT the City of Guelph appoint The Association of Municipalities of Ontario Local Authority Services Ltd. as the City's Meeting Investigator pursuant to S. 239 of the Municipal Act.

SUMMARY:

Effective January 1, 2008, any person will be able to request that an investigation be undertaken to determine whether a municipality or local board, or a committee of either, has complied with the closed meeting rules contained in the Municipal Act. In the event a municipality does not appoint a meeting investigator, the Ontario Ombudsman will by default assume this role. At its last meeting, this Committee requested staff to present options and costs related to the appointment of a meeting investigator.

BACKGROUND:

For the information of the Committee, the following rules apply to closed meetings:

A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

- consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the council, board, commission or other body is the head of an institution for the purposes of that Act.

In addition, a meeting may be closed to the public if the following conditions are both satisfied:

- The meeting is held for the purpose of educating or training the members.
- At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

Before holding a meeting that is to be closed to the public, the following shall be stated by resolution:

- the fact of the holding of the closed meeting **and** the general nature of the subject matter to be considered at the closed meeting.

Under the legislation, a meeting shall not be closed to the public during the taking of a vote, unless the vote is for a procedural matter or for giving directions or instructions.

REPORT:

Staff have researched the progress of other municipalities in dealing with the requirement to appoint a meeting investigator. Appendix "A" to this report indicates the municipalities that have taken steps to appoint a meeting investigator, or that are in the process of making recommendations. Ontario municipalities are currently considering several options with respect to the appointment of a meeting investigator:

- AMO/LAS Meeting Investigator Service
- Default to the Ontario Ombudsman
- Sole sourcing a meeting investigator
- Partnership with other municipalities to appoint a meeting investigator

Information relating to the above options is as follows:

AMO/LAS MEETING INVESTIGATOR SERVICE – This service is available at an annual subscription cost of \$600. In the event of a request for an investigation, there is a daily fee of \$1,250 plus expenses. We have no way of determining how many requests may be made during a calendar year, but it is anticipated that after the first year, it is likely that the number of requests would increase. This is similar to our experience with freedom of information requests, which have annually increased since the enabling legislation was originally passed. (See attached Appendix "B" relating to this service.)

DEFAULT TO ONTARIO OMBUDSMAN – According to information available, Ontario Ombudsman's investigations are conducted at no cost to those who complain or to municipalities or local boards. (See attached Appendix "C" relating to this service.)

RETAINING A MEETING INVESTIGATOR FOR THE CITY OF GUELPH – We have been unable to determine the costs associated with sole sourcing a meeting investigator, as those municipalities using this alternative have issued invitations for letters of interest. While no formal request for proposals has been issued, an informal quotation was obtained that would see an annual fee of \$2,500, a daily fee of \$600, plus expenses. The annual fee is based on population.

PARTNER WITH ANOTHER MUNICIPALITY(S) TO RETAIN A MEETING INVESTIGATOR – Costs would be shared by the partnering municipalities. Cost would vary, depending on the population of the partnering municipality.

From the information currently available, it appears that the majority of municipalities are taking advantage of the AMO/LAS meeting investigator service.

At this time, staff are recommending that the City of Guelph appoint the Association of Municipalities of Ontario Local Authority Services Ltd. as the City's Meeting Investigator pursuant to S. 239 of the Municipal Act. Reasons in support of this recommendation are as follows:

- Annual subscription cost is minimal;
- The term of the appointment will allow the City to evaluate the service on an annual basis to determine whether another option is preferable.
- The Association of Municipalities of Ontario offers a service that will provide on-going educational information related to the closed meeting provisions of the Municipal Act, access to all completed investigation reports from subscribing municipalities across Ontario, access to a pool of trained and qualified review officers, and other resources designed to make the transition under this new legislation easier for the municipality to manage.

CORPORATE STRATEGIC PLAN:

These recommendations support goal #5: A community focused, responsive and accountable government.

FINANCIAL IMPLICATIONS:

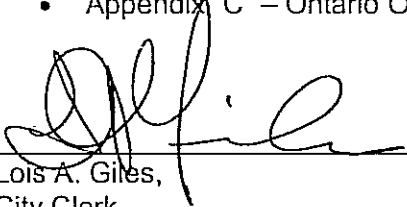
Annual subscription costs are minimal and can be absorbed under general government expenditures. Costs related to requests for investigations are not budgeted for, and funding for expenses relating to investigations will be needed on an as required basis.

DEPARTMENTAL CONSULTATION:

Consultation with Legal Services will be required to ensure compliance with all applicable legislation.

ATTACHMENTS:

- Appendix "A" – Summary of Municipal Decisions/Recommendations
- Appendix "B" – AMO/LAS Investigator Program
- Appendix "C" – Ontario Ombudsman Service



Lois A. Giles,
City Clerk.

MUNICIPALITY	DECISION/RECOMENDATION
AJAX	Recommending LAS
BELLEVILLE, HASTINGS, QUINTE WEST, PRINCE EDWARD COUNTY	Appointing 1 individual to serve municipalities
BROCKVILLE	Using the Provincial Ombudsman
CALEDON	Recommending LAS
CHATHAM-KENT	Utilizing LAS Service
COUNTY OF PETERBOROUGH AND TOWNSHIPS OF ASPHODEL-NORWOOD, CAVAN-MONAGHAN, DOURO-DUMMER, GALWAY-CAVENDISH & HARVEY, HAVELOCK-BELMONT-METHUEN, NORTH KAWARTHA, OTONABEE-SOUTH MONAGHAN, AND SMITH-ENNISMORE-LAKEFIELD	Appointing 1 individual to serve municipalities
COUNTY OF WELLINGTON	Inviting proposals for its own investigator
DISTRICT MUNICIPALITY OF MUSKOKA	Appointing its own investigator
FORT ERIE	Recommending LAS
HALTON REGION	Recommending LAS
KILLALOE, HARGARTY & RICHARDS	Appointing its own investigator
KITCHENER	Recommending LAS
MARKHAM	General Committee has recommended utilizing LAS Service – expected to be ratified by Council on November 13th
NIAGARA FALLS	Utilizing LAS
NORTH BAY	Utilizing LAS
OAKVILLE	Suggesting LAS and re-evaluate after two years
OSHAWA	Internal Working Group Recommending Use of Provincial Ombudsman

OTTAWA	Staff Recommending Individual Appointment
PETERBOROUGH	Recommending LAS
SARNIA	Recommending LAS
SARNIA	Recommending LAS
ST. CATHARINES	Recommending LAS
THUNDER BAY	Staff Recommending Individual Appointment together with other Northwestern Ontario municipalities.
VAUGHAN	Recommending LAS
WATERLOO REGION	Recommending LAS
WHITBY	Recommending LAS
WHITCHURCH STOUFEVILLE	Recommending LAS
YORK REGION	Recommending LAS



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August 29, 2007

Dear Clerk/Administrator/Council:

Enclosed please find information and sign-up materials related to the new LAS Investigator Program. This program has been developed to help municipalities proactively respond to forthcoming changes to the *Municipal Act* related to 'Closed Meeting' Investigations. The relevant changes to the Act are outlined in the presentation attached.

In an effort to ensure that this new LAS program is administered in an open and transparent manner we have provided a sample version of the Service Agreement between LAS and each municipality, as well as information related to how this program will operate – fees, sign-up process, etc. This information is proprietary so please use your professional discretion in the distribution of this material to those outside of staff and Council.

The operation of this program is quite simple – interested municipalities will appoint LAS as the municipality's Investigator (as per the Act), and LAS will delegate authority to a third party company set up for this purpose; LAS' chosen counter-party is Amberley Gavel Ltd. Each municipality will pay a small retainer fee to join the program as well as a daily investigation rate for any investigations that are requested. Details of the sign-up process, fees, and other program details are included in the enclosed presentation slides.

The benefits of this program are that program members will be provided with: ongoing educational information related to the 'Closed Meeting' provisions of the *Municipal Act*, access to all completed reports via a password protected website, access to a sizeable pool of trained and qualified Review Officers, and other resources designed to make the forthcoming changes easier for your municipality to manage.

Given the short time period before the 'closed meeting' provisions come into effect, we encourage all municipalities to promptly review this information to determine if this program is of interest to your municipality. Should you wish to join this program please contact LAS to request a personalized version of the Investigator Services Agreement.

The answers to the most common questions are provided in the enclosed FAQ document but should you have any additional questions, please contact Jason Hagan, LAS Program Coordinator, at ext. 320 or by email at jhagan@amo.on.ca.

Sincerely,

Nancy Plumridge
President



LAS Investigator Program

As of January 1, 2008 any person (this means anyone!) will be able to request that an investigation be undertaken respecting whether a municipality or local board, or a committee of either, has complied with the closed meeting rules contained within the Municipal Act. Municipalities will be able to appoint an Investigator for this purpose. If a municipality chooses not to appoint an Investigator, the Provincial Ombudsman will be able to assume the role.

What should be considered in appointing an Investigator?

A municipality could appoint any person, corporation or individual, including a member of municipal staff, to conduct investigations pursuant to Section 239.2 of the Act.

In making its selection, a municipal Council should consider the intent and wording of the Act. Sections 239.1 and 239.2 were enacted to enhance transparency and accountability. Council needs to consider if its choice achieves that goal.

As well, the Act specifically speaks to impartiality, credibility, confidentiality, and independence with respect to the investigation process. Council must consider these factors also.

Why appoint LAS as Investigator?

LAS decided to offer this service for several reasons. The first is that it is complementary to its existing program of providing services to municipalities where value can be enhanced through group procurement.

Secondly, LAS believes that this initiative will assist municipalities in demonstrating that they are mature and accountable orders of government, capable of managing their own affairs. The business model for the program ensures that all Investigators will possess extensive knowledge of and appreciation for the municipal environment.

Thirdly, through this joint initiative, LAS will include an educational component, to a degree not possible if municipalities act independently or in smaller cooperative groups. In the longer term, information and municipal education will ensure transparency and accountability, ultimately reducing the frequency of requests for close meeting investigations.

How Does a Municipality Appoint LAS as Investigator?

Prior to January 1, 2008, a municipality can appoint LAS to be its investigator, effective January 1, 2008. A municipality can also appoint LAS at any time after January 1, but LAS cannot act as Investigator for any requests made between January 1, 2008 and the date of appointment. The Provincial Ombudsman takes on this role.

To appoint LAS as Investigator a municipality must: execute a Service Agreement with LAS, pass an appointment by-law (and provide LAS with a copy), and pay a retainer fee. A suggested appointment by-law will be provided by LAS, which reflects the intention of LAS to delegate its authority to a third party company specifically set up for the purpose of providing an Investigator Service. This company will provide a panel of experienced and trained individuals who will conduct the investigations. This company has received delegated authority from LAS under an agreement that has been executed between the parties.

What are the Fees for Investigation Services?

There are two types of fees with respect to a municipality's agreement with LAS. The first is the annual retainer, and the second is the daily rate for actual investigations (if required), along with out of pocket expenses.

The purpose of the retainer is to cover the costs associated with training, developing educational material to be provided to municipalities, liability insurance and administrative overhead.

Daily fees and reasonable out of pocket expenses related to any Investigation will be charged directly to the municipality or local board by the third-party company. It is anticipated that a credible investigation process will require a minimum of a half day's time even if it is determined that the complaint does not merit a complete investigation or if the request ends up being withdrawn.

LAS will enhance the program for all participating municipalities in a number of ways:

- ✓ There will be a password protected website available to participating municipalities which will include a repository of all of the reports made to date and other relevant information
- ✓ LAS will provide information on the panel of Investigators and will ensure that the Investigators represent a broad cross-section of the province and that investigations are available in both English and French
- ✓ LAS will also provide information and suggestions on closed meetings as part of an ongoing educational program

Your municipality will be receiving a comprehensive package from LAS in time for a September Council meeting, which will contain:

- ✓ Agreement with LAS for Investigator Services
- ✓ Sample Appointment By-law
- ✓ Educational materials that will help you answer all your questions (i.e. which local boards are included and what is a committee, etc.)

Next Steps:

Practically speaking Council should decide on who its Investigator will be before the end of November 2007 and preferably before then so that staff can put the necessary procedures in place to deal with any requests that may be received after January 1, 2008.

Your municipality should promptly review the LAS materials and start the process of determining what your municipality plans to do to address the new closed meeting rules.

For more information please contact:

Jason Hagan
LAS Program Coordinator
Association of Municipalities of Ontario
Tel: 416-971-9856 ext. 320
Toll Free: 1-877-426-6527
Email: jhagan@amo.on.ca

LAS Investigator Program

The closed meeting investigation process pursuant to Sections 239.1 and 239.2 of the Municipal Act, 2001 is new. These "frequently asked questions" reflect our best efforts to interpret the legislation and its intent, and demonstrate how the new LAS Investigator Program will operate.

What is the new Requirement?

As of January 1, 2008 any person (and this means anyone) will be able to request that an investigation be undertaken respecting whether a municipality or local board, or a committee of either, has complied with closed meeting rules. Municipalities will be able to appoint an Investigator for this purpose. If a municipality chooses not to appoint an Investigator, the Provincial Ombudsman will be able to assume the role.

What should be considered in appointing an Investigator?

A municipality can appoint any person, corporation or individual, including a member of municipal staff, to conduct investigations pursuant to Section 239.2.

In making its selection of an Investigator, a municipal Council should consider the intent and wording of the Act. Sections 239.1 and 239.2 were enacted to enhance transparency and accountability. Council needs to consider if its choice achieves that goal.

The Act specifically speaks to impartiality, credibility, confidentiality, and independence with respect to the investigation process. Council must consider these factors also.

Why appoint LAS as Investigator?

LAS decided to offer this service for several reasons. The first is that it is complementary to our existing suite of municipal programs and services whereby value can be enhanced through group procurement. The LAS program will also ensure a consistent standard of service to all participants.

Secondly, LAS believes that this initiative will assist municipalities in demonstrating that they are a mature and accountable order of government, capable of managing their own affairs. LAS will ensure that Review Officers have a knowledge of and appreciation for the municipal environment.

Thirdly, through this joint initiative, LAS believes it can add an educational component, to a degree not possible if municipalities act independently or in small groups, which will serve to enhance transparency and accountability, ultimately reducing the frequency of requests for closed meeting investigations.

About LAS - Created in 1992, LAS is a wholly owned subsidiary of AMO. LAS supports municipalities and the broader public sector by delivering programs and services that leverage economies-of-scale and co-operative procurement efforts. Examples of current LAS programs are our Electricity and Natural Gas Procurement Programs.

How Does a Municipality appoint LAS as Investigator?

Prior to January 1, 2008, a municipality can appoint LAS to be its Investigator, effective January 1, 2008. A municipality can also appoint LAS at any time after that date, but LAS would not be the Investigator for any requests that were made between January 1, 2008 and the date of the later appointment. The Provincial Ombudsman takes on this role.

A standard by-law is provided by LAS which incorporates an agreement between LAS and the municipality. It reflects the intention of LAS to delegate its authority to a third party company specifically set up for this purpose. This company will provide a panel of Review Officers who will conduct investigations. This company has received delegated authority from LAS under an agreement that has been executed between the parties and it will be this company that is the delegated Investigator.

What background will the Review Officers have?

The Review Officers will be persons who have extensive experience with municipal government and municipal processes. This experience might be gained as a staff person or as a previous elected official, or through a close working relationship with municipal government over an extended period of time.

Review Officers will be located geographically around the Province to minimize costs to participating municipalities, where possible. At least one Review Officer will be able to conduct investigations in French.

All Review Officers will be required to participate in training regarding municipal and local board meeting processes, as well as investigative processes. A list of all Review Officers will be available to program members.

Who appoints an Investigator for a Local Board?

The municipal Council does. It will automatically be the one who is appointed to deal with requests regarding Council meetings.

What is a "Local Board"?

The definition of a local board is derived from two sources for purposes of closed meeting investigations. The first is Section 1 of the Municipal Act 2001, which says:

"local board" means a municipal services board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any act with respect to the affairs or purposes of one or more municipalities excluding a school board and a conservation authority".

