CITY COUNCIL AGENDA



DATE July 27, 2009

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

CONFIRMATION OF MINUTES (Councillor Piper)

"THAT the minutes of the Council Meetings held June 9, 22 and July 6, 2009 and the minutes of the Council meetings held in Committee of the Whole on June 22 and 29, 2009 be confirmed as recorded and without being read."

CONSENT REPORTS – ITEMS TO BE EXTRACTED

Reports from: Audit Committee

Community Development & Environmental Services Emergency Services, Community Services & Operations Finance, Administration & Corporate Services Governance Council as Committee of the Whole Council Consent

- a) Audit Committee (Councillor Wettstein, Chair presentation of summary of recommendations)
 "THAT the balance of the First Consent Report of the Audit Committee be received and adopted."
- b) Community Development and Environmental Services Committee

 (Councillor Piper, Acting Chair presentation of summary of recommendations)
 "THAT the balance of the Fifth Consent Report of the Community Development and Environmental Services Committee be received and

adopted."

 c) Emergency Services, Community Services and Operations Committee (Councillor Hofland, Chair – presentation of summary of recommendations)

"THAT the balance of the Sixth Consent Report of the Emergency Services, *Community Services & Operations Committee be received* and adopted."

- d) Finance, Administration and Corporate Services Committee

 (Councillor Beard, Chair presentation of summary of recommendations)
 "THAT the balance of the Fourth Consent Report of the Finance, Administration & Corporate Services Committee be received and adopted."
- e) Governance Committee (Mayor Farbridge, Chair presentation of summary of recommendations)
 "THAT the balance of the Fourth Consent Report of the Governance Committee be received and adopted."
- f) Council as Committee of the Whole (Councillor Kovach presentation of summary of recommendations)
 "THAT the balance of the Fifth Consent Report of Council as Committee of the Whole be received and adopted."

Resolution to adopt the balance of the Council Consent Agenda

"THAT the balance of the July 27, 2009 Consent Agenda be adopted."

PRESENTATION

- b) Dr. Nicola Mercer, Medical Officer of Health and Carole Desmeules, Director, Corporate Support Services re: Wellington-Dufferin-Guelph Health Unit facility requirements (Clause 1 of the 4th Consent Report of the Finance, Administration & Corporate Services Committee)
- c) Margaret Neubauer, Director of Finance re: Capital Financing Projects (Consent Report #A-4)

DELEGATIONS (Councillor Salisbury)

"THAT persons desiring to address Council be permitted to do so at this time." (limited to a maximum of five minutes)

- a) Changes to administrative procedures for lodging houses and accessory apartments (Clause 7 of the Fifth Consent Report of the Community Development & Environmental Services Committee):
 - Daphne Wainmann-Wood on behalf of the Old University Neighbourhood Residents Association
 - Angela Morrison

COMMITTEE OF THE WHOLE (Councillor Wettstein)

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

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

Reports from:

- Audit Committee Councillor Wettstein
- Community Development & Environmental Services Councillor Piper
- Emergency Services, Community Services & Operations Councillor Hofland
- Finance, Administration & Corporate Services Councillor Beard
- Governance Mayor Farbridge
- Council as Committee of the Whole Councillor Kovach
- Council Consent Mayor Farbridge

Resolution – (Councillor Beard) "THAT the Committee rise with leave to sit again."

Resolution – (Councillor Bell)

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

SPECIAL RESOLUTIONS

BY-LAWS

Resolution – Adoption of By-laws (Councillor Billings)

QUESTIONS

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 Chambers June 9, 2009

Council convened in formal session at 5:15 p.m.

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. M. Neubauer, Director of Finance; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

The Mayor advised that this was the Annual General Meeting of the shareholder of the Guelph Junction Railway Company.

Paul Smith, Chair of the Guelph Junction Railway Company Board of Directors provided information on the Company's auditors.

 Moved by Councillor Kovach Seconded by Councillor Hofland
 THAT Deloitte & Touche LLP be appointed as auditors of the Guelph Junction Railway to hold office until the next annual meeting of the shareholder of the Corporation, be approved.

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

VOTING AGAINST: (0)

Carried

 Moved by Councillor Farrelly Seconded by Councillor Burcher
 THAT the audited financial statements of Guelph Junction Railway for the period ended December 31, 2009 and the report of the auditors, be received.

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

Mr. T. Sagaskie Ms. M. Neubauer

Mr. T. Sagaskie Ms. M. Neubauer

Carried

Ben Boehm, President of the Guelph Junction Railway Company provided highlights the successes of the operations of the company during 2008. He advised that 83% of their traffic came on within the last 10 years. He further advised that they are moving new products and are successfully operating the tourist train. He then advised that the company is looking towards attracting new business in 2009.

ADJOURNMENT

The meeting adjourned at 5:40 o'clock p.m.

Minutes read and confirmed June 22, 2009.

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Mayor

Clerk

Council reconvened in session at 6:15 p.m.

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Mr. R. Mackay, Manager of Community Facilities and Programs; Ms. K. Levy, Supervisor of Program Development; and Mrs. L.A. Giles, Director of Information Services/City Clerk

INFORMATION SESSION – Recreation, Parks and Culture Strategic Master Plan and South End Centre Component

The Director of Community Services introduced the consultants working on the Recreation, Parks and Culture Strategic Master Plan and South End Centre Component.

Todd Brown of Montieth-Brown provided an overview of the Strategic Master Plan and South End Centre Component Study. He reviewed the trends, the findings and their impact on recreation, parks and culture. He identified the three key concepts being:

- Parks as 'living community centres'
- Neighbourhood engagement; and
- Integrated service delivery.

Mr. Brown highlighted the recommendations contained with the strategic master plan and the new strategies.

Mr. Brown identified the purpose of the South End Component Study and the guiding principles. He highlighted the proposed components.

ADJOURNMENT

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

Minutes read and confirmed June 22, 2009.

Mayor

Clerk

Council Caucus Room June 22, 2009 5:30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillors Findlay and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. G. Hunt, Manager of Employee/Employer Relations, Assistant Director of Human Resources; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Kovach Seconded by Councillor Burcher

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

- the security of the property of the municipality;
- personal information about identifiable individuals;
- labour relations or employee negotiations.

Carried

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

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Mayor

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Clerk

Council Caucus Room June 22, 2009 5:32 p.m.

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

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

Absent: Councillors Findlay and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. G. Hunt, Manager of Employee/Employer Relations, Assistant Director of Human Resources; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

The Director of Emergency Services/Fire Chief provided an update with respect to land ambulance services.

The Director of Human Resources provided an update with respect to the OPSEU negotiations.

 Moved by Councillor Burcher Seconded by Councillor Laidlaw
 THAT the Memorandums of Agreement between the City of Guelph and OPSEU Local 231 on file with Human Resources, be approved.

Carried

The Chief Administrative Officer and the Director of Corporate Services/City Solicitor provided an update with respect to a potential litigation matter.

REPORT

	2. Moved by Councillor Burcher Seconded by Councillor Piper
REPORT	THAT Robin Bergart and Enrico Stradiotto be appointed to the Municipal Property & Building Commemorative Naming Policy Committee for a term ending November, 2010.

Carried

The meeting adjourned at 5:55 o'clock p.m.

Mayor

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Clerk

Council Chambers June 22, 2009

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

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

Absent: Councillors Findlay and Salisbury

Staff Present: Mr. H. Loewig, Chief Administrative
Officer; Chief S. Armstrong, Director of Emergency
Services; Dr. J. Laird, Director of Environmental Services;
Mr. D. McCaughan, Director of Operations; Ms. M.
Neubauer, Director of Finance; Ms. A. Pappert, Director of
Community Services; Ms. L.E. Payne, Director of
Corporate Services/City Solicitor; Mr. J. Riddell, Director
of Community Design and Development Services; Mrs.
L.A. Giles, Director of Information Services/City Clerk;
and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

 Moved by Councillor Kovach Seconded by Councillor Piper
 THAT Procedural By-law (1996)-15200 be suspended to not require electronic voting.

Carried

 Moved by Councillor Billings Seconded by Councillor Burcher
 THAT the minutes of the Council meetings held on May
 June 1 and 10, 2009 and the minutes of the Council meetings held in Committee of the Whole on June 1, 2009 be confirmed as recorded and without being read;

AND THAT the minutes of the Council meeting held on May 25, 2009 be amended by including the following on Page 139 following the delegation of Dr. Hugh Whiteley:

"Dr. J. Laird, Director of Environmental Services, advised that in the implementation of the philosophy of setting a cap on water production, staff will monitor, consider adaptation of policy, and report annually to the public with regard to the achievement of the philosophy."

AND THAT the minutes of the Council meeting held on May 25, 2009 and the minutes of the Council meeting held in Committee of the Whole on May 25, 2009 be confirmed as amended and without being read.

Carried

CONSENT REPORTS AND AGENDAS

Councillor Burcher presented the Community Development & Environmental Services Committee Fourth Consent Report.

- Moved by Councillor Burcher Seconded by Councillor Piper
 THAT the June 22, 2009 Community Development & Environmental Services Committee Fourth Consent Report as identified below, be adopted:
- a) Beverley Robson Park Master Plan Victoriaview Subdivision in Ward 2

Mr. J. Riddell THAT the Community Design and Development Services Report 09-22 dated June 15, 2009, pertaining to the proposed master plan for Beverley Robson Park, be received;

AND THAT the Master Plan for the development of the Beverley Robson Park, as proposed in Appendix 2 of the Community Design and Development Services Report 09-22 dated June 15, 2009, be approved;

AND THAT staff be directed to proceed with the implementation of the Beverley Robson Park Master Plan.

b) Notice of Intention to Designate 83 Essex Street Pursuant to the Ontario Heritage Act

Mrs. L.A. GilesTHAT Report 09-52, dated June 15, 2009 fromMr. J. RiddellCommunity Design and Development Services, regarding
the heritage designation of 83 Essex St. be received;

AND THAT the City Clerk be authorized to publish and serve Notice of Intention to Designate 83 Essex St. in accordance with the *Ontario Heritage Act* and as recommended by Heritage Guelph;

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

c) Work Plan for Transit Growth Strategy and Mobility Services Study

Mr. J. RiddellTHAT the Community Design and Development ServicesMs. A. PappertReport 09-55, on the "Work Plan for Transit Growth
Strategy and Mobility Services Study" dated June 15,
2009, be received;

AND THAT Council authorize staff to proceed with Transit Growth Strategy and Mobility Services study as outlined in this report and the attached Work Plan, as amended to include:

- PRTs to be included in principle components; and
- addition of two (2) County elected officials to the composition of the Advisory Committee.

Carried

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

- ECO-2 Sidewalk Winter Control Service Review Results
- ECO-5 Metcalfe Street 2 Hour Parking Zone

Councillor Hofland presented the balance of the Emergency Services, Community Services & Operations Committee Fifth Consent Report.

4. Moved by Councillor Hofland Seconded by Councillor Laidlaw
THAT the balance of the June 22, 2009 Emergency Services, Community Services & Operations Committee
Fifth Consent Report as identified below, be adopted:

a) Winter Control Salt Management Plan

Mr. D. McCaughan THAT the Emergency Services, Community Services and Operations Committee report, `Winter Control Salt Management Plan' dated June 15, 2009, be received;

AND THAT the Salt Management Plan as presented in the `Winter Control Salt Management Plan' report of June 15, 2009 be approved.

b) Notification and Recommendation of a Special Event at Goldie Mill

Ms. A. Pappert THAT an application for a special events permit to serve alcohol at a wedding to be held on Saturday, July 4, 2009 at Goldie Mill Ruins – Amphitheatre (closed-in area) be approved.

c) County of Wellington: Partnership Agreement with Neighbhourhood Support Coalition

Ms. A. Pappert THAT the Mayor and Clerk be authorized to execute the service agreement between the City of Guelph and the County of Wellington for the funding support of the Neighbourhood Support Coalition and the provision of neighbourhood group programs and services.

Carried

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

 GOV-1 Options for Improving Telephone Customer Service

Councillor Kovach presented the Fourth Consent Report of the Council as Committee of the Whole.

 Moved by Councillor Kovach Seconded by Councillor Laidlaw
 THAT the June 22, 2009 Council as Committee of the Whole Consent Report as identified below, be approved:

a) Citizen Appointments to Economic Development Advisory Committee

Mrs. L.A. Giles THAT Tony Matteis and Scott Richardson be reappointed to the Economic Development Advisory Committee as the local business representatives for a term ending November 2013;

AND THAT Peter Kastner be appointed to the Economic Development Advisory Committee for a term ending November 2010.

Carried

The following items were extracted from the June 22, 2009 Consent Agenda to be voted on separately:

- A-2 Award Contract to Devlan Construction Ltd. general construction services for the construction of a South End Emergency Services Facility
- A-3 Infrastructure Stimulus Fund Projects
- B-2 Resolution from the City of Pickering re: Harmonized Sales Tax

Balance of Consent Agenda

6. Moved by Councillor Burcher Seconded by Councillor Hofland
THAT the balance of the June 22, 2009 Council Consent
Agenda as identified below, be adopted:

a) Proposed Demolition – 190-192 Waterloo Avenue, Ward 5

Mr. J. Riddell THAT Report 09-56 regarding the proposed demolition of a detached dwelling at 190-192 Waterloo Avenue, City of Guelph, from Community Design and Development Services dated June 22, 2009, be received;

AND THAT the proposed demolition of the detached dwelling at 190-192 Waterloo Avenue, be approved.

- **B** Items for Direction of Council
- 1) Grand River Conservation Authority Council Appointments

June 22, 2009 Mr. K. Murch Counc. Beard Counc. Salisbury Page No. 8 THAT Councillors Vicki Beard and Mike Salisbury be appointed to the Grand River Conservation Authority for a one year term expiring November 2010.

Carried

PRESENTATIONS

Dan Andrews was present on behalf of the Trans Canada Trail Foundation and presented the City a cheque in the amount of \$62,500 representing half of the grant towards the development of the Trans Canada Trail.

Judi Riddolls was present on behalf of the Guelph-Wellington Business Enterprise Center and provided information on the number of small businesses they have assisted over the past 10 years.

 7. Moved by Councillor Burcher Seconded by Councillor Billings
 THAT persons wishing to address Council be permitted to

Carried

REGULAR MEETING

do so at this time.

DELEGATIONS

Councillor Laidlaw's motion for which notice was given February 23, 2009 with respect to the egg purchasing policy in City owned facilities.

Stephanie Brown on behalf of the Canadian Coalition for Farm Animals was present in support of Councillor Laidlaw's motion with respect to cage-free eggs. She expressed concern with the use of battery-cages and their effect on the laying hens. She advised that the EU have banned the use of cages within the next three years. She urged Council to support Councillor Laidlaw's motion.

Karen Levenson advised that the codes of practices for egg producers are not mandatory and that some practices that have become the normal are cruel. She suggested that cage-free hens have a better life than hens in battery cages. She asked Council to buy eggs from cage-free suppliers.

Stuart Jackson of Verified Eggs Canada suggested that the demand for cage-free eggs is increasing. He requested that Council support Councillor Laidlaw's motion relating to the purchase of cage-free eggs.

Dr. Mike Petrik of the Ontario Association of Poultry Practitioners advised that his association is opposed to the proposed motion that supports only cage-free eggs. He suggested that the quality of care that a hen receives is more important than its housing. He advised of the

Page No. 9

advantages and disadvantages of both cage-free and caged hens. He suggested that it is not right to declare one housing system is better than another.

Len Jewitt was present on behalf of BLT Farms Inc., an egg operation located in the County of Wellington, and advised that the industry is every evolving. He further suggested that the use of cages reduces the ammonia and dust levels in barns and the cage sizes are larger.

Kelly Daynard on behalf of the Ontario Farm Animal Council which represents livestock and poultry farmers, suggested that the individual farm management is what is important not the housing method. She advised of various municipalities which have rescinded or are revising previous motions relating to the purchase of cagefree eggs.

Janet Hueglin Hartwick was present on behalf of the Egg Farmers of Ontario, and advised that her organization represents all types of systems (caged and free range). She stressed that regardless of the type of housing system, the care the hens receive is the most important factor. She expressed concern that the proposed motion attacks the integrity of the farmers who use the conventional cage system.

8. Moved by Councillor Laidlaw Seconded by Councillor Hofland

WHEREAS hens confined to battery cages spend their entire lives in extremely small, barren overcrowded wire cages, (approximately 450cm² per bird), with five to seven birds confined per cage;

AND WHEREAS birds confined to battery cages can barely move and are denied the opportunity to express natural behaviours, such as nesting, perching, dust bathing, stretching their wings, foraging or escaping an aggressive cage-mate;

AND WHEREAS confinement of hens in battery cages frequently results in frustration-related behaviours, such as feather pecking and cannibalism, as well as feather loss, entrapment of body parts and osteoporosis; AND WHEREAS there is ample scientific evidence demonstrating hens suffer as a direct consequence of battery systems,

AND WHEREAS no legislative or regulatory remedy exists in Canada to address the compromised welfare of batterycaged hens;

AND WHEREAS numerous European nations have banned battery cages and the European Union is phasing out battery cages by 2012;

AND WHEREAS, according to a 2005 Decima Research Poll, 80% of Canadians feel confining farm animals to small cages that prevent them from turning around is unacceptable, and 94% agree it is important that farm animals be treated humanely;

THEREFORE be it resolved:

"THAT the Council of the City of Guelph resolves to encourage Guelph residents:

- (i) as consumers, to choose cage-free eggs at retail food outlets and restaurants;
- (ii) as restaurants and caterers in both private and City operations, to make available cage-free eggs on their menus; and
- (iii) as wholesalers, to highlight and make available cage-free eggs in their food supply inventories; and
- (iv) as retailers, to highlight the preference for and availability of cage-free eggs in their stores;
- AND THAT the operators and caterers of City-run facilities be requested to use cage-free whole (shell) eggs;
- (3) AND THAT a letter be written to the Provincial Government, Federal Government and the Canadian Food Inspection Agency stating that the Guelph City Council opposes battery cage egg production based on the inherent cruelty of confining egg-laying hens in battery cages.
- (4) AND THAT a letter be written to the Association of Municipalities of Ontario requesting all members to adopt a similar initiative.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillor Laidlaw (1)

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

The motion was defeated.

9. Moved by Councillor Burcher Seconded by Councillor Piper THAT the scoping of a local food production policy be Ms. B. Boisvert referred to the Council priority setting session.

Carried

Infrastructure Stimulus Fund Projects

Mark Melo was present on behalf of the Conestoga Heavy Construction Association, and suggested that it is imperative that the tendering procedures be followed for the infrastructure stimulus fund projects.

10. Moved by Councillor Hofland Seconded by Councillor Piper

THAT Council delegate to the Chief Administrative Officer, or his designate, in conjunction with another member of the Senior Management Team, authority to exercise its administrative powers for the implementation of the City's approved infrastructure stimulus program to September 30, 2009, with such delegation to include:

- Awarding of all construction contracts;
- Retention of professional services where required, • i.e. consultants, design, supervision, inspection;
- Retention of contract services, including project • managers, project engineers, accounting.

AND THAT in recognition of the mandatory deadline for completion of all infrastructure projects by March 31, 2011, such delegation is to be exercised to the degree possible in accordance with the Ontario Public Buyers Association's Code of Ethics as identified in the City's procurement by-law.

AND THAT the CAO provide regular reports to Council, outlining all actions taken under Council's delegation of authority.

A recorded vote was requested, which resulted as follows:

Mr. H. Loewig Ms. M. Neubauer VOTING IN FAVOUR: Councillors Beard, Burcher, Hofland, Piper, Wettstein and Mayor Farbridge (6)

VOTING AGAINST: Councillors Bell, Billings, Farrelly, Kovach and Laidlaw (5)

The motion was carried.

Metcalfe Street – 2 Hour Parking Zone

Garry Glowacki expressed concerns regarding safety and the security of the neighbourhood relating to long term parking on Metcalfe Street. He advised that the majority of the residents on the street are in favour of 2 hour parking.

Joe Maltby provided information on staff from the Ellington parking all day on the street. He advised that this causes problem with the residents trying to access and exit their driveways, snow removal and street maintenance. He also expressed concern that this long term parking removes spaces for short term visitors to either the residents on the street or the Ellington.

Councillor Hofland presented Clause 5 of the Fifth Consent Report of the Emergency Services, Community Services & Operations Committee.

11. Moved by Councillor Hofland Seconded by Councillor Laidlaw

Mr. D. McCaughan THAT a variance to the On-Street Parking Changes Convenience Requests Procedure to allow the implementation of a 2 hour parking zone on both sides of Metcalfe Street from Eramosa Road to Pleasant Road be approved.

Carried

Councillor Hofland presented the balance of the Fifth Consent Report of the Emergency Services, Community Services & Operations Committee.

Sidewalk Winter Control Service Review Results

	12. Moved by Councillor Hofland
	Seconded by Councillor Laidlaw
Mr. D. McCaughan	THAT the report dated June 15, 2009 "Sidewalk Winter
	Control Service Review Results" be received;

Page No. 13 AND THAT staff proceed to develop and implement a oneyear pilot program to provide residents with access to deicing/traction material at no cost to encourage a cooperative effort to treat icy conditions on all sidewalks;

AND THAT staff evaluate and report back to Council on the effectiveness of the one-year pilot program to provide residents with access to deicing/traction material.

Carried

Open Air Urinals

13. Moved by Councillor Hofland Seconded by Councillor Laidlaw

THAT in conjunction with the Night Life Task Force, staff proceed to introduce an open air urinal on Macdonell Street in the vicinity of Wyndham Street during summer 2009 on a trial basis to evaluate its effectiveness and to assess public acceptance of this type of public facility;

AND THAT staff seek sponsorship of the open-air urinal evaluation from downtown stakeholders;

AND THAT staff speak with the Guelph Police Services with respect to increasing police enforcement during the pilot project.

14. Moved in Amendment by Councillor Piper Seconded by Councillor Bell

THAT provision of an open-air urinal be subject to the City receiving full sponsorship of the cost from the business stakeholders involved.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Bell, Billings, Farrelly, Kovach, Laidlaw, Piper, Wettstein and Mayor Farbridge (8)

VOTING AGAINST: Councillors Beard, Burcher and Hofland (3)

The motion was carried.

15. Moved by Councillor Hofland
Seconded by Councillor LaidlawMr. D. McCaughanTHAT in conjunction with the Night Life Task Force, staff
proceed to introduce an open air urinal on Macdonell
Street in the vicinity of Wyndham Street during summer
2009 on a trial basis to evaluate its effectiveness and to
assess public acceptance of this type of public facility;

AND THAT provision of an open-air urinal be subject to the City receiving full sponsorship of the cost from the business stakeholders involved;

AND THAT staff speak with the Guelph Police Services with respect to increasing police enforcement during the pilot project.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Hofland, Laidlaw, Piper and Mayor Farbridge (8)

VOTING AGAINST: Councillors Billings, Kovach and Wettstein (3)

The motion was carried.

16. Moved by Councillor Kovach Seconded by Councillor Billings

THAT staff start discussions with the Province on changes to liquor licensing regulations;

AND THAT staff request that the set fine be increased for fouling on public property.

Carried

Councillor Burcher presented Clause 1 of the Governance Committee Third Consent Report.

Options for Improving Telephone Customer Service

17. Moved by Councillor Burcher Seconded by Councillor Piper

THAT staff be directed to bring forward a proposal in the 2010 budget for City of Guelph "live answer" with a focus on those calls requiring a higher level of assistance, and preparation of short and long term range plans in keeping with the customer service strategy.

Carried

Consent Agenda

Award Contract to Devlan Construction Ltd. – General Construction Services for the Construction of a South End Emergency Services Facility

Mrs. L.A. Giles Ms. M. Neubauer

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

Chief S. Armstrong Ms. M. Neubauer Chief R. Davis 18. Moved by Councillor Billings Seconded by Councillor Wettstein

THAT the City of Guelph award the contract for General Construction Services for the building of the new South End Emergency Services Station, to Devlan Construction, of Guelph, Ontario, in the total amount of \$8,993,000.00 exclusive of GST @5% (100% refundable);

AND THAT Procurement and Risk Management Services be authorized to issue the necessary purchase order;

AND THAT Finance be authorized to issue a maximum of \$8.1 million in debt for a term between 10 to 25 years;

AND THAT the Mayor and Clerk be authorized to sign the CCDC 2- 1994, Form of Agreement between Client and General Contractor, amended by the Supplemental Conditions, subject to the satisfaction of the Director of Emergency Services and the City Solicitor.

Carried

Resolution from the City of Pickering re: Harmonized Sales Tax

19. Moved by Councillor Kovach

Seconded by Councillor Laidlaw WHEREAS this harmonized sales tax will negatively impact all consumers, young and old, married or single, by implementing the proposed harmonized tax to almost all goods and services that were previously exempt from PST;

AND WHEREAS the 8% PST will be added to items such as, but not limited to, gasoline, home heating fuel, water, hydro, used cars, real estate commissions, home renovations, personal services, chiropractor, massage therapy, consultants, lawyers fees, prescriptions, registration fees and memberships for recreational services used by seniors and children;

THEREFORE BE IT RESOLVED THAT we, the Council of the City of Guelph, appeal to the Province of Ontario to stop the implementation of the proposed Provincial Harmonized Sales Tax until more public consultation and input is received;

AND BE IT FURTHER RESOLVED THAT we, the Council of the City of Guelph, request that AMO lobby the Province of Ontario on our behalf, and that a copy of this resolution be sent to the Council of the City of Pickering.

Premier McGuinty Ms. D. Wilcox AMO Ms. L. Sandals A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillor Billings, Burcher, Farrelly, Hofland, Kovach, Laidlaw, Piper and Wettstein (8)

VOTING AGAINST: Councillors Beard, Bell and Mayor Farbridge (3)

The motion was carried.

20. Moved by Councillor Hofland Seconded by Councillor Beard

THAT the Committee rise with leave to sit again.

Carried

 Moved by Councillor Hofland Seconded by Councillor Laidlaw
 THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

BY-LAWS

22. Moved by Councillor Kovach Seconded by Councillor Laidlaw
THAT By-laws Numbered (2009)-18804 to (2009)-18816, inclusive, are hereby passed.

Carried

QUESTIONS

Councillor Kovach requested that when submissions are presented to Council, that the presenter's name and/or the organization they represent are included with the material.

ADJOURNMENT

The meeting adjourned at 10:55 o'clock p.m.

Minutes read and confirmed July 27, 2009.

.....

Mayor

.....

Clerk

Cutten Club, Commonwealth Room June 29, 2009 6:00 p.m.

A meeting of Guelph City Council.

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

Absent: Councillors Beard and Laidlaw

Staff Present: Ms. B. Boisvert, Manager, Strategic Planning & Corporate Initiatives; Ms. T. Agnello, Deputy Clerk

 Moved by Councillor Hofland Seconded by Councillor Salisbury
 THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 3.1 (1) of the Municipal Act, with respect to:

• for the purpose of educating or training the members.

Carried

The meeting adjourned at 6:01 o'clock p.m.

Mayor

Mayor

Deputy Clerk

Cutten Club, Commonwealth Room June 29, 2009 6:02p.m.

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

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

Absent: Councillors Beard and Laidlaw

Staff Present: Ms. B. Boisvert, Manager, Strategic Planning & Corporate Initiatives; Ms. T. Agnello, Deputy Clerk

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

Linda Pickard was present and led the Committee in an education exercise.

The meeting adjourned at 9:00 o'clock p.m.

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Mayor

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Deputy Clerk

Council Chambers July 6, 2009

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

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

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Mr. J. Riddell, Director of Community Design and Development Services; Mr. A. Hearne, Senior Development Planner; Mr. S. Hannah, Manager of Development and Parks Planning; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Coordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

CONSENT AGENDAS

The following item was extracted from the Consent Agenda to be voted on separately:

 671 Victoria Road North: proposed Draft Plan of Subdivision and Zoning By-law Amendment (23T08502 / ZC0802)

Consent Agenda

 Moved by Councillor Kovach Seconded by Councillor Billings
 THAT the balance of the July 6, 2009 Council Consent Agenda as identified below, be adopted:

a) Proposed Demolition of 12 Clearview Street – Ward 1

THAT Report 09-59 regarding the proposed demolition of a detached dwelling at 12 Clearview Street, City of Guelph, from Community Design and Development Services dated July 6, 2009, be received;

AND THAT the proposed demolition of the detached dwelling at 12 Clearview Street, be approved.

b) Ontario Municipal board (OMB) Minutes of

Mr. J. Riddell Mr. B. Poole Mr. J. Riddell

Ms. L.E. Payne

THAT Report 09-50 dated July 6, 2009 from Community Design and Development Services regarding OMB proceedings in respect of a minor variance application for 109 Emma Street, be received;

AND THAT City Council supports the proposed Minutes of Settlement provided as Schedule 4 to Report 09-50, and the approval by the Ontario Municipal Board of the minor variance application under file A-66/08 dealing with variances to accommodate two (2) additional residential units in the existing multi-unit residential building at 109 Emma Street; AND THAT City Council hereby approves and authorizes the Mayor and Clerk to execute final Minutes of Settlement in accordance with proposed Minutes of Settlement, subject to the final form of such Minutes of Settlement being satisfactory to the Director of Community Design and Development Services and the City Solicitor;

AND THAT City Council authorize appropriate City Staff to attend as necessary at the Ontario Municipal Board proceedings with respect to this matter in support of its position as set out in this resolution.

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

VOTING AGAINST: (0)

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.

VICTORIA PARK VILLAGE – Revised Application for an Official Plan Amendment, a Draft Plan of Residential Subdivision and an Associated Zoning By-law Amendment (File OP0502 / 23T-07506 / ZC0505)

Mr. Hearne, Senior Development Planner advised that this

development as there have been extensive revisions made to the application. He outlined the revisions:

- portions of the "Open Space" designation are proposed to be changed to "General Residential" designation in the Official Plan
- draft plan of subdivision now includes a mixed density residential development having a total of 497 dwelling units consisting of Single-Detached Residential; On-Street Townhouse; Semi-Detached; Mid-Rise Residential; Cluster/Stacked Townhouse; Apartment; Wetland and Conservation Land Park.

Nancy Shoemaker, on behalf of the applicant, provided information on the revised application which addressed concerns raised with the previous version. She advised that the proposal preserves approximately 53% of the site which include all natural heritage features, the woodlot, wetlands and a portion of the creek corridor. This proposal then has 63% of the site not being developed and in some form of open space. She advised that they are working with the Grand River Conservation Authority on developing the bridge crossing that would allow for wildlife (including deer), pedestrian and vehicular connections. She further advised that the proposed density would be 57 persons per hectare with an overall density of 11 units per hectare.

M. Staples was present and advised that she owns property to the south of the proposed development and expressed concerns with the linkages and the buffer to the woodlot which she owns. She questioned whether the property owners backing onto the park space would be allowed to erect a fence. She advised that the public trail access to her property is not acceptable.

Staff will address the following before bringing back the application for approval:

- alternatives to stump roads
- road layout patters to the south
- 2. Moved by Councillor Burcher Seconded by Councillor Billings

THAT Report 09-58 regarding proposed Official Plan Amendment, Draft Plan of Subdivision and associated Zoning By-law Amendment applications to allow a residential subdivision apply to property municipally known as 1159 Victoria Road south, City of Guelph, from Community Design and Development Services dated July

Mr. J. Riddell

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

VOTING AGAINST: (0)

Carried

671 VICTORIA ROAD NORTH: Proposed Draft Plan of Subdivision and Zoning By-law Amendment (23T08502 / ZC0802)

Astrid Clos advised that the applicant, Chris Sims of Gamsby and Mannerow and herself were present to answer any questions. Council had not questions.

 Moved by Councillor Billings Seconded by Councillor Kovach
 THAT Report 09-54 regarding a Proposed Draft Plan of Subdivision and associated Zoning By-law Amendment applying to property municipally known as 671 Victoria Road North, City of Guelph, from Community Design and Development Services dated July 6, 2009, be received;

AND THAT the application by Astrid J. Clos Planning Consultants on behalf of 1592930 Ontario Inc. for a Proposed Draft Plan of Subdivision applying to property municipally known as 671 Victoria Road North, and legally described as Part of Lot 1, Concession 7, Division 'C', City of Guelph, be approved, subject to the conditions, as amended, outlined in Schedule 1 attached;

AND THAT the application by Astrid J. Clos Planning Consultants on behalf of 1592930 Ontario Inc. for a Zoning Bylaw Amendment from the "Rural" Zone, as referred to in the Township of Guelph-Eramosa Zoning Bylaw, to a Specialized NC-? (Neighbourhood Commercial) Zone, the R.3B (On-Street Townhouse) Zone and a R.3B-? (Specialized On-Street Townhouse) Zone affecting the property municipally known as 671 Victoria Road North, and legally described as Part of Lot 1, Concession 7, Division 'C', City of Guelph, be approved in the form outlined in Schedule 1 attached;

AND THAT in accordance with Section 34 (17) of the Planning Act, City Council has determined that no further public notice is required related to the minor modifications to the proposed zoning by-law amendment affecting 671

Ms. A. Clos Mr. J. Riddell Ms. M. Neubauer Ms. L.E. Payne

Page No. 5

Victoria Road North (File ZC0802) as set out in Report 09-54 from Community Design and Development Services dated July 6, 2009.

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

VOTING AGAINST: Councillor Piper (1)

Carried

BY-LAWS

 Moved by Councillor Laidlaw Seconded by Councillor Kovach
 THAT By-law Number (2009)-18817 is hereby passed.

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

VOTING AGAINST: (0)

Carried

ADJOURNMENT

The meeting adjourned at 7:50 o'clock p.m.

Minutes read and confirmed July 27, 2009.

Mayor

671 Victoria Road North (23T-08502 / ZC0802) Regulations and Conditions

PART A

THAT the application by Astrid J. Clos Planning Consultants on behalf of 1592930 Ontario Inc. for a proposed Draft Plan of Residential Subdivision applying to property municipally known as 671 Victoria Road North, and legally described as Part of Lot 1, Concession 7, Division 'C', City of Guelph, be approved, subject to the following conditions:

CITY CONDITIONS

- That this approval applies only to the revised draft plan of subdivision prepared by Astrid J. Clos Planning Consultants, Project # 17843, dated January 14, 2009, to include the development of a neighbourhood commercial block and residential blocks, as shown on Attachment A, with the development of a minimum of 84 residential units, including road widenings and reserves, subject to the following revisions:
 - i) addition of 0.3 metres reserve along the frontages of Block 1, Block 3, Block 4, Block 5 and Block 7 abutting Victoria Road and Wideman Boulevard. The 0.3 metre reserves on Block 7 will be lifted by the City to provide access to the commercial block(s) in accordance with an approved site plan.
 - ii) addition of a 0.3 metre reserve on Road A along the frontage Block 6. The 0.3 metre reserve on Block 6 will be lifted by the City in the event any one of the following three conditions are met to the satisfaction of the City:
 - a) Block 6 is developed as a municipal road in conjunction with the development of the adjacent GRCA owned lands to the north; or
 - b) Block 6 is developed as part of a larger cluster townhouse block in conjunction with the development of the adjacent GRCA owned lands to the north; or
 - c) The adjacent GRCA owned lands to the north do not become available for development in conjunction with the development of the subject lands.

Further, the Owner commits and agrees that the design for development of the commercial block (Block 7) shall address all of the elements of good urban design as outlined by the City of Guelph Urban Design Guidelines 1995 Manual, to the satisfaction of the Director of Community Design and Development Services and the City Engineer.

