

Council Committee Room B  
May 22, 2007 5:30 p.m.

**A meeting of Guelph City Council.**

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

Absent: Councillor Burcher

Staff Present: Ms. L.E. Payne, Acting Chief Administrative Officer;/ Director of Corporate Services/City Solicitor; Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. P. Kraehling, Senior Policy Planner; Mr. C. Manley, Manger of Policy Planning and Urban Design; Mr. M. McCrae, Manager of Corporate Property Services; Ms. T. Sinclair, Assistant City Solicitor; Ms. S. Smith, Associate Solicitor; Mr. B. Stewart, Manager of Procurement and Risk Management Services; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Kovach  
Seconded by Councillor Piper

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

- proposed or pending acquisition or disposition of land;
- litigation or potential litigation.

Carried

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

.....  
Mayor

.....  
Clerk

Council Committee Room B  
May 22, 2007 5:32 p.m.

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

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

Absent: Councillor Burcher

Staff Present: Ms. L.E. Payne, Acting Chief Administrative Officer/; Director of Corporate Services/City Solicitor; Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. P. Kraehling, Senior Policy Planner; Mr. C. Manley, Manger of Policy Planning and Urban Design; Mr. M. McCrae, Manager of Corporate Property Services; Ms. T. Sinclair, Assistant City Solicitor; Ms. S. Smith, Associate Solicitor; Mr. B. Stewart, Manager of Procurement and Risk Management 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 Wettstein  
Seconded by Councillor Hofland

Ms. L.E. Payne

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

Carried

The Acting Chief Administrative Officer and the Manager of Corporate Property Services provided an update with respect to a potential litigation matter.

2. Moved by Councillor Findlay  
Seconded by Councillor Beard

PASSED IN COUNCIL  
BY SPECIAL  
RESOLUTION

THAT Council approve and authorize the Mayor and Clerk to execute Minutes of Settlement in respect of the Ontario Municipal Board hearing involving St. Marys Cement Inc. (Canada), the township of Puslinch, the County of Wellington and the City of Guelph, being OMB Case No. PL051228, regarding issues #1-3 on the Issues List approved by the Board November 29, 2006, in accordance with the principles set out in the Summary of

Principles of Settlement, dated May 22, 2007, attached as Schedule 'A' hereto, subject to final wording of such Minutes of Settlement being satisfactory to the Director of Community Design and Development Services and the City Solicitor;

AND THAT Council directs City staff to attend the Ontario Municipal Board hearing for OMB Case No. PL051228 in support of the Minutes of Settlement, which shall be subject to Board approval.

Carried

The Director of Environmental Services provided information with respect to a potential litigation matter.

The meeting adjourned at 6:15 o'clock p.m.

.....  
Mayor

.....  
Clerk

Council Chambers  
May 22, 2007

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

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

Absent: Councillor Burcher

Staff Present: Staff Present: Ms. L.E. Payne, Acting Chief Administrative Officer/; Director of Corporate Services/City Solicitor; 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 and Development Services; Ms. S. Aram, Budget Co-ordinator; Mr. R. Henry, City Engineer; Mr. P. Kraehling, Senior Policy Planner; Ms. J. Loveys-Smith, Community Development Manager; Mr. C. Manley, Manger of Policy Planning and Urban Design; Mr. M. McCrae, Manager of Corporate Property Services; Ms. T. Sinclair, Assistant City Solicitor; Ms. S. Smith, Associate Solicitor; Mr. B. Stewart, Manager of Procurement and Risk Management 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**

Councillor Piper declared a possible pecuniary interest with regards to By-law Number (2007)-12896 because family members are members of the organization associated with the by-law and did not discuss or vote on the matter.

1. Moved by Councillor Billings  
Seconded by Councillor Wettstein

THAT the minutes of the Council meeting held in Committee of the Whole on April 16, 2007 be amended by replacing “Board” with “Beard” in Resolution #5;

AND THAT the minutes of the Council meetings held on April 16, 23 and May 7, 2007 and the minutes of the Council meetings held in Committee of the Whole on April 10, 16, 23, 27 and 30 and May 7, 2007 be confirmed as amended and without being read.

