

# CITY COUNCIL AGENDA



**DATE July 23, 2012 – 7 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**

### **CONFIRMATION OF MINUTES** (Councillor Bell)

**"THAT** the minutes of the Council Meetings held June 11, 25 and July 3, 2012 and the minutes of the Closed Meetings of Council held June 11, June 25, 26, July 3, July 17, 2012 and the minutes of the June 25, 2012 Closed Meeting of Council as Shareholder of Guelph Municipal Holdings Inc. 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 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:**

<b>Corporate Administration, Finance &amp; Enterprise Committee</b>			
<b>Item</b>	<b>City Presentation</b>	<b>Delegations</b>	<b>To be Extracted</b>
CAFE-34 148-152 Macdonell Street – Downtown Guelph Community Improvement Plan (DGCIP) – Major Downtown Activation Grant (DAG) Request			

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

<b>Operations, Transit &amp; Emergency Services Committee</b>			
<b>Item</b>	<b>City Presentation</b>	<b>Delegations</b>	<b>To be Extracted</b>
OTES-19 Janefield Avenue – On-Street Parking Follow-Up			
OTES-20 Delegated Authority for Approval of Traffic Signal Drawings			
OTES-21 Business Licence Fees 2013			

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

<b>Planning &amp; Building, Engineering and Environment Committee</b>			
<b>Item</b>	<b>City Presentation</b>	<b>Delegations</b>	<b>To be Extracted</b>
PBEE-P-1 Blue Community Presentation by Robyn Hamlyn			
PBEE-30 Limiting Distance Agreement Between Skyline Real Estate Holdings Inc., Barrel Works Guelph Ltd. and The Corporation of the City of Guelph			
PBEE-31 Proposed Lease Agreement with University of Guelph Southern Ontario Water Consortium Platform Research Facility at Waste Water Treatment Plan		<ul style="list-style-type: none"> <li>Brenda Lucas, Southern Ontario Water Consortium</li> </ul> <u>Available to answer questions:</u> <ul style="list-style-type: none"> <li>Margaret Kirnbauer, University of Guelph</li> </ul>	✓

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

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Council Consent Agenda			
Item	City Presentation	Delegations	To be Extracted
A-1) 2013 Budget Guideline			
A-2) Willowdale Daycare Lease at 58 Dawson Road			

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:

- Corporate Administration, Finance & Enterprise Committee– Councillor Hofland
- Operations, Transit & Emergency Services Committee – Councilor Findlay
- Planning & Building, Engineering and Environment Committee– Councillor Piper
- Council Consent – Mayor Farbridge

**SPECIAL RESOLUTIONS**

Councillor Guthrie’s motion for which notice was given June 25 and July 3, 2012:

THAT the following be referred to the Corporation Administration, Finance & Enterprise Committee:

That staff be directed to schedule no summer recess when drafting the annual calendar of Council and Standing Committee meetings for Council approval.

**BY-LAWS**

Resolution – Adoption of By-laws (Councillor Burcher)

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## **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**



Council Caucus Room  
June 11, 2012 6:15 p.m.

**An Open Special Meeting of Guelph City Council.**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Transit and Emergency Services; Mr. G. Hunt, Manager, Labour Relations, Health and Safety; Ms. F. Tranquilli-Nardini (incoming) Manager, Labour Relations, Health and Safety; Mr. J. Osborne, Deputy Fire Chief; Ms. J. Maitland, Labour Relations Specialist; and Mr. B. Labelle, City Clerk

1. Moved by Councillor Burcher  
Seconded by Councillor Hofland

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

**Labour Relations Matter**

S. 239 (2) (b) of the *Municipal Act* – labour relations or employee negotiations.

Carried

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Mayor

.....  
Clerk

Council Caucus Room  
June 11, 2012 6:16 p.m.

**A Closed Special Meeting of Guelph City Council.**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Mr. G. Hunt, Manager, Labour Relations, Health and Safety; Ms. F. Tranquilli-Nardini (incoming) Manager, Labour Relations, Health and Safety; Mr. J. Osborne, Deputy Fire Chief; Ms. J. Maitland, Labour Relations Specialist; and Mr. B. Labelle, City Clerk

**DISCLOSURE OF PECUNIARY INTEREST AND  
GENERAL NATURE THEREOF**

There were no disclosures.

**Labour Relations Matter**

1. Moved by Councillor Kovach  
Seconded by Councillor Burcher  
THAT the following be reported out as a Special Resolution of Council at its June 11, 2012 Special Meeting:

That the OPSEU Collective Agreement be ratified.

Carried

2. Moved by Councillor Hofland  
Seconded by Councillor Burcher  
That the closed meeting of Guelph City Council of June 11, 2012 be adjourned.

Carried

The meeting recessed at 6:24 p.m.

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Mayor

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Clerk

Council Chambers  
June 11, 2012 6:25 p.m.

**An Open Special Meeting of Guelph City Council**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services and Mr. B. Labelle, City Clerk

**DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

There were no disclosures.

**Special Resolution**

1. Moved by Councillor Kovach  
Seconded by Councillor Burcher  
That the OPSEU Collective Agreement be ratified.
- Mr. M. Amorosi
- Carried

**ADJOURNMENT**

2. Moved by Councillor Hofland  
Seconded by Councillor Burcher  
That the meeting of Guelph City Council of June 11, 2012 be adjourned.
- Carried

The meeting adjourned at 6:30 p.m.

Minutes to be confirmed on July 23, 2012.

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Mayor

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Clerk

Council Caucus Room  
June 25, 2012 6:30 p.m.

**An Open Meeting of Guelph City Council as  
Shareholder of Guelph Municipal Holdings Inc.**

Present: Mayor Farbridge, Councillors Bell, Burcher,  
Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper,  
Van Hellemond and Wettstein

Absent: Councillor Findlay (arrived at 8:19 p.m.)

Staff Present: Ms. A. Pappert, Chief Administrative  
Officer; Mr. M. Amorosi, Executive Director of Corporate &  
Human Resources; Ms. C. Bell, Executive Director of  
Community & Social Services; and Mr. B. Labelle, City  
Clerk

1. Moved by Councillor  
Seconded by Councillor

THAT the Council of the City of Guelph now hold a  
meeting that is closed to the public with respect to:

**Compliance Letter from GMHI for 2011**

S. 239 (2) (g) of the *Municipal Act* – a matter in respect  
of which a Council, board, Committee or other body may  
hold a closed meeting under another Act.

**Report Out of Closed Meeting**

S. 239 (2) (b) of the *Municipal Act* – personal matters  
about identifiable individuals;

S. 239 (2) (g) of the *Municipal Act* – a matter in respect of  
which a Council, board, Committee or other body may  
hold a closed meeting under another Act.

Carried

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Mayor

.....  
Clerk

Council Caucus Room  
June 25, 2012 6:32 p.m.

**A Closed Meeting of Guelph City Council as  
Shareholder of Guelph Municipal Holdings Inc.**

Present: Mayor Farbridge, Councillors Bell, Burcher,  
Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper,  
Van Hellemond and Wettstein

Absent: Councillor Findlay

Staff Present: Ms. A. Pappert, Chief Administrative  
Officer; Mr. M. Amorosi, Executive Director of Corporate &  
Human Resources; Ms. C. Bell, Executive Director of  
Community & Social Services; and Mr. B. Labelle, City  
Clerk

**DISCLOSURE OF PECUNIARY INTEREST AND  
GENERAL NATURE THEREOF**

There were no disclosures.

**Compliance Letter from GMHI for 2011**

1. Moved by Councillor Guthrie  
Seconded by Councillor Hofland  
That the 2011 Compliance Letter from the Chief Executive  
Officer of Guelph Municipal Holding Inc. be received.

Carried

**Appointment of Directors**

2. Moved by Councillor Guthrie  
Seconded by Councillor Burcher  
THAT Council rise, report and introduce the following  
motion during the Open meeting when Council sits as  
Shareholder of Guelph Municipal Holdings Inc.:

THAT Karen Farbridge, Chair, Jasmine Urisk, Lise  
Burcher, Todd Dennis, June Hofland and Karl Wettstein  
are hereby appointed Directors of Guelph Municipal  
Holdings Inc. for the balance of the municipal term of  
Council.

Carried

### **Waiver of Audit Requirement**

3. Moved by Councillor Guthrie  
Seconded by Councillor Dennis

THAT Council rise, report and introduce the following motion during the Open meeting when Council sits as Shareholder of Guelph Municipal Holdings Inc.:

THAT the audit requirement for the financial statements of Guelph Municipal Holdings Inc. prescribed in section 12(c) of the Shareholder Declaration be waived commencing for the fiscal year 2012 and continuing until the total annual revenues and/or total annual expenditures exceed 10% of the materiality figure as determined by the external auditors for the City of Guelph consolidated financial statement audit.

Carried

4. Moved by Councillor Dennis  
Seconded by Councillor Guthrie

That the closed meeting of Guelph City Council as Shareholder of Guelph Municipal Holdings Inc. of June 25, 2012 be adjourned.

Carried

The meeting adjourned at 6:35 p.m.

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Mayor

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Clerk

Council Caucus Room  
June 25, 2012 6:35 p.m.

**An Open Meeting of Guelph City Council.**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Absent: Councillor Findlay

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Mr. J. Stokes, Manager of Realty Services and Mr. B. Labelle, City Clerk

1. Moved by Councillor  
Seconded by Councillor

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

**Property Lease Matter**

S. 239 (2) (g) of the *Municipal Act* – proposed or pending acquisition or disposition of land.

Carried

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Mayor

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Clerk

Council Caucus Room  
June 25, 2012 6:36 p.m.

**A Closed Meeting of Guelph City Council.**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Absent: Councillor Findlay

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Mr. J. Stokes, Manager of Realty Services and Mr. B. Labelle, City Clerk

**DISCLOSURE OF PECUNIARY INTEREST AND  
GENERAL NATURE THEREOF**

There were no disclosures.

**Property Lease Matter**

1. Moved by Councillor Furfaro  
Seconded by Councillor Hofland  
That the report of the Manager of Realty Services dated June 18, 2012 and entitled "Driver's Lunchroom at University Centre" be received for information.

Carried

2. Moved by Councillor  
Seconded by Councillor  
That the closed meeting of Guelph City Council of June 25, 2012 be adjourned.

Carried

The meeting recessed at 6:40 p.m.

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Mayor

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Clerk



Council Chambers  
June 25, 2012 7:00 p.m.

### **An Open Meeting of Guelph City Council**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay (arrived at 8:19 p.m.), Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman, Executive Director of Finance & Enterprise; Mr. S. Armstrong, General Manager/Fire Chief, Emergency Services Fire/Ambulance; Mr. P. Busatto, General Manager, Water Services; Mr. B. Labelle, City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

### **DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

There were no disclosures.

### **CONSENT REPORTS AND AGENDAS**

#### **Councillor Guthrie presented the Audit Committee Second Consent Report.**

1. Moved by Councillor Guthrie  
Seconded by Councillor Kovach  
THAT the June 25, 2012 Audit Committee Second Consent Report as identified below, be adopted:

- a) **2011 Draft Audited Consolidated Financial Statements and External Post-Audit Report**

Mr. Horsman

THAT the Report FIN-12-28 dated June 11, 2012 entitled "2011 Draft Audited Consolidated Financial Statements and External Post-Audit Report" be received;

AND THAT the 2011 Draft Audited Consolidated Financial Statements be approved.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

The following items were extracted from the Corporate Administration, Finance & Enterprise Committee Fourth Consent Report to be voted on separately:

- CAFE-27 Implementing the Corporate Strategic Plan: 2012 Funding Requirements for Six Initiatives
- CAFE-28 2011 Year End Variance Report and Operating Surplus Allocation
- CAFE-29 Employee Compensation Reserve Review
- CAFE-30 2011 Operating Reserve Review and Reallocation
- CAFE-31 Recommendation for Financing New Public Health Facilities
- CAFE-33 72 Macdonell Street (The Diplomat Hotel) – Downtown Guelph Community Improvement Plan (DGCIP) – Major Downtown Activation Grant (DAG)

**Councillor Hofland presented the balance of the Corporate Administration, Finance & Enterprise Committee Fourth Consent Report.**

- 2. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
THAT the balance of the June 25, 2012 Corporate Administration, Finance & Enterprise Committee Fourth Consent Report as identified below, be adopted:

**a) Advancement of the Wellington-Dufferin-Guelph Public Health 2012 Fourth Quarter Levy Payment**

Mr. A. Horsman

THAT report FIN-12-31 dated June 11, 2012, with respect to advancement of the fourth quarter levy payment to Wellington-Dufferin-Guelph Public Health be received;

AND THAT the request from Wellington-Dufferin-Guelph Public Health to advance the 2012 fourth quarter levy payment from October to July be approved.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

The following items were extracted from the Operations, Transit & Emergency Services Committee Sixth Consent Report to be voted on separately:

- OT-17 Driver's Lunchroom at University Centre

**Councillor Furfaro presented the balance of the Operations, Transit & Emergency Services Committee Sixth Consent Report.**

3. Moved by Councillor Furfaro  
Seconded by Councillor Van Hellemond  
THAT the balance of the June 25, 2012 Operations, Transit & Emergency Services Committee Sixth Consent Report as identified below, be adopted:

a) **Clair Road Emergency Services Centre – Naming Issue**

Mr. D. McCaughan  
Mr. S. Armstrong  
Chief B. Larkin

THAT Council endorses the recommendation of the Clair Road Emergency Services Centre (CRESC) community Committee as it relates to the naming of common elements at the facility.

b) **Long Term Monthly Parking Agreement with Skyline Real Estate Holdings Inc.**

Mr. D. McCaughan  
Ms. D. Jaques

THAT the Report OT061225 Long Term Monthly Parking Agreement With Skyline Real Estate Holdings Inc. dated June 18, 2012 be received;

AND THAT the Mayor and Clerk be authorized to sign a parking agreement with Skyline Real Estate Holdings Inc. satisfactory to the Executive Director of Operations, Transit and Emergency Services and the City Solicitor.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

**Councillor Piper presented the Planning & Building, Engineering and Environment Committee Sixth Consent Report.**

4. Moved by Councillor Piper  
Seconded by Councillor Guthrie  
THAT the June 25, 2012 Planning & Building, Engineering and Environment Committee Sixth Consent Report as identified below, be adopted:

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

Dr. J. Laird

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

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

**b) Property Standards By-law Amendments**

Dr. J. Laird  
Mr. B. Poole

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

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

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

Dr. J. Laird  
Mr. T. Salter

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

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

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

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

Dr. J. Laird

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

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

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

The following items were extracted from the Governance Committee Third Consent Report to be voted on separately:

GOV-11 Corporate Strategic Plan (CSP) Framework 2012-2016

GOV-12 Implementing the Corporate Strategic Plan 2012 Initiatives

### **Consent Agenda**

5. Moved by Councillor Kovach  
Seconded by Councillor Dennis

THAT the June 25, 2012 Council Consent Agenda as identified below, be adopted:

a) **817 Hanlon Road Upcoming Ontario Municipal Board Hearing (File B-11/12) – Ward 5**

Dr. J. Laird  
Mr. T. Salter  
Ms. D. Jaques

THAT Report 12-61 dated June 25, 2012 regarding an appeal of the Committee of Adjustment Decision B-11/12 refusing an application for severance to create a new residential lot with a lot frontage of 15.13 metres and a lot depth of 30.4 metres at 817 Hanlon Road, City of Guelph, from Planning, Building, Engineering and Environment be received;

AND THAT the City be a party at any upcoming OMB proceedings regarding an appeal of the Committee of Adjustment's decision B-11/12 refusing an application for severance to create a new residential lot with a lot frontage of 15.13 metres and a lot depth of 30.4 metres at 817 Hanlon Road, City of Guelph, and that appropriate staff attend any future Ontario Municipal Board proceedings in support of Staff's position at the Committee of Adjustment hearing.

b) **106 Clough Crescent Upcoming Ontario Municipal Board Hearing (File A-15/12) – Ward 6**

Dr. J. Laird  
Mr. T. Salter  
Ms. D. Jaques

THAT Report 12-64 dated June 25, 2012 regarding an appeal of the Committee of Adjustment Decision A-15/12 refusing a minor variance to permit two (2) off-street parking spaces for the host dwelling and the accessory unit of the semi-detached dwelling at 106 Clough Crescent, City of Guelph, from Planning, Building, Engineering and Environment be received;

AND THAT the City be a party at any upcoming OMB proceedings regarding an appeal of the Committee of Adjustment's decision A-15/12 refusing a minor variance to permit two (2) off-street parking spaces for the host dwelling and the accessory unit of the semi-detached dwelling at 106 Clough Crescent, City of Guelph, and that appropriate staff attend any future Ontario Municipal Board proceedings in support of Staff's position at the Committee of Adjustment hearing.

c) **32 Mason Court Upcoming Ontario Municipal Board Hearing (File A-45/12) – Ward 5**

Dr. J. Laird  
Mr. T. Salter  
Ms. D. Jaques

THAT Report 12-63 dated June 25, 2012 regarding an appeal of the Committee of Adjustment Decision A-45/12 refusing a minor variance to permit three (3) off-street parking spaces in a stacked arrangement at 32 Mason Court, City of Guelph, from Planning, Building, Engineering and Environment be received;

AND THAT the City not be a party at any upcoming OMB proceedings regarding an appeal of the Committee of Adjustment's decision A-45/12 refusing a minor variance to permit three (3) off-street parking spaces in a stacked arrangement at 32 Mason Court.

d) **17 Tolton Drive Upcoming Ontario Municipal Board Hearing (File A-53/12) – Ward 6**

Dr. J. Laird  
Mr. T. Salter  
Ms. D. Jaques

THAT Report 12-65 dated June 25, 2012 regarding an appeal of the Committee of Adjustment Decision A-53/12 refusing minor variances to permit a second driveway in the front yard and to permit the driveways to occupy 68.5% of the front yard at 17 Tolton Drive, City of Guelph, from Planning, Building, Engineering and Environment be received;

AND THAT the City be a party at any upcoming OMB proceedings regarding an appeal of the Committee of Adjustment's decision A-53/12 refusing minor variances to

permit a second driveway in the front yard and to permit the driveways to occupy 68.5% of the front yard at 17 Tolton Drive, City of Guelph, and that appropriate Staff attend any future Ontario Municipal Board proceedings in support of Staff's position at the Committee of Adjustment hearing.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

### **Council as Shareholder of Guelph Junction Railway**

Mr. David Jenison, Chair, Guelph Junction Railway introduced the Guelph Junction Railway Annual Report.

Mr. Ben Boehm, President, Guelph Junction Railway, summarized the Guelph Junction Railway Annual Report contained in the meeting agenda.

6. Moved by Councillor Hofland  
Seconded by Councillor Furfaro

Mr. T. Sagaskie

THAT the Guelph Junction Railway Company 2011 Annual Shareholders Report and 2011 Year End Financial Report be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

7. Moved by Councillor Kovach  
Seconded by Councillor Dennis

Mr. T. Sagaskie

THAT Deloitte & Touche LLP be appointed as the 2012 auditors for the Guelph Junction Railway.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

**Council as Shareholder of Guelph Municipal Holdings Inc.**

Mayor Farbridge gave introductory remarks and highlighted the mandate of Guelph Municipal Holdings Inc.

Ms. Ann Pappert, CEO, Guelph Municipal Holdings Inc., addressed the Guelph Municipal Holdings Inc. 1<sup>st</sup> Annual Report contained in the meeting agenda.

Mayor Farbridge  
Ms. A. Pappert

8. Moved by Councillor Dennis  
Seconded by Councillor Burcher  
THAT the Guelph Municipal Holdings Inc. 2011 Annual Report be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Ms. A. Pappert  
Mr. B. Labelle

9. Moved by Councillor Guthrie  
Seconded by Councillor Burcher  
THAT Karen Farbridge, Chair, Jasmine Urisk, Lise Burcher, Todd Dennis, June Hofland and Karl Wettstein are hereby appointed Directors of Guelph Municipal Holdings Inc. for the balance of the municipal term of Council.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

Ms. A. Pappert

10. Moved by Councillor Guthrie  
Seconded by Councillor Dennis  
THAT the audit requirement for the financial statements of Guelph Municipal Holdings Inc. prescribed in section 12(c) of the Shareholder Declaration be waived commencing for the fiscal year 2012 and continuing until the total annual revenues and/or total annual expenditures exceed 10% of the materiality figure as determined by the external auditors for the City of Guelph consolidated financial statement audit.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)



VOTING AGAINST: (0)

Carried

### **Guelph City Council**

11. Moved by Councillor Piper

Seconded by Councillor Dennis

THAT the minutes of the Council Meetings held May 28 and June 5 2012 and the minutes of the Closed Meetings of Council held on May 28, 2012 and the minutes of the Closed Meeting of Council as Shareholder of Guelph Junction Railway May 28, 2012 and minutes of the Closed Meeting of Council as Shareholder of Guelph Municipal Holdings Inc. May 28, 2012, be confirmed as recorded without being read.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

### **Corporate Strategic Plan**

Mayor Farbridge presented introductory remarks regarding the Corporate Strategic Plan.

Ms. Ann Pappert, CAO, highlighted the accomplishments from the 2007 Strategic Plan and highlighted the framework as for the 2012-2016 plan as noted in the report attached to the meeting agenda. Ms. Pappert reviewed the three strategic areas; city building, organizational excellence and innovation in local government.

Council discussed the Corporate Strategic Plan and posed several questions to staff in relation to the overall process, the development of the framework and the proposed 2012 initiatives.

*Councillor Findlay arrived at 8:19 p.m.*

### **Corporate Strategic Plan (CSP) Framework 2012-2016**

12. Moved by Councillor Guthrie

Seconded by Councillor Burcher

THAT Council approve the recommended 2012-2016 Corporate Strategic Framework.

Ms. A. Pappert  
Mayor Farbridge

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Bell (1)

Carried

**Implementing the Corporate Strategic Plan – 2012 Initiatives**

13. Moved by Councillor Piper

Seconded by Councillor Dennis

THAT Council approve the proposed 2012 initiatives to implement the Corporate Strategic Plan subject to Council review and approval of the required funding.

14 Moved in Amendment by Councillor Guthrie

Seconded by Councillor Furfaro

THAT the CAO report back to Council on the implementation of the Corporate Strategic Plan every six months.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

15. Moved by Councillor Piper

Seconded by Councillor Dennis

THAT Council approve the proposed 2012 initiatives to implement the Corporate Strategic Plan subject to Council review and approval of the required funding.

AND THAT the CAO report back to Council on the implementation of the Corporate Strategic Plan every six months.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

**Implementing the Corporate Strategic Plan: 2012 Funding Requirements for Six Initiatives**

Ms. A. Pappert  
Mayor Farbridge

16. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

THAT Council approve the funding of the following strategic initiatives in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

- a) Business Case Tools and Capacity Building
- b) Employee Engagement Survey Results Implementation
- c) Records and Information Management Program (EDRMS – Phase 1)
- d) Community Wellbeing Initiatives – Phase 2
- e) Economic Development Summit subject to staff revisiting the required allocation through collaboration with community partners
- f) Guelph Innovation District – Joint University/College Campus Proposal

AND THAT subject to the approval of a Strategic Initiatives Reserve, Council approve implementation of these strategic initiatives.

*It was requested that the clauses be voted on separately.*

17. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

Ms. A. Pappert

THAT Council approve the funding of the following strategic initiative in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

Business Case Tools and Capacity Building.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Bell (1)

Carried

18. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

THAT Council approve the funding of the following strategic initiative in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

Employee Engagement Survey Results Implementation

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

19. Moved in Amendment by Councillor Furfaro  
Seconded by Councillor Guthrie  
That the Employee Engagement Survey Results Implementation **be funded up to \$50,000.**

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

20. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
THAT Council approve the funding of the following strategic initiative in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

Employee Engagement Survey Results Implementation be funded up to \$50,000.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

21. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
THAT Council approve the funding of the following strategic initiative in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

Records and Information Management Program (EDRMS – Phase 1)

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Bell (1)

Carried

22. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

THAT Council approve the funding of the following strategic initiative in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

Community Wellbeing Initiatives – Phase 2

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

23. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

THAT Council approve the funding of the following strategic initiative in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

Economic Development Summit subject to staff revisiting the required allocation through collaboration with community partners.