But Section 238, further states: *"local board" does not include police services boards or public library boards".*

In short, the closed meeting investigation process covers all Municipal Boards and Committees except: School Boards, Conservation Authorities, Police Services Boards, and Public Library Boards. These are the only exceptions - Business Improvement Area Boards, Arena Boards, Transit Commissions, and Boards of Health, for example, are all covered.

For a specific local situation, the municipality should review the establishing by-law and enabling legislation, and if necessary consult its solicitor.

What is a "Committee"?

Section 238 says that *"committee means any advisory or other committee, subcommittee or similar entity of which at least 50% of the members are also members of one or more councils or local boards"*.

What about Joint Boards and Committees?

Again, guidance should come from the by-laws and legislation creating the specific body.

What is a "Person"?

- A "Person" includes an individual,
- *"person" includes a corporation and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.*" (Interpretation Act),
- *"person" includes a municipality unless the context otherwise requires;"* (Municipal Act, 2001)

What happens if an Investigator is not appointed before January 1, 2008?

Effective January 1, 2008, a person may request the Provincial Ombudsman to undertake an investigation of the compliance of a closed meeting with the Municipal Act 2001 or a procedure by-law.

Even if a request has gone to the Ombudsman, the municipality could still appoint an Investigator for subsequent requests. The Ombudsman would complete the work on the requests filed with him.

Can a request be retroactive?

Section 239.2 of the Municipal Act, 2001 has been proclaimed effective January 1, 2008. As a general rule, legislation is not retroactive unless it contains specific reference to retroactivity. This section contains no such reference; it is recommended that an investigation only be held for meetings that occur on or after January 1, 2008.

How does a person file a request and is there a required form for a request?

It appears that the municipality can decide upon the form for a request, but presumably the request should be signed by the person requesting the investigation, and should include contact information and sufficient detail to indicate the meeting that the request concerns, and a general indication of why the request has been made.

What are the requirements of an Investigation?

The investigation process is required to be credible, its activities confidential, and it is required to be conducted impartially and independently. Neither Council, nor a Local Board, nor any of its members should attempt to provide direction to the investigation process once a request has been made. Council or Board members could be interviewed as could any other person in attendance at the meeting that is the subject of the request.

What does the Municipality or Local Board do with a request for an Investigation?

The request should be directed to the Municipal Clerk who will have a checklist of material required for each investigation – this will be provided by LAS. This standardized checklist is designed to minimize investigation costs and ensure the credibility of the investigation process.

The checklist will include: the request made by the person, procedure by-law(s), contact list of attendees, evidence of notice for the meeting in question, agenda and attachments, minutes, and other relevant materials.

What will the LAS investigation process be?

- A person files a request for investigation with the Clerk
- The request and background documentation are sent to the Investigator
- Initial review by Investigator may result in withdrawal by the person filing, a decision not to proceed with reason, or a decision to proceed with the investigation
- In the case of withdrawal, or decision not to proceed, Investigator notifies the parties.
- If decision is to proceed, a Review Officer is assigned and investigation is performed
- Draft report filed with Investigator for review
- If circumstances warrant, municipality or local board given formal hearing opportunity (pursuant to Section 218 of the Ombudsman Act)
- Final report prepared and submitted to the Council, or Local Board and Council, and posted on Investigator website.

A flowchart of the Investigation Request Process can be found on the LAS website at www.LAS.on.ca.

Will all requests proceed to a full investigation?

During the investigative process the person who filed the request may decide to withdraw the request. If that happens, the file will be closed and the action reported to the Council, or to the Council and Local Board.

In addition, some requests may be determined upon preliminary review to be frivolous or vexatious. Following such a determination the requestor will be notified of this decision by the Investigator as will the Council, or the Council and the Local Board.

The credibility of the Investigation process requires that both of the above circumstances be formally undertaken and documented.

What are the fees for this LAS program?

There are two types of fees with respect to a municipality's agreement with LAS. The first is the retainer fee, and the second is the daily rate for actual investigations, along with out of pocket expenses. Specific fee amounts are detailed in the Investigator Services Agreement.

The retainer is to allow for educational materials to be developed and provided to municipalities and local boards, and also for administrative overhead.

Daily fees and reasonable out of pocket expenses will be chargeable to the municipality or local board for each investigation. It is anticipated that a credible investigation process will require a minimum of a half day's time once referred to the Investigator, even if the request is withdrawn or determined not to merit a complete investigation.

How is the investigation billed?

Municipalities will be billed on a daily basis for investigations – billing will be on an hourly basis, where only part of a day is required. Members of the Review Officer panel will be located throughout Ontario which will help to reduce travel costs and time.

How long will an investigation take?

It is difficult to predict but it is anticipated that most investigations will take approximately two days. It will depend on the number of interviews required and the ability to coordinate these interviews. If a request can be satisfied without a full investigation then this would likely decrease the time required.

Can a municipality charge a fee for a request for an investigation?

Nothing in section 239 addresses the issue of the fee, however, any fee or charge would presumably be established by the municipality or local board pursuant to Part XII of the Municipal Act, 2001. A municipality may wish to obtain legal advice in establishing such a fee.

Does the Municipality have a choice of Review Officer from the panel?

The decision as to which Review Officer will be delegated the task of conducting the investigation will be made by LAS' delegate. Factors such as geographic location, type of municipality and availability will be taken into account. A municipality may request a particular member of the panel and this will also be taken into consideration.

Who can see a request?

The Municipal Act, 2001 imposes a duty of confidentiality on every person involved with the Investigation. This duty prevails even over the Municipal Freedom of Information and Protection of Privacy Act.

Is the report of the Investigator available to the public?

Yes. The Act requires that it be available to the public.

If a municipality appoints LAS will it have access to all of the reports?

Yes. One of the advantages for a municipality in appointing LAS is that the municipality will have access to a password protected website that will include all reports issued.

How long does the appointment of LAS as Investigator last?

For appointments made effective January 1, 2008, the sample Appointing By-law and Services Agreement provide for a term of two years expiring on December 31, 2009. If the appointment is made after January 1, 2008, the appointment will still last until December 31, 2009.

The appointment will be automatically renewed unless terminated by the municipality or by LAS no later than 90 days before the expiry date of the current Services Agreement.

How will LAS help municipalities understand the closed meeting rules?

LAS will enhance the service provided to participating municipalities in a number of ways:

- ✓ *There will be a password protected website for participating municipalities that will provide a variety of information resources including access to all reports made to date.*
- ✓ *LAS will provide information on the panel of Review Officers.*
- ✓ *LAS will also provide information and suggestions on closed meetings as part of an ongoing educational program.*

Ombudsman

ONTARIO'S WATCHDOG
CHIEF DE GARDE DE L'ONTARIO

RECEIVED
OCT 30 2007
CITY CLERK'S OFFICE

October 22, 2007

Dear Clerk/Administrator/Council:

As of January 1, 2008, the provisions of the *City of Toronto Act, 2006* and the *Municipal Act, 2001* relating to investigation of closed meetings will come into effect. Under these new legislative provisions, the Office of the Ombudsman of Ontario will have the responsibility of investigating complaints about closed meetings if the municipality in question has not appointed an investigator.

I would like to take this opportunity to provide you with some general information regarding our Office's processes and how it will be dealing with this new jurisdiction. Attached for your information and assistance is some additional information in the form of a "frequently asked questions" document. This information can also be found on the Ombudsman's website at www.ombudsman.on.ca.

The Ombudsman's Office will be maintaining information about closed meetings on its website and will be available to the public and municipalities as a resource. The Ombudsman's services are free of charge. Our Office is independent from government and functions in an impartial and confidential manner, conducting thorough, objective and credible investigations.

The Ombudsman's process has proven effective in resolving tens of thousands of cases on an annual basis. When we receive a complaint, our normal practice is to contact the parties involved and first attempt to resolve issues informally. If this is unsuccessful, a formal investigation may be launched. Prior to launching an investigation, notice is given in writing to the organization that is the subject of the complaint – in the case of complaints about closed meetings, notice would go to the relevant municipality or local board. Under the *Ombudsman Act*, the Ombudsman also has discretion to decline to investigate a complaint.

Given that the Ombudsman will have jurisdiction to investigate complaints about closed meetings in any case where a municipality has not appointed an investigator for this purpose, it is important that all Ontario municipalities provide our Office with up-to-date information regarding any investigator(s) they may appoint. This will also assist the Ombudsman's Office in providing appropriate referral information to complainants in cases where municipalities have appointed investigators.

Bell Trinity Square
483 Bay Street, 10th Floor, South Tower, Toronto, ON M5G 2C9
483, rue Bay, 10^e étage, Tour sud, Toronto (Ontario) M5G 2C9
416-586-3300

416-586-3485

1-866-411-4211

www.ombudsman.on.ca

We would appreciate it if you could notify our Office of any investigator(s) appointed by your municipality, including name and contact information. In addition, please provide us with any Council minutes confirming the investigator's appointment, and any relevant bylaw relating to the terms and conditions governing the investigator. This can be done by e-mail at info@ombudsman.on.ca or by mail, addressed to the attention of Sherrie Nicholson, Ombudsman Ontario, Bell Trinity Square, 483 Bay Street, 10th Floor, South Tower, Toronto, ON, M5G 2C9.

If you have any questions, please feel free to visit our website or contact us via e-mail at info@ombudsman.on.ca or by phone at 1-800-263-1830.

Yours truly,

A handwritten signature in black ink, appearing to read 'B. Finlay', written in a cursive style.

Barbara Finlay
Deputy Ombudsman

Encl.

O Ombudsman

ONTARIO'S WATCHDOG • CHIEN DE GARDE DE L'ONTARIO

Investigating Closed Municipal Meetings: Frequently Asked Questions

Municipalities and local boards in Ontario are required to pass bylaws setting out the procedure for holding meetings. The law now requires that public notice be given that a meeting will be held. All meetings must be open to the public unless they come within limited exceptions.

As of January 1, 2008, the *City of Toronto Act, 2006* and the *Municipal Act, 2001* provide that any person may request an investigation into whether a municipality or local board has complied with the open meeting requirements or the procedural bylaw relating to any meeting or part of a meeting that was closed to the public.

If a municipality has not appointed an investigator, the Ombudsman of Ontario has authority to investigate complaints about closed meetings. The Ombudsman's investigations are conducted at no cost to those who complain or to municipalities or local boards. The Ombudsman's process respects the values of independence, impartiality, confidentiality and a credible investigative process and has been proven effective in resolving tens of thousands of cases per year in a timely manner.

Who must hold an open meeting?

All municipal and local boards – except conservation authorities, police services boards, school boards, and public library boards – are required to hold meetings that are open to the public, subject to some exemptions.

When can a meeting be closed to the public?

A municipal or local board meeting, or part of a meeting, may be closed if the subject matter being considered concerns:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

A meeting may also be closed if it is held for the purpose of educating or training the members, so long as no member discusses or otherwise deals with any matter during the closed meeting in a way that materially advances the business or decision-making of the council, local board or committee.

In addition, meetings must be closed if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the council, board, commission or other body is the head of an institution for the purposes of that Act.

Can members vote during a closed meeting?

Generally, meetings are not supposed to be closed to the public during the taking of a vote. However, voting in a closed meeting is permitted if the closed meeting is otherwise authorized and the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City; to officers, employees or agents of a local board or of a committee of either of them; or to persons retained by or under a contract with the municipality or local board.

Does a municipal council or local board have to follow a specific procedure to close a meeting?

Yes, in order to close a meeting a specific process must be followed:

The municipality, local board, or committee must state by resolution that a closed meeting will be held and state the general nature of the matter to be considered at the closed meeting. Public notice of a meeting is required even if the meeting is closed. In the case of meetings for the purpose of educating or training members, the subsection of the *Municipal Act* authorizing meeting closure for this purpose must also be cited.

Does a municipal body have to keep a record of a closed meeting?

A municipal council, local board or committee, must record without comment all resolutions, decisions and other proceedings, whether the meeting is open or closed.

Who can ask for an investigation relating to a closed meeting?

Any person or corporation may ask for an investigation relating to a closed meeting.

What municipal bodies can be investigated for failing to hold an open meeting?

The investigation provisions cover municipalities and local boards, which include:

- municipal councils;
- municipal boards, including boards of health or planning boards;
- transportation commissions;

- any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities.

Who investigates closed meeting complaints?

If a municipality has appointed an investigator, he or she will investigate complaints about closed meetings. If the municipality has not appointed an investigator, the Ontario Ombudsman may investigate. Once the Ontario Ombudsman has received a complaint, the Ombudsman will retain jurisdiction over a complaint even if an investigator is subsequently appointed by the municipality.

Complaints may be made to a municipality or local board or to the Ontario Ombudsman. If the Ombudsman receives a complaint about a municipality where an investigator has been appointed, the complaint will be referred to that investigator. Similarly, it is expected that municipalities and local boards will refer complaints to the Ontario Ombudsman when no investigator has been appointed.

How will the Ombudsman know if a local investigator has been appointed?

The Ontario Ombudsman is encouraging municipalities to notify his office if an investigator has been appointed, and to provide the investigator's contact information. The Ombudsman's Office will contact a municipality in cases where no notification has been received.

Does the Ombudsman have the ability to conduct investigations in both English and French?

Yes, the Ombudsman's office can conduct investigations in either English or French.

Does the Ombudsman charge a fee to either the municipality or the person bringing the complaint?

No, there is no fee charged by the Ombudsman to either the municipality or the person bringing the complaint to our Office. In keeping with the tradition of ombudsman offices around the world, the Ombudsman's services are free of charge in order to ensure they are fully accessible to everyone.

Will the Ombudsman notify the municipality or local board when a complaint is received?

The Ombudsman's usual process is to document and confirm the details of a complaint, and then to contact the municipality or local board to advise them of the complaint and obtain information. If the complaint cannot be resolved informally, a formal investigation may be commenced. In the case of a formal investigation, the head of the municipality or local board will be notified.

Can closed meetings prior to January 1, 2008 be investigated?

The investigation provisions apply to meetings held on or after January 1, 2008. As a general rule, legislative provisions only apply on or after their commencement date.

What powers of investigation does the Ombudsman have with respect to closed meeting complaints?

The investigative powers set out in the *Ombudsman Act* – including the power to issue summonses, inspect premises and compel municipal officials and staff to provide information and documents – apply to investigations of closed meeting complaints.

Will the Ombudsman investigate every complaint received?

The Ombudsman's Office will conduct an initial review of each complaint regarding open meetings. Not all complaints will necessarily result in a formal investigation. Some cases will be resolved informally, and there may also be circumstances when an investigation is otherwise considered unnecessary.

Will the Ombudsman establish time frames for the municipality or local board to respond to a complaint?

The time frame for responding to a complaint will depend on the nature of the circumstances. As a general rule, the Ombudsman expects timely responses so that complaints may be resolved without undue delay.

What happens to municipal documents after an Ombudsman investigation?

The Ombudsman's practice is to return original documents. Copies of documents retained in the Ombudsman's file are kept confidential. The Ombudsman is not subject to the *Municipal Freedom of Information and Protection of Privacy Act* or the *Freedom of Information and Protection of Privacy Act*.

What can the Ombudsman do if he finds a meeting was improperly closed or procedural requirements were contravened?

If the Ombudsman concludes, after an investigation, that there was a contravention of the procedural bylaw relating to a closed meeting, or that the closed meeting provisions were contravened, he may report his opinion and reasons to the municipality or local board, and make recommendations to address his concerns.

Will the Ombudsman's reports about closed meetings be made public?

Yes, once an Ombudsman report is provided to the municipality or local board, that body is required to make it public. Copies of the reports may also be found on the Ombudsman's website, www.ombudsman.on.ca.



City of Guelph

CITY CLERK'S OFFICE

TO: Accountability & Transparency Committee

DATE: 2007 11 15

SUBJECT: DELEGATION OF AUTHORITY AND ACCOUNTABILITY AND
TRANSPARENCY POLICIES

RECOMMENDATION:

THAT the draft delegation of authority policy and the accountability and transparency policy be approved, subject to review by Legal Services for compliance with legislation.