Carried

## **PRESENTATIONS**

Heather Pfaff and Alyssa Heathfield were present on behalf of SWAT, “Students Working Against Tobacco”. They advised that they are a group of local high school students working with the Wellington-Dufferin-Guelph Health Unit, towards reducing the number of young people smoking and advising of the dangers of tobacco. They advised of various events held recently and planned for the future. They asked Council’s support in the future.

The Mayor advised that the City recently received Certificates of Recognition from the Conservation Bureau recognizing:

- Project Porchlight
- Community Energy Plan

Art Stokman presented the City with a Certificate of Recognition received from the Ontario Energy Association in recognition of the Community Energy Plan.

Art Stokman presented the City with a cheque in the amount of \$25,000, being the first of four cheques from the Energy Conservation Demand Project for the cleaning of the digester gas at the Wastewater Treatment Plant.

## **SPECIAL RESOLUTION**

2. Moved by Councillor Findlay  
Seconded by Councillor Kovach

THAT Council approve and authorize the Mayor and Clerk to execute Minutes of Settlement in respect of the Ontario Municipal Board hearing involving St. Marys Cement Inc. (Canada), the

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

township of Puslinch, the County of Wellington and the City of Guelph, being OMB Case No. PL051228, regarding issues #1-3 on the Issues List approved by the Board November 29, 2006, in accordance with the principles set out in the Summary of Principles of Settlement, dated May 22, 2007, attached as Schedule 'A' hereto, subject to final wording of such Minutes of Settlement being satisfactory to the Director of Community Design and Development Services and the City Solicitor;

AND THAT Council directs City staff to attend the Ontario Municipal Board hearing for OMB Case No. PL051228 in support of the Minutes of Settlement, which shall be subject to Board approval.

Carried

3. Moved by Councillor Farrelly  
Seconded by Councillor Bell

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

Carried

## **REGULAR MEETING**

### **DELEGATIONS**

#### **Pesticide By-law**

Dr. Ian Digby was present and requested that Council make a definitive decision to eliminate the use of pesticides in Guelph. He advised that a number of municipalities across Canada have eliminated the use of these products or have regulated their use and urged Council to make a decision this evening and not wait any longer.

Clover Woods advised that the two school boards stopped the cosmetic use of pesticides two years ago. She stressed that human and environmental health must be protected. She suggested that passing the draft pesticide by-law would show that you are thoughtful of the future.

David Decorso co-owner of Victoria Park Golf Course was present on behalf of the city golf courses, and advised that the use of pesticides is one tool available to golf courses to control disease and infestation of turf surfaces. He advised that golf courses are reducing the use of pesticide products, and that all of the courses are either IPM designated or are in the process of obtaining their designation. He advised that they are in support of the proposed draft by-law.

Dr. Lori Hasulo advised that she supports the comments made by Dr. Digby. She suggested that the proposed by-law has exemptions available for owners to protect their property. She expressed concern with the number of negative public messages being broadcast recently on this issue. She requested that Council support the by-law.

Susan Watson suggested that it is now time to move forward and adopt a pesticide by-law. She suggested that there is a considerable education and implementation period which would allow time for any problematic areas of the by-law to be reworked. She urged Council to pass the by-law in its present form.

Oxanna Adams requested that Council pass the proposed pesticide by-law as recommended by the Community Development & Environmental Services Committee. She suggested that the results of the interim evaluation of Toronto's pesticide by-law be reviewed. She also suggested that the by-law could be adjusted on an ongoing basis.

Gail McCormack was unable to attend the meeting and Ben Bennett read her submission where she requested that Council support the proposed by-law. She suggested that this is a necessary step in creating a healthy landscape.

Ben Bennett suggested that there is evidence that lawn care companies can adapt to local pesticide regulations. He further suggested that it is important to concentrate on the health of the soil and the use of different grasses. He also suggested that the citizens have at least twelve months or longer to find alternative practices. He urged Council to adopt the by-law.