24. Moved in Amendment by Councillor Kovach  
Seconded by Councillor Bell

THAT the clause "subject to staff revisiting the required allocation through collaboration with community partners" be deleted and replaced with "subject to staff working in collaboration with community partners and City funding through Economic Development operating budget.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Kovach and Van Hellemond (4)

VOTING AGAINST: Councillors Burcher, Dennis, Findlay, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (9)

Defeated

25. Moved in Amendment by Councillor Furfaro  
Seconded by Councillor Guthrie  
That the Economic Development Summit **be funded up to \$30,000.**

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Kovach (1)

Carried

26. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
THAT Council approve the funding of the following strategic initiative in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

Economic Development Summit be funded up to \$30,000 and subject to staff revisiting the required allocation through collaboration with community partners.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

27. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
THAT Council approve the funding of the following strategic initiative in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

Guelph Innovation District – Joint University/College Campus Proposal.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Ms. A. Pappert

28. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

THAT Council approve the funding of the following strategic initiatives in 2012 that will act as a foundation for moving forward with the Corporate Strategic Plan, subject to the approval of the "2011 Operating Reserves Review and Reallocation" - FIN-12-32:

- a) Business Case Tools and Capacity Building
- b) Employee Engagement Survey Results Implementation be funded up to \$50,000.
- c) Records and Information Management Program (EDRMS – Phase 1)
- d) Community Wellbeing Initiatives – Phase 2
- e) Economic Development Summit be funded up to \$30,000 and subject to staff revisiting the required allocation through collaboration with community partners.
- f) Guelph Innovation District – Joint University/College Campus Proposal

AND THAT subject to the approval of a Strategic Initiatives Reserve, Council approve implementation of these strategic initiatives.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

### **2011 Year End Variance Report and Operating Surplus Allocation**

Ms. Susan Aram, Deputy Treasurer, provided clarification on the allocation of the operating surplus funds.

29. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

THAT the report FIN-12-25 dated June 11, 2012 entitled "2011 Year End Variance Report and Operating Surplus Allocation" be received;

AND THAT the recommended allocation of the 2011 year end operating surplus in the amounts of \$2,571,000 in the Tax Supported Budget and \$4,304,000 in the User Pay Supported Budget as outlined in Finance report FIN-12-25 dated June 11, 2012 entitled "2011 Year End Variance Report and Operating Surplus Allocation" be approved.

30. Moved in Amendment by Councillor Bell  
Seconded by Councillor Furfaro  
THAT \$400,000 be moved from the Tax Rate Stabilization Reserve to the Affordable Housing Reserve.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie and Van Hellemond (4)

VOTING AGAINST: Councillors Burcher, Dennis, Findlay, Hofland, Kovach, Laidlaw, Piper, Wettstein and Mayor Farbridge (9)

Defeated

31. Moved in Amendment by Councilor Kovach  
Seconded by Councillor Bell  
THAT \$400,000 surplus be reallocated back to the taxpayers this year.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Kovach and Van Hellemond (4)

VOTING AGAINST: Councillors, Burcher, Dennis, Findlay, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (9)

Defeated

Mr. A. Horsman

32. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
THAT the report FIN-12-25 dated June 11, 2012 entitled "2011 Year End Variance Report and Operating Surplus Allocation" be received;

AND THAT the recommended allocation of the 2011 year end operating surplus in the amounts of \$2,571,000 in the Tax Supported Budget and \$4,304,000 in the User Pay Supported Budget as outlined in Finance report FIN-12-25 dated June 11, 2012 entitled "2011 Year End Variance Report and Operating Surplus Allocation" be approved.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillors Bell and Kovach (2)

Carried

### **Employee Compensation Reserve Review**

*It was requested that the clauses be voted on separately.*



Mr. A. Horsman                 33.      Moved by Councillor Hofland  
  Seconded by Councillor Laidlaw  
  THAT the Employee Compensation Reserve Policy be  
  approved.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Mr. A. Horsman                34.      Moved by Councillor Hofland  
    Seconded by Councillor Laidlaw  
    THAT a new reserve called "Early Retiree Benefits Reserve" be created as per section 4.4 of the Employee Compensation Reserve Policy.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Bell (1)

Carried

Mr. A. Horsman                35.      Moved by Councillor Hofland  
    Seconded by Councillor Laidlaw  
    THAT \$1,600,000 be transferred from the "Accrued  
Vacation Reserve #209" to the "Early Retiree Benefits  
Reserve".

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Bell (1)

Carried

Mr. A. Horsman                      36.       Moved by Councillor Hofland  
    Seconded by Councillor Laidlaw  
THAT \$3,522,596 be transferred from the "Accrued  
Vacation Reserve #209 to the "Operating Contingency  
Reserve #198.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

	37.	Moved by Councillor Hofland
		Seconded by Councillor Laidlaw
Mr. A. Horsman		THAT the "Accrued Vacation Reserve #209 be decommissioned as per section 4.6 of the Employee Compensation Reserve Policy.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Mr. A. Horsman	<p>38. Moved by Councillor Hofland Seconded by Councillor Laidlaw</p> <p>THAT the current "HR Contingency Reserve #207" be decommissioned and the balance totalling \$147,500 in this reserve be consolidated into "HR Salary Gapping Reserve #191" as per section 4.7 of the Employee Compensation Reserve Policy.</p>
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VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

Mr. A. Horsman                 39.      Moved by Councillor Hofland  
  Seconded by Councillor Laidlaw  
  THAT staff be directed to modify the name of the "HR  
Salary Gapping Reserve #191".

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

## 2011 Operating Reserve Review and Reallocation

Mr. A. Horsman                40.      Moved by Councillor Hofland  
    Seconded by Councillor Laidlaw  
    THAT the report dated June 11, 2012 entitled "2011  
    Operating Reserve Review and Reallocation" be received;

AND THAT the recommended allocation of \$4,516,362 of the Operating Reserves contained in the report FIN-12-32

dated June 11, 2012 entitled "2011 Operating Reserve Review and Reallocation" be approved.

AND THAT Council approve the creation of the Strategic Initiatives Reserve to be used for initiatives identified in the Corporate Strategic Implementation Plan and as approved by Council.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Bell (1)

Carried

**Councillor Hofland presented CAFE-31 that was extracted from the Corporate, Administration & Enterprise Committee Fourth Consent Report.**

**Recommendation for Financing New Public Health Facilities**

41. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw

Mr. A. Horsman

THAT report FIN-12-30 dated June 11, 2012, with respect to a recommendation for financing new public health facilities in Guelph and Orangeville be received;

AND THAT Council approve the funding of the City's portion of the capital financing related to the construction of the new Public Health facilities in Guelph and Orangeville through a City debt issuance conditional upon the three municipal partners entering into a Loan Agreement and Construction Oversight Agreement with Wellington-Dufferin-Guelph Public Health;

AND THAT Council approve an RFP be issued jointly by the three municipal partners for external construction oversight.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

**Councillor Hofland presented CAFE-33 that was extracted from the Corporate, Administration & Enterprise Committee Fourth Consent Report.**

**72 Macdonell Street (The Diplomat Hotel) –  
Downtown Guelph Community Improvement Plan  
(DGCIP) – Major Downtown Activation Grant**

Mr. Ian Panabaker, Corporate Manager, Downtown Renewal, provided clarification on the report contained in the meeting agenda. He also provided a summary of the Major Downtown Activation Grant which is a tax incentive based program.

Mr. I. Panabaker  
Mr. A. Horsman  
Ms. D. Jaques

42. Moved by Councillor Hofland  
Seconded by Councillor Laidlaw  
THAT Downtown Renewal Report FIN-DR-12-04 dated June 11, 2012 regarding a Major DAG application for the property municipally known as 72 Macdonell Street pursuant to the DGCIP, be received;

AND THAT Council approve the Major DAG for 72 Macdonell Street and that the Mayor and Clerk be authorized to execute the Major DAG Agreement between 536357 Ontario Limited and the City of Guelph, subject to the satisfaction of the Corporate Manager of Downtown Renewal and the General Manager of Legal and Realty Services/City Solicitor.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillors Bell, Kovach and Van Hellemond (3)

Carried

**Councillor Findlay presented Clause OT-17 that was  
extracted from the Operations, Transit & Emergency  
Services Committee Sixth Consent Report.**

**Driver's Lunchroom at University Centre**

Mr. Rod Keller, General Manager of Public Works, provided supplementary information with respect to the report contained in the meeting agenda. He advised that as part of the collective agreement, the City is obligated to provide a private space for transit drivers to have their lunch.

Mr. D. McCaughan

43. Moved by Councillor Findlay  
Seconded by Councillor Furfaro  
THAT the Mayor and Clerk be authorized to execute a Lease Agreement between The University of Guelph and The Corporation of the City of Guelph in respect of

premises leased for an operator's lunchroom at University Centre.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

### **SPECIAL RESOLUTION**

Counc. Findlay  
Mr. D. McCaughan

44. Moved by Councillor Kovach  
Seconded by Councillor Guthrie  
That the matter of reduced speed zones fronting schools throughout the City be referred to the Operations, Transit & Emergency Services Committee for further consideration.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: Councillor Findlay (1)

Carried

### **BY-LAWS**

45. Moved by Councillor Van Hellemond  
Seconded by Councillor Dennis  
THAT By-laws Numbered (2012)-19404 to (2012)-19431, inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST: (0)

Carried

### **MAYOR'S ANNOUNCEMENTS**

The Mayor advised that Solid Waste Services has been recognized for their battery recycling program.

### **NOTICE OF MOTION**

Councillor Bell advised that he will be bringing forward a notice of motion to a subsequent meeting of Council in

relation to cost recovery from downtown bar owners regarding late night services.

Councillor Guthrie advised that he will be bringing forward a notice of motion to a subsequent meeting of Council in relation to Council calendars.

**ADJOURNMENT**

46. Moved by Councillor Burcher  
Seconded by Councillor Hofland  
That the meeting of Guelph City Council of June 25, 2012 be adjourned.

Carried

The meeting adjourned at 10:15 p.m.

Minutes to be confirmed on July 23, 2012.

.....  
Mayor

.....  
Clerk

Council Caucus Room  
June 26, 2012 5:30 p.m.

**An Open Meeting of Guelph City Council.**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach (arrived at 7:13 p.m.), Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman, Executive Director of Finance & Enterprise

Also Present: Mr. M. Calzannetti, Meeting Facilitator; and Mr. M. Fenn, Consultant

1. Moved by Councillor Furfaro  
Seconded by Councillor Findlay  
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

**Leadership Development Training**

S. 239 (3.1) of the *Municipal Act* - education or training

Carried

.....  
Mayor

.....  
Clerk Designate

Council Caucus Room  
June 26, 2012 5:31 p.m.

**A Closed Meeting of Guelph City Council.**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach (arrived at 7:13 p.m.), Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman, Executive Director of Finance & Enterprise

Also Present: Mr. M. Calzannetti, Meeting Facilitator; and Mr. M. Fenn, Consultant

**DISCLOSURE OF PECUNIARY INTEREST AND  
GENERAL NATURE THEREOF**

There were no disclosures.

Mayor Farbridge provided introductory remarks.

Council and staff were led through various leadership training exercises and discussions.

1. Moved by Councillor Burcher  
Seconded by Councillor Hofland  
That the closed meeting of Guelph City Council of June 26, 2012 be adjourned.

Carried

The meeting adjourned at 8:30 p.m.

Minutes to be confirmed on July 23, 2012.

.....  
Mayor

.....  
Clerk Designate



Council Caucus Room  
July 3, 2012 5:00 p.m.

**An Open Meeting of Guelph City Council.**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Van Hellemond and Wettstein

Absent: Councillors Findlay, Laidlaw and Piper

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning, Building, Engineering and Environment; and Ms. T. Agnello, Deputy Clerk

1. Moved by Councillor Burcher  
Seconded by Councillor Hofland  
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

**Personal Matters about Identifiable Individuals**

S. 239 (2) (b) of the *Municipal Act* – personal matters about identifiable individuals

**1266304 Ontario Inc. et al v. City of Guelph**

S. 239 (2) (e) of the *Municipal Act* – litigation or potential litigation

**OMB Appeal – Development Charges By-law**

S. 239(2) (e) of the *Municipal Act* – litigation or potential litigation

S. 239 (2) (f) of the *Municipal Act* - advice that is subject to solicitor-client privilege

**OMB Appeal – 716 Gordon Street**

S. 239(2) (e) of the *Municipal Act* – litigation or potential litigation

S. 239 (2) (f) of the *Municipal Act* - advice that is subject to solicitor-client privilege

**Litigation or Potential Litigation**

S. 239(2) (e) of the *Municipal Act* – litigation or potential litigation

**City Property at 6 Dublin Street**

S. 239 (2) (c) of the *Municipal Act* - proposed or pending acquisition or disposition of land

Carried

.....  
Mayor

.....  
Deputy Clerk

Council Caucus Room  
July 3 & July 4, 2012 5:01 p.m.

**A Closed Meeting of Guelph City Council.**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw (arrived at 5:05 pm), Piper (arrived at 5:12 pm), Van Hellemond and Wettstein

Absent: Councillor Findlay

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning, Building, Engineering and Environment; Ms. D. Jaques, General Manager of Legal & Realty Services; Mr. S. Worsfold, Deputy City Solicitor; Mr. J. Stokes, Manager of Realty Services; Ms. C. Clack, General Manager, Culture & Tourism; Mr. R. Henry, General Manager, Engineering Services/City Engineer; Ms. S. Aram, Manager of Financial Planning/Deputy Treasurer; Mr. T. Salter, General Manager, Planning Services and Ms. T. Agnello, Deputy Clerk

**DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

Councillor Piper declared a possible pecuniary interest with regards to OMB Hearing - 716 Gordon Street by virtue of her employment with the University of Guelph, and vacated the room for that portion of the meeting.

**Personal Matters about Identifiable Individuals**

The Chief Administrative Officer provided the Committee with information.

**226304 Ontario Inc. et al v. City of Guelph**

1. Moved by Councillor Burcher  
Seconded by Councillor Hofland

THAT staff be given direction with respect to litigation matter.

Carried

**OMB Appeal – Development Charges By-law**

2. Moved by Councillor Laidlaw  
Seconded by Councillor Burcher  
THAT staff be given direction with respect to a litigation matter.

Carried

### **OMB Appeal – 716 Gordon Street**

Councillor Piper vacated the room for discussion and voting relating to this matter.

3. Moved by Councillor Kovach  
Seconded by Councillor Burcher  
THAT Peter Pickfield, legal counsel on behalf of the City of Guelph, be invited to address Council in closed session.

Carried

Mr. Pickfield provided a status update on the matter.

### **Litigation or Potential Litigation**

The City Solicitor provided the Committee with information.

### **City Property at 6 Dublin Street**

The Executive Director of Community & Social Services and the Manager of Realty Services provided a verbal report on this matter.

4. Moved by Councillor Laidlaw  
Seconded by Councillor Hofland  
That the closed meeting of Guelph City Council of July 3, 2012 be recessed.

Carried

The meeting adjourned at 6:30 p.m.

.....  
Mayor

.....  
Deputy Clerk

Council Chambers  
July 3 & July 4, 2012 7:00 p.m.

### **An Open Meeting of Guelph City Council**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning, Building, Engineering and Environment; and Ms. T. Agnello, Deputy Clerk and Ms. J. Sweeney, Council Committee Co-ordinator

### **DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

Councillor Piper declared a possible pecuniary interest with regards to OMB Hearing - 716 Gordon Street by virtue of her employment with the University of Guelph, and did not discuss or vote on the matter.

### **Consent Agenda**

The following items were extracted from the July 3, 2012 Consent Agenda to be voted on separately:

- A-1 Community Improvement Project Area – Brownfield Redevelopment
- A-2 Ontario Municipal Board Hearing 716 Gordon Street Proposed Official Plan and Zoning By-law Amendment (Files: OP1001 / ZC1010), Ward 5
- A-3 City Property at 6 Dublin Street South

1. Moved by Councillor Guthrie  
Seconded by Councillor Burcher

THAT the balance of the July 3, 2012 Council Consent Agenda as identified below, be adopted:

- a) **Proposed Demolition of 573, 575, 577-579 and 581 Gordon Street**

Dr. J. Laird  
Mr. B. Poole

THAT Report 12-73 regarding the proposed demolition of four (4) detached former dwellings on University of Guelph lands, municipally known as 573, 575, 577-579 and 581 Gordon Street, City of Guelph, from Planning, Building, Engineering and Environment dated July 3, 2012, be received;

AND THAT the proposed demolition of the detached former dwellings on University of Guelph lands, municipally known as 573, 575, 577-579 and 581 Gordon Street be approved;

AND THAT the applicant be requested to contact Planning, Building, Engineering and Environment regarding options for the salvage or recycling of the demolition materials.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

### **Wellington-Dufferin-Guelph Public Health Land Lease Resolution Request**

Ms. Amanda Rayburn, Chair, Wellington-Dufferin-Guelph Board of Health, requested that the City consents to the Board of Health entering into a long-term lease for an additional 0.78 acres of land for future potential expansion of their facilities. Ms. Rayburn advised that the other two partners have consented to this request.

Dr. Nicola Mercer, Medical Officer of Health, provided information on anticipated long-term growth of programs.

2. Moved by Councillor Burcher  
Seconded by Councillor Hofland

Ms. A. Rayburn

THAT the City not support Wellington-Dufferin-Guelph Health Unit entering into a long-term lease of an additional 0.78 acres of land.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Bell (1)

Carried

### **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. The Mayor asked if there were any delegations in attendance with respect to planning matters listed on the agenda.

**DELEGATIONS****803-807 Gordon Street: Proposed Zoning By-law Amendment (File: ZC1205) – Ward 5**

Mr. Dan Currie, from MHBC, City Consultant, provided and overview of the report provided with the agenda for this meeting. He advised that the applicant proposed to rezone the land from Detached Dwelling to Specialized Stacked Townhouse Zone to allow the construction of 27 stacked townhouses.

Mr. Bernard Luttmmer, Podium Developments, on behalf of the applicant, highlighted the various revisions made to the proposal which has resulted in the present application.

Ms. Sandra Byers, expressed concern with the placement of snow and the resulting runoff. She further expressed concern with potential noise from tenants and the make-up of tenants.

Ms. Maryanne Robinson, an area resident, expressed concern with the proposal as it is not compatible with the existing neighbourhood. She further expressed concern with students living in the new development; traffic congestion; garbage; lot coverage; and water runoff.

Staff advised that they will report back with information regarding the elimination of buffering.

3. Moved by Councillor Hofland

Seconded by Councillor Laidlaw

Dr. J. Laird  
Mr. T. Salter

THAT Report 12-66 regarding an application for a Zoning By-law Amendment to permit the development of 27 stacked townhouse units applying to the property municipally known as 803-807 Gordon Street, legally described as the Northeast Half Lot 2, Concession 7 (also known as Parts 1, 2 and 3, Plan 61R-7123, Geographic Township of Puslinch, City of Guelph, County of Wellington), from Planning, Building, Engineering and Environment, dated July 3, 2012 be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

**172 Niska Road: Proposed Zoning By-law  
Amendment (File: ZC1119) – Ward 6**

Mr. Al Hearne, Senior Development Planner, provided and overview of the report provided with the agenda for this meeting. He advised that the applicant is requesting a Zoning Amendment to allow the demolition of the existing single detached dwelling and construction of three new single detached residential dwellings.

Ms. Nancy Shoemaker, Planning Consultant on behalf of the applicant suggested that the proposal is the best use for the site. She advised that a tree study has been completed and that they will be requesting permission to remove 5 dead trees.

Ms. Valeria Szabo, an area resident, expressed concern with the loss of privacy and the removal of some of the trees between the subject property and her property.

It was requested that when Staff report back they address maintaining the character of the neighbourhood, advise which trees will be removed, and provide background why the land was still designated UR.

4. Moved by Councillor Hofland  
Seconded by Councillor Piper

Dr. J. Laird  
Mr. T. Salter

THAT report 12-70 regarding a proposed Zoning By-law Amendment for the property municipally known as 172 Niska Road, City of Guelph, from Planning, Building, Engineering and Environment, dated July 3, 2012, be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

**Brownfield Redevelopment Community  
Improvement Plan Update – Public Meeting**

Mr. Luciano Piccioni, RCI Consulting, City's consultant provided an overview of the report provided with the agenda for this meeting. Mr. Piccioni provided detail with respect to the rationale for the review and update; consultation process; goals of the review; and the proposed revisions.



Ms. Melissa Walker, Project Manager with a brownfield development company, advised of their participation in the review and that they are in support of the recommendation.

It was requested that when Staff report back that more detail be provided on the delegation of authority reporting back; reporting framework; monitoring and consideration if the Downtown Activation Grant would be considered as part of this.

Dr. J. Laird  
Mr. T. Salter

5. Moved by Councillor Piper  
Seconded by Councillor Burcher  
THAT Report 12-53 dated July 3, 2012 from Planning, Building, Engineering and Environment regarding the Brownfield Redevelopment Community Improvement Plan Update – Public Meeting be received.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

### **Community Improvement Project Area – Brownfield Redevelopment**

Mr. Tim Donegani, Policy Planner, highlighted the report provided with the agenda for this meeting. He advised that there are brownfield sites throughout the City which would benefit from this program.

Dr. J. Laird  
Mr. T. Salter

6. Moved by Councillor Piper  
Seconded by Councillor Furfaro  
THAT Report 12-71 dated July 3, 2012 from Planning, Building, Engineering and Environment regarding the Community Improvement Project Area – Brownfield Redevelopment be received;

AND THAT Council pass a by-law to designate the entire area of the City of Guelph Official Plan as a Community Improvement Project Area for the purposes of Brownfield Redevelopment.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

**Ontario Municipal Board Hearing 716 Gordon Street  
Proposed Official Plan Amendment and Zoning By-law Amendment (Files: OP1001 / ZC1010)**

Ms. Stacey Laughlin, Senior Development Planner, highlighted the report provided with the agenda for this meeting. She advised that Council is no longer the decision making authority, however, the City is expected to take a position on this application. She outlined staff's position for not supporting this proposal.

Mr. Chris Pidgeon, GSP Group, Planner for the applicant, highlighted the revised proposed development which will have a reduction to the building height; decrease in the number of units and total number of beds proposed; and addition of visitor parking spaces on-site.

Mr. Philip Wong was present, but did not speak.

Mr. Don O'Leary, Vice-President of Finance & Administration at the University of Guelph, advised that due to the close proximity to the University, student housing is an appropriate form of development, however, the scale and scope of the development needs to be compatible to the existing community and adjacent built environment. He advised that the University would support a scaled down student housing project sensitive to the existing neighbourhood and campus.

Mr. Ian Mann, resident of Village by the Arboretum, expressed concern with the increased traffic this proposal would generate. He suggested that the proposal is overbuilt and unsuitable for this site and Council should support the staff recommendation.

Ms. Kate MacDonald, President of Mayfield Park Community Association, commended staff on the proposed recommendation to not support the application. She advised that by not supporting the application the unique character of the City is maintained. She urged Council to approve the recommendation and the City to oppose the application at the Ontario Municipal Board Hearing.

Ms. Julia Croome, lawyer on behalf of the Mayfield Park Community Association, highlighted the role of the Association in the Ontario Municipal Board process. She advised that the Association has been granted party status at the upcoming hearing.

Ms. Beate Bowron, planning consultant for the Mayfield Park Community Association, advised that the proposal

would create significant impacts to the surrounding area as it is too dense, massive and the height does not fit with the area structures. She recommended that Council approve the staff recommendation.

