CITY COUNCIL AGENDA

Consolidated as of June 20, 2014

Council Chambers, Guelph City Hall, 1 Carden Street

DATE June 23, 2014 – 7:00 p.m.

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

O Canada Silent Prayer Disclosure of Pecuniary Interest and General Nature Thereof

PRESENTATION

- a) Julie Goodwin, Barrier Free Committee, with respect to the presentation of Access Recognition Awards to:
 - Outstanding Contribution of an Organization 2Rivers Festival Group, accepting on their behalf Sue Rietschin and Patti Maurice
 - Outstanding Contribution of an Organization Hillside Festival, accepting on their behalf Marie Zimmerman
 - Outstanding Contribution of an Organization Guelph Soccer, accepting on their behalf Mauricio and Rubin Flores
 - Outstanding Contribution of an Organization Diabetes Care Guelph, accepting on their behalf Sam Marzouk, Ross Kirkconnell and Dr. Steven Traplin
 - Outstanding Contribution of an Individual Jean McClelland
 - Outstanding Contribution of an Organization Athletic Centre and the Physical Resources Departments at the University of Guelph, accepting on their behalf Justin Selby
 - Outstanding Contribution of an Individual Community of Hearts Founders Andrea Kretz, Jason Dudgeon and Susan Wahlroth, accepting on their behalf Jason Dudgeon and Susan Wahlroth

CONFIRMATION OF MINUTES (Councillor Guthrie)

"THAT the minutes of the Council Meetings held May 26, 2014 and the minutes of the Closed Meetings of Council held May 26, 2014 be confirmed as recorded and without being read."

CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED

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 Reports/Agenda, please identify

Making a Difference

the item. The item will be extracted and dealt with separately. The balance of the Consent Reports/Agenda will be approved in one resolution.

Consent Reports/Agenda from:

Audit Committee			
Item	City Presentation	Delegations	To be Extracted
AUD-2014.16			
2013 Draft Audited			
Consolidated Financial			
Statements & External Post			
Audit Report			

Adoption of balance of Audit Committee Third Consent Report - Councillor Guthrie, Chair

Community & Social Services Committee				
Item	City Presentation	Delegations	To be Extracted	
CSS-2014.16 South End Community Centre Needs Assessment and Feasibility Study		 Judith Carson, President, Guelph- Wellington Seniors Association Ken Chupa, Director, Guelph- Wellington Seniors Association 	√	
CSS-2014.17				
Tourism Operational Review				

Adoption of balance of Community & Social Services Committee Fourth Consent Report - Councillor Dennis, Chair

Corporate Administration, Finance & Enterprise Committee			
Item	City Presentation	Delegations	To be Extracted
CAFE-2014.25			
Corporate Records Retention			
By-law Amendment			
CAFE-2104.26			
Updated Procurement By-law			
CAFE-2104.27			
2013 Final Year-end Operating			
Variance Report and Operating			
Surplus Allocation			

Adoption of balance of Corporate Administration, Finance & Enterprise Committee Fifth Consent Report - Councillor Hofland, Chair

Operations, Transit & Emergency Services Committee			
Item	City Presentation	Delegations	To be Extracted
OTES-2104.20			
Land Ambulance Response			
Time Performance Plan for			
2013			
OTES-2014.21			
Business Licence By-law			
Review – Food Vehicle			
Schedule			

Adoption of balance of Operations, Transit & Emergency Services Committee Third Consent Report - Councillor Findlay, Chair

Planning & Building, Engineering and Environment Committee				
Item	City Presentation	De	elegations	To be Extracted
PBEE-2014.16				
Draft Grand River Watershed				
Water Management Plan				
PBEE-2014.17		•	Ted Pritchard	<mark>√</mark>
2014 Solid Waste Management		•	Lloyd Longfield,	
Master Plan			Guelph Chamber of	
			Commerce	