SUMMARY:

The purpose of this report is to assist the committee in developing policies relating to:

- The manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.
- The delegation of Council's legislative and administrative authority.

BACKGROUND:

Under S. 270 of the Municipal Act, municipalities are required to have the following mandatory policies in place by January 1, 2008:

- sale and other disposition of land
- hiring of employees
- procurement of goods and services
- notice to the public
- accountability and transparency
- delegation of authority

The first four policies have already been adopted by the City. This Committee is charged with the responsibility of developing the final two policies. The Committee has requested staff to research the work done by other Ontario municipalities, and to present options to assist in the development of these policies.

REPORT:

MUNICIPAL PRACTICES:

As was previously explained to the Committee, all Ontario municipalities are currently in the process of adopting these policies. Although it is contained in separate legislation, the City of Toronto is also required to adopt these same policies. The City of Toronto is not formally adopting policies, but is instead establishing a framework that includes the appointment of the accountability and transparency positions (ombudsman, integrity commissioner, etc.) to ensure its accountability and transparency to the public, as well as following its by-laws that govern the delegation of authority. As a result, there are no policies from Toronto that can be obtained for review by the Committee.

From the research staff have done, we have only been able to access two policies that have been developed to date:

- Region of Waterloo – Accountability and Transparency Policy (Appendix "A")
- County of Norfolk – Delegation of Powers and Duties of Council (Appendix "B")

Staff have also consulted the Ministry of Municipal Affairs and Housing to determine if there are other policies that can be obtained that would be of use to the Committee. The Ministry has advised that to the best of their knowledge, there are no other accountability and transparency policies elsewhere in Canada that can be compared to what is being required of municipalities in Ontario.

What will be of great assistance to the Committee, is material from the Municipal Law Departments Association of Ontario relating to the drafting of these two policies to be considered for enactment under the Municipal Act. (Appendix "C" and "D") These policies are general in nature, and can be adapted to meet local needs.

POLICY DEVELOPMENT:

Staff are suggesting that the Committee consider the Accountability & Transparency Policy and the Delegation of Authority Policy as over-riding policy statements that would apply specific rules:

- as to how delegation of authority would occur;
- how the municipality will ensure that it is accountable to the public for its actions; and
- how the municipality will ensure that its actions are transparent to the public.

In other words, these policies would become "umbrella documents" that would have underlying components contributing to the principles of accountability and transparency. In effect, they would become living documents that would expand as new components are developed, or as existing components are updated.

For example, the accountability and transparency policy will consolidate the provisions of a number of policies relating to how the municipality:

- Disposes of surplus land
- Hires its employees

- Procures its goods and services
- Provides notice to the public
- Encourages an open and responsive meeting process that ensures the public has access to agendas, reports, etc.

The delegation of authority policy would have provisions relating to the scope of the powers and duties under which Council would delegate its legislative and administrative authority, and to establish principles governing such delegation.

Once these general policies are established, the specific underlying components would be developed or revised by Council as required.

Attached are draft policies for the consideration of the Committee. (Appendix "E" and Appendix "F")

CORPORATE STRATEGIC PLAN:

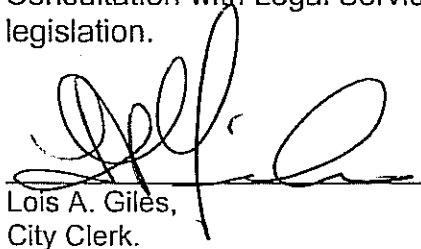
These recommendations support goal #5: A community focused, responsive and accountable government.

FINANCIAL IMPLICATIONS:

Not Applicable

DEPARTMENTAL CONSULTATION:

Consultation with Legal Services will be required to ensure compliance with all applicable legislation.



Lois A. Giles,
City Clerk.

ATTACHMENTS:

Appendix "A" – Region of Waterloo – Accountability and Transparency Policy

Appendix "B" – County of Norfolk – Delegation of Powers and Duties of Council


Appendix "C" – Municipal Law Departments Association of Ontario Draft Policy on Accountability & Transparency

Appendix "D" – Municipal Law Departments Association of Ontario Draft Policy on Delegation of Authority

Appendix "E" – Draft Accountability & Transparency Policy

Appendix "F" – Draft Delegation of Authority Policy

APPENDIX A

 CORPORATE POLICY		Policy #
		07-01
		Revision Date: November 2, 2007
Title:	Accountability and Transparency Policy	
Approval Level:	Council	
Applies to:	All Staff and Councillors	

POLICY STATEMENT:

The Regional Municipality of Waterloo is an accountable and transparent organization and is committed to:

- Openness and fairness when transacting Regional business,
- Efficient and effective financial management,
- An open, responsive meeting process that ensures citizen have access to and awareness of the Council/Committee business being discussed,
- Providing access to public information consistent with legislative requirements,
- Ensuring staff conduct themselves in accordance with corporate values as outlined in the strategic plan,
- Responding in a timely manner to inquiries, concerns and complaints,
- Ensuring delegated responsibilities are documented and include appropriate oversight,
- Knowing, understanding and following any legislative mandate approved by the Provincial or the Federal government.

DEFINITIONS:

Accountability: The concept or principle that a municipality is responsible for their actions, decisions and policies and may be required to explain them and be answerable for resulting consequences.

Transparency: The concept or principle that the municipality is open, clear and visible to those we serve. Citizens must be able to "see through" a municipality's inner workings to know exactly what goes on when public officials transact public business.

OPERATING PRINCIPLE:

The Region develops and approves policies that contribute to creating an open, accountable, and transparent public organization. Those policies can be broken into 3 main categories: These categories are defined below.

Category 1 – Municipal Act Policies: The following policies are example of those policies required by the Municipal Act as amended: The procedural by-law, sale of land policy, hiring of employees policy, procurement of goods and services, public notice and associated processes, and delegation of powers and duties to committees, boards or individuals. This policy is to function as the umbrella policy for the requirements of the *Municipal Act*.

Category 2 – Other Legislated Requirements: The Region is responsible for a diverse range of responsibilities. In many cases legislation other than the Municipal Act mandates processes for Council to follow. Examples of these legislative requirements would be the Planning Act, Environmental Assessment Act, Safe Water Drinking Act, and Health Protection and Promotion Act.

The Region also has several funding partners. These funding partners also imposed financial reporting responsibilities onto the Region.

Category 3 – Other Regional Requirements: Other Regional policies and procedures are also developed in response to Community and Corporate needs. Examples of these policies include Human Resources policies including the staff Code of Ethics, Corporate Strategic Plan including values, vision and mission statement and periodic quarterly financial reporting.

The public decision making process is to be accountable and transparent at the Region. For these reasons the Region is dedicated to:

- Conducting its Council/Committee meetings and associated business in open session, except when permitted under the *Municipal Act* as amended,
- Providing notice of closed meetings in accordance with the *Municipal Act* as amended,
- Appointing a meeting investigator in accordance with the *Municipal Act*,
- Providing access to credible information that can be obtained through routine disclosure and in accordance with *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and *Personal Health Information Protection Act* (PHIPA).

OPERATING DETAILS:

Each policy identified in category 1 and this policy shall be subject to the following provisions:

- Include the operating details within the individual policies,
- Must identify within the policy when and how the policy will be reviewed to evaluate its effectiveness,
- Provide adequate notice when the policy is to be amended,
- Contain statement(s) regarding the consequences of not complying with the policy,
- Provide for a formalized complaint process.

The Policies identified in Category 2 shall follow the criteria established with in the mandated legislative framework or the agreement with the funding partner. Reporting on these activities will occur as legislated.

The Policies identified in Category 3 shall be subject to the following provisions:

- Include the operating details within the individual policies,
- Contain statement(s) regarding the consequences of not complying with the policy,
- Provide for a formalized complaint process.

Review period

This policy shall be reviewed every 5 years. Notice for the review of this policy shall be given in accordance with the Region of Waterloo Notice Policy.

Complaint process

The Regional Clerk shall be responsible for collecting concerns or complaints related to this policy. Upon notification of a concern/complaint the Clerk shall notify:

- a) in the case of staff, the Department Head and Director responsible for the area and the Director, Employee Relations,
- b) in the case of closed meetings, the meeting investigator,
- c) in the case of Council, the Regional Chair.

SEE ALSO:


Notice Policy #07-02

Sale and disposition of land by-law 95-034

Purchasing By-law 04-093

Employment of Relatives HR Policy I-12

Municipal Act

		CORPORATE SERVICES	
POLICY AND PROCEDURE MANUAL			
POLICY NO.	CRS-	PAGE NO.	Page 1 of 2
AUTHORITY		APPROVAL DATE	
		EFFECTIVE DATE	
		LAST REVISION DATE	
SUBJECT	<i>Delegation Policy of Powers and Duties of Council</i>		

PURPOSE

The Municipal Act, 2001 requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. This policy outlines what Council should consider before any delegation of some of its powers and duties and the requirements, conditions and restrictions for Council to authorize any delegation. The purpose of this policy is to set out the scope of the powers and duties which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. This policy applies to all committees of Council, departments and staff.

POLICY STATEMENT

The Council of Norfolk County, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context and in accordance with the requirements outlined in the Municipal Act.

IMPLEMENTATION PROCEDURE

Council may delegate its powers and duties under the Municipal Act, the Planning Act, a private Act relating to the municipality and such other Acts as may be prescribed to a person or body subject to the restrictions as set out in this Policy and the legislative requirements of the Municipal Act.

Administrative Powers and Duties:

Definition: Includes all matters required for the management of the corporation which do not involve discretionary decision making.

1. Council may delegate any of its administrative powers and duties.

POLICY NO.	CRS-	PAGE NO.	Page 2 of 4
SUBJECT	<i>Delegation of Powers & Duties of Council</i>		

2. In order for Council to authorize the delegation of any of its administrative powers and duties, it shall first approve the conditions and limitations of the delegation by the approval of a by-law.
3. Council shall approve policy and procedures for the delegation which includes measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decisions.
4. Any delegation of administrative powers may be subject to any regulation made by the Minister.

Legislative and Quasi-Judicial Powers:

Definition: Includes all matters where council acts in a legislative or quasi judicial function including enacting by-laws, setting policies and exercising decision making authority

1. Legislative and quasi-judicial powers can only be delegated to the following:
 - One or more members of municipal council
 - A body that has at least 2 members, of which 50% are council members, council appointees, or combination
 - An officer, employee or agent of the municipality (if the power delegated is of a "minor nature")
2. Council shall approve the conditions and limitations for the delegation of any of its legislative and quasi-judicial powers by the adoption of a by-law.
3. Council shall approve policy and procedures for the delegation which includes measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decisions.
4. Council shall only delegate legislative and quasi-judicial powers to an officer, employee or agent of the municipality which are minor in nature which is clearly defined within the policy and procedures authorizing the said delegation. Council, in determining whether or not a power is of a minor nature, should consider a number of factors as well as the number of people, the size of the geographic area and the time period affected by an exercise of the power.
5. The delegation of legislative and quasi-judicial powers of Council are restricted to powers found in the Municipal Act, the Planning Act, a private act relating to the municipality and "such other Acts as may be prescribed."
6. No delegation of legislative or quasi-judicial powers to a corporation is permitted.
7. Any delegation of legislative or quasi-judicial powers may be subject to any regulation made by the Minister.

POLICY NO.	CRS-	PAGE NO.	Page 3 of 4
SUBJECT	<i>Delegation of Powers & Duties of Council</i>		

Scope of Power:

1. A delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality's power to revoke the delegation.
2. A delegation shall not limit the right to revoke the delegation beyond the term of the council which made the delegation.
3. A delegation may provide that only the delegate can exercise the delegated power or that both the municipality and the delegate can exercise the power.
4. A delegation or deemed delegation under Paragraph 6 of a duty results in the duty being a joint duty of the municipality and the delegate.
5. A delegation may be made subject to such conditions and limits as the council considers appropriate. Council shall outline the procedures that the delegate is required to follow and specific measures for accountability of the delegate and the transparency of the delegate's actions.
6. Where a power is delegated, the power is deemed to be delegated subject to any limits on the power and to any procedural requirements, including conditions, approvals and appeals which apply to the power and any duties related to the power are deemed to be delegated with the power.

Restrictions of Delegation of Legislative & Quasi –Judicial Powers:

1. Council is not authorized to delegate any of the following powers and duties:
 - To appoint or remove from office statutory officers of the municipality.
 - To pass a by-law and deal with issues regarding taxes.
 - To incorporate corporations.
 - To adopt an official plan or an amendment to an official plan under the Planning Act.
 - To pass a zoning by-law under the Planning Act.
 - To pass a by-law related to small business counselling & municipal capital facilities
 - To adopt a community improvement plan
 - To adopt or amend the municipal budget
 - Any other power that may be prescribed

POLICY NO.	CRS-	PAGE NO.	Page 4 of 4
SUBJECT	<i>Delegation of Powers & Duties of Council</i>		

Delegation Re Hearings Application

1. This section applies when a municipality is required by law to hold a hearing or provide an opportunity to be heard before making a decision or taking a step, whether the requirement arise from an Act or from any other source of law.
2. If Council delegates to a person or body the power or duty to hold a hearing or provide an opportunity to be heard before the decision is made or the step taken, but does not delegate the power to make the decision or take the step, the following rules apply:
 - a) If the person or body holds the hearing or provides the opportunity to be heard, the municipality is not required to do so.
 - b) If the decision or step constitutes the exercise of a statutory power of decision to which *The Statutory Powers Procedure Act* applies, that Act, except sections 17, 17.1, 18 and 19, applies to the person or body and to the hearing conducted by the person or body.

Appeal Body

1. Council may establish an appeal body to hear appeals or review decisions made under any delegated power, if it deems necessary.
2. Before an Appeal Body is established, Council shall determine procedures, powers & rules of those conducting the appeals to be approved in a By-law establishing the Appeal Body.

This policy has been drafted by members of the Municipal Law Departments Association of Ontario as a sample policy to be considered for enactment under the *Municipal Act, 2001*. Please note that this policy is not intended to provide legal advice, nor is it intended to ensure compliance with the *Municipal Act, 2001* if enacted. Should you require legal advice, or wish to determine compliance with the *Municipal Act, 2001*, please consult your legal counsel.

DRAFT - Accountability and Transparency Policy

I. Purpose/Application

The *Municipal Act, 2001* (the Act) requires that all municipalities adopt and maintain a policy with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public. The purpose of this policy is to provide guidance for the delivery of the municipality's activities and services in accordance with the principles as outlined herein. This policy has been developed in accordance with the Act to comply with section 270.

II. Definition(s): Accountability; Transparency

- i) **Accountability** – The principle that the municipality will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.
- ii) **Transparency** – The principle that the municipality actively encourages and fosters stakeholder participation and openness in its decision making processes. Additionally, transparency means that the municipality's decision making process is open and clear to the public.

Due to popular demand, the definition of stakeholder has been removed.

III. Policy Statement

The Council of the Municipality acknowledges that it is responsible to provide good government for its stakeholders in an accountable and transparent manner by:

- Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- Delivering high quality services to our citizens; and
- Promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders. In addition, wherever possible, the

municipality will engage its stakeholders throughout its decision making process which will be open, visible and transparent to the public.

IV. Corporate Values

Some municipalities have corporate values that may be inserted and recognized here, if applicable.