Conditions to be met prior to grading and site alteration

- 2. The Developer shall obtain a **Site Alteration Permit** in accordance with City of Guelph Bylaw (2007)-18420 to the satisfaction of the City Engineer if grading occurs prior to entering into the subdivision agreement.
- 3. The Developer shall prepare and implement a **construction traffic access and control plan** for all phases of servicing and building construction to the satisfaction of the City Engineer. Any costs related to the implementation of such a plan shall be borne by the Developer.
- 4. The Developer agrees that no work, including, but not limited to **tree removal, grading or construction**, will occur on the lands until such time as the Developer has obtained written

permission from the City Engineer or has entered into a Subdivision Agreement with the City.

- 5. The Developer shall enter into an **Engineering Services Agreement** with the City, satisfactory to the City Engineer.
- 6. The Developer shall prepare an overall **site drainage and grading plan**, satisfactory to the City Engineer, for the entire subdivision. Such a plan will be used as the basis for a detailed lot grading plan to be submitted prior to the issuance of any building permit within the subdivision.
- 7. The Developer shall construct, install and maintain **erosion and sediment control** facilities, satisfactory to the City Engineer, in accordance with a plan that has been submitted to and approved by the City Engineer.
- 8. The Developer shall retain a qualified **environmental inspector**, satisfactory to the Director of Community Design and Development Services, to inspect the site during all phases of development and construction including grading, servicing and building construction. The environmental inspector shall monitor and inspect the erosion and sediment control measures and procedures. The environmental inspector shall report on their findings to the City. For this subdivision, the City recognizes that the environmental inspection can be completed by a qualified engineering inspector to the satisfaction of the City.
- 9. The Developer shall submit a detailed Storm Water Management Report and Plans to the satisfaction of the City Engineer which shows how storm water will be controlled and conveyed to the receiving water body. The report and plan shall address the issue of water quantity and quality in accordance with recognized best management practices, Provincial Guidelines, the City's "Design Principles for Storm Water Management Facilities" and the Storm Water Management Design Report for the applicable watershed. Maintenance and operational requirements for any control and/or conveyance facilities must be described.
- 10. The Developer shall ensure that any **domestic wells located within the lands be properly decommissioned** in accordance with current Ministry of the Environment Regulations and Guidelines to the satisfaction of the City Engineer. Any **boreholes** drilled for hydrogeological or geotechnical investigations must also be properly abandoned.
- 11. The Developer shall **stabilize all disturbed soil** within 90 days of being disturbed, control all noxious weeds and keep ground cover to a maximum height of 150 mm (6 inches) until the release of the development agreement on the block/lot so disturbed.

Conditions to be met prior to execution of subdivision agreement

- 12. That any dead ends and open sides of road allowances created by the draft plan be terminated in **0.3 metre reserves**, which shall be conveyed to the City at the expense of the Developer.
- 13. That with the exception of any share determined by the City to be the City's share in accordance with Its by-laws and policies, the Developer is responsible for the total cost of the design and construction of all municipal services within and external to the subdivision that are required by the City to service the lands within the plan of subdivision including such works as sanitary facilities, storm facilities, water facilities, walkways and road works including sidewalks, boulevards and curbs, with the distance, size and alignment

of such services to be determined by the City.

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- 14. The Developer shall submit a **Geotechnical Report** to the satisfaction of the City Engineer which describes the potential impacts of groundwater and provides recommendations for pavement design and pipe bedding.
- 15. The Developer shall pay the cost of supplying and erecting **street name and traffic control signs** in the subdivision, to the satisfaction of the City.
- 16. The Developer shall pay to the City the flat rate charge established by the City per metre of road frontage to be applied to **street tree planting** within the proposed subdivision.
- 17. The Developer shall pay to the City the cost of installing **bus stop pads** at locations to be determined by Guelph Transit.
- 18. The Developer shall provide an **On-Street Parking Plan** for the subdivision to the satisfaction of the City Engineer.
- 19. The Developer shall pay the cost of the installation of one Second Order **Geodetic Benchmark** within the proposed subdivision to the satisfaction of City Engineer.
- 20. The Developer shall phase the subdivision to the satisfaction of the City of Guelph. Such **phasing** shall conform to the current Development Priorities Plan.

Conditions to be met prior to registration of the plan

- 21. The Developer shall obtain approval of the City with respect to the availability of **adequate water supply and sewage treatment capacity,** prior to the registration of the plan, or any part thereof.
- 22. The Developer acknowledges and agrees that the suitability of the land for the proposed uses is the responsibility of the landowner. The Developer shall retain a Qualified Person (QP) as defined in Ontario Regulation 153/04 to prepare and submit a **Phase 1 Environmental Site Assessment** (and any other subsequent phases required), to assess any real property to be conveyed to the City to ensure that such property is free of contamination. If contamination is found, the consultant will determine its nature and the requirements for its removal and disposal at the Developer's expense. Prior to the registration of the plan, a Qualified Person shall certify that all properties to be conveyed to the City are free of contamination.
- 23. Prior to the City accepting any real property interests, if contamination is found, the Developer shall:
 - a. submit all environmental assessment reports prepared in accordance with the Record of Site Condition (O. Reg. 153/04) describing the current conditions of the land to be conveyed to the City and the proposed remedial action plan to the satisfaction of the Manager of Reality Services;
 - complete any necessary remediation work in accordance with the accepted remedial action plan and submit certification from a Qualified Person that the lands to be conveyed to the City meet the Site Condition Standards of the intended land use; and
 - c. file a Record of Site Condition (RSC) on the Provincial Environmental Registry for lands to be conveyed to the City.

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- 24. The Developer shall enter into a **Subdivision Agreement**, to be registered on title, satisfactory to the City Solicitor, which includes all requirements, financial and otherwise to the satisfaction of the City of Guelph.
- 25. That the **road allowances** included in the draft plan be shown and the Road Widening Block 8 be shown and dedicated at the expense of the Developer as public highways and that prior to the registration of any phase of the subdivision, the City shall receive a letter from the O.L.S. preparing the plan that certifies that the layout of the roads in the plan conforms to the City's "Geometric Design Criteria – July 23, 1993" with the exception of the road widths which shall comply with the widths shown on the approved draft plan of subdivision.
- 26. That all **easements**, **blocks** and **rights-of-way** required within or adjacent to the proposed subdivision be conveyed clear of encumbrance to the satisfaction of the City of Guelph, Guelph Hydro Electric Systems Inc. and other Guelph utilities. Every Transfer Easement shall be accompanied by a Postponement, satisfactory to the City Solicitor, for any mortgage, charge or lease and such Postponement shall be registered on title by the City at the expense of the Developer.
- 27. The Developer shall pay any **outstanding debts** owed to the City.
- 28. The Developer shall pay development charges to the City in accordance with By-law Number (2004) 17361, as amended from time to time, or any successor thereof and in accordance with the Education Development Charges By-laws of the Upper Grand District School Board (Wellington County) and the Wellington Catholic District School Board as amended from time to time, or any successor by-laws thereto.
- 29. The Developer shall erect and maintain **signs** at specified entrances to the subdivision showing the proposed land uses and zoning of all the lots and blocks within the proposed subdivision and predominantly place on such signs the wording "For the Zoning of all lands abutting the subdivision, inquiries should be directed to Community Design and Development Services, City Hall". Further, the signs shall be resistant to weathering and vandalism.
- 30. The Developer shall place the following **notifications** in all offers of purchase and sale for all lots and/or dwelling units and agrees that these same notifications shall be placed in the City's subdivision agreement to be registered on title:
 - a. "Purchasers and/or tenants of all lots are advised that sump pumps will be required for every lot unless a gravity outlet for the foundation drain can be provided on the lot in accordance with a certified design by a Professional Engineer. Furthermore, all sump pumps must be discharged to the rear yard."
 - b. "Purchasers and/or tenants of all lots or units are advised that if any fee has been paid by the purchaser to the Developers for the planting of trees on City boulevards in front of residential units does not obligate the City nor guarantee that a tree will be planted on the boulevard in front or on the side of a particular residential dwelling."
 - c. "Purchasers and/or tenants of all lots or units are advised that a transit route may be installed on Victoria Road at the discretion of the City. The location of such route and bus stops will be determined based on the policies and requirements

the City. Such bus stops may be located anywhere along the route, including lot frontages."

- d. "Purchasers and/or tenants within Block 1 and Block 5 that have flankage on Victoria Road North are advised that Victoria Road North may be used as a truck route."
- e. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised prior to the completion of home sales, of the time frame during which construction activities may occur, and the potential for residents to be inconvenienced by construction activities such as noise, dust, dirt, debris, drainage and construction traffic".
- f. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised that the nearby stormwater management block has been vegetated to create a natural setting. Be advised that the City will not carry out routine maintenance such as grass cutting. Some maintenance may occur in the areas that are developed by the City for public walkways, bikeways and trails".
- g. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised that the nearby Park Block has been designed for active public use and may include sportsfields, playgrounds, trails and other park amenities. Be advised that the City may carry out regular maintenance such as grass cutting. Periodic maintenance may also occur from time to time to support park functions."
- h. "Purchasers and/or tenants of all lots or units located in the subdivision plan, are advised that fencing will be provided along the property boundary between the adjacent lands owned by the Grand River Conservation Authority (GRCA) and the abutting residential lots within the subdivision plan, to the satisfaction of the GRCA and the City."
- 31. The Developer shall pay **cash-in-lieu of parkland** for the entire development, in accordance with the City of Guelph by-law (1989)-13410, as amended by By-law (1900)-13545, By-law (2007-18225), or any successor thereof.
- 32. The Developer shall be responsible for any **restoration of the storm water management landscaping** to approved landscape plan conditions if damaged or disturbed during construction of the storm water connection to the facility to the satisfaction of the Director of Community Design and Development Services.
- 33. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
- 34. The Developer shall ensure that **street lighting** and underground wiring shall be provided throughout the subdivision at the Developer's expense and in accordance with the policies of the City of Guelph and Guelph Hydro Electric Systems Inc.
- 35. The Developer shall pay to the City, the total cost of reproduction and distribution of the

Guelph Residents Environmental Handbook, to all future residents within the plan, with

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such payment based on a cost of one handbook per residential dwelling unit as determined by the City.

- 36. That site plans for all corner building lots, as determined by the City Engineer, shall be submitted to the City Engineer for approval of **driveway location**.
- 37. The Developer agrees to eliminate the use of any covenants that would restrict the use of **clotheslines** and that prior to the registration of all or any portion of the plan, the Developer's lawyer shall certify to the Director of Community Design and Development Services that there are no restrictive covenants which restrict the use of clotheslines.

Conditions to be met prior to the issuance of a building permit

- 38. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official certifying that all **fill** placed below proposed building locations has adequate structural capacity to support the proposed building. All fill placed within the allowable zoning bylaw envelope for building construction shall be certified to a maximum distance of 30 metres from the street line. This report shall include the following information; lot number, depth of fill, top elevation of fill and the area approved for building construction from the street line.
- 39. The Developer shall submit a report prepared by a Professional Engineer to the satisfaction of the Chief Building Official providing an opinion on the presence of **soil gases (Radon and Methane)** in the plan in accordance with applicable provisions contained in the Ontario Building Code.
- 40. All Stage 1 Services are to be constructed to the satisfaction of the City Engineer.
- 41. The Developer shall provide the City with written confirmation from the Engineering Department of **Guelph Hydro** that the subdivision hydro servicing has been completed to the satisfaction of Guelph Hydro.
- 42. The Owner acknowledges and agrees that the residential townhouse units on the subject site will be constructed to an ENERGY STAR standard that promotes **energy efficiency** standards in order to comply with the Community Energy Plan, to the satisfaction of the City. This will include verification through third party certification. These requirements shall be included in the subdivision agreement. Further, the owner shall provide the City with written confirmation that the buildings within the commercial block (Block 7) will be constructed to a standard that implements energy efficiency in order to support the Community Energy Plan to the satisfaction of the Director of Community Design and Development Services.

AGENCY CONDITIONS:

- 43. That prior to any grading or construction on the site and prior to the registration of the plan, the owners or their agents shall submit the following plans and reports to the satisfaction and approval of the Grand River Conservation Authority:
 - i. A detailed storm water management report in accordance with the

Ministry of Environment Stormwater Management and Planning Design Manual (2003).

ii. Detailed Lot Grading and Drainage Plans.

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- iii. An erosion and siltation control plan in accordance with the Grand River Conservation Authority's Guidelines on sediment and erosion control, indicating the means whereby erosion will be minimized and silt maintained on the site throughout all phases of grading and construction.
- iv. That the subdivision agreement between the owners and the municipality contain provisions for the completion and maintenance of the works in accordance with approved plans and reports noted above.
- v. That the owners of this subdivision provide confirmation of an agreement with the Grand River Conservation Authority for grading and fill slope placement onto Grand River Conservation Authority lands.
- vi. That the property boundary between the lands owned by the Grand River Conservation Authority and the applicant be established through fencing at a cost to the developer and to the satisfaction of the Grand River Authority and the City of Guelph.
- 44. The Developer shall ensure that all **telephone service and cable TV service** in the plan shall be underground. The Developer shall enter into a servicing agreement with the appropriate service providers to provide for the installation of underground utility services for the Lands.
- 45. The Developer and the **Wellington Catholic School Board** shall reach an agreement regarding the supply and erection of signage, at the developer's expense, affixed to the subdivision sign advising potential Separate School supporters of the location of schools serving the area and the current practice of busing students outside the immediate area should schools in the area be at capacity.
- 46. The Developer agrees to provide the **Upper Grand District School Board** with a digital file of the plan of subdivision in either ARC/INFO export of DXF format containing the following information: parcel fabric and street network.
- 47. The Developer agrees in the subdivision agreement to **advise all purchasers** of residential units and/or renters of same, by inserting the following clause in all offers of Purchase and Sale/Lease, until such time as a permanent school is assigned:
 - "Whereas the Upper Grand District School Board has designated this subdivision as a Development Area for the purposes of school accommodation, and despite the best efforts of the Upper Grand District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bused to a school outside the area, and further, that students may in future have to be transferred to another school.
- 48. The Developer and the **Upper Grand District School Board** shall reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to Upper Grand District School Board specifications) affixed to the permanent development sign advising perspective residents that students may be directed to schools outside the neighbourhood.

49. The Developer shall satisfy all requirements and conditions of **Canada Post** including advisories and suitable mailbox locations. The developer shall ensure that the eventual lot/home owner is advised in writing by the developer/subdivider/builder that Canada Post has selected the municipal easement to their lot for a Community Mail Box installation and July 6, 2009 Schedule 1 – Page 8

the developer shall be responsible for the installation of concrete pads in accordance with the requirements of Canada Post, in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes. The concrete pads are to be poured at the time of curb installation within each phase of the subdivision.

- 50. That prior to the registration of all or any portion of the plan, the **Grand River Conservation Authority** shall advise the City in writing how condition 43 have been satisfied.
- 51. That the developer shall carry out an **archaeological assessment** of the subject property and mitigate, through preservation or resource removal, adverse impacts to any significant archaeological resources found. No demolition, grading or any soil disturbances shall take place on the subject property, prior to the issuance of a letter from the Ministry of Citizenship, Culture and Recreation to the City indicating that all archaeological assessment and/or mitigation activities undertaken have met licensing and resource conservation requirements.
- 52. That this **Draft Plan Approval shall lapse** at the expiration of 5 years from the date of issuance of the extension of Draft Plan approval.
- 53. That prior to the registration of all or any portion of the plan, the **Wellington Catholic District School Board** shall advise the City in writing how condition 45 has been satisfied.
- 54. That prior to the registration of all or any portion of the plan, **Upper Grand District School Board** shall advise the City in writing how conditions 46, 47 and 48 have been satisfied.
- 55. That prior to the registration of all or any portion of the plan, **Guelph Hydro Electric Systems Inc**, shall advise the City in writing how conditions 34 and 41 have been satisfied.
- 56. That prior to the registration of all or any portion of the plan, **Canada Post** shall advise the City in writing how condition 49 has been satisfied.
- 57. That prior to the registration of all or any portion of the plan, the **Ministry of Citizenship**, **Culture and Recreation** shall advise the City in writing how condition 51 has been satisfied.

PART B

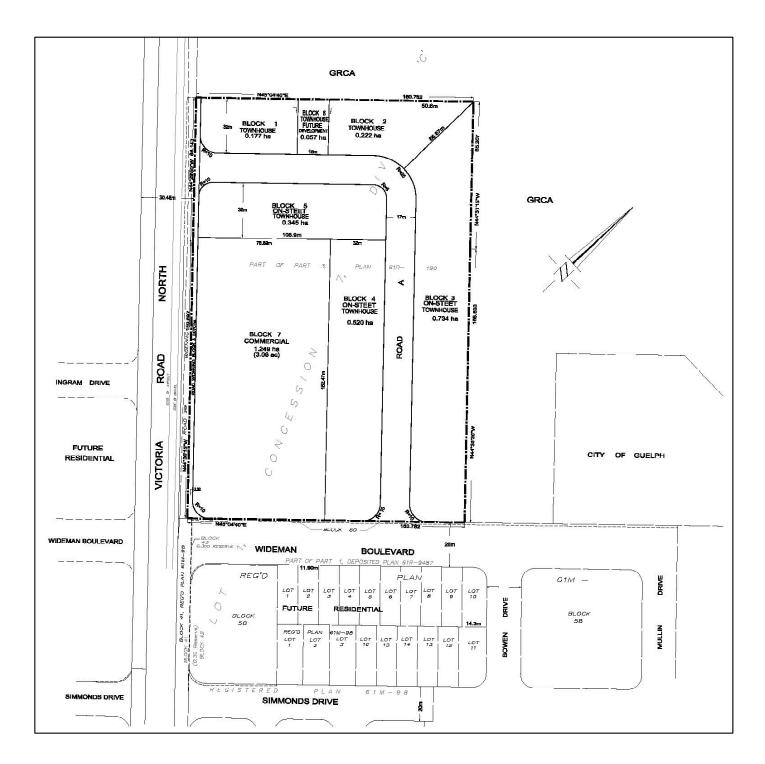
AND That the Zoning By-law amendment application be approved and that City Staff be instructed to prepare the necessary amendment to Zoning By-law Number (1995)-14864, as amended, to transfer the subject lands from the current "Rural" Zone, as referred to in the Township of Guelph-Eramosa Zoning By-law to the following zoning categories as follows:

LOTS/BLOCKS	LAND USE	ZONING
Blocks 3-5	On-Street Townhouse Residential	R.3B
	Min Lot Frontage – 6 m per unit	

Blocks 1, 2, 6	Specialized Townhouse Residential	R.3B-10
	Min Lot Frontage – 6 m	
	Specialized zoning regulation to permit either on- street townhouse or cluster townhouse units	
Block 7	Specialized Neighbourhood Commercial	NC-?
	Specialized zoning regulation that would permit a maximum gross floor area of 4000 square metres	
	Specialized zoning regulation to ensure gas bar is not located between the building and any street line or between the building and the intersection of Victoria Road and Wideman Boulevard.	
	Specialized zoning regulation to ensure that the development of a gas bar occurs in association with the development of a building with a minimum gross floor area of 300 square metres	
	Specialized zoning regulation requiring a minimum building height of two stories for any building with a total building envelope greater than 1500 square metres	
	Specialized zoning regulation to require a building to be located at the corner of Victoria Road and Wideman Boulevard at a maximum front and exterior side yard (build-to-line) of 6 metres and a minimum front and exterior setback of 3 metres	
	Specialized zoning regulation to require a minimum of 30% total building façade facing Victoria Road at a minimum setback of 3 metres and a maximum setback (build-to-line) of 6 metres from Victoria Rd	
	Specialized zoning regulation to locate a building entrance facing Victoria Road for the development of any commercial building	
	Specialized zoning regulation prohibiting drive through and car wash facilities within the proposed NC-? Zone	
	Specialized zoning regulation requiring that off-street parking be provided for the entire site at a minimum of 1 space per 23 square metres of gross floor area	
	Specialized zoning regulation requiring a minimum landscaped strip of 6 metres along the easterly and northerly property lines	

Attachment A

Proposed Draft Plan of Subdivision





Wellington-Dufferin-Guelph Public Health

WWW.WDGHU.ORG

WDGPH Guelph Facility History

1969 BOH and GGH mortgaged and constructed 125 Delhi St. office.

City of Guelph conveyed the parcel of land under the condition that once mortgage paid land and building returned to City.

Nov. 22, 1989 BOH re-conveyed land and building to City of Guelph.

For next 18 years all Municipal funders benefited from no Guelph facility costs.

Sept. 2003 Public Health had out grown Delhi St. site.

BOH decision to consolidate staff from two main Guelph locations and authorized search for suitable Guelph site.

Oct. 2007 staff evacuated due to asbestos concerns. BOH decision not to return to Delhi St.





BOH Facility Committee

Representatives from all Municipalities Evaluated the criteria for new Guelph location Public service delivery and accessibility Consistent with staff work functions Minimum 20 to 40 year occupancy Silver LEED, consistent with public health principles External consulting firm specialized in design of building and space requirement. Prepared a twodimensional feasibility plan.

2009 estimated 45,000 – 50,000 sq ft needed to meet the current needs of staff and service delivery

Public Health

BOH Responsibilities

To provide legislated public health services both now and for future residents

In 2008 WDG responsible for over \$8.75 million of vaccine Assess 46,500 immunization records 9,000 school

vaccines given, 12, 812 flu shots 61, 679 distributed

Guelph: 517 food premises, 155 SDWS to inspect

1,522 recalls/inspections/investigations/enforcement.

Pre-natal classes, Food Handler courses, Travel Clinics CINOT low income dental treatment

Breastfeeding support, parenting classes, home visits to high-risk families

Sexual health services, birth control, HIV testing, needle exchange program, communicable disease...



Critical Information

Shelldale lease expires March 2011

Southgate lease expires December 2011



Financial Analysis – Lease vs Purchase WELLINGTON-DUFFERIN-GUELPH PUBLIC HEALTH LEASE VS ACQUISITION PROJECTED SAVINGS OVER 40 YEARS

	Total Costs							
	Up	front costs	-	0-20 years	2	1 - 40 years		Total
Lease Option (48,000 SF Office)							Οv	er 40 years
Rent (\$15.50 per sq ft, 10% bump every five years)			\$	17,264,520	\$	25,276,800	\$	42,541,320
Improvement Allowance (\$20 per sq ft) (years 11,21,31)			\$	960,000	\$	1,920,000	\$	2,880,000
Moving & Furniture (\$20.29 per sq ft Furniture & \$2.50 per sq ft Moving)	\$	1,093,920	\$	-	\$	-	\$	1,093,920
Realty Taxes & Operating Costs (\$14.5 per sq ft , increase 2.5% annually)			\$	17,927,241	\$	29,375,872	\$	47,303,113
Total Captial Asset after 20 years of lease payments			\$	-			L	
Gross Occupancy Costs	\$	1,093,920	\$	36,151,761	\$	56,572,672	\$	93,818,353

	Total Costs							
Purchase Option (48,000 SF Office)	Up	front costs		0-20 years	2	1 - 40 years	ov	Total ver 40 years
Principal & Interest payments (20 yr term, 5%)			\$	10,891,264			\$	10,891,264
Initial Down Payment (25% of \$9,207,840)	\$	2,301,960					\$	2,301,960
Initial Build Out (Improvement Costs)	\$	2,400,000					\$	2,400,000
Improvement Allowance (\$20 per sq ft) (years 11,21,31)			\$	960,000	\$	1,920,000	\$	2,880,000
Moving & Furniture (\$20.29 per sq ft Furniture & \$2.50 per sq ft Moving)	\$	1,093,920			\$	-	\$	1,093,920
Realty Taxes & Operating Costs (\$14.5 per sq ft , increase 2.5% annually)			\$	17,927,241	\$	29,375,872	\$	47,303,113
Net proceeds on Disposition of Property			-\$	10,673,549	-\$	7,991,897	-\$	7,991,897
Gross Occupancy Costs	\$	5,795,880	\$	19,104,956	\$	23,303,975	\$	58,878,360
Cashflow Differential 0 to 20 years			\$	12,344,845				
Cashflow Differential 0 to 40 years							\$	34,939,993



Financial Analysis – City of Guelph

WELLINGTON-DUFFERIN-GUELPH PUBLIC HEALTH LEASE VS ACQUISITION PROJECTED SAVINGS OVER 40 YEARS

Lease vs Purchase

Total Costs	City of Guelph Portion (46.2%)						
	U	p front costs		0-20 years	2	1 - 40 years	Total Over 40 years
\$ 42,541,320	\$	-	\$	7,976,208	\$	11,677,882	\$ 19,654,090
\$ 2,880,000	\$	-	\$	443,520	\$	887,040	\$ 1,330,560
\$ 1,093,920	\$	505,391	\$	-	\$	-	\$ 505,391
\$ 47,303,113	3		\$	8,282,385	\$	13,571,653	\$ 21,854,038
			\$	-			
\$ 93,818,35	3 \$	505,391	\$	16,702,114	\$	26,136,574	\$ 43,344,079
	\$ 42,541,320 \$ 2,880,000 \$ 1,093,920 \$ 47,303,110	\$ 42,541,320 \$ \$ 2,880,000 \$ \$ 1,093,920 \$	Up front costs \$ 42,541,320 \$ \$ 2,880,000 \$ \$ 1,093,920 \$ 505,391 \$ 47,303,113 \$	Up front costs \$ 42,541,320 \$ - \$ \$ 2,880,000 \$ - \$ \$ 1,093,920 \$ 505,391 \$ 47,303,113 \$ \$	Up front costs 0-20 years \$ 42,541,320 \$ - \$ 7,976,208 \$ 2,880,000 \$ - \$ 443,520 \$ 1,093,920 \$ 505,391 \$ - \$ 47,303,113 \$ 8,282,385 \$ -	Up front costs 0-20 years 2 \$ 42,541,320 \$ - \$ 7,976,208 \$ \$ 2,880,000 \$ - \$ 443,520 \$ \$ 1,093,920 \$ 505,391 \$ - \$ \$ 47,303,113 \$ 8,282,385 \$	Up front costs 0-20 years 21 - 40 years \$ 42,541,320 \$ - \$ 7,976,208 \$ 11,677,882 \$ 2,880,000 \$ - \$ 443,520 \$ 887,040 \$ 1,093,920 \$ 505,391 \$ - \$ - \$ 47,303,113 \$ 8,282,385 \$ 13,571,653

	Т	otal Costs			Cit	y of Guelph Po	ortio	on (46.2%)	
Purchase Option (48,000 SF Office)	Τ		Up	front costs		0-20 years	2	1 - 40 years	Total Over 40 year
Principal & Interest payments (20 yr term, 5%)	\$	10,891,264	\$	-	\$	5,031,764			\$ 5,031,764
Initial Down Payment (25% of \$9,207,840)	\$	2,301,960	\$	1,063,506	\$	-			\$ 1,063,506
Initial Build Out (Improvement Costs)	\$	2,400,000	\$	1,108,800	\$	-			\$ 1,108,80
Improvement Allowance (\$20 per sq ft) (years 11,21,31)	\$	2,880,000			\$	443,520	\$	887,040	\$ 1,330,56
Moving & Furniture (\$20.29 per sq ft Furniture & \$2.50 per sq ft Moving)	\$	1,093,920	\$	505,391			\$	-	\$ 505,39
Realty Taxes & Operating Costs (\$14.5 per sq ft , increase 2.5% annually)	\$	47,303,113			\$	8,282,385	\$	13,571,653	\$ 21,854,03
Net proceeds on Disposition of Property	-\$	7,991,897	\$	-	-\$	4,931,180	-\$	3,692,256	-\$ 3,692,256
Gross Occupancy Costs	\$	58,878,360	\$	2,677,697	\$	8,826,490	\$	10,766,436	\$ 27,201,803
Cashflow Differential 0 to 20 years	\$	12,344,845			\$	5,703,318			
Cashflow Differential 0 to 40 years	\$	34,939,993							\$ 16,142,27

Notes:

Building purchase price \$9,207,840 (\$191.83 per sq ft) includes estimated cost of land, includes the cost of Silver LEED building, design & contingency and land prep charges for soil, Geotech.

Lease calculations do not reflect a Silver LEED building.

Assumptions:

Square footage is estimated at 48,000. The leasing option may require 50,000 sq ft due to the potential of unusable space when leasing an existing structure. The purchase (building) option may only require 45,000 sq ft as it would be specifically designed for the needs of Public Health.

Operating costs are estimated consistently for both the purchase and lease option, however, we would expect considerable savings realized with the purchase of a Silver LEED building due to energy efficiencies.

Summary:

Over the term of 40 years, the lease option will cost an estimated \$93,818,353 and no capital asset will be acquired during this time.

Over the term of 40 years, the purchase option will cost an estimated \$58,878,360 and will include a capital asset with a projected value of \$7,991,897



WDGPH Requests

City of Guelph support Public Health's ownership of property as a strategy to manage long term facility costs and future facility needs.

City of Guelph actively engage with the County of Wellington and County of Dufferin to discuss BOH facility needs to meet the legislated public health standards with the intention of providing timely concrete solutions for financing to support a Public Health new building.



CONSENT REPORT OF THE AUDIT COMMITTEE

July 27, 2009

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

Your Audit Committee beg leave to present their FIRST CONSENT REPORT as recommended at its meeting of July 20, 2009.

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 Audit Committee will be approved in one resolution.

1)

THAT the Finance Report 09-31 dated July 20, 2009 entitled "Recommendation to Approve the 2008 Audited Consolidated Financial Statements", be received;

AND THAT the 2008 Consolidated Financial Statements for the City of Guelph as audited by Deloitte and Touche LLP be forwarded to Council for approval

AND THAT Finance Report 09-29 dated July 20, 2009 entitled "2008 Financial Report Analysis", be received.

2)

THAT the Audit Committee Mandate and Charter, as amended, attached as Appendix 1, be adopted



THAT the Finance Report 09-30 dated July 20, 2009 entitled "Recommendation to Appoint Deloitte Touche LLP as Auditors for 2009; Recommendation to Issue a Request for Proposal for the Appointment of New Auditors for 2010" be received;

AND THAT Deloitte Touche LLP be appointed auditors for the City of Guelph for fiscal 2009 in accordance with the attached engagement letter for a fee of \$108,900;

Page No. 2 July 27, 2009 Audit Committee – Consent Report

AND THAT staff proceed with an RFP for auditors for 2010 to 2014.

All of which is respectfully submitted.

Councillor Karl Wettstein, Chair Audit Committee

PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE AGENDA FOR THE July 20th, 2009 MEETING.

COMMITTEE REPORT



ТО	Audit Committee
SERVICE AREA	Finance
DATE	July 20, 2009
SUBJECT	Recommendation to Approve the 2008 Audited Consolidated Financial Statements
REPORT NUMBER	FIN – 09-31

RECOMMENDATION

THAT the Finance Report 09-31 dated July 20, 2009 entitled "Recommendation to Approve the 2008 Audited Consolidated Financial Statements" be received.

THAT the 2008 Consolidated Financial Statements for the City of Guelph as audited by Deloitte and Touche LLP be forwarded to Council for approval.

BACKGROUND

By recommending the approval of the audited 2008 consolidated financial statements, two of the Audit Committee's key responsibilities are satisfied:

- Ensuring management's financial reporting practices are assessed objectively, the financial statements are properly audited and any problems identified in the audit are satisfactorily resolved.
- The annual financial statements, including the selection of appropriate accounting policies and practices, are approved by Council.

REPORT

The objective of a financial statement audit conducted in accordance with Canadian generally accepted auditing standards (Canadian GAAS) is to express an opinion of the fairness of the presentation in all material respects of the Municipality's financial statement in accordance with Canadian generally accepted accounting principles (Canadian GAAP).

Deloitte and Touche LLP performed an audit of the Municipality's consolidated financial statements for the year ended December 31, 2008 in accordance with Canadian Generally Accepted Auditing Standards (GAAS).

Deloitte and Touche LLP have provided a clear opinion on the City of Guelph's 2008 consolidated financial statements.

Management is responsible for the financial statements and the effectiveness of internal control over financial reporting, its representation letter, independence

matters and the prevention and/or detection of fraud and error.

There is a separate report, prepared by the Supervisor of Financial Reporting and approved by the Director of Finance, that provides a high level discussion and analysis of the 2008 financial results.

CORPORATE STRATEGIC PLAN

This activity relates to:

- Strategic Plan Objective 5.3 Open, accountable and transparent conduct of municipal business.
- Strategic Plan Objective 5.5 A high credit rating and strong financial position.

FINANCIAL IMPLICATIONS

A clear audit opinion on the City's consolidated financial statements permits:

- Good financial decision making.
- A fair credit rating.

DEPARTMENTAL CONSULTATION

Not Applicable

COMMUNICATIONS

In accordance with Section 295(1) of the Municipal Act, 2001, the 2008 consolidated financial statements will be posted on the City's web page.

ATTACHMENTS

Please refer to: Appendix A: Auditor's Opinion and Audited 2008 Consolidated Financial Statements.

Prepared By:

Stephen Buck Financial / Business Analyst 519-822-1260 x 2367

Recommended By: Margaret Neubauer Director of Finance

Consolidated financial statements of City of Guelph December 31, 2008

City of Guelph December 31, 2008

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Auditors' Report
Consolidated statement of financial position
Consolidated statement of financial activities and changes in fund balance
Consolidated statement of changes in financial position
Notes to the consolidated financial statements
Consolidated schedule of current fund operations
Consolidated schedule of capital fund operations
Consolidated schedule of réserves and reserve funds
Consolidated schedule of segment disclosure

Deloitte & Touche LLP 4210 King Street East Kitchener ON N2P 2G5 Canada

Tel: 519-650-7600 Fax: 519-650-7601 www.deloitte.ca

Auditors' Report

To the Members of Council, Inhabitants and Ratepayers of the Corporation of The City of Guelph:

We have audited the consolidated statement of financial position of the Corporation of The City of Guelph as at December 31, 2008 and the consolidated statement of financial activities and changes in financial position for the year then ended. These financial statements are the responsibility of the City's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement

In our opinion, these consolidated financial statements present fairly, in all material respects, the financial position of the City as at December 31, 2008 and the results of its financial activities and changes in its financial position for the year then ended in accordance with Canadian generally accepted accounting principles.

Chartered Accountants Licensed Public Accountants

May 15, 2009

Consolidated statement of financial position

as at December 31, 2008

	2008	2007
	\$	\$
Financial assets		(Note 1)
Cash and cash equivalents		>
Investments (Note 5) Taxes receivable	70,903,455	70,267,238
Accounts receivable	33,024,403	38,621,504
Other current assets	7,234,303 12,258,780	6,847,849
Long-term accounts receivable	455,989	13,755,220
	48,000	487,188
	5,923,145	5,862,929
Total financial assets	74,774,000	72,076,000
Liabilities	204,622,075 20	7,926,928
Accounts payable and accrued liabilities	$\langle \langle \rangle$	\sim
	27,612,511 2	5,607,428
Employee future benefits (Note 7)	9,146,606 1	2,811,972
Accided interest navable	~~~ ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	5,055,323
Deferred revenue (Note 11) Landfill post-closure liability (Note 15)	841,559	792,855
	20,≌04,967 1 5,700 _x 000	9,673,459
Total liabilities		7,300,000
Continentia in the		0,522,616 1,763,653
Contingencies (Note 14)		1.03,035
Commitments and guarantees (Note 18)	·	
Municipal position	~ >	
Operating fund (Note 10-5)	$/\sim$	
Capital fund (Note 1064)	81,028,032 80	,219,964
Reserves (Note 11) Reserve funds (Note 11)	(°,286,964) 4	,073,501
Note KI	70,910,553 67	,741,298
Amounts to be recovered (Note 10d)	8,797,520 6 155,449,141 158	499,119
		533,882 370,607)
Total liabilities and municipal position	33,114,220 36	163,275
	204,622,075 207,	926,928
The accompanying notes are an integral part of this financial sta	itement.	