Colin White of Bayer CropScience was present and requested that "Merit" be exempted from the pesticide ban in order to treat European chafer grubs. He suggested that the City use the IPM Manual produced by the Ontario Ministry of Agriculture as a guide for recommendations regarding pest infestations. He requested that clarification be provided with respect to the term of infestation.

**Councillor Piper presented Clause 1 of the SIXTH REPORT of the Community Development and Environmental Services Committee.**

3. Moved by Councillor Piper

Seconded by Councillor Salisbury

THAT the proposed pesticide by-law as presented in the May 3, 2007 Community Development & Environmental Services Committee report "Pesticide By-law" be approved;

AND THAT staff work with Hydro One Incorporated to identify alternatives to pesticide application for corridors not exempt from the proposed pesticide by-law;

AND THAT staff work with the Guelph Junction Railway to address their concerns and report back;

AND THAT staff review the management of exemptions for the purpose of addressing infestations used by other municipalities report back with any recommendations for amendments to the by-law;

AND THAT staff work with the Guelph Turf Grass Institute with respect to infestations;

AND THAT staff be directed to review by-law enforcement operations across the City to seek corporate efficiencies with a strategic longer-term perspective that would incorporate pesticide enforcement;

AND THAT staff consider the possibility of requiring commercial applicators to be IPM certified and report back.

4. Moved in Amendment by Councillor Salisbury  
Seconded by Councillor Laidlaw  
THAT Exemption 'O' with respect to golf coursed be deleted from the by-law.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Laidlaw and Salisbury (2)

VOTING AGAINST: Councillors Beard, Bell, Billings, Farrelly, Findlay, Hofland, Kovach, Piper, Wettstein and Mayor Farbridge (10)

The motion was defeated.

It was requested that the first paragraph be voted on separately.

5. Moved by Councillor Piper  
Seconded by Councillor Salisbury  
THAT the proposed pesticide by-law as presented in the May 3, 2007 Community Development & Environmental Services Committee report "Pesticide By-law" be approved.

A recorded vote was requested which resulted as follows:

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

Mr. D. McCaughan  
Ms. L.E. Payne

VOTING AGAINST: Councillor Billings (1)

The motion was carried.

Mr. D. McCaughan  
Ms. L.E. Payne

6. Moved by Councillor Piper  
Seconded by Councillor Salisbury

THAT staff work with Hydro One Incorporated to identify alternatives to pesticide application for corridors not exempt from the proposed pesticide by-law;

AND THAT staff work with the Guelph Junction Railway to address their concerns and report back;

AND THAT staff review the management of exemptions for the purpose of addressing infestations used by other municipalities report back with any recommendations for amendments to the by-law;

AND THAT staff work with the Guelph Turf Grass Institute with respect to infestations;

AND THAT staff be directed to review by-law enforcement operations across the City to seek corporate efficiencies with a strategic longer-term perspective that would incorporate pesticide enforcement;

AND THAT staff consider the possibility of requiring commercial applicators to be IPM certified and report back.

A recorded vote was requested which resulted as follows:

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

VOTING AGAINST: (0)

The motion was carried.

### **Delegations continued**

#### **Civic Administration Complex – Civic Square**

Audrey Jamal, General Manager of the Downtown Board of Management was present and suggested that the public survey results reflect that the citizens favoured a daily use. She encouraged Council to investigate the cost implications of installing a temporary surface that would then allow opportunity to investigate enhancements of the site with a focus on daily usage. She advised that the Downtown Board of Management would be pleased to work with the City on this space design.



Ms. L.E. Payne  
Mr. J. Riddell  
Mr. D.A. Kennedy

7. Moved by Councillor Findlay  
Seconded by Councillor Salisbury

THAT the concrete and landscaping in the Civic Square be removed from the current construction contract and the area be surfaced, on an interim basis, with gravel or sod;

AND THAT Community Design and Development Services be directed to complete an urban design precinct study and funding options in coordination with the Downtown Community Improvement Plan Study in respect of the area bounded by Wilson Street, Carden Street, Wyndham Street North and the CN Railway, in collaboration with the Downtown Board of Management, and which will incorporate the results of the public survey;

AND THAT the study be brought forward to Council before year end 2007 with the intent that a new contract for the construction of the Civic Square will allow construction to commence shortly after occupation of the Civic Administration Centre.