Adoption of balance of Planning & Building, Engineering and Environment Committee Fourth Consent Report - Councillor Bell, Chair

Council Internal Audit			
Item	City Presentation	Delegations	To be Extracted
IA-2014.1	Derrick		\checkmark
Q2 Update on Overtime Audit	Thomson,		
Implementation Plan	Executive Director,		
	Community & Social		
	Services		
IA-2014.2	 Loretta Alonzo, 		\checkmark
CVOR – Fleet Follow-up Audit	Internal Auditor		
Report			

Adoption of balance of Internal Auditor's First Consent Report -

Council Consent Agenda				
Item	City Presentation	Delegations	To be Extracted	
CON-2014.34 Terra View, 72 York Road Property, DC Redevelopment Reduction Letter (deferred from Council June 9, 2014)	 Sarah Purton, Manager, Financial Planning & Budgets 	 David Brix, President, Terra View Homes 	V	
CON-2014.36 331 Clair Road East Proposed Official Plan and Zoning By-law Amendments (File OP1202/ZC1211)	 Al Hearne, Senior Development Planner 	 Paula Coughlin David Donnely Dave Riley Barbara Riley Robin-Lee Norris, on behalf of Reid's Heritage Homes 	V	

Adoption of balance of the Council Consent Agenda – Councillor

ITEMS EXTRACTED FROM COMMITTEES OF COUNCIL REPORTS AND COUNCIL CONSENT AGENDA (Chairs to present the extracted items)

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

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

Reports from:

- Audit Committee Councillor Guthrie
- Community & Social Services Committee Councillor Dennis
- Corporate Administration, Finance & Enterprise Committee– Councillor Hofland
- Operations, Transit & Emergency Services Committee Councillor Findlay
- Planning & Building, Engineering and Environment Committee
 – Councillor Bell
- Internal Audit
- Council Consent Mayor Farbridge

SPECIAL RESOLUTIONS

Councillor Laidlaw's motion for which notice was given May 26, 2014:

That the following motion be referred to the Planning & Building, Engineering and Environment Committee:

- 1. That City Council direct the City Solicitor to write to the Federal Minister of Natural Resources requesting immediate implementation of proposed regulations announced by the Government of Canada that will require companies operating major crude oil pipelines to have a minimum of \$1 billion in financial capacity.
- 2. That City Council request the Premier, the Minister of Energy and the Minister of the Environment to follow-up on any outstanding concerns not addressed in the National Energy Board decision on Line 9B and further, to advise that the City supports any actions undertaken by the Province to ensure the outstanding concerns are addressed by Enbridge.
- 3. That City Council requests the Ontario Minister of Environment to conduct a comprehensive environmental assessment for the Enbridge Line 9B Application.
- 4. That City Council directs the City Clerk to forward a copy of the request in Part 3 to the Federal Minister of the Environment.

BY-LAWS

Resolution – Adoption of By-laws (Councillor Hofland)

"THAT By-law Numbers (2014)-19769 to (2014)-19774, inclusive, are hereby passed."

By-law Number (2014)-19772	A by-law to remove land from Part Lot
A by-law to remove:	Control to create separate parcels for a
Part Block 58, Plan 61M151, designated	7 unit townhouse block known
as Part 8, Reference Plan 61R11875;	municipally as 41, 45, 47, 49, 51 and
Part Block 58, Plan 61M151, designated	53 Wideman Blvd.
as Parts 9 and 20, Reference Plan	
<mark>61R11875;</mark>	
Part Block 58, Plan 61M151, designated	
as Parts 10 and 19, Reference Plan	
<mark>61R11875;</mark>	
Part Block 58, Plan 61M151, designated	
as Parts 11 and 18, Reference Plan	
<mark>61R11875;</mark>	
Part Block 58, Plan 61M151, designated	
as Parts 12 and 17, Reference Plan	
<mark>61R11875;</mark>	
Part Block 58, Plan 61M151, designated	
as Parts 13 and 16, Reference Plan	