Consolidated statement of financial activities and changes in fund balance year ended December 31, 2008

		2(
Revenues	\$	/s
Taxation and user charges	\sim	(Note
Property taxation - own purpose		
Property taxation - education purposes	147,824,513	177
Taxation from other governments	59,295,463	137,663,08
User charges	4,869,539	57,426,61
	<u> </u>	3,846,21
Deduct: Amounts received and the table	271,019,564	62,766,09
Deduct: Amounts received or receivable for region or county, and school boards (Note 2)	÷,1,013,384	261,702,00
(Note 2)	(59,296,374)	(57) 100 00
	211,723,190	<u>(57,428,28)</u> 204,273,71
Grants	7	<u>~204,2/3,/1</u>
Government of Canada		\sim
Province of Ontario	6,342,839	6,764,79
	54,156,122	
	60,498,961	<u>57,101,44</u> 63,866,24
Other	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	03,000,243
Contributions from developers	$\langle \rangle$	
Change in deferred revenue	10,399,383	15,185,277
Investment income	(1,231,508)	
Other	11,729,142	700,513
Penalties and interest on taxes	23,547,187	10,956,561
Anterest off taxes	1;095,088	10,808,004
fotal revenues	45,539,292	1,072,478
		38,722,833 306,862,795
General government Protection to persons and property	18,891,481	18,215,519
ransportation services	51,854,760	49,644,821
Environmental services	/ 43,379,914	35,169,199
Health services	35,035,342	31,310,982
Social and family services	18,523,490	16,699,717
Recreation and cultural services	51,183,083	68,156,411
Planning and development	23,947,388	22,273,637
	3,986,364	3,593,597
		45,063,883
apital		
General government		
Protection to persons and property	19,335,721	20,774,064
Iransportation Services	1,830,429	3,144,643
Environmental services	26,904,428	14,564,939
Health services	19,173,971	24,738,002
Social and family services	400,000	-
Recreation and cultural services	580,273	_
Planning and development	4,830,984	2,190,713
	<u> </u>	1,823,452
tal expenditures	74,386,380	57,235,813
t expenditures	<u>321,188,202</u> 3;	12,299,696
	(3,426,759)	(5,436,901)
ancing and other Debt issued Debt principal repayment (Note 9)	10,000,000	
Amounts to be recovered		-
ange in fund balance		1,150,698
		7,739,474)
ening fund balance	(0,004,741) (1	3,176,375)
		3 965
ange in accounting policy (Note 1) ding fund balance	158,533,882 17	3,267,616 1,557,359)

The accompanying notes are an integral part of this financial statement.

Consolidated statement of changes in financial position year ended December 31, 2008

	2008	200
Operating activities	× *	(Nata 4)
Net expenditures		(Note 1)
Amortization of capital costs	(3,426,759)	(5,436,901
	1,810,248	<u>1,720,576</u>
	(1,616,511)	(3,716,325
Uses:		
Increase in accounts receivable	× \	\mathbf{X}
Increase in long-term accounts receivable	(54,875)	(925)
Increase in taxes receivable	(64,835)	
Increase in other current assets	(386,454)	(2,322,895)
Decrease in accrued interest on long-torm list in the	入 (6,623)	(32,441)
	(921,907)	(121,495)
Decrease in accounts payable and accrued link link	✓ (1,600,000)	(500,000)
	- /	(1,736,606)
Decrease in deferred revenue	^(3,416,961)	(16,598)
	<u> </u>	(713,083)
((6,451,655)	(5,444,043)
Sources:	$\langle \rangle$	
Decrease in accounts receivable	\sim	
Decrease in other assets	2,499,052	506,862
Increase in deferred revenue	42,697	515
Increase in employee benefits payable	1,231,508	
Decrease in long-term accounts resolvable	1,810,924	1,598,436
	× -	12,000
	2,041,388	-
Increase in other liabilities	48,714	525,635
	34,673	1,342,698
Net decrease in cash from operations	7,708,956	3,986,146
	(359,210)	(5,174,222)
nvesting activity		
Increase (decrease) in long-term investments	D D D D D D D D D D	
inancing activities	3,200,956	<u>(60,598)</u>
Long-term debt-issued		
Long-term debt repaid	10,000,000	
Net amount to be recovered from the Elliott	10 -	-
Net decrèase in cash from finàncing	<u>(2,493,515)</u>	(8,890,172)
et changes in cash and cash equivalents		-
		(8,890,172)
pening cash and cash equivalents	•	14,124,992)
losing cash and cash equivalents	70,267,238	84,392,230
		70,267,238

The accompanying notes are an integral part of this financial statement.

Notes to the consolidated financial statements December 31, 2008

1. Accounting policies

The consolidated financial statements have been prepared by management in accordance with local government accounting standards established by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants. Significant accounting policies adopted by the City are as follows:

Basis of consolidation

Consolidated entities

The consolidated financial statements reflect the assets, llabilities, revenues, expenditures and changes in fund balances and in financial position of those City funds and government functions or entities which have been determined to comprise a part of the aggregate City operations based upon control exercised by the City, except for the City's government businesses which are accounted for on the modified equity basis of accounting.

The organizations included in the consolidated financial statements are as follows:

Guelph Public Library Board Guelph Police Services Board Guelph Civic Museum Downtown Guelph Business Association The Elliott

All interfund assets and liabilities, and sources of financing and expenditures are eliminated.

The Elliott's fiscal year ends March 31, which does not coincide with the City's fiscal year. The Elliott has been consolidated using the fiscal year ending March 31 of the City's fiscal year.

Proportionately consolidated entities

The City reports only its share of assets, liabilities and results of operations of any government partnerships in which it participates. The City participates in the Wellington-Dufferin-Guelph Public Health Unit to the extent of 46% (2007 – 46%) based on population, as stated in agreement with the other participants. The City also participates in the operations of Social Services and Social Housing, which are services provided by the County of Wellington. The City's share of these operations are 73% and 75% (2007 – 77.16% and 75%) respectively.

Non-consolidated entities

The following local boards and utilities are not consolidated:

School Boards Guelph General Hospital Commission Guelph Cemetery Commission Guelph Non-Profit Housing

Notes to the consolidated financial statements December 31, 2008

1. Accounting policies (continued)

Basis of consolidation (continued)

Government Businesses

The investments in Guelph Hydro Inc. and Guelph Junction Railway are accounted for on a modified equity basis, consistent with the generally accepted accounting treatment for government business enterprises. Under the modified equity basis, the business enterprise's accounting principles are not adjusted to conform with those of the city, and inter-organizational transactions and balances are not eliminated.

Accounting for school board transactions

The taxation and other revenues with respect to the operations of the school boards are reflected in the consolidated statement of operations but with no effect on the Municipal Fund balances since the total is shown as a deduction.

In addition, the expenditures, assets and liabilities with respect to the operations of the school boards are not reflected in these financial statements except to the extent that any over levies are reported on the consolidated balance sheet as "other current liabilities".

Trust funds

Trust funds and their related operations administered by the municipality are not consolidated, but are reported separately on the Trust Funds Statement of Continuity and Balance Sheet.

Restatement of previously issued financial statements

Effective January 1, 2008, management updated its assessment of which entities require consolidation and the result required restatement of the 2007 balances for comparability.

	2007
Fund hallman to a start a	\$
Fund balance, beginning of the year, as previously reported	
Change in accounting policy	173,267,616
Fund balance, beginning of the year, as restated	(1,557,359)
	171,710,257

Bàsis of àccounting

Accrual basis of accounting

Revenue and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they become available and measurable; expenses are recognized, as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

Cash and cash equivalents

Cash equivalents include short term investments with maturities of twelve months or less.

Notes to the consolidated financial statements December 31, 2008

1. Accounting policies (continued)

Basis of accounting (continued)

Capital assets

The historical cost and accumulated depreciation of capital assets are not reported for municipal purposes. Capital assets are reported as an expenditure on the consolidated statement of financial activities in the year of acquisition.

Reserves and reserve funds

Certain amounts, as approved by City Council, are set aside in reserves and reserves funds for future operating and capital purposes. Transfers to and/or from reserves and reserve funds are an adjustment to the respective fund when approved.

Deferred revenue

Deferred revenues represent user charges and fees and development charges which have been collected but for which the related services or expenditures have yet to be performed. These amounts will be recognized in the fiscal year the services or expenditures are performed.

Fund accounting

Funds within the consolidated financial statements consist of the current fund, capital fund and reserves and reserve funds. Transfers between funds are recorded as adjustments to the appropriate, fund balance.

Use of estimates

Since the precise determination of many assets and liabilities is dependent upon future events, the preparation of periodic financial statements necessarily involves the use of estimates and approximation. These have been made using careful judgments. Actual results could differ from those estimates.

Government transfers

Government transfers are recognized in the financial statements in the period in which the events giving rise to the transfer occur, providing that the transfers are authorized, any eligibility criteria have been met, and reasonable estimates of the amounts can be made.

Învestmenț income

Investment income earned on current funds, reserves and reserve funds (other than obligatory reserve funds) are reported as revenue in the period earned. Investment income earned on development charge reserve funds is added to the fund balance and forms part of the deferred revenue balance.

Notes to the consolidated financial statements December 31, 2008

2.	Operations of school boards	\wedge	
	The taxation, other revenues, expenses and levies of the school b following:	oards are corr	prised of the
		í <	
		200	<u> </u>
	-	\sim \backslash	\$
	Taxation	59,294,694	
	Payment in lieu	1,680	57,426,612
		59,296,374	57,428,289
	Requisitions		
	Overlevy (underlevy) for the year	<u>59,296,374</u>	57,428,289
		<u> </u>	<u> </u>
з.	Contributions to other entities	\mathbf{i}	
		<u> </u>	<u>8</u> 2007
			\$\$
	Grand River Conservation Authority	1,189,187	
	Joint Social Services Committee	38,216,203	//
	Wellington Terrace MacDonald Stewart Art Centre	152,167	47,005,877 166,000
	Municipal Property Assessment Corporation	140,300	135,600
		1,385,159	1,326,532
		41,083,016	49,742,704
•			
4.	Trust funds		
	Trust-frinds administrand by the		
	Trust-funds administered by the municipality amounting to \$Nil (20 included in the consolidated balance sheet nor have their operation consolidated statement of current fund operations	07 - \$Nil) have	e not been
,	consolidated statement of current fund operations.	s been include	d in the
<			
5.	Investments		
	Investments are recorded at cost. The cost and market values are		
	and the cost and market values are	as follows:	
		2008	
		2008\$	<u>2007</u>
	Cost	•	Ψ
	Market value 3	3,024,403	38,621,504
	3	3,830,823	39,117,589

6. Pension agreement

The municipality makes contributions to the Ontario Municipal Employees Retirement Fund (OMERS) which is a multi-employer plan, on behalf of the 1,499 (2007 – 1,259) members of its staff. The plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay.

The amount contributed to OMERS for 2008 was \$6,272,789 (2007 - \$5,680,583) for current service and this is included on the consolidated statement of financial activities. As at December 31, 2008, the City has no obligation under the past service provisions of the OMERS agreement.

Notes to the consolidated financial statements December 31, 2008

7. Employee future benefits and other liabilities

			2008	2007
Summary of employee future benefits and other liabilities	$\overline{\langle}$		\$	\$
Future payments required for:		\checkmark		\backslash
Banked overtime WSIB			76,726 45,216	886,361
Retiree benefits Sick leave	\geq	10,9	95,361	2,443,727 10,405,816
Vacation pay liability			40,065 08,879	7,918,723 3,400,696
Total	\checkmark		66,247	25,055,323

a) Liability for banked overtime

Under the Employee Benefit Plan, unused banked overtime can accumulate and certain employees may become entitled to a cash payment upon termination of services.

b) Liability for Workplace Safety & Insurance ("WSIB")

The City is a Schedule II employer under the Workplace Safety and Insurance Act. As a Schedule II employer, the City assumes the liability for any award made under the Act.

Using extrapolation, the 2008 liability has been estimated at \$2,645,216 (2007 - \$2,443,727). The calculations were based on a discount rate of 5% (2007 - 5.0%) and an inflation rate for benefits of 2% (2007 - 2.0%). An actuarial valuation update of the future liability for WSIB benefits was conducted as at December 31, 2008. A reserve fund in the amount of \$1,441,322 (2007 - \$1,339,776) has been provided for this liability.

c) Retirement benerits

The City provides dental and health care benefits between the time an employee retires under the Ontario Municipal Employees Retirement System (OMERS), or retires at a normal retirement age, up to the age of 65.

A liability of \$10,995,361 (2007, \$10,405,816) has been reported on the consolidated statement of financial position for the liability accruing to existing employees for health care, dental and life benefits and for retired employees for health, dental and life benefits coverage. The amounts reported are based on an extrapolation of an actuarial valuation update conducted as at December 31, 2008. The calculations were based on a discount rate of 5% (2007 - 5%) and inflation rates for benefit premiums of 4.0 to 7.667% (2007 - 4.0%).

d) Sick leave

Under the sick leave benefit plan, unused sick leave can accumulate and certain employees may become entitled to a cash payment when they leave the Municipality's employment.

The liability for these accumulated days, to the extent that they have vested and could be taken in cash by an employee on terminating, amounted to \$8,440,065 (2007- \$7,918,723) at the end of the year. The amounts reported are based on an actuarial valuation conducted as at December 31, 2008 using a discount rate of 5% (2007 – 5.0%) and assuming an inflation rate of 2% (2007 – 2%).

A reserve fund has been provided to fund the cost of future retirement and sick leave benefits provided by the City. The balance at the end of the year was \$12,217,605 (2007 - \$11,016,570).

Notes to the consolidated financial statements December 31, 2008

Employee future benefits and other liabilities (continued) 7. e) Vacation pay liability The vacation year is from July 1 to June 30. Vacations are earned in the calendar year before July 1st and become due and maybe taken anytime during the following twelve months. 8. Net long-term liabilities a) 2008 2007 \$ Total long-term liabilities incurred by the municipality including those incurred on behalf of municipal enterprises and outstanding at the end of the year amount to 82,497,384 Less: debenture debt recoverable from school boards and 84,481,616 unconsolidated entities 4,850,000 6,245,000 Total long-term liabilities at the end of the year 77,647,384 78,236,616 Add: Bank Loan (The Elliott) 2,788.571 2,286,000 Net long-term liabilities at the end of the year 80,435,955 80,522,616 Of the net long-term liabilities reported in (a), \$42,346,086 in principal payments are payable from 2009 to 2013, \$38,089,869 from 2014 and beyond. These principal payments are summarized as follows: 2009 - 2013 2014 onwards \$ From general municipal revenues 36,816,801 31,292,141 From reserve funds 4,946,285 4,592,157 From consolidated municipal enterprises 583,000 2,205,571 42,346,086 38.089.869 b) All pet long-term labilities on the consolidated balance sheet are payable in Canadian dollars.

c) The long-term liabilities in (a) issued in the name of the municipality and approved by Council have received approval of the Ontario Municipal Board prior to January 1, 1993. Those issues approved by Council after December 31, 1992 have been approved by by-law. The annual principal and interest payments required to service these liabilities are within the annual debt repayment, limit prescribed by the Ministry of Municipal Affairs and Housing.

Notes to the consolidated financial statements

December 31, 2008

Net long-term liabilities (continued) 8.

d) The details of net long-term debt outstanding are:

Bylaw	Project description	.			embel 31, 2008 p Principal	Princi
	Froject description	Term	Maturity date	<u> </u>	s outstanding	outstand
				~	\$	
17199	General Hospital	5	21-Jui-08			
17199	College: MacDonald-Powerhouse	5			6 \- `	161,8
17199	Int:Eramosa at Stevenson	. 5	21-Jul-08		6 -	91,7
17199	Eastview New Capacity Study		2/1-Jul-08		6 - \	> 107,8
17199	Transfer Station	5	21-Jul-08		6 - \	80,9
17199	WWTP Expansion Stage 1	5	21-Jul-0		-	215,7
16393	Woolwich: Speedvale to Woodlawn	5	≩זַ-Jul-08	1、3.15% to 4.25%		366,8
15899	Wet/Dry Facility	8	5-Sep-08	6.15% to 6.375%	. _	
15899	New Transit Facility	10	30-Oct-08	5.00% to 5.375%	_	230,0
17535	Int-Eramosa at Stevenson	10	30-Oct-08	人5.00% td 5.375%		837,5
17525	Int Variation at Marking	5	15-Sep-09	2.75% to 4.40%	8,161	362,5
17696	Int. Yorkshire at Norfolk	5	15-Sep-09	2.75% to 4.40%	214,755	16,0
17000	Pavement Deficit	5	15-Sep-09		• • =	421,0
1/535	Transfer Station	3-	15-Sep-09		53,689	105,2
17535	Landfill Closure	5	15-Sep-09	2.75% to 440%	· ·	1,166,4
1/535	Purchase CPR Assets	₹.5	15-Sep-09	2.75% to 4.40%	,	1,073,7
16393	West End Community Centre	1à	5-Senato	6.15% to 6.375%		168,43
16393	Land Acquistion	\ 10\	5-Sen-10	6.15% to 6.375%	738,000	1,071,0
16393	WWTP Expansion Stage 1	10	5 Sep-10			668,0
18000	Various Roads Projects	\5	20-Apr-11		•	731,00
18000	Centennial Pool Reconstruction	કે	20-Apr-11 20-Apr-11		• • •	3,437,77
18000	Bus Storage Area/Expansion	5			155,417	203,7
18000	Transfer Station/Public Dropoff Facility	5	20-Apr-11		290,940	381,42
18000	Fire Station (East End)	5	20-Apr-11		151,235	198,26
18000	Pride Upgrade	5	20-Apr-11	4.25% to 4.45%	463,515	607,66
16732 (On behalf of the Elliot		20-Apr-11		46,625	61,12
16751	Woolwich: Speedvale to Woodlawn	10	15-Nov-11		15,730,000	16,520,00
16751	West End Community Centre	10	10-Déc-11		183,912	238,54
16751	Hanlon West Business Park	10	10-Dec-11		594,695	
16751	WWTP Expansion Stage 1	10~~~	10-Dec-11	2.80% to 6.00%	2,381,267	771,34
17536 (On behalf of the Elliot	10	>10-Dec-11	2.80% to 6.00%	1,065,126	3,088,60
18675	Social Sociale Pulling	<u>10</u> /	15-Sep-14	2.75% to 5.20%	1,621,000	1,381,51
10622	Social-Services Building Renevation	10/	25-Sep-18		2,717,900	1,852,00
10677 1	Police HQ Renovations	10	25-Sep-18	3.25% to 4.70%	1,262,000	-
10622 1	Various Roads Projects	> 10	25-Sep-18	3.25% to 4.70%		-
19633	Bus Storage Area Expansion	/ 10	25-Sep-18	3.25% to 4.70%	5,338,100	-
10022 3	Coof Organic Waste Facility	10	25-Sep-18	3.25% to 4.70%	182,000	-
18105	Vew City Hall	25	28-Aug-31	5.237%	500,000	-
IRFÓ2 1	Vew FQA	25	28-Aug-31		18,695,895	19,108,33
				5.237%	5,273,201	5,389,53
F	BC Top Up Loan Sleeman Centre D	emand		RBP - 0.5%	1 049	
1	Nortgage RBC - Sleeman Centre	10	1-May-17		1,217,200	1,917,20
F	rivate Mortgages HCBP /	10	28-Jun-11	4.957%	6,091,818	6,663,06
n n	Nortgage CIBC - Sleeman Centre	18.8	1-Sep-25	7.50%	1,339,072	1,809,38
			1 Och-50	6.38%	6,519,197	6,731,09
E	illiot Bankers Acceptance	10	25-Jun-15			
1	let long-term liebilities at the end of	the year	23-341-15	4.87%	2,788,571	2,286,00
		ine year			80,435,955	80,522,61
L4882 S	Separate School Board	15	141.1.1.0			
L5316 P	ublic School Board	15	1-N	6.75% to 8.875%	1,150,000	1,650,00
L5648 P	ublic School Board			3.375% to 6.95%	1,175,000	1,525,00
15648 S	eparate School Board	15	18-Dec-12	4.50% to 6.20%	1,680,000	2,042,000
F	Recoverable from School Boards	15	18-Dec-12	4.50% to 6.20%	845,000	1,028,000
T	otal debenture debt incurred				4,850,000	6,245,000
_					85,285,955	86,767,616

City of Guelph Notes to the consolidated financial statements December 31, 2008

9. Charges for net long-term liabilities	
Total charges for the year for net long-term liabilities which are reported on the conso statement of financial activities are as follows:	
statement of financial activities are as follows:	lidated
2008	2007
	<u>2007</u> \$
Principal payments and amortization of capital costs	∖ *
	,980,172
4,544,735	,341,684
15,133,966 13	<u>,321,856</u>
10. Municipal fund balances	
 The balances on the consolidated statement of current fund operations at the en year are comprised of the following: 	dafilia
year are comprised of the following:	u or the
	2007
	\$
The Elliott	
	,281,035
	,862,929
74,774,000 72 81,028,032 80	,076,000
	219,964
<u>Capital Fund (Note 10b)</u> (5,286,964) 4	073,501
	293,465
The general revenue surplus available for the general reduction of taxation for the year ended December 31, 2008 was \$2,405,932 (2007 - \$3,086,235) and this an was allocated as follows:	e fiscal
was allocated as follows: was \$2,408,932 (2007 - \$3,086,235) and this an	iount
2008	2007
\$	<u>2007</u> \$
Infrastructure Renewal Reserve	ዋ
Affordable Housing Reserve	500,000
Capital Police Reserve	350,000
Capital Library Reserve 502,769	500,000
Parkland Dedication Reserve 91,605	53,019
Rate Stabilization Reserve	-
	83,216
2,406,932 3,0	86,235

City of Guelph Notes to the consolidated financial statements December 31, 2008

10.	Mun	licipal fund balances (continued)	~	
	b)	Capital Fund		>
		The balance of the Capital Fund represents the net pos		/
		An analysis of this amount shows the following breakd		Projects.
		A A A A A A A A A A A A A A A A A A A	own: 🗸 🔪	
			20	2007
		Where the financing is greater than the cost incurred to date	24,335,51	\$
		Where the incurred costs are greater than the	~ 2~,335,51	6 19,171,297
			(29,622,48	0) (15,097,796)
	c)	Unfunded work in	(5,286,96	4) 4,073,501
		Unfunded work in process	\sim	
		Unfunded work in process consists of capital works for verse obtained and/or allocated to the Capital Fund as o	which permanent f	inancing has not
		Unfunded work in process is to be funded in future year	·	.801
		Process is to be funded in future year	s as follows:	
			200	<u>8</u> 2007
		$ \langle \langle \rangle \rangle $		\$ \$
		Transfers from future operating funds	32,944	
		Transfers from reserves and reserve funds Proceeds from long term liabilities	25,900,346	
		Other including User Fees and Grants	1,541,034	
	/]		2,148,156	2,253.816
d	、 ,		29,622,480	15,097,796
) 4	mounts to be recovered		
	∖ A	mounts to be recovered include the gross amount	-	
)S	mounts to be recovered include the gross amount of the ome of which have been funded through reserves as out	e following items a tlined in Note 11.	it year end,
	-		2008	
		\sim	\$	\$
	I	nventory and prepaids previously recorded		
		Inployee rulure Benefits (Note 7)	2,865,874 26,866,247	2,194,263
	1	nterest payable	841,569	25,055,323
	C C	andfill closure and post-closure liability (Note 15)	5,700,000	792,855
		Capital outlay financed by long-term liabilities and to be recovered in future years	, = = = , = , = , = , = , = , = , = , =	7,300,000
	-	verse vereu in tuture years	86,061,231	87,028,166
			122,334,921	122,370,607

City of Guelph Notes to the consolidated financial statements December 31, 2008

11.	Reserves, reserve funds and deferred revenue	~	
	The total balances of received		
	The total balances of reserves, reserve funds, and deferred rev following:	enue are comp	
			seu or the
		$\langle \rangle$	、 、
		<u> </u>	2007
	Pocontan and the second	\sim	\$ \$
	Reserves set aside for specific purpose by Council:		
		F2 012 cm	
	for acquisition of fixed assets for working capital	52,912,673	
	for Building Services	6,952,406	···
	for Parking	8,956,679	//010
	for sewage disposal	> 204,197	
	for waterworks	1,144,861	353,372
J	Reserves set aside by Downtown of	-/	//401
	Reserves set aside by Downtown Guelph Business Association for contingency	\backslash \backslash	576,931
F	Reserves set aside by Wellington-Dufferin-Guelph Public Health	87,772	52.240
	for contingency		52,248
	for capital financing purposes	-	79 410
		421,383	38,410 453,202
_	for vacation pay	> 29,195	29,319
<u>ד</u>	otal reserves	201,387	<u>195,115</u>
_		70,910,553	67,741,298
R	eserve funds set aside for specific purpose by Council:		
	for Landfill Compensation Fund	(6,198,668)	(7,276,452)
	for Land Ambulance	275,081	344,181
	for road widening	161,018	216,185
	for Workers' Compensation	901,162	858,859
770	for employee future benefits	1,441,322	1,339,776
< =		<u>12,217,605</u> <u>8,797,520</u>	11,016,570
De	eferred revenue set abide for any in		6,499,119
r	eferred revenue set aside for specific purpose by legislation,		
	for transit purposes (Provincial Care		
		1,030,879	1,377,713
		311,555	1,419,945
	for building services	•	-,-,-,-,-
	for park purposes	1,851,638	-
	for development charges	594,269	(345,090)
Tot	Other (The Elliott)	16,285,489	16,349,941
	al deferred revenue	831,137	870,950
		20,904,967	19,673,459

Notes to the consolidated financial statements December 31, 2008

12. Investment in Guelph Hydro Inc.

The City of Guelph owns 100% of Guelph Hydro Inc (the "Company"), which in turn owns 100% of Guelph Hydro Electric Systems Inc., Ecotricity Guelph Inc. and over 99% of Wellington Electric Distribution Company Inc. As business enterprises of the City of Guelph, they are accounted for on a Modified Equity basis in these financial statements. The Corperations are the electricity distribution utilities for the City's residents. The following table provides condensed supplementary financial information for the Company for the year ended December 31.

. .		- 3ÎX
Capital assets		
Regulatory assets	91,684	01 001
		91,001
Long-term investments	2,307	821
Deferred charges and other assets	\land \land \land -	\sim 3
Future income taxes	\land \checkmark \land .	21
Total assets	8,664	8,483
	138,641	
Current liebility		136,179
Current liabilities		
Customer deposits	20,803	20,147
Long-term liabilities	3,382	3,282
Total liabilities	39,682	40,674
Net assets	63,867	
	74,774	64,103
		72,076
Results of operations	×	
<u>Revenues</u>	\sim	
	<u> </u>	136,901
Cost of sales	\ \	
Operating expenses	111,898	110 01 -
Income have		110,015
Income tax	20,843	20,027
Total expenses	1,643	4,683
Net income	134,384	134,725
Retained earnings, beginning of year	4,388	2,176
	23,255	
Retained earnings, end of year	(1,500)	22,579
		(1,500)
	26.143	
$\langle \land \rangle$	26,143	23,255

Effective January 1, 2007, the Company adopted CICA Handbook Sections 3855 "Financial Instruments – Recognition and Measurement", 3861 "Financial Instruments – Disclosure and Presentation", Section 3865 "Hedges" and Section 1530 "Comprehensive Income". These new Handbook sections have led to changes in the accounting for financial instruments. In addition, during 2007, the Company changed its accounting policy for the recording of carrying charges on its regulatory assets and liabilities to include the carrying charges in its financial accounts.

Notes to the consolidated financial statements December 31, 2008

13. Investment in Guelph Junction Railway

The City of Guelph owns 100% of Guelph Junction Railway. As a business enterprises of the City of Guelph, it is accounted for on a Modified Equity basis in these financial statements. The following table provides condensed supplementary financial information for the Corporation for

	\sim		
		2008 _(008's)	2007 (000's)
Financial position Current assets		and the second s	\$
Capital assets Total assets		673 <u>6,442</u>	678 6,422
Current liabilities		7,115	7,100
Long-term liabilities Total liabilities Net assets		90 <u>1,102</u>	90 <u>1,148</u>
Results of operations	·///	<u>1,192</u> 5,923	<u>1,238</u> 5,862
Revenues		d B < 5	
Operating expenses		1,319	1,799
		1,259 60	<u>1,479</u> <u>320</u>
Contingencies	•		

14.

a) The City has become the owner of a previously registered commercial property. While an independent estimate of the environmental clean-up costs has been done, the total costs are dependent on anticipated future use of the property. The City has not yet decided on the use of this property and accordingly, no accrual has been made for the costs of restoring the property. To date \$2,095,484 (2007 - \$2,080,380) has been spent and charged to the

b)

Urbacon Buildings Group Corp. served a Statement of Claim against the City pursuant to the Construction Lien Act seeking damages in excess of \$12,000,000 and punitive and other damages totaling over \$7,000,000. The City has a Counterclaim claiming damages in the amount of \$5,000,000. A related claim of \$5,000,000 was also made by the City against the surety of the performance bond posted by Urbacon.

c) From time to time, the City may be involved in other claims in the normal course of business. Management assesses such claims and where considered likely to be material exposure and, where the amount of the claim is quantifiable, provisions for loss are made based on management's assessment of likely outcome. The City does not provide for claims that are considered unlikely to result in a significant loss, claims for which the outcome is not determinable or claims where the amount of loss cannot be reasonably estimated. Any settlements or awards under such claims are provided when reasonably determinable.

City of Guelph Notes to the consolidated financial statements December 31. 2008

The City owns one landfill site. This landfill site was closed in 2003. The liability for postclosure costs has been reported on the consolidated statement of financial position. The liability was calculated based upon the present value of estimated post-closure costs discounted to December 31, 2008 at a factor of 5.54% (2007 - 5.16%) per annum. Post-closure care is estimated to be required for 36 years from the date of site closure.

The estimated expenditures for post-closure care as at December 31, 2008 is \$5,700,000 (2007 - \$7,300,000). The full amount of these expenditures has been recognized as a liability in the financial statements. There are no reserve funds established for this liability as at December 31, 2008.

16. Expenditures by object

The following is a summary of the current expenditures reported on the Statement of Current Fund Operations by the object of expenditures:

Salaries, wages and employee benefits	<u>2008</u> \$	<u>2007</u> \$
Materials Contracted services	124,906,248 3)949,000 29,359,763	113,870,446 3,471,407 28,087,989
Rents and financial expenses External transfers	33,070,014 10,188,269 <u>34,684,041</u>	31,956,756 4,345,788 <u>62,582,715</u>
	/246,157,335	244,315,101

17. Government partnerships

(i) The City's share of the results of the Wellington-Dufferin-Guelph Public Health's financial activities for the year and its financial position at December 31 year end are as follows:

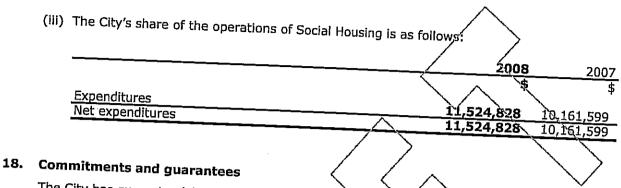
Assets	2008 \$	<u>2007</u> \$
Liabilities	1,205,233	961,439
Resèrve and reserve funds Revenues	553,264 <u>651,970</u> 1,205,234	245,392 716,047 961,439
Expenditures Net revenues	6,202,750 6,202,750	5,705,420 5,705,420

(ii) The City's share of the operations of Social Services is as follows:

Revenues	 <u>2008</u> \$	<u>2007</u> \$
Expenditures	 16,258,335 27,089,920 10,831,585	35,633,004 47,055,789 11,422,785

Notes to the consolidated financial statements December 31, 2008

17. Government partnerships (continued)



The City has guaranteed \$900,000 non-revolving facility for Guelph Community Sports which is supported by Council resolution authorizing provision of such guarantee in favour of Guelph Community Sports. The City believes that this guarantee will not have any significant unfavorable impact on its financial position and consequently no provision has been made in the consolidated financial statements.

Wellington-Dufferin-Guelph Public Health has leased premises under a variety of leases of which the longest expires on April 30, 2031. The minimum lease payments over the next five years are as follows:

\setminus \setminus \setminus	<i>#</i>
2009	*
2010	480,556
	491,700
	495,950
2013	289,190
	<u>115,250</u> 1,872,646
	1,872,646

Other contractual obligations include:

Hospice Wellington

The City has committed grants to Hospice Wellington through 2012 with an outstanding amount of \$872,000 (2007 - \$1,000,000) payable annually in instalments of \$200,000. This grant is to assist with capital renovation costs incurred to open their new location.

Guelph General Hospital

The City has committed grants to Guelph General Hospital through 2012 with an outstanding amount of \$800,000 (2007 - \$1,000,000) payable annually in instalments of \$200,000. This grant is to assist with the capital purchase of a new MRI machine.

MacDonald Stewart Arts Centre

The City has committed grants to MacDonald Stewart Arts Centre through 2010 with an outstanding amount of \$40,000 (2007 - \$60,000) payable annually in instalments of \$20,000. This grant is to assist with capital upgrades required to their HVAC system.

ARC Industries

The City has committed grants to ARC Industries through 2010 with an outstanding amount of \$80,000 (2007 - \$Nil) payable annually in instalments of \$40,000. This grant is to assist with costs incurred to renovate their gymnasium.

Notes to the consolidated financial statements December 31, 2008

19. Tangible capital assets

For fiscal years beginning on or after January 1, 2009, the City will be required to report the historical cost and accumulated depreciation of tangible capital assets in its consolidated financial statements in accordance with the Public Sector Accounting Handbook (Section PS 3150- Tangible Capital Assets).

The City is currently working towards obtaining the necessary information in order to comply with PS 3150. For 2008, Public Sector Guideline 7 requires the disclosure of tangible capital asset information in the notes to the consolidated financial to the extent that reliable information is available. As at December 31, 2008, the City has obtained a listing of its tangible

				•
		\sim		
			2008	2007
	6i	Accumulated	/ Net book	
	Cost	depreciation	value	HOL DOOK
	<u>^</u> \$	\$	value	<u> </u>
t n - d		ት	\ \ \$	\$
Land	29,141,918		$\langle \rangle$	7
Land improvements	5,152,193	<u> </u>	29,141,918	28,876,864
Buildings	5,152,193	2,856,242	2,295,951	20,070,804
Machinery and	134,293,588	36,282,309	09 014 000	2,022,979
		11.	98,011,279	63,642,643
equipment	87,699,165		`	• -
Vehicles	46,460,451	52,018,221	35,680,944	35,998,634
Sanitary sewers		21,788,673	24,671,778	
Storm water	237,294,055	103,820,034	122 474 004	22,505,172
	157,806,664	33,729,179	133,474,021	130,903,235
Transportation	285,928,489	165 100 ore	124,077,485	124,248,126
Waterworks	176,425,345	165,108,050	120,820,429	117,020,000
Assets under		67,674,176	108,751,169	102 000 000
construction				102,092,499
	194,439,177	_	104 494	
		483,276,894	194,439,177	_
		70,094	871,364,151	627,310,152
		/		

20. Segmented information

The City of Guelph is a diversified municipal government institution that provides a wide range of services to its citizens, including police, fire, ambulance, transit and water. For management reporting purposes, the City's operations and activities are organized and reported by Fund current, capital and reserves. Funds were created for the purpose of recording specific activities to attain certain objectives in accordance with special regulations, restrictions or limitations.