V. Policy Requirements

The principles of accountability and transparency shall apply equally to the political process and decision making and to the administrative management of the municipality.

i. Financial Matters

The municipality will be open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. Some examples of how the municipality provides such accountability and transparency are as follows:

1. internal/external audit
2. reporting/statements
3. long term financial planning
4. asset management
5. purchasing/procurement
6. sale of land
7. budget process

ii. Internal Governance

The municipality's administrative practices ensure specific accountability on the part of its employees through the following initiatives:

1. code of conduct for staff
2. performance management and evaluation
3. hiring policy
4. orientation/continuing education
5. health and safety
6. work/life balance
7. compensation/benefit
8. responsibility for ensuring that administrative practices and procedures recognize Council's commitment to accountability and transparency (CAO/an Integrity Commissioner?)

iii. **Public Participation and Information Sharing**

The municipality ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. The municipality's meetings will be open to the public when and as required under the Act, and members of the public will have an opportunity to make delegations or comments in writing on specific items at these meetings. In addition, the municipality has adopted policies which ensure that participation by the public can be meaningful and effective, through timely disclosure of information by various means including print media, websites, etc. Some specific examples include:

1. procedure by-law
2. code of conduct for councillors
3. strategic plan
4. delegation rules
5. records retention
6. planning processes
7. public notice by-law or policy

Some other areas that municipalities may want to consider specifically enumerating include:

- Legal
 - delegation/signing authority?
- Privacy and Public Disclosure
- Planning process
- Customer Service Standards
- Provincial/Municipal Benchmarking

This policy has been drafted by members of the Municipal Law Departments Association of Ontario as a sample policy to be considered for enactment under the *Municipal Act, 2001*. Please note that this policy is not intended to provide legal advice, nor is it intended to ensure compliance with the *Municipal Act, 2001* if enacted. Should you require legal advice, or wish to determine compliance with the *Municipal Act, 2001*, please consult your legal counsel.

DRAFT - Delegation of Powers and Duties Policy

I. Purpose/Application

The *Municipal Act, 2001* (the Act) requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the powers and duties which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. This policy has been developed in accordance with the Act in order to comply with its other applicable sections, including section 270. This policy applies to all committees of Council, departments and staff.

II. Definition(s):

- i) **Legislative Powers** - Includes all matters where council acts in a legislative or quasi judicial function including enacting by-laws, setting policies, and exercising decision making authority.
- ii) **Administrative Powers** - Includes all matters required for the management of the corporation which do not involve discretionary decision making.

III. Policy Statement

The Council of the Municipality, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Act and will respect the applicable restrictions outlined in the Act.

IV. Corporate Values

Some municipalities have corporate values that may be inserted and recognized here, if applicable.

V. Policy Requirements

1. All delegations of Council powers, duties or functions shall be effected by bylaw.
2. Unless a power, duty, or function of Council has been expressly delegated by bylaw, all of the powers, duties and functions of Council remain with Council.
3. A delegation of a power, duty or function under any bylaw to any member of staff includes a delegation to a person who is appointed by the CAO or selected from time to time by the delegate to act in the capacity of the delegate in the delegate's absence.
4. Subject to section 3, a person to whom a power, duty or function has been delegated by bylaw has no authority to further delegate to another person any power, duty or function that has been delegated, unless such sub-delegation is expressly permitted.
5. Legislative matters may be delegated by Council where they are minor in nature or where Council has explicitly provided for the terms and conditions under which the powers shall be exercised, and must take into account the limitations set out in the Act.
6. (Optional Section) Council has authorized those specific legislative matters listed in Schedule "A" to be delegated to the individual designated subject to the terms set out therein.
7. Administrative Matters may generally be delegated to staff subject to the conditions set out in the delegation and in this policy, and must take into account the limitations set out in the Act.
8. (Optional Section) Council has authorized the delegation of specific administrative matters to those individuals listed in Schedule "B" subject to the terms set out therein.

In exercising any delegated power, the delegate shall ensure the following (core 'have regards to' for the purposes of a draft policy):

- Any expenditure related to the matter shall have been provided for in the current year's budget (or authorized by the purchasing by-law)
- The scope of the delegated authority shall not be exceeded by the delegate.
- Where required by the specific delegated authority, reports shall be submitted to Council advising of the exercise of a delegated power and confirming compliance with the delegated authority and this policy.

Here are some other optional 'have regards to' to consider:

- all policies regarding insurance and risk management shall be complied with
- delegates shall ensure the consistent and equitable application of council policies and guidelines

- any undertaking or contract with a third party shall be subject to the approval of legal services

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Tab CITY COUNCIL

Subject ACCOUNTABILITY AND TRANSPARENCY

Related Policies Disposition of Surplus Property
Hiring Of Employees
Procurement Of Goods And Services
Notice To The Public
Accountability And Transparency
Delegation Of Authority
Guiding Principles for Public Involvement
Council Code of Ethics

Approved by (date)

Review Date Annually

POLICY STATEMENT Guelph City Council acknowledges that it is responsible to provide good government for its community stakeholders in an accountable and transparent manner by:

- Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- Delivering high quality services to our citizens; and
- Promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the City adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its community stakeholders. In addition, wherever possible, the City of Guelph will engage its stakeholders throughout its decision making process which will be open, visible and transparent to the public.

Guelph City Council also acknowledges that there will be matters that due to their very nature must be considered at meetings that are not open to the public, and when these occasions occur, the City of Guelph commits to compliance with the statutory requirements regarding closed meetings under S. 239 of the Municipal Act.

PURPOSE

The purpose of this policy is to comply with S. 270 of the Municipal Act which requires that all municipalities adopt and maintain a policy with respect to the manner in which the City of Guelph will try to ensure that it is accountable to the public for its actions, and the manner in which we will try to ensure that our actions are transparent to the public. This policy will provide guidance for the delivery of the City's activities and services in accordance with the principles as outlined herein.

DEFINITIONS

Accountability - The principle that the City of Guelph will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.

Transparency – The principle that the City of Guelph actively encourages and fosters stakeholder participation and openness in its decision making processes. Additionally, transparency means that the municipality's decision making process is open and clear to the public.

**POLICY
REQUIREMENTS**

The principles of accountability and transparency shall apply equally to the political process for decision making and to the administrative practices of the municipality.

"A" - Financial Matters

The City of Guelph will be open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. Some examples of how the City of Guelph provides such accountability and transparency in its financial matters, are as follows:

- internal/external audit
- reporting/statements
- long term financial planning
- asset management
- purchasing/procurement
- disposition of surplus property
- budget process

"B" - Internal Governance

The municipality's administrative practices ensure specific accountability on the part of its employees through the following initiatives:

- code of conduct for staff
- performance management and evaluation
- hiring policy
- orientation/continuing education
- health and safety
- work/life balance
- compensation/benefit
- commitment of senior management to ensure that administrative practices and procedures recognize Council's commitment to accountability and transparency

"C" - Public Participation

The City of Guelph ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. The City's meetings will be open to the public when and as required under the Act, and members of the public will have an opportunity to make delegations or submit comments in writing on specific items at these meetings. In addition, the City of Guelph has adopted guiding principles for public involvement which ensure that participation by the public can be meaningful and effective by encouraging participation that is:

- inclusive not exclusive
- voluntary
- purpose driven
- respectful of time and financial constraints
- open communication
- adaptable
- accessible to information and decision making
- respectful of for diverse interests
- regularly evaluated

"D" - Disclosure of Information

The City is committed to timely disclosure of information by various means including print media, websites, etc. Some specific examples include:

- The City's website www.guelph.ca
- The City News Page

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- Use of various communication vehicles (newsletters, brochures, print and radio advertising, etc.)
- A robust media relations programme
- Direct communication with constituents (both verbal and written)
- Development of corporate communication strategies
- Public meetings and open houses on municipal initiatives
- Engagement of the public through an effective public consultation process, so as to receive and not just convey information.

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Tab CITY COUNCIL

Subject DELEGATION OF AUTHORITY

Related Policies Accountability And Transparency

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POLICY STATEMENT Guelph City Council, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Act and will respect the applicable restrictions outlined in the Act.

PURPOSE The *Municipal Act, 2001* (the Act) requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the powers and duties which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. This policy has been developed in accordance with the Act in order to comply with its other applicable sections, including section 270. This policy applies to all committees of Council, departments and staff.

DEFINITIONS **Legislative Powers** - Includes all matters where council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies, and exercising decision making authority.

Administrative Powers - Includes all matters required for the management of the corporation which do not involve discretionary decision making.

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POLICY REQUIREMENTS

1. All delegations of Council powers, duties or functions shall be effected by bylaw.
2. Unless a power, duty, or function of Council has been expressly delegated by bylaw, all of the powers, duties and functions of Council remain with Council.
3. A delegation of a power, duty or function under any bylaw to any member of staff includes a delegation to a person who is appointed by the CAO or selected from time to time by the delegate to act in the capacity of the delegate in the delegate's absence.
4. Subject to section 3, a person to whom a power, duty or function has been delegated by bylaw has no authority to further delegate to another person any power, duty or function that has been delegated, unless such sub-delegation is expressly permitted.
5. Legislative matters may be delegated by Council where they are minor in nature or where Council has explicitly provided for the terms and conditions under which the powers shall be exercised, and must take into account the limitations set out in the Act.
6. Administrative matters may generally be delegated to staff subject to the conditions set out in the delegation and in this policy, and must take into account the limitations set out in the Act.

IMPLEMENTATION "A" - ADMINISTRATIVE POWERS AND DUTIES PROCEDURE

In order for Council to authorize the delegation of any of its administrative powers and duties, it shall first approve the conditions and limitations of the delegation by the approval of a by-law. Council shall approve policy and procedures for the delegation which includes measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decisions. In exercising any delegated power, the delegate shall ensure the following:

1. Any expenditure related to the matter shall have been provided for in the current year's budget (or authorized by the purchasing by-law)
2. The scope of the delegated authority shall not be exceeded by the delegate.
3. Where required by the specific delegated authority, reports shall be submitted to Council advising of the exercise of a delegated power and confirming compliance with the delegated authority and this policy.

“B” - LEGISLATIVE AND QUASI-JUDICIAL POWERS

In order for Council to authorize the delegation of any of its legislative and quasi-judicial powers, it is recognized that these powers can only be delegated to the following:

- One or more members of municipal council
- A body that has at least 2 members, of which 50% are council members, council appointees, or a combination thereof
- An officer, employee or agent of the municipality (if the power delegated is of a “minor nature”)

Council shall approve the conditions and limitations for the delegation of any of its legislative and quasi-judicial powers.

Council shall approve specific and individual policy and procedures for each delegation which include measures for the monitoring and accountability of the delegate and the transparency of the delegate’s actions and decisions.

Council shall only delegate legislative and quasi-judicial powers to an officer, employee or agent of the municipality which are minor in nature.

The delegation of legislative and quasi-judicial powers of Council are restricted to powers found in the Municipal Act, the Planning Act, a private act relating to the municipality and “such other Acts as may be prescribed.”

GENERAL RULES RELATING TO DELEGATION OF AUTHORITY

A delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality’s power to revoke the delegation.

A delegation shall not limit the right to revoke the delegation beyond the term of the council which made the delegation.

A delegation may provide that only the delegate can exercise the delegated power or that both the municipality and the delegate can exercise the power.

A delegation or deemed delegation of a duty results in the duty being a joint duty of the municipality and the delegate.

A delegation may be made subject to such conditions and limits as the Council considers appropriate. Council shall outline the procedures that the delegate is required to follow and specific measures for accountability of the delegate and the transparency of the delegate's actions.

Where a power is delegated, the power is deemed to be delegated subject to any limits on the power and to any procedural requirements, including conditions, approvals and appeals which apply to the power and any duties related to the power are deemed to be delegated with the power.

RESTRICTIONS

Council is not authorized to delegate any of the following powers and duties:

- To appoint or remove from office statutory officers of the municipality.
- To pass a by-law and deal with issues regarding taxes.
- To incorporate corporations.
- To adopt an official plan or an amendment to an official plan under the Planning Act.
- To pass a zoning by-law under the Planning Act.
- To pass a by-law related to small business counselling & municipal capital facilities
- To adopt a community improvement plan
- To adopt or amend the municipal budget
- Any other power that may be prescribed

No delegation of legislative or quasi-judicial powers to a corporation is permitted.

Any delegation of legislative or quasi-judicial powers may be subject to any regulation made by the Minister.

Any delegation of administrative powers may be subject to any regulation made by the Minister.

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Tab CITY COUNCIL

Subject DELEGATION OF POWERS AND DUTIES

Related Policies Accountability And Transparency
Purchasing By-law (2005)-17679

Approved by (date)

Review Date Annually

POLICY STATEMENT Guelph City Council, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Municipal Act, 2001 (the Act) and will respect the applicable restrictions outlined in the Act.

PURPOSE The Act requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the legislative and administrative powers and duties which Council may delegate and to establish principles governing such delegation. This policy has been developed in accordance with the Act in order to comply with its other applicable sections, including section 270. This policy applies to all committees of Council, departments and staff.

DEFINITIONS **Legislative Powers** - Includes all matters where council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies, and exercising decision making authority.

Administrative Powers - Includes all matters required for the management of the corporation subject to such limitations as Council may deem appropriate.

Delegate(s) – The person, persons or body to whom a delegation of

authority is made by Council.

Delegation – The granting of authority by City Council to a person, persons or a body to exercise a legislative or administrative power of the Council.

**POLICY
REQUIREMENTS**

1. All delegations of Council powers, duties or functions shall be effected by bylaw.
2. Unless a power, duty, or function of Council has been expressly delegated by bylaw, it shall remain with Council.
3. A delegation of a power, duty or function under any bylaw to any member of staff includes a delegation to a person who is appointed by the CAO or the staff member's supervisor or selected from time to time by the delegate to act in the capacity of the delegate in the delegate's absence.
4. Subject to section 3, a person to whom a power, duty or function has been delegated by bylaw has no authority to further delegate to another person any power, duty or function that has been delegated, unless such sub-delegation is expressly permitted.
5. Legislative matters may be delegated by Council where they are minor in nature or where Council has explicitly provided for the terms and conditions under which the powers shall be exercised, and such delegations must take into account the limitations set out in the Act.
6. Administrative matters may generally be delegated to staff subject to the conditions set out in the delegation and in this policy, and such delegations must take into account the limitations set out in the Act.

**IMPLEMENTATION "A" - ADMINISTRATIVE POWERS
PROCEDURE**

In order for Council to authorize the delegation of any of its Administrative Powers, it shall first approve the conditions and limitations of the delegation.. Council shall approve policy and procedures for the delegation which include measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decisions. In exercising any delegated power, the delegate shall ensure the following:

1. Any expenditure related to the matter shall have been provided for in the current year's budget, or authorized by the Purchasing By-

law (2005)-17679.

2. The scope of the delegated authority shall not be exceeded by the delegate.
3. Where required by the specific delegated authority, reports shall be submitted to Council advising of the exercise of a delegated power and confirming compliance with the delegated authority and this policy.
4. The delegate, in carrying out the delegated powers and duties, shall consider the public interest, shall act in good faith, shall not act unfairly and shall not act arbitrarily.

“B” - LEGISLATIVE POWERS

Council's legislative powers can only be delegated to the following:

- One or more members of municipal council
- A body that has at least 2 members, of which 50% are council members, council appointees, or a combination thereof
- An officer, employee or agent of the municipality (if the power delegated is of a “minor nature” as provided in S. 23.2 of the Municipal Act).

Council shall approve the conditions and limitations for the delegation of any of its Legislative Powers.

Council shall approve specific and individual policy and procedures for each delegation which include measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decisions.

Council shall only delegate Legislative Powers to an officer, employee or agent of the municipality if those Legislative Powers are minor in nature.

The only Legislative Powers of Council which may be delegated are powers found in the Municipal Act, the Planning Act, a private act relating to the municipality and “such other Acts as may be prescribed by Regulation.

GENERAL RULES RELATING TO DELEGATION OF AUTHORITY

A delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality's power to revoke the delegation.

A delegation shall not limit the right to revoke the delegation beyond the term of the council which made the delegation.

A delegation may provide that only the delegate can exercise the delegated power or that both the municipality and the delegate can exercise the power.

A delegation or deemed delegation of a duty results in the duty being a joint duty of the municipality and the delegate.

A delegation may be made subject to such conditions and limits as the Council considers appropriate. Council shall outline the procedures that the delegate is required to follow and specific measures for accountability of the delegate and the transparency of the delegate's actions.