Dr. J. Laird  
Mr. T. Salter  
Ms. D. Jaques

7. Moved by Councillor Kovach  
Seconded by Councillor Hofland

THAT Report 12-28 dated July 3, 2012 regarding a proposed Official Plan Amendment and Zoning By-law Amendment for the property municipally known as 716 Gordon Street, and legally described as Part of Block A, Registered Plan 552, City of Guelph, from Planning, Building, Engineering and Environment be received; AND THAT Council not support the application by GSP Group Inc. on behalf of Abode Varsity Living requesting an amendment to the Official Plan to redesignate the subject lands from "General Residential" to "High Density Residential" with site specific policies to permit a maximum density of 156 units per hectare affecting lands municipally known as 716 Gordon Street and legally described as Part of Block A, Registered Plan 552, City of Guelph, for the reasons set out in Report 12-28 dated July 3, 2012 from Planning, Building, Engineering and Environment;

AND THAT Council not support the application by GSP Group Inc. on behalf of Abode Varsity Living requesting an amendment to the Zoning By-law to rezone the subject lands from the SC.1-11 (Service Commercial) Zone to a Specialized R.4B (High Density Apartment) Zone to permit the development of two apartment buildings, 12 and 10 storeys in height, containing a total of 1216 bedrooms in 264 apartment units, affecting lands municipally known as 716 Gordon Street and legally described as Part of Block A, Registered Plan 552, City of Guelph, for the reasons set out in Report 12-28 dated July 3, 2012 from Planning, Building, Engineering and Environment;

AND THAT Council authorizes appropriate City Staff, advisors and consultants to participate in, and report back to Council on, further discussions and/or mediations, if any, involving the parties to the Ontario Municipal Board proceedings to consider any modifications to the proposed development and planning documents, including additional technical information, provided that any such modifications address the outstanding concerns set out in this Report;

AND THAT Council hereby directs and authorizes its legal counsel, appropriate staff and consultants to attend at the Ontario Municipal Board hearing, and any related Ontario

Municipal Board proceedings, with respect to this matter, in support of its position as set out in these resolutions.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: (0)

Councillor Piper vacated the room and did not discuss or vote due to her potential pecuniary interest.

Carried

### **City Property at 6 Dublin Street South**

Mr. James Gordon, Guelph Arts Platform, expressed support for the Tyrcathlen Partners offer to purchase 6 Dublin Street South and establish a Centre for Arts, Culture and New Media. He advised that centre of this kind is needed in the City. He asked Council to look at the long-term vision and invest in the arts.

8. Moved by Councillor Laidlaw

Seconded by Councillor Hofland

THAT the City of Guelph Procedural By-law (2012)-19375 be suspended to allow Council to continue beyond 11 p.m.

Carried

Ms. Sonya Poweska, Guelph Arts Council, advised of their support for the Tyrcathlen Partners offer for the purchase of 6 Dublin Street South. She advised that the city is in need of an arts/culture central hub. She further suggested that this proposal would stimulate job growth, tourism and downtown revitalization. She urged Council to accept this offer.

Ms. Maria Pezzano, stated that Tyrcathlen Partners proposal will address a need in the arts community.

Ms. Nan Hogg, visual artist and art teacher, suggested that such a space would provide affordable workshop areas for various recreational groups and guilds. She also suggested that such a proposal would promote the downtown.

9. Moved by Councillor Hofland

Seconded by Councillor Burcher

THAT the report of the Manager of Realty Services dated July 3, 2012, entitled 'City Property at 6 Dublin Street South' be received for information.

Ms. D. Jaques

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

10. Moved by Councillor Kovach

Seconded by Councillor Laidlaw

THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

**City Property at 6 Dublin Street**

S. 239 (2) (c) of the *Municipal Act* - proposed or pending acquisition or disposition of land.

Carried

Council recessed into closed session at 11:15 p.m.

11. Moved by Councillor Guthrie

Seconded by Councillor Wettstein

THAT the rules of order be suspended in order to allow the meeting to continue past 11:59 p.m.

Carried

12. Moved by Councillor Burcher

Seconded by Councillor Laidlaw

THAT staff be given direction with respect to the City property at 6 Dublin Street.

13. Moved in Amendment by Councillor Burcher

Seconded by Councillor Laidlaw

THAT staff be given direction with respect to the City property at 6 Dublin Street.

*A recorded vote was requested, which resulted as follows:*

VOTING IN FAVOUR: Councillors Bell, Burcher, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: Councillors Dennis and Kovach (2)

Carried

14. Moved by Councillor Burcher

Seconded by Councillor Laidlaw

THAT Council rise, report and introduce the following motions under the open meeting report entitled "City

Property at 6 Dublin Street South" appearing on the July 3, 2012 Council agenda:

THAT the Mayor and Clerk be authorized to execute an Offer to Purchase and Agreement of Purchase and Sale from Tyrcathlen Partners Ltd. at the purchase price as directed in the closed meeting on the standard form developed by staff until noon on July 6, 2012;

And otherwise, that the Mayor and Clerk be authorized to execute the Offer to Purchase and Agreement of Purchase and Sale received from the other bidder.

*A recorded vote was requested, which resulted as follows:*

VOTING IN FAVOUR: Councillors Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (8)

VOTING AGAINST: Councillors Bell, Burcher, Dennis and Laidlaw (4)

Carried

15. Moved by Councillor Burcher  
Seconded by Councillor Hofland  
That the closed meeting of Guelph City Council of July 3, 2012 be adjourned.

Carried

Council reconvened in open session at 12:23 a.m.

### **BY-LAWS**

16. Moved by Councillor Wettstein  
Seconded by Councillor Dennis  
THAT By-law Number (2012)-19432, is hereby passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Guthrie, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST: (0)

Councillors Furfaro and Hofland were not present in the Chambers when the vote was taken.

Carried

## **NOTICE OF MOTION**

Councillor Guthrie advised that he will be bringing forward a notice of motion to a subsequent meeting of Council in relation to a policy framework on the disposition of year end surpluses.

### **Special Resolution**

#### **City Property at 6 Dublin Street**

17. Moved by Councillor Furfaro  
Seconded by Councillor Guthrie

THAT the Mayor and Clerk be authorized to execute an Offer to Purchase and Agreement of Purchase and Sale from Tyrcathlen Partners Ltd. at the purchase price as directed in the closed meeting on the standard form developed by staff until noon on July 6, 2012;

And otherwise, that the Mayor and Clerk be authorized to execute the Offer to Purchase and Agreement of Purchase and Sale received from the other bidder.

*It was requested that the resolution be separated and voted on separately.*

18. Moved by Councillor Furfaro  
Seconded by Councillor Guthrie

THAT the Mayor and Clerk be authorized to execute an Offer to Purchase and Agreement of Purchase and Sale from Tyrcathlen Partners Ltd. at the purchase price as directed in the closed meeting on the standard form developed by staff until noon on July 6, 2012;

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Kovach (1)

Carried

19. Moved by Councillor Furfaro  
Seconded by Councillor Guthrie

And otherwise, that the Mayor and Clerk be authorized to execute the Offer to Purchase and Agreement of Purchase and Sale received from the other bidder.

VOTING IN FAVOUR: Councillors Dennis, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond, Wettstein and Mayor Farbridge (9)

Mr. J. Stokes  
Ms. D. Jaques  
Ms. C. Bell

Mr. J. Stokes  
Ms. D. Jaques  
Ms. C. Bell

VOTING AGAINST: Councillors Bell, Burcher and Laidlaw  
(3)

Carried

**ADJOURNMENT**

15. Moved by Councillor Burcher  
Seconded by Councillor Guthrie  
That the meeting of Guelph City Council of July 3 & July 4,  
2012 be adjourned.

Carried

The meeting adjourned at 12:30 a.m., July 4, 2012

Minutes to be confirmed on July 23, 2012.

.....  
Mayor

.....  
Deputy Clerk



City Hall Meeting Room C  
July 17, 2012 6:00 p.m.

**Council convened in Special Meeting for the purpose of the 2013 Budget Workshop at 6:00 p.m.**

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, and Wettstein

Absent: Councillor Van Hellemond

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Mr. A. Horsman, Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations, Transit & Emergency Services; Ms. S. Aram, Deputy Treasurer; Ms. S. Purton, Supervisor of Financial Planning and Mr. B. Labelle, City Clerk

**DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**

There were no disclosures.

**2013 Budget Guideline Workshop**

Mr. A. Horsman, Executive Director of Finance & Enterprise, delivered the presentation contained in the meeting agenda with respect to the 2013 budget process. He provided relevant background information and noted several decisions which would be sought at forthcoming Council meetings. Staff noted preference for a 3% guideline which would serve as a tool to direct the development of the 2013 budget.

Council posed various questions for follow up and clarification purposes. There was discussion regarding: budget approval timelines; the relationship between, and value of, the Municipal Price Index (MPI) and Consumer Price Index (CPI); the proposed 3% guideline as a benchmark; the process for engaging local boards with respect to the development of their operating budgets; the timing associated with ongoing service reviews; budget management options; the characterization and impact of the term "affordability"; surplus and reserve amounts; the 10-year capital budget and priority model; infrastructure gap reporting; findings and associated

impacts of the BMA and Making a Difference reports and setting parameters based on the local economy to help inform the development of the budget.

1. Moved by Councillor Burcher  
Seconded by Councillor Dennis

THAT the July 17, 2012 presentation entitled "2013 Budget Workshop" be received for information.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Wettstein and Mayor Farbridge (12)

VOTING AGAINST: (0)

Carried

### **ADJOURNMENT**

2. Moved by Councillor Findlay  
Seconded by Councillor Dennis

THAT the July 17, 2012 Special Meeting of Council be adjourned.

Carried

*The meeting adjourned at 7:26 p.m.*

*Minutes to be confirmed on July 23, 2012.*

.....  
Mayor

.....  
Clerk

**CONSENT REPORT OF THE  
CORPORATE ADMINISTRATION, FINANCE  
& ENTERPRISE COMMITTEE**

July 23, 2012

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

Your Corporate Administration, Finance & Enterprise Committee beg leave to present their FIFTH CONSENT REPORT as recommended at its meeting of July 9, 2012.

*If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Corporate Administration, Finance, & Enterprise Committee will be approved in one resolution.*

**CAFE-34 148-152 Macdonell Street – Downtown Guelph Community Improvement Plan (DGCIP) – Major Downtown Activation Grant (DAG) Request**

THAT Downtown Renewal Report FIN-DR-12-06 dated July 9, 2012 regarding a Major DAG application for the property municipally known as 148-152 Macdonell Street pursuant to the Downtown Guelph Community Improvement Plan, be received;

AND THAT Council approve the Major DAG for 148-152 Macdonell Street and that the Mayor and Clerk be authorized to execute the Major Downtown Activation Grant Agreement between Carvest Properties Ltd. and the City of Guelph, subject to the satisfaction of the Corporate Manager of Downtown Renewal and the General Manager of Legal and Realty Services/City Solicitor.

All of which is respectfully submitted.

Councillor June Hofland, Chair  
Corporate Administration, Finance &  
Enterprise Committee

***Please bring the material that was distributed with the Agenda for the July 9, 2012 meeting.***

# COMMITTEE REPORT



TO Corporate Administration, Finance & Enterprise Committee  
(CAFE)

SERVICE AREA Finance & Enterprise Services: Downtown Renewal  
DATE July 9, 2012

**SUBJECT 148-152 Macdonell Street - Downtown Guelph  
Community Improvement Plan (DGCIP) - Major  
Downtown Activation Grant (DAG) Request**

REPORT NUMBER FIN-DR-12-06

## SUMMARY

### Purpose of Report

To recommend to Council the approval of a DGCIP Major Downtown Activation Grant for 148-152 Macdonell Street. This is a tax increment-based grant (TIBG) involving significant redevelopment for commercial and/or residential buildings. The applicant is requesting TIBG funding for costs related to off-site infrastructure upgrades and construction cost premium for the provision of structured parking spaces. Redevelopment of the site includes a new 18-storey mixed-use building with 130 residential dwelling units and approximately 335m<sup>2</sup> of ground level commercial space. The site is considered a Brownfield and has been awarded TIBG assistance for remediation. All TIBG applications are coordinated to ensure the eligible costs under each program (i.e. Brownfield, Downtown, and Heritage) remain within the total tax increment created by the project.

### Committee Action

Approve

## RECOMMENDATION

**“THAT Downtown Renewal Report FIN-DR-12-06 dated July 9, 2012 regarding a Major DAG application for the property municipally known as 148-152 Macdonell Street pursuant to the Downtown Guelph Community Improvement Plan, be received;**

**AND THAT Council approve the Major DAG for 148-152 Macdonell Street and that the Mayor and Clerk be authorized to execute the Major Downtown Activation Grant Agreement between Carvest Properties Ltd. and the City of Guelph, subject to the satisfaction of the Corporate Manager of Downtown Renewal and the General Manager of Legal and Realty Services/City Solicitor.”**

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## BACKGROUND

### Downtown Major Activation Grant

The City of Guelph has a Downtown Guelph Community Improvement Plan (DGCIP) which includes incentive programs for redevelopment within the planning area. The incentive programs are meant to address the outstanding barriers and create an environment that will encourage real intensification results for the downtown.

One of the programs in the DGCIP is the Major Downtown Activation Grant. This is a tax increment-based grant for major redevelopment projects involving significant redevelopment for commercial and/or residential buildings. This grant is based on the difference between property taxes collected on a property before development and the estimated taxes that will be collected after development. They are reconfirmed against actual taxes before any grant monies are paid.

### DGCIP Projected CVA Growth

Finance staff have reviewed and estimated the Current Value Assessment (CVA) value for the Downtown Guelph area (based on the Urban Growth Centre definition) at **\$505 million**. The scale of new CVA growth represented by the Downtown Secondary Plan targets represents, conservatively, a **doubling** of the CVA. This was the economic basis for establishing the approved financial support for the DGCIP programs.

## REPORT

**Carvest Properties Ltd.** has applied for the Major Downtown Activation Grant pursuant to the DGCIP for **148-152 Macdonell Street**, which is located at the northwest corner of Macdonell Street and Woolwich Street. The property was historically used for residential and commercial purposes, including tire and battery repair, foundry supply, offices and most recently as a daycare.

On May 7, 2012 City Council approved Official Plan and Zoning By-law Amendments to permit the development of an 18-storey mixed-use building with 130 residential dwelling units and 335m<sup>2</sup> of ground floor commercial space. The applicant is now in the final stages of the site plan approval process with the City.

This application for the Downtown Major DAG is requesting TIBG funding for costs related to off-site infrastructure upgrades and construction cost premium for the provision of structured parking spaces.

### Evaluation Criteria

As outlined in the DGCIP Implementation Guidelines, the application was assessed by the following criteria:

CRITERIA	REQUIREMENTS	APPLICANT
1. Eligibility	Minimum of eight residential units or 800 square metres of office/commercial space.	This project will consist of 130 residential units and 1 commercial unit (335m <sup>2</sup> ).
	<b>Eligible costs include:</b>	Applicant has applied for the following eligible costs:
	• Parkland Dedication contributions	\$51,810
	• Municipal planning and building permit fees	\$281,845
	• Off-site infrastructure improvement costs but exclude costs that are not <i>routinely</i> required for servicing the site.	\$700,000 Includes: • Underground services including relocation • Intersection and right-of way improvements
	• Construction cost premium for the provision of underground parking or structured spaces vs. surface parking	\$6,114,000
	Total Eligible Costs	\$7,147,655
	Potential Maximum of 10 year Tax Increment-Based Grant	\$3,122,553
	<b>Total Eligible TIBG = \$3,122,553</b> <b>Recommended Annual Grant</b>	<b>\$312,255 for 10 years</b>
2. Type of Development	Priority to residential or mixed use projects.	✓ Mixed Use
3. Meets CIP Principles and Goals	The project meets all CIP Principles and Goals including the creation of a new focal area for investment in employment, entertainment and tourism uses.	✓
4. Project Excellence	As established through the CIP, the project must reinforce the role of urban design and adhere to principles within City approved policy documents (e.g. Urban Design Action Plan, 2009.)	The building will provide sustainable and compatible urban development and improves the pedestrian realm. This investment is considered a development catalyst in the downtown core.
5. Quality of Application	Complete application and pre-consultation with Downtown Renewal Staff	✓

The Downtown Renewal Office is recommending that this project has met the eligibility requirements and that the City proceed with a Major DAG agreement with the applicant.

For this application, City staff has estimated a **30X** increase of the municipal tax levy for 148-152 Macdonell Street on completion.

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## FINANCIAL IMPLICATIONS

Grant payments are to be funded by the Downtown TIBG Reserve which was established on April 23, 2012 when City Council approved a total program cap for all multi-year redevelopment incentive programs. The total program cap for the Downtown TIBG is \$12.4M for the five year program.

The following table highlights approved and pending applications (including the 148-152 Macdonell Street Major DAG request) to the Downtown TIBG program:

Total Downtown TIBG Funding	\$12,400,000
Less 2 applications to date	\$1,919,562
	\$10,480,438
Less current application	\$3,122,553
Downtown TIBG Funding Remaining/Available	<b>\$7,357,885</b>

## Relationship to the Brownfield CIP

On March 26, 2012 City Council approved a Brownfield TIBG for 148-152 Macdonell Street pursuant to the Brownfield Redevelopment Community Improvement Plan to an upset limit of \$1,750,700. This TIBG was associated with the remediation of contaminants in soil and groundwater beneath the site.

Applications are evaluated against one tax increment for their proposed development. 148-152 Macdonell Street will create an estimated tax increment of \$4,873,253. The total grants pursuant to the Brownfield TIBG and the Downtown Major DAG/TIBG are within the tax increment envelope for this property. There is no 'double-dipping' to offset the same costs under different CIP programs.

## CORPORATE STRATEGIC PLAN

### **2012 Strategic Focus Area 3: City Building**

- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City*
- 3.2 Be economically viable, resilient, diverse and attractive for business*

## DEPARTMENTAL CONSULTATION

Finance & Enterprise: Finance Dept.

Planning & Building, Engineering and Environment: Planning Dept.

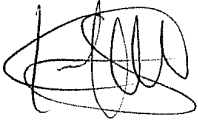
## COMMUNICATIONS

Communications staff is working with staff to ensure there is consistent messaging for all CIP programs.

## ATTACHMENTS

N/A

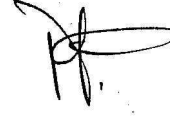
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**Prepared By:**

Karol Murillo  
Downtown Renewal Officer  
Finance and Enterprise Services  
T (519) 822-1260 x2780  
E [karol.murillo@guelph.ca](mailto:karol.murillo@guelph.ca)



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**Recommended By:**

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Renewal  
Finance and Enterprise Services  
T (519) 822-1260 x2475  
E [ian.panabaker@guelph.ca](mailto:ian.panabaker@guelph.ca)

"original signed by Al Horsman"

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**Recommended By:**

Al Horsman  
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# MEMO



DATE July 23, 2012

TO **Mayor and Members of Council**

FROM Ian Panabaker, Corporate Manager, Downtown Renewal

DIVISION Finance & Enterprise Services

DEPARTMENT Downtown Renewal

**SUBJECT Supplemental information regarding CAFE-34  
148-152 Macdonell Street – Downtown Guelph Community  
Improvement Plan (DGCIP) – Major Downtown Activation Grant  
(DAG) Request**

---

At the July 9, 2012 CAFES Committee Meeting, Members of Council requested additional information regarding the location of the project and the breakdown of the Brownfield Tax-Increment Based Grant and the Major Downtown Activation Grant. The following memo provides a location map and outlines the details of both tax-increment based grants that have been approved (Brownfield TIBG) and are being proposed (Major DAG).

1. The Location is the Northwest corner of Macdonell Street and Woolwich Street – **see Attachment 1**
2. **Brownfield TIBG & Major Downtown Activation Grant (DAG) Breakdown**  
The total tax increment for the site is \$4,873,253. With this Major DAG request, the applicant is accessing all of the total tax increment. Incorporating the recently approved Brownfield TIBG and the 20% for the Brownfield Reserve contribution, the amount available for the Major DAG is **\$2,684,878**. The following table highlights the breakdown for both TIBGs:

Applicant	Total Tax Increment (over a 10-year period)	Brownfield TIBG (Tax-Increment Based) <i>*Approved March 26, 2012</i>	Major Downtown Activation Grant (Tax-Increment Based)	
148-152 Macdonell Street	<b>\$4,873,253</b>	<b>\$2,188,375</b> <b>(80% Grant = 1,750,700)</b> <b>(20% City Reserve = \$437,675)</b>	<b>\$2,684,878</b>	<i>= Applicant has used up the total tax increment available to their site/project.</i>
	The maximum amount available to the applicant over a 10-year period for all multi-year development incentives.	\$1,750,700 is the grant to cover the eligible remedial costs and \$437,675 is the Brownfield reserve contribution.	The Major DAG program allows for 100% access of the above amount.	

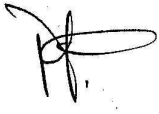
The recommended Annual grant is **\$268,487 for 10 years**.

This revised change also alters the financial implications section to the following:

Total Downtown TIBG Funding	\$12,400,000
Less 2 applications to date	\$1,919,562
	\$10,480,438
Less current application	\$2,684,878
Downtown TIBG Funding Remaining/Available	<b>\$7,795,560</b>

I would be pleased to answer any further questions about the project.

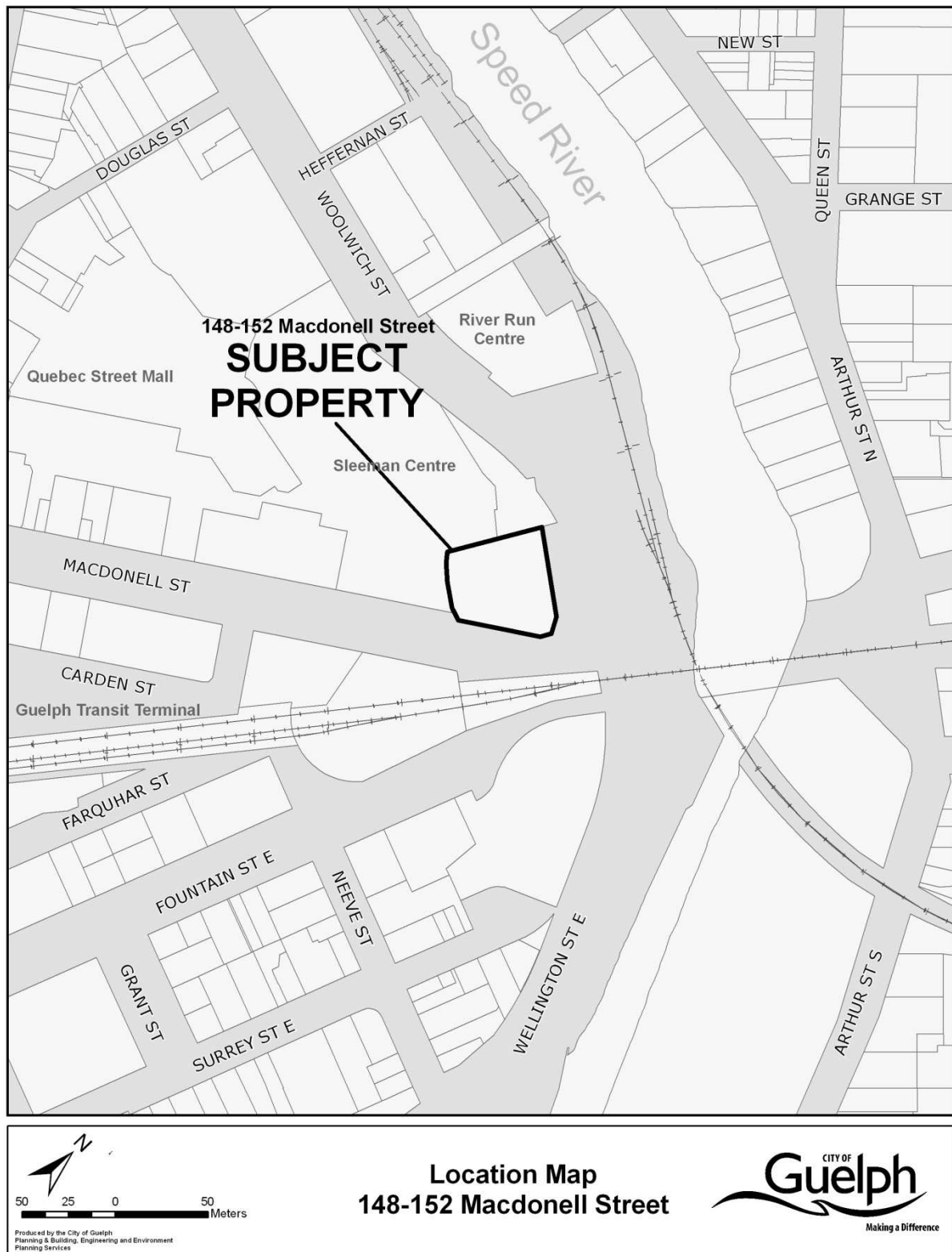
Yours Truly,



Ian Panabaker  
Corporate Manager, Downtown Renewal  
Finance and Enterprise Services  
T 519-822-1260, extension 2475  
E [Ian.Panabaker@guelph.ca](mailto:Ian.Panabaker@guelph.ca)

ATTACHMENTS – Location Map

## Attachment 1 - Location Map



**CONSENT REPORT OF THE  
OPERATIONS, TRANSIT & EMERGENCY SERVICES COMMITTEE**

July 23, 2012

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

Your Operations, Transit & Emergency Services Committee beg leave to present their SEVENTH CONSENT REPORT as recommended at its meeting of July 16, 2012.