A recorded vote was requested which resulted as follows:

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

VOTING AGAINST: (0)

The motion was carried.

8. Moved by Councillor Findlay  
Seconded by Councillor Hofland

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

Carried

**Councillor Piper presented the balance of the SIXTH REPORT of the Community Development & Environmental Services Committee**

**Proposed Plan of Subdivision (15 Stockford Road and 165 Cityview Drive): Request to authorize the Mayor and Clerk to sign a draft plan of subdivision application without prejudice**

9. Moved by Councillor Piper  
Seconded by Councillor Salisbury

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

THAT Report 07-32 regarding a request for the City to sign a draft plan of subdivision application as the owner of portions of Stockford Road, Grange Road and Cityview Drive be received;

AND THAT the Mayor and Clerk be authorized to sign a proposed draft plan of subdivision application affecting lands municipally

known as 15 Stockford Road and 165 Cityview Drive (Tivoli Property) and legally described as part Lot 18 and Lots 1 – 17, Registered Plan 462, subject to the provision of the following statement on the draft plan:

“The City of Guelph authorizes the inclusion of portions of Stockford Road, Grange Road and Cityview Drive in this draft plan of subdivision without prejudice to the approval process as prescribed in Section 51 of the Planning Act.”

Carried

### **Sign By-law variances for Bi-Pro at 52 Royal Road**

Mr. J. Riddell  
Mr. B. Poole

10. Moved by Councillor Piper  
Seconded by Councillor Salisbury  
THAT the request for a variance from the Sign By-law for 52 Royal Road, to permit two freestanding signs to be situated within 70 metres (230') of each other on the same property, in lieu of the Sign By-law's required 120 metres (394'), be approved.

Carried

### **Official Plan Update Process**

Mr. J. Riddell

11. Moved by Councillor Piper  
Seconded by Councillor Salisbury  
THAT the 2007-2009 Official Plan Review work plan be received as presented in the Community Development & Environmental Services Committee Report No. 07-36.

Carried

### **Proposed Demolition of a Detached Dwelling known municipally as 28 University Avenue West**

Mr. J. Riddell  
Mr. B. Poole

12. Moved by Councillor Piper  
Seconded by Councillor Salisbury  
THAT the application to demolish the detached dwelling known municipally as 28 University Avenue West be approved on the basis that the demolition permit not be issued until the Committee of Adjustment decision on application A-21/07 has passed the appeal period and there are no appeals.

Carried

### **AMO/AMRC Discussion Paper on Strengthening Extended Producer Responsibilities**

Dr. J. Laird

13. Moved by Councillor Piper  
Seconded by Councillor Salisbury  
THAT Guelph City Council endorse the recommendations

AMO  
Ms. L. Sandals

contained in the joint AMO/AMRC discussion paper which are intended to strengthen Extended Producer Responsibility (EPR).

Carried

### **Water Supply Master Plan**

14. Moved by Councillor Piper  
Seconded by Councillor Salisbury  
THAT resolution No. 9 of the October 2, 2006 Council meeting, which reads as follows:

THAT the Water Supply Master Plan be approved in principle up to 2010 with the removal of the Great Lakes water supply pipeline from this approval up to 2010 be reconsidered.

Carried

Dr. J.L. Laird

15. Moved by Councillor Piper  
Seconded by Councillor Salisbury  
THAT resolution No. 9 of the October 2, 2006 Council meeting be rescinded;

AND THAT the Water Supply Master Plan be approved;

AND THAT staff be directed to implement all components of the Water Supply Master Plan with the exception of the Great Lakes Water Supply.

A recorded vote was requested, which resulted as follows:

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

VOTING AGAINST: (0)

The motion was carried.

**Councillor Laidlaw presented the FOURTH REPORT of the Emergency Services, Community Services & Operations Committee**

### **19-21-23 Woodlawn Road – Follow-up**

Mr. D. McCaughan

16. Moved by Councillor Laidlaw  
Seconded by Councillor Hofland  
THAT the Emergency Services Community Services and Operations Services Committee report dated May 9, 2007 entitled “19-21-23 Woodlawn Road – Follow Up” be received.