Where a power is delegated, the power is deemed to be delegated subject to any limits on the power and to any procedural requirements, including conditions, approvals and appeals which apply to the power and any duties related to the power are deemed to be delegated with the power.

Council may provide for reviews or appeals of decisions made by persons or bodies in the exercise or intended exercise of powers or the performance or intended performance of duties delegated pursuant to this policy.

RESTRICTIONS

Council is not authorized to delegate any of the following powers and duties:

- To appoint or remove from office statutory officers of the municipality.
- To pass a by-law to deal with issues regarding taxes.
- To incorporate corporations.
- To adopt an official plan or an amendment to an official plan under the Planning Act.
- To pass a zoning by-law under the Planning Act.
- To pass a by-law related to small business counseling & municipal capital facilities
- To adopt a community improvement plan
- To adopt or amend the municipal budget
- Any other power that may be prescribed by Regulation

No delegation of legislative powers to a corporation is permitted.

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Any delegation may be subject to any regulation made by the Minister.

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Tab CITY COUNCIL

Subject ACCOUNTABILITY AND TRANSPARENCY

Related Policies Disposition of Surplus Property By-law (1995)-14835
Hiring Of Employees
Procurement Of Goods And Services By-law (2005)-17679
Notice To The Public
Delegation Of Authority
Guiding Principles for Public Involvement
Council Code of Ethics

Approved by (date)

Review Date Annually

POLICY STATEMENT Guelph City Council acknowledges that it is responsible to provide good government for its community stakeholders in an accountable and transparent manner by:

- Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- Delivering high quality services to our constituents; and
- Promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the City adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its community stakeholders. In addition, wherever possible, the City of Guelph will engage its stakeholders throughout its decision making process which will be open, visible and transparent to the public.

Guelph City Council also acknowledges that there will be matters that due to their very nature must be considered at meetings that are not open to the public, and when these occasions occur, the City of Guelph commits to compliance with the statutory requirements regarding closed meetings under S. 239 of the Municipal Act, 2001 (the Act).

PURPOSE

The purpose of this policy is to comply with S. 270 of the Act which requires that all municipalities adopt and maintain a policy with respect to the manner in which the City of Guelph will try to ensure that it is accountable to the public for its actions, and the manner in which we will try to ensure that our actions are transparent to the public. This policy will provide guidance for the delivery of the City's activities and services in accordance with the principles as outlined herein.

DEFINITIONS

Accountability - The principle that the City of Guelph will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.

Transparency – The principle that the City of Guelph actively encourages and fosters stakeholder participation and openness in its decision making processes. Additionally, transparency means that the municipality's decision making process is open and clear to the public.

Meeting – Any regular, special or other meeting of council, of a local board or of a committee of either of them.

**POLICY
REQUIREMENTS**

The principles of accountability and transparency shall apply equally to the political process for decision making and to the administrative practices of the municipality.

"A" - Financial Matters

The City of Guelph will be open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. Some examples of how the City of Guelph provides such accountability and transparency in its financial matters, are as follows:

- internal/external audit
- reporting/statements
- long term financial planning
- asset management
- purchasing/procurement
- disposition of surplus property
- budget process

"B" - Internal Governance

The municipality's administrative practices ensure specific accountability

on the part of its employees through the following initiatives:

- code of conduct for staff
- performance management and evaluation
- hiring policy
- orientation/continuing education
- health and safety
- work/life balance
- compensation/benefit
- commitment of senior management to ensure that administrative practices and procedures recognize Council's commitment to accountability and transparency

"C" - Public Participation

The City of Guelph ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. The City's meetings will be open to the public when and as required under the Act, and members of the public will have an opportunity to make delegations or submit comments in writing on specific items at these meetings. In addition, the City of Guelph has adopted guiding principles for public involvement which ensure that participation by the public can be meaningful and effective by encouraging participation that is:

- inclusive not exclusive
- voluntary
- purpose driven
- respectful of time and financial constraints
- open communication
- adaptable
- accessible to information and decision making
- respectful of diverse interests
- regularly evaluated

These guidelines are available in the City Clerk's Office and on the City's website.

"D" - Disclosure of Information

The City is committed to timely disclosure of information by various

means including print media, websites, etc. Some specific examples include:

- The City's website www.guelph.ca
- The City News Page
- Use of various communication vehicles (newsletters, brochures, print and radio advertising, etc.)
- A robust media relations programme
- Direct communication with constituents (both verbal and written)
- Development of corporate communication strategies
- Public meetings and open houses on municipal initiatives
- Engagement of the public through an effective public consultation process, so as to receive and not just convey information.

REPORT OF THE COUNCIL AS A COMMITTEE OF THE WHOLE

December 17, 2007

Her Worship the Mayor and
Councillors of the City of Guelph.

Your Council as a Committee of the Whole beg leave to present this their SIXTH REPORT as recommended at its meeting of November 19, 2007:

CLAUSE 1 THAT Paul Reeve and Julia Philips be appointed to the Accessibility Advisory Committee for a term to expire in November 2010;

AND THAT Tanya Davies and Ann Candlish be appointed to the Accessibility Advisory Committee for a term to expire in November 2008;

AND THAT Hugh Spencer be appointed to the Guelph Cemetery Commission for a term to expire November 2010;

AND THAT Ron Gumbley be appointed to the Guelph Sports Hall of Fame Board of Directors for a term to expire November 2010;

AND THAT Will Lenssen be appointed to the Guelph Sports Hall of Fame Board of Directors for a term to expire November 2008;

AND THAT Peter Hohenadel be appointed to the MacDonald Stewart Art Centre Board of Directors for a term to expire November 2010;

AND THAT Fred Thoonen be appointed to the Locomotive 6167 Restoration Committee for a term expiring November 2010;

AND THAT Robert Cassolato, Kevin James and Susan Watson be appointed to the Guelph Museums Board of Directors for a term expiring November 2010;

AND THAT Craig Chamberlain and Sandra Ferguson-Escott be appointed to the Guelph Non-Profit Housing Committee for a term expiring November 2010;

AND THAT Lynda Davenport be appointed to the Wellington-Dufferin-Guelph Health Unit Board of Directors for a term expiring November 2010;

AND THAT Cathy Alexander, Lynn Broughton and Joanne McAuley be appointed to the River Run Centre Board of Directors for a term expiring November 2010;

AND THAT Dennis Deters and Lloyd Longfield be appointed to the River Run Centre Board of Directors for a term expiring November 2008;

December 17, 2007
Report of the Council as a Committee of the Whole

AND THAT Michael Keegan be appointed to the Guelph Library Board for a term expiring November 2008.

Councillor Gloria Kovach

CONSENT AGENDA

December 17, 2007

Her Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

The following resolutions have been prepared to facilitate Council's consideration of the 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. The item will be extracted and dealt with immediately. The balance of the Consent Agenda will be approved in one resolution.

A Reports from Administrative Staff

REPORT	DIRECTION
<p>A-1 DISPOSITION OF PERMANENT EASEMENT PART OF NORTHERN HEIGHTS PARKLANDS</p> <p>THAT a permanent easement in the lands described as Part of Block 52, Plan 61M122, City of Guelph and designated as Part 2 on Reference Plan 61R10650 be declared as being surplus to the needs of the City;</p> <p>AND THAT a permanent easement for the purposes of constructing and maintaining electrical equipment in the lands described as Part of Block 52, Plan 61M122, City of Guelph and designated as Part 2 on Reference Plan 61R10650 be granted by the City to Guelph Hydro Electric Systems Inc. for \$2.00, subject to the terms and conditions of the grant of easement being satisfactory to the Director of Community Design and Development and the City Solicitor.</p>	Approve
<p>A-2 PROPOSED DEMOLITION OF A DETACHED DWELLING KNOWN MUNICIPALLY AS 1806 HANLON ROAD, WARD 6</p> <p>THAT the application to demolish the building known municipally as 1806 Hanlon Road be approved.</p>	Approve
<p>A-3 PROPOSED DEMOLITION OF A DETACHED DWELLING KNOWN MUNICIPALLY AS 3 GALT STREET, WARD 5</p> <p>THAT the application to demolish the detached dwelling known municipally as 3 Galt Street be approved.</p>	Approve

A-4) **TRANSFER OF LAND BETWEEN THE PROVINCE OF ONTARIO
AND CARGILL MEAL SOLUTIONS**

Approve

THAT the Manager of Economic Development and Tourism be directed to advise the Ontario Realty Corporation that the City:

- a) Recognizes that Cargill Meat Solution's proposal to expand the capacity of its Dunlop Drive Facility is consistent with the City's Economic Development objective to position Guelph as one of the top two agri-food centres within Canada;
- b) Has no interest in acquiring the lands and easements described in Attachment "A" of the Manager of Economic Development and Tourism's report dated December 17, 2007;
- c) Has no objections with the Province of Ontario transferring directly to Cargill Meat Solutions the transfer of lands and easements described in Attachment "A" of the Manager of Economic Development and Tourism's report dated December 17, 2007;
- d) Has no objections with the Province of Ontario using its Crown Right to effect the severance of the lands and easements described in Attachment "A" of the Manager of Economic Development and Tourism's report dated December 17, 2007 subject to the following conditions being addressed prior to transfer;
 - 1) An amendment to the Official Plan and Zoning By-law re-designating Parts 2, 10 – 25 from I2 (Institutional) lands to B4.4 (Industrial), and
 - 2) An agreement is reached between Cargill and Guelph Hydro Electrical Systems with respect to a utility easement (Parts 1, 2, 4, 7, 8, 9, 10, 11, 12, 18, 19, 20, 22, 25) which meets the requirements of Guelph Hydro; and
 - 3) An amendment to the Official Plan and Zoning By-law re-designating Parts 1, 3-9 to P1 (Conservation), and
 - 4) Approvals are granted by the Grand River Conservation Authority (GRCA) for works to install hydro poles within Parts 1, 3 – 9 that are within the GRCA Regulation Limit, and
 - 5) That is shall not be deemed that the City of Guelph gives any assurance that the Official Plan and Zoning Amendments, when applied for, shall be approved and that this shall be without prejudice to Official Plan and Zoning approval processes set out in

the Planning Act.

**A-5) PUBLIC INFRASTRUCTURE RENEWAL END-USER LICENSE
AGREEMENT BETWEEN THE CITY AND HER MAJESTY THE
QUEEN**

Approve

THAT the Mayor and Clerk be authorized to sign an agreement with Her Majesty the Queen in right of Ontario as represented by the Ontario Minister of Public Infrastructure Renewal (the “Licensor”) for the use of Electronic Intellectual Property depicting the proposed Final Built Boundary for the Greater Golden Horseshoe, Fall 2007, as it pertains to the City of Guelph.

B ITEMS FOR DIRECTION OF COUNCIL

C ITEMS FOR INFORMATION OF COUNCIL

C-1) SOUTH END COMMUNITY CENTRE

Receive

THAT the information report dated September 12, 2007 with respect to the South End Community Centre, be received for information. (*Councillor Billings requested that the Emergency Services, Community Services & Operations Committee report be brought forward to Council from the weekly Items for Information of Council, [Green Sheets]. September 13, 2007*)

Attach.



City of Guelph

CORPORATE SERVICES

A-1

TO: Council

DATE: December 17, 2007

SUBJECT: Disposition of Permanent Easement
Part of Northern Heights Parklands

RECOMMENDATION:

THAT a permanent easement in the lands described as Part of Block 52, Plan 61M122, City of Guelph and designated as Part 2 on Reference Plan 61R10650 be declared as being surplus to the needs of the City;

AND THAT a permanent easement for the purposes of constructing and maintaining electrical equipment in the lands described as Part of Block 52, Plan 61M122, City of Guelph and designated as Part 2 on Reference Plan 61R10650 be granted by the City to Guelph Hydro Electric Systems Inc. for \$2.00, subject to the terms and conditions of the grant of easement being satisfactory to the Director of Community Design and Development and the City Solicitor.

BACKGROUND:

Through the approval of the Northern Heights Subdivision, Phase II, Block 52 was dedicated to the City as park. As Council may recall, this block included the Ingram Farmhouse, which was the subject of a recent report to Council from the Community Services Department.

REPORT:

Guelph Hydro has approached the City indicating their need to install two hydro pad switches to service the new development. With the development approvals already in place, the only remaining opportunity for Guelph Hydro's facility is within the City's park block. The attached sketch shows the location of the proposed 7.5 x 10 metre permanent easement required for Guelph Hydro to

construct and maintain its equipment which includes two pad-mounted cabinets and appurtenances. The easement will be granted to Guelph Hydro for \$2.00.

FINANCIAL IMPLICATIONS:

Any costs arising from this transaction are to be paid for by the developer, Artifex Construction.

DEPARTMENTAL CONSULTATION:

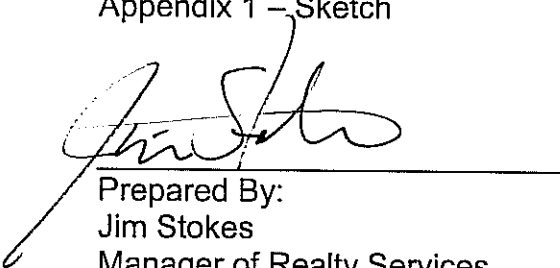
Staff from Engineering, Parks Planning, and Realty have been involved in this matter.

COMMUNICATIONS:

In accordance with the City's Surplus Lands By-law (1995)-14835, it is necessary that this property interest be declared surplus to the needs of the City and 30 days notice be provided in the public register maintained by the Clerk prior to the sale.

ATTACHMENTS:

Appendix 1 – Sketch



Prepared By:
Jim Stokes
Manager of Realty Services
519-822-1260 Ext. 2279
jim.stokes@guelph.ca



Recommended By:
Lois E. Payne
Director of Corporate Services
and City Solicitor
519-822-1260 Ext. 2288
lois.payne@guelph.ca

SCHEDULE				
PART	LOT	CON./PLAN	PIN	AREA
1	PART OF BROKEN FRONT LOT 'D'	DIVISION 'F'	71958-1002(LT)	4233.5
2	PART OF BLOCK 52	REGISTERED PLAN 61M-122	71958-1054(LT)	75.50

PLAN OF
OF PART OF
BROKEN FRONT
(Geographic Town
AND PART OF
BLOCK 52,
CITY OF
COUNTY OF
KERRY F. HILLIS
2007
SCALE 1:1000
METRIC: DISTANCES SHOWN
BE CONVERTED TO