*If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Operations, Transit & Emergency Services Committee will be approved in one resolution.*

**OTES-19     Janefield Avenue – On-Street Parking Follow-Up**

THAT the Operations, Transit & Emergency Services Report OT071231 Janefield Avenue – On-street Parking Follow-up dated July 16<sup>th</sup>, 2012 be received;

AND THAT on-street parking be removed on the west side of Janefield Avenue from 123m south of Mason Court to 207m south thereof.

**OTES-20     Delegated Authority for Approval of Traffic Signal Drawings**

THAT the Operations, Transit & Emergency Services Committee Report OT071232 Delegated Authority for Approval of Traffic Signal Drawings dated July 16<sup>th</sup>, 2012 be received;

AND THAT Council approve an amendment to the Delegated Authority By-law for approval of traffic signal legal drawings for traffic signal installations under the jurisdiction of the City of Guelph to the position of Executive Director of Operations, Transit & Emergency Services.

**OTES-21     Business Licence Fees 2013**

THAT the Operations, Transit & Emergency Services Committee Report #OT071229 regarding the Business Licence By-law Annual Fee review dated July 16, 2012 be received;

AND THAT staff be directed to prepare the necessary amendments to Business Licence By-law (2009)-18855 to incorporate the 2013 fees based on the annual fee review.

All of which is respectfully submitted.

Councillor Findlay, Chair  
Operations, Transit &  
Emergency Services Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE  
AGENDA FOR THE JULY 16, 2012, MEETING.***

# COMMITTEE REPORT



TO **Operations, Transit and Emergency Services Committee**

SERVICE AREA Operations, Transit and Emergency Services  
DEPARTMENT Public Works  
DATE July 16<sup>th</sup>, 2012

**SUBJECT Janefield Avenue – On-Street Parking Follow-Up**  
REPORT NUMBER OT071231

---

## SUMMARY

**Purpose of Report:** To respond to the Operations, Transit and Emergency Services Committee resolution dated April 16<sup>th</sup>, 2012 directing staff to report back to Committee regarding alternative options to resolve the parking issue on Janefield Avenue.

**Committee Action:** To receive the report and recommend for Council consideration.

## RECOMMENDATION

THAT the Operations, Transit and Emergency Services Report OT071231 Janefield Avenue – On-street Parking Follow-up dated July 16<sup>th</sup>, 2012 be received;

AND THAT on-street parking be removed on the west side of Janefield Avenue from 123m south of Mason Court to 207m south thereof.

## BACKGROUND

On April 16<sup>th</sup> 2012, a staff report was presented to the Operations, Transit and Emergency Services Committee regarding a request to prohibit parking on Janefield Avenue. It was staff's recommendation at the time that no changes be made to on-street parking on Janefield Avenue.

In response, staff received the following direction from committee:

“THAT the Janefield Avenue On-Street Parking issue be referred to staff to report back to committee regarding alternative options to resolve the parking issue.”

---

## **REPORT**

In May 2012, staff met with representatives of # 57 to #175 Janefield Avenue to discuss alternative solutions for addressing their concerns regarding on-street parking. Staff were advised that the area from #57 to #175 Janefield Avenue was of particular concern due to sightline limitations, waste collection and multiple driveway locations.

A preferred solution was reached with the property representatives to restrict parking on part of the west side of Janefield Avenue between #57 to #175 Janefield Avenue (as illustrated in Appendix B). This solution provides a balanced approach, by removing parking along one section of Janefield Avenue while maintaining parking along other sections. This compromise will address concerns about vehicles parking too close to driveways, improve sightlines at adjacent intersections and driveways and improve access for solid waste services on collection days.

It was agreed that once implemented, staff will monitor.

## **Conclusion**

Based on staff's engagement with concerned residents of Janefield Avenue, it is recommended that parking be removed on the west side of Janefield Avenue from 123m south of Mason Court to 207m south thereof.

## **CORPORATE STRATEGIC PLAN**

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

## **FINANCIAL IMPLICATIONS**

The installation of signage to affect the recommended parking restrictions will be funded through the 2012 Operating budget and is estimated at less than \$1000.

## **DEPARTMENTAL CONSULTATION**

In response to questions raised at the April 16<sup>th</sup> Operations Transit and Emergency Services Committee meeting about implementation of the new 3-stream waste collection program, Solid Waste Resources staff have advised that they will follow up with the property management of #57 – #175 Janefield Avenue.

## **COMMUNICATIONS**

Residents of Janefield Avenue between College Avenue and Scottsdale Drive have been advised this matter is being presented to the Operations, Transit and Emergency Services Committee on July 16<sup>th</sup>, 2012 and have been afforded an opportunity to provide comment. No comments have been received.

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## **ATTACHMENTS**

Appendix A          Proposed Parking Restriction on Janefield Avenue

**Prepared By:** Louis Wickline, Traffic Technologist I



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**Reviewed By:**

Rod Keller  
General Manager, Public Works  
519-822-1260 x 2949  
rodney.keller@guelph.ca



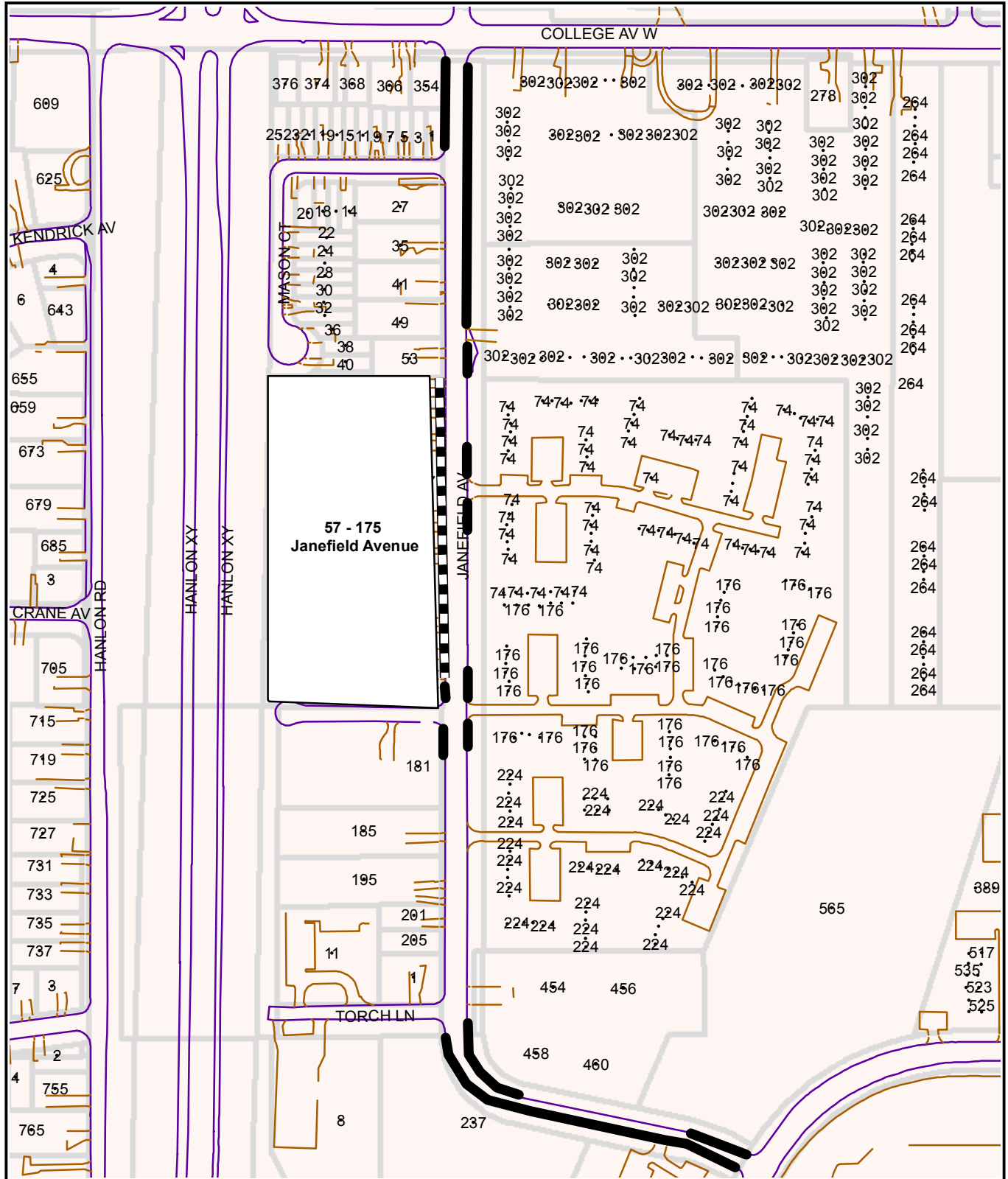
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**Recommended By: Derek J. McCaughan, Executive Director**  
**Operations, Transit & Emergency Services**



# APPENDIX A

## EXISTING & PROPOSED PARKING RESTRICTIONS ON JANEFIELD AVENUE



Existing No Parking Anytime

Proposed No Parking Anytime

**From:** Cora S

**Sent:** July 16, 2012 2:42 PM

**To:** Joanne Starr

**Subject:** Support for recommended restrictions to parking on Janefield Avenue

Hello Joanne,

As per or phone conversation today, I would like to state that I fully support the recommendations regarding restrictions to parking on the west side of Janefield Avenue. I was a delegate at the April 16, 2012 meeting of the Operations and Transit Committee where I spoke on this issue.

Please pass this e-mail along to members of the Operations and Transit and Emergency Service Committee.

Many thanks,

Ms. Cora Sopher

# COMMITTEE REPORT



TO **Operations, Transit & Emergency Services Committee**

SERVICE AREA Operations, Transit & Emergency Services  
DEPARTMENT Public Works  
DATE July 16th, 2012

**SUBJECT Delegated Authority for Approval of Traffic Signal Drawings**

REPORT NUMBER OT071232

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## SUMMARY

### **Purpose of Report:**

To respond to existing legislation and improve efficiency to internal process the delegation to staff to approve legal drawings for the installation of traffic control signals is required.

### **Council Action:**

To receive report and authorize the City Clerk to present an amendment to the Delegated Authority By-law for approval of traffic signal legal drawings for traffic signal installations under the jurisdiction of the City of Guelph to the Executive Director of Operations, Transit & Emergency Services.

## RECOMMENDATION

THAT the Operations, Transit & Emergency Services Committee Report OT071232 Delegated Authority for Approval of Traffic Signal Drawings dated July 16th, 2012 be received;

AND THAT Council approve an amendment to the Delegated Authority By-law for approval of traffic signal legal drawings for traffic signal installations under the jurisdiction of the City of Guelph to the position of Executive Director of Operations, Transit & Emergency Services.

## BACKGROUND

Until the late 1990s the Ministry of Transportation of Ontario (MTO) provided funding to municipalities for the installation of traffic control signals. To be eligible for this subsidy, the municipality was required to submit legal drawings showing the location of traffic signals hardware and the geometric design of the intersection. A ministry staff member approved these drawings. As the subsidy is no longer available, the responsibility to approve the installation of new traffic signals, by

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approving the associated traffic signal legal drawings, has been downloaded to the municipal level.

## **REPORT**

A traffic signal legal drawing, also known as the PH-M-125 drawing, shows the location of traffic signal infrastructure and the geometric design of an intersection. This includes the location and description of the controller, signal poles, arms and heads and the locations(s) of dedicated turn lanes and/or any special signal phasing. These drawings typically also contain information on vehicle detection equipment, pavement markings and signage, and the locations of interconnect cable and conduit running to adjacent traffic signals, if applicable. They do not include traffic signal timing data or information on when specific timing may be in operation.

In all cases, the design of traffic signal may not be altered without preparing a revised traffic signal legal drawing.

Section 144 (31) of the Highway Traffic Act states that:

“No traffic control signal system or traffic control signal used in conjunction with a traffic control signal system shall be erected or installed except in accordance with an approval obtained from a person designated to give such approvals by the municipality or other authority that has jurisdiction over the highway or the intersection.”

A municipality must therefore designate a person(s) to approve the legal drawings for the installation of traffic control signals. A review of City records indicate that no written delegation has ever been completed and as such, no city staff member is currently so designated. Further, signal installation is undertaken by both Public Works and Engineering departments and the required documents are being signed by a number of city staff and/or consultants. Since Public Works has the mandate to operate and maintain the signal system on behalf of the City, it is recommended that consolidating the signing authority with Public Works would clarify this responsibility.

Public Works staff has consulted with Engineering staff on the appropriateness of senior members within Public Works department being recommended to approve traffic signal legal drawings and they agree with the recommendation.

It is recommended that the position of Executive Director of Operations, Transit & Emergency Services, or designate be delegated the authority to approve traffic signal legal drawings for traffic installations under the jurisdiction of the City of Guelph and best practices and design standards for municipal installation of traffic control signals.

## **CORPORATE STRATEGIC PLAN**

1.1 A distinct community identity with leading edge, city-wide urban design policies

5.3 Open, accountable and transparent conduct of municipal business

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### **FINANCIAL IMPLICATIONS**

There is no financial impact associated with this report.

### **DEPARTMENTAL CONSULTATION**

City Clerk, City Engineer and City Solicitor offices.

### **COMMUNICATIONS**

Nil

### **ATTACHMENTS**

Nil

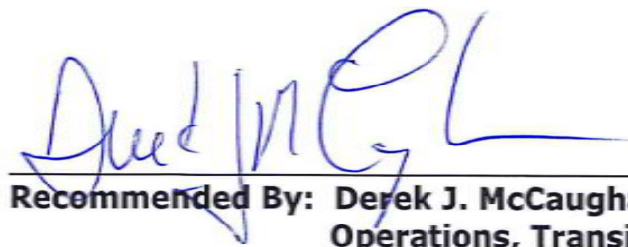
Prepared By: Allister McILveen, Manager Traffic and Parking, ext 2275



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#### **Reviewed By:**

Rod Keller  
General Manager, Public Works  
519 -822-1260 x 2949  
rod.keller@guelph.ca



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**Recommended By: Derek J. McCaughan, Executive Director  
Operations, Transit & Emergency Services**

# COMMITTEE REPORT



TO **Operations, Transit & Emergency Services Committee**

SERVICE AREA Operations, Transit & Emergency Services  
DEPARTMENT Bylaw Compliance & Security Department  
DATE July 16, 2012

**SUBJECT Business Licence Fees 2013**  
REPORT NUMBER OT071229

## SUMMARY

### **Purpose of Report:**

To establish business licensing fees for 2013.

### **Committee Action:**

To receive staff's report and recommend changes to the Business Licence Fees for 2013.

## RECOMMENDATION

That the Operations, Transit & Emergency Services Committee Report # OT071229 regarding the Business Licence By-law Annual Fee review dated July 16, 2012 be received; and,

That staff be directed to prepare the necessary amendments to Business Licence By-law (2009)-18855 to incorporate the 2013 fees based on the annual fee review.

## BACKGROUND

As per a 2009 Council Resolution, staff are required to undertake an annual business licence fee review based on a full cost recovery model to recover the costs of administration, inspection and enforcement for both new and renewal business licences.

Each year, staff issue approximately 760 business licenses with all licences expiring annually on December 31<sup>st</sup>. Historically the business licence fee review is conducted outside of the budget process in order to facilitate the issuance of renewal notices in September/October. Staff are moving towards adjusting the fee review to be incorporated into the budget cycle.

## REPORT

Staff have reviewed the costs of issuing new and renewal business licenses for 2013 and based on a cost recovery model have developed the 2013 Business Licence fees (Attachment A).

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## **CORPORATE STRATEGIC PLAN**

This report supports the following goals in the strategic plan:

- 2.3- Ensure accountability, transparency and engagement.
- 3.2- Be economically viable, resilient, diverse and attractive for business.

## **FINANCIAL IMPLICATIONS**

Business licensing fees are calculated on a cost recovery basis; therefore, no additional revenue will be realized from the proposed 2013 business license fees.

## **DEPARTMENTAL CONSULTATION**

Public Works

Human Resources

Wellington Dufferin Guelph Health Unit

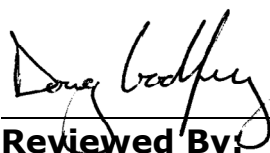
## **COMMUNICATIONS**

An ad inviting the public to submit comments or speak to the issue was placed in the Guelph Tribune on July 12<sup>th</sup> in compliance with the Public Notice Provisions Policy. All background information and reports are available on the City of Guelph website and the reports are available at ServiceGuelph. Businesses will be informed during the renewal process of the increase in fees.

## **ATTACHMENTS**

Attachment A - Current (2012) Schedule of Current & Proposed 2013 Fees

**Prepared By:** Jennifer Jacobi, Licensing Coordinator



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**Reviewed By:**

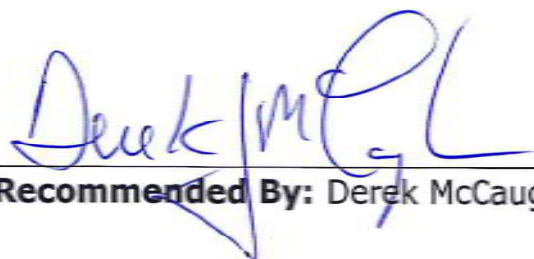
Doug Godfrey

Manager

Bylaw Compliance and Security

519 822-1260 x2520

doug.godfrey@guelph.ca



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**Recommended By:** Derek McCaughan, Executive Director



**BUSINESS LICENCE FEES 2013 – OT071229****Attachment A**

## Current &amp; Proposed Schedule of Fees

**Inspection**

Business	Current Fee for Application for Inspection-2012	Proposed Fee-2013 (to the nearest dollar)
Adult Entertainment Establishment	262.00	275.00
Adult Entertainment Retail Establishment	227.00	238.00
Amusement Establishment	251.00	265.00
Bed & Breakfast	182.00	191.00
Catering Company	229.00	239.00
Food Premises	263.00	276.00
Food Vehicle	162.00	168.00
Holistic Services - Owner	298.00	314.00
Holistic Services – Operator/Practitioner	n/a	n/a
Hotel Establishment	291.00	306.00
Pawnbroker	182.00	191.00
Personal Services Establishment	216.00	226.00
Private Parking Agent	60.00	60.00
Public Assembly Hall	263.00	276.00
Street Vendor	162.00	168.00

**Application**

Business	Current Fee for Business Licence Application-2012	Proposed Fee-2013
Adult Entertainment Establishment	165.00	172.00
Adult Entertainment Retail Establishment	165.00	172.00
Amusement Establishment	134.00	141.00
Bed & Breakfast	134.00	141.00
Catering Company	134.00	141.00
Food Premises	134.00	141.00
Food Vehicle	134.00	141.00
Holistic Services - Owner	134.00	141.00
Holistic Services – Operator/Practitioner	206.00	220.00
Hotel Establishment	134.00	141.00
Pawnbroker	134.00	141.00
Personal Services Establishment	134.00	141.00
Private Parking Agent	134.00	141.00
Public Assembly Hall	134.00	141.00
Street Vendor	165.00	172.00



**BUSINESS LICENCE FEES 2013 – OT071229**  
**Attachment A**

**Renewal**

Business	Current Renewal Fee-2012	Proposed Fee-2013
Adult Entertainment Establishment	223.00	239.00
Adult Entertainment Retail Establishment	223.00	239.00
Amusement Establishment	146.00	156.00
Bed & Breakfast	149.00	156.00
Catering Company	159.00	167.00
Food Premises	159.00	167.00
Food Vehicle	196.00	211.00
Holistic Services - Owner	227.00	242.00
Holistic Services – Operator/Practitioner	177.00	193.00
Hotel Establishment	207.00	216.00
Pawnbroker	86.00	94.00
Personal Services Establishment	196.00	211.00
Private Parking Agent	86.00	94.00
Public Assembly Hall	159.00	161.00
Street Vendor	227.00	237.00

**CONSENT REPORT OF THE  
PLANNING & BUILDING, ENGINEERING AND ENVIRONMENT COMMITTEE**

July 23, 2012

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

Your Planning & Building, Engineering and Environment Committee beg leave to present their SEVENTH CONSENT REPORT as recommended at its meeting of July 16, 2012.

*If Council wishes to address a specific report in isolation please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Report of the Planning & Building, Engineering & Environment Committee will be approved in one resolution*

**PBEE-P-1 Blue Community Presentation by Robyn Hamlyn**

THAT the City of Guelph recognizes and affirms that access to clean water is a fundamental human right;

AND THAT Council will call on the federal and provincial governments to enshrine water as a human right in federal and provincial law;

AND THAT Council will call on the government of Canada to support the recognition of water as a human right in international law.

**PBEE-30 Limiting Distance Agreement Between Skyline Real Estate Holdings Inc., Barrel Works Guelph Ltd. and The Corporation of the City of Guelph**

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

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

**PBEE-31 Proposed Lease Agreement with University of Guelph  
Southern Ontario Water Consortium Platform Research  
Facility at Waste Water Treatment Plant**

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

All of which is respectfully submitted.

Councillor Piper, Chair  
Planning & Building, Engineering and  
Environment Committee

***PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE  
AGENDA FOR THE JULY 16, 2012 MEETING.***



## Blue Communities Project Guide

**Paint the  
Town Blue!**







## Blue Communities Project Guide

### In this guide:

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

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

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

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

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

# What is a blue community?

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

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

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

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

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

## The Blue Communities Project

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

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





## Why Blue Communities?

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

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

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

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

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





## Blue Communities Project Guide

### What community activists can do

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

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

### What municipalities can do

Sign a municipal declaration recognizing water as a human right.

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

# Recognize water as a human right

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

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

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

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

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

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

## Canadian municipalities and the right to water

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





A municipal recognition of the right to water would:

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

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



*Recognize water as a  
human right*

## **Sample Resolution**

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

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

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

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

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

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

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

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

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



*Recognize water as a  
human right*

## Good practices

### Wallonia:

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

In 2006, the Walloon Minister of Environment announced that the region would extend water solidarity to the international level. The region is in the process of developing legislation to support water projects in selected developing countries<sup>1</sup>.