AND THAT staff be directed to review their crosswalk timing

policy and report back.

AND THAT staff conduct a traffic volume study in 2009 and report back.

Carried

### **Emergency Services Facility – Clair Road, Guelph**

17. Moved by Councillor Laidlaw

Seconded by Councillor Hofland

THAT the report dated May 09, 2007 outlining a preliminary concept and financial plan for a south end Emergency Services Facility for Fire and Police services be received by Committee and forwarded to City Council for approval;

AND THAT staff prepare and issue the appropriate RFP documents, which include options for the incorporation of green building, for the design of the proposed Emergency Services Facility;

AND THAT the Mayor and Clerk be authorized to execute all agreements and documents necessary to award the contract to the successful design firm;

AND THAT staff ensures that the design firm creates the opportunity for community involvement and public consultation;

AND THAT the design is coordinated to ensure that the overall facility has an architectural fit within the surrounding area and upon completion, the design be brought back to Council;

AND THAT upon completion of the design, staff proceed to prepare and issue a tender for the construction of the proposed Emergency Services Facility;

AND THAT subject to the contract amount being less than 11.6 million dollars, the Mayor and Clerk be authorized to execute all agreements and documents necessary to award and proceed with the construction of the proposed Emergency Services Facility.

18. Moved in Amendment by Councillor Bell

Seconded by Councillor Farrelly

THAT the capital project cost for the Emergency Services Facility – Clair Road be reduced by \$3 million;

AND THAT staff report back with two proposals and a business case for:

- branch fire station; and
- headquarters.

A recorded vote was requested which resulted as follows:

VOTING IN FAVOUR: Bell and Farrelly (2)

VOTING AGAINST: Councillors Beard, Billings, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (10)

The motion was defeated.

19. Moved by Councillor Salisbury  
Seconded by Councillor Bell

THAT the matter with respect to the Emergency Services Facility – Clair Road be deferred until the future of the Wyndham Street Headquarters is finalized.

A recorded vote was requested which resulted as follows:

VOTING IN FAVOUR: Councillors Bell, Farrelly, Findlay, Hofland, Salisbury and Mayor Farbridge (6)

VOTING AGAINST: Councillors Beard, Billings, Kovach, Laidlaw, Piper and Wettstein (6)

The motion was lost on a tied vote.

20. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw

THAT the decision on the Emergency Services Facility – Clair Road be tabled until later in the meeting.

Carried

**Addition of a Body Rub Parlour Category as defined in Section 154.2(B) of the Municipal Act and an Amendment to the current Alternative Health Care Clinic Category in the City's Business Licence By-law (2004)-17551**

21. Moved by Councillor Laidlaw  
Seconded by Councillor Hofland

Mrs. T. Agnello  
Ms. L.E. Payne  
Mr. D.A. Kennedy

THAT the Business Licence By-law be amended to add Body Rub Parlours as a Business category, in addition to amendments relating to Alternative Health Care Clinics, and definitions, licence fees and offence provisions;

AND THAT the Clerk be instructed to give public notice, inviting public input on any proposed amendments;

AND THAT an expansion package to allow for additional resources, including staff, be considered in the 2008 Budget in order to administer and enforce the provisions of the Business Licence By-law if it is determined by Council that body Rub Parlours are to be licensed.

Carried

### **Guelph Car Co-Op**

Mr. D. McCaughan

22. Moved by Councillor Laidlaw  
Seconded by Councillor Hofland  
THAT staff be directed to provide a parking space for the Guelph Car Co-Op in the downtown core;

AND THAT the parking permit fees be waived.

AND THAT staff be directed to bring forth a policy to deal with innovative initiatives to encourage alternative transportation.

Carried

### **Youth Council Representation**

Mr. G.W. Stahlmann  
Councillor Findlay  
Councillor Hofland

23. Moved by Councillor Laidlaw  
Seconded by Councillor Hofland  
THAT Councillors Findlay and Hofland be appointed as the Youth Council representatives.