Although City services are provided by internally defined departments, the City has chosen to remain consistent with the Ontario Financial Information Return (FIR) and the nine functional areas that it prescribes. This will allow comparability between our Schedule of Segment Disclosure and several schedules on the FIR that already require full segment disclosure of current fund expenditures and limited disclosure of current fund revenues.

The services that have been separately disclosed in the segmented information are defined by the compositional requirements of the FIR, and some examples of these along with the services

General Government

Governance (election management, Council, Council support, Office of the Mayor) Corporate management (CAO, taxation, accounting, budgeting communication, legal, corporate General program support costs including Human Resources and Information Technology,

postage and telephone are allocated back to functional segments on the basis of percentage of

Notes to the consolidated financial statements December 31, 2008

20. Segmented information (continued)

Protection services

Police, Fire, 911 service, POA Act, building and structural inspection, bylaw enforcement, animal

Transportation services

Roadways - including asphalt resurfacing and crack sealing, line painting, sweeping, traffic operations and maintenance of roadside areas, culverts and pridges. Winter control, street lighting, parking and public transit

Environmental services

Sanitary sewer, storm sewers, waterworks, solid waste collection, disposal and recycling

Health services

Public health services, grants to public hospitals, provision of ambulance service

Social and family services

General assistance and childcare as payments to the Consolidated Municipal Service Managers, contributions to homes for the aged, social housing and youth shelters.

Recreation and cultural-services

Parks, recreational facilities, recreational programs, libraries, museums, River Run Centre,

Planning and development services

Planning and zoning, Committee of Adjustment, Visitor Centre and economic development for

Certain allocation methodologies are employed in the preparation of segmented financial information. Taxation and payments-in-lieu are apportioned to current fund services based on the fund segment's net surplus, and general program support costs are apportioned based on a percentage of total expenditure by segment.

21. Comparative figures

Certain comparative/figures have been reclassified in order to present them in a form

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City of Guelph Consolidated schedule of current fund operations year ended December 31, 2008

	Budget To	tal Aci	ual Budget To	
	20	UX ~		otal Actua
	(unaudite		<u> </u>	007 7.00
Revenues		\$	08 (unaudit	400/
Tavatian			*∕∖	\$
Taxation and user charges				(Note 1)
Property taxation - own purpose			/ /	
	152,020,237	7 147,824,31	/	
	-	59 205 40	3 137,878,02	9 137,663,088
User charges	2,236,467	/ / 860,46	ح ک	57 476 640
	65,305.876	50 000 -		10 2046 745
Deduct: An	219,562,580		<u>×∠_57,</u> 536,95	7 67 765 004
Deduct: Amounts received or receivable for		271,019,56	4 199,779,98	6 261,702,006
region or county, and school boards (Note 2)			· · · · · · · · · · · · · · · · · · ·	
Sourds (Note 2)		(59,296,374		\backslash
Grants	219,562,580	211/723,190		(57,428,289)
			199,779,986	204,273,717
Government of Canada				
Province of Ontario	2,000	121,203	\	\sim
	17,476,752	46 167 203		2,813,614
Other	17,478,752	46,162,303	<u>50,874,700</u>	51 693 133
		46,283,506	50,876,700	54,495,751
Investment income	~			
Other	6,575,360	10,425,768		
Penalties and Interest on taxes	10,155,473	10,425,768	6,994,000	10,031,142
	980,000	23,590,970	`9,880,225	11,083,873
Total revenues	17,710,833	1,095,088	980,000	<u>1,072,478</u>
Expenditures	254,752,165	35,111,826	<u>\17,854,225</u>	22,187,493
Ganoral -		293,118,522	268,510,911	280,956,961
General government				200,950,961
Protection to persons and property	17,175,973	18,891,481	4	
	54)366.54e	51,574,014	17,943,555	17,918,513
	52,125,460	43,379,914	49,313,646	49,644,821
nealth services	18,025,900	75,529,914	33,800,890	35,169,199
Social and family services	17,680,953	35,035,342	29,329,900	31,308,634
	36,198,881	18,508,741	16,510,349	16,676,716
	20,191,329	51,183,082	64,146,956	10,070,7 <u>10</u>
Total expenditures	3,058,200	23,897,640	20,288,415	68,156,411
Net revenues	218,823,242	3,687,121	3,579,600	22,208,431
	35,928,923	246,157,335	234,913,311	3,232,376
Financing and other		46,961,187	33,597,600	244,315,101
Transfer/fin/fram manage	<u> </u>		000,750,000	36,641,860
Transfer to capital operations	(25,605,000)	_		
Debt principal repayment		(35,255,009)	(19,736,300)	·
Change is any repayment	(4,442,000)	(4,425,644)	(6,562,000)	(23,180,461)
Change in appoints to be recovered (Note 10)	(7,210,944)	(9,003,715)	(0, 302, 000)	(7,359,461)
hanco's to the		2,531,249	(7,299,300)	(7,314,754)
hanges in fund balance	(37,257,944)	(46,153,119)	/22 507	1,650,698
	(1,329,021)	808,068	(33,597,600)	(36,203,978)
pening fund balance			-	437,882
hange in accounting policy (Ndte 1)		80,219,964		
nding fund balance (Nota/10a)				77,303,254
	(1,329,021)	81,028,032		2,478,828
		9-,020,032	-	80,219,964
\sim /				
\sim				

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Consolidated schedule of capital fund operations year ended December 31, 2008

	Actua	
Revenues		<u> </u>
Grants		(Note 1)
Donations		(note I)
Other Recoveries	5,679,589	7,964,723
Total revenues	< 24.47z	51,369
	2,878,459	881,755
Expenditures	8,582,525	8,897,847
General government		
Protection	10.000	$\langle \rangle$
Transportation services	19,335,727	20,774,064
Environmental services	1,830,429	3,144,643
Health services	26,904,428	14,564,939
Social and family convises	19,173,971	24,738,002
	400,000	~
	580,273	
	4,830,984	2,190,716
Net expenditures	1,330,574	<u>1,823,452</u>
	74,386,386	67,235.816
Financing and other	(65,803,861)	(58,337,969)
Debt issued	\sim	
Transfer from current fund	10,000,000	
	4 425 644	- .
Change in amounts to be receivered (Note 10d)	4,425,644 43,617,752	7,359,461
Charles (Note 10d)	(1,600,000)	32,739,949
Changes in fund balance	56,443,396	(500,000)
		39,599,410
Opening fund balance	(=,000,405) (18,738,559)
Change in accounting policy (Note 1)	4,073,501	74 4 4 4 4
Ending fund balance (Note 10b)	.,	24,146,030
	(5,286,964)	(1,333,970)
\frown	(0/100,904)	4,073,501
\land \land \land \land \land		
$\langle \langle \rangle \rangle$		
$\langle \langle \rangle \rangle$		
\sim		
\checkmark		
-		

Consolidated schedule of reserves and reserve funds year ended December 31, 2008

	Actual	Actual
Revenues	\$	2007 \$ (Note 1)
Development contributions Interest		
Grants	7,396,249	14,014,431
Other	1,287,545 8,535,866	630,593
<u>Change in deferred revenue</u>	112,056	1,405,771
Total revenues	(1,271,320)	256,680
Expenditures	16,060,396	17,007,988
Health services		$\overline{}$
Environmental services	14,743	77,000
Recreation and cultural services Planning and development	\ · / -	23,000 2,348
riblection to persons and press	49,749	65,206
	299,243 280,746	371,618
Total expenditures		
Financing and other	644)481	748,780
Transfers from current fund		
I disier to capital fund	35,255,009 2	2 100 444
Debt principal repayment	(43,617,752)	3,180,461 2,739,949)
Changes in fund balance	<u>(1,585,516)</u> (1,575.418)
	(3,340,259) (1	1,134,906)
Opening fund balance		5,124,302
Change in accounting policy (Note 1) Ending fund balance	74,240,417 7	1,818,332
		2,702,217)
\backslash	79,708,073 72	1,240,417
	\sim \sim \sim	
	\mathbf{i}	
$\langle \langle \rangle \rangle$		



City of Guelph								
Consolidated schedule of segment disclosure year ended December 31, 2008	nt disclosure					\wedge		
Revenues	General Protection Government Services \$	Transportation Services	Environmental Services \$	Health Services	Social & Family Services	Recreation & Cultural Services De	Planning & Development Services	Consolidated total
l axation Government grants & transfers other municipalities Disbursement recoveries	16,261,179 45,077,996 55,465 1,262,504 1.009,470 175,504	31,441,183 21,537,719	13,941,941	6,254,259 12.380.976	23,791,051	12,833,467	+ 4,543,614	\$ 154,144,389
user rees and service charges Licenses, permits, fines & penalties Other	1,524,089 922,102 1,420,490 6,615,420 <u>10,678,900</u> 333,185	4,575,491 8,643,580 3,167,461 1 075 030		SEE 9	13,007,458 - 6,484,745	5,395,054 1,462,320 6,355,890	99,942 37,190 615,544	61,632,953 8,372,618 57.970,540
Expenditures Salaries and henefits	54	71,341,373	4,065,958 1 55,637,079 19	<u>1,028,988</u> 19,683,831	847,148 50,790,402	1,485,829 2,073,503 29,605,763	70,810 5,367,100	14,616,503 21,074,431 317,761,443
Goods and services Transfer payments & financial expenses Capital	4,822,608 47,557,399 2,621,173 4,118,177 1,964,099 2,481,034 10 335 777	,224,387 ,970,990 ,358,028	14,811,549 5, 17,814,172 11, 4,831,809 7,	5,468,660 11,757,110 7,380,146	6,501,135 2,469,963	16,417,187 5,951,816	2,966,125 763 570	124,769,050
Net (expenditures) revenues	28,743,607 55,987,039 28,743,607 55,987,039 2,205,945 (1,600,696)		' 1970	400,000 400,000 49,905,916 (222,085)	42,221,032 580,273 51,772,403 (982,001)	2,861,475 4,830,984 30,061,462		62,566,969 59,465,797 74,386,386
		/		$\left \right\rangle$		(660,664)		(3,426,759)
	\searrow			\land				
-								

INFORMATION REPORT



TO Audit Committee

SERVICE AREA	Finance
DATE	20 July 2009

SUBJECT2008 Consolidated Financial Report AnalysisREPORT NUMBERFIN-09-29

RECOMMENDATION

That Finance Report 09-29 dated 20 July 2009 entitled "2008 Financial Report Analysis" be received.

REPORT

The purpose of this report is to present the City of Guelph's Consolidated Financial Statements to the Audit Committee for review. The City remains in sound financial position despite a slowdown in economic activity that became apparent in the latter half of fiscal 2008.

Included in the 2008 Financial Report are the Consolidated Statements of Financial Position, Activities and Changes in Financial Position.

- The Consolidated Statement of Financial Position is the municipal equivalent of the private sector's balance sheet except that physical assets such as buildings and equipment are not shown. This statement is useful in evaluating the municipality's ability to finance its activities and its ability to provide for future services and obligations.
- The Consolidated Statement of Financial Activities provides a summary of the revenues and expenditures in all of the City's funds (operating, capital, reserve and reserve funds).
- The Consolidated Statement of Changes in Financial Position explains how the City financed its activities and met its cash requirements, resulting in a change in cash in the 2008 fiscal year.

External Audit

The City's external auditor, Deloitte & Touche, have examined the financial statements in accordance with generally accepted auditing standards. They have expressed the unqualified opinion that the consolidated statements are free from material misstatement and fairly present the financial position of the City as at 31 December 2008 in all material respects.

The auditors are responsible for advising management, the Audit Committee and council of any control or operational issues that may be identified during their audit procedures. As requested at the previous audit committee meeting, the auditors will be presenting a workshop to further educate the members of the audit committee on specific elements of the City's financial statements.

Basis of Consolidation and Reporting Entity

Reporting entity refers to organizations whose financial affairs and resources are to be included in the City's consolidated financial statements. It is determined on the basis of which organizations are controlled by the City. Control refers to the ability to govern the financial and operating policies of the organizations, as well as expected benefits and risk of loss. Financial Report Note 1 identifies the organizations and the basis upon which they are included in the City's consolidated financial statements.

For the 2008 audit, the auditor assisted with a review of the City's reporting entity to ensure that the statements would reflect organizations controlled by the City. They agreed with our assessment that

- 1. the City of Guelph does not effectively control the financial and operating policies of Guelph Non-Profit Housing Corporation so should discontinue the practice of consolidating their financial results.
- 2. the City of Guelph does effectively control the financial and operating policies of the Elliott, particularly since the restructuring of their debt with the City in January 2008, so should commence the practice of consolidating their financial results.

The comparative statements for 2007 were restated to reflect the change in reporting entity.

Consolidated Statement of Financial Position

The statement of financial position is useful in evaluating the City's ability to finance its activities and its ability to provide for future services and obligations.

An important indicator on the Statement of Financial Position is the City's municipal position, representing the difference between assets and liabilities, which provide an indication of the affordability of additional spending. As at 31 December 2008, the City was in a net municipal position of \$33.1 million (\$36.2 million in 2007). This decrease is primarily due to the completion of capital works which had been funded prior to 2008, and completed during 2008. As noted above, the statement of financial position does not yet reflect the investment in capital assets.

In accordance with the Public sector Accounting Board's reporting requirement 3150, tangible capital assets (TCA) will be shown on the City's statement of financial position effective with the 2009 statements. As at 31 December 2008 staff had completed the inventory and valuation the City's existing tangible capital assets. The initial inventory reflects approximately 29,000 items with a net book value of \$871 million. Details of these assets, by type of asset is contained in Note 19 to the financial report.

Taxes receivable, as a percentage of taxes levied, remain at approximately 3.5%. A

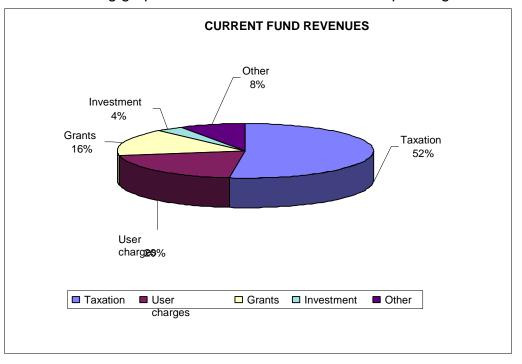
separate report has been prepared to update the committee on the current status of taxes receivable as of June 30. Funds invested temporarily at the end of 2007 were used to complete capital works which had been funded prior to 2008, but not completed at the beginning of 2008.

Deferred revenue represents funds collected for specific purposes in non-discretionary reserve funds, such as gas tax grants and development charges.

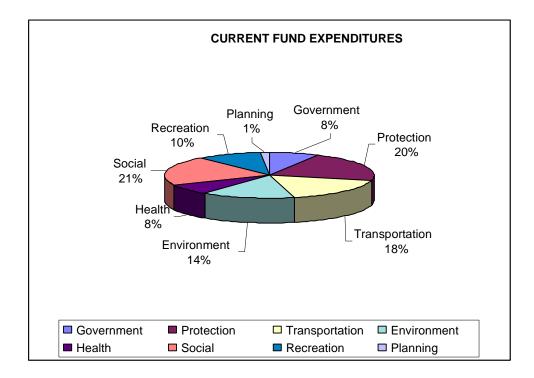
Current Fund Operations

This schedule summarizes the net revenue from operations for the City and all of it's consolidated entities. The City's year end operating fund surplus for 2008 was \$2.4 million and staff have recommended to Council that this be transferred to capital reserves and the tax rate stabilization reserve to be used to mitigate the pressures on future tax rate increases.

The City's operating surplus as a proportion of operating revenues is one of the key financial statistics considered by Standard and Poor's in their annual review of our credit rating and is frequently compared to other municipalities in our peer group. From 2003 to 2007 this percentage has been in the range of 13% to 17% and it is important to keep a healthy general revenue surplus so that we may maintain this ratio in an acceptable range. At year end the general revenue surplus of the City was \$2.4 million (\$3.1 million in 2007). This reflects the commitment to sound fiscal management held by Guelph City Council in accordance with the approved strategic plan.



The following graphs indicate sources and uses of operating funds



Taxation revenues were higher than anticipated due to higher than anticipated growth, processed through a supplementary tax run (primarily from new construction of commercial/industrial facilities) late in 2008.

Within the current fund, transportation expenditures increased due to Transit (20 Minute transit service, staff overtime, new statutory holiday service), increased fuel costs as well as weather related increases in winter control. Social services costs were lower than 2007, due to savings from Provincial uploading of ODSP costs.

Capital Fund Operations

The 2008 Capital Fund expenditures show an increase over 2007 of \$7.15 million. This is primarily due to higher construction activity within Transportation Services - \$12.4 million. Major capital projects undertaken during the year in this area included the reconstruction of the Victoria Road bridge over the Eramosa River with associated road upgrades to Victoria Road (York to Stone) and the reconstruction of Arkell Road (Gordon to Victoria), as well as City Hall.

New capital expenditures for 2008 reflect Council's commitment to invest in social and health programs for Guelph residents:

Health services – first instalments of multi-year commitments to Hospice Wellington and Guelph General Hospital

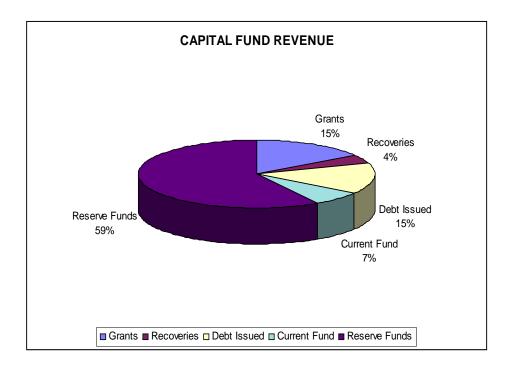
Social and Family Services – land acquisition and initial expenses for the Guelph Youth Shelter

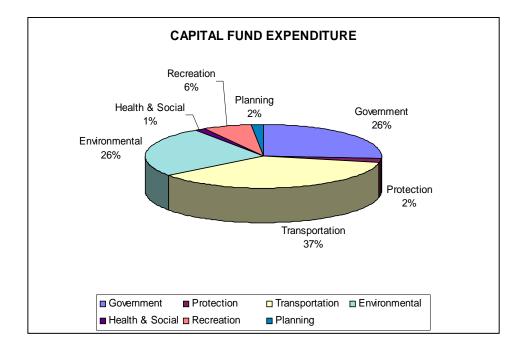
Capital financing is provided from both external and internal sources. External sources include such things as government grants, development charges and Federal and Provincial Gas Tax funding. Internal sources of funds include transfers from current revenue (taxation, water, sewer charges), reserve and reserve funds and debt. The timing of capital project funding is as follows:

current revenue – upfront

donations, grants, developer contributions, cost recoveries – as received reserve / reserve funds – as expenditures are incurred debt – at the completion of the project prior to closing.

The timing of expenditures and percentage of completion of projects will impact the fund balance at year end. The capital fund balance at year end showed a negative balance of \$5.3 million. This indicated that several projects had neared completion and were awaiting a debt issuance in 2009 to fund their expenditures.



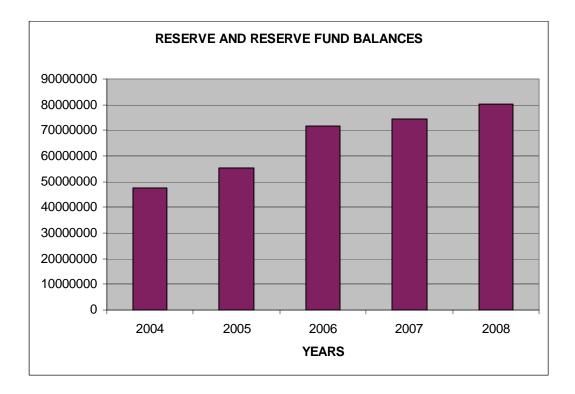


Reserve and Reserve Funds

Reserves and discretionary reserve funds are monies that have been put aside from the operations of prior years and various discretionary grants that have been received from both levels of government. Most of these funds provide for future capital financing or for stabilizing operating activities from year to year.

The reserve and reserve fund balance at 31 December 2008 was \$79.7 million. This represents an increase of \$5.5 million over the prior year end balance. In part this can be attributed to provincial grant funding which will be used to fund approved capital works to be completed during 2009.

Over recent years staff has made a significant effort to address depleted reserves by increasing budgeted contributions from the current fund. The following chart illustrates the change in reserve and reserve funds over the last five years.



Conclusion

Despite a slowdown in economic activity in the latter half of 2008, the City of Guelph remains in a solid financial position. As with most municipalities in Ontario, we face many significant financial challenges, from infrastructure-renewal funding and growth to continued pressure from the public to increase levels of service while at the same time curb tax rate increases.

Recent capital funding announcements from the provincial and federal governments will assist the City in meeting some of those needs as it continues to grapple with growth and legislative changes.

A commitment to strong fiscal policies and strategies along with employees dedicated to delivering quality services will ensure that Guelph citizens and taxpayers will be well served today and into the future.

CORPORATE STRATEGIC PLAN

5.3 Open, accountable and transparent conduct of municipal business

Prepared By:

Michael Humble Supervisor of Financial Reporting 519-822-1260 Ext 2366 michael.humble@guelph.ca Recommended By: Sue Aram Deputy Treasurer 519-822-1260 ext. 2300 susan.aram@guelph.ca

Recommended By:

Margaret Neubauer Director of Finance 519-822-1260 ext. 5606 margaret.neubauer@guelph.ca

COMMITTEE REPORT



TOAudit CommitteeSERVICE AREAFinanceDATEJuly 20, 2009SUBJECTAudit Committee Mandate and CharterREPORT NUMBERFIN-09-24

RECOMMENDATION

THAT Council adopts the Audit Committee Mandate and Charter attached as Appendix A to Report No FIN-09-24.

BACKGROUND

In accordance with Council direction, the Finance Department has prepared an Audit Committee Mandate and Charter consistent with the format of the Governance Committee Mandate and Charter. Development of such a document to guide Committee efforts is a well recognized governance practice leading to strengthened organizational effectiveness.

REPORT

In developing the Mandate and Charter for the Audit Committee, Finance staff consulted a series of sample charters including the Governance Committee Charter, the City's prior Terms of Reference for the Audit Committee, several municipal Audit Committee charters, four of which were Ontario municipalities, and relevant City correspondence.

The finalized document clearly defines the core areas of management for the Committee, authority and responsibilities as well as operating principles and procedures.

CORPORATE STRATEGIC PLAN

This effort is linked to Goal 5 of the Strategic Plan which calls for a communityfocused, responsive and accountable government. It is also specifically linked to strategic objective 5.6 - organizational excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS

None

DEPARTMENTAL CONSULTATION

The Director of Finance, Director of Information Services and Manager of Strategic Planning and Corporate Initiatives were consulted in the development of the Audit Committee Mandate and Charter. The Senior Management Team was also consulted through the preview process.

COMMUNICATIONS

n/a

ATTACHMENTS

Appendix A: Audit Committee Mandate and Charter

"original signed by Stephen Buck"

"original signed by Lois Giles"

Prepared By

Stephen Buck Financial / Business Analyst Supervisor of Business Processes 519-822-1260 x2367

"original signed by Margaret Neubauer"

Recommended By: Lois Giles Director, Information Services

519-822-1260 x2231

Recommended By: Margaret Neubauer

Director of Finance 519-822-1260 x5606

Committee Mandate and Charter

Audit Committee

A. Mandate of the Audit Committee:

1. Mandate

The Committee's mandate defines its core areas of management and responsibility. Established by Procedural Bylaw (1996) 15200 for Standing Committees, it is the mandate of the Audit Committee to ensure that appropriate policies, principles, procedures and roles are established to ensure:

- I. The recommendation of the appointment of the external auditor and the appropriate fees;
- Management's financial reporting practices are assessed objectively, financial statements are properly audited and any problems identified in the audit are satisfactorily resolved;
- III. The annual financial statements, including the selection of appropriate accounting policies and practices, are approved by Council;
- IV. The audit results are reviewed and recommendations to management are followed-up; and
- V. Management has established and is maintaining a comprehensive risk and control framework.

2. Composition of the Committee

- I. The Committee will be comprised of four members of Guelph City Council and the Mayor.
- II. The Director of Finance or other specialists may be called upon to conduct research, communications or any other Committee identified requirements.

B. Charter of the Audit Committee:

The Committee's Charter outlines how the Committee will satisfy the requirements set forth by Council in its mandate. This Charter is comprised of:

- Operating principles;
- Responsibilities and duties; and
- Operating procedures

I. Operating Principles

All Committee work will be carried out in accordance with provisions of the Municipal Act and the Committee will fulfill its responsibilities within the context of the following principles:

i) Committee Values

The Council's Code of Conduct, transparency and accountability will guide Committee efforts and promote interaction with the highest ethical standards and professionalism while ensuring that the best interests of the community are met. The Council endorsed corporate values of wellness, integrity and excellence will also be observed.

ii) Communications

The Committee Chair will act as the primary spokesperson for any related inquiries.

iii) Meeting Agenda

Committee meeting agendas shall be the responsibility of the Chair of the Committee in consultation with Committee members and staff.

iv) Notice of Meetings

Public notice of all committee meetings will be provided on the City's electronic general calendar at least 72 hours prior to a meeting; by posting a notice in City Hall at least 72 hours prior to the meeting; and by publication in a local paper at least 72 hours prior to the meeting.

It is recognized that some items consistent with Section 239 in the Municipal Act may require a meeting to be closed to the public. The holding of any closed meetings and the general nature of the matter to be considered will be made public to ensure full transparency.

v) Committee Expectations and Information Needs

Meeting minutes will be recorded and distributed to Committee members with each meeting agenda.

All decisions that lead to the formulation of recommendations for Council consideration will take place at the Committee meetings only and not through electronic or other outside exchanges.

All pertinent information will be shared with all Committee members in advance of meetings. This can include but not be limited to meeting minutes, any supplemental information, public input, media requests etc.

vi) Reporting to Council

The Committee will report to Council with recommendations for approval.

II. Responsibilities and Duties

Specific roles and responsibilities for the Committee as a whole, Chair and Committee members include:

Committee:

External Audit

• Review the external auditors' proposed audit scope and approach, including coordination of audit effort with City staff.

• Review with management and the external auditors the result of the audit, including any difficulties encountered and all other matters required to be communicated to the Committee under Generally Accepted Auditing Standards.

• Resolve any disagreements between management and the external auditors regarding financial reporting.

• At the conclusion of the audit, consult with the external auditors, without the presence of management, regarding internal financial controls, compliance and the fullness and accuracy of the City's financial statements.

• Ensure the timely presentation of the external auditors' annual audit report to Council.

Financial Statements

• Review significant accounting and reporting issues, including complex or unusual transactions, highly judgmental areas and recent professional and regulatory pronouncements, and understand their impact on the financial statements.

• Review the representation letter provided by management to the external auditors.

• Prior to the presentation of the annual financial statements to Council, review the financial statements and consider whether they are complete, consistent with information known to Committee members and reflect appropriate accounting principles.

• Recommend to Council the approval and distribution of the annual financial statements.

Auditor Performance and Review

• Review and confirm the independence of the external auditors by obtaining statements from the auditors on relationships between the auditors and the city, including non-audit services, and discussing the relationships with the auditors.

• Direct and review the performance evaluation process for the external auditor.

• Recommend changes to the external auditor's compensation for Council approval.

• Periodically determine whether a Request for Proposal should be issued to select an external auditing firm. As per the Ontario Municipal Act 2001 section 296 (3), the external auditor shall not be appointed for a term exceeding five years.

• Participate in the selection of an external auditing firm by reviewing the Request for Proposals and bids received, interviewing potential auditing firms and recommending the external auditor for final approval to the Council.

Compliance

• Obtain regular updates from management and other's (legal counsel, external auditors) regarding compliance with laws and regulations having a material impact on the financial statements including:

- o Tax and financial reporting laws and regulations.
- o Legal withholding requirements.
- o Environmental protection laws and regulations.

• Review by-laws and policies specifically regulating the conduct of members of council, staff and suppliers.

• Review the findings of any examinations by regulatory agencies, and any auditor observations.

• Discuss with the City Solicitor, any significant legal, compliance or regulatory matters that may have a material effect on the financial statements or the business of the City, or on the compliance policies of the City.

• Review the results of management's investigation and follow-up for any instances of non-compliance.

• Review the effectiveness of the systems established to ensure compliance.

Risk Management and Internal Control

• Understand the scope of the external auditor's review of internal financial control over financial reporting and obtain reports on significant findings and recommendations, together with management's responses and the timing of the disposition of significant findings.

• Through the use of a risk management framework, assess the financial risks to be managed by the City and any change in significant financial risks.

• Consider the effectiveness of the City's internal control system for the safeguarding assets, including information technology security and control and the adequacy of policies and procedures.

• Review management and program performance regarding efficiency, effectiveness and economy in the use of resources.

• Reviewing the effectiveness of management reporting systems regarding administrative and program performance.

Reporting Responsibilities

• Ensure the creation of quarterly information reports to Council on progress achieved by the Committee and any concerns or issues that have been identified. The report shall be prepared by the Committee Chair with input from staff.

• Provide an open avenue of communication between the external auditors and City Council.

Adequacy of the City's Resources

• Review the nature of evolving or developing businesses managed by the City, including those changes occasioned by business or process redesign.

• As new businesses and ventures are embarked on by the City, gain comfort that all appropriate processes have been put in place to evaluate feasibility of the new business and to ensure proper resources, both human and financial, have been provided.

Other Responsibilities

• In conjunction with management and the external auditors, develop an annual work plan for the Committee that identifies priorities, objectives and timelines for key deliverables.

• Recommend to Council special investigations and funding as required. Institute and oversee special investigations as authorized by Council.

• Retain independent counsel, accountants, or others to advise the Committee or assist in the conduct of a review.

• After consultation with the Director of Finance and the external auditors, gain a reasonable assurance, at least annually, of the quality and sufficiency of the City's accounting and financial personnel and other resources.

• Review annually the adequacy and/or need for an internal audit function.

• It is recognized that from time to time, other issues will be referred to the Committee for review and input. These items will be addressed on an as needed basis.

Chair:

The Committee Chair will be responsible for:

• Calling the meetings.

• Maintaining order and decorum during meetings, deciding questions of procedure, and generally ensuring that the Committee work proceeds smoothly according to the Committee's work plan.

• Ensuring adequate and appropriate opportunities are provided for input by the public and other key stakeholders at meetings.

• Engaging all members in the decision making process.

Committee Members:

The Committee members will be responsible for:

- Reading all agenda material, and seek clarification on any matters prior to meetings in order to make the most effective use of the Committee's time;
- Attending meetings and participate fully in all Committee work;
- Debating the issues in an open, honest and informed manner to assist the decision-making process;
- Actively contributing to reaching Committee recommendations and directions; and
- Representing and advocating on behalf of constituents, keeping in mind the entire municipality when considering and addressing issues.

• Being financially literate, with sufficient understanding of accounting, auditing, financial reporting and internal control in order to deliberate meaningfully on the types of issues likely to come before the Audit Committee;

• Having a general understanding of the City's major economic, operating and financial risks;

• Having a broad awareness of the interrelationship of the City's strategic initiatives and operations with its financial reporting;

• Understanding the difference between the oversight function of the Audit Committee and the decision making function of management; and

• Having a willingness to challenge management when necessary.

III. Operating Procedures

- i. The Committee shall meet at least four times per year, with the authority to convene additional meetings as may be necessary to exercise its responsibilities.
- ii. A quorum shall be a majority of the whole committee (3).
- iii. The Chair may exercise their option to vote on any motion.
- iv. Any rule not stated herein is deemed to be provided in By-law 1996-15200 Consolidate Procedural By-law.

COMMITTEE REPORT



ТО	Audit Committee
SERVICE AREA	Finance
DATE	July 20, 2009
SUBJECT	Recommendation to Appoint Deloitte Touch LLP As Auditors for 2009
	Recommendation to Issue a Request for Proposal For the Appointment of New Auditors For 2010
REPORT NUMBER	FIN – 09- 30

RECOMMENDATION

THAT the Finance Report 09-30 dated July 20, 2009 entitled "Recommendation to Appoint Deloitte Touch LLP As Auditors for 2009; Recommendation to Issue a Request for Proposal For the Appointment of New Auditors For 2010" be received.

THAT Deloitte Touche LLP be appointed auditors for the City of Guelph for fiscal 2009 in accordance with the attached engagement letter for a fee of \$108,900.

THAT staff proceed with an RFP for auditors from 2010 to 2014.

BACKGROUND

By recommending the appointment of the external auditors and the appropriate fees, one of the Audit Committee's key responsibilities is satisfied:

• Direct and review the performance evaluation process for the external auditor.

Appointment is also required under Section 296 of the Municipal Act. The Act states, the auditor is responsible for "annually auditing the accounts and transactions of the municipality and its local boards and expressing an opinion on the financial statements of these bodies, based on the audit, and for performing duties required by the municipality."

By recommending the issuance of a Request for Proposal for the appointment of a new auditor, two of the Audit Committee's key responsibilities are satisfied:

- Periodically determine whether a Request for Proposal should be issued to select an external auditing firm.
- Participate in the selection of an external auditing firm by reviewing the Request for Proposal and bids received, interviewing potential auditing firms

and recommending the external auditor for final approval to the Council.

Auditor rotation is also required under section 296 (3) of the Municipal Act. The external auditor shall not be appointed for a term exceeding five years.

REPORT

The re-appointment of the current auditors is recommended due to the firm's assistance and knowledge of the City's PSAB system and the desire to avoid a duplication of effort in 2009, the transitional year. It would be costly to change auditors in the midst of the implementation of Tangible Capital Asset reporting. The change in PSAB reporting, for which there has been ongoing consulting with the auditors, affect the 2008 and 2009 financial reports.

The auditors have been the external auditor for the City of Guelph for a number of years and as per the Municipal Act, are due for replacement.

CORPORATE STRATEGIC PLAN

This activity relates to:

- Strategic Plan Objective 5.3 Open, accountable and transparent conduct of municipal business.
- Strategic Plan Objective 5.6 Organizational excellence in planning, management, human resources and people practices.

FINANCIAL IMPLICATIONS

The annual audit fee for 2009 is reflected in the annual budget.

Some audit efficiencies are expected to be realized so that the net increase over the previous year is approximately \$1,000.

DEPARTMENTAL CONSULTATION

Not Applicable

COMMUNICATIONS

Not Applicable

ATTACHMENTS

Please refer to attachment: Appendix A 2009 Engagement Letter.

"original signed by Stephen Buck"

"original signed by Margaret Neubauer

Prepared By:

Stephen Buck

Recommended By: Margaret Neubauer

Financial / Business Analyst

Director of Finance

Deloitte.

Deloitte & Touche LLP 1005 Skyview Drive Suite 202 Burlington ON L7P 5B1 Canada

Tel: 905-315-6711 Fax: 905-315-6700 www.deloitte.ca

June 18, 2009

Private and confidential Via courier

Hans Loewig The City of Guelph City Hall 59 Carden St Guelph ON N1H 3A1

Dear Mr. Loewig:

Deloitte & Touche LLP ("Deloitte" or "we" or "us") is pleased to serve as your auditors for the year ending December 31, 2009. Evan McDade will be responsible for the services that we perform for The City of Guelph and its local Boards – Guelph Library, Guelph Civic Museum, Guelph Police Services, Guelph Non-Profit Housing Corporation, Guelph Downtown Board of Management, Wellington-Dufferin Guelph Public Health, Guelph Junction Railway Company, Guelph Federal Gas Tax Revenues Program, Guelph Federal Public Transit Funds, Guelph Provincial Offences Court Administration & Prosecution Program and Guelph Cemetery Commission (collectively, the "Municipality"). He will, as considered necessary, call upon other individuals with specialized knowledge, either in this office or elsewhere in our firm to assist in the performance of our services.