### Union of Nova Scotia Municipalities

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

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<sup>1</sup> <http://www.righttowater.org.uk>







## Blue Communities Project Guide

### What community activists can do

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

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

### What municipalities can do

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

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

Promote the value of municipal water through public education campaigns.

Protect and improve the quality of municipal tap water.

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

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

While twenty years ago, bottled water was considered a luxury product consumed by a niche market, today one-third of Canadian households rely on bottled water to meet their hydration needs, according to a 2006 Statistics Canada report<sup>1</sup>. Agriculture and Agrifoods Canada reports that Canadians consume two billion litres of bottled water per year.

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

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

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

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

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

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



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

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

## Sample resolution

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

A) Municipal council APPROVE a resolution stating the following:

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

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

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

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

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

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

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

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

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

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





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

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

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

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

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

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## **Good practices**

### **Toronto's "HTO to Go"**

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

### **U.S. mayors challenge bottled water**

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





## Blue Communities Project Guide

### What community activists can do

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

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

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

### What municipalities can do

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

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



# Promote publicly-owned and operated water and wastewater infrastructure

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

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

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

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

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

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

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



## Resisting federal P3 pressure

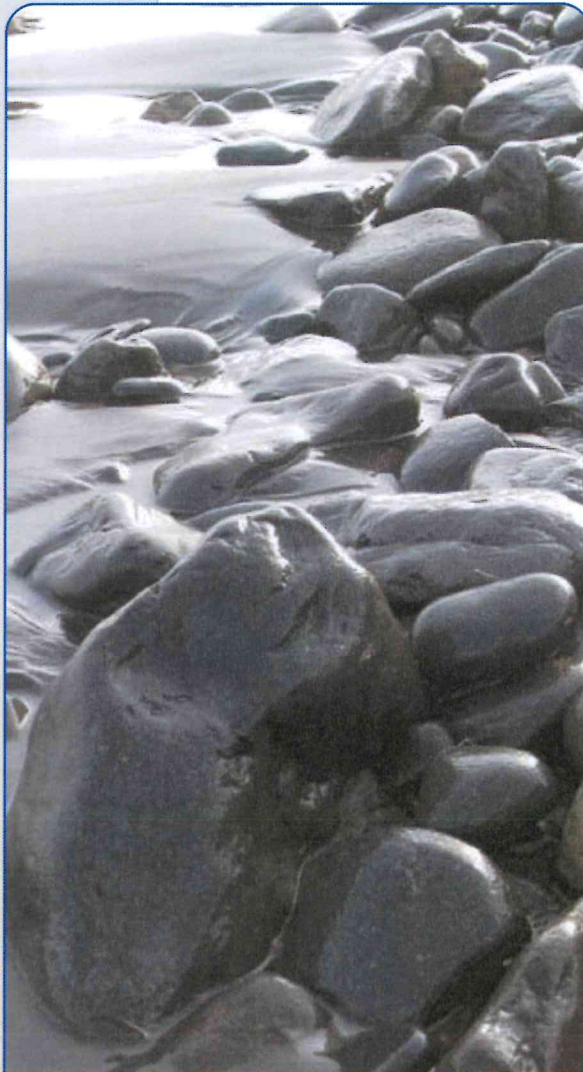
Despite the evidence that P3s are more expensive, risky, less effective and unaccountable, the federal government is aggressively pushing privatization as a prerequisite for federal funding. The Harper government's Building Canada infrastructure plan forces governments seeking \$50 million or more in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

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

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

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

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





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

## **Sample resolution**

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

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

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

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

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

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

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

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



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

## Cases in point

### Hamilton

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

### Seymour Capilano

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

### Moncton Water Treatment Facility

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



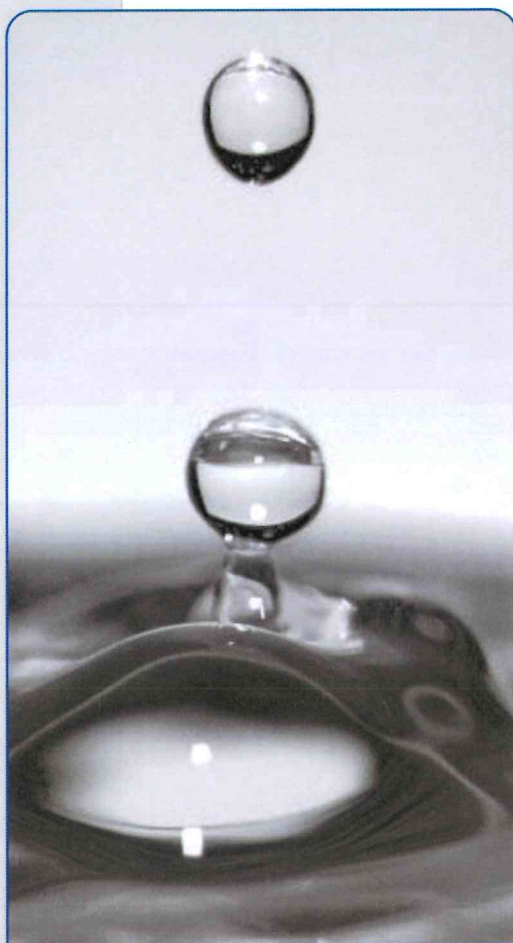
## Steps to creating a blue community

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

## Blue Community checklist

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

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





[illegible]



1-800-387-7177 | [www.canadians.org/water](http://www.canadians.org/water) | [www.cupe.ca/water](http://www.cupe.ca/water)

## **Blue Community**

Since November, 2011

- I have made trips in December, February, a big one over my March Break, April and two in June.
- I have had 17 meetings with mayors and councillors. My 18th will be with Mayor O'Keefe of St. John's, Newfoundland at the end of July.
- I have presented to 9 different councils (Clarington, Caledon, Norfolk, Pickering, St. Catharines, Niagara Falls, Port Colborne, Brantford and Cambridge) and had the mayors of Ajax, Burlington and Owen Sound present for me at their own council meetings.
- The Town of Ajax, the City of St. Catharines, the City of Niagara Falls and the Municipality of Clarington are now Blue Communities
- The County of Norfolk passed the banning of bottled water and the human right resolution and the City of Burlington passed the human right resolution. I am awaiting word on the rest
- I have been invited back to present at council meetings in Chatham-Kent, Thorold, Newmarket, Meaford, Oshawa and Vaughan.
- I have had 5 speaking engagements including presenting at the Great Lakes St. Lawrence Initiative conference on June 28<sup>th</sup> in Quebec City.

Robyn Hamlyn

**PRESENTATION BY:**

**JOHN CHALLINOR II APR  
DIRECTOR OF CORPORATE AFFAIRS  
NESTLÉ WATERS CANADA**

**JULY 16, 2012**

**CITY OF GUELPH**

**GOOD AFTERNOON CHAIR, COUNCILLORS AND MEMBERS OF  
STAFF...**

**ON BEHALF OF NESTLÉ WATERS CANADA, THANK-YOU FOR THE  
OPPORTUNITY TO APPEAR TODAY TO DISCUSS THE BLUE  
COMMUNITIES PROJECT TEMPLATE RESOLUTION ADVANCED BY  
THE COUNCIL OF CANADIANS AND THE CANADIAN UNION OF  
PUBLIC EMPLOYEES...**

**IN ADDITION TO WHAT I AM ABOUT TO PRESENT TO YOU, I  
BELIEVE YOU ALSO HAVE A LETTER ON FILE FROM ME...**

**FIRST AND FOREMOST, WE'RE HERE ON A POINT OF PRINCIPLE.  
WE DON'T SELL OUR PRODUCTS TO YOUR MUNICIPALITY  
TODAY – AND WE AREN'T LIKELY TO IN THE FUTURE.**

**WE DON'T SELL OUR PRODUCTS IN VENDING MACHINES. WE  
TYPICALLY SELL OUR PRODUCTS IN RETAIL OUTLETS LIKE  
GROCERY STORES. WE ARE FULLY SUPPORTIVE OF THE SOLE  
USE OF MUNICIPAL TAP WATER IN PITCHERS URING COUNCIL,  
COMMITTEE AND INTERNAL STAFF MEETINGS WITHIN YOUR  
FACILITIES...**

**WE ARE ALSO SUPPORTIVE OF THE INSTALLATION OF WATER  
FOUNTAINS, AS LONG AS THEY ARE MAINTAINED TO LOCAL  
PUBLIC HEALTH UNIT STANDARDS...**

**WHERE POTABLE WATER EXISTS IN AN OFFICE SETTING,  
CONSUMPTION OF SINGLE-USE BOTTLED WATER IS  
UNNECESSARY. DURING OUR DISCUSSIONS WITH  
GOVERNMENT LEADERS ACROSS CANADA, WE HAVE**

**ADVOCATED FOR THIS COMMON SENSE APPROACH. WE SIMPLY BELIEVE THAT CITY STAFF AND LOCAL RESIDENTS SHOULD HAVE THE FREEDOM TO CHOOSE AND CONSUME THE BEVERAGE OF THEIR CHOICE ON MUNICIPAL PROPERTY, PARTICULARLY ONE FEATURING THE HEALTH AND WELLNESS ATTRIBUTES THAT WATER DOES...**

**THE DECISION SHOULD NOT BE MADE FOR THEM...**

**THE BLUE COMMUNITIES PROJECT RESOLUTION IS THE LATEST ANTI-BOTTLED WATER INITIATIVE FROM THE COUNCIL AND CUPE, WHO HAVE DEVELOPED VARIOUS POLITICAL CAMPAIGNS OVER THE LAST SEVEN YEARS TO DISCREDIT OUR INDUSTRY, OUR 13,000 EMPLOYEES ACROSS CANADA – 300 IN WELLINGTON COUNTY -- AND OUR PRODUCTS AND SERVICES...**

**THE BLUE COMMUNITIES PROJECT, THEIR LATEST WELL-INTENTIONED BUT MIS-GUIDED ATTACK ON OUR INDUSTRY, IS A TROJAN HORSE-LIKE TREATISE DEVELOPED SOLELY TO ENCOURAGE CANADIAN MUNICIPALITIES TO BAN THE SALE OF BOTTLED WATER IN THEIR FACILITIES UNDER THE GUISE OF HUMAN RIGHTS AND INFRASTRUCTURE MANAGEMENT. THE BLUE COMMUNITIES PROJECT IS A POLITICAL CAMPAIGN – NOT AN ENVIRONMENTAL CAMPAIGN. THAT SAID, WE AGREE WITH THE COUNCIL AND CUPE THAT WATER IS A HUMAN RIGHT...**

**AND, GIVEN THAT CANADA HAS A \$21 BILLION WATER AND SEWER INFRASTRUCTURE DEFICIT RESULTING IN, AMONGST OTHER THINGS, MORE THAN 1,500 BOIL-WATER ORDERS ACROSS THE COUNTRY LAST YEAR, WE ALSO SUPPORT CONTINUED INVESTMENT IN OUR MUNICIPAL SYSTEMS. WHERE WE DRAW THE LINE WITH THE COUNCIL AND CUPE IS THEIR MISGUIDED AND MISLEADING ATTEMPTS TO BAN THE SALE OF BOTTLED WATER IN PUBLIC FACILITIES. BOTTLED WATER DOES NOT COMPETE WITH TAP WATER...**

**MORE THAN 70% OF CANADIANS DRINK BOTH. THEY CONSUME TAP WATER AT HOME AND BOTTLED WATER ON-THE-GO FOR PROPER HYDRATION, BETTER HEALTH AND SIMPLE CONVENIENCE. AND, THE PURCHASE OF BOTTLED WATER DOES NOT IMPACT MUCH-NEEDED INVESTMENTS IN CANADA'S WATER AND SEWER INFRASTRUCTURE. CANADIANS PAY LOCAL, PROVINCIAL AND FEDERAL TAXES**



**WITH THE EXPECTATION THAT A PORTION OF THOSE FUNDS WILL BE INVESTED TO PROPERLY MAINTAIN THEIR MUNICIPAL WATER SYSTEMS. THEY SPEND THEIR DISPOSABLE INCOME ON A MYRIAD OF ITEMS, INCLUDING BOTTLED WATER...**

**OVER THE LAST FOUR YEARS, MORE THAN 125 MUNICIPALITIES, SCHOOL BOARDS, COLLEGES AND UNIVERSITIES AND PROVINCIAL GOVERNMENTS HAVE FORMALLY REJECTED MOTIONS BY THE COUNCIL AND CUPE TO BAN THE SALE OF BOTTLED WATER IN THEIR FACILITIES. TWENTY-NINE MUNICIPALITIES, FOUR SCHOOL BOARDS AND 13 COLLEGES AND UNIVERSITIES HAVE APPROVED BANS. A NUMBER OF THOSE ORGANIZATIONS ARE NOW CURRENTLY CONSIDERING RESCINDING THEIR EARLIER DECISIONS. THE REGIONAL DISTRICT OF COMOX IS THE MOST RECENT MUNICIPALITY TO REJECT A BOTTLED WATER BAN, SPECIFICALLY REJECTING THE BLUE COMMUNITIES PROJECT RESOLUTION...**

**STAFF AT THE UNION OF BRITISH COLUMBIA MUNICIPALITIES RECENTLY ADVISED AGAINST SUPPORTING THE BLUE COMMUNITIES PROJECT MOTION BECAUSE OF THEIR CONCERNS ABOUT THE INABILITY OF MUNICIPALITIES THERE TO MAINTAIN WATER AND SEWER INFRASTRUCTURE WITHOUT OUTSIDE INVESTMENT...**

**BANS ON BOTTLED WATER SEND THE WRONG MESSAGE TO CONSUMERS ABOUT THE HEALTH AND WELLNESS ATTRIBUTES OF WATER – BOTTLED OR OTHERWISE. BANNING BOTTLED WATER WILL NOT RESULT IN INCREASED CONSUMPTION OF TAP WATER, NOR WILL IT REDUCE THE AMOUNT OF PLASTIC BEVERAGE BOTTLE LITTER IN FACILITIES WHERE IT IS BEING ENACTED...**

**ALL BANNING BOTTLED WATER DOES IS REPLACE ONE PIECE OF PLASTIC WITH ANOTHER PIECE OF PLASTIC, AS MOST RESIDENTS AND STAFF WILL SIMPLY OPT FOR ANOTHER BEVERAGE IN A PLASTIC CONTAINER...**

**SIMPLY TAKING BOTTLED WATER OUT OF A VENDING MACHINE WILL NOT CHANGE HUMAN BEHAVIOUR WHEN IT COMES TO DRINKING TAP WATER INSTEAD OF BOTTLED WATER, BUT IT WILL IMPACT YOUR COMMUNITIES' HEALTH...**

**THIS CONCERN WAS EXPRESSED BY MIDDLESEX-LONDON HEALTH UNIT DIRECTOR JAMES REFFLE, WHO WROTE THAT HE HAD "CONCERNS ABOUT THE POSSIBLE UNINTENDED CONSEQUENCES OF REMOVING THE SALE OF BOTTLED WATER IN CITY OPERATED FACILITIES WHERE OTHER NUTRITIONALLY DEFICIENT BOTTLED DRINKS CAN REMAIN TO BE OFFERED FOR SALE..."**

**THE FACT OF THE MATTER IS THAT BOTTLED WATER IS PROVING TO BE PARTICULARLY HELPFUL AT A TIME WHEN THE INCIDENCE OF OBESITY AND DIABETES ARE ON A SIGNIFICANT INCREASE AMONGST YOUNG**

**CANADIANS BORN AFTER 2000...**

**ALMOST 30 PERCENT OF CANADIAN CHILDREN ARE OVERWEIGHT OR OBESE, ARE SUSCEPTIBLE TO DIABETES AND MAY BE THE FIRST GENERATION OF CANADIANS WHOSE LIFE EXPECTANCY IS SHORTER THAN THAT OF THEIR PARENTS. BOTH HEALTH CANADA AND THE ONTARIO MINISTRY OF HEALTH HAVE IDENTIFIED OBESITY AS THE MOST CRITICAL, EMERGING HEALTH ISSUE FACING CANADIANS...**

**THERE ISN'T ANOTHER PORTABLE BEVERAGE THAT PROVIDES THE HEALTH AND WELLNESS BENEFITS TO YOUR CITIZENS THAT BOTTLED WATER DOES...**

**IN CLOSING, ALLOW ME TO ADDRESS THREE MAJOR MYTHS ABOUT BOTTLED WATER...**

**ONE. MOST CANADIANS DON'T DRINK BOTTLED WATER INSTEAD OF TAP WATER. 70 PERCENT DRINK BOTH. THEY DRINK TAP WATER AT HOME AND BOTTLED WATER OUT-OF-HOME FOR CONVENIENCE AND HEALTH. LESS THAN ONE PERCENT OF MUNICIPAL WATER PRODUCED IS CONSUMED BY CANADIANS. IF THE BOTTLED WATER INDUSTRY DISAPPEARED TOMORROW, THERE WOULD BE NO NOTICEABLE INCREASE IN THE CONSUMPTION OF TAP WATER...**

**TWO. ALMOST 70 PERCENT OF PLASTIC BEVERAGE CONTAINERS, INCLUDING WATER BOTTLES, WERE RECYCLED LAST YEAR ACROSS CANADA. PLASTIC BEVERAGE CONTAINERS ACCOUNT FOR ONE-FIFTH OF ONE PERCENT OF THE WASTE STREAM. IF THE BOTTLED WATER INDUSTRY WAS TO DISAPPEAR TOMORROW, THERE WOULD BE NO APPRECIABLE REDUCTION IN THE AMOUNT OF REFUSE GOING TO LANDFILL...**

**THREE. OVER THE LAST FOUR YEARS, 125 MUNICIPALITIES, SCHOOL BOARDS AND COLLEGES AND UNIVERSITIES ACROSS CANADA HAVE REJECTED RESOLUTIONS TO BAN THE SALE OF BOTTLED WATER...**

**MOST TELLINGLY, SEVERAL THOUSAND LOCAL GOVERNMENTS HAVE CONCLUDED THAT REPAIRING AGING INFRASTRUCTURE, IMPROVING SERVICE QUALITY AND KEEPING TAXES LOW ARE MORE IMPORTANT PRIORITIES THAN CONSIDERING BANS ON THE SALE OF BOTTLED WATER – AND TAXPAYERS AGREE. IN A LEGER MARKETING POLL, A MAJORITY OF CANADIANS SAID THEY ARE OPPOSED TO BOTTLED WATER BANS IN MUNICIPAL FACILITIES...**

**PLEASE GIVE CONSIDERATION TO RECEIVING ALL PRESENTATIONS ON BOTTLED WATER TODAY, BUT TAKING NO FURTHER ACTION...**

**THANK-YOU...**

## THE FACTS ABOUT BOTTLED WATER

JULY 9 2012



The Healthy Hydration Company™

### **MYTH: Bottled water is a recent marketing phenomenon.**

#### **THE FACTS:**

- The water bottling and distribution business is one of the oldest forms of commerce in the world.
- The origins of bottled water can be traced back to 10,000 B.C., where early man was transporting and supplying water from natural sources in primitive vessels and skins to their dwellings.
- Canadians have been purchasing spring water in bottles made of glass, plastic and other materials for almost 100 years (Montclair).
- According to Euromonitor International, growth of international bottled water market is forecast to be 25% from 2008 to 2013 – from 173,018 million litres to 215,529 million litres.

### **MYTH: The bottled water industry doesn't care about recycling.**

#### **THE FACTS:**

- PET bottles are 100% recyclable.
- Plastic water bottles are the third most recycled product in Canada, behind newspapers and aluminum. They are also the third most valuable item in a recycling program and, when recycled, are used to make playground equipment, automobile parts, carpeting, fleece clothing, sleeping bags, shoes, luggage, other plastic containers, etc.<sup>1</sup>
- Plastic water bottles account for about 40% of all plastic beverage containers used in Canada, behind soft drink containers.<sup>2</sup>
- Studies show that recycling plastic bottles into new products saves 50% to 60% of the energy that would be required to make the same product from raw materials.<sup>3</sup>
- According to Stewardship Ontario, plastic beverage containers, including plastic water bottles, account for less than one-fifth of 1% of the total waste stream in Ontario and plastic water bottles account for only 40% of that. If the industry disappeared tomorrow, there would be no appreciable decrease in the volume of refuse going to landfill.
- Per household, Canadians discard about 500 pounds of newsprint per year, but only 20 pounds of plastic containers, including beverage, household and personal care products.<sup>4</sup> In 2009, the Regional Municipality of Halton reported that it collected 46,590 tonnes of recyclables. About 81% of that was paper, cardboard, tetra pack and gable top cartons. Just 5% was plastic bottles and plastic tubs.
- The recovery rate for plastic beverage containers averages almost 70%, but varies between 49% and 84% nationally, depending on the efficiency of a given municipal recycling program.<sup>5</sup>
- The Canadian beverage industry aims to have every one of its containers recycled, regardless of where they are consumed. The industry, in partnership with governments, created Public Spaces Recycling to capture the "last mile" of recyclables – items typically captured through curbside recycling programs that are abandoned by consumers in parks, recreational facilities, transit stops, public schools, business, institutions and gas stations.

*Examples of Public Spaces Recycling include:*

#### **Quebec – Canada's First Public Spaces Recycling Program**

- Quebec is achieving recycling diversion rates of up to 97% in its municipal away-from-home recycling programs.

#### **Sarnia – Ontario's First Public Spaces Recycling Program**

- The program diverted up to 84% of beverage containers from the waste stream.
- We are encouraging Ontario to work with the beverage industry to include public spaces recycling as a permanent complement to the Blue Box program.

#### **Halifax –Canada's First Public Spaces Recycling Program to Feature Organics Collection**

- The program achieved a recovery rate of 95% for beverage containers and 90% for all recyclable containers.

#### **Richmond – B.C.'s First Public Spaces Recycling Program**

- The program achieved a 79% reduction rate in plastic beverage containers headed to landfill.

<sup>1</sup> Stewardship Ontario, 2007.

<sup>2</sup> A.C.Nielsen, August, 2010.

<sup>3</sup> The Benefits of Plastic Bottles, Environment and Plastics Industry Council. ([http://www.cpia.ca/files/files/files\\_Benefits\\_of\\_plastic\\_Bottles.pdf](http://www.cpia.ca/files/files/files_Benefits_of_plastic_Bottles.pdf)).

<sup>4</sup> The Benefits of Plastic Bottles, Environment and Plastics Industry Council. ([http://www.cpia.ca/files/files/files\\_Benefits\\_of\\_plastic\\_Bottles.pdf](http://www.cpia.ca/files/files/files_Benefits_of_plastic_Bottles.pdf)).

<sup>5</sup> StewardEdge Consultants, July 2012.

## THE FACTS ABOUT BOTTLED WATER

- We are encouraging Encorp Pacific to include Public Spaces Recycling as a permanent component to its deposit program.

### **Manitoba – North America's First Permanent Public Spaces Initiative**

- When the Manitoba program was unveiled, the province had about 43% diversion rate for beverage containers – the lowest in Canada. In the first year of the program, the rate increased to 49% province-wide.
- A pilot public spaces program in Portage La Prairie experienced a 95% diversion rate in parks, arenas and streetscapes.
- The hybrid recycling system, or "Manitoba model," is being monitored for possible adoption by American and European governments.

### **Guelph/Eramosa Facility –Royal Distributing Athletic Performance Centre, Marden Park**

- \$22,000 worth of Public Spaces Recycling infrastructure donated.

### **Puslinch - Aberfoyle Public School**

- \$20,000 worth of Public Spaces Recycling infrastructure donated.

### **Puslinch - Optimist Recreation Centre**

- \$16,000 worth of Public Spaces Recycling infrastructure donated.