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE
THE SURVEYORS ACT AND
2. THE SURVEY WAS COMPLETED
AUGUST 10, 2007

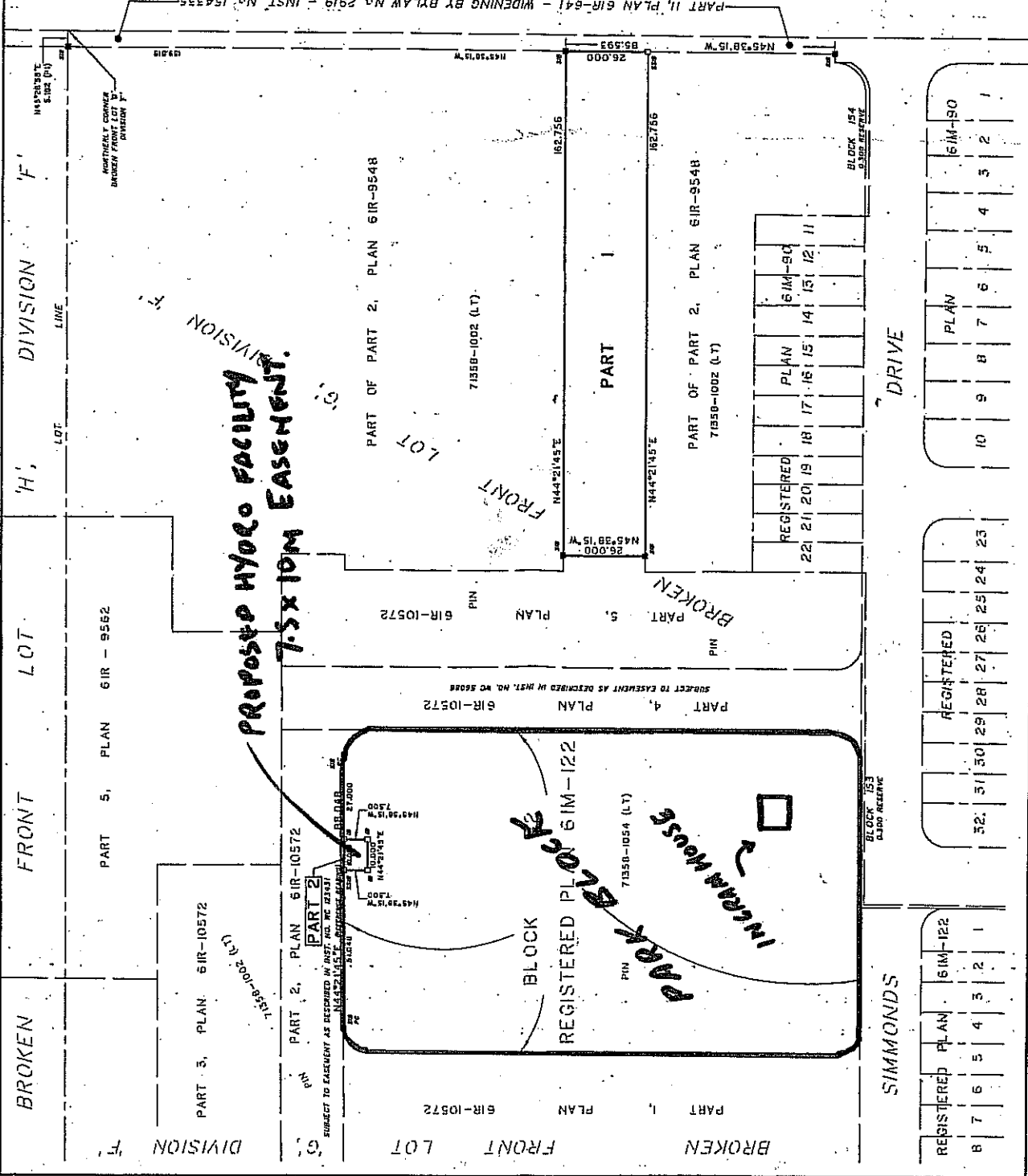
BEARINGS HEREON ARE U.T.M.
REFERRED TO THE NORTHWEST
AND SHOWN THEREON AS N44°

— DENOTES SURVEY
— DENOTES SHORT
SSIB DENOTES STANDARD
SIB DENOTES STANDARD
IB DENOTES IRON BAIL
375 DENOTES IRON BAIL
PI DENOTES PLAN 611

BLACK, SHOEMAKER, R

BSR&D on up

ORIGINAL ROAD ALLOWANCE BETWEEN DIVISIONS 'C' AND 'F' - VICTORIA ROAD



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22

23	24	25	26	27	28	29	30	31	32
23	24	25	26	27	28	29	30	31	32

1	2	3	4	5	6	7	8
1	2	3	4	5	6	7	8



City of Guelph

**COMMUNITY DESIGN AND DEVELOPMENT SERVICES
(07-XXX)**

Report: *A-2*

TO: Council

DATE: December 17, 2007

**SUBJECT: PROPOSED DEMOLITION OF A DETACHED DWELLING KNOWN
MUNICIPALLY AS 1806 HANLON ROAD, WARD 6, GUELPH**

RECOMMENDATION:

THAT the application to demolish the building known municipally as 1806 Hanlon Road BE APPROVED.

BACKGROUND:

An application to demolish the existing detached dwelling at 1806 Hanlon Road has been received by Community Design and Development Services.

The existing house is a legal non-conforming use sitting on land zoned SC.1-35 - 'Specialized Service Commercial'. The house has been purchased by the Ministry of Transportation (MTO) as part of their land assemblies for future intersection improvements at the Hanlon Expressway and Laird Road. Pending the outcome of the Hanlon Improvements EA process which will be seeking approvals in early 2008, this interchange is scheduled for construction over the 2009-2011 period. Cost-share funding for the project is identified in the City's capital plan.

The house is the only property accessed from Hanlon Road north of Clair. Based on the preliminary preferred design, this section of Hanlon Road would be closed once the interchange is constructed.

The existing building is not on the City's Heritage Inventory.

REPORT:

The City's Demolition Control By-law was passed under the authority of Section 33 of the Planning Act. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the Planning Act allows that Council's decision may be

appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of application.

The approval of the application is recommended as the planned interchange construction will require the removal of the house in 2009.

CORPORATE STRATEGIC PLAN:

Goal #1 – An attractive, well-functioning and sustainable city.

DEPARTMENTAL CONSULTATION/CONCURRENCE:

N/A

COMMUNICATIONS:

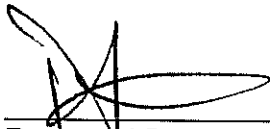
N/A

ATTACHMENTS:

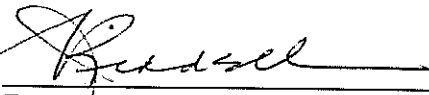
Schedule 1 – Location Map

Schedule 2 -- Hanlon/Laird Interchange Design

Schedule 3 – Site Photograph



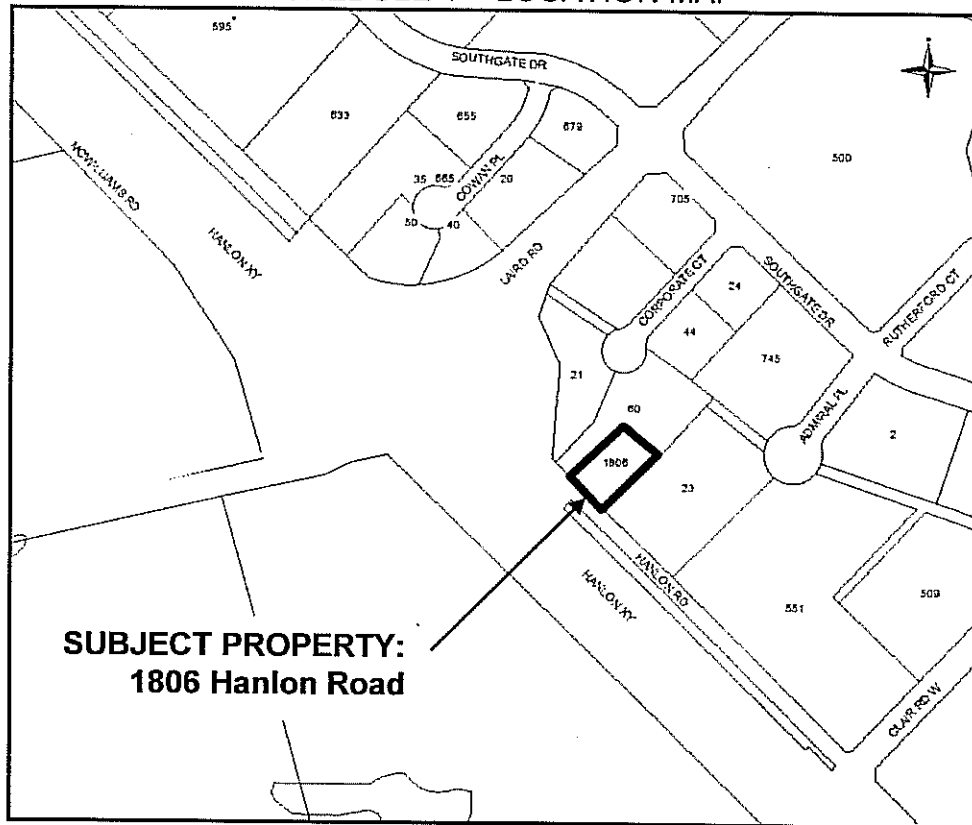
Prepared By:
Ian Panabaker
Heritage & Urban Design Planner
837-5616 x2475
ian.panabaker@guelph.ca



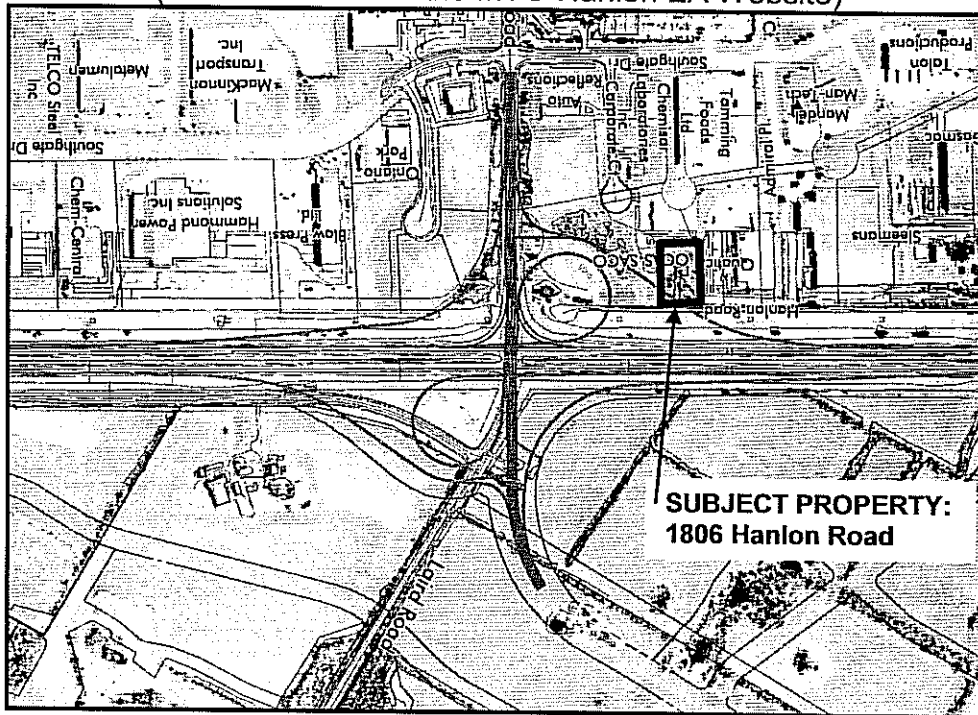
Recommended By:
James N. Riddell
Director
Community Design and Development Services
837-5616 x2361
jim.riddell@guelph.ca

P:\Planning&DevelopmentServices\Planning\DEMOLITION REPORTS\Hanlon Rd, 1806\07-0XX) DemolitionReport 1806 Hanlon Road.doc

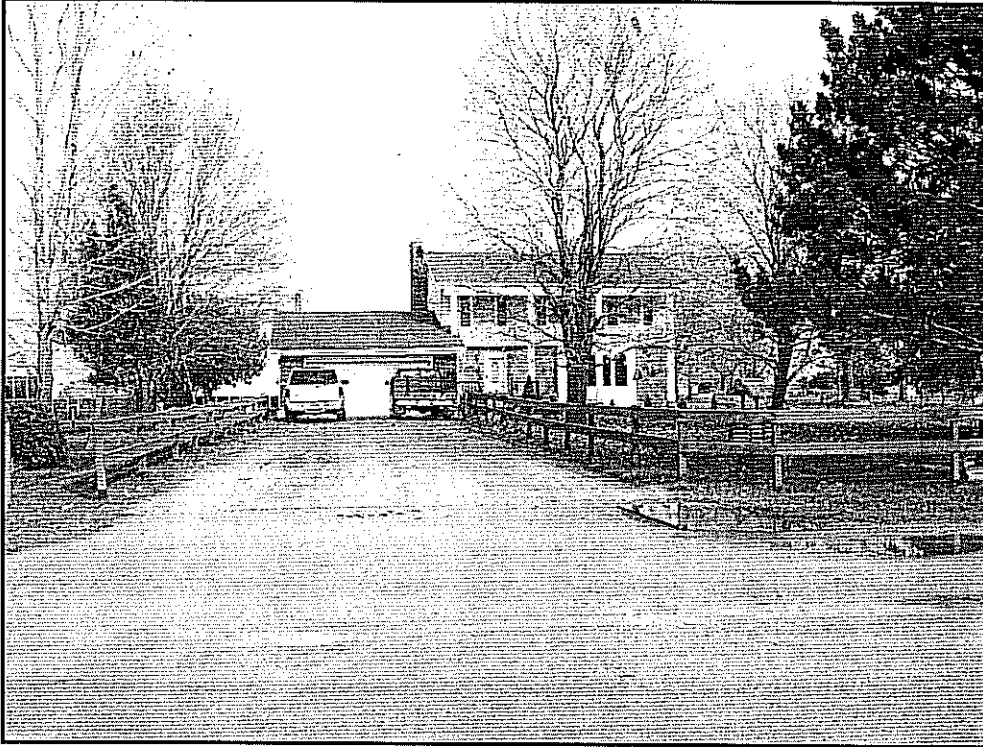
SCHEDULE 1 – LOCATION MAP



SCHEDULE 2 – Hanlon/Laird Interchange Diagram (Alternative 1 from the MTO Hanlon EA Website)



SCHEDULE 3 – SITE PHOTOGRAPH



View of Existing Building at 1806 Hanlon Road.



City of Guelph

COMMUNITY DESIGN AND DEVELOPMENT SERVICES
(07-0XX)

Report: A-3

TO: Council

DATE: December 17, 2007

**SUBJECT: PROPOSED DEMOLITION OF A DETACHED DWELLING KNOWN
MUNICIPALLY AS 3 GALT STREET, WARD 5, GUELPH**

RECOMMENDATION:

THAT the application to demolish the detached dwelling known municipally as 3 Galt Street BE APPROVED.

BACKGROUND:

An application to demolish the existing detached dwelling at 3 Galt Street has been received by Community Design and Development Services.

The existing house is zoned R.1B - 'Detached Dwelling' (see Schedule 1 -- Location Plan). The owner, a local builder, intends to build a similar house to the house he constructed at 1 Galt Street on this lot.

The existing house is a c.1870s worker's cottage and is on the City's Heritage Inventory (see Schedule 2 - Photo). Heritage Guelph, the municipal heritage committee, has reviewed the site and passed a 'no objection' motion at their November 26, 2007 meeting.

REPORT:

The City's Demolition Control By-law was passed under the authority of Section 33 of the Planning Act. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the Planning Act allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of application.

The approval of the application is recommended, the residential use will be maintained through the reconstruction of the new house.

CORPORATE STRATEGIC PLAN:

Goal #3 – A diverse and prosperous local economy.