In addition to the financial statement audit we are engaged to provide under this engagement letter, we would also be pleased to assist the Municipality on issues as they arise throughout the year. Hence, we hope that you will call Evan McDade whenever you believe Deloitte can be of assistance. This assistance will require approval by the Municipality's Finance, Administration, and Community Services Committee (the "Committee) in accordance with its pre-approval policies and procedures.

We will perform this engagement subject to the terms and conditions set forth herein and in the accompanying appendices.

Audit of financial statements

Our engagement is to perform an audit of the Municipality's financial statements for the year ending December 31, 2009 in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). The objective of a financial statement audit conducted in accordance with Canadian GAAS is to express an opinion on the fairness of the presentation in all material respects of the Municipality's financial statements for the year ended December 31, 2009 in accordance with Canadian generally accepted accounting principles ("Canadian GAAP").

Hans Loewig June 18, 2009 Page 2

Appendix A contains a description of a financial statement audit in accordance with Canadian GAAS. Our ability to express an opinion and the wording of our opinion will, of course, be dependent on the facts and circumstances at the date of our report. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or decline to issue a report as a result of this engagement. If we are unable to complete our audit or if our auditors' report requires modification, the reasons therefor will be discussed with the Committee and the Municipality's management.

Management's responsibilities

Appendix B describes management's responsibilities for (1) the financial statements and the effectiveness of internal control over financial reporting, (2) the representation letter, (3) independence matters as a result of restrictions on providing certain services, (4) independence matters relating to hiring, (5) fraud and error.

Auditor communications with those having oversight responsibility for the financial reporting

In accordance with Canadian GAAS, we are required to communicate with those having oversight responsibility for the financial reporting process about various matters in connection with our audit. Appendix C describes such communications.

Inclusion of Deloitte reports in documents and public oral statements or references to Deloitte in other documents and on electronic sites

The Municipality may wish to include, summarize, quote from or otherwise use our report in another "document" or "public oral statement", such as a periodic filing with a regulator, in a debt or equity offering circular or in a private placement memorandum. The Municipality agrees that our report, or reference to our report, will not be included in any such document or public oral statement without obtaining our written consent.

The estimated fees outlined herein do not include any services that would need to be performed in connection with any such required services; fees for such services (and their scope) would be subject to our mutual agreement at such time and would be described in a separate engagement letter. The Municipality also agrees that it will notify us and obtain our approval prior to including our report or financial statements with which we are associated on an electronic site. Further, it is agreed that in any electronic distribution, for example on the Municipality's web site, management is solely responsible for the accurate and complete reproduction of our report and the subject matter on which we reported.

Fees

Our fees are based on the amount of time required at various levels of responsibility, plus actual out-ofpocket expenses (travel, typing, telephone, etc.), payable upon presentation of our invoices. We expect that our fees will be similar to the amount charged for the 2008 audit, and are included as Appendix G to this letter. We will notify you immediately of any circumstances we encounter which could significantly affect our initial estimate of total fees.

We are, of course, available to assist you in other areas that might arise. Additional services provided beyond the described scope of services herein will be billed separately.

Appendix D provides an estimated timetable for the services included in this engagement contract and the responsibilities of both Deloitte and the Municipality's management with respect to the successful completion of the engagement. Deloitte will monitor all work and assess fees (time and expenses) as they are incurred throughout the engagement. If circumstances arise, such as those described in Appendix E,

Hans Loewig June 18, 2009 Page 3

and as a result the fees for any of the services outlined are likely to be greater than indicated due to the need for additional work, we will contact you to discuss the reason and seek your approval for this additional work.

Other matters

This engagement letter, including the appendices attached hereto and made a part hereof, constitutes the entire agreement between the parties with respect to this engagement and supersedes all other prior and contemporaneous agreements or understandings between the parties, whether written or oral, relating to this engagement.

This engagement contract will continue in force for subsequent audits unless amended by the mutual consent of ourselves and the Municipality.

If the above terms are acceptable and the services described are in accordance with your understanding, please sign the copy of this engagement letter in the space provided and return it to us.

Yours very truly,

Deloitte : Touche LLP

Chartered Accountants Licensed Public Accountants

Enclosure

The services and terms set forth in this contract are accepted and agreed to by The City of Guelph and its local Boards – Guelph Library, Guelph Civic Museum, Guelph Police Services, Guelph Non-Profit Housing Corporation, Guelph Downtown Board of Management, Wellington-Dufferin Guelph Public Health, Guelph Junction Railway Company, Guelph Federal Gas Tax Revenues Program, Guelph Federal Public Transit Funds, Guelph Provincial Offences Court Administration & Prosecution Program and Guelph Cemetery Commission management;

Signature

Title

Date

Appendix A Description of a financial statement audit in accordance with Canadian GAAS

The City of Guelph December 31, 2009

Components of a financial statement audit

A financial statement audit includes the following:

- Obtaining an understanding of the entity and its environment, including internal control, sufficient to identify and assess the risks of material misstatements of the financial statements, and sufficient to design and perform further audit procedures. This understanding is not sufficient for, and should not be relied upon for, any other purpose;
- Examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements;
- Inquiring directly of those responsible for oversight of the financial reporting process regarding its views about the risk of fraud and whether the Audit Committee has knowledge of any fraud or suspected fraud affecting the Municipality;
- Assessing the accounting principles used and significant estimates made by management; and
- Evaluating the overall financial statement presentation.

Reasonable assurance

We will plan and perform the audit to obtain reasonable assurance about whether the financial statements present fairly, in all material respects, the financial position, results of operations and cash flows in accordance with Canadian GAAP. Accordingly, we will design our audit to provide reasonable, but not absolute, assurance of detecting material misstatements whether caused by error or fraud.

It is important to recognize that there are inherent limitations in the auditing process. Material misstatements, if they exist, may not be detected because of factors such as the use of judgment, the concept of selective testing of the data underlying the financial statements, and the persuasive rather than conclusive nature of much of the evidence. Because of the nature of fraud, including attempts at concealment through collusion and forgery, an audit designed and executed in accordance with Canadian GAAS may not detect a material fraud. Furthermore, while effective internal control reduces the likelihood that misstatements will occur and remain undetected, it does not eliminate that possibility. For these reasons we cannot guarantee that fraud, error or other illegal acts, if present, will be detected.

Internal control over financial reporting

We obtain an understanding of internal control relevant to the audit however, not all controls are relevant to every audit. We evaluate the design of controls relevant to the audit and determine whether they have been implemented. We are not, however, required to determine whether relevant controls are operating effectively. Although it is not required by generally accepted auditing standards, we may decide that for a particular engagement, it makes sense to rely on the effective operation of some controls in determining the substantive procedures we will perform. In this case, we would go beyond evaluating the design of relevant controls and determining whether they have been implemented, to also test whether the controls on which we intend to rely are operating effectively. Accordingly, while generally accepted auditing standards require us to report to the Committee any significant weaknesses that have come to our attention, we may not be aware of all material weaknesses in internal control that do, in fact, exist. While we are not obligated to report other control matters coming to our attention, we will endeavour to report to management, and if requested the Committee, other control deficiencies that we believe may be of interest to management.

Appendix B Management's responsibilities

The City of Guelph December 31, 2009

Financial statements and the effectiveness of internal control over financial reporting The preparation and overall accuracy of the financial statements and their conformity with Canadian GAAP together with all required disclosures concerning internal control over financial reporting is the responsibility of the Municipality's management. In this regard, management has the responsibility for, among other things:

- 1. Establishing and maintaining effective internal control over financial reporting and informing Deloitte of weaknesses identified in the design or operation of internal control over financial reporting;
- 2. Informing Deloitte of any changes in the Municipality's internal control over financial reporting that occurred during each fiscal quarter that have materially affected, or are reasonably likely to materially affect, the Municipality's internal control over financial reporting;
- 3. Identifying and ensuring that the Municipality complies with the laws and regulations applicable to its activities and informing us of any known material violations of such laws or regulations;
- 4. Adjusting the financial statements to correct material misstatements;
- 5. Safeguarding assets; and
- 6. Making available to us complete information relating to the engagement including, but not limited to, all financial records and related data including information on the recognition, measurement and disclosure of specific items, and copies of all minutes of meetings of directors and committees of directors.

Representation letter

We will make specific inquiries of the Municipality's management about the representations embodied in the financial statements and internal control over financial reporting. As part of our audit procedures, we will request that management provide us with a representation letter acknowledging management's responsibility for the preparation of the financial statements and affirming management's belief that the effects of any uncorrected financial statement misstatements aggregated by us during the current audit engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. We will request that management confirm certain significant representations made to us during our audit on matters that are:

- 1. Directly related to items that are material, either individually or in the aggregate, to the financial statements:
- 2. Not directly related to items that are material to the financial statements but are significant, either individually or in the aggregate, to the engagement; and
- 3. Relevant to management's judgments or estimates that are material, either individually or in the aggregate, to the financial statements.

The responses to inquiries and related written representations of management required by Canadian GAAS are part of the evidential matter that we will rely on as auditors in forming our opinion on the Municipality's financial statements.

Independence matters

For purposes of the following three paragraphs, "Deloitte" shall mean Deloitte & Touche LLP, Deloitte Touche Tohmatsu, its member firms and the affiliates of Deloitte & Touche LLP, Deloitte Touche Tohmatsu and its member firms.

Independence matters as a result of restrictions on providing certain services

In connection with our engagement, Deloitte, management, and the Committee will assume certain roles and responsibilities in an effort to assist Deloitte in maintaining independence and ensuring compliance with Canadian independence rules and applicable regulations. Deloitte will communicate to its partners and employees that the Municipality is an attest client. Management of the Municipality will ensure that the Municipality, together with its subsidiaries and other entities (including variable interest entities) that comprise the Municipality for purposes of the consolidated financial statements, has policies and procedures in place for the purpose of ensuring that neither the Municipality nor any such subsidiary or other entity will act to engage Deloitte or accept from Deloitte any service that either has not been subjected to their pre-approval process or that under Canadian independence rules or other applicable rules would impair Deloitte's independence. All potential services are to be discussed with Evan McDade.

Independence matters relating to hiring

Management will coordinate with Deloitte to ensure that Deloitte's independence is not impaired by hiring former or current Deloitte partners or professional employees for certain positions. Management of the Municipality will ensure that the Municipality, together with its subsidiaries and other entities that comprise the Municipality for purposes of the consolidated financial statements, also has policies and procedures in place for purposes of ensuring that Deloitte's independence will not be impaired by hiring a former or current Deloitte partner or professional employee in an accounting role or financial reporting oversight role that would cause a violation of Canadian independence rules or applicable securities laws and regulations. Any employment opportunities with the Municipality for a former or current Deloitte partner or professional employee.

Fraud and error

Management is responsible for:

- 1. Designing and implementing programs and controls to prevent and detect fraud and error;
- Informing us about all known or suspected fraud affecting the Municipality involving

 (a) management, (b) employees who have significant roles in internal control, and (c) others where the fraud could have a material effect on the financial statements;
- 3. Informing us of its knowledge of any allegations of fraud or suspected fraud affecting the Municipality received in communications from employees, former employees, regulators, short or others;
- 4. Informing us of any information it might have regarding any concerns or allegations of potential errors in the selection of accounting policies or the recording of transactions affecting the Municipality that have been communicated to it by employees, former employees, regulators, or others, whether written or oral;
- 5. Informing us of its assessment of the risk that the financial statements may be materially misstated as a result of fraud; and
- 6. Communicating its belief that the effects of any uncorrected financial statement misstatements aggregated during the audit are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

Appendix C Auditor communications

The City of Guelph December 31, 2009

Independence communications

In accordance with Canadian GAAS, we will disclose to the Committee, in writing, all relationships between Deloitte and the Municipality and its related entities, that in our professional judgment may reasonably be thought to bear on our independence and confirm to the Committee in such letter whether, in our professional judgment, we are independent of the Municipality within the meaning of applicable securities laws, regulations and the Rules of Professional Conduct of our profession. For purposes of this paragraph, "Deloitte" shall mean Deloitte & Touche LLP, Deloitte Touche Tohmatsu, its member firms and the affiliates of Deloitte & Touche LLP, Deloitte Touche Tohmatsu and its member firms.

Fraud, error and illegal acts

If items of the following nature come to our attention, and in our judgment need to be reported to those charged with governance, we will report them directly to the Committee:

- 1. Any fraud that involves management;
- 2. Any fraud (whether caused by management or other employees) of which we become aware that has resulted or could result in a non-trivial misstatement of the financial statements;
- 3. Any fraud involving employees who have significant roles in internal control;
- 4. Uncorrected misstatements aggregated by us during the audit that were determined by management to be immaterial, both individually and in the aggregate, to the financial statements taken as a whole;
- 5. Questions regarding the honesty and integrity of management;
- 6. Matters that may cause future financial statements to be materially misstated;
- 7. Significant misstatements resulting from error that were corrected by management;
- 8. Significant weaknesses in internal control; and
- 9. Related party transactions that are not in the normal course of operations and which involve significant judgments made by management concerning measurement or disclosure.

We will inform the appropriate level of management of the Municipality and determine that the Committee is adequately informed with respect to illegal acts that have been detected or have otherwise come to our attention in the course of our audit, unless the illegal acts are clearly inconsequential.

We will inform the appropriate level of management where we have identified a misstatement resulting from an error, other than a trivial error.

The matters communicated will be those that we identify during the course of our audit. Our audit would not identify all matters that may be of interest to management in discharging its responsibilities. Communication with the appropriate level of authority in the organization's management and with those charged with governance will be determined by the type and significance of the matter to be communicated.

Appendix D Coordination of the audit The City of Guelph December 31, 2009

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Deloitte and the Municipality will develop and maintain an up-to-date workplan that will govern the specific involvement, activities, work products and schedules of all individuals involved in this engagement, including those in the employ of Deloitte, the Municipality and third parties, and regardless of whether the individuals have been assigned to the engagement by Deloitte, the Municipality or a third party.

Deloitte's responsibilities

We will plan the performance of our audit in accordance with the estimated timetable outlined below.

	Estimated to begin	Targeted for
Audit performance schedule: Interim audit procedures Year-end procedures	Nov 30, 2009 May 3, 2010	Dec 4, 2009 May 28, 2010

Management's responsibilities

Management will provide all documentation, as requested by Deloitte, in an accurate and timely fashion.

Appendix E Circumstances affecting timing and fee estimate The City of Guelph

December 31, 2009

The fees quoted for the audit are based on certain assumptions. Circumstances may arise during the engagement that may significantly affect the targeted completion dates and our fee estimate. As a result, additional fees may be necessary. Such circumstances include, but are not limited to, the following:

Audit facilitation

- 1. Changes to the timing of the engagement at the Municipality's request. Changes to the timing of the engagement usually require reassignment of personnel used by Deloitte in the performance of services hereunder. However, because it is often difficult to reassign individuals to other engagements, Deloitte may incur significant unanticipated costs.
- 2. All audit schedules are not (a) provided by the Municipality on the date requested, (b) completed in a format acceptable to Deloitte, (c) mathematically correct, or (d) in agreement with the appropriate Municipality records (e.g., general ledger accounts). Deloitte will provide the Municipality with a separate listing of required schedules, information requests, and the dates such items are needed.
- 3. Significant delays in responding to our requests for information such as reconciling variances or providing requested supporting documentation (e.g., invoices, contracts, and other documents).
- 4. Deterioration in the quality of the Municipality's accounting records during the current year engagement in comparison with the prior-year engagement.
- 5. A completed trial balance, referenced to the supporting analyses, schedules and financial statements, is not provided timely by the Municipality.
- 6. Draft financial statements with appropriate supporting documentation are not prepared accurately and timely by the Municipality's personnel.
- 7. Electronic files in an appropriate format and containing the information requested are not provided by the Municipality on the date requested for our use in performing file interrogation. Deloitte will provide the Municipality with a separate listing of the required files and the dates the files are needed.
- 8. The engagement team, while performing work on the Municipality's premises, is not provided with access to the Internet via the Municipality's existing network or through a T1, DSL, or cable connection for purposes of conducting the engagement.

Significant issues or changes

- 9. Significant weaknesses are identified in the Municipality's internal control that result in the expansion of our audit procedures.
- 10. A significant level of proposed audit adjustments is identified during our audit.
- 11. A significant number of drafts of the financial statements are submitted for our review or we identify a significant level of deficiencies in the draft financial statements.
- 12. Significant new issues or changes arise as follows:
 - a. New accounting issues.
 - b. Changes in accounting policies or practices from those used in prior years.
 - c. Events or transactions not contemplated in our budgets.
 - d. · Changes in the Municipality's financial reporting process or IT systems.
 - e. Changes in the Municipality's accounting personnel, their responsibilities, or their availability.
 - f. Changes in auditing standards.
 - g. Change in the Municipality's use of specialists or the specialists and / or their work product does not meet the qualifications required by Canadian GAAS for our reliance upon their work.
- 13. Changes in audit scope caused by events that are beyond our control.

Appendix F Standard terms and conditions The City of Guelph

December 31, 2009

The following general business terms (the "Terms") apply to the engagement except as otherwise provided in the specific engagement letter agreement (the "engagement letter") between Deloitte & Touche LLP ("Deloitte") and The City of Guelph (the "Client") to which these Terms are attached.

- 1. Timely performance Deloitte will not be liable for failures or delays in performance that arise from causes beyond Deloitte's control, including the untimely performance by the Client of its obligations as set out in the engagement letter.
- 2. Right to terminate services If the Client terminates the engagement or requests that Deloitte resign from the engagement prior to its completion, the Client will pay for time and expenses incurred by Deloitte up to the termination or resignation date together with reasonable time and expenses incurred to bring the services to a close in a prompt and orderly manner. Deloitte will not be responsible for any loss, cost or expense resulting from such termination or resignation. Should the Client not fulfill its obligations set out herein or in the engagement letter, and in the absence of rectification by the Client within thirty (30) days of notification in writing by Deloitte, upon written notification Deloitte may terminate its services immediately and will not be responsible for any loss, cost or expense resulting from such early termination.
- 3. Fees and taxes Any fee estimates take into account the agreed-upon level of preparation and assistance from Client personnel. Deloitte undertakes to advise management of the Client on a timely basis should this preparation and assistance not be provided or should any other circumstances arise which cause actual time to exceed that estimate. The Client is responsible for the payment of any applicable federal, provincial or other goods and services or sales taxes, or any other taxes or duties, in connection with the services provided by Deloitte.
- 4. Expenses In addition to professional fees, the Client will reimburse Deloitte for its reasonable outof-pocket expenses including travel, meals and hotels incurred in connection with this engagement.
- 5. Billing Invoices will be rendered periodically as agreed in advance. All invoices shall be due and payable when rendered. Interest shall be calculated at a simple daily rate of 0.0493% (equivalent to 18% per annum). Interest shall be charged and payable at this rate on any part of an invoice which remains unpaid from thirty (30) days after the invoice date to the date on which the outstanding invoice is paid. To the extent that as part of the services to be performed by Deloitte as described in the engagement letter, Deloitte personnel are required to perform the services in the United States of America ("U.S. Business"), the Client and Deloitte agree to assign performance of the U.S. Business to Deloitte Canada LLP, an affiliate of Deloitte. All services performed by Deloitte Canada LLP shall be performed under the direction of Deloitte which shall remain responsible to the Client for such services. Deloitte Canada LLP shall invoice the Client with respect to the U.S. Business and Deloitte will invoice for services performed in Canada ("Canadian Business"). Payment for U.S. Business and/or Canadian Business can be settled with one payment to Deloitte.
- 6. Governing law The engagement will be governed by the laws of the Province where Deloitte's principal office performing the engagement is located and all disputes related to the engagement shall be subject to the exclusive jurisdiction of the courts of such Province.

Appendix F

- 7. Working papers All working papers, files and other internal materials created or produced by Deloitte related to the engagement are the property of Deloitte. In the event that Deloitte is requested by the Client or required by subpoena or other legal process to produce its files related to this engagement in proceedings to which Deloitte is not a party, the Client will reimburse Deloitte for its professional time and expenses, including legal fees, incurred in dealing with such matters. Deloitte will not return or provide records or information obtained in the course of the engagement to the Client if it is illegal to do so or if Deloitte is requested to withhold the records or information by law enforcement or other public or regulatory authorities (regardless of whether the engagement has been terminated).
- 8. **Privacy** Deloitte and the Client acknowledge and agree that, during the course of this engagement, Deloitte may collect personal information about identifiable individuals ("Personal Information"), either from the Client or from third parties. The Client and Deloitte agree that Deloitte will collect, use and disclose Personal Information on behalf of the Client solely for purposes related to completing this engagement, providing services to the Client, and in a manner consistent with section 10 below. Deloitte shall not collect, use and disclose such Personal Information for Deloitte's own behalf or for its own purposes.
- 9. Third parties Deloitte's engagement is not planned or conducted in contemplation of or for the purpose of reliance by any third party (other than the Client and any party to whom Deloitte's audit report is addressed) or with respect to any specific transaction. Therefore, items of possible interest to a third party will not be addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction.
- 10. Confidentiality To the extent that, in connection with this engagement, Deloitte comes into possession of any proprietary or confidential information of the Client, (including Personal Information as defined in section 8 above), Deloitte will not disclose such information to any third party without the Client's consent, except:
 - (a) as may be required or permitted by legal authority, the rules of professional conduct/code of ethics, or to satisfy the requirements of the Canadian Public Accountability Board ("CPAB") and the Public Company Accounting Oversight Board ("PCAOB").
 - (b) to the extent that such information shall have otherwise become publicly available. Except as instructed otherwise in writing, each party may assume that the other approves of properly addressed fax, e-mail (including e-mail exchanged via internet media) and voice mail communication of both sensitive and non-sensitive documents and other communications concerning this engagement, as well as other means of communication used or accepted by the other.
- 11. Survival of terms The agreements and undertakings of the Client contained in the engagement letter, together with the appendices to the engagement letter including these Terms, will survive the
- 12. Proportionate liability The Client and Deloitte acknowledge where the audit is conducted pursuant to a statute governing the Client that contains proportionate liability provisions that apply to an auditor, such as the Canada Business Corporations Act, the terms of the statute shall apply to this engagement. In the event that the Client and Deloitte are not subject to such statutory provisions regarding proportionate liability, the Client agrees that in any action, claim, loss or damage arising out of the engagement, Deloitte's liability will be several and not joint and several and the Client may only claim payment from Deloitte of Deloitte's proportionate share of the total liability based on the degree of fault of Deloitte as finally determined by a court of competent jurisdiction.
- 13. Client misrepresentation Deloitte shall not be liable to the Client, and the Client releases Deloitte, for all liabilities, claims, damages, costs, charges and expenses incurred or suffered by the Client related to or in any way associated with the engagement that arise from or are based on any deliberate misstatement or omission in any material information or representation provided by or approved by any member of management of the Client, officer of the Client or member of the board of directors of the Client.

Appendix G Professional fees

The City of Guelph December 31, 2009

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2008 Fees Less decrease in Guelph Junction Railway fee owing to anticipated efficiencies Changes for 2009		\$107,700	
		(2,000)	
Increase in Fees Proposed 2009 Fees		<u>3,200</u> <u>\$108,900</u>	
Professional fees	2008	2009	
	\$	\$	
City of Guelph	39,200	40,400	
Guelph Non Profit Housing	10,900	11,250 .	
Guelph Library	1,200	1,300	
Guelph Civic Museum	1,200	1,300	
Guelph Junction Railway	10,900	8,900	
Guelph Police Services	1,200	1,300	
Downtown Board	3,200	. 3,300	
Guelph Cemetery Commission	9,800	10,100	
Guelph Wellington Public Health	15,000	15,450	
Federal Gas Tax / Public Transit Funds	6,200	6,400	
Provincial Offences Program	8,900	9,200	
Total	107,700	\$108,900	

The fee for Guelph Non Profit Housing is on the basis that only one financial statement for the organization will be required. If a separate statement is required for the Paisley project, an additional \$2,700 fee would be applied.

CONSENT REPORT OF THE COMMUNITY DEVELOPMENT AND ENVIRONMENTAL SERVICES COMMITTEE

July 27, 2009

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

Your Community Development and Environmental Services Committee beg leave to present their FIFTH CONSENT REPORT as recommended at its meeting of July 20, 2009.

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 Community Development & Environmental Services Committee will be approved in one resolution.

1) Request for City to Purchase 168 Fife Road for Parkland

THAT Report 09-53 regarding the request for the City to purchase the property at 168 Fife Road for the purpose of developing a new public park, from Community Design and Development Services, dated July 20, 2009, be received;

AND THAT City Council take no action with respect to the request for the City to purchase the property municipally known as 168 Fife Road, legally described as Part of Lot B, Concession 2, Division E, in the City of Guelph, for the purpose of developing a new public park.

2) City of Guelph Water Conservation Public Advisory Committee – Terms of Reference

THAT Council approve the formation of a Water Conservation and Efficiency Advisory Committee, consistent with the attached Terms of Reference, to support the ongoing implementation of the 2009 Water Conservation and Efficiency Strategy Update;

AND THAT staff report annually to Council to provide status updates on Water Conservation and Efficiency Advisory Committee activities and the implementation of the 2009 Water Conservation and Efficiency Strategy.

3) Brownfield Redevelopment Grant Request for 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road

THAT Community Design and Development Services Report 09-62, dated June 20, 2009, regarding a request for financial assistance pursuant to the City of Guelph

Brownfield Redevelopment Community Improvement Plan for the properties Page No. 2 July 27, 2009

Community Development and Environmental Services Committee Report Consent

municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road, be received;

AND THAT the request for financial assistance made by Terra-View Riverside Ltd. under the Tax Increment-Based Grant Program pursuant to the Brownfield Redevelopment Community Improvement Plan for the properties municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road be approved to an estimated upset total of \$138,000 to be issued over a period of 3 years subject to the terms and conditions set hereto as Attachment 1;

AND THAT the request for financial assistance made by Terra-View Riverside Ltd. under the Tax Assistance During Rehabilitation Program pursuant to the Brownfield Redevelopment Community Improvement Plan for the properties municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road be approved for a duration of up to three (3) (i.e. 2009– 2012) years subject to the terms and conditions attached hereto as Attachment 1, as amended, by deleting paragraph 1(b) and replacing it with the following:

 Enter into Tax Cancellation and InformationSharing Agreements with the City, which will specify the duration of the program and will include a requirement for milestones to be completed prior to the annual continuation of the program. This agreement shall be satisfactory to the Director of Community Design and Development Services and the Director of Corporate Services/City Solicitor.

AND THAT Council direct staff to prepare a by-law to implement municipal tax assistance during rehabilitation in accordance with the Municipal Act and that the appropriate information and material be sent to the Minister of Finance requesting relief from the education portion of the taxes for the properties municipally known as 84 and 86 Wyndham Street South, 68A, 68B and 72 York Road for a duration of up to three (3) years;

AND THAT staff be directed to proceed with the finalization of Tax Increment-Based Grant, Tax Cancellation, and Information Sharing Agreements with Terra-View Riverside Ltd. to the satisfaction of the Director of Community Design and Development Services and the Director of Corporate Services/City Solicitor;

AND THAT the Mayor and Clerk are authorized to sign the Tax Increment-Based Grant, Tax Cancellation, and Information Sharing Agreements.

Page No. 3

July 27, 2009 <u>Community Development and Environmental Services Committee Report Consent</u>

4) Strategic Urban Forest Management Plan and Tree By-law Update

THAT the Community Development and Environmental Services Report 09-61 dated July 20, 2009, regarding the Strategic Urban Forest Management Plan and Tree Bylaw Update, be received;

AND THAT staff be directed to prepare permanent tree protection by-laws within the City of Guelph.

5) Guelph Natural Heritage Strategy Phase 2 Terrestrial Inventory & Natural Heritage System (March 2009)

MOE Environmental Bill of Rights Review Response – Paris Galt Moraine (April 2009)

Analysis of Growing the Greenbelt

THAT the Community Design and Development Services Report 09-40 regarding the Natural Heritage Strategy, dated July 20, 2009, be received;

AND THAT staff be directed to apply the criteria developed through the Natural Heritage Strategy Phase 2 Report – Terrestrial Inventory & Natural Heritage System prepared by Dougan and Associates, dated March 2009 and summarized in Attachment 2, as the basis for identifying the Natural Heritage System and policies to be incorporated into the Official Plan Update;

AND THAT staff be directed to address the protection of significant portions of the Paris/Galt Moraine through the Natural Heritage System and policies to be incorporated into the Official Plan Update.

6) Bicycle Policy

THAT the Community Design and Development Services Report 09-61, on 'Bicycle Policy', dated July 20, 2009, be received;

AND THAT Council approve a policy to provide demarcated bike lanes instead of bike routes as part of reconstruction of arterial roadways that are not identified in the Official Plan as having either bike lanes or bike routes;

AND THAT Council authorize staff to undertake retrofit construction to include bike lanes in sections of roadways that are designated to include bike lanes but are not

scheduled for full reconstruction in the near term.

Page No. 4 July 27, 2009 <u>Community Development and Environmental Services Committee Report Consent</u>

7) Changes to Administrative Procedures for Lodging Houses and Accessory Apartments

THAT the Community Design and Development Services Report 09-60 regarding the Administrative Procedures for Lodging Houses and Accessory Apartments, dated July 20, 2009, be received;

AND THAT staff be directed to report back with a proposed amendment to the Business Licensing By-law, to require Lodging Houses to have a business license;

AND THAT staff be directed to prepare an amendment to the Zoning By-law to require a licensing process in order to establish priorities for lodging houses;

AND THAT staff be directed to report back with a proposed amendment to the Registration of Two-Unit Houses By-law Number (1997)-15392, to incorporate the expiration of registration after three years to require the reinspection of these properties.

8) Wellington Street Dam and Parklands Agreement

THAT the Community Development and Environmental Services Report 09-67, dated July 20, 2009, regarding the Wellington Street Dam and Parklands Agreement be received;

AND THAT staff investigate the physical condition of the Wellington Street Dam and the financial, environmental and liability implications of the possible control and maintenance of the dam structure and report back on the results before deciding to take responsibility for the lands and infrastructure;

AND THAT staff continue to work with the Grand River Conservation Authority to resolve the issues associated with the expired agreement;

AND THAT staff hold initial public consultation sessions to gauge the public interest in the long term operation and possible removal of the Wellington Street Dam;

AND THAT staff investigate the possibility of undertaking a Municipal Class Environmental Assessment (EA) under Schedule "B" to assess the long term operation including possible removal of the dam structure and the downstream weir structures; AND THAT this project be considered for the 2010 Capital Budget.

Page No. 5 July 27, 2009

Community Development and Environmental Services Committee Report Consent

9) FCM Green Municipal Fund Support for Guelph Innovation District Secondary Plan

THAT Report No. 09-65, dated July 20, 2009 from Community Design and Development Services, regarding FCM Green Municipal Fund Support for the Guelph Innovation District Secondary Plan be received;

AND THAT Council direct staff to apply for a FCM Green Municipal Fund Grant for the development of the Guelph Innovation District Secondary Plan as a sustainable

community plan that includes a sustainable community vision and sustainability targets;

AND THAT the City of Guelph requests \$155,000 from FCM Green Municipal Funds to help offset total projects of \$340,000 which were previously approved by Guelph Council.

10) Westminster Woods Fencing

THAT no action be taken with respect to the request for removal or relocation of the proposed fence at the rear of properties adjacent to the Provincially Significant Wetlands in Westminster Woods Subdivision;

AND THAT staff encourage the developer to meet with the residents to determine if any modifications can be made to the proposed fencing while still meeting all of the requirements of the Environmental Impact Report for this subdivision.

All of which is respectfully submitted.

Councillor Leanne Piper, Acting Chair Community Development & Environmental Services Committee

PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE

AGENDA FOR THE July 20, 2009 MEETING.

COUNCIL REPORT



ТО	Guelph City Council
SERVICE AREA DATE	Community Design and Development Services July 20, 2009
SUBJECT	Request for City to Purchase 168 Fife Road for Parkland
REPORT NUMBER	09-53

RECOMMENDATION

"THAT Report 09-53 regarding the request for the City to purchase the property at 168 Fife Road for the purpose of developing a new public park, from Community Design and Development Services, dated July 20, 2009, BE RECEIVED and;

THAT City Council take no action with respect to the request for the City to purchase the property municipally known as 168 Fife Road, legally described as Part of Lot B, Concession 2, Division E in the City of Guelph, for the purpose of developing a new public park."

BACKGROUND

At a meeting of the Community Development and Environmental Services Committee held on May 19, 2009, the Committee received a request for the City to purchase the property at 168 Fife Road for the purpose of developing a new public park. The Committee adopted the following resolution:

"THAT the request for the City to purchase 168 Fife Road for park purposes and name the park after Mrs. Annie Farrelly be referred back to staff to report back to Committee."

The following background section of the report provides information on the subject lands as well as a summary of the resulting zoning bylaw amendment application process that has preceded the request for the City to purchase 168 Fife Road as a new public park.

The subject property at 168 Fife Road is a 1.3 hectare, irregularly shaped parcel located on the south side of Fife Road between Pamela Place to the west and Gombas Place to the east. The site is bounded by existing residential development to the west and east and the Guelph Exeter Railway (GEXR) and the City boundary to the south (see Location Map in **Schedule 1**). The property is designated "General Residential" in the City of Guelph Official Plan and currently zoned R.2 (Semi-detached/Duplex), Specialized R.3A-40 (Townhouse) and UR (Urban

Reserve) (See also **Schedule 1** attached). The existing residential zones are the result of a recent zoning by-law amendment application and Ontario Municipal Board (OMB) Hearing and decision. The effect of the decision is to allow the site to be developed by two semi-detached dwellings (four dwelling units) fronting on Fife Road and a 12 unit Townhouse development. A detailed summary and chronology of the zoning by-law amendment is provided on **Schedule 2**.

Following the zoning approval by the OMB, a severance application was approved by the Committee of Adjustment to create the two parcels for the construction of the two semi-detached dwellings (4 units). These lots have now been created and at the time of writing this report, a building permit has been issued to construct one of the two semi-detached dwellings at 146/148 Fife Road in keeping with the approved R.2 (Semi-Detached/Duplex) zoning. Further the owner intends to proceed to construct the second semi-detached dwelling in the near future. The remaining portion of the property, which is currently for sale, would currently permit the development of 12 townhouse units in accordance with the OMB approved R.3A-40 (Cluster Townhouse) zoning. It would be this portion of the subject lands that would be available for the City to purchase as parkland. The following provides a staff recommendation related to the request for the City to purchase the property for public park purposes.

REPORT

City Staff recommend that City Council take no action on the request to purchase the property at 168 Fife Road for the purpose of a new public park. This recommendation is based on four reasons noted below:

- 1. The existing neighbourhood is already well served by existing parkland.
- 2. The configuration of the proposed park does not satisfy current park standards and poses safety concerns.
- 3. The City's Parkland Reserve is in a deficit position.
- 4. Consideration of the City's Growth Management Strategy and the Provincial Growth Plan.
- 1. Existing Parkland

The surrounding neighbourhood is already well served with parkland. Springdale Park is a large 2.65 hectare (6.55 acre) Community Park, and the related open space provided by Gateway Drive School, that is within a 1 kilometre walking distance from the subject site (see location map on **Schedule 1**).

2. Park standards and safety concerns

Staff has concerns with the location and configuration of the subject lands for the development of a public park. After the development of the two semi-detached dwellings along Fife Road, the remaining land is a flagged shaped parcel with only 12 metres of street frontage. This narrow frontage along a public street is insufficient for the development of a park, recognizing that current park planning standards would seek a minimum frontage of 50 metres for any small park.