**MYTH: Bottled water bans are a quickly growing movement. Canadians may have access to recycling but they don't use it – rejecting bottled water is the only way to truly eliminate impacts on our landfills.**

#### **THE FACTS:**

- 97% of Canadians have access to a municipal recycling program and 93% of these programs offer plastics recycling.<sup>6</sup> All of these programs are partially funded by Nestlé Waters Canada and its industry partners.<sup>7</sup>
- Canadians have about 95% access to plastic bottle recycling and 91% access to recycling of household tubs and lids used for yogurt containers and other dairy products.<sup>8</sup>
- Almost all Canadians who drink bottled water say they recycle the bottles. In a 2008 report by Leger Marketing, 96% of Canadian bottled water drinkers said they recycle their plastic water bottles. Bottled water drinkers in the Prairies said they recycled the least at 87%. In Ontario and Alberta, almost all (98%) of bottled water drinkers said they recycled.
- "Ontario's Waste Diversion Act requires all companies that introduce packaging and printed material into Ontario's consumer marketplace ("Stewards") to share in paying 50% of the funding of Ontario's municipal Blue Box waste diversion programs."<sup>9</sup>

**MYTH: The bottled water industry doesn't care about the environment.**

#### **THE FACTS:**

- Among all packaged beverages, bottled water is the most environmentally responsible choice.
- Bottled water represents one-tenth of 1% of a consumer's overall environmental footprint. Compared to other packaged beverages, bottled water has the lightest environmental footprint because it doesn't use "grown" ingredients such as sugar during production, and because the bottles use the least amount of plastic.<sup>10</sup>
- A consumer can further reduce the bottles' carbon footprint by 25% by simply recycling it.<sup>11</sup>
- By reducing the size of its packaging over the last ten years by 60%, Nestlé Waters North America has reduced the amount of energy it uses by 30% annually and the amount of greenhouse gas emissions it produces by 22% annually over that time.
- In January 2010, the Company introduced the next-generation Eco-Shape® 500 ml bottle, one of the lightest such containers in the Canadian beverage industry. Weighing just 9.16 grams on average, this

<sup>6</sup> Statistics Canada, Households and the Environment Survey, 2006.

<sup>7</sup> Stewardship Ontario. <http://www.stewardshipontario.ca/bluebox/index.htm>.

<sup>8</sup> Canadian Plastics Industry Association (CPIA). Residential Recycling Access for Consumer Plastic Packaging, February 2012.

<sup>9</sup> Stewardship Ontario. <http://www.stewardshipontario.ca/bluebox/index.htm>.

<sup>10</sup> "Environmental Life Cycle Assessment of Drinking Water Alternatives and Consumer Beverage Consumption in North America". Project Report . Salem, MA : Quantis International , 1 Feb, 2010.

<sup>11</sup> Quantis International, February 2010.



## THE FACTS ABOUT BOTTLED WATER

bottle contains 60% less plastic than the Company's original, pre-Eco-Shape 500 ml PET bottle, first introduced in 2000.

- The Company manufactures its own bottles at each of its bottling facilities, saving the energy required to ship truckloads of empty bottles into its plants.
- The Company is committed to developing a next-generation bottle made entirely from recycled materials or renewable resources by 2020.
- Nestlé Waters Canada has reduced corrugate use by 88,000 tons over the last five years, which is equivalent to saving 528,000 trees. Another 15% reduction took place in 2009.
- In 2010, Nestlé Waters Canada used 100% recycled corrugated trays and pads for its domestic waters, saving the equivalent of 55,824 mature trees – enough to cover 29 football fields. This usage also represents the equivalent diversion of approximately 93 truckloads of waste that would have been otherwise destined for landfill.
- Nestlé Waters Canada's Aberfoyle and Hope plants are ISO 14001 certified (an environmental management standard), to help drive towards continuous operational improvements. As part of that certification, the Company met its 2010 targets, seeing a reduction in energy use, a reduction in water consumption and the recycling of more than 96% of its refuse.
- In 2008, the Company reduced water consumption in its Aberfoyle facility by 10%. The plant is also OHSAS 18001 (health and safety), ISO 22001 (food quality) certified and FSSC 22000 (Food System Safety Certification).
- Nestlé Waters Canada supports a variety of programs that promote conservation and protect the environment including the Adopt-A-Road program in three of the four locations where we operate (Aberfoyle, ON; Chilliwack and Hope, BC); the program is a public service initiative for volunteers to enhance the local litter collection activities by picking up litter along road-right-of ways.

**MYTH: The energy used to produce PET bottles is the equivalent of filling the bottle with 25% oil.**

### THE FACTS:

- Water bottles are not made from oil. They are primarily made from natural gas.
- The energy inputs of a 12 gram 500 ml PET bottle produced from virgin material is approximately .84MJ.
- If all energy inputs (hydro, materials, etc.) are translated to oil equivalents that would account for less than 2.5% of the bottle's volume. Recycled content, plant based plastics and light weighting are reducing that figure. Recycling preserves 86% of that energy content for use in other products and packing.<sup>12</sup>

**MYTH: The bottled water industry is depleting Canada's water supply.**

### THE FACTS:

- Nestlé, the world's largest producer of bottled water, uses 0.0009% of the total fresh water drawn worldwide.
- The earth's hydrologic cycle naturally replenishes what Nestlé Waters Canada bottles and uses to bottle its spring waters. The renewable supply is what falls from the sky and runs off in rivers, often passing through lakes as it moves to the sea. Some goes underground, replenishing aquifers that can be tapped by wells. These flows are renewed every year and count as the water supply.<sup>13</sup>
- The bottled water industry is a net importer of water into the Great Lakes region. According to a 1999 International Joint Commission (IJC) report on bottled water, for every 1 litre of bottled water exported out of the region, there were 9 litres imported into the Great Lakes region. An update from the Ontario Ministry of Natural Resources states that in 2005, for every 1 litre exported, 14 litres were imported.
- About 30% of municipal tap water is wasted by leakage from poor infrastructure -- it's closer to 70% in developing countries.<sup>14</sup>
- According to the Ontario Sewer & Watermain Construction Association, "The underground pipes carrying water to residents across Ontario are so old and leaky that 20-40% of all the treated water goes into the ground before it gets to your taps".

<sup>12</sup> All energy data based and percentages represent life-cycle energy savings of producing materials using recycled inputs compared with virgin inputs as a percentage of energy requirements using virgin inputs. US EPA, Solid Waste Management and Greenhouse Gases (2002).

<sup>13</sup> John B. Sprague, Excerpt from "Eau Canada" by Karen Bakker, page 20 second paragraph.

<sup>14</sup> Utility Week Magazine, Great Britain.



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- According to the City of Toronto, it loses about 14%, or 54,928,172,480 litres, of fresh water annually because of leaky water and sewer infrastructure – or about 30 times what the entire bottled water industry in Canada uses in one year.
- The bottled water industry in Ontario uses as much water as ten golf courses in Ontario – a province where there are more than 700 golf courses.<sup>15</sup>
- In 2009, Ontario lost 25% of its tap water to leaky infrastructure – at a cost of \$700 million. That's enough to fill 131,000 Olympic-sized swimming pools. Calgary lost 4% of the water it produces because of leaky infrastructure in 2011; Montreal 40% (as of 2005); Toronto 9-10% (as of 2007); and Vancouver 12% (as of 2008).<sup>16</sup>
- Commercial bottled water production in Ontario accounts for less than 0.000147% of all water used by other permitted users including commercial, agricultural, industrial and recreational.<sup>17</sup>
- The Canadian bottled water industry uses just 0.02% of permitted water in Canada<sup>18</sup> compared to thermal power generation (64%), manufacturing (14%), municipalities (12%), agriculture (9%) and mining (1%).<sup>19</sup>
- A 2012 report by the National Round Table on the Environment and the Economy noted that the natural resource sectors are the greatest water users and consumers across Canada. In 2005, collectively, they accounted for approximately 84% of Canada's gross water use — the total volume withdrawn from water bodies.<sup>20</sup>
- About 97% of water drawn by bottled water companies is bottled.<sup>21</sup>
- It takes 600 litres of water to produce 20 litres of tap water.<sup>22</sup>
- "The Canadian bottled water industry is an efficient user of its water source. The industry uses only 1.3 litres of water to make 1 litre of bottled water in comparison to other beverage industries which may use several litres of water to make 1 litre of that beverage."<sup>23</sup>
- According to National Geographic, despite the size and visibility of the business, the amount of water actually sold is relatively tiny, compared to tap water volumes. U.S. water utilities supply more than 1 billion gallons of tap water an hour, every hour of the day. The total amount of water in the bottles Americans buy in a year would only supply U.S. tap water needs from midnight until 9 a.m. on January 1.<sup>24</sup>
- According to a study by K. Eschleman, Drinking Water Research Foundation, Coca-Cola Company and the Environmental Protection Agency, it takes 3 litres of water to produce 1 litre of soft drinks and 42 litres of water to produce 1 litre of beer.
- According to Environment Canada<sup>25</sup>:
  - It takes 39,090 gallons (about 148,000 litres) of water to manufacture a new car, including new tires.
  - It takes 9.3 gallons (about 35 litres) of water to process one can of fruit or vegetables.
  - It takes nearly 14 gallons (about 53 litres) of water to grow a medium-sized orange (4.6 ounces/130 grams) and to prepare it, in a packing plant, for market.
  - It takes 48.3 gallons (about 183 litres) of water to produce one eight-ounce glass of milk.
  - It takes about 45% more water to make a slice of white bread (10.6 gallons/40 litres) than a slice of brown bread (7.3 gallons/28 litres).
- Calculations indicate that a reusable water bottle will have to be used an average of 80 times before it has a carbon footprint lower than that of a single use bottle. These calculations assume high efficiency dishwashers are used. If the bottles are washed in a typical lower energy efficient domestic dishwasher, or are washed by hand, or are rinsed under hot running water, then the carbon footprint of the reusable water

<sup>15</sup> Canadian Bottled Water Association. <http://www.cbwa.ca/en/faq.htm#9>.

<sup>16</sup> Source: Residential and Civil Construction Alliance of Ontario study.

<sup>17</sup> Ontario Ministry of the Environment, 2007.

<sup>18</sup> Environment Canada.

<sup>19</sup> Flushing the Future? Examining Urban Water Use in Canada.

[http://www.waterdsm.org/pdf/report1\\_full.pdf](http://www.waterdsm.org/pdf/report1_full.pdf).

<sup>20</sup> National Round Table on the Environment and the Economy, Changing Currents – Executive Summary. May 2012.

<sup>21</sup> Nestle Waters North America, 2008.

<sup>22</sup> Professor Alexander Zehnder, Alberta Water Research Institute.

<sup>23</sup> Agriculture & Agri-food Canada. "The Canadian Bottled Water Industry." 25 Mar. 2009. < <http://www4.agr.gc.ca/AAFC-AAC/display-afficher.do?id=1171644581795&lang=eng> >.

<sup>24</sup> National Geographic, U.S. Bottled Water Sales Are Booming (Again) Despite Opposition, May 17, 2012, <http://newswatch.nationalgeographic.com/2012/05/17/u-s-bottled-water-sales-are-booming-again-despite-opposition/>.

<sup>25</sup> Environment Canada, "How Do We Use It?" [http://www.ec.gc.ca/water/en/info/facts/e\\_use.htm](http://www.ec.gc.ca/water/en/info/facts/e_use.htm).





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bottle, including washing, will be higher and could be greater than that of the single use bottle even after it has been reused hundreds of times.<sup>26</sup>

- A study commissioned by the PET Resin Association compared total energy, solid waste and greenhouse gas emissions per 100,000 ounces of soft drinks packaged in typical 20-ounce PET bottles, 8-ounce glass bottles or 12-ounce aluminum cans. The PET bottles showed lower emissions, waste creation and emissions during the process. Greenhouse gas emissions for the PET bottles registered 59% less than aluminum and 77% less than glass during production.<sup>27</sup>

**MYTH: Bottled water companies cause damaging environmental impacts on individual watersheds by removing large amounts of water. The bottling process drains freshwater resources. For example, Nestlé Waters Canada's extraction of 3.6 million litres per day in Aberfoyle, Ontario, is causing a reversal of groundwater flow to the Mill Creek.**

### THE FACTS:

- Bottled water companies have a vested interest to manage their spring and water sources sustainability, responsibly and efficiently in order to operate well into the future.
- Nestlé Waters Canada has the only full-time hydro geologist in the Canadian beverage industry.
- Nestlé Waters Canada's current permit in Aberfoyle, Ontario, is for 2,500 litres per minute. Operating under the assumption that their plant is at full capacity, 60 minutes of each hour, 24 hours a day, this would translate into production of 3.6 million litres per day. However, like any manufacturing facility, Nestlé operates far less than 24 hours a day or 60 minutes an hour. Nestlé Waters Canada is currently using about 60% of the approved volume of permitted water to be taken.
- We take less than 3.2% of available permitted water from the Mill Creek sub watershed in Wellington County, well less than 0.0053% of permitted water for taking in the Grand River watershed, and seven-tenths of 1% of available water from the Kawkawa Lake watershed in Hope;<sup>28</sup>
- None of Nestlé Waters Canada's tests have indicated any adverse effect on the levels of Mill Creek. As with tap water, the earth's hydrologic cycle naturally replenishes the water Nestlé Waters Canada bottles.<sup>29</sup>
- In approving Nestlé Waters Canada's permit to draw water in 2011, the Ontario Ministry of Environment (OMOE) stated that "the ongoing monitoring and recent extended pumping test indicates that the water taking is not having an impact on other groundwater uses. The history of this taking also indicates that there has been no interference with either quantity of quality on other groundwater uses."
- The OMOE further stated that, "following a thorough review by the ministry's technical staff of the permit application, supporting reports, environmental monitoring data and the comments and submissions received up to the point of the decision, the director is confident that this taking is sustainable and poses no threat to groundwater uses over the next five years (length of new permit).

**MYTH: The bottled water industry is anti-tap.**

### THE FACTS:

- Bottled water is a complement to tap water. If good quality tap water is available, we believe people should drink it. Bottled water cannot replace tap water. Everyone deserves access to a safe, reliable and affordable supply of drinking water. We see our competition as other bottled beverages, not tap water and, so do consumers. 70% of consumers drink both. They drink tap water at home and bottled water on the go.<sup>30</sup>
- According to Agriculture and Agri-Food Canada: "Bottled water competes with a variety of other cold beverages, including carbonated soft drinks, milk, juices, soya beverages, energy drinks, and sport drinks and to a lesser extent with hot drinks such as coffee, tea and hot chocolate, and low alcohol wine coolers and ciders." <sup>31</sup>

<sup>26</sup> Lifecycle Carbon Footprint Analysis of Bottled water, CIAL Group, Colin F.W. Issacs, August 11, 2008, 14.

<sup>27</sup> PETRA (PET Resin Association,) "LCI SUMMARY FOR PLA AND PET 12-OUNCE WATER BOTTLES", FRANKLIN ASSOCIATES, A DIVISION OF EASTERN RESEARCH GROUP, INC. Prairie Village, Kansas, December 2007.

<sup>28</sup> Grand River Conservation Authority and Nestlé Waters North America.

<sup>29</sup> Nestlé Waters Canada Corporate Affairs Department, FAQ Document, 14 Jan 2009. John B. Sprague, Excerpt from "Eau Canada" by Karen Bakker, page 20 second paragraph.

<sup>30</sup> A Clearer Perspective, Probe Research Inc., May 2008.

<sup>31</sup> Agriculture and Agri-Food Canada, The Canadian Bottled Water Industry. <http://www4.agr.gc.ca/AAFC-AAC/display-afficher.do?id=1171644581795&lang=eng>.





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- Less than 1% of municipal tap water is consumed for hydration purposes. If the bottled water industry ceased operation tomorrow, there would be no appreciable increase in the amount of tap water consumed by Canadians.
- Maintaining Canada's municipal water and sewer infrastructure is vitally important for all consumers, including Nestlé Waters Canada. As users of Canada's municipal water and sewer system (except to source its water), Nestlé Waters Canada and its employees support increased investment in this vital infrastructure by all levels of government so that each and every Canadian citizen has access to a safe and secure supply of tap water.
- About 95% of bottled water sold in Canada is sold in bulk through grocery stores, according to independent market research firm A.C. Nielsen. As a result, the average selling price of 500ml single-use bottled water in Canada is about 17 cents.
- About 64% of Canadians drink bottled water out-of-home.<sup>32</sup> "Away-from-home" generation accounts for about 63% of all PET beverage containers.<sup>33</sup>
- Bottled water is simply not tap water in a bottle. Nestlé Waters Canada uses underground sources on private property. According to a July 2011 AC Nielsen report, 95% of Canadian bottled water comes from spring water sources on private property.

**MYTH: Unlike tap water, bottled water is not produced locally.**

### THE FACTS:

- The non-alcoholic beverage industry proudly employs approximately 11,000 people in Ontario alone who work at local plants, bottling local water. It employs 13,000 across Canada.
- Approximately 98% of the water bottled at Nestlé Waters Canada's Aberfoyle bottling facility is distributed in Ontario and Quebec and stays within the Great Lakes/St. Lawrence water basin.
- About 96% of the bottled water consumed by Canadians is bottled in Canada.<sup>34</sup>

**MYTH: Challenging bottled water will improve the public system and ensure clean drinking water standards for all communities across the country.**

### THE FACTS:

- The inference that money spent on bottled water represents an investment that is not being made in municipal water and sewer infrastructure repair is illogical. Canadians pay local, provincial and federal taxes, partly so that government at all levels will invest in water and sewer infrastructure maintenance. After paying their taxes, Canadians spend what's left on numerous consumer items, including bottled water. They do not spend money on bottled water at the expense of tap water. In fact, a study conducted in October 2006 by A.C. Nielsen indicated that 95% of the movement to bottled water is due to a shift from other beverages, most notably soft drinks, tea and milk.
- The majority of Canadians (70%<sup>35</sup>) drink a combination of bottled and tap water. They drink tap water at home and bottled water out-of-home to support their busy, on-the-go lifestyles.

**MYTH: The bottled water industry doesn't care about the health of Canadians.**

### THE FACTS:

- PET bottles DO NOT contain BPA.<sup>36</sup>
- According to content on the Dietitians of Canada web site, adult Canadians should aim for 9-12 cups of fluid over the day and water is one of the best fluid choices.<sup>37</sup>
- Health Canada recommends Canadians drink water regularly and promotes plain drinking water in the Food Guide as a calorie-free way to respond to thirst.<sup>38</sup>
- In 2007, both Health Canada and the Ontario Ministry of Health identified obesity as the most critical, emerging health issue facing Canadians.<sup>39</sup>

<sup>32</sup> Probe Research, May 2008.

<sup>33</sup> An Overview of Plastic Bottle Recycling in Canada. [http://www.cpia.ca/files/files/files\\_plastic\\_bottle\\_recovery.pdf](http://www.cpia.ca/files/files/files_plastic_bottle_recovery.pdf).

<sup>34</sup> A.C. Nielsen Research, October 2010.

<sup>35</sup> A Clearer Perspective, Probe Research Inc., June 2008.

<sup>36</sup> Government of Canada, Chemical Substances: [http://www.chemicalsubstanceschimiques.gc.ca/challenge-defi/bisphenol-a\\_fs-fr\\_e.html](http://www.chemicalsubstanceschimiques.gc.ca/challenge-defi/bisphenol-a_fs-fr_e.html), Oct. 2008.

<sup>37</sup> Dietitians of Canada, Guidelines for Staying Hydrated: <http://www.dietitians.ca/Nutrition-Resources-A-Z/Factsheets/Miscellaneous/Why-is-water-so-important-for-my-body--Know-when-.aspx>.

<sup>38</sup> Health Canada, Eating Well with Canada's Food Guide: [http://www.hc-sc.gc.ca/fn-an/food-guide-aliment/order-commander/eating\\_well\\_bien\\_manger-eng.php#5](http://www.hc-sc.gc.ca/fn-an/food-guide-aliment/order-commander/eating_well_bien_manger-eng.php#5).



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- “One- quarter of Canadian children are overweight or obese and data shows that over three-quarters of obese children become obese adults.”
- “Among teen boys in the age group 15-19, the proportion classified as overweight or obese rose from 14% to 31% between 1981 and 2009. Among teen girls, it increased from 14% to 25%.
- “At the age of 40-69, the percentage of males and females whose waist circumference placed them at a high risk for health problems more than doubled between 1981 and 2009.”<sup>40</sup>
- “Parents have a tremendous influence on their children’s eating and activity patterns. Over half of Canadian adults are overweight or obese: 36% are overweight, and another 23% are obese, for a total of 59%.”<sup>41</sup>
- On average, students have access to 35% of the water needed for hydration throughout the school day via water fountains [TDSB Report].
- A research study completed by the Toronto District School Board (TDSB) in 2009 indicated that while plastic water bottles comprise 14% of all the plastic bottled beverages sold in TDSB sites, when bottled water was removed from school and administration sites during a test period, of those students who normally purchased bottled water at school, 22% drank nothing at all and those who substituted pop or soft drinks for water outnumbered those who chose milk or juice.<sup>42</sup>
- “In Canada, bottled water is considered to be a food and is regulated under the Food and Drugs Act. Under the Act and its regulations, all bottled water offered for sale in Canada must be safe for people to drink. In addition, the companies that bottle water must comply with quality standards, good manufacturing practices, and labeling requirements.”<sup>43</sup>
- “No matter what source it comes from, all bottled water sold in Canada is inspected and treated during the manufacturing process to ensure that it meets Canada's requirements for safety and quality.”<sup>44</sup>
- More than 60% of Canadians drink bottled water every day – and 75% of them consume it because it is a portable, accessible and healthy choice.<sup>45</sup> According to a May 2008 study by independent Canadian research firm Probe Research Inc., about 70% of Canadians said if bottled water wasn’t available, they’d consume less healthy alternatives. This perspective is also found in a March 2009 Toronto District School Board report and a July 2007 Penn, Schoen & Berland Associates study.

**MYTH: Banning bottled water in public facilities does not violate one’s freedom of choice. We should not have to purchase water that does not go through the same testing as tap water in public places.**

### THE FACTS:

- Limiting consumers’ access to a safe, healthy beverage alternative out-of-home limits their freedom of choice.
- Bottled water is held to the same scrutiny as tap water. According to Health Canada: “Consumers should be aware that bottled water is as safe to consume as tap water from a microbiological quality and chemical safety standpoint.”<sup>46</sup> Bottled water is regulated as a packaged food product by Health Canada and the Canadian Food Inspection Agency through the Food and Drugs Act.
- Nestlé Waters Canada customers have never suffered an illness due to the consumption of its products and its competitors’ customers have never reported illnesses due to their bottled water consumption, according to the Canadian Bottled Water Association.
- According to the Canadian Food Inspection Agency: Quality standards for bottled and municipal waters are similar. Both bottled and municipal waters that meet or exceed their required health and safety standards are considered to be safe. No waterborne disease outbreaks have been associated with drinking bottled water in Canada.<sup>47</sup>

<sup>39</sup> The Honourable Tony Clement, Minister of Health, Government of Canada, February 15, 2007; The Honourable George Smitherman, Minister of Health, Province of Ontario, August 16, 2007.

<sup>40</sup> Canadian Health Measures Survey 2007-2009.

<sup>41</sup> OMA Background Paper and Policy Recommendations: “Treatment of Childhood Overweight and Obesity.”

<sup>42</sup> TORONTO DISTRICT SCHOOL BOARD, IMPACT OF ELIMINATING THE SALE OF BOTTLED WATER AT BOARD SITES, Report No. 02-09-1388Administration, Finance and Accountability Committee, March 4, 2009, PG 36.

<sup>43</sup> Health Canada – It’s Your Health – The safety of Bottled Water (<http://www.hc-sc.gc.ca/hl-vs/iyh-vsv/food-aliment/bottled-embouteillee-eng.php>) published April 2009.

<sup>44</sup> Health Canada – It’s Your Health – The safety of Bottled Water (<http://www.hc-sc.gc.ca/hl-vs/iyh-vsv/food-aliment/bottled-embouteillee-eng.php>) published April 2009.

<sup>45</sup> Independent survey conducted in May 2008 by Probe Research Inc.