61R11875; Part Block 58, Plan 61M151, designated as Parts 14 and 15, Reference Plan 61R11875; in the City of Guelph from Part Lot Control. (41, 45, 47, 49, 51 and 53 Wideman Blvd.)	
By-law Number (2014)-19773 A by-law to remove: Block 95, Plan 61M182, designated as Parts 1, 2 and 5, Reference Plan 61R20369; Part of Block 99, Plan 61M182, designated as Part 3, Reference Plan 61R20369; and Part of Block 35, Plan 61M194, designated as Parts 4, Reference Plan 61R20369 in the City of Guelph from Part Lot Control. (67 Jeffrey Street)	A by-law to remove land from part lot control to create separate parcels and to add a part to a walkway block and to allow for the construction of a retaining wall on property known municipally as 67 Jeffrey Street.
By-law Number (2014)-19774 A by-law to confirm the proceedings of a meeting of Guelph City Council. (June 23, 2014)	To confirm the proceedings of a meeting of Guelph City Council held June 23, 2014.

MAYOR'S ANNOUNCEMENTS

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

NOTICE OF MOTION

ADJOURNMENT

Access Recognition Awards 2014

Outstanding Contribution of an Organization 2Rivers Festival Group Accepting on their behalf: Sue Rietschin and Patti Maurice

2Rivers Festival Group, a volunteer organization, has gone above and beyond the expected by modifying existing programs in an effort to eliminate physical mobility barriers.

2Rivers Festival Group has been receptive to suggestions on how to improve the accessibility of their events and took initiative by making changes to programs. They showed keen interest in potential barriers to accessibility during their programs. They addressed these barriers by choosing accessible venues and indicated these on their brochures. Further, they included contact information on brochures for anyone interested in learning more about accessibility.

Certificate

In recognition of your commitment to reducing barriers by making changes to existing programs and your openness to suggestions on how to improve accessibility of events.

Outstanding Contribution of an Organization Hillside Festival Accepting on their behalf: Marie Zimmerman

Hillside Festival has gone above and beyond the expected to remove barriers for individuals with disabilities who wish to attend their festival. They recognized the importance of accessibility and have modified events to reflect this. Hillside Festival has become a model for other organizations looking to address the accessibility of outdoor events.

Hillside Festival has addressed a variety of barriers by offering accessible venues, providing on-call sign language interpretation, providing accessible shuttle buses, offering fresh water to service dogs and having a designated Access Support Krew who provide assistance to anyone who needs additional access support. Hillside Festival also supplies earplugs in an effort to prevent hearing loss.

Certificate

In recognition of the modifications made to increase the accessibility of events and your awareness of potential barriers. You have gone above and beyond by providing a wide array of services that allow individuals with disabilities to enjoy the festival comfortably and set a positive example for other organizations.

Outstanding Contribution of an Organization Guelph Soccer Accepting on their behalf: Mauricio and Rubin Flores

Guelph Soccer has gone above and beyond the expected to remove many barriers for individuals with disabilities who have a desire to play soccer. Guelph Soccer offers a modified program which teaches basic soccer skills in a fun and supportive environment to children with disabilities.

This program instils a sense of pride in families as their child with a disability learns new skills while participating on a soccer team. A side benefit is that it also raises awareness in the community of the skills and abilities of athletes with disabilities.

Certificate

In recognition of your commitment to creating adapted soccer programs that provide children with disabilities an opportunity to be active and play alongside their peers.

Outstanding Contribution of an Organization Diabetes Care Guelph Accepting on their behalf: Sam Marzouk, Ross Kirkconnell, and Dr. Steven Traplin

Diabetes Care Guelph is a unique community-based program that goes above and beyond their mandate.