Appropriate street frontage for a park is important to create "eyes on the park" to ensure the safety of park users. Staff is concerned with the configuration of this parcel for a public park, as there would be little visibility from Fife Road and the park would back onto the rear yards of all adjacent residential properties.

In addition, a public park in this location would also have to apply safety measures (e.g. fencing) as the lands abut the Guelph Exeter (GEXR) rail line that runs along the southern boundary of the site. Further, the property abuts the City boundary to the west and south and is not located in a central location within the neighbourhood to provide appropriate neighbourhood accessibility and connectivity, which are important considerations when establishing a public park.

3. Parkland Reserve

Lands for park purposes are usually purchased using money available in the City's parkland reserve. At this time, the City's parkland reserve fund is still in deficit, due to the substantial monies used to purchase of the South End Community Park several years ago. It is important that the City be prudent when pursuing the future purchase of any parkland to ensure that the proper resources are available and that the parkland purchase would best serve the interests of the entire community. The purchase of land for parks purposes should therefore only be considered to address a current parkland deficiency, which is not the case in this situation.

Staff has also confirmed that the property is not currently listed for sale on the local Multiple Listing Service (MLS) and therefore the amount of money needed to purchase the site is an unknown at this time. The price of \$599,000 quoted in the material presented to CDES, represented a feeler put out by a Real Estate Broker on behalf of the current owner, to the local development community. This was prior to the decision to proceed with construction of the semi-detached dwellings.

4. Consideration of the City's Growth Management Strategy and the Provincial Growth Plan

As noted earlier in this report, the subject lands were only recently rezoned to allow a residential infill project. The current zoning followed a lengthy public process and ultimately an Ontario Municipal Board (OMB) decision. The City's Growth Management Strategy and the Provincial Growth Plan both encourage appropriate infill and intensification within the built up areas of the City. The subject property is located within the Built Boundary of the City and the effect of purchasing the lands for parks purposes would be to lose the potential to build 12 townhouse dwellings that currently form part of the inventory of future units to be constructed within the Built Boundary. Staff would remind Council that it is a requirement of the Provincial Growth Plan that by the year 2015, and for each year thereafter, at least 40 percent of new growth must occur within the Build Boundary. From a staff perspective, it does not make sense to lose a potential infill project less than a year after it was approved.

Staff would also advise that the issue regarding the option for the City to purchase

168 Fife Road as parkland was also raised at a number of the neighbourhood facilitated sessions that were held as part of the zoning by-law amendment process. This option was reviewed by staff and determined to be inappropriate for the reasons discussed in this report. It was explained that the development would require the developer to pay cash-in-lieu of parkland that would add to the City's parkland reserve and contribute towards City wide park upgrades.

Based on the above, Staff recommends that the City not purchase the property at 168 Fife Road for the purpose of developing a new public park and that Council take no further action with respect to this request.

In addition, staff would note that this report has not addressed the naming of the park after Mrs. Annie Farrelly as any naming of municipal assets must follow the recently approved naming policy. Should Council decide to pursue the purchase of these lands for parks purposes, the consideration of the naming of the park will follow the procedures set out in the naming policy, after the development of the park.

CORPORATE STRATEGIC PLAN

The City purchase of the subject property for the purpose of developing a new public park does not support the Urban Design and Sustainable Growth Goal #1: An attractive, well-functioning and sustainable City.

FINANCIAL IMPLICATIONS

The City purchase of 168 Fife Road for the purposes of parkland would increase the current deficit that is identified within the parkland reserve fund. The ultimate development of the subject lands in accordance with the approved zoning will provide a cash-in-lieu of parkland payment that will reduce the size of this deficit and contribute towards City-wide park upgrades.

DEPARTMENTAL CONSULTATION

Staff with Community Services, Operations, and Finance have reviewed this report and support the recommendations.

COMMUNICATIONS

The individual making the request has been advised verbally and in writing of the date and time of when this report will be considered by Council.

ATTACHMENTS

Schedule 1 - Location Map and Existing Zoning Schedule 2 - Summary and Chronology of Zoning Application affecting 168 Fife Road.

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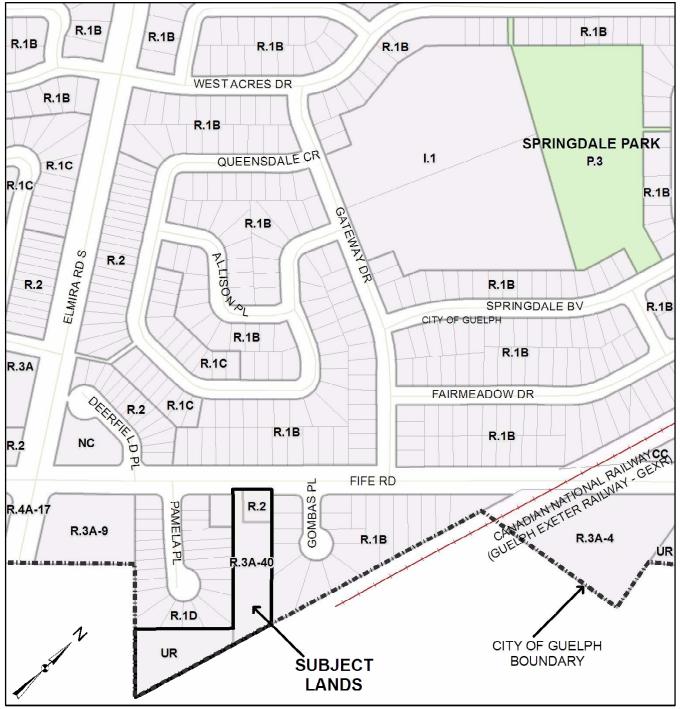
Prepared By: R. Scott Hannah Manager of Parks and Development Planning

Recommended By:

Jim Riddell Director of Community Design and Development Services

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SCHEDULE 1



Site Location and Existing Zoning

SCHEDULE 2 Summary and Chronology of Zoning application affecting 168 Fife Road

The property owner submitted a zoning bylaw amendment application to the City in February of 2007 requesting that the 0.76 front portion of the subject lands be rezoned to permit an infill development of 18 residential units, consisting of 4 semi-detached dwelling units and 14 cluster townhouse units. The semi-detached units were proposed along the frontage of Fife Road, while the proposed 14 unit townhouse development would be located to the south, accessed by a 6 metre wide private road from Fife Road. The layout of this development concept was revised following a number of facilitation sessions that were held in an attempt to resolve neighbourhood issues surrounding the application. A further modification to the concept was implemented through a subsequent decision of the Ontario Municipal Board (OMB), which approved the application with a reduced number of 12 townhouse units to be developed in three groups of four units.

The following provides a brief summary of the zoning bylaw amendment application process for this infill development project:

- Following circulation of the application in January of 2007, City staff held two public information meetings (February 15, 2007 and September 13, 2007) with adjacent residents in an effort to address a number of neighbourhood issues and concerns.
- The application proceeds to the statutory Public Meeting at Council on December 2, 2007 with staff recommending approval of the application, as outlined in Staff Report 07-111. Council defers application and directs staff to continue to work with the community members and the developer towards the reconciliation of neighbourhood issues.
- City engages Glenn Pothier of GLPi to facilitate meetings between neighbouring residents, the applicant and City staff in an effort to resolve an identified list of issues, mainly with respect to the density and compatibility of the townhouse development. Meetings were held on February 7, March 19, and May 15 of 2008.
- Staff present follow-up report to Council on July 7, 2008 (Report 08-72) reporting on the results of the facilitated sessions and provide recommendation to Council to approve application, consisting of 4 semi-detached dwelling units and 14 cluster townhouse units within a revised layout. Council approves a modified zone change application by reducing the total number of permitted cluster townhouse units to 12.
- Owner appeals decision of Council to the Ontario Municipal Board (OMB), requesting that the originally proposed 14 townhouse units be approved. Ms. Rosemarie McKinnon files a second appeal to the OMB requesting a further reduction in the number of townhouse units on the property. These appeals do not affect the Council approved R.2 zoning that applies to the front portion of the subject lands, which would permit the development of two

semi-detached dwellings.

- OMB hearing held December 15, 2008.
- Order from the OMB issued on January 5, 2009 upholding Council's decision and directing the City to amend its zoning bylaw to permit a maximum of 12 townhouse units, with additional direction that the townhouse units are to be developed in three groups of four units.
- Council adopts zoning bylaw amendment January 26, 2009 to enact OMB Order.

COMMITTEE REPORT



ТО	Community Development and Environmental Services Committee
SERVICE AREA DATE	Environmental Services July 20, 2009
SUBJECT	City of Guelph Water Conservation Public Advisory Committee - Terms of Reference
REPORT NUMBER	

RECOMMENDATION

"THAT Council approve the formation of a Water Conservation and Efficiency Advisory Committee, consistent with the attached Terms of Reference, to support the ongoing implementation of the 2009 Water Conservation and Efficiency Strategy Update;

AND THAT staff report annually to Council to provide status updates on Water Conservation and Efficiency Advisory Committee activities and the implementation of the 2009 Water Conservation and Efficiency Strategy."

Background:

On May 25, 2009 Guelph City Council endorsed the 2009 Water Conservation and Efficiency Strategy Update (WCESU). To ensure public consultation throughout development of the WCESU, a Public Advisory Committee (PAC) was formed by Council resolution in April 2008. This PAC, which included a broad representation from community stakeholders groups, achieved the Committee's mandate following completion and Council endorsement of the 2009 WCESU.

Included as part of the numerous WCESU policy recommendations was the following: "That the City form a long standing Water Conservation and Efficiency Advisory Committee for purpose of ongoing public consultation throughout the implementation of the 2009 Water Conservation and Efficiency Strategy Update with an appropriate mandate and charter to be developed for the Committee."

Staff are currently planning and developing programs for the 2010 implementation of the WCESU recommendations. With the enhanced value that was added to WCESU as a direct result of the public consultation process during the strategy development, it is desired that the Water Conservation and Efficiency Advisory Committee (WCEAC) be initiated early and maintained throughout the implementation of our "made in Guelph" strategy.

The Terms of Reference (TOR) for the Water Conservation and Efficiency Advisory Committee has been developed to be consistent with the City's Guiding Principals for Public Involvement (see Appendix "B"). Following Council's approval of the attached TOR, staff anticipate that the Committee can be formed by the fall 2009, following Council's Guiding Principles for Advisory Committee Citizen Appointments.

Of specific focus for the Water Conservation and Efficiency Advisory Committee will be the development of an enhanced public and youth education program in accordance with recommendations of the 2009 WCESU. To develop the framework for these educational programs, staff will be initiating a water conservation consumer-based social marketing study early this fall. The study, which will build upon research already completed as part of WCESU, will work to further define public barriers to undertaking desired water conservation actions and evaluate new program delivery alternatives to best support Guelph residents to achieve greater water efficiency.

CORPORATE STRATEGIC PLAN

- 1. An attractive, well-functioning and sustainable city.
- 5. A community-focused, responsive and accountable government.
- 6. A leader in conservation and resource protection/enhancement.
- 6.4 Less waste per capita than any comparable Canadian city.
- 6.5 Less energy and water per capita use than any comparable Canadian city.

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

N/A

ATTACHMENTS

Appendix "A" - Water Conservation Public Advisory Committee Terms of Reference Appendix "B" - Guiding Principles for Public Involvement

Prepared By: Wayne Galliher, A.Sc.T. Water Conservation Project Manager 519-822-1260, ext 2106 wayne.galliher@guelph.ca

"original signed by Peter Busatto"

Endorsed By: Peter Busatto Manager of Waterworks 519-822-1260, ext. 2165 peter.busatto@guelph.ca "original signed by Janet Laird"

Recommended By: Janet L. Laird, Ph.D. Director of Environmental Services 519-822-1260, ext. 2237 janet.laird@guelph.ca

Water CoNSERVATION PUbLIC ADVISORY COMMITTEE Terms OF Reference

1. Purpose of the Public Advisory Committee

The purpose of the Public Advisory Committee (PAC) is to provide an ongoing mechanism for feedback and advice to staff on key aspects of implementation of the 2009 Water Conservation and Efficiency Strategy Update including:

- Issues and opportunities to be addressed in the implementation of the Water Conservation and Efficiency Strategy Update;
- Alternative solutions;
- Design considerations;
- Community consultation and communications plans; and
- Other relevant matters that City staff refers to the PAC for feedback.

2. Creating the PAC

In order to successfully achieve the purpose described above, it is important that the PAC:

- Follow the City's Guiding Principles for Public Involvement;
- Is created through a transparent, defensible process;
- Is created early in the process, and involved in a regular ongoing way throughout;
- Includes a <u>balance</u> of interests that reflects the range of perspectives in the community;
- Has a maximum size of 8 participants;
- Has a Terms of Reference that clearly outlines the roles and responsibilities of the PAC, and City staff; and Terms of Reference are endorsed by Guelph City Council.

3. PAC Formation and Conduct

3.1 <u>Membership:</u>

Membership on the PAC will include 8 representatives of the public-atlarge

Water CoNSERVATION PUbLIC ADVISORY COMMITTEE Terms OF Reference

City staff, other municipal and agency staff would also be resources to the committee, as required.

3.2 <u>Recruiting:</u>

The Committee Liaison will work with the Clerk's office to fill public-atlarge positions through the appropriate committee of Council in compliance with the City's policies and procedures for committee appointments.

The following criteria are recommended to assist Council to identify public-at-large representatives:

- Knowledge of and experience with municipal water conservation and efficiency programming, municipal water and wastewater systems and water demand management practices;
- Able to commit to participating throughout the term of their appointment;
- Willingness to accept the PAC Terms of Reference and agreement to abide by the City's Principles for Public Involvement (see Appendix "B");

3.3 <u>Chair/Facilitation:</u>

A Committee Chair will be selected through nominations and majority vote of the Committee. The Committee chair will be responsible for facilitation of all PAC meetings to enable all members to participate fully in the discussions.

3.4 <u>Meetings:</u>

PAC meeting will meet quarterly at minimum with additional meetings to be called as required by the Committee Chair.

3.5 Advisory Process:

As an advisory body, the PAC should operate by consensus to the extent possible. Consensus is where participants openly discuss views and opinions, and seek to develop common ground and reduce areas of disagreement to the best of their ability. Where differing viewpoints and opinions exist, these will be noted in the PAC meeting reports.

Water CoNSERVATION PUbLIC ADVISORY COMMITTEE Terms OF Reference

3.6 <u>Meeting notes:</u>

PAC meeting notes will be taken by City staff. Notes will summarize decisions made and action items and will be circulated to the PAC following each meeting for review and comment by members. Meeting notes will be approved by the PAC at the following meeting.

3.7 <u>Roles and Responsibilities:</u>

As a PAC member, each participant will:

- i. Consider any matters, issues or information referred to them by City staff relating to the implementation of the WCESU, and provide advice and recommendations as requested.
- ii. Liaise with the organization they represent (if applicable) and bring forward advice, issues or comments from their organization to the PAC.
- iii. Strive to operate in a consensus mode, where participants openly discuss views and opinions, and seek to develop common ground and reduce areas of disagreement to the best of their ability.
- iv. Ensure that the results of PAC discussions are accurately recorded in the meeting notes, or in additional reports that members may determine are needed.
- v. Agree to abide by the City of Guelph's Principles for Public Involvement in participating on the PAC.

City staff members will:

- 1. Strive to provide accurate, understandable information to PAC members, such that they can contribute informed advice and recommendations.
- 2. Ensure that appropriate City staff (or other resource people) are present at discussions on specific issues or components of the planning process.
- 3. Ensure that advice, recommendations, and consensus positions from the PAC are fully considered as part of implementation of the WCESU.

Water CoNSERVATION PUbLIC ADVISORY COMMITTEE Terms OF Reference

- 4. Be open, receptive, and give careful consideration to advice and ideas received from PAC members, and strive to reflect consensus positions within implementation of the WCESU.
- 5. Agree to abide by the City of Guelph's Principles for Public Involvement in interacting with the PAC.

3.8 <u>Reporting Relationship:</u>

The PAC is acting in an advisory capacity to the City staff, and through City staff to City Council. All meeting notes and recommendations from the Committee will be posted on the City's web site for review by Council and the public.

By participating as members in this committee, PAC members are not expected to waive their rights to the democratic process, and may continue to avail themselves of participation opportunities through delegation to committees of Council, and/or providing written briefs. Any positions taken by individual members are without prejudice.

3.9 <u>Term of Office:</u>

New PAC members will serve an initial term of 1 year and up to three years thereafter to coincide with the term of Council. No individual Committee member may serve more than 10 years, subject to exceptions provided in the City's policies and procedures for citizen Committee appointments.

4. PAC LIAISON

4.1 Liaison Division:

Water Conservation Project Manager, Waterworks Division -Environmental Services Department. 29 Waterworks Place, Guelph ON

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Water CoNSERVATION PUbLIC ADVISORY COMMITTEE Guiding Principles for Public Involvement

- **Inclusive not Exclusive** Everyone's participation will be welcome. Anyone with a known interest in the issue will be identified, invited and encouraged to be involved early in the process.
- **Voluntary Participation** The process will seek the support of those participants willing to invest the time necessary to make it work.
- **Purpose Driven** The process will be clearly linked to when and how decisions are made. These linkages will be communicated to participants.
- **Time and Financial Constraints** The process will operate within an appropriate time frame and budget.
- **Communication** The process and its progress will be communicated to participants and the community at-large using appropriate methods and technologies.
- **Adaptability** The process will be adaptable, recognizing all limits or constraints and allowing the level of public involvement to be reflective of the magnitude of the issue and the needs of the participants.
- Access to Information The process will provide participants with timely access to all relevant information in an understandable and user-friendly way. Education and training requirements will be considered.
- Access to Decision Making The process will give participants the opportunity to influence decision making. The participants will be provided with feedback as to how their input influenced the decisions as they are made.
- **Respect for Diverse Interests** The process will foster respect for the diverse values, interests and knowledge of those involved.
- **Accountability** The process will recognize that participants are accountable to both their constituents and to the success of the process.
- **Evaluation** The success and results of the process will be measured and evaluated.

Roles and Responsibilities

Council - City Council is ultimately responsible to all the citizens of Guelph and must weigh each of its decisions accordingly. Councillors are responsible to their local constituents under the ward system, however they must carefully consider the concerns expressed by all parties. Council must

Water CoNSERVATION PUbLIC ADVISORY COMMITTEE Guiding Principles for Public Involvement

ultimately meet the needs of the entire community and act in the best interests of the City as a whole.

During its review and decision-making process, Council has an obligation to recognize the efforts and activities that have preceded its deliberations. Council should have regard for the public involvement processes that have been completed in support of projects, and Councillors should be prepared to discuss their rationale for their decisions in light of that public involvement.

City Staff - The future of the City should be designed to meet the needs and priorities of its citizens. Staff responsible for the design and implementation of public participation processes have an obligation to ensure that the Guiding Principles are the backbone of their processes. In addition to the responsibilities established by the Guiding Principles, staff have a responsibility to:

- pursue public involvement with a spirit that recognizes the value it adds to projects;
- in all public involvement activities, work towards fostering long-term relationships based on respect and trust;
- encourage positive working partnerships;
- take-up the challenge to draw out the silent majority, the voiceless and the disempowered;
- ensure that decisions and recommendations reflect the needs and desires of the entire community; and
- ensure that no participant or group is marginalized or ignored.

All Participants (Proponents, Public, Council, Staff) - The public is also accountable to the process and to the enhancement of the capacity to accomplish the project goals. All parties (including Council, staff, other proponents and the public) have a responsibility to:

- focus on the real issues and not on the furthering of personal agendas;
- balance personal concerns with the needs of the community as a whole;
- have realistic expectations;

Water CoNSERVATION PUbLIC ADVISORY COMMITTEE Guiding Principles for Public Involvement

- participate openly, honestly and constructively, offering ideas, suggestions, alternatives, etc.;
- listen carefully and completely;
- identify their concerns and issues early in the process;
- provide their names and contact information if they want direct feedback;
- make every effort to work within the project schedule; if this is not possible then this should be discussed with the proponent as soon as possible. Participants must also recognize that process schedules may be constrained by external factors (e.g. broader project schedules or legislative requirements);
- recognize that there is no single voice that is more important than all others, and that there are diverse opinions to be considered;
- work within the process in an integrated and cooperative manner;
- accept some responsibility for keeping themselves aware of current issues; when possible, participants should also make others aware of project activities and solicit their input; and
- recognize that the measure of the success of the process is the fullness of public involvement and the quality of the outcome.

* * * * *

COMMITTEE REPORT



ТО	Community Development and Environmental Services	
SERVICE AREA DATE	Community Design and Development Services July 20, 2009	
SUBJECT	Brownfield Redevelopment Grant Request for 84 and 8 Wyndham Street South and 68A, 68B and 72 York Roa	
REPORT NUMBER	09-62	

RECOMMENDATION

"THAT Community Design and Development Services Report 09-62, dated June 20, 2009, regarding a request for financial assistance pursuant to the City of Guelph Brownfield Redevelopment Community Improvement Plan for the properties municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road BE RECEIVED;

AND the request for financial assistance made by Terra View Riverside Ltd. under the Tax Increment-Based Grant Program pursuant to the Brownfield Redevelopment Community Improvement Plan for the properties municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road BE APPROVED to an estimated upset total of \$138,000 to be issued over a period of 3 years subject to the terms and conditions attached hereto as Attachment 3;

AND THAT the request for financial assistance made by Terra View Riverside Ltd. under the Tax Assistance During Rehabilitation Program pursuant to the Brownfield Redevelopment Community Improvement Plan for the properties municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road BE APPROVED for a duration of up to 3 (i.e. 2009 – 2012) years subject to the terms and conditions attached hereto as Attachment 3;

AND THAT Council direct staff to prepare a by-law to implement municipal tax assistance during rehabilitation in accordance with the Municipal Act and that the appropriate information and material be sent to the Minster of Finance requesting relief from the education portion of the taxes for the properties municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road for a duration of up to 3 years;

AND THAT staff be directed to proceed with the finalization of Tax

Increment-Based Grant, Tax Cancellation, and Information Sharing Agreements with Terra View Riverside Ltd. to the satisfaction of the Director of Community Design and Development Services and the Director of Corporate Services/City Solicitor;

AND THAT the Mayor and Clerk are authorized to sign the Tax Increment-Based Grant, Tax Cancellation, and Information Sharing Agreements."

SUMMARY

The owner of 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road (Terra View Riverside Ltd.) has requested financial assistance pursuant to the City's Brownfield Redevelopment Community Improvement Plan (CIP) to partially offset costs associated with environmental site assessment and remediation. Eligible costs identified by City staff under the tax increment-based grant program would total \$138,000 and the cancellation of municipal taxes for the period of remediation and redevelopment is estimated at \$20,099.64 (i.e. \$6,699.88 * 3 years).

Staff is supportive of the request, as it supports a number of the City's strategic objectives relating to growth management and environmental quality. Should Council approve the requests, municipal taxes would be cancelled for the duration of remediation and redevelopment (anticipated to be no more than 3 years while remediation and redevelopment take place) and the tax increment-based grant would be issued to Terra View Riverside Ltd. on an annual basis, once the redevelopment is complete, for a period of 3 years (i.e. \$47,132.85 would be paid in each of the 2 years following redevelopment and \$43,734.30 in the third year following redevelopment).

Considerable staff time and neighbourhood input has gone into the redevelopment proposal for this site. Redevelopment would help to ensure that the soil is cleaned up, the City's groundwater is protected, and 26 dwellings would be constructed on the site, which will assist in achieving intensification within the built-up area and the population forecast set out in the Growth Plan for the Greater Golden Horseshoe (Growth Plan) and the City's recently adopted Official Plan Amendment 39 (OPA 39).

BACKGROUND

The Site is comprised properties municipally known as 84 and 86 Wyndham Street South and 68A, 68B and 72 York Road (see Attachment 1). The site area is 0.67 hectares (1.65 acres) and it is located northeast of the intersection of York Road and Wyndham Street South. The property is designated 'Medium Density Residential' in the City's Official Plan and is zoned R.1D (84 and 86 Wyndham St S), R.2 (68A and 68B York Rd) and R.3A-2, which permits detached, semi detached, and townhouse dwellings.

Following much neighbourhood and City staff input, the land use for the Site was established through Official Plan and Zoning By-law amendments approved by Council at its October 10, 2006 meeting. The development is currently in the site

plan review process. The recently adopted OPA 39 shows the Site within the City's Urban Growth Centre, which will be planned to accommodate high density development. While the proposal does not represent high density residential development, its completion would intensify a currently underutilized site.

The City of Guelph Brownfield Redevelopment CIP consists of financial incentive programs that are intended to stimulate private sector investment in the reuse and redevelopment of brownfield sites and partially offset the costs associated with site assessment and remediation. The Brownfield Redevelopment CIP was approved by the Minister of Municipal Affairs and Housing in March of 2004 and amended by City Council at its July 7, 2008 meeting to make some of these financial incentives available to a larger area that is centered around the Downtown, including the subject site.

Many other Ontario municipalities have similar Brownfields CIPs including the communities of Waterloo, Cambridge, Kitchener, Niagara, Kingston, Oshawa, Sarnia and Hamilton.

REPORT

In May, 2009, Terra View Riverside Ltd. submitted applications under the City's Brownfield Redevelopment CIP for tax increment-based grant and tax assistance during rehabilitation programs to partially offset costs associated with assessment and remediation of the Site. The tax increment-based grant application requests funds for costs that have already been incurred as well as proposed costs. The City's Brownfield Redevelopment CIP does not allow tax increment-based grants to be applied retroactively and therefore, this report only addresses the request for proposed costs. The CIP is under review and one of the issues that will be addressed is whether remediation costs that were incurred in the past, without City review, should be considered for a retroactive tax increment-based grant. As such, the retroactive grant request may be addressed at a later date.

Specifically, this report addresses the following grant requests for site assessment and remedial work required to file a Record of Site Condition:

- Tax increment-based grant in the amount of \$138,000 to offset \$25,000 in eligible environmental site assessment costs and \$113,000 in estimated eligible remediation costs; and
- Tax assistance during rehabilitation to provide for the cancellation of municipal taxes during the period of rehabilitation and redevelopment.

The following discussion explains the details of these CIP programs and how they would apply to the subject site, should Council approve the requests.

1. Tax Increment-Based Grant

Under this program (details shown in Attachment 2) the City can provide yearly grants that are based on the increase in municipal tax assessment, which is defined as the difference between pre and post development municipal taxes. The grant

payments begin once redevelopment is complete and are intended to off-set costs associated with site remediation.

Once redevelopment is complete and property value is reassessed, taxes are paid in full and 80% of the municipal portion of the tax increment (i.e. the difference between pre and post redevelopment taxes) is issued as an annual grant for a maximum of 10 years or until the eligible costs are reimbursed. The remaining 20% of the tax increment is placed in the City's Brownfield Reserve Fund, which is used to fund the Environmental Study Grant Program. At this time, eligible costs and \$113,000 in remediation costs. Should the request be approved it would be disbursed as follows in accordance with the provisions of the CIP¹:

Year 1: \$47,132.85 Year 2: \$47,132.85 Year 3: \$43,734.30

2. Tax Assistance During Rehabilitation

The applicant is also requesting financial assistance through the Tax Assistance During Rehabilitation Program (details shown in Attachment 2) under which the City can freeze or cancel all or a percentage of the municipal taxes during site clean-up and redevelopment. The City can also request that the Province provide relief from the education portion of taxes. 2009 municipal property taxes for the subject property are \$6,699.88. It is estimated what tax cancellation would be required for 3 years (i.e. 2009 - 2012) while rehabilitation and redevelopment occurs.

Should Council approve the request for tax assistance during rehabilitation, a bylaw must be passed to implement the tax assistance in accordance with the Municipal Act. Once the by-law is passed a request may be made to the Minster of Finance requesting relief from the education portion of the taxes for the property for a similar period of time. The 2009 education portion of the taxes for the site is \$1,556.73.

A proforma analysis provided by Terra View indicates that the recommended assistance would change the rate of return on the project from approximately -19% to -17.6%.

The issuance of grant money related to this request would be conditional on the filing of a Record of Site Condition with the Ministry of the Environment, which certifies that the environmental condition of the soil and groundwater beneath the site are for residential use and that the City's groundwater resources have been protected.

¹ The tax increment-based grant payments begin once redevelopment is complete and the property has been reassessed. Accordingly, Year 1 represents the first year after redevelopment is complete.

CORPORATE STRATEGIC PLAN

The proposed recommendation will assist the City in achieving the following Strategic Plan Goals:

- **Goal 1:** An attractive, well-functioning and sustainable city;
- Goal 2: A healthy and safe community where life can be lived to the fullest; and
- **Goal 6:** A leader in conservation and resource protection/enhancement.

FINANCIAL IMPLICATIONS

The City will not collect municipal taxes while the subject property is undergoing remediation and redevelopment if the request for taxation assistance during rehabilitation is approved. The property currently generates \$6,699.88 per year in municipal tax revenue.

Once redevelopment is complete and the subject property has been re-assessed, the City would provide a yearly grant consisting of 80% of the municipal portion of the property tax increase (e.g. difference between pre and post redevelopment taxes) for a period of 3 years. The maximum value of the tax increment-based grant would be \$138,000, which would be paid out over a period of 3 years.

Since the City will continue to receive full municipal property taxes for the subject property following redevelopment (a portion of which is subsequently granted back as part of the Tax Increment-Based Grant Program), the short-term financial impact to the City is the loss of <u>increased</u> municipal taxes over the 3-year lifespan of the grant program. Once the grant period is complete, the City will benefit from the increase in municipal tax assessment in perpetuity. The rationale for providing a Tax Increment-Based Grant is that without this redevelopment, the City would not be receiving increased tax revenue in the long term. In addition, the site will undergo residential intensification that helps to implement the policies of the Provincial Growth Plan.

Currently, there is \$321,000 in the Brownfield Reserve Fund.

DEPARTMENTAL CONSULTATION

Community Design and Development Services: Engineering Services Finance

COMMUNICATIONS

N/A

ATTACHMENTS

Attachment 1: Location Map Attachment 2: Community Improvement Plan Program Excerpts

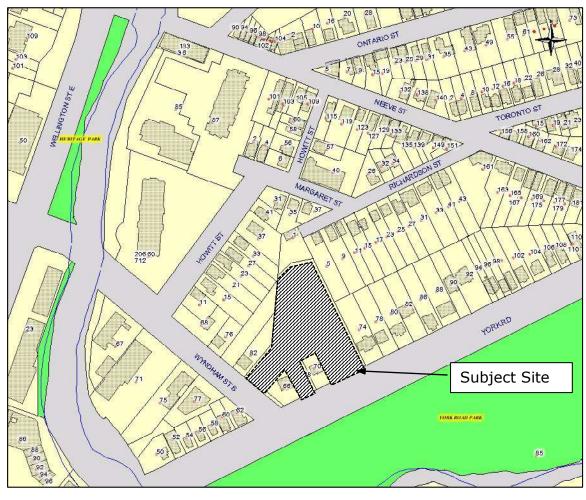
Prepared By: Greg Atkinson Policy Planner 519-837-5616 ext. 2521 greg.atkinson@guelph.ca

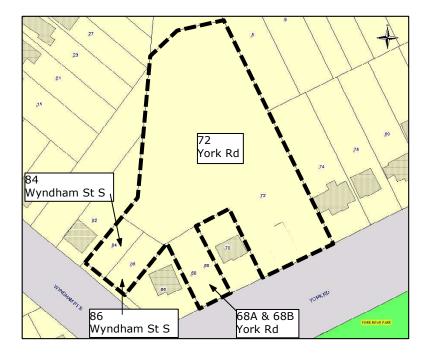
and

Recommended By: Marion Plaunt Manager of Policy Planning and Urban Design 519-837-5616 ext. 2426 Marion.plaunt@guelph.ca

Recommended By: James N. Riddell Director, Community Design and Development Services 519-837-5616 ext. 2361 jim.riddell@guelph.ca

Attachment 1: Location Map





Attachment 2: Excerpts from City of Guelph Brownfield Redevelopment Community Improvement Plan

Schedule 2. Tax Increment-Based (or Equivalent) Grant Program

Legislative Authority:

• Section 28 of the Planning Act

Application:

City-wide

Theme:

• Reducing financial barriers

Purpose

- To stimulate private sector investment in redevelopment
- To reimburse private sector clean-up costs without incurring debt to the municipality
- To increase the long-term municipal tax base
- To reward remediation and redevelopment of brownfield properties

Rationale:

Without redevelopment, the City would not be receiving increased tax revenue. Once the grant period ceases, the City collects the full amount of municipal taxes for the redeveloped property. To encourage lending institutions to provide site assessment and remediation loans for brownfields projects, the tax increment-based grant may be used to secure those loans through an agreement between the City, the land owner and the lending institution.

Departments:

- Finance (calculate and disburse tax rebates)
- Planning (lead: coordination)
- Legal (prepare agreements)

Priority:

- Year 1 Prepare community improvement plan
- Year 2 Implementation

Costs:

- Staff time
- In the event that brownfield redevelopment takes place, the municipal tax base will grow more slowly.

Details:

Grants are based on the future increase in tax assessment and consequent increase in
property tax revenues resulting from redevelopment of eligible brownfields properties. As
property assessment rises, taxes payable on a property also rise. The developer will pay the
increased taxes to the City as normal, and will subsequently be provided a tax incrementbased grant from the Municipal portion of the increase. The total value of the grant provided
under this program shall not exceed the total value of the work done under the Eligible
Brownfield Rehabilitation Costs, as set out below.

- The total value of any tax increment-based grant shall not exceed the total value of work done under the Eligible Brownfield Rehabilitation Costs set out below, or shall not exceed the maximum grant time horizon of 10 years, whichever is the lesser amount. Tax increment-based grants will only be available when building permits have been issued and the assessed value of the property increases. The program is intended to encourage the remediation and redevelopment of contaminated properties.
- The total value of any tax increment-based grant shall not exceed the total value of work done under Eligible Brownfield Rehabilitation Cost as set out below, or shall not exceed the maximum grant time horizon of 10 years, whichever is the lesser amount. Tax increment-based grants will only be available when building permits have been issued and the assessed value of the property increases. This program is intended to encourage the remediation and redevelopment of contaminated properties.

Eligible Brownfield Rehabilitation Costs

Eligible costs include:

- Phase 2 Environmental Site Assessment costs
- Costs of preparing remedial work plans
- Demolition costs
- Site rehabilitation costs
- Costs of complying with the requirements of a Certificate of Property Use
- Costs of rehabilitating building contamination for projects involving re-use of existing structures.

Process

- Both the pre-construction and post-construction property assessments are established and approved by the City. The City reserves the right to obtain an independent third party to review the proposed remediation program and costing.
- Eligible Brownfield Redevelopment Costs are identified and certified;
- The owner continues to pay the property taxes for the site at its pre-construction assessment value.
- The difference between the 'pre-construction' taxes and 'post-construction' taxes (municipal portion) is calculated.
- Reassessment must result in higher assessment.
- This difference is the portion eligible for a grant to offset the Eligible Brownfield Rehabilitation Costs incurred.
- This grant is available for a set period of time set out in an agreement between the municipality and owner for a maximum of 10 years.
- Before any tax increment-based grant is issued, a Record of Site Condition must be prepared by a qualified person certifying site remediation to appropriate contaminant levels for the intended property use, as set out in the <u>Environmental Protection Act</u> and supporting regulations, and submitted to the City along with a copy of the Ministry of Environment's written acknowledgement.
- The tax increment-based grant can be issued to the property owner, or to whoever the grant is assigned by the owner.
- An agreement must be entered into by the property owner and the City, regarding the details of the tax increment-based grant.