<sup>46</sup> Health Canada, Food and Nutrition, Questions and Answers on Bottled Water. [http://www.hc-sc.gc.ca/fn-an/securit/facts-faits/faqs\\_bottle\\_water-eau\\_embouteillee-eng.php](http://www.hc-sc.gc.ca/fn-an/securit/facts-faits/faqs_bottle_water-eau_embouteillee-eng.php).

<sup>47</sup> Canadian Food Inspection Agency, Fact Sheet, Food Safety Facts on Bottled Water. <http://www.inspection.gc.ca/english/fssa/concen/specif/bottwate.shtml>.



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- “The Canadian Food Inspection Agency (CFIA) regularly inspects domestic bottled water manufacturers, and samples and analyzes both domestic and foreign products to ensure that bottled water sold in Canada meets the requirements of Division 12 of the Food and Drug Regulations and is safe for human consumption.”<sup>48</sup>
- In June 2012, the CFIA tested 300 samples and found that 100% of the bottled water samples tested for toxins known as microcystins met Health Canada's standards. None of the samples contained detectable levels of microcystins.<sup>49</sup>
- The Canadian Bottled Water Association holds all its members to very high product standards that exceed those of the federal and provincial governments. For example, Nestlé Waters Canada quality assurance staff test its products at least 1,700 times each day at its Aberfoyle plant, and meet or exceed all requirements of Health Canada and other governing bodies.
- Testing is also conducted via surprise inspections by the Canadian Food Inspection Agency, Health Canada, the Canadian Bottled Water Association and National Sanitation Foundation (NSF) International, an independent and highly-regarded public health and food safety inspection agency. NSF is a World Health Organization Collaborating Centre for Food and Water Safety and Indoor Environment.
- Nestlé Waters Canada subjects its finished products and source water to microbiological analysis every day that exceeds the microbiological requirements outlined in the Safe Drinking Water Act, an Ontario statute.
- Nestlé Waters Canada consistently meets or exceeds requirements for water quality, good manufacturing processes and clear, consistent labeling.

125 local governments have formally rejected calls for a ban on the sale of bottled water in their facilities while 29 municipalities, five school boards and 13 colleges and universities have formally approved bans. Twenty local jurisdictions are currently weighing their options. Most municipalities and school boards across Canada have rightly determined that there are more important matters to consider, like properly maintaining their water and sewer infrastructure and making a meaningful and lasting impact on the efficient and conservative use of water.<sup>50</sup>

**There are a number of initiatives Canadians can focus on to help preserve, protect and strengthen our water systems that are more effective than targeting bottled water. They include calling on Government to:**

- Make water and sewer infrastructure development and maintenance a priority;
- Make all residential, commercial and industrial water takers pay their fair share of the real cost of water consumption;
- Address the inefficient use of water by municipalities, agriculture and industries;
- Require treatment of wastewater before it is returned to rivers, lakes and oceans;
- Invest in related public education and communications about water conservation and protection.

**For more information, please visit: [www.nestle-waters.ca](http://www.nestle-waters.ca)**

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<sup>48</sup> Health Canada, Food and Nutrition, Questions and Answers on Bottled Water. [http://www.hc-sc.gc.ca/fn-an/securit/facts-faits/faqs\\_bottle\\_water-eau\\_embouteillee-eng.php](http://www.hc-sc.gc.ca/fn-an/securit/facts-faits/faqs_bottle_water-eau_embouteillee-eng.php).

<sup>49</sup> Canadian Food Inspection Agency, Testing Bottled Water for Canadians. <http://www.inspection.gc.ca/english/fssa/microchem/resid/2010-2011/micocyste.shtml>.

<sup>50</sup> Corporate Affairs Department, Nestlé Waters Canada.







## **Bottled Water: An excellent hydration choice**

[www.canadianbeverage.ca](http://www.canadianbeverage.ca)



## Canadian Beverage Association

*The Canadian Beverage Association and its members are proud to provide Canadians with a wide variety of beverages including bottled waters, juices, iced teas, sport drinks and soft drinks.*

*We believe that choice, variety and balance in everything we eat and drink are the cornerstones of a balanced diet.*

### Fast Fact

Our members' products are tested at the beginning and end of each production run as well as hourly during production to ensure the product exceeds all requirements.



## Water and You

### Staying hydrated is an important part of a balanced diet!

The human body is approximately 60% water and water is an essential nutrient that the body cannot produce.<sup>1</sup> Canadians have access to an abundance of hydration choices including tap water; plain, flavoured or sparkling bottled water; juices; fruit drinks; tea; coffee; milk; soft drinks and many more. For many Canadians, bottled water is a hydration option especially when on the go because its convenience and portability facilitates consumption.

Your fluid requirements depend on your age, activity level and your body's needs. All types of fluids count toward getting your daily requirements including water obtained from food. The Dietitians of Canada recommend the following:<sup>2</sup>

Age	Fluid in litres (or cups)*
Child 1-8 years	1.3 - 1.7 L (6 c)
Boys, 9-18 years	2.4 - 3.3 L (10-13 c)
Girls, 9-18 years	2.1 - 2.3 L (8-9 c)
Adult males	3.7 L (15 c)
Adult females	2.7 L (11 c)
During pregnancy	3 L (12 c)
While breast feeding	3.8 L (15 c)

## Types of bottled water

**Spring Water** – the most common type of bottled water. It must come from an underground drinkable source, usually an aquifer, and cannot be treated in anyway.

**Mineral water** – similar to spring water, as it comes from an underground source but contains a high amount of naturally occurring dissolved mineral salts. Mineral water may or may not be carbonated.

**De-mineralized or re-mineralized water** – comes from any source that has been treated to make the water drinkable and to remove minerals and other impurities. During the bottling process, advanced multi-stage reverse osmosis filtration systems are often used to remove any additional impurities.

In Canada, approximately 94% of the bottled water sold is spring water with the balance being mineral or de-mineralized.

## Water Usage

When considering bottled water as a beverage choice, it is important to understand the facts about bottled water in Canada – the usage, production, packaging, quality, testing and regulations.

## Regulations for Safety and Quality

Like all foods and beverages sold in Canada, bottled water safety and quality is regulated by Health Canada under the Food and Drugs Act and Regulations. Production facilities are subject to inspection by the Canadian Food Inspection Agency, and Health Canada and the Canadian Food Inspection Agency both apply the *Guidelines for Canadian Drinking Water Quality* in their monitoring of bottled water.

In addition, our members' production facilities have stringent internal quality measures to ensure their products meet consumer expectations in terms of quality, safety and taste.

1. <http://www.dietitians.ca/Your-Health/Nutrition-A-Z/Water.aspx?categoryID=58>

2. [http://www.dietitians.ca/Nutrition-Resources-A-Z/Fact-Sheet-Pages\(HTML\)/Miscellaneous/Why-is-water-so-important-for-my-body---Know-when-.aspx](http://www.dietitians.ca/Nutrition-Resources-A-Z/Fact-Sheet-Pages(HTML)/Miscellaneous/Why-is-water-so-important-for-my-body---Know-when-.aspx)

## Setting the Record Straight

The Canadian bottled water industry works to manage water resources in a responsible way. According to Environment Canada, our entire industry uses just 2/100<sup>th</sup> of 1% of all annual water withdrawals in Canada. This amounts to approximately 50 litres per person per year or 1.6 billion litres annually.<sup>6</sup>

To put that in context, the average Canadian consumer uses over 125,000 litres of water per year, meaning that per capita bottled water consumption represents 0.04% of a person's yearly water use.<sup>6</sup>

By comparison, one of Canada's largest municipalities annually loses 54 billion litres of fresh water or 14% of its total annual supply because of leaky infrastructure. This water loss represents 30 times the amount of bottled water consumed annually by all Canadians. Environment Canada estimates nationally that up to 30% of the total water entering municipal supply-lines systems is lost to leaking pipes.<sup>6</sup>

Our members are continually investing in new science and technology to improve water quality, production efficiencies and water conservation practices.

### Fast Fact

Per capita annual consumption of bottled water equals one 3-minute shower using a standard shower head.<sup>6</sup>



## Our Packaging, Our Bottles

Our single serve bottles for water are made of a plastic called Polyethylene Terephthalate or PET. PET is used to make a variety of other products including fibre for carpeting and upholstery, and polyester for clothing.

PET is 100% recyclable. PET bottles are one of the most recycled forms of consumer packaging in Canada and, when compared to other beverage packaging choices, has the lowest environmental footprint. When recycled, a PET bottle preserves 86% of the energy used to create it.<sup>7</sup>

In Canada, PET beverage bottles are recycled at very high rates in programs that are run and funded by the beverage sector. The average recycling rate is over 70%, with some jurisdictions such as Alberta, British Columbia and Saskatchewan having rates of approximately 80%.<sup>8</sup> Through new innovations, the beverage sector is working to improve its already successful environmental track record.

### Fast Fact

According to Plastics Recycling Update, the EU rate for recycling PET is approximately 48% while in Canada the rate for PET is approximately 70% and higher for beverage containers.



## Did you know?

The human body is approximately 60% water.<sup>1</sup>

The average adult needs to consume between 2.7 and 3.7 litres of 'total water' per day.<sup>2</sup>

About 80% of our total water intake needs are met through the beverages we drink and the remainder comes from the foods we eat.<sup>3</sup>

## How much water does it take?

It takes 1.3 litres of water to make 1 litre of spring water, and approximately 1.8 litres to make 1 litre of de-mineralized or re-mineralized water. These amounts include the 1 litre of water that ends up inside the bottle.<sup>4</sup>

### Fast Facts<sup>4,5</sup>

#### Did you know that we need:

- 1.3 litres for 1 litre of spring water
- 35 litres of water for a cup of tea
- 75 litres of water for a glass of beer
- 120 litres of water for a glass of wine
- 140 litres of water for a cup of coffee

## The 3 R's

### Reduce:

The PET bottles used for bottled water are as much as 60% lighter than those used just a few years ago thereby reducing raw materials.<sup>9</sup>

Some of our members are using recycled PET and renewable plant based materials in their PET.

Reduced weight and renewable materials reduce the environmental impact of bottled water.

### Re-use:

Many of our members use recycled PET in their bottles, some even offer a 100% recycled-PET bottle.

Recycled PET that is not used for beverage packaging is re-used to produce new packaging for other consumer goods or for polyester fibre to be used in the production of new clothes, carpets and other goods.

### Recycle:

Our members have been actively involved in the development and implementation of the majority of recycling initiatives across the country.

Canada has an impressive recycling rate for rigid plastics and beverage containers.

Our members continue to support education and public awareness campaigns, and expanded recycling infrastructure in the away-from-home-market.

3. Food and Nutrition Board, Institute of Medicine of the National Academies. (2004). *Dietary Reference Intakes for Water, Potassium, Sodium, Chloride, and Sulfate*. Washington: National Academies Press. <http://non.nap.edu/books/0309091691/html/457.html>

4. Agriculture & Agri-food Canada. "The Canadian Bottled Water Industry." 25 Mar. 2009. <<http://www4.agr.gc.ca/AAFC-AAC/display-afficher.do?id=1171644581795&lang=eng>>.

5. <http://www.ifad.org/english/water/key.htm>

6. Environment Canada <http://www.ec.gc.ca/eau-water/default.asp?lang=En&n=F25C70EC-1>

7. All energy data based and percentages represent life-cycle energy savings of producing materials using recycled inputs compared with virgin inputs as a percentage of energy requirements using virgin inputs. US EPA, *Solid Waste Management and Greenhouse Gases* (2002).

8. [http://www.sarcan.ca/sarcan/environmental\\_impact.php](http://www.sarcan.ca/sarcan/environmental_impact.php), <http://www.return-it.ca/ar2010/index.html>, [http://www.abccrc.com/ar\\_2010/](http://www.abccrc.com/ar_2010/)

9. Nestle eco-bottle 9.16 grams



# Myths and Facts

**Myth:** *Plastic water bottles just end up in landfills.*

**Fact:** Bottled water bottles are 100% recyclable and are recycled at high rates across the country. Total PET non-alcoholic beverage containers account for less than 0.5% of all waste produced in Canada. The beverage industry's containers are the most recycled consumer product packaging in Canada. Furthermore, recycling programs and infrastructure are supported by the industry and its products in every jurisdiction in Canada.

In Canada, PET beverage bottles are recycled at very high rates in programs that are run and funded by the beverage sector. The average recycling rate is over 70% , with some jurisdictions such as Alberta, British Columbia and Saskatchewan having rates of approximately 80%. Through new innovations, the beverage sector is working to improve its already successful environmental track record.

**Myth:** *Single use PET plastic water bottles contain BPA or other chemicals that leach into the product.*

**Fact:** The single use plastic containers that are used by the beverage industry, including those used for bottled water, are made from PET plastic. There is no bisphenol-A in PET plastic water bottles because no bisphenol-A is used to manufacture PET plastic. All food and beverage grade packaging used in Canada must be approved by Health Canada, including PET plastic. Health Canada has reviewed the use of PET plastic and determined that it is safe to use.

**Myth:** *Bottled water competes with municipal water systems.*

**Fact:** Bottled water does not compete with tap water. Bottled water competes with other bottled beverages. According to Probe Research, 70% of Canadians drink tap water at home and bottled water away from home.

Tap water serves a variety of purposes in the typical Canadian household including drinking, personal hygiene, clothes and dish washing, cooking, cleaning and irrigation. Bottled water provides portability and convenience. We support a consumer's right to choose the beverage that meets their needs and preferences, whether that is tap or bottled water or a combination of both.

Furthermore, water is the primary ingredient for many of the other beverages produced by the Canadian beverage industry. Therefore strong municipal water systems are as important to the Canadian beverage industry as they are to all citizens.

**Myth:** *Municipal water is safer than bottled water.*

**Fact:** By law, Health Canada regulations for bottled water must be as strong and protective of public health as provincial regulations for tap water. Bottled water is regulated as a food product by Health Canada through the Food and Drugs Act.

Bottled water is regulated by Health Canada and the beverage industry's facilities are inspected by the Canadian Food Inspection Agency. Members test water for quality and safety before production, each hour during production and at the end of production.

The bottled water produced by the Canadian Beverage Association members meets or exceeds all Canadian requirements.



20 Bay Street, 1100  
Toronto, Ontario M5J 2N8  
416-362-2424  
[www.canadianbeverage.ca](http://www.canadianbeverage.ca)



July 13, 2012

Mayor Karen Farbridge  
Office of the Mayor  
City Hall  
1 Carden Street  
Guelph, Ontario N1H 3A1

Telephone: (519) 837-5643  
Fax: (519) 822-8277  
Email: [mayor@guelph.ca](mailto:mayor@guelph.ca)

Dear Mayor Farbridge:

The reason for this letter is to clarify much of the confusion and misinformation that exists about bottled water and to offer the Canadian Bottled Water Association (CBWA) as a resource to provide you with factually based information. All statements contained within this document can be verified by independent, arms length third parties.

Recently, it has come to our attention that the City of Guelph is considering a proposal to ban the sale of bottled water from all municipal buildings and facilities. One of the reasons often cited is that municipal tap water, which is safe and clean, is available so bottled water alternative is not necessary.

This argument might have some merit if consumers were buying bottled water as an alternative to tap water. However, according to a study conducted in May of 2006 by Probe Research Inc., 70% of adults who purchase bottled water do so as an alternative to buying other packaged beverages, not as an alternative to tap water. As well, CBWA members bottle spring (ground) water, which represents over 85% of bottled water sold. As a regulated food product, natural spring water cannot be modified from its natural state (cannot modify compounds, mineral content or add chemicals).

Some contend that too many plastic bottles end up in landfill. Policy makers should be reminded that water is not the only beverage product available in plastic bottles, in fact, a variety of beverages are available in this type of container. Plastic beverage containers, including bottled water packaging, account for 1/5 of 1 percent of the waste in the waste stream.

This is further supported upon examination of recycling rates. According to provincial authorities such as Encorp Pacific, Alberta Beverage Container Recycling Corporation, Stewardship Ontario, Eco Enterprises Quebec, and Encorp Atlantic, national recycling rates for plastic beverage containers in 2011 was 70%. In fact, PET plastic trails only newspapers and aluminum in its value to recycling programs.

Polycarbonate and PET plastic bottles are 100% recyclable. The larger bottles, for use with water coolers, are typically reusable 40 to 60 times before the need to be recycled. For more than 20 years, the bottled water industry has had in place its own industry run recycling program to ensure all large polycarbonate water bottles are properly recycled, ensuring they do not go to Canadian landfills. Once recycled, these plastics are used to make everything from playground equipment, cell phones, clothing, to automobile parts.





In the bottled water sector, the incentive is to reduce the amount of plastic used in bottles, use biodegradable materials, or use recycled plastics. Over the last decade, the industry trend has been to develop and use bottles that are thinner and lighter, using less plastic – the weight of the typical water bottle is about half that of other packaged beverages. In recent years, more bottlers are using recycled plastic by blending recycled PET (rPET) with virgin PET. The use of rPET in water bottles can be as much as 100% recycled content. All packaging used by the bottled water industry must be approved by Health Canada under Canada's Food and Drug Regulations.

The bottled water industry is certainly doing its part to reduce its impact on the environment. The CBWA and its partners have been working with local governments to assist in public spaces recycling programs and to increase ALL consumer packaging recycling in order to decrease landfill, as well as litter.

One must also question why bottled water is being singled out, given the fact that water is the healthiest beverage option available. If bottled water were the only beverage to be sold in plastic bottles, that choice would be obvious. However, at a time when health providers and policy makers are struggling with sharply increased rates of diabetes and obesity, to ban the sale of calorie-free, sugar-free, and fat-free water, while continuing to allow the sale of other beverages sold in plastic bottles that cannot make these statements, is odd public policy indeed.

Some of the bottled water industry's critics allege that bottled water is not regulated. In fact, bottled water is regulated as a food by Health Canada. Water bottling companies are inspected by the Canadian Food Inspection Agency. Permits to take water must be applied for and obtained from provincial environment ministries. Bottling companies continuously test their product to ensure its quality, and CBWA members must adhere to the Association's stringent Bottled Water Model Code, Bottled Water Food Safety Practices, Certified Plant Operator Program and Third Party Plant Audit requirements, as a condition of membership.

Others contend that the industry is privatizing water, or taking undue amounts of water resources, to the detriment of others. In fact, permit data from provincial environment ministries shows, and confirmed by Environment Canada, that the bottled water industry in fact takes less than 0.02% of fresh water available for taking in Canada.

Finally, there is the issue of cost. Comparisons have been made between the costs of bottled water to the consumer versus the cost of tap water. Obviously, tap water is the cheaper of the two (approximately 1% of tap is used for human consumption). Independent market research firm A.C. Neilson has identified bottled water as costing 34 cents per litre (2010), or about 17 cents per 500 ml bottle, while municipalities correctly point out that tap water is available for a fraction of a penny per litre. Why, they ask, does anyone buy bottled water?

As stated above, consumers do not view bottled water as an alternative to tap water but rather as an alternative to other packaged beverages. Like other beverages, bottled water will always be cheaper when purchased by the case (i.e. 24 units) as opposed to purchasing one individual serving from a convenience store or vending machine.



While the decision to ban bottled water from municipal facilities, community centres and skating rinks is largely symbolic, there are some concrete and positive steps that policy makers can take in order to make a real difference. Firstly, increase the number of recycling receptacles and containers in public spaces. History has demonstrated that the public will participate in recycling programs when they are available. A few excellent examples of successful public space recycling are in the cities of Sarnia, Niagara Falls and Halifax, and in the Province of Quebec where results have shown recycling rates of +75% for out of home recycling. Implementing public space recycling will yield similar positive results, allow your citizens choice of which beverages or municipal tap water to consume, and increase recycling rates, not just for plastic water bottles, but for all consumer packaging used outside of the home.

Secondly, conduct enhanced public education campaigns about litter, whether that litter consists of a plastic bottle or a paper cup, so that littering becomes socially unacceptable.

CBWA and its members encourage the placement of public water fountains for those who choose to drink tap water when away from home. What we have issue with is, why would a person not be given the same freedom to consume bottled water? When someone prefers to drink bottled water, why would this healthy beverage choice be taken away?

Finally, the CBWA encourages municipalities to not only maintain their current high standards for tap water, but also to instill greater public confidence in their water infrastructure. Canadians should feel confident about their public services.

The CBWA would be interested in meeting with you in the near future to discuss in more detail the points briefly outlined in this letter, and other important matters regarding the bottled water industry. Please feel free to have your staff contact me direct through my office at (905) 886-6928 to discuss the bottled water industry further. We look forward to providing you with details on the bottled water industry and understanding the needs of the City of Guelph.

Sincerely,

A handwritten signature in cursive script, reading "Elizabeth Griswold".

Elizabeth Griswold  
Executive Director  
Telephone: 905.886.6928  
Email: [griswold@cbwa.ca](mailto:griswold@cbwa.ca)  
Website: [www.cbwa.ca](http://www.cbwa.ca)

# COMMITTEE REPORT



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

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

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

REPORT NUMBER

## SUMMARY

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

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

## RECOMMENDATION

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

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

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## BACKGROUND

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

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

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

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

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

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

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

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

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

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

## REPORT

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

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

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

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

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

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

## **CORPORATE STRATEGIC PLAN**

Government & Community Involvement

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

## **FINANCIAL IMPLICATIONS**

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

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## **DEPARTMENTAL CONSULTATION**

Approval from Legal Services.