Carried

### **Emergency Services Facility – Clair Road**

Chief S. Armstrong  
Mr. D.A. Kennedy  
Ms. L.E. Payne

24. Moved by Councillor Laidlaw  
Seconded by Councillor Hofland  
THAT the report dated May 09, 2007 outlining a preliminary concept and financial plan for a south end Emergency Services Facility for Fire and Police services be received by Committee and forwarded to City Council for approval;

AND THAT staff prepare and issue the appropriate RFP documents, which include options for the incorporation of green building, for the design of the proposed Emergency Services Facility;

AND THAT the Mayor and Clerk be authorized to execute all agreements and documents necessary to award the contract to the successful design firm;

AND THAT the business case for the future use of the downtown Fire Headquarters be reported back to Council prior to the awarding of the RFP for the design of the South End facility;

AND THAT staff ensures that the design firm creates the opportunity for community involvement and public consultation;

AND THAT the design is coordinated to ensure that the overall facility has an architectural fit within the surrounding area and upon completion, the design be brought back to Council.

Carried

**Councillor Wettstein presented the FOURTH REPORT of the Finance, Administration & Corporate Services Committee**

**Tax Supported Budget 2008 – Multi-year Forecast and Staff Recommended Guidelines and Strategies**

25. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT staff be directed to examine opportunities to achieve cost savings in fleet equipment and vehicles that are also consistent with the goals of the Community Energy Plan and report back to Committee with a business case;

AND THAT staff be directed to develop a policy for increases to fees which includes the rationale of an increase over a period of time;

AND THAT staff develop a policy addressing transit fee increases which includes the rationale of an increase over a period of time;

AND THAT a preliminary guideline for the 2008 budget process of an overall tax rate increase for 2008 of 4.5% including all boards and agencies and a 1% increase for expansions;

AND THAT staff be directed to differentiate in the budget process between expansions packages which are new initiatives and those which are increases in services as a result of growth.

26. Moved by Councillor Billings  
Seconded by Councillor Findlay

Mr. D.A. Kennedy  
Councillor Wettstein

THAT the matter with respect to the Tax Supported Budget 2008 and multi-year forecast and strategies be referred back to the Finance, Administration & Corporate Services Committee.

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

**Public Transit Improvement Reserve**

27. Moved by Councillor Wettstein  
Seconded by Councillor Bell

Mr. D.A. Kennedy  
Mr. G.W. Stahlmann

THAT staff be directed to set up a reserve called “Public Transit Improvement Reserve” and allocate the funds received from the Public Transit Capital Trust.

Carried

**2006 Tax Supported and user Pay Operating Budgets Variance Report as at December 31, 2006 (subject to the year end audit)**

Mr. D.A. Kennedy

28. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT the following surpluses be allocated as follows:

- The balance of the Tax Supported Operating surplus, projected to be \$2,167,000, will be allocated to the Tax Rate Stabilization reserve pending Council approval.
- Pending Council approval for the Police Services Board in the amount of \$909,000 to the capital reserve.
- Pending Council approval for the Library Board in the amount of \$488,000 to the capital reserve.
- The Parking Surplus of \$335,000 be allocated to the Parking Capital Reserve.
- The Waterworks Surplus of \$278,000 to the Water Rate Stabilization Reserve.
- The Waste Water surplus of \$209,000 will be allocated to the Waste Water Capital reserve;

AND THAT staff provide an explanation with respect to the parking surplus being allocated to the Parking Rate Stabilization Reserve rather than the Parking Capital Reserve.

Carried

**Councillor Kovach presented the FOURTH REPORT of the Governance & Economic Development Committee**

**2050705 Ontario Inc. – York-Watson Industrial Park**

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

29. Moved by Councillor Kovach  
Seconded by Councillor Findlay

THAT the report dated May 8, 2007 regarding a second Amending Agreement with 2050705 Ontario Inc. from Community Design and Development Services be received;

AND THAT the Corporation of the City of Guelph enter into, and the Mayor and Clerk be authorized to sign, a second Amending Agreement with 2050705 Ontario Inc. to amend the Complete Construction date from December 31, 2006 to December 31, 2007, as contained in the Development Covenants and Restrictions of the Agreement of Purchase and Sale dated July 13, 2004, for the lands described as Part of Block 3, Registered Plan 696 and designated as Parts 7 and 8 on Reference Plan 61R-9282;

AND THAT the City Solicitor be directed to prepare the necessary Amending Agreement with all costs, including registration costs, to be borne by 2050705 Ontario Inc.