Details:

- Tax increment grants will be provided in equal installments in the amount of 80% of the municipal portion of the property tax increase. The remaining twenty percent of the municipal portion of the property tax increase is paid by the property owner and allocated to a brownfields reserve account for municipal brownfield initiatives.
- The definition of vacant land will refer to the status of the property at the time of program approval. If subsequent demolition occurs the tax increment will be the difference between the assessment at the time of program approval and that following reassessment. It is the intent of this clause to avoid unnecessary demolitions and support adaptive re-use of architecture.
- Grant applications cannot be retroactively applied.
- It is the intent of this program that tax increment-based grants can be used to cover only the eligible Brownfield Redevelopment Costs exclusive of any other brownfield incentive provided.
- Applications for tax increment-based grants will be reviewed and approved by the Planning Department
- The City reserves the right to independently audit Eligible Brownfield Redevelopment Costs.
- The City and the property owner will enter into an agreement. This agreement will specify the terms of the financing; the activities which will be considered Eligible Brownfield Redevelopment Costs, the duration of the grant, the owner's obligations should the owner default on the Agreement, and any other requirements specified by the City.

Schedule 4. Taxation Assistance During Rehabilitation

Application:

• City-wide

Theme: Reducing Financial Barriers

Purpose:

- To promote remediation of brownfield sites.
- To encourage new development in existing built-up areas of the City.
- To gain information relating to environmental contamination.

Rationale:

• Brownfield sites have increased costs associated with the need to undertake Environmental Site Assessments and for the cost of site rehabilitation. If these up front costs can be reduced the financial feasibility for redevelopment / reuse can be increased.

Departments:

- Finance
- Planning
- Legal

Priority:

• Year 2

Costs:

• Loss of taxation revenue during the time period the incentive applies.

Details:

- Permitted pursuant to Section 365.1 of the Municipal Act.
- Requires the property to be within an area affected by a Community Improvement Plan pursuant to the <u>Planning Act.</u>
- Applicant would apply to City to freeze or cancel all or a percentage of municipal and education taxes during site clean-up and redevelopment after a Phase 2 Environmental Assessment is completed and submitted to the City demonstrating that Provincial standards cannot be met in order to file a Record of Site Condition;
- Applicant would be required to enter into an agreement with the City specifying the terms of the relief, the duration of relief, the owner's obligations and other requirements specified by the City.
- City would request the Province to provide relief from Education portion of taxes.
- Under this program it is acknowledged that the timing of and conditions that apply to municipal property tax assistance may vary from those for matching education property tax assistance.

Attachment 3: Terms and Conditions

Brownfield Redevelopment Grant Request for 84 & 86 Wyndham Street South and 68A, 68B and 72 York Road

Should City of Guelph Council approve the request for financial incentives under the Brownfield Redevelopment Community Improvement Plan (CIP) the following terms and conditions shall apply:

Tax Assistance During Rehabilitation

- 1. Prior to the temporary reduction or cancellation of municipal taxes during the rehabilitation and redevelopment period TERRA VIEW RIVERSIDE LTD. shall:
 - a. Submit to the City a Phase 2 Environmental Assessment, satisfactory to the Director of Community Design and Development Services, demonstrating that Provincial standards can not be met in order to file a Record of Site Condition;
 - b. Enter into Tax Cancellation and Information Sharing Agreements with the City, which will specify the duration of the program and will include a requirement for milestones to be completed prior to the annual continuation of the program. This agreement shall be satisfactory to the Director of Community Design and Development Services and the Director of Corporate Services/City Solicitor;
 - c. Acknowledge that under the Brownfields Financial Tax Incentive Program the timing of and conditions that apply to municipal property tax assistance may vary from those for matching education property tax assistance as provided by the Province; and
 - d. Reimburse the City for the value of the municipal tax assistance provided under this program if a Ministry of the Environmentacknowledged Record of Site Condition is not provided to the City within 3 years of the commencement of the program.

Tax Increment-Based Grant

- 2. Prior to the issuance of a Tax Increment-Based Grant TERRA VIEW RIVERSIDE LTD. shall enter into agreements with the City regarding the details of the Tax Increment-Based Grants and information sharing with the City. These agreements will be based on the requirements set out in the Brownfield Redevelopment CIP and shall be satisfactory to the Director of Community Design and Development Services and the Director of Corporate Services/City Solicitor.
- 3. Prior to the issuance of building permits TERRA VIEW RIVERSIDE LTD. shall submit to the City a Ministry of the Environment-acknowledged Record of Site Condition that confirms the environmental condition of the site is suitable for residential land use and assumes that the groundwater beneath the site

serves as a raw water source for a drinking water supply system.

- 4. Prior to the issuance of a Tax Increment-Based Grant TERRA VIEW RIVERSIDE LTD. shall agree to the following terms:
 - a. Project construction has been completed and reassessment has resulted in an increase in assessed property value;
 - b. The grant is available up to a maximum of 10 years;
 - c. During rehabilitation and redevelopment, the owner of the property shall continue to pay property taxes for the site at its pre-construction assessment value, unless a request has been approved under the Tax Assistance During Rehabilitation Program; and
 - d. The City reserves the right to independently audit eligible brownfield remediation and redevelopment costs.
- 5. Pursuant to the Brownfield Redevelopment CIP, 80% of the municipal portion of the tax increment (i.e. difference between pre and post redevelopment municipal tax assessment which has been estimated at \$47,132.85) will be granted back to TERRA VIEW RIVERSIDE LTD. or its nominee or assignee on an annual basis for a maximum of 10 years following the completion of construction and re-assessment of the property. The tax increment-based grants will be disbursed on an annual basis to a combined estimated upset value of \$138,000 or the total value of eligible costs that are identified by City staff, whichever is the lesser. The payment amounts and schedule will be set out in an implementing agreement based on the actual post-construction re-assessment value of the property.

<u>General</u>

- 6. Substantial changes, which may be determined by the Director of Community Design and Development Services, to the terms, conditions or grant amounts must be approved by Council.
- 7. TERRA VIEW RIVERSIDE LTD. shall provide, in confidence, a copy of a proforma indicating the anticipated and actual impact of the requested incentives on the economic viability of the project to City Staff prior to commencement of any grant program and following project completion.
- 8. The total value of all financial incentives or grants obtained from any organization shall not exceed the total value of work done under the eligible Brownfield Redevelopment CIP costs, which consist of:
 - Phase 2 Environmental Site Assessment costs;
 - Costs of preparing a remedial work plan;
 - Site rehabilitation costs; and

• Costs of preparing a Record of Site Condition.

COMMITTEE REPORT



ТО	Community Development and Environmental Services Committee
SERVICE AREA DATE	Community Design and Development Services July 20, 2009
SUBJECT	Strategic Urban Forest Management Plan and Tree By- Law Update
REPORT NUMBER	09-61

RECOMMENDATION

"THAT the Community Development and Environmental Services Report 09-61, dated July 20, 2009, regarding the Strategic Urban Forest Management Plan and Tree By-Law Update **be Received**;

AND THAT staff be directed to prepare permanent tree protection by-laws within the City of Guelph."

BACKGROUND

The Framework for the Strategic Urban Forest Management was completed and approved by Council in 2007. Since that time a number of the recommendations have been implemented and /or are in the process of being implemented. A status update was provided to Council in December, 2008 and is attached (Attachment 1). The status chart was subsequently posted on the City's website. A status update was presented to Council by way of a memo dated December 9, 2008 which indicated that following the adoption of the Framework a "Guelph specific vision" for the management plan would be the most appropriate next step.

As a result of recent cutting of healthy trees on both City lands (i.e. boulevards and right-of-ways) and on private property, concerns have been raised in the community regarding the protection of the City's urban forest.

1. The City's Current Tree By-law (1986) – 12229

The City's current Tree By-law prohibits the injury or destruction of any live tree within the City having a diameter of (75 millimeters) 3 in (measured 1 m above the ground growing on private lots 30,000 square feet (0.69 acres) or larger.

Although the by-law provides protection for trees on a significant portion of private lands within the City, it does not apply to lots smaller lots within the built up area of the City.

The by-law does provide for some exemptions for tree removal including but not limited to: any right or power conferred upon the City under the Municipal Act or any other Act; Hydro One, trees growing within any road allowance, trees cut by Land Surveyors under the *Surveyors Act*, the University of Guelph and Christmas tree farms.

The need to update and refine this bylaw to apply consistently across the City was identified by Council as an important project, and is currently listed as a Departmental Project for 2009.

On March 30, 2009, the Guelph Urban Forest Friends (GUFF) made a presentation to the Community Development and Environmental Services Committee (CDES) on the development of a Strategic Urban Forest Plan. At the meeting, the Committee the CDES directed staff by resolution:

"to come back with an action plan to investigate the feasibility of proceeding with an interim tree protection by-law or proceeding with the development of a permanent by-law".

The work plan for the development and implementation of permanent by-laws is presented below.

In response to Council's direction, staff have conducted research on current best management practices and consulted internally. In addition, stakeholder and public workshops were held in April 2009 to obtain feedback on the Strategic Urban Forest Management Plan Framework, the associated priorities and the vision for the Management Plan. Taking guidance from the feedback received at the workshops, staff have prepared work plans for the development of the Management Plan and the development of the tree protection by-laws.

REPORT

1. Framework for the Strategic Urban Forest Management Plan

The Framework for the Strategic Urban Forest Management Plan was completed by Urban Forest Innovations Inc. and Dougan & Associates in 2007. The purpose of the Framework was to review the status and management of the City's urban forest and to provide a long term (20 years +) management strategy.

The report indicated that although the City of Guelph has experienced rapid growth over the last 20 years, it has maintained a good level of canopy coverage estimated to be approximately 30%. Despite the fact the City's tree canopy coverage is

relatively good, the report outlines a number of challenges for the City's Urban forest including the need to:

- 1) develop a municipal inventory for green infrastructure;
- 2) manage the hazards of an aging urban forest;
- 3) accelerate replacement plantings;
- 4) ensure plantings are located in optimal locations to ensure their success; and
- 5) protect and manage the City's forested lands on both public, and private properties.

A total of 25 recommendations were provided by the Framework. The recommendations aim to provide strategic direction and prioritize the recommendations. The recommendations fall under the following headings: Policy and Guideline, Strategic Planning, Communication, Inventory, Urban Forest Strategy and Sustainability and Landscape Connectivity.

2. Stakeholder and Public Workshops

In response to the commitment made in December 9, 2008 to develop a vision for the Forest Management Plan, and the direction of CDES to investigate the feasibility of proceeding with an interim and/or a permanent tree protection by-law, two workshops were held with identified stakeholders and the public on April 21, 2009 and April 29, 2009, respectively. The purpose of the workshops was four fold:

- to validate the general objectives embodied in the recommendations of the Framework;
- to present the 25 recommendations and their current status;
- to obtain input regarding the merits of the recommendations; and
- to prioritize the implementation of the outstanding recommendations.

Participants were asked to review the recommendations, determine if they agreed or disagreed with the recommendations and the associated priority ranking. Through the roundtable discussions groups were asked to document the common points/themes, key gaps within the existing recommendations and list their top five priorities.

To ensure all participants had a baseline understanding of the purpose of the Framework for the Strategic Urban Forest Management Plan, the associated recommendations and their recommended priority, a presentation was made by Urban Forest Innovations Inc. Dougan & Associates acted as the facilitator and planning staff presented the status update. The roundtable discussions followed the presentations.

Representatives from Trees for Guelph, the Grand River Conservation Authority (GRCA), the University of Guelph, University of Toronto, Ministry of Natural Resources, Guelph Urban Forest Friends, Guelph Field Naturalists, County of Wellington staff, Sierra Club, local developers, planning consultants, environmental consultants and City staff attended the Stakeholder Workshop. Roundtable

discussions took place, which were documented through the use of workbooks. Highlights of the discussions were presented by designated group members and recorded on flip charts (see Attachment 2).

The Public Workshop was well attended with 34 residents. The same format and workbook which was employed to facilitate discussion with the stakeholders was used to obtain input from the public. Feedback was collected through the workbooks and the general discussion was again recorded through the use of flip charts (see Attachment 3).

Comments regarding the 25 recommendations and the prioritization of the recommendations were collected until May 30th. Additional comments were received the first week of June and have been incorporated into Attachments 2 and 3.

3. Priorities

Generally, there was a great deal of support for the development and implementation of the Management Plan. A variety of perspectives were provided at both the Stakeholder and Public Workshops.

a) Stakeholders

The Stakeholders saw the need for policy that identified the urban forest as "green infrastructure" which would be considered and valued the same as "grey" infrastructure (roads and services). The need for City wide policies for preservation, protection and enhancement of the urban forest was identified as an essential recommendation that needed to be given priority. However, the stakeholders commented that the protection of trees was often at odds with the Places to Grow legislation and the need for the intensification of development. The importance of alternative design standards was highlighted. A great deal of debate regarding the need for and type of tree by-law required by the City took place. Stakeholders recommended that the City proceed with caution and ensure that adequate staffing and resources are allocated to enforce the by-law. Funding for the implementation of the by-law is critical to its success. The stakeholders advised that an inventory of the City trees in conjunction with a risk assessment was a key component to the success of the management plan in addition to education and coordination of volunteers.

b) Public

The public opined that a comprehensive public and private tree by-law was of utmost importance. They also wanted the City to consider the urban forest as "green infrastructure". The need for policies for tree protection particularly through the development process was articulated. Interest in policies that reduce soil compaction and improved water conservation was also articulated. The need for adequate staff resources was identified as an important component of the success of the implementation of the Strategic Urban Forest Management Plan.

c) Environmental Advisory Committee

The Environmental Advisory Committee (EAC) also reviewed the 25 recommendations. They emphasized the need to balance education, incentives, and stewardship with regulation. EAC supported development of the Urban Forest Management Plan with the following resolution:

"The Environmental Advisory Committee supports the framework for the Strategic Urban Forest Management Plan and particularly supports Recommendations 2, 4, 6, 10, 11, 13, 15, 16, 17, and 25."

The recommendations indentified by EAC focus on tree protection/preservation policy development, updating the tree by-law, coordinating volunteer activities, the need for a steering committee, education initiatives, inventory, an asset management system and the identification of opportunities for reforestation.

d) River Systems Advisory Committee

The River Systems Advisory Committee (RSAC) provided comments individually and recommended that the Urban Forest Management Plan clearly define the street tree elements and those portions of the urban forest serving an ecological value. The Committee believed that Recommendations 1, 2 and 6 were of significant importance. These recommendations speak to identifying the urban forest as "green infrastructure", the need for City wide policies for preservation and replacement of trees and the need for a long-term management plan. RSAC also saw the value in providing workshops, public meetings and continued coordination of volunteer activities.

The complied set of comments received will be posted to City's the website at Guelph.ca > planning, building, engineering > environmental planning > strategic urban forest management plan. These comments will be addressed through the development of the management plan and the ultimate list of recommendations, priorities and timelines.

4. Vision

Although the Framework for the Strategic Urban Forest Management was approved in November 2007, additional work was anticipated to articulate the vision, goals and objectives through a 20 Year Urban Forest Management Plan.

The Framework recommends that "once a draft 20 Year Strategic Urban Forest Management Plan has been developed key stakeholders should have the opportunity to provide input into the plan's goals and objectives... The purpose of this event will be to capture key stakeholder and broader community input to the vision and goals for the 20 Year Plan..." (Page 40)

The positive feedback from the workshops and Strategic Plan Objective 6.6 - "a biodiverse City with the highest tree canopy percentage among comparable municipalities" provides a solid foundation for moving forward with the development the 20 Year Strategic Urban Forest Management Plan in accordance with the key stakeholder and broader community input as identified in the Framework cited above. The work plan for the Strategic Urban Forests Management Plan is outlined below.

5. Tree By-Laws

At the March 30, 2009 CDES meeting staff provided an update to the Strategic Urban Forest Management Plan. Following staff's update, a PowerPoint presentation by Guelph Urban Forest Friends to CDES provided a list of recommendations including:

- the development of an interim tree protection by-law;
- completion of the Strategic Urban Forest Management Plan;
- establishment of an Urban Forestry Department;
- creation of a Urban Forester position; and
- the formation of an Urban Forestry Advisory Committee.

CDES directed staff to come back with an action plan to investigate the feasibility of proceeding with an interim and or a permanent tree protection by-law.

Staff have consulted internally with Operations, Planning and the Legal departments. Research was completed to ascertain best practices in comparable single/lower-tier municipalities in Ontario and across Canada. Following internal discussions it was determined that the implementation of **permanent** tree by-laws was the most appropriate course of action. Given limited resources, it was concluded that the development and implementation of interim by-laws would result in duplication of time and effort and would further delay the development of permanent by-laws. The development of either interim or permanent by-laws would require stakeholder and public consultation and there was no clear advantage to proceeding with interim by-laws.

Staff are preparing draft tree protection by-laws that pertain to public and private lands. These by-laws will update the current Tree By-law. The tree protection bylaws will speak to the protection of trees on private lands, City lands such as, parks, right-of-ways and boulevards and other public lands (i.e. Grand River Conservation Authority lands) to the extent possible.

The full financial implications of the enforcement and administration of the by-laws and the associated staffing requirements require further study. The work plan for the preparation of the by-laws and recommended timing is outlined below in the following section.

6. Work Plans

The development of the Strategic Urban Forest Management Plan and a permanent tree by-law for both private and public lands are part of staff's work plan. Table 1 outlines the work plan for the Strategic Urban Forest Management Plan.

	2009			2010						
	July	August	September	October	November	December	January	February	March	April
Task										
1. Strike an internal Technical Steering Committee and an Advisory Committee ¹										
2. Draft a request for proposals										
3. Select a consultant										
4. Development the Management Plan										
5. Public Consultation										
6. Present Plan to Council										

 Table 1. Work Plan for the Strategic Urban Forest Management Plan

Concurrently with the development of the Strategic Urban Forest Management Plan, the Natural Heritage System policies will be developed and incorporated into the Official Plan Update.

Staff will continue implementing pruning cycles, developing the tree by-laws, assist in coordinating volunteer activities, work with the Communications and Environmental Services to provide educational material on the City's website and improving interdepartmental communications. As part of the Official Plan update process planning staff are also working to develop Tree Protection and Preservation Policies that will work in conjunction with the Management Plan and the future tree by-laws.

Staff are also recommending that the City move forward with the development of permanent tree by-laws for private, City and public lands. The Work Plan for the development of the proposed tree By-laws is outlined below.

¹ The Advisory Committee will be made up of public agencies and public interest groups

2009	July	August	September	October	November	December
Task	-					
1. Legal to complete draft by -laws						
2. Strike an internal Technical Steering Committee and an Advisory Committee ²						
3. Circulate Internally to Technical Advisory Committee and Advisory Committee						
4. Assessment of financial implications						
5. Public consultation						
6. Refine by-laws as needed						
7. Report to Council with recommendations for approval of by-laws						

Table 2. Work Plan for the Proposed Tree Protection By-Laws

CORPORATE STRATEGIC PLAN

The Strategic Urban Forest Management Plan and the tree by-laws support the City's mission to achieve excellence through leadership, innovation, partnerships and community engagement through the following goals/objectives:

Natural Environment - A leader in conservation and resource protection/enhancement

6.6 A biodiverse City with the highest tree canopy percentage among comparable municipalities.

Urban Design and Sustainable Growth – An attractive, well-functioning and sustainable City.

Personal Community Well-Being – A healthy and safe community where live can be lived to the fullest

² The Advisory Committee will be made up of public agencies and public interest groups

FINANCIAL IMPLICATIONS

Funding has been allocated for the development of the Strategic Urban Forest Management Plan (\$60,000). Future resource requirements for the implementation of the 5 year plans will be determined through the development of the Management Plan and annual budgets.

Since the by-law is being developed internally the financial costs associated with the development of the by-law will be primarily associated with the public engagement and educational process. The current budget identified the tree by-law as a 2010 budget item (\$10,000 has been allocated). Implementation of a tree by-law will need to be assessed in further detail. Costs associated with the implementation of the By-law will be presented to Council with the recommended by-laws.

DEPARTMENTAL CONSULTATION

Staff have consulted with Engineering, Planning, Operations, Communications, Legal and Environmental Services.

COMMUNICATIONS

Stakeholder Workshop - April 21, 2009 Public Workshop April 29, 2009 Public Notice – posted in the public notice section on guelph.ca under city hall – news room- public notices EAC Meeting – June 10, 2009 RSAC Meeting – June 17, 2009

ATTACHMENTS

Attachment 1 - Status Chart Attachment 2 - Stakeholder Feedback Attachment 3 - Public Feedback

P:\CDES Reports\2009\(09-61)(07-20) SUFMP and Tree By-law Update.doc

"original signed by Suzanne Young"

Prepared By:

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ind iended By:

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Attachment 1 - Strategic Urban Forest Management Plan Recommendations – Status Report

Prior ity	Refere nce	Recommendation	Current Status & Pl Depart	
	Sectio ns		CDDS	Operations

	POLICY & GUIDELINE RECOMMENDATIONS (SECTION 3)					
1	3,7	1. The City should ensure that all policy revisions and updates define the urban forest, identify it as a high priority for protection, and describe it as "green infrastructure" which needs to be actively managed.	The Natural Heritage Strategy – Primary Criteria for protection of woodlots 1ha or greater and linkages for protection.			
1	3,7	2. The City should develop comprehensive City-wide policies and guidelines for tree preservation, replacement and enhancement on both public and private lands (see Section 7).	The Natural Heritage Strategy and Tree Protection Policy & Guidelines (Draft 2008) to be completed in 2009.			
2	3,8	3. The City should commit to protecting and, where feasible, enhancing the natural linkages within the City and to the County identified through the City's Natural Heritage Strategy (see Section 8).	The Natural Heritage Strategy as specified in 1.			
3	3,5	4. The City's tree by-law should be reviewed and updated to be consistent with the Municipal Act.	Tree By-law is identified in Capital budget PL0020 Environmental Initiatives for 2009-2010 development.			

Recommended Priorities of the Strategic Urban Forest Management Plan 2008-2028



High

Medium

3 3,7 5. The City should evaluate if existing staffing is adequate to review and enforce tree protection on development sites once more comprehensive policies are put in place. Should a new Tree Preservation By-law be passed, additional staffing (e.g. an arborist also trained in by-law enforcement) may also need to be considered.	2 nd Environmental Planner will be hired to develop and implement policies and guidelines in conjunction with Operations.	
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	STRATEGIC PLANNING RECOMMENDATIONS (SECTION 4)						
1	4	6. The City should develop a Strategic Urban Forest Management Plan and adopt a 20-year strategic planning approach with 5-year management plans and annual operating plans nested within the 20-year plan.	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.				
1	4	7. The City should adopt the principle of adaptive management to ensure that management approaches and priorities can be adjusted as new information is obtained.	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.				
1	4	8. The City should develop and use a series of criteria and indicators to track progress towards short and long-term objectives.	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.				

Low

High

Medium

	CON	MUNICATION RECOM	MENDATIONS (SECT	ION 5)
1	5,4	9. The City should host workshops or public meetings to get community input into the vision and goals for the Strategic Urban Forest Management Plan (SUFMP).	Workshops were held in April 2009 to present the recommendations and develop a vision.	
1	5,4,3	10. The City should explore options for providing support and coordination of ongoing and potential volunteer activities related to tree planting in the City.		Facilitation of annual volunteer planting events are on-going. 2008 Tree Plantings: 2000 by Rotary Club, 3500 by OPIRG. Other initiatives include woodlot clean-up and woodchip trails installation at Norm Jary Park in conjunction with Onward Willow.
2	5,4	11. The City should support, and provide the resources for, the creation of an Urban Forestry Management Plan Technical Steering Committee to review and evaluate the status of the SUFMP.	To be initiated in the next phase of the plan's development.	
2	5,3	12. The City should explore mechanisms for more inter- departmental coordination regarding proper protection and management of the City's green infrastructure (i.e. its trees) and educate about tree protection guidelines, policies and best practices.		On-going discussions with Environmental Planners, Park Planners and Engineering staff re: tree protection and retention on public and private lands.
1	5,3	13. The City should expand its public education initiatives by (a) updating and enhancing its on-line urban forestry resources, (b) consider offering urban forestry workshops for residents, and (c) exploring other educational opportunities with other partners (e.g. the University of Guelph).	Working with Communications and Environmental Services to provide some educational material on the City's website.	Forestry display and informational brochures on tree health care as part of annual Operations Department open house.

High Medium

Low

	INVENTORY RECOMMENDATIONS (SECTION 6)						
1	6,4	14. The City should determine specific goals for a tree inventory and develop a system of data collection and asset management in the SUFMP.	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.	Forestry has worked with Info. Tech. to develop a tree inventory and analysis system using a hand-held GPS unit that downloads and links field data to electronic work orders. In service since June 2007. Trees inventoried to date: 4339.			
1	6	15. The City should complete a tree inventory for all trees on City lands outside of natural areas as part of the first 5-year management plan (refer to Section 4).	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.				
2	6,7,3	16. The City should collect the tree inventory based on SYNERGEN and use the UTC GIS Toolbox to monitor overall tree canopy cover in the City, and help identify potential planting locations.	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.	Operations in conjunction with IT have commenced this process.			
2	6	17. The City should explore options for administering and maintaining their forestry asset management system (e.g. tree inventory software, database, etc.) as it develops.	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.				
3	6,3	18. The City should complete a tree inventory for all municipal woodlands based on accepted forest stand inventory protocols as part of the second 5-year management plan (refer to Section 3).	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.				



High

Medium

Low

U	URBAN FOREST STRATEGY & SUSTAINABILITY RECOMMENDATIONS (SECTION 7)						
1	7,3,4	19. Comprehensive specifications for tree preservation that can be consistently applied to all projects across the City should be developed and implemented. These should include: (1) requirements for newly planted trees that maximize their growth and lifespan potential, (2) requirements for protecting existing trees, and (3) progressive tree cabling practices, integrated with an inspection cycle, to support the preservation of large canopied trees.	The Tree Protection Policy & Guidelines (Draft 2008) to be completed in 2009.	Staff introduced in 2008 a student tree watering /mulching crew-a first to the operation.			
1	7,6	20. The City should coordinate an inventory of City trees with a risk assessment of this resource, and commit to implementing corrective measures for identified high risk or hazard trees as a high priority item.		Tree risk assessments are currently completed as part of every service request. Prioritized work orders are then generated electronically based on the tree hazard assessment rating. The draft report for the Royal City Park Plant Material Management Plan has been received by Park Planning. Recommendations are to provide a long term vision for the park's main "soft" landscaping: trees and ground level plant material. The management plan is intended to function as the guide for short term and long term plant maintenance, and for species, timing and locations of removals and new plantings in the park.			

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2	7	21. The City should establish a pruning cycle and a grid pruning program for street and park trees to shift from a reactive to a proactive maintenance mode.		Staff initiated a 2 week period of street tree grid pruning during the winter of 2007/2008, as a start to preventative maintenance by addressing the branching structure of the trees while they are still small ~planted approx. 5 yrs. Forestry staff, along with Horticulture staff also performed dormant pruning in city parks to address tree structure, and sightline and equipment access issues.
2	7,6	22. Once a preliminary City- wide risk assessment has been conducted, the City should implement an inspection protocol for trees that have been identified as having some level of risk possibly in conjunction with pruning activities.	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.	
1	7,6	23. The City should hire additional qualified staff members to support current operations activities, or consider sub-contracting out to (1) catch up on the back- log of tree pruning / maintenance work, (2) undertake an assessment of risk trees on all City lands and, where required, undertake mitigative measures or removals, and (3) increase the tree replacement ratio.		One additional forester will be retained in 2009. Additional resources will be identified following the approval of the Strategic Urban Forest Management Plan developed in recommendation number 6.
3	7,3,6	24. The City should develop a strategy for the monitoring and control of alien invasive species. Where appropriate the City should coordinate its efforts with agencies such as the Canadian Food Inspection Agency, the Canadian Forest Service, the Ontario Ministry of Natural Resources, Grand River Conservation Authority and other area municipalities.	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.	Operations has been monitoring both the Long-horned Asian Beetle's and the Emerald Ash Borer's activities in southern Ontario. In all jurisdictions affected by these parasites, the Canadian Food Inspection Agency has provided a leadership role in addressing the infestation.



High

Medium

	LANDSC	APE CONNECTIVITY RE	COMMENDATIONS (SECTION 8)
3	8,6	25. Once a municipal tree inventory has been undertaken, the City should conduct a study (using GIS) to identify opportunities for reforestation within the City's urban matrix, and work with the County of Wellington and the GRCA to support linkages to natural areas extending outside the City.	Funding identified in PL0030 Urban Forest Management in Capital Budget 2009-2014.	



High

Medium



Attachment 2

Stakeholder roundatable

Framework for the Strategic Urban Forest Management Plan

Summary of Stakeholder Comments

April 21, 2009 Victoria Road Recreation Centre 151 Victoria Road N.

A. Policy and Guidelines Recommendations

Recommendation	C u rr e n t P ri o ri ty	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
1. The City should ensure that all policy revisions and updates <u>define the urban</u> forest, identify it as a high <u>priority</u> for protection, and describe it as "green infrastructure" which needs to be actively managed.	1	10 Agree 2 Disagree	 Need to be able to separate "natural" forest cover from the other urban trees; do "natural" forest need "active management"? Needs a different perspective Agree Perhaps replace "define" with "recognize". This is more a housekeeping exercise. Needs to go further – policies must be integrated with other City policies including engineering Don't spend a lot of time on this Along with other "green" assets "All" is too overwhelming, should be more specific eg. Integrate natural heritage policies into official plan Refer to NHS Forest is an ecosystem, guess Urban Forest changes that guideline Street trees canopy Tree cover canopy lower Sets priority for corporation Equal to storm sewers, infrastructure Natural Heritage Strategy Draft Emphasize Commercial/Industrial is high priority Selectively on certain land uses as commercial/industrial

2. The City should develop comprehensive <u>City-wide</u> policies and guidelines for tree preservation, replacement and enhancement on both public and private lands.	1	12 Agree	 Agree; need alternative engineering standards to preserve trees/topography In principle I agree, but there needs to be some flexibility for private landowners to manage their own lands Look at alternative engineering standards that facilitate development without massive area grading Guidelines for new "greenfields" development related to canopy cover For private update to site plan guidelines to require additional coverage Create/publish preservation guidelines for subdivisions and site plans, for public – update naturalization policy, more money for street trees (ie. replacement and new construction), update street tree planting requirements Review existing, problems, revise, Grading issues and low impact development Planting in new areas Development spec plants in new subdivisions Removal ie buckthorn Understory and enhancement Review - inventory up to date Stephen Aboud recommendations Policies within Official Plan Tree protection zones Site by site basis Review existing policies in Guelph How do all policies impact trees Commercial/Industrial Identify where deficient Establish engineering practices like sugarbush that include more and better tree protection and possibility for mature canopy But don't simplify focus on preservation when enhancement and mitigation is possible
3. The City should commit to protecting and, where feasible, enhancing the <u>natural linkages</u> within the City and to the County identified through the City's Natural Heritage Strategy.	2 (1) (1) (1) (1)	6 Agree 1 Disagrees	 Perhaps move this up in priority as opportunities and existing linkages may be lost in the interim Should be first priority Why focus on linkages? Commitment should be to the entire NHS NHS - core areas are well as linkages Implemented through development review (EAC) conditions of approval and EIR requirements Has to be done to maintain ecological integrity Provisions within Official Plan already NHS Separate process already (see #25) Caution - be careful about linkages - over major arterials And corridors Be careful with road crossings/linkages on busy arterials

4. The City's <u>tree by-law</u> should be reviewed and updated to be consistent with the Municipal Act.	3 (1) (2) (2)	8 Agree	 Needs to be of sufficient strength to be effective. Perhaps move up in priority Should be high priority Do two by-laws, one public, one private, public should be priority 1, private should be priority 3 Separate by-laws might be a good approach public versus private lands – private lands may be revisited by individuals and groups, 1 priority on public lands Push for 2 by-laws, first step should be for public lands implement this quickly, 1 priority for public, 2 priority for private lands Up priority? But tree by-law must provide balance for private interest Interim by-law to prevent continuing losses, also on small private lots Private tree vs public Tree by-law – good news for some, bad news for others
			 Tree by-law - good news for some, bad news for others Exhaustive of staff resources - admin, financial impact - affordability Private tree by-law Priority 3 is appropriate Monies - initiated draft forthcoming Yes - review but concern about it being overly restrictive Yes a priority - higher - everyone should know the law
			 Needs to be based on several policies Vision and goals needs to be known first Tree cutting on public lands need to be addressed Public lands priority #1 tree by-law Civil libertarian - be careful not to micro manage

 5. The City should <u>evaluate</u> if existing staffing is <u>adequate</u> to review and enforce tree protection on development sites once more comprehensive policies are put in place. Should a new Tree Preservation By-law be passed, additional staffing (e.g. an arborist also trained in by-law enforcement) may also need to be considered. 5 Agree (2) (2) 5 Agree (2) (2) 5 Agree (2) (2) 6 Perhaps City should have an arborist or staff regardless of tree by-law monitoring programs undertaken at the cost of the developer, but an independent contractor. These are currently required through conditions o approval – what is lacking is staff to review the monthly inspection reports and a mechanism to follow up when issues are identified 7 This is unnecessary – undertaken by environmental planner for development This goes to item 12 8 But other staffing deficits, perhaps out be a higher priority, unless there's evidence of significant tree loss 7 There is already a mechanism to do thi Staff don't need to so this, but staff and needed to review and respond to consultant and developer monitoring. (see #12) 9 Include Urban Forester and Arborists If you don't have the staff and resource it is all for not 9 Staff working on public lands 4 and 5 go hand in hand 9 Recommend city forester 9 Budget needed for ongoing operation and maintenance 9 Need to evaluate first – policies first 9 Use the present mechanisms and enforcement 9 No idea, suggest we have minimal staff and contract out when needed

OTHER COMMENTS:

- (4) If tree by-law is delayed too long, many trees, especially in natural forests may be lost in the interim. An update of tree by-law should be moved up in priority. Eg. Southgate Business Park woodlot and large maples , Homewood Forest at Delhi St
- Develop a definition and strategy for conservation of heritage trees with assistance to do conservation work (pruning cabling) if appropriate could be done through by-law
- Consider heritage trees but needs to be a balance between individual needs, community benefits and provincial mandate of intensification
- Consider alternative engineering standards for new development. Soil conservation during development, scarify land before replacing topsoil, and consider pumping stations for new developments.
- Develop a strategy for considering heritage trees under the by-law. Consider assistance or incentives for landowners when City determines a tree should be maintained.
- How soon with the #1 priorities be completed? Get on with it. 25 too many. Streamline, simplify but don't lose anything.
- Other development policies will impact on tree protection and retention
- Concern for alteration of drainage and impact on trees/forests
- Need the overlay recognize the order there is steps but need investment
- Low impact Development
- Link development policies grading, SWM policies need to relate to other policies within the Official Plan
- Impacts of drainage installations that impact swamps
- Short, medium, long term
- Permits for removal
- Consider heritage trees within the by-law fur public and private with possible tax rebate compensation for preserving the public good

Strategic Planning Recommendations

Recommendation	Current Priority	Agree / Disagre e	Suggestions How Recommendation Could Be Improved
6. The City should <u>develop</u> <u>a Strategic Urban Forest</u> <u>Management Plan</u> and adopt a 20-year strategic planning approach with 5- year management plans and annual operating plans nested within the 20-year plan.	1	12 Agree 1 Disagrees	 Refine and simplify the implementation – no need for plans every 5 years, phase the implementation in the 20 year plan and build the adaptive management into the process but do not require a new plan every 5 years – too much time will be spent writing and approving plans. Simplify this process looks too bureaucratic and onerous, this looks to be based on SFL process used in north not on urban priorities Relationship to Natural Heritage System, confusion definitions Just prioritize actions under framework and move action to
7. The City should adopt the principle of <u>adaptive</u> <u>management</u> to ensure that management approaches and priorities can be adjusted as new information is obtained.	1	11 Agree	 Very good Endangered species Invasives Disease
8. The City should develop and use a series of <u>criteria and indicators</u> to track progress towards short and long-term objectives.	1	13 Agree	 Agreed How is this process managed? Good idea to measure progress.