## **COMMUNICATIONS**

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

## **ATTACHMENTS**

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

### **Prepared By:**

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

"original signed by Bruce Poole"

---

### **Recommended By:**

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

### **Reviewed By:**

Paul Moore  
Manager, Permit and Zoning Services  
519-837-5615 ext.2373  
paul.moore@guelph.ca

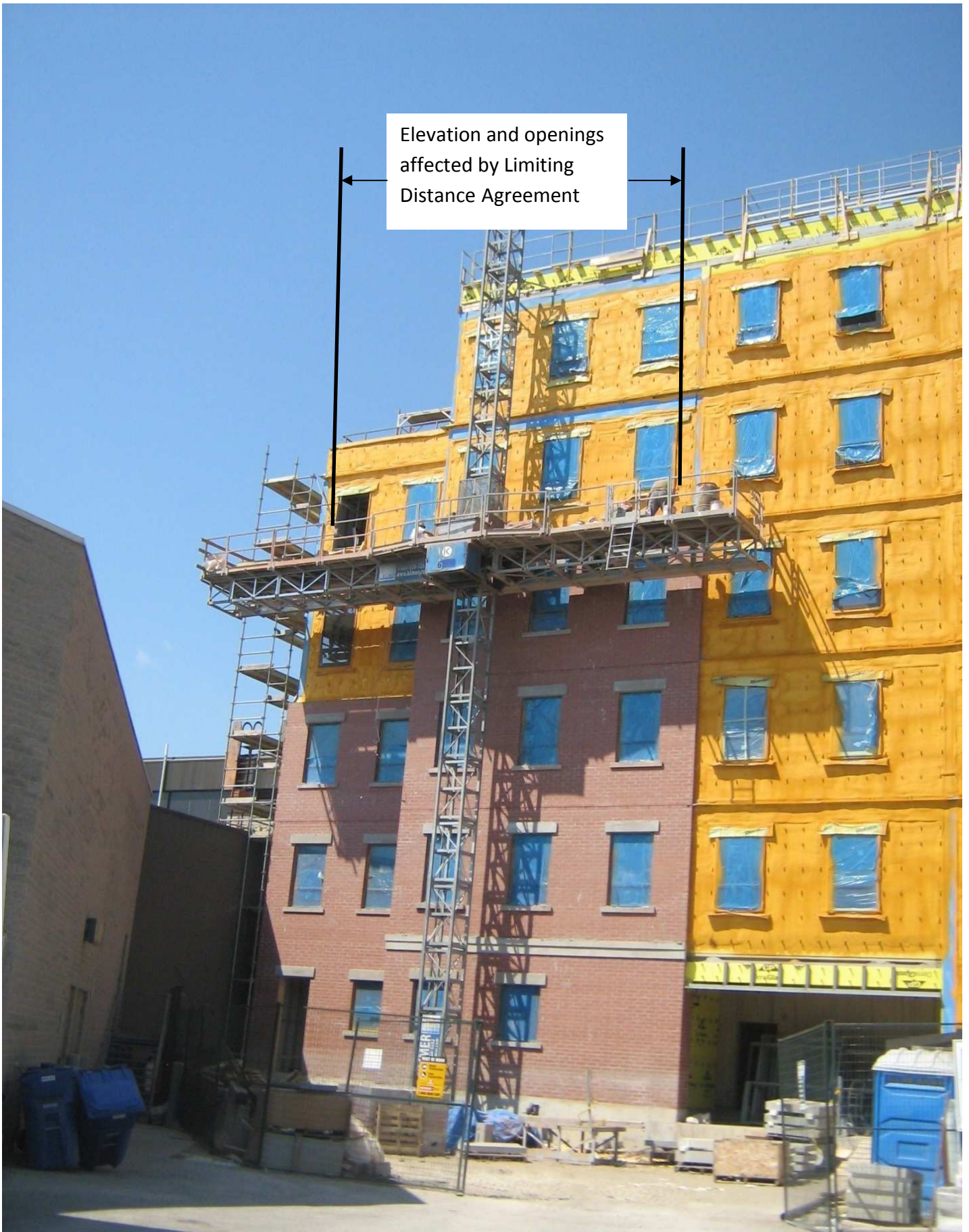
"original signed by Janet Laird"

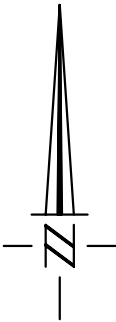
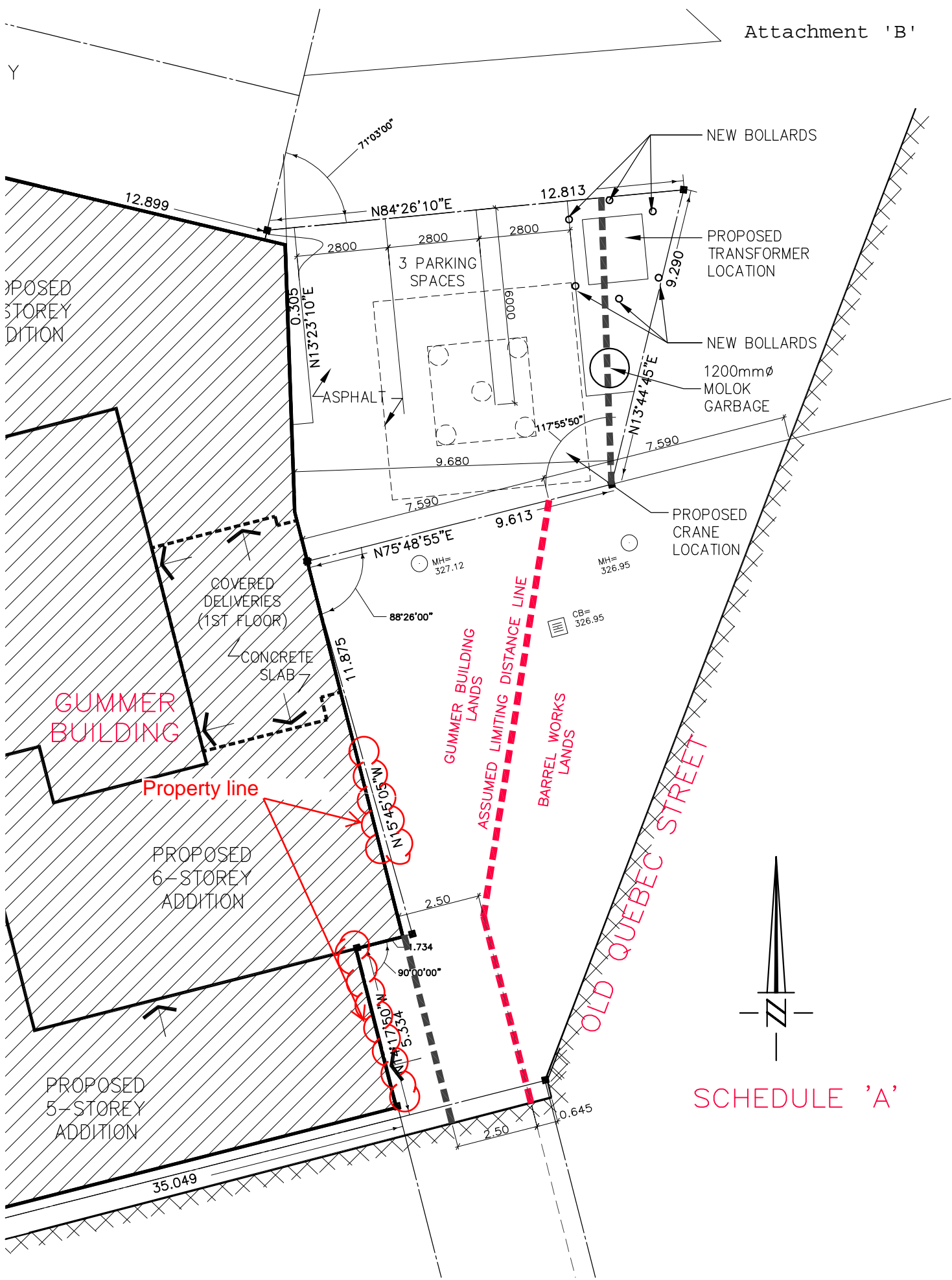
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### **Recommended By:**

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







SCHEDULE 'A'



**LIMITING DISTANCE AGREEMENT**

THIS AGREEMENT made this 11<sup>th</sup> day of May, 2012,

A M O N G:

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

OF THE FIRST PART

- and -

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

OF THE SECOND PART

- and -

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

OF THE THIRD PART.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**1. LIMITING DISTANCE**

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

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

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

## **2. REGISTERED ON TITLE**

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

## **3. PARTIES TO COMPLY WITH CONDITIONS IMPOSED BY CITY**

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

## **4. NOTICES**

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

to Skyline as follows:

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

Attention: R. Jason Ashdown, Vice-President

Fax: 519-836-2320

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

to Barrel Works as follows:

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

Attention: Tom Lammer, President

Fax: 519-763-2041

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



and to the City as follows:

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

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

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

**5. WARRANTIES**

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

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

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

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

**6. BINDING ON SUCCESSORS**

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

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

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

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

**SKYLINE REAL ESTATE HOLDINGS INC.**

per: \_\_\_\_\_

R. Jason Ashdown, Vice-President

I have authority to bind the corporation.

**BARREL WORKS GUELPH LTD.**

per: \_\_\_\_\_

Tom Lammer, President

I have authority to bind the corporation.

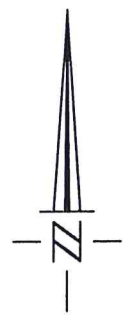
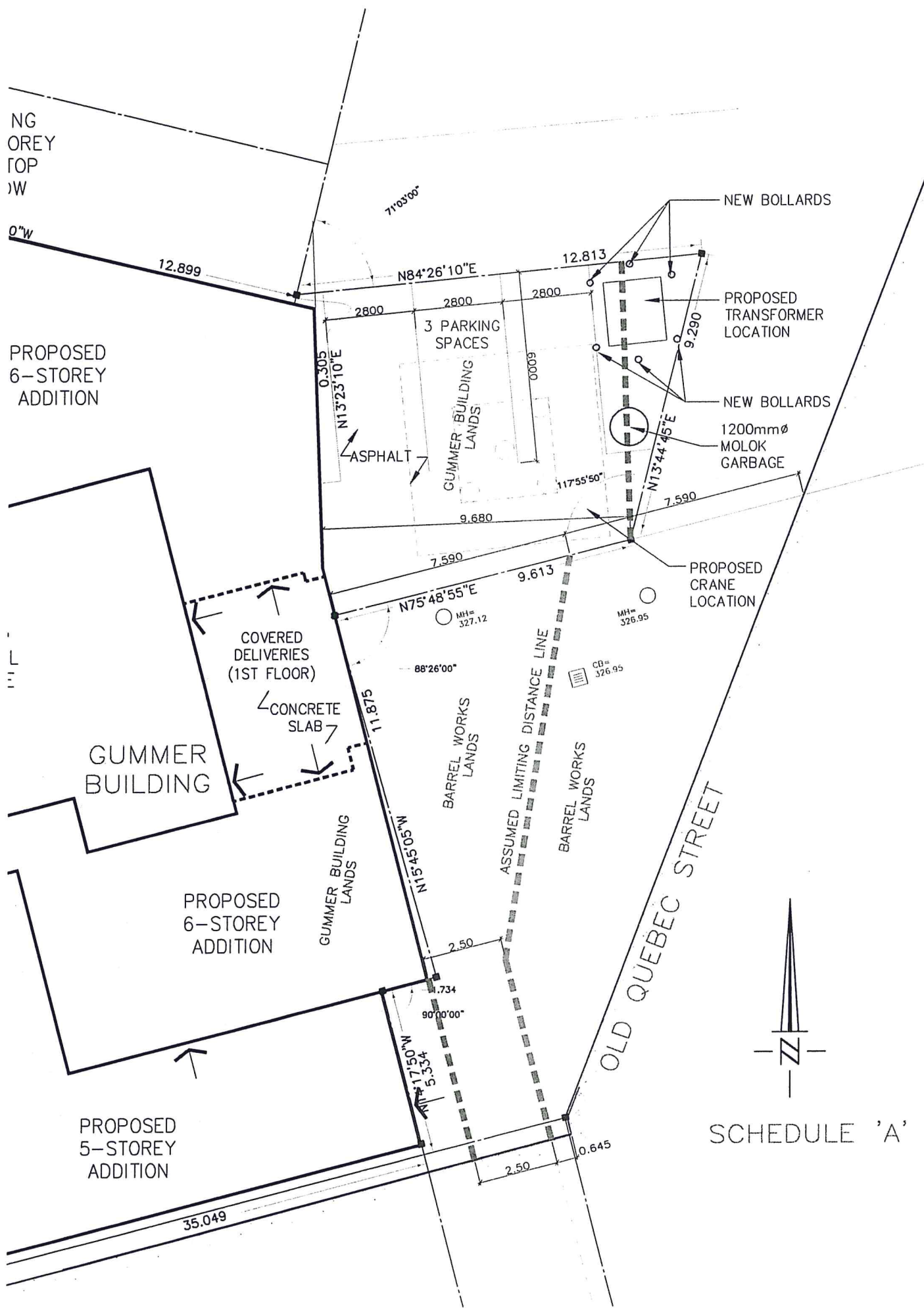
**THE CORPORATION OF THE CITY OF  
GUELPH**

per: \_\_\_\_\_

Karen Farbridge, Mayor

per: \_\_\_\_\_

Blair Labelle, City Clerk



SCHEDULE 'A'



SOUTHERN ONTARIO WATER CONSORTIUM

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LE CONSORTIUM POUR L'EAU  
DU SUD DE L'ONTARIO

SOWC: A platform for water  
innovation in southern Ontario



## Guelph as a Global Leader:

SOWC is building a platform for integrated research, development and demonstration in water and wastewater, and to support economic opportunity.



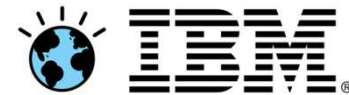
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## Platform Components

- Drinking water
- Wastewater
- Sensors
- Analytical Techniques
- Watersheds
- Ecotoxicology



Integrated Data  
Management









## Platform Facilities – Wastewater

- Guelph Wastewater Platform (UG)
  - Access to various process streams for testing
  - Lab sample preparation & Ecotox facility
  - Flows up to 300 m<sup>3</sup>/d
- London Wastewater Platform (UWO)
  - Compliance testing and demonstration
  - Flows 1000 m<sup>3</sup>/d up to full municipal scale



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**Committed investment in the facility at WWTP:**

FedDev \$118,922 (Pilot Plant Equipment)

MEDI \$1,213, 186 (Pilot Plant Construction)

**Total committed investment in wastewater capacity in Guelph:**

FedDev \$600,240

MEDI \$2,151,141

**Total committed investment in Guelph (across all areas):**

FedDev \$1,032,902

MEDI \$3,410,866

**In-kind total required \$1,072,140**

U of G cash contribution (entire project) \$35,001

# COMMITTEE REPORT



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

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

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

REPORT NUMBER

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## SUMMARY

### **Purpose of Report:**

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

### **Committee Action:**

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

## RECOMMENDATION

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

## BACKGROUND

### **Previous Council Approval**

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

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

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## Water Opportunities Act

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

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

## Southern Ontario Water Consortium (SOWC)

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

## SOWC Platform Supporters

The \$53 million SOWC Platform is supported by:

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

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

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

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## **SOWC Platform Facilities**

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

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

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

## **Expected Benefits of the SOWC Platform**

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

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

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

## **REPORT**

### **Proposed SOWC Platform Facility in Guelph**

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

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

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

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

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

### **Proposed City Contributions for the Guelph Facility**

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

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

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

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

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

### **Proposed Lease Agreement**

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

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

### **Conclusions**

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

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

### **CORPORATE STRATEGIC PLAN**

This initiative supports the following Strategic Directions:

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



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## **FINANCIAL IMPLICATIONS**

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

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

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

## **DEPARTMENTAL CONSULTATION**

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

## **ATTACHMENTS**

Attachment 1 – Proposed Wastewater Pilot Facility (Draft)

Attachment 2 – Proposed Facility Location

Attachment 3 - Proposed City Contributions

“original signed by Jim Stokes”

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### **Prepared By:**

Jim Stokes  
Manager of Realty Services  
519-822-1260, ext. 2279  
jim.stokes@guelph.ca

“original signed by Kiran Suresh”

---

### **Reviewed By:**

Kiran Suresh  
General Manager  
Wastewater Services  
519-822-1260, ext. 2960  
kiran.suresh@guelph.ca

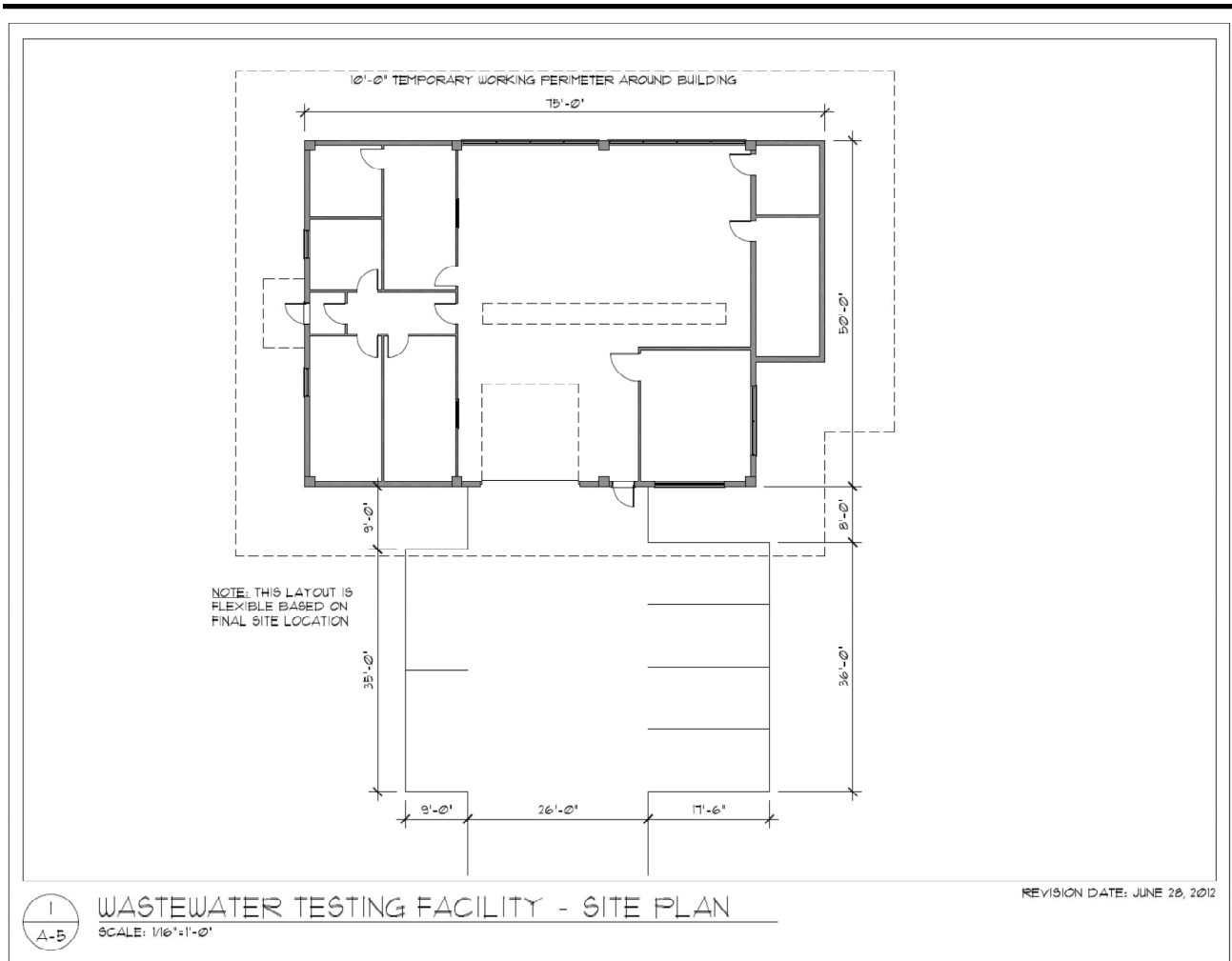
“original signed by Janet Laird”

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### **Recommended By:**

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

## Attachment 1 – Proposed Wastewater Pilot Facility (Draft)



## Attachment 2 - Proposed Facility Location



### Attachment 3 – Proposed City Contributions

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

## CONSENT AGENDA

July 23, 2012

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**

<b>REPORT</b>	<b>DIRECTION</b>
A-1) <b>2013 BUDGET GUIDELINE</b>  Report will be distributed under separate cover.	Receive
A-2) <b>WILLOWDALE DAYCARE LEASE AT 58 DAWSON ROAD</b>  THAT the Mayor and Clerk be authorized to execute a Lease Amending Agreement between the City and The Anna Marie Oliver School of Dancing Ltd.	Approve

attach.

# COUNCIL REPORT



TO **Guelph City Council**

SERVICE AREA Corporate and Human Resources  
DATE July 23, 2012

**SUBJECT Willowdale Daycare Lease at 58 Dawson Road**  
REPORT NUMBER CHR-2012-44

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## SUMMARY

### **Purpose of Report:**

Seeking approval of a Lease Amending Agreement to effect the early termination of the lease at 58 Dawson Road and resolution of outstanding costs.

### **Council Action:**

To consider recommending approval of a proposed Lease Amending Agreement.

## RECOMMENDATION

THAT the Mayor and Clerk be authorized to execute a Lease Amending Agreement between the City and The Anna Marie Oliver School of Dancing Ltd.

## BACKGROUND

In December 2011, it was necessary to relocate the Willowdale Daycare from 95 Willow Road to premises at 58 Dawson Road. The City entered into a Lease Agreement with The Anna Marie Oliver School of Dancing Ltd. for a five year term commencing January 1, 2012 and expiring on December 31, 2016. The lease has a provision for early termination any time after December 31, 2012, subject to the provision of four months written notice.

## REPORT

City and County staff have been working together to re-establish the Daycare operation at 95 Willow Road. All renovations and cleanup are expected to be complete in the Fall of 2012. As such, it will no longer be necessary to continue leasing premises at 58 Dawson Road.

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Staff have negotiated a Lease Amending Agreement to effect the termination of the lease as of December 31, 2012 and to resolve outstanding financial matters (the subject of a Closed Session report of the same name).

Staff are recommending approval of the proposed Lease Amending Agreement.

## **CORPORATE STRATEGIC PLAN**

This initiative supports the following Strategic Directions:

- 2.2 Deliver Public Service better.
- 2.3 Ensure accountability, transparency and engagement.
- 3.1 Ensure a well designed, safe, inclusive, appealing and sustainable City.
- 3.3 Strengthen citizen and stakeholder engagement and communications.

## **FINANCIAL IMPLICATIONS**

The following table provides a breakdown of costs to date associated with this issue:

<b>Item</b>	<b>Amount</b>	<b>Funding Source</b>
Costs to relocate from 95 Willow Road to 58 Dawson Road	\$63,764	Willowdale Daycare Operating Budget and Social Services Budget
Leasehold Improvements at 58 Dawson Road	\$15,000	707-0206 – Corporate Building
Inspection/Containment/Remediation at 95 Willow Road	\$285,000	GG0224 – Corporate Building
Costs to relocate from 58 Dawson Road back to 95 Willow Road	Estimates currently being developed	To be determined

## **DEPARTMENTAL CONSULTATION**

Community and Social Services staff have been involved in the preparation of this report.

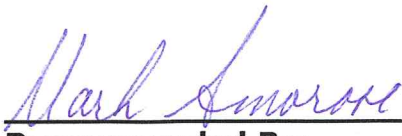
## **COMMUNICATIONS**

City staff have confirmed that a comprehensive communications effort will be undertaken by the County of Wellington in regard to the re-establishment of the Willow Daycare at 95 Willow Road.

**Prepared By:**  
**Jim Stokes**  
**Manager of Realty Services**  
**519-822-1260 Ext. 2279**  
**jim.stokes@guelph.ca**

**Reviewed By:**  
**Donna Jaques**  
**General Manager of Legal and**  
**Realty Services / City Solicitor**  
**519-822-1260 Ext. 2288**

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**Recommended By:**  
**Mark Amorosi**  
**Executive Director of**  
**Corporate and Human Resources**  
**519-822-1260 Ext. 2281**  
**mark.amorosi@guelph.ca**



Please recycle!

- **BYLAWS** -

- <b>July 23, 2012</b> -	
By-law Number (2012)-19433 A by-law to designate a Community Improvement Project Area within the City of Guelph for purposes of Brownfield Redevelopment.	To designate a Community Improvement Project Area.
By-law Number (2012)-19434 A by-law to amend By-law Number (2002) – 17017 (to amend No Parking in Schedule XV), and adopt Municipal Code Amendment #472, amending Chapter 301 of the Corporation of the City of Guelph's Municipal Code.	To amend the Traffic By-law.
By-law Number (2012)-19435 A by-law to authorize the execution of an Agreement between J.G. Goetz Construction Limited of Guelph and The Corporation of the City of Guelph. (Cityview Heights Phase 2 Subdivision, Contract No. 2-1217)	To execute an agreement for Cityview Heights Phase 2 Subdivision.
By-law Number (2012)-19436 A by-law to provide for the temporary closure of Oakes Crescent within the Cityview Heights Phase 2 Subdivision during servicing and road construction. (Contract 2-1217)	To provide for the temporary road closure of Oakes Crescent.
By-law Number (2012)-19437 A by-law to authorize the execution of an Agreement between Terracon Underground Ltd. and The Corporation of the City of Guelph. (Grangehill Phase 7 Subdivision, Contract No. 2-1218)	To execute an agreement for Grangehill Phase 7 Subdivision.
By-law Number (2012)-19438 A by-law to provide for the temporary closure of Starwood Drive, Summit Ridge Drive and Jeffrey Drive within the Grangehill Phase 7 Subdivision during servicing and road construction. (Contract 2-1218)	To provide for the temporary road closure of Starwood Drive, Summit Ridge Drive and Jeffrey Drive.

By-law Number (2012)-19439

A by-law to authorize the execution of an Agreement between Maloney and Pepping Construction Ltd. and The Corporation of the City of Guelph. (Speedvale Bridge Rehabilitation, Contract No. 2-1210)

To execute an agreement for Speedvale Bridge Rehabilitation.