Carried

**Ontario Municipal Partnership Fund (OMPF)**



Mr. D.A. Kennedy 30. Moved by Councillor Kovach  
Seconded by Councillor Findlay  
THAT the City of Guelph provide support to the City of North Bay with regards to petitioning the Province of Ontario concerning OMPF funding to municipalities;

AND THAT the City of Guelph petition the Province of Ontario to increase our 2007 OMPF in the amount of \$1,301,100 being the reconciled Community Re-investment Fund (CRF) Local Services Realignment costs for 2003 and 2004 totaling \$1,203,000 and an inflationary increase of 3.7% totaling \$98,100, thereby bringing the funding up to \$2,751,100 in 2007.

Carried

**Councillor Kovach presented the SECOND REPORT of the Council as a Committee of the Whole**

**Recruitment of Interim CAO**

Mayor Farbridge 31. Moved by Councillor Kovach  
Mr. G. Hunt Seconded by Councillor Laidlaw  
That Council directs the Mayor to sign the Offer of Service provided by Gazda, Houlne & Associates Inc. to assist with the recruitment and appointment of the Interim CAO.

Carried

Mr. D.A. Kennedy 32. Moved by Councillor Billings  
Seconded by Councillor Bell  
THAT the Director of Finance report back to Council on the funding source for consulting services for the search for an Interim CAO and the financing of the interim position.

Carried

**CONSENT AGENDA**

The following item #A-4 was extracted from the Consent Agenda to be voted on separately.

33 Moved by Councillor Kovach  
Seconded by Councillor Billings  
THAT the balance of the May 22, 2007 Consent Agenda as identified below, be adopted:

a) **Northern Heights Sewage Pumping Station and Inlet Sewers/Outlet for Forcemain, Contract No. 2-0710**

Mr. J. Riddell THAT the tender of Enviro-Con Engineering &  
Mr. D.A. Kennedy Construction Limited be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract No.

2-0710 for the Northern Heights Sewage Pumping Station and Inlet Sewer/Outlet Forcemain, for a total tendered price of \$1,600,575.62 with actual payment to be made in accordance with the terms of the contract.

b) **Emma Street Reconstruction, Contract No. 2-078**

Mr. J. Riddell  
Mr. D.A. Kennedy

THAT the tender of Marshall Finamore Construction Ltd. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract 2-0708 for the Emma Street Reconstruction for a total tendered price of \$2,099,796.98 with actual payment to be made in accordance with the terms of the contract.

c) **Proposed Demolition of a Detached Dwelling known municipally as 35 Brockville Avenue**

Mr. J. Riddell  
Mr. B. Poole

THAT the application to demolish the detached dwelling known municipally as 35 Brockville Avenue be approved.

Carried

**Civic Administration Centre Complex Fundraising Committee**

35. Moved by Councillor Kovach  
Seconded by Councillor Wettstein

Ms. L.E. Payne  
Councillor Burcher

THAT the Civic Administration Centre Complex Fundraising Committee be established, comprised of:

- One member of Council
- One representative from The Downtown Board of Management
- One representative from the Guelph Chamber of Commerce
- Murray McCrae, Manager of Corporate Property Services
- Rob Mackay, Manager of Recreation & Culture
- David Kennedy, Director of Finance;

AND THAT Councillor Burcher be named as a member of the Committee.

Carried

36. Moved by Councillor Hofland  
Seconded by Councillor Beard

THAT the Committee rise with leave to sit again.

Carried

37. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw

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

Carried

## **BY-LAWS**

38. Moved by Councillor Laidlaw  
Seconded by Councillor Farrelly  
THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2007)-18279 to (2007)-18306, with the exception of By-law Number (2007)-18296.