Diabetes Care Guelph acknowledges that some clients may experience mobility barriers and has made an effort to overcome this barrier by providing home visits and by establishing four locations throughout the city. They are also committed to providing access to diabetes education and to facilitate screening processes in the workplace. They offer a variety of services to address barriers commonly associated with diabetes, such as free foot care and gym access. Diabetes Care Guelph has made an excellent effort to eliminate barriers surrounding the education, detection and management of diabetes.

Certificate

In recognition of your devotion to clients who experience mobility barriers and your initiative to educate the community regarding diabetes health care and prevention that is above and beyond the expected.

Outstanding Accomplishment of an Individual Jean McClelland

In recognition of her goal of empowering people with a disability to be active in their community while pushing past her barriers, including chronic pain and physical barriers in the environment.

As a teen who developed chronic pain after several surgeries, Jean learned the importance of volunteering and helping others from her mentor. As a result of pushing herself, Jean has a real zest for life and for making a difference wherever she volunteers. People living with disabilities, who know Jean, quickly realize that she is a great mentor. If Jean learns that someone is encountering a barrier she

immediately strikes up a conversation with them to learn more about the barrier and talks with them to find a way to remove it.

Jean believes that fostering a positive image of people with a disability is important. This includes the self-esteem of youth with disabilities. As the Captain of a Girl Guide Company, Jean arranged for accommodations for Girl Guides living with a disability. Jean has been the Chair of the Barrier Free Committee for many years and through that position she has led the committee in several positive image educational projects. As the chair of the INTO FOCUS photography club, she has spent the last eight years ensuring that everyone has a voice and encouraging members to suggest and take part in accessible field trips.

These are just a few of the examples of Jean's work and her life-long commitment to empowering people with a disability.

Certificate Wording

We commend you for pushing past physical barriers related to your disability. You value and embody community involvement by engaging people through active leadership.

Outstanding Contribution of an Organization Athletic Centre and the Physical Resources departments at the University of Guelph Accepting on their behalf: Justin Selby

The Athletic Centre and the Physical Resources departments at the University of Guelph installed automatic door openers to the women's change room. We commend the employees from these departments for investing in the accessibility of this facility and for spearheading this project.

Women and children with disabilities use this facility to continue their physical therapy after a stroke, chemo-therapy or joint replacement. Women who have different medical conditions such as muscular dystrophy, multiple sclerosis or cerebral palsy use the facility to maintain their health. The removal of a physical barrier by installing these automatic door openers has ongoing and long term benefits for women's physical wellbeing.

Certificate Wording

The Athletic Centre and the Physical Resources departments at the University of Guelph are thanked for the installation of automatic door openers to the women's change room. You have successfully removed a significant barrier for women and children in our community.

Jason, Andrea and Susan are the co-founders of the Community of Hearts organization. They recognized a community need for lifelong learning skills for individuals with intellectual disabilities and took action.

Utilizing their individual experiences, they have been able to provide structured programs that assist individuals to work toward independence. The Community of Hearts program offers Educational Day Programs, a Social Network and a Cottage Crashers Summer Vacation program and numerous other events to encourage social interaction. They emphasize the need for working toward independence, academic learning and practice of life skills, as well as recreational and leisure activities, social engagement and inclusive community experiences with a goal of developing friendships and interpersonal skills.

Jason, Andrea and Susan have made a positive difference within the community. Their commitment to supporting persons with intellectual disabilities is truly outstanding.

Certificate

In recognition of your commitment in supporting individuals with intellectual disabilities to learn and practice life skills, further their academic learning and have opportunities for recreation and social engagement. You have gone above and beyond the expected by recognizing a need in the community and fulfilling it.



Terra View, 72 York Road Property, DC Redevelopment Reduction Letter

Presented by Sarah Purton



- Overview of 72 York Road Property
- Redevelopment Reduction
- Financial Assistance Provided to Date
- Options
- Staff Recommendation



Overview of 72 York Road Property

- 2004 Terra View purchases property at 72 York Road
- 2006 Receives approval to construct:
 - 22 townhouses
 - 1 semi- detached home
 - 2 single detached homes

• April 2007- the existing single detached residential unit was demolished

• 2008 – 2012 On-going correspondence between the City and Terra View related to requests for financial assistance for this property.