DEPARTMENTAL CONSULTATION/CONCURRENCE:

Heritage Guelph

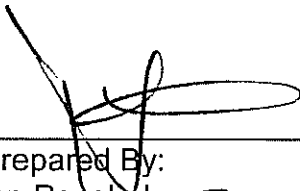
COMMUNICATIONS:

N/A

ATTACHMENTS:

Schedule 1 – Location Plan

Schedule 2 -- Site Photograph



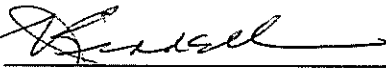
Prepared By:

Ian Panabaker

Heritage & Urban Design Planner

837-5616 x2475

ian.panabaker@guelph.ca



Recommended By:

James N. Riddell

Director

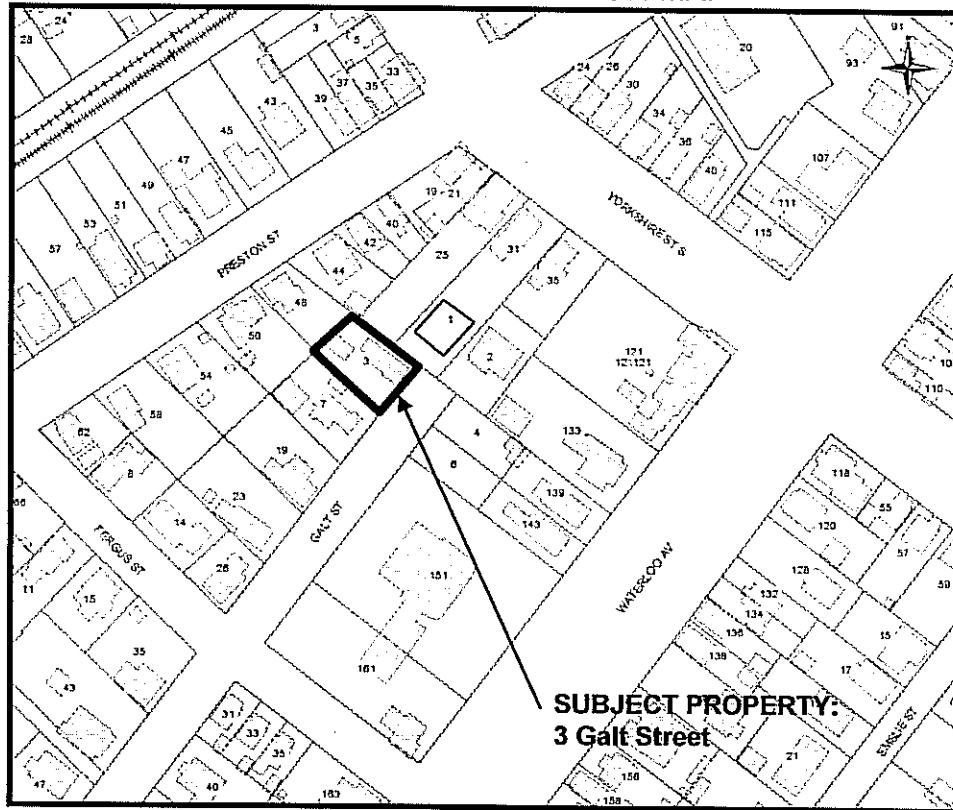
Community Design and Development Services

837-5616 x2361

jim.riddell@guelph.ca

T:\Planning\HERITAGE\PROPERTY FILES\Gall St, 3\07-0XX\ DemolitionReport 3 Gall.doc

SCHEDULE 1 – LOCATION MAP



SCHEDULE 2 – SITE PHOTOGRAPH

(Photo to follow...)

View of Existing House at 3 Galt Street



City of Guelph

Report #: A-4

COMMUNITY DESIGN and DEVELOPMENT SERVICES Economic Development and Tourism

TO: *Guelph City Council*

DATE: December 17, 2007

SUBJECT: Proposed Transfer of Land between the Province of
Ontario and Cargill Meat Solutions.

RECOMMENDATIONS:

"THAT the Manager of Economic Development and Tourism be directed to advise the Ontario Realty Corporation that the City:

- (a) Recognizes that Cargill Meat Solution's proposal to expand the capacity of its Dunlop Drive Facility is consistent with the City's Economic Development objective to position Guelph as one of the top two agri-food centres within Canada;**
- (b) Has no interest in acquiring the lands and easements described in Attachment "A" of the Manager of Economic Development and Tourism's report dated December 17, 2007;**
- (c) Has no objections with the Province of Ontario transferring directly to Cargill Meat Solutions the transfer of lands and easements described in Attachment "A" of the Manager of Economic Development and Tourism's report dated December 17, 2007;**
- (d) Has no objections with the Province of Ontario using its Crown Right to effect the severance of the lands and easements described in Attachment "A" of the Manager of Economic Development and Tourism's report dated December 17, 2007 subject to the following conditions being addressed prior to transfer:**

- 1) An amendment to the Official Plan and Zoning By-law re-designating Parts 2, 10 – 25 from I2 (Institutional) lands to B4.4 (Industrial), and
- 2) An agreement is reached between Cargill and Guelph Hydro Electrical Systems with respect to a utility easement (Parts 1, 2, 4, 7, 8, 9, 10, 11, 12, 18, 19, 20, 22, 25) which meets the requirements of Guelph Hydro, and
- 3) An amendment to the Official Plan and Zoning By-law re-designating Parts 1, 3 – 9 to P1 (Conservation), and
- 4) Approvals are granted by the Grand River Conservation Authority (GRCA) for works to install Hydro Poles within Parts 1, 3 – 9 that are within the GRCA Regulation Limit, and
- 5) That it shall not be deemed that the City of Guelph gives any assurance that the Official Plan and Zoning Amendments, when applied for, shall be approved and that this shall be without prejudice to Official Plan and Zoning approval processes set out in the Planning Act.

BACKGROUND:

During the course of the last year Cargill Meat Solutions (Cargill) has discussed with the City of Guelph and the Province of Ontario the need to expand the size of the Dunlop Drive facility for the purpose of increasing its storage capacity. Cargill asserts this expansion is required for Cargill to remain competitive in both the North American and Asian markets.

Cargill wishes to acquire +/- **12.75** acres of land from the Province of Ontario to facilitate the re-location of current parking and an addition to the current Dunlop Drive facility. **Attachment "A"** provides a plan showing the lands and easements to be acquired. The subject land is currently part of the Guelph Correctional Centre, which was de-commissioned by the Province in 2002 and declared surplus in 2004. The subject land is currently designated within Guelph's Official Plan as: FL (Floodplain), P1 (Conservation) and I2 (Institutional). Cargill is proposing that the I2 (Institutional) land be re-designated as B4.4 (Industrial), which will require an amendment to the Official Plan and Zoning By-law. The FL (Floodplain) and P1 (Conservation) lands will remain zoned as such.

Discussions have occurred between the Cargill, the City, and the Ontario Realty Corporation (ORC) regarding the transfer these lands from the Province to Cargill. The ORC is the Provincial agency responsible for Provincial real estate matters and reports to the Minister of Public Infrastructure Renewal (PIR).

Before the Province can transfer the lands and easements to Cargill the ORC is required by its Management Board to confirm that there is no other Federal, Provincial or Municipal government interest in acquiring the subject property. The ORC has confirmed that there is not any Federal or Provincial interest to acquire any portion of the Guelph Correctional Centre lands.

In order to facilitate the transfer of the lands and easements to Cargill the ORC is requesting that the City of Guelph formally advise that the City:

- 1) Is not interested in acquiring the subject lands,
- 2) Has no objection to the Province transferring these lands and easements to Cargill,
- 3) Has no objection to the Province using its Crown Right to effect severance of the lands and easements.

The ORC's request is found in **Attachment "B"**.

REPORT:

A reference plan relating to this proposal was circulated to City departments on November 7, 2007 as well as to external agencies and utility companies for comments.

As such, City staff also supports the transfer of the subject land as proposed by the ORC subject to the following:

- 1) An amendment to the Official Plan and Zoning By-law re-designating Parts 2, 10 – 25 from I2 (Institutional) lands to B4.4 (Industrial), and
- 2) An agreement is reached between Cargill and Guelph Hydro Electrical Systems with respect to a utility easement (Parts 1, 2, 4, 7, 8, 9, 10, 11, 12, 18, 19, 20, 22, 25) which meets the requirements of Guelph Hydro, and
- 3) An amendment to the Official Plan and Zoning By-law re-designating Parts 1, 3 – 9 to P1 (Conservation), and
- 4) Approvals are granted by the Grand River Conservation Authority (GRCA) for works to install Hydro Poles within Parts 1, 3 – 9 that are within the GRCA Regulation Limit.
- 5) That it shall not be deemed that the City of Guelph gives any assurance that the Official Plan and Zoning Amendments, when

applied for, shall be approved and that this shall be without prejudice to Official Plan and Zoning approval processes set out in the Planning Act.

CORPORATE STRATEGIC PLAN:

- Goal 3: A diverse and prosperous local economy

FINANCIAL IMPLICATIONS:

None to the City of Guelph

CONSULTATION:

- Community Design & Development Services
- Corporate Services
- Guelph Junction Railway
- Guelph Hydro
- Grand River Conservation Authority
- Bell Canada

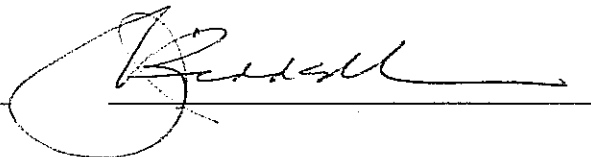
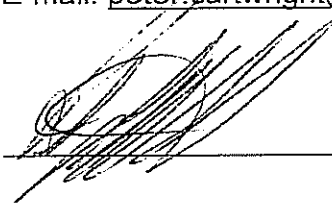
ATTACHMENTS:

- **Attachment "A"** – Map of the Subject Land Acquisition
- **Attachment "B"** – Ontario Realty Corporation's Request to Transfer Land to Cargil Meat Solutions.
-

Prepared & Recommended By:

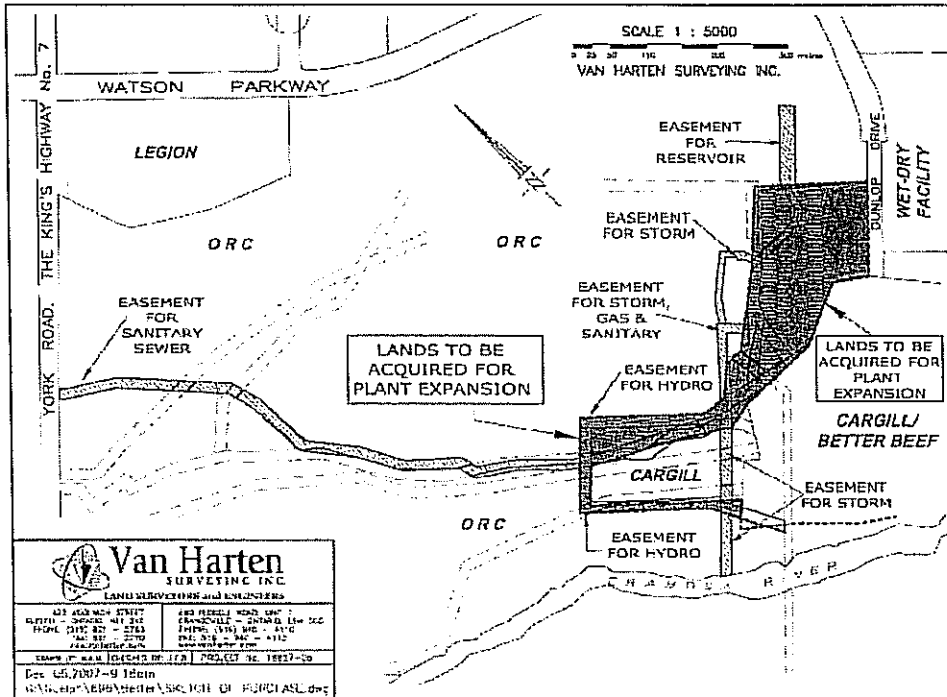
Prepared By:
Peter Cartwright
Manager, Economic Development
and Tourism Services
Tel: 519 822-1260 ext 2820
E-mail: peter.cartwright@guelph.ca

Recommended By:
James N. Riddell
Director of Community
Development and Design Services
Tel: 519 837-5616 ext 2361
E-mail: jim.riddell@guelph.ca



Attachment "A"
Map of the Subject Land Acquisition

Map



Attachment "B"
Ontario Realty Corporation's
Request to Transfer Land
To Cargil Meat Solutions.

Page 1 of 1

Peter Cartwright

From: Carr, Adam (ORC) [Adam.Carr@orc.gov.on.ca]
Sent: Thursday November 29, 2007 4:10 PM
To: Peter Cartwright
Cc: McClellan, Pat (PIR)
Subject: Cargill

Peter

Further to our conversation earlier this week, we require, in writing, a letter/memo/resolution, from the City of Guelph, confirming the following items:

1. City has been circulated and is not interested in acquiring the subject 12.7 acres parcel fronting on Dunlop.
2. Confirmation that either you or another City official has been delegated the authority of the Council to request Her Majesty in Right of Ontario, as represented by the Ministry of Public Infrastructure Renewal, to exercise the exemption as set out in Section 50 (3) (c) of the Planning Act. Specifically, the Municipality is prepared to allow Ontario Realty Corporation to use its Crown right of exemption in order to convey/transfer this property. Therefore, no consent / severance of the lands is required, and;
3. The City fully supports this proposed transaction since the transaction is a win-win situation for both the Municipality and the Province; the City benefits economically from the increase in jobs and taxes in the community, that Cargill's expansion will bring, and the development of the land for employment uses is supportive of the Province's *Places to Grow Act*.

Although it is acknowledged that Cargill may be the ultimate recipient of the subject lands (in order to accommodate their plans for expansion), the Government has not yet determined how a proposed transaction will be structured.

If you have any questions, please contact me.

Adam Carr
General Manager
Sales and Acquisitions
Ontario Realty Corporation
11th Floor, Ferguson Block
77 Wellesley Street West
Toronto, Ontario
M7A 2G3

Tel: (416) 212-1329
Fax: (416) 327-5842

2007/12/05



City of Guelph

Report: A-5

COMMUNITY DESIGN AND DEVELOPMENT SERVICES (Report # 07-122)

TO: Council

DATE: December 17, 2007

SUBJECT: Public Infrastructure Renewal End-User License Agreement between the City and Her Majesty the Queen

RECOMMENDATION:

That the Mayor and City Clerk be authorized to sign an agreement with Her Majesty the Queen in right of Ontario as represented by the Ontario Minister of Public Infrastructure Renewal (the "Licensor") for the use of Electronic Intellectual Property depicting the proposed Final Built Boundary for the Greater Golden Horseshoe, Fall 2007, as it pertains to the City of Guelph.

BACKGROUND:

Working from a preliminary draft built boundary, the Ministry of Public Infrastructure Renewal (PIR) has verified the underlying data and assumptions with municipalities in the Great Golden Horseshoe. As a result, the proposed final built boundary was released for use in implementing the *Growth Plan for the Greater Golden Horseshoe, 2006*. The Ministry has asked municipalities to review the data and any refinements required to the proposed final built boundary should be brought to the attention of the Ministry. The Ministry has requested that the City enter into a licensing agreement to allow the transfer of electronic data to the City.

As such, the proposed agreement is found in **Attachment 1** of this report. It is recommended that Council authorize the City Clerk and Mayor to sign the agreement.

ATTACHMENTS:

- Attachment 1- Licensing Agreement

A handwritten signature in black ink, appearing to read 'Riddell', is positioned above a horizontal line.

Prepared and Recommended By:

James N. Riddell

Director, Community Design and
Development Services

519-837-5616 Ext. 2361

jim.riddell@guelph.ca

Attachment 1

Ontario Ministry of Public Infrastructure Renewal ELECTRONIC INTELLECTUAL PROPERTY (EIP) End-User Licence Agreement

This is a legal agreement made this ____ day of _____, in the year 2007, between the Organization referred to as _____ (the "Licensee") and Her Majesty the Queen in right of Ontario as represented by the Ontario Minister of Public Infrastructure Renewal (the "Licensor").

1. Electronic Intellectual Property

The electronic intellectual property described in Schedule 1 (the "EIP") includes all software, data, maps, pictures and other works provided to licensee in electronic format.

2. Copyright

The Licensee acknowledges that the Licensor is the sole owner of the EIP including all copyright and other intellectual property rights, and all other rights in, to, and pertaining to the EIP, and that the Licensor shall retain all such rights.

3. License for Use

The Licensor grants to the Licensee a non-transferable, non-exclusive, limited-use licence to use and make copies of the EIP only for the Licensee's own non-commercial end use.

The Licensee shall display the following text on all full and partial reproductions of the EIP including any derivative works:

*Proposed Final Built Boundary for the Growth Plan for the Greater Golden Horseshoe, 2006
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The final built boundary will be released once all refinements are complete. Once issued the final built boundary must be used in implementing the Growth Plan.*

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9. Licensee's Warranties of Authority

The Licensee represents and warrants that: the execution, delivery and performance of this agreement by the Licensee has been duly authorized; the individual executing this agreement on behalf of the Licensee is duly authorized to do so; and this agreement constitutes a legal, valid and binding agreement of the Licensee enforceable in accordance with its terms.