Carried

The By-laws were read a first and second time at 10:30 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2007)-18279 to (2007)-18306, with the exception of By-law Number (2007)-18296.

Mayor Farbridge in the Chair.

At 10:34 o'clock p.m., the Committee rose and reported By-laws Numbered (2007)-18279 to (2007)-18306 with the exception of By-law Number (2007)-18296, passed in Committee without amendment.

39. Moved by Councillor Piper  
Seconded by Councillor Salisbury  
THAT By-laws Numbered (2007)-18279 to (2007)-18306, with the exception of By-law Number (2007)-18296, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 10:35 o'clock p.m.

40. Moved by Councillor Laidlaw  
Seconded by Councillor Farrelly  
THAT leave be now granted to introduce and read a first and second time By-law Number (2007)-18296.

Carried

The By-laws were read a first and second time at 10:36 o'clock p.m.

Council went into Committee of the Whole on By-law Number (2007)-18296.

Mayor Farbridge in the Chair.

At 10:37 o'clock p.m., the Committee rose and reported By-law Number (2007)-18296, passed in Committee without amendment.

41. Moved by Councillor Salisbury  
Seconded by Councillor Hofland  
THAT By-law Number (2007)-18296, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 10:38 o'clock p.m.

## **QUESTIONS**

In response to questions by Councillor Billings, the Director of Community Design & Development Services advised of the City's official position with respect to College Avenue extension.

42. Moved by Councillor Billings  
Seconded by Councillor Piper  
THAT Council reaffirm that College Avenue extension is not an option in the Transportation Master Plan;

Mr. J. Riddell

AND THAT this position be circulated to the Ministry of Transportation and Stantec and the residents in Wards 5 and 6 in the vicinity.

A recorded vote was requested which resulted as follows:

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

VOTING AGAINST: (0)

The motion was carried

In response to questions by Councillor Kovach, the Director of Community Design & Development Services advised that staff have completed a draft topsoil by-law and will be conferring with the development industry and the report should be before Committee in a couple of months.

In response to questions by Councillor Kovach, the Director of Operations advised that the yellow traffic bollards at the bridge at Macdonnel Street will be removed this year.

## **MAYOR'S ANNOUNCEMENTS**

The Mayor had no announcements.

**NOTICE OF MOTION**

Councillor Laidlaw advised that she will be bringing forward a motion with respect to downtown restaurant patio closing times.

**ADJOURNMENT**

The meeting adjourned at 10:45 o'clock p.m.

Minutes read and confirmed June 18, 2007.

.....  
Mayor

.....  
Clerk

## Summary of Principles of Settlement

That the area to be zoned for extraction be reduced by approximately 5 acres in the north west section of the proposed Mast-Snyder Pit, as generally illustrated in the following figure. The revised pit design is to be illustrated on an amended Site Plan to be put before the OMB for consideration along with the Minutes of Settlement.

5 Acre Northwest Corner of Mast-Snyder Pit Proposed to be Removed from 'Aggregate Extraction' Zoning (lands remain within the licensed boundary of the Site)



That additional monitoring and information sharing protocols be established between St. Marys Cement Inc and the City. These measures include:

- St. Marys to share groundwater monitoring information from monitors on the Mast-Snyder site and the City to share groundwater monitoring information from monitoring wells in the Hanlon Creek Business Park (HCBP) lands
- St Marys to install a mini-piezometer in the wetland immediately to the west of Downey Road and which comprises an extension of the Speed River PSW that exists on the HCBP lands;

St Marys to install an ecological monitoring plot adjacent to the wetland identified in the point above, and that this plot be a component of the annual ecological assessment.

Additional wording clarification to be provided concerning the following:

- Sharing of information between the proponent and the City (for example, annual assessment reports to be provided to the City)
- The identification of ‘trigger’ parameters in consultation with the City whereby adverse groundwater/natural heritage feature impacts from the extraction operation can be quickly identified; and
- The establishment of contingency plans in consultation with the City in instances where ‘trigger’ parameters are reached and impact mitigation measures can be quickly put in place.