- August 2013 January 2014 extensive DC consultation process undertaken with Developer and Homebuilders
- March 2014 letter from Terra View requesting an extension to the ³ redevelopment reduction timeline (impact = \$27,232)



Redevelopment Reduction

• The purpose of the redevelopment reduction is to account for the allocation of City resources to an existing development.

- Through the update to the 2014 DC By-law the 48 month redevelopment timeline was maintained because:
 - It adequately reflects the time it takes for excess service capacity to be absorbed
 - Represents the time between background study updates



Redevelopment Reduction Comparison

Timing	
4 months	
48 months	
24 months	
48 months	
60 months	
60 months	
24 months	
60 months	
60 months	
60 - 72 months	



Financial Assistance Awarded to Date

	Date	Amount
TIBG Application #1 eligible expenses	July 2009	\$138,000
Tax Assistance (3 years)	April 2011	\$30,000
TIBG Application #2 retroactive expenses (prior to 2007)	July 2013	\$411,000
Total Assistance		\$579,000



Option #1: Agreement with Terra View

• This option would only be appropriate if the City was found responsible for an error that caused a delay that prevented Terra View from obtaining a building permit application

• The error would have been of a nature that could not have been mitigated by Terra View acting with reasonable diligence

• Terra View could have applied for a building permit during the eligible period and the update of the Brownfield CIP did not prevent them from moving ahead

Not Recommended



Option #2: Re-open the DC By-law

• Re-open the DC By-law and extend the redevelopment reduction timeframe

• Re-opening the By-law is expensive and time consuming (2014 budget = \$250K)

 Would require an extensive consultation process and could result in appeals

Not Recommended



Option #3: Uphold the 2014 DC By-law

• Uphold the 48 month redevelopment reduction that is included in the 2014 DC By-law

• This timeframe is incorporated in the capital projects identified in the Background Study which form the current DC rate

• If Terra View chooses not to develop 72 York Rd, the amount awarded under the TIBG program would become uncommitted

Recommended



- 48 month timeframe reflects the time it takes to absorb excess capacity
- Awarding an extension would require that the City recover the funds through the tax and rate supported reserves
- Brownfield TIBG was created to incentivize brownfield redevelopment
- Terra View has consistently been told that City policies and practices did not support exemptions or extensions to the redevelopment reduction

Clair Road Corridor Neighbours Association – Response to Guelph City Staff Report # 14-19 on 331 Clair Rd E Proposed Official Plan and Zoning By-Law Amendments

For June 23, 2014 City Council Meeting

Respectfully submitted to Guelph City Council by members of the Clair Road Corridor Neighbours Association^{}:*

- Mike and Paula Coughlin
- Stan and Denuda Gidzinksi
- James and Janet Nagy
- David and Barbara Riley

*All own properties that directly abut 331 Clair Rd E

Association Purpose

To support a comprehensive cohesive plan for the development of the Clair Road corridor

Association Response to the City Staff Report 14-19

We agree with the staff recommendation to not support the applications for proposed official plan and zoning bylaw amendments. We ask city council to support the staff report and direct city staff to obtain party status in the upcoming OMB hearing process in order to reject the application as submitted.

Rationale and considerations:

- The current application for development of 331 Clair Rd E does not allow for a comprehensive, cohesive approach to development of the Clair Road corridor, which is the approach in the city's official plan (therefore, the 331 development 'leap frogs' the city's planned development process).
- 2. The Clair Road neighbours are aware of the city's intensification plan for the Clair Rd corridor; while we bought into a different concept (some 16 years ago, others more recently), conditions have changed development to the north and west, plans for development of 331 to the east and country living within the city is no longer possible. Consistent with the city's official plan, our interest is a cohesive approach to planning along the Clair Rd corridor.