10. General

This agreement is governed by the laws of Ontario and in the event of a dispute, the parties agree to attorn to this jurisdiction.

THE LICENSEE HEREBY ACKNOWLEDGES THAT IT HAS READ THIS AGREEMENT, UNDERSTANDS IT AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

IN WITNESS WHEREOF the parties hereto have executed this Electronic Intellectual Property End-User Licence Agreement as of the date first written above.

HER MAJESTY THE QUEEN in right of Ontario as
represented by the Minister of Public Infrastructure Renewal

Signature: _____

Title: _____

Date: _____

Client Name

Signature: _____

Title: _____

Date: _____

I have authority to bind the Organization.

Schedule 1 to the ELECTRONIC INTELLECTUAL PROPERTY (EIP)

Description of Data provided by PIR to the Licensee

Content: Proposed Final Built Boundary for the Greater Golden Horseshoe, Fall 2007
One .zip file for the entire Greater Golden Horseshoe and 21 .zip files for each Upper- and Single-Tier municipality in the Greater Golden Horseshoe

File format: .zip (each .zip file contains one or more GIS data layers for that municipality and its corresponding .sbx, .shp, .shx, .dbf, .prj, and .sbn files)

Projection: UTM 17 NAD 83

Filename and date:

GGH_ProposedFinalBB_Summer2006.zip	1/10/2007
CITYOFBARRIE_ProposedFinalBB_Summer2006.zip	30/7/2007
COUNTYOFBRANT_ProposedFinalBB_Summer2006.zip	30/7/2007
CITYOFBRANTFORD_ProposedFinalBB_Summer2006.zip	1/10/2007
COUNTYOFDUFFERIN_ProposedFinalBB_Summer2006.zip	30/7/2007
REGIONOFDURHAM_ProposedFinalBB_Summer2006.zip	30/7/2007
CITYOFGUELPH_ProposedFinalBB_Summer2006.zip	30/7/2007
COUNTYOFHALDIMAND_ProposedFinalBB_Summer2006.zip	1/10/2007
REGIONOFHALTON_ProposedFinalBB_Summer2006.zip	30/7/2007
CITYOFHAMILTON_ProposedFinalBB_Summer2006.zip	30/7/2007
CITYOFKAWARTHALAKES_ProposedFinalBB_Summer2006.zip	30/7/2007
REGIONOFNIAGARA_ProposedFinalBB_Summer2006.zip	30/7/2007
COUNTYOFNORTHUMBERLAND_ProposedFinalBB_Summer2006.zip	30/7/2007
CITYOFORILLIA_ProposedFinalBB_Summer2006.zip	30/7/2007
REGIONOFPEEL_ProposedFinalBB_Summer2006.zip	30/7/2007
CITYOFPETERBOROUGH_ProposedFinalBB_Summer2006.zip	30/7/2007
PETERBOROUGH_ProposedFinalBB_Summer2006.zip	30/7/2007
COUNTYOFSIMCOE_ProposedFinalBB_Summer2006.zip	30/7/2007
CITYOFTORONTO_ProposedFinalBB_Summer2006.zip	30/7/2007
REGIONOFWATERLOO_ProposedFinalBB_Summer2006.zip	30/7/2007
COUNTYOFWELLINGTON_ProposedFinalBB_Summer2006.zip	30/7/2007
REGIONOFYORK_ProposedFinalBB_Summer2006.zip	30/7/2007



City of Guelph

Community Services

November 19, 2007
Consent Agenda #2-1

Report: [Report Number]

December 17, 2007
Consent Agenda #2-1

TO: *Emergency Services, Community Services and Operations Committee*

DATE: *September 12, 2007*

SUBJECT: *South End Community Centre*

RECOMMENDATION:

THAT the report be received for information

SUMMARY:

At a meeting of Guelph City Council held on January 23, 2007, the following resolution was adopted:

"THAT the South End Community Centre be referred to the appropriate Standing Committee to review options for a multiuse facility, partnerships and financing."

In addition, staff has investigated the timing for building the South End Community Centre.

BACKGROUND:

A number of citizens have questioned the timing of the South End Community Centre, specifically when it might be built with the rate of growth that is being experienced in that part of the City.

REPORT:

The site of the future South End Recreation Centre has been identified at Bishop Macdonell High School, South End Community Park, and Larry J. Pearson Baseball Complex. Based on the funds currently available and those funds projected in the Capital Budget, this project would not begin construction until 2013. The feasibility study should be completed as close to the development of the project as possible because market conditions are continually changing.

Major projects such as a community centre are funded both from Development Charges and the general tax base. In the past the impetus for constructing a community centre was based on the follow considerations:

1. The facility is identified through the development of a Master Plan that has had extensive public involvement.
2. A feasibility study is undertaken to determine facility needs based on present and projected use to determine future needs and growth expectation to be accommodated in another facility.
3. Extensive public consultations occur to carry out projections based on supply, demand, and trends. This would become a source of public input and program design support.
4. A Financial Plan is developed, taking into consideration Development Charges and potential for community partner(s) including appropriate fundraising.

In looking at best practices, most of the municipalities carry out a Recreation and Parks Master Plan, and then follow up with a project-specific feasibility study to determine the space and program requirements. Our 1991 Master Plan recommended that land be acquired in the South End of Guelph for the development of a Community Park including a Community Centre. The acquired site has presently developed ball diamonds and a community park. A portion of the overall site was sold to the Separate School Board for the development of Bishop Macdonell High School.

In order to determine the type of facility to be constructed in the south end, a feasibility study must be carried out, so that the various functional space and building programs can be developed to determine the estimated project cost and development time lines. No funds have been set up in 2007 for this work.

As with the development of all other community centres in the City, programs and space requirements will be determined first and then used for the design and costing of the facility developed for budget purposes. If Committee wishes to move the timeline for the construction of the Centre forward, then a feasibility study could be carried out in 2008 for the South End Community Centre.

CORPORATE STRATEGIC PLAN:

Goal 1: An attractive, well-functioning and sustainable city

Goal 2: A healthy and safe community where life can be lived to the fullest

FINANCIAL IMPLICATIONS:

Estimate: \$23.7 Million

Development Charges: \$21.3 Million

Tax Base Support: \$2.4 Million

Annual Operating Costs: \$450,000 (based on 2007 operating costs for a comparable facility)

Consultant cost of \$89,000.

A Feasibility Study based on the budget schedule would commence in 2011, and the architectural design would be done in 2012.

DEPARTMENTAL CONSULTATION:

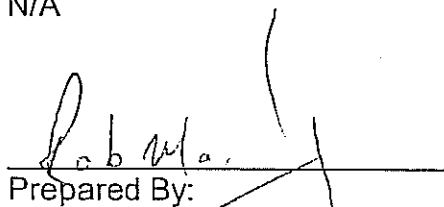
Finance Department

COMMUNICATIONS:

N/A

ATTACHMENTS:

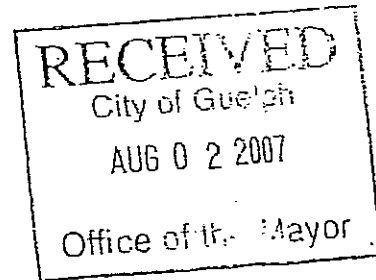
N/A



Prepared By:
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Recommended By:
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Gus.stahlmann@guelph.ca



Mayor Farbridge and Guelph City Council
59 Carden Street, City Hall
Guelph, Ontario
N1H 3A1

Dear Mayor Farbridge and Guelph City Council;

RE: SUPPORT FOR A SOUTH END COMMUNITY CENTRE

As you may know, the Guelph Neighbourhood Support Coalition consists of a network of neighbourhood groups, program partners and the City of Guelph. Our shared vision is for a community of healthy children, strong families, and vibrant neighbourhoods that embraces diversity, creates opportunities, and promotes a high quality of life for all.

We are writing to you with the hope that you will consider moving the South End Community Centre forward in the capital budget. The neighbourhood development and capacity building that has occurred over the past three years has been incredible. We are also encouraged by your support for the development of holistic neighbourhoods, where people services are not separated out from the land use services.

We believe that the South End Community Centre is a much needed facility for, not only for the Clairfields Neighbourhood, but for all residents.

We envision a place where services are accessible and community partnerships thrive and will ensure the following;

- o That more families and children benefit from access to programs and services in their neighbourhoods;
- o Cost effective delivery of recreation and wellness programs occur through developing volunteer leadership and searching out all possible outside funding sources;
- o That formal agency services are integrated in the new neighbourhoods;
- o That adequate neighbourhood spaces are built and maintained and,
- o And, continue our strong neighbourhood development and citizen participation

We realize that you will be forced to make tough choices and decisions during the deliberation of the budget. During your deliberations, we respectfully request your support for moving the South End Community Centre forward. In so doing, you can be confident that you are voting in favour of making a big difference in many neighbourhoods across the city of Guelph.

Thank you so much for your ongoing support.

Yours Sincerely,

A handwritten signature in cursive script that reads "Debbie Gorman". The signature is fluid and elegant, with the first letter 'D' being particularly large and stylized.

Debbie Gorman
On behalf of the
Guelph Neighbourhood Support Coalition

c.c. Member Neighbourhood Groups and Partners
Gus Stahlmann, Director of Community Services

Please recycle!

- **BYLAWS** -

- December 17, 2007 -	
By-law Number (2007)-18450 A by-law to authorize the execution of a Subdivision Agreement between Northview Estates (Guelph) Ltd., The Corporation of the City of Guelph and Canadian Imperial Bank of Commerce. (Northview Estates Subdivision Phase 2)	To execute the subdivision agreement for the Northview Estates Subdivision, Phase 2.
By-law Number (2007)-18451 A by-law to dedicate certain lands as part of Leader Lane, Schiedel Drive and Birchbank Boulevard. (Block 45, Plan 61M98 as part of Leader Lane; Block 46, Plan 61M98 as part of Schiedel Drive; and one foot reserve, Plan 592 as part of Birchbank Boulevard)	To dedicate land as part of Leader Lane, Schiedel Drive and Birchbank Boulevard.
By-law Number (2007)-18452 A by-law to authorize the execution of a Transfer Release and Abandonment of Easement. (over Block 164, 61M137 and Lots 1 to 3 inclusive, 61M137)	To execute a transfer release and abandonment of an easement which is no longer required.
By-law Number (2007)-18453 A by-law to authorize the execution of a release of an agreement between John Houghton Pate and The Corporation of the City of Guelph. (for the lands described as City of Guelph, County of Wellington, Part Block Q, Plan 615, being Parts 1, 2, 3 and 4 of 61R-5351 registered on the 31st day of July, 1990 as Instrument Number 628360 - 500-530 Willow Road and 250 Westwood Drive).	To execute a release of an agreement as the conditions have been met to the satisfaction of the City.
By-law Number (2007)-18454 A by-law to amend By-law (1996)-15200, as amended, being a by-law to provide rules for governing the order and procedures of the Council of the City of Guelph and to adopt Municipal Code Amendment #447.	To amend the Procedural By-law to reflect the regular Council meeting being held on the 4 th Monday and to incorporate the approved public meeting notice.

<p>By-law Number (2007)-18455 A by-law to amend By-law Number (2003)-17082 and (1997)-15351 with respect to appointments of persons serving as municipal by-law enforcement officers, known as “private property agents”. (amend Stevenson, Yantha, Young, Conway, Mallman, Green, Holloway, Ingerman, Innes and Meir)</p>	<p>To amend appointments of persons as private property agents.</p>
<p>By-law Number (2007)-18456 A by-law to appoint persons as By-law Enforcement Officers to enforce the provisions of By-law Number (2003)-17106. (outside water use restrictions) (add Mitges)</p>	<p>To appoint persons as by-law enforcement officers to enforce the outside water use restrictions.</p>
<p>By-law Number (2007)-18457 A by-law to appoint persons as By-law Enforcement Officers with respect to By-law Number (2003)-17070, being the Municipal Solid Waste Collection By-law. (add Mitges)</p>	<p>To appoint persons to enforce the Municipal Solid Waste Collection By-law.</p>
<p>By-law Number (2007)-18458 A by-law to appoint persons as By-law Enforcement Officers to enforce the provisions of By-law Number (2996)-25245. (Sign By-law) (add Mitges)</p>	<p>To appoint persons as by-law enforcement officers to enforce the Sign By-law.</p>
<p>By-law Number (2007)-18459 A by-law to appoint persons as By-law Enforcement Offices to enforce all provisions of By-law Numbers (2002)-17017, (2003)-17082, (1984)-11440, and (1987)-12425, and to appoint persons as Parking By-law Enforcement Officers to enforce all parking and stopping provisions of the by-laws of the Corporation of the City of Guelph. (add Mitges)</p>	<p>To appoint persons as by-law enforcement officers to enforce all parking and stopping provisions of the by-laws of the City.</p>
<p>By-law Number (2007)-18460 A by-law to appoint persons as By-law Enforcement Officers to enforce the provisions of By-law Number (2000)-16366, being a by-law to prohibit and regulate unusual noises likely to disturb the inhabitants of the City of Guelph (Noise By-law) (add Mitges)</p>	<p>To appoint persons to enforce the Noise By-law.</p>

<p>By-law Number (2007)-18461 A by-law to authorize the execution of an agreement between the Corporation of the City of Guelph, Wellington Condominium Corporation #57 and Total Security Management Services Inc. (with respect to the enforcement of parking by-laws on private properties by private property agents – 180 Marksam Road).</p>	<p>Agreement with respect to the enforcement of parking by-laws on private property at 180 Marksam Road by private property agents.</p>
<p>By-law Number (2007)-18462 A by-law to authorize the execution of an agreement between The Corporation of the City of Guelph, Wellington Condominium Corporation #82 and Total Security Management Services Inc. (with respect to enforcement of parking by-laws on private properties by private property agents – 66 Rodgers Road)</p>	<p>Agreement with respect to the enforcement of parking by-laws on private property at 66 Rodgers Road by private parking agents.</p>
<p>By-law Number (2007)-18463 A by-law to amend By-law Number (2002)-17017 and to adopt Municipal Code Amendment #448. (adding a yield sign on the southbound side of Essex St. at Essex St. in the Yield Signs Schedule VII; amend the existing speed limit on Victoria Rd. S. from Stone Rd. E. to Arkell Rd. in the Speed Limits Schedule XII; amend the existing no parking zone on both sides of Essex St. S. from Waterloo Ave. to 111m east of Dublin St. N., adding a no parking zone on the east side of Norton Dr. from Grange Rd. to Shackleton Dr., adding a no parking zone on the south side of Surrey St. E. from Grant St. to 30m east thereof, adding n no parking zones on both legs of Grandridge Cres. from 116m north of Stephen Dr. to 27m west thereof, amending the existing no parking zone on the south side of Emma St. from Delhi St. to 102m west thereof in the No Parking Zones Schedule XV; removing the no stopping zone on the north side of Forest St. from 104m east of Edinburgh Rd. to 53m east thereof, and removing the no stopping zone on the south side of Forest St. from 91m east of</p>	<p>Amendments to the Traffic By-law.</p>

<p>Edinburgh Rd. to 66m east thereof in the No Stopping Zones Schedule XVI; amending the existing 2 hour parking restriction located on the south side of Emma St. to 102m west of Delhi to the westerly limit in the Restricted Parking Schedule XVII; removing the school bus loading zone located at St. Paul Catholic School on Forest St. from 91m east of Edinburgh Rd. S. to 66m east thereof in the School Bus Loading Zone in Schedule XIX) (amending Schedules VII, XII, XV, XVI, XVII AND XIX of Chapter 301 of the Corporation of the City of Guelph's Municipal Code)</p>	
<p>By-law Number (2007)-18464 A by-law to amend By-law Number (1984)-11440, as amended, being a by-law respecting parking for disabled persons and to adopt Municipal Code Amendment #449. (add properties to Disabled Parking Schedule) (amends Chapter 200 of the Corporation of the City of Guelph's Municipal Code)</p>	<p>To amend the by-law for parking for disabled persons.</p>