- 3. The proposed development for 331 does not consider neighbouring properties or a cohesive approach to planning the Clair Rd corridor. Any plan for 331 must include the following:
 - Municipal road serving the south side of Clair Rd (a private road is currently proposed to serve 60 townhouse units at 331)
 - Availability of water and sewer services
 - Connectivity of trails and provision of green spaces
 - A comprehensive cohesive plan for the area
 - A secondary plan for the Clair Rd corridor
- 4. If properties surrounding 331 are not developed at the same time as 331, the development of 331 must be in keeping with the surrounding estate properties, as per the Dallan development to the west of 287 Clair Rd E.
- 5. We have been proactive in discussing the restrictive covenant on some Rolling Hills properties with Armel (Rolling Hills developer) in 2010 and 2012. Armel recognizes that conditions have changed since the covenants were applied, especially for Rolling Hills north owners. They are becoming surrounded by development. It is an ethical issue for Rolling Hills owners to be bound by a covenant that was developed under a different set of circumstances namely, to protect country living within the city. These conditions can no longer be met.

Proposed Approach

The Clair Road Corridor Neighbours Association is eager to work with city staff, council, 331 developers, neighbours and other relevant stakeholders to ensure a timely, comprehensive and cohesive plan for the Clair Rd corridor.

Appendices

A: Chronology of Clair Rd neighbours' participation in the 331 Clair Rd development application

- November 5, 2012; 331 Clair Road E Official Plan and Zoning Amendment Application City Council Planning Meeting (see summary of main discussion in Appendix B)
- Meetings with and submissions by individual neighbours:
 - Dave and Barb Riley; Nov 18/12 (email), Nov 28/12 (meeting at City Hall), Dec 3/12 (email), Dec 18/12 (email)
 - James and Janet Nagy; Nov 13/12 (email)
 - Mike and Paula Coughlin; Feb 2013 (email)
- February 5, 2013; Meeting at City Hall with City Planning Staff, Developer and neighbours of 331 Clair Rd E
- On request of Clair Rd neighbours, meeting with Ward 6 Councillors Karl Wettstein and Todd Dennis
- Meeting of Clair Rd neighbours with city planning and legal staff, May 14, 2014

B. November 5, 2012; 331 Clair Road E Official Plan and Zoning Amendment Application City Council Planning Meeting – Summary of meeting transcript

- Developer presented their plan for a 60 unit townhouse development on the 1.7 hectare (4.29 acre) property
- Consultants hired by 2 neighbours made a presentation including that: the neighbours support the production of a comprehensive development plan for the Clair Rd corridor; they formally object to the current plan as submitted; the developer had no desire to discuss any changes to their development; the proposed development is an island with no connection to trails or sidewalks; proposed road land locks the neighbouring properties with no ability to connect to it; design parkland comprehensively to benefit the public; should be appropriate buffering with neighbouring properties; official plan requires buildings are to be compatible in design, character and orientation with buildings in the immediate vicinity and they are not compatible with the neighbouring estate lots all greater than 5 acres; current official plan would not allow development on the reserve lands without a secondary planning process; the barn would be a signature heritage feature for the area; role of city planning staff is to get different land owners to come together and produce a comprehensive plan that goes beyond the boundaries of 331 Clair Rd E.
- Dr. Hugh Whiteley's opinion was that the site is appropriate for development but that a comprehensive secondary plan should be a condition of approval and connectivity to the trail system should be explored.
- Council questions/comments: What were the conversations with the neighbours?; was a traffic study done?; what have you done to incorporate the trail system to the north of Clair Rd and to the Dallan development and the properties surrounding 331 Clair?; expect city staff to address the issues of secondary planning, comprehensiveness, connectivity, compatibility, transition and blocking other developments, traffic, parking and public transportation before coming back to city council