OTHER COMMENTS:

- The term "management" needs a specific definition and what is included. Our concern is with natural forests which are self-sustaining ecosystems that really don't require active management; at least not in the same terms as street trees
- (6) Need faster implementation to protect mature trees and existing urban forest
- Reduce barriers to implementation, don't wait for inventory and planning to implement. There are ways to prioritize actions more quickly, we are inventorying as a support to

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implementation, not as a driver

- No suggested changes
- Plans are getting too much attention we need action and enforcement on the present by-law and the interim by-law could slow removal of mature canopy eg. Bordon Ave/St lot, James St and Forest Hill Drive

C. Communications Recommendations

Recommendation	C u rr e n t P ri o ri ty	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
9. The City should host <u>workshops or public</u> <u>meetings</u> to get community input into the vision and goals for SUFMP.	1	10 Agree 1 Disagrees	 Consultation should indentify and promote and encourage local champions, not just get input Use the workshops to prioritize actions outlines by framework Have to educate population 20 year window Just do the Plan Not necessary
10. The City should explore options for providing support and coordination of ongoing and potential volunteer activities related to tree planting in the City.	1	9 Agree 1 Disagrees	 Move down in priority I think providing support and a mechanism for assistance in planting would be excellent Trees for Guelph as one option Combine in #9, co-host events in public groups – build them into planning process This is already true with Trees for Guelph Volunteers and seed money will be key Coordinate with gaps in linkages, need for cover with trail system, etc. Like toilet rebate money – give lists, tree tending workshops, incentives for natives or suitable urban species I believe this to be most important once framework is developed. Community buy- in. Plant all trees even ones with disease, bugs ie. Ash Cultural programs, stewardship program Can't do it all Enhancement activities Fill gaps Cultural practices Urban forest stewardship Culture, plant health care Not just tree planting. Promote the idea of Urban Forest Stewardship Support volunteerism Have "Trees for Backyards" Encourage neighbourhood groups and various businesses, business organizations

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11. The City should support, and provide the resources for, the <u>creation of an Urban</u> <u>Forest Management Plan</u> <u>Technical Steering</u> <u>Committee</u> to review and evaluate the status of the SUFMP.	2 (1) (1)	10 Agree 1 Disagrees	 Move up in priority The role of the steering committee should be clearly defined – not being used to assess individual tree removal on private property Permanent vs temporary Advocate Committee, volunteer groups role Use committee to key actions moving forward, membership should include volunteer organizations eg. Trees for Guelph Local citizen champions and experts Need to implement, Advisory or Council appointed Guide the AOP's Reword – and implementation of Council appointed Forest Advisory Committee ie Heritage committee Make this a Council appointed Advisory Committee Yes – would provide good input
12. The City should explore mechanisms for <u>more inter-departmental</u> <u>coordination</u> regarding proper protection and management of the City's green infrastructure and educate about tree protection guidelines, policies and best practices.	2 (1) (1) (1) (1) (1) (1)	5 Agree 3 Disagree	 Nove up in priority Move up in priority This is a critical one. The goals and objectives of the Forestry Plan should be integrated throughout all the City policies. This includes revised engineering standards to facilitate conditions that promote tree/forest conservation Should be a 1 priority, need to integrate urban forest management throughout all departments Increase priority, integrate policy revisions eg. Storm water management master plan, water conservation and efficiency Eg. Grading plans and conflict with trees Linkages should be built into city infrastructure hopefully dysfunctionality has disappeared Needs to move to a higher priority Capital works Impacts on green assets Engineering opportunities Deep root silva cells Priority 1 - see recommendations 1 & 2 Operations Coordination is important Needs qualified independent forester staff to implement Integrate with water policies and Natural Heritage etc. If replacement is possible, protection can be reduced

13. The City should expand its public education initiatives by (a) updating and enhancing its on-line urban forestry resources, (b) consider offering urban forestry workshops for residents, and (c) exploring educational opportunities with other partners (e.g. University).	1	7 Agree	 (d) City should promote/highlight significant natural forests in the City through brochures, signage, etc, media – increase profile and appreciation Good idea Role for NC in "c", FTG generally Should be potential for this. Check with school of Environmental Design (SEDRD). Trees for Guelph has an Education Objective for example. Increase publication of Enviroguide and update to include section of tree policies Example "Healthy Landscapes initiatives Partnering through the community, celebrations of greenspace Web master - create a Review available info online and consider enhancing Guelph's website Brochures and Education Annual report needed - Vision Budget/Successes to be Citywide - website (see City of London website - trees and attributes) Under the direction of a qualified forester who can work with all departments Annual report
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OTHER COMMENTS:

- (10) Perhaps other educational activities could be considered other than tree planting. Eg. Guided walks both street/urban trees and in natural forests, pointing out benefits of urban forests; also general tree identification for public if education is the goal of #10.
- (13) Keep Citizens informed and educated on City's natural forests eg. Hanlon Creek forests, Hall's Pond forest, Mitchell Farm forest, Guelph Lake forest, Homewood forest etc.
- Plantings in recognized corridor gaps etc.
- Planning have regard to park plans before replanting, eg. Royal City Park and its historic plans
- (10) Community Services assist and developing
- Capital work create disposal trees
- Review street cross-sections

D. Inventory Recommendations

D. Inventor		comme	
Recommendation	Current Prioriy	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
14. The City should determine <u>specific goals</u> for a tree inventory and <u>develop a system of data</u> <u>collection and asset</u> <u>management</u> in the SUFMP.	1	8 Agree	 Not sure about such a detailed inventory, better to use resources for manage/planting, perhaps more generalized inventory using remote sensing Yes - this should be easy and straight forward as there is lots of expertise and examples Part of 1st 2 years Can we obtain systems used by other municipalities? What information to be collected? Decide what you want first (city and public) (14-16) Public and possibly private, how much is all this going to cost?
15. The City should complete an <u>inventory for</u> <u>all trees on City lands</u> outside of natural areas as part of the first 5-year management plan.	1	7 Agree	 Ok I agree, city lands Co-ordinate 15 and 16 In depth Must be in first 2 years Reword - should be part of the first two annual operating plans; not 5 Part of AOP 1 & 2 Overtime - could use volunteers
16. The City should collect the tree inventory based on <u>SYNERGEN and use the</u> <u>UTC GIS Toolbox</u> to monitor overall tree canopy cover in the City, and help identify potential planting locations.	2 (3)	2 Agree	 Not sure such a detailed system is needed to achieve goals/objectives of SUFMP N/A - unfamiliar with software Synergen - higher priority Tool box - lower priority Synergen is part of 15, UTC analysis could be priority 3
17. The City should <u>explore options for</u> <u>administering and</u> <u>maintaining their forestry</u> <u>asset management</u> <u>system</u> .	2	4 Agree	 N/A – unfamiliar with software Part of 15

 Protocols - include Ecological land classification NHS Priority hazard abatement Need identified understory Ecological land class - plots in woodlots vs individual trees Overstory and understory assessments combination of both Reasonable 	 18. The City should complete a tree inventory for all municipal woodlands based on accepted forest stand inventory protocols as part of the second 5-year management plan. 1 Agrees (1) 1 Agrees (1) 1 Agrees (1) 1 Agrees 4 Disagree I bisagree I think woodlands should be maintained in undisturbed state with minimal disturbance risk assessment should not be part of natural area management I think woodlands should be treated totally differently. Woodlands should be managed ecologically and the focus should not necessarily be on just trees (hazard trees perhaps excepted). This means leaving hazard trees and fallen debris/trees to provide wildlife habitat, maintain nutrient cycling etc. More of an ecological tree "community" Should not be pursued
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OTHER COMMENTS:

- (18) Don't feel tree inventory in natural forests is necessary. Important to leave dead or dying trees for wildlife habitat. Use signage to inform public of hazard trees. There are probably more risks in crossing roadway than having tree fall and injure.
- Info storage, access, maintained

E. Urban Forest Strategy and Sustainability Recommendations

Recommendation	Current Priority	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
19. Comprehensive <u>specifications for tree</u> <u>preservation</u> that can be consistently applied to all projects across the City should be developed and implemented. These should include: (1) requirements for newly planted trees that maximize their growth and lifespan potential, (2) requirements for protecting existing trees, and (3) progressive tree cabling practices, integrated with an inspection cycle, to support the preservation of large canopied trees.	1	9 Agree	 I liked the graph (size of tree/benefits) ie. Bigger trees are more beneficial – need to plant species that will grow large – not "lollipop" trees Should be very high priority Agree Heritage trees Good one Consider "cultural" heritage tree renewal where trees form a "designated" character to neighbourhoods, parks or other spaces that is deemed significant How is this different than #2 Review and revise tree protection guidelines for construction Detailed specification Prescribed tree protection zone Very important to act on this now! Implementation is more important than more study Preservation yes but not at all cost Replacement and enhancement elsewhere can be a mitigating solution

20. The City should coordinate an <u>inventory</u> <u>of City trees with a risk</u> <u>assessment of this</u> <u>resource</u> , and commit to implementing corrective measures for identified high risk or hazard trees as a high priority item.	1 (2)	7 Agree	 A policy of how natural forest trees will be reviewed in context of risk assessment – i.e. dead or dying trees provide wildlife habitat and shouldn't be removed as a blanket policy near trails. – needs more discussion and public input Too much focus on "risk" – thorough evaluation should be done before a tree is removed. Removal should be LAST option. OK – but this should be prioritized so that heritage trees or areas with even-aged trees be done first so that any management can be initiated quickly Should be included in 15, risk should be part of the system Should be part of #15 and 16, 15 is first priority Royal City Park draft Don't do this as a priority; it could need implementation on tree preservation and protection now eg. Protect to dripline
21. The City should <u>establish a pruning cycle</u> <u>and a grid pruning</u> <u>program for street and</u> <u>park trees</u> to shift from a reactive to a proactive maintenance mode.	2	6 Agree	 Not just pruning. Protecting root systems from mowing and compaction, other support services Agreed Ongoing? Remove! Would this be based on data collected in 15 and 16?
22. Once a preliminary City-wide risk assessment has been conducted, the City should implement an inspection protocol for trees that have been identified as having some level of risk possibly in conjunction with pruning activities.	2	5 Agree	 The inspection should be initiated before the risk assessment is complete – it can be refined as the risk assessment is completed (adaptive management) Back to 14 and 15 Currently being done Incorporate with inventory Inspections needed

23. The City should <u>hire</u> <u>additional qualified staff</u> <u>members</u> to support current operations activities, or consider sub- contracting out to (1) catch up on the back-log of tree pruning / maintenance work, (2) undertake an assessment of risk trees on all City lands and, where required, undertake mitigative measures or removals, and (3) increase the tree replacement ratio.	1	6 Agree	 1 and 2 should be 1 priority, 3 is more complicated and I do not think a policy on a tree-replacement ratio should be established without significant flexibility Focus on qualified staff members, who are able to direct public programs and education Urban forester? Back to 14, 15 and 16 Remove additional in the recommendation
24. The City should develop a strategy for the <u>monitoring and control of</u> <u>alien invasive species</u> . Where appropriate the City should coordinate its efforts with agencies such as the Canadian Food Inspection Agency, the Canadian Forest Service, the Ontario Ministry of Natural Resources, Grand River Conservation Authority and other area municipalities.	3 (1) (1)	4 Agree 1 Disagrees	 This may be more of a concern for other agencies listed -i.e are municipalities required to spend resources on concerns that are more provincial or national in scope? High priority. The many Norway maples in the city pose an ongoing threat to natural features. These should be removed and replaced as a high priority – there should be a ban on planting this species in the future Priority 3 may never get resources – needs action now Is this a city responsibility or beyond scope? No brainer Unfortunately short of climbing all trees usually monitoring only reveals issues after it is too late, if found what do you do? Plant or pest species EAB – proactive approach rather than reactive

- (24) Invasive species of trees and shrubs should be considered differently from harmful invasive insects that attack trees. Common buckthorn is often mentioned yet its control might be considered similar to tying to control zebra mussels ie. Near impossible, this needs further discussion/study/public input.
- This initiative needs to be put into a wider context. Trees are important, however, so are other
 issues. Intensification may provide fewer opportunities for tree establishment/preservation, but
 allows for more efficient public transport, limits the City's footprint, etc, all of which reduces the
 carbon footprint and impacts on natural features outside the city. Also other vegetation types
 are valuable for diversity, wildlife habitat, cultural reasons etc. Native grasslands fix more
 carbon than forest. This wider context needs to be reflected in the strategy, and more
 importantly in the policy structure. We really need a Vegetation Management Plan for the city,
 not just one for trees.
- To fill gaps in policy consider concept of mitigation for lost trees. Eg. Comparable based area replacement.

F. Landscape and Connectivity Recommendations								
Recommendation	Current Priority	Agree / Disagre e	Suggestions How Recommendation Could Be Improved					
25. Once a municipal tree inventory has been undertaken, the City should conduct a study (using GIS) to identify <u>opportunities for</u> <u>reforestation within the</u> <u>City's urban matrix</u> , and work with the County of Wellington and the GRCA to support linkages to natural areas extending outside the City.	3 (1) (1)	2 Agree 1 Disagrees	 Should move up in priority, many/most of these opportunities already identified by NHS see Recommendation 3 Given that the inventory could include assessment and take a long time, this initiative should be started before inventory is completed. The areas of the City with poor tree cover can easily be determined. TFG and GRCA ready to work with City Non-public/ (ie. Private lands) initiatives including within new developments. Where do "private" trees fit into SUFMP 13? 2? Use volunteer groups coordinated by steering committee Once natural Heritage strategy is completed opportunities to reforest/naturalized on public lands can be pursued Forest restoration instead of reforestation Provide sites to volunteer tree planters Policy for these plantings, what is reforestation on scales such as would be identified Most might be in NHS buffer zones Restoration rather than reforestation Change "reforestation" to restoration 					

• Implementation and inventory can be concurrent, don't have to be sequential

Reporting Back Form

Please summarize in the section below:

1. The most common points/themes:

- Need to improve development practices, better coordination among city departments
- Focus on what the city (public lands) can do first, show leadership
- Need to move to action not time to go back and create the strategic plan use public forums to revise the framework and move forward on actions
- Set up the steering committee to move forward on actions
- Need to shift focus away from city staff as "doers" and use staff as facilitators volunteers do work
- Linkage to NHS overlaps in recommendation
- Operations vs planning
- Need green infrastructure
- How to arrange and support
- By-law –difficult to manage of private
- Priorities 1-3 low, medium, high, should be short term, medium and long term approach
- Densification and Urban Forest conflict
- Concern about micro-managing a Tree By-law
- Implementation now before more time spent on policy defining
- We have a by-law that is not enforced now with a retention on public property we could keep canopy while we are finessing the actual by-law terms
- Densification/Urban forest conflict
- ICI needs help
- Hanlon
- Encourage neighbourhood groups, business organizations to plant trees

2. Key gaps within the existing recommendations:

- Greater separation between natural forests/woodlands and other urban trees such as street trees and planted trees in parks. Management needs between these two groupings could be completely different. Natural forests are ecosystems, not just trees with inherent biodiversity of many organisms. Shouldn't manage strictly for trees. Education is key for this.
- Need faster implementation of tree protections
- Consider planting fruit and nut trees in parks, not just native trees focus
- Role of public sector, developers
- Cultural Landscape trees
- More actively pursue roles for volunteer groups
- How and how soon to get groundwork done (#1 priorities) so that real work can begin
- Too many recommendations
- Balance between tree loss in intensification and tree protection/new plantings
- Residential and industrial
- Commercial/industrial tree enhancement opportunities
- Hanlon Pkwy vs Expressway
- Concentrate/identify on commercial/industrial
- Beautification of the Hanlon Expressway
- Not taking advantages of "opportunities for salvage"
- Scoop a tree that needs removal and put in a school ground or park instead of cut and clip that tree

- Be careful not to have a tree by-law that is too restrictive
- Micro managing land owners
- Hanlon needs to be beautified

3. Top Five Priorities:

- 3, 4, 13, 25, 12
- Look at lower income neighbourhoods as a priority for tree planting and street tree programs
- 1, 2, 14, 19, 13
- 1. Policy update but focus on OP update and integration of NHS
 - 2. Lots of things to do here with guidelines re: protection
 - 4. Tree By-law update will create good press
 - 9. use public forums to identify priorities
 - 11. use steering committee to make sure projects are ongoing
 - 14. need to agree on what to inventory.
- 1. "Green Infrastructure" as a concept
 - 2. Protect mature trees from construction interim tree by-law
 - 3. Inventory
 - 4. Corridors fill gaps
 - 5. Be innovative in SWM and grading to reduce tree loss in development areas
- 1, 2, 11, 14, 12
- 1, 2, 3, 4, 10
- Green infrastructure identified, inventory, managing risk, development review long range forecast, tap into local resource locally
- Inventory phase in based on initial assessment, education-stewardship, realistic budget, measure successes
- Recommendation #1 "green infrastructure"
- Inventory, By-law, Education, Budget for operation, measure success
- Interim By-law on public lands, urban forest department giving importance to green infrastructure, Development practices established and enforced eg. Protect trees to the dripline when under construction, hire a qualified forester and give him authority to direct the planning and implementation of hiring of staff for an independent (of Operations) department to work with shade policy and other departments and direct public education, money for last point
- Inventory, By-law, budget, measuring success

Additional Comments

- Tree valuation
- ISA
- Tree compensation formula leaf area vs dbh
- Cash-in-lieu for replacement trees

Group Reporting Back Form

Group Notes

- Push tree by-law update Public lands and Private land
- Heritage Trees to be protected it is the City's responsibility
- Policy Development is required alternate development standards, reduce soil compaction, consider the use of pumping stations
- Developing a plan 20 year plan has too much planning, reduce barriers to implementation, adaptive management should be employed
- Concern with need for an inventory- should happen with development policies

- Inter-departmental integration is key
- Water Conservation needs to be considered
- Integration of policies is required
- Additional planting should be considered in low income neighbourhoods
- Get on with this
- 25 Recommendations are too many streamline and simplify
- How soon will the #1 priorities be completed
- Tree by-law move up
- Relationship with NHS what constitutes and urban forest
- Criteria/indicators good how will this be managed
- Advocate/Volunteer Committees
- Education should be a high priority UofG and Trees for Guelph would be good partners
- Urban Forestry Inventory need not be so comprehensive
- Consider cultural heritage tree renewal program
- Where do private lands fit in?
- Policies/Guidelines prepared by Aboud and Associates need to be incorporated into the Official Plan
- Tree by-law is currently a priority 3 keep it lower it will involve exhaustive resources staffing and funding
- #11 Creation/Implementation of Management Plan needs to be completed should have a Appointed Committee of Council
- Interdepartmental coordination is key
- CU Soils
- Capital works is creating disposable trees
- #15 Inventory on all City lands first 2-5 year plan
- #16 High priority for assessment Tool box- GIS is lower
- #17 Should be priority #1
- #18 reword inventory to include ecological land classification
- #25 Reforestation/restoration
- Green Infrastructure
- Intensification vs. SUFMP
- Conflict
- Tree by-law micro-managing on private lands will not be a slam dunk
- Public property by-law is simper
- Commercial and Industrial development enhancement needs to happen.
- Hanlon Expressway needs to be planted
- Priorities- tree inventory, tree by-law, education realistic budget, measure of success
- Mechanism to address those that cannot be maintained.

Additional Comments Received

Please accept our comments on behalf of the GWDA on the above. To begin with, the City of Guelph in the past has done a very good job of growing an urban forest. The development industry and homeowners have planted hundreds of thousand trees where none existed before. Our site plan applications all have significant landscape plans submitted as part of the approval process. Therefore, in our opinion all stakeholders including the city have done an excellent job in developing and managing the urban forest.

We have some very specific concerns that have not been answered. How much will this cost the taxpayer in additional staffing? In the "Stakeholder Workbook", there is significant workload needed to address recommendations regarding inventory of trees, by-law enforcement, pruning, replacement and enhancement of trees, strategic planning, community input, steering committees, education, etc. All this will come at a considerable expense.

We are also concerned about a by-law that would be restrictive and that would micro-manage trees on private property. This may become a disincentive for homeowners to plant trees if they cannot then remove them for various good reasons.

In addition, many of the recommendations contained in the "Stakeholder Workbook" will become a further disincentive for intensification and in-fill projects. If it is the City's intention to promote development that meets the goals and objectives of the Growth Plan, as well as the Growth Management Strategy and Community Energy Plan for Guelph, the Strategic Urban Forest Management Plan needs to include a more balanced approach to private property.

Very often in the process of development, trees have to be removed to accommodate roads, buildings etc. However, we feel that the industry can make an actual improvement by taking mitigating and enhancement measures when tree removal is unpreventable. A process that is fair, simple and understandable should be in place for such circumstances.

In our opinion there are areas in our city including the Hanlon Expressway that could benefit greatly from an urban forest plan and it should be these public areas that this strategy should have its main focus.

We thank you for the opportunity to comment. I thank you for your consideration.

Attachment 3

PUBLIC WORKSHOP

Framework for the Strategic Urban Forest Management Plan

Summary of Public Comments

April 29, 2009 New City Hall 1 Carden St. Meeting Room C

Background

Page 40 of 59

The Framework for a Strategic Urban Forest Management Plan (SUFMP) was completed and approved by City Council in November 2007. The Framework contains 25 recommendations that are designed to help the City develop and deliver a proactive, adaptive urban forest management approach on both public and private lands.

The table on the following pages summarizes the framework's recommendations and the original ranking of these recommendations, as provided by the consulting team based on preliminary input from City staff and a few stakeholders / reviewers.

The primary objective of this workshop is to solicit additional input on priorities and next steps for moving forward with a SUFMP for the City.

Please use the attached workbook as the basis for your discussion. The City will collect all group workbooks at the end of the workshop. Individuals may also submit individual comments at the workshop or until <u>May 30^{th} , 2009</u> for inclusion in the records of this event.

Instructions

Please follow these steps to maximize the value of your small group discussion:

- 1. Appoint a chair;
- 2. Appoint someone to record (bullet-style) the highlights of your discussion and to report these highlights back to the group towards the end of the session;
- 3. Please review the recommendations and the current priority ranking, keeping in mind they are organized into six broad categories, as follows:
 - a. Policy and Guidelines
 - b. Strategic Planning
 - c. Communications
 - d. Inventory
 - e. Urban Forest Strategy and Sustainability
 - f. Landscape and Connectivity
- 4. Please indicate if you agree or disagree with the ranking, then provide any feedback you think would assist in moving forward with the SUFMP for the City;
- 5. Please identify any gaps within the recommendations, or any recommendations that you feel should be added or removed;
- 6. Please identify your top 5 priorities for moving forward with the City's SUFMP; and
- 7. Please make sure you record areas of consensus as well as areas of disagreement it is important that the City develop an understanding of the full range of ideas and opinions of all participants.

8. A. Policy and Guidelines Recommendations

Recommendation	C ur re nt Pr io ri ty	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
1. The City should ensure that all policy revisions and updates <u>define the urban forest, identify</u> <u>it as a high priority</u> for protection, and describe it as "green infrastructure" which needs to be actively managed.	1	12 Agree 1 Disagree	 Concerned that we have to use the term 'infrastructure' to describe the urban forest. Could lead to over-management And give it higher priority than at present "green infrastructure" just buzz word Ensure that "green infrastructure" is on the same level as the other municipal infrastructure – identified at all levels Green infrastructure should be given higher priority than gray infrastructure Policy needs to be related to known methods which will result in improved urban forest Establish as a priority Critical for the health of the Urban Forest and the health and general welfare of its citizens Green infrastructure needs to be actively managed and protected
2. The City should develop comprehensive <u>City-wide</u> <u>policies and guidelines</u> for tree preservation, replacement and enhancement on both public and private lands.	1 (2)	12 Agree 1 Disagree	 Yes - and choose trees and other plants for more naturalization These should apply to both public and private "Protection" rather than "preservation" But ensure private lands are not treated the same as public Policies must differentiate between private and public lands Policies must be well thought out with consideration of possible ramifications – for example – people, not planting trees to avoid future problems with trees and limitations by policies and guidelines What does this mean? ("arrow to "where feasible") Separate telephone number and email address for people to report alerts or concerns. Guidelines and by-laws, current by-law is inadequate Should be a separate department charged with this responsibility – not just policies and guidelines

3. The City should commit to protecting and, where feasible, enhancing the <u>natural linkages</u> within the City and to the County identified through the City's Natural Heritage Strategy.	2 (1) (1) (1)	10 Agree	 Give this a higher priority This is at least a "2". Maybe "1.5" priority This should have the same emphasis as #1 and #2 as it meshes into it "Natural" linkages on public property – other linkages on a neighbourhood basis What does this mean? (circle around "where feasible") Private land right need to be considered Contact Wellington Society for the Countryside – Richard Frank (519) 856-1430 Higher priority Should be a separate department charged with this responsibility – not just policies and guidelines
4. The City's <u>tree by-law</u> should be reviewed and updated to be consistent with the Municipal Act.	3 (1) (1) (1) (1) (2)	9 Agree	 Also City could lobby province to integrate forest planning with development planning Split into 2 - #1 priority - enforce existing bylaw, move to # review and update Need to push for proactive methods here Divide into 2 parts - (1) enforce the current by-law to its full extent until you can (2) review and update it to meet current needs Should be high priority 1 for public and institutional, 2 to revisit site plans for older industrial/commercial Tree by-law must differentiate between private and public Enforced! By-law review, enforce current by-law and update over time Agreed Higher priority including 2005 Provincial Policy Statement By-law should include smaller properties - see by-law and policy of Richmond Hill

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5. The City should <u>evaluate if</u> existing staffing is adequate to	3	9 Agree 1 Disagree	 High priority Urban Forester What about enforcing existing policies –
review and enforce tree	(1)	I Disagree	is there enough staff right now?
protection on development sites	(1)		 Scheduled reviews be done
once more comprehensive	(1)		 Should be top priority
policies are put in place. Should	(1)		 Must provide adequate funding
a new Tree Preservation By-law	(1)		 Consider reorganization and separate
be passed, additional staffing	(2)		department
(e.g. an arborist also trained in	(1)		•
			This should be done before you can
by-law enforcement) may also need to be considered.	(1)		adequately enforce the existing bylaw or
neeu to be considered.			review and update it
			 City could engage more with volunteer coordinated tree maintenance
			 This is an opportunity to educate,
			particularly with youth
			• Yes, but need to live within fiscal reality
			 But focus must clearly be on public, institutional analysis
			institutional properties
			New development needs to have better
			tree cover and costs need to be covered
			by those living in the new development
			Approach under by-law needs to be
			helpful, not punitive – example, building
			departments permitting system
			Poor use of an arborist to do by-law
			enforcement
			Should be higher priority
			Higher priority, see comments below
			 See # 2 above – should have a qualified
			forester

- What plans can be made to educate city engineers about the "urban forest?"
- As urban forests come under more stress with denser development and climate change we need to plan ahead for greater diversity. Eg. Maybe more southerly Carolinian trees some hickories? Butternut? (English walnut?) and others Paw Paw, hazelnut, etc.
- Plan to manage trees as "green infrastructure" on par with roads, sewers, etc.
- Implementation requires additional staff to be effective
- "Tree friendly" zoning
- Priority to maintaining health of mature trees
- Royal City park draft plan, public input? Strategic Plan objective 6.6 biodiverse city with highest tree canopy percentage among comparable municipalities
- The City should consider expanding where possible, the natural woodlots, including over brownfields and golf courses
- Be careful about considering private (residential) lands and trees a public resource
- Offer funding opportunities for residential property owners to cover management, pruning, removal, replacement costs
- Need to have careful consideration of private property owners with private tree by-law
- Proactive vs reactive management
- Inventory-analysis-trees, plantable spaces, mapping GIS
- (5) City needs an independent Urban forestry department led by an arborist or certified forester. A new Tree Preservation By-law must be passed. Need to protect trees on city lands and help citizens protect trees on private lands

B. Strategic Planning Recommendations

Recommendation	C ur re nt Pr io ri ty	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
6. The City should <u>develop a</u> <u>Strategic Urban Forest</u> <u>Management Plan</u> and adopt a 20-year strategic planning approach with 5-year management plans and annual operating plans nested within the 20-year plan.	1	12 Agree	 Should align operating plan length with pruning cycles In public lands
7. The City should adopt the principle of <u>adaptive</u> <u>management</u> to ensure that management approaches and priorities can be adjusted as new information is obtained.	1 (3)	12 Agree	 Definitely - now is the time to consider emerging info re: changing climate and changes in food supply infrastructure ie. Oil availability Citizens should have the chance to review the process and participate in the ongoing re-assessment Some leakage to private holdings required - management to be paid from the public purse
8. The City should develop and use a series of <u>criteria and</u> <u>indicators</u> to track progress towards short and long-term objectives.	1 (2)	11 Agree 1 Disagree	 With public input to develop the criteria Beware of over complimentary indicators Most important is corporate culture Yes, but hard to develop realistic indicators Use multi attribute design analysis Definitely, most important

- Review old site plans for commercial, institutional, industrial properties for replanting opportunities
- Criteria need to be clear and data easily collected
- Need to work with communications department up front on how to convey critical indicators to public to ensure community support
- Criteria need to encompass more than canopy cover diversity, for example
- Sounds good to me
- Given recommendation 7 along with 2005 Provincial Policy Statement, it would appear that the Hanlon Business Park must be reconsidered.

C. Communications Recommendations

Recommendation	C ur re nt Pr io ri ty	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
9. The City should host <u>workshops or public meetings</u> to get community input into the vision and goals for SUFMP.	1	11 Agree	 Would like to see workshops for staff and politicians Too late for this to really mean anything (read Arnstein) This should be in the field and in the communities so it appeals to citizens Very important to engage public Clearly indicate how input would be included/evaluated Must use fact to guide decisions Not limited to workshops. How about tables at nurseries during spring planting – engage people that normally wouldn't be engaged We should try to get a By-law in place before end of 2009 But this must be done quickly and not used to delay real action
10. The City should explore options for <u>providing support</u> <u>and coordination of ongoing and</u> <u>potential volunteer activities</u> related to tree planting in the City.	1 (2) (2)	9 Agree 1 Disagrees	 Should have process to have volunteers use city Yes - coordinate with other groups such as GRCA, U of G, etc, Tree Canada Plan needs to be in place first Rotary, TFG, OPRIG 9 and 10 could well be combined in order to obtain well informed volunteers
11. The City should support, and provide the resources for, the <u>creation of an Urban Forest</u> <u>Management Plan Technical</u> <u>Steering Committee</u> to review and evaluate the status of the SUFMP.	2 (1)	11 Agree	 Committee should include an arborist and representation from citizens, city staff and Guelph Hydro

12. The City should explore mechanisms for <u>more inter- departmental coordination</u> regarding proper protection and management of the City's green infrastructure and educate about tree protection guidelines, policies and best practices.	2 (1) (1) (1)	9 Agree 1 Disagrees	 Should this move up to a 1.5? Interdepartmental coordination could be enhanced by having a separate department responsible for tree management Goes without saying Needs to be part of the initial planning Agree if education is factually based This needs to be worked out now, so all departments engaged in developing guidelines and policies Forestry Planner Use of service drawings in public spaces including parks so trees are not located on underground services. Call before you dig for contractors et al Examine all existing ordinance that may affect tree planting or maintenance this one sounds like a big bureaucratic waste of time. Yes, there should be interdepartmental communication, yes there should be EDUCATION for all staff around the green infrastructure and its value and importance. Instead, more resources should be directed to creating an office or a position or responsible for all aspects of the SUFMP. This position would be the essential link or the "go-to" person re: SUFMP. See addition of By-laws Should have a separate parks and green infrastructure department
13. The City should expand its public education initiatives by (a) updating and enhancing its on-line urban forestry resources, (b) consider offering urban forestry workshops for residents, and (c) exploring educational opportunities with other partners (e.g. University).	1	10 Agree 1 Disagree	 Partner with U of G Arboretum True value of city investment in the Urban Forest and Community Perhaps this could include a private tree registry. Could also lead to the opposite: mark places where trees have not been planted or where they have been removed. Excellent idea Plan needs to be in place first Lots of use of free media publicity Very important This could be combined with number 9. Advertise buses, open houses, college royal, Home Shows, Booths at the above, pamphlets, City Hall Important as we must educate property owners regarding care and protection of trees on their property and perhaps on boulevards as well See plan in City of Richmond Hill

- Work with school board to integrate workshops and involvement of youth. As much as possible workshops and communications should be relevant to "my" neighbourhood ie. Not across the city... where it has little impact.
- Discuss coniferous versus deciduous trees
- Guelph Hydro is included as they do a lot of tree trimming which is sometimes harmful to trees. I believe they need some education too.

D. Inventory Recommendations

D. Inventory Re		menuati	0115
Recommendation	Cu rre nt Pri ori ty	Agree / Disagre e	Suggestions How Recommendation Could Be Improved
14. The City should determine <u>specific goals for a tree</u> <u>inventory and develop a</u> <u>system of data collection and</u> <u>asset management</u> in the SUFMP.	1	10 Agree	 Goals in combination with public Make it available online Inventory should restrict access to public areas Budget ASAP Good use of horticulture students, U of G, College Heights
15. The City should complete an <u>inventory for all trees on</u> <u>City lands</u> outside of natural areas as part of the first 5-year management plan.	1	12 Agree	 This should be done for private trees as well – online registry would help with this Make it available online Very important re: management of quarantine pests Sooner the better
16. The City should collect the tree inventory based on <u>SYNERGEN and use the UTC</u> <u>GIS Toolbox</u> to monitor overall tree canopy cover in the City, and help identify potential planting locations.	2	7 Agree 1 Disagree	 If this is working now - sure When "complete" this could potentially be a great public tool; allows public to look up into (species, age, risks, etc) of any tree by location or age Make it available online Don't know Don't know what these are, can't comment Not familiar with Synergen, should be easy to identify where planting required
17. The City should <u>explore</u> <u>options for administering and</u> <u>maintaining their forestry</u> <u>asset management system</u> .	2 (1)	9 Agree 1 Disagree	 Beware over investment in monitoring practices can be easily done with one student once set up Make it available online Embrace a plan that includes garden, landscape and forest components – not just forest as all are part of an urban forest Shouldn't this be thought through prior to or at same time as #14 above? Should be a top priority, the rest is meaningless
18. The City should complete a <u>tree inventory for all municipal</u> <u>woodlands</u> based on accepted forest stand inventory protocols as part of the second 5-year management plan.	3	10 Agree	 Detailed woodlands assessment This should be a higher priority This should be higher on the priorities A good idea but very difficult to accomplish What's the difference City lands and municipal woodlands

- Tax incentives to encourage people to plant
- City should assume partial financial responsibility for removal of large trees this would encourage preservation
- What is the difference between #18 and #15?
- #s 14 and 15 are top priorities. I would rate #18 as a priority #1. the whole canopy of the city of Guelph needs to be taken into consideration.
- City also might want to consider some kind of an inventory for trees on private property

E.Urban Forest Strategy and Sustainability Recommendations

Recommendation	Cu rre nt Pri ori ty	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
19. Comprehensive specifications for tree preservation that can be consistently applied to all projects across the City should be developed and implemented. These should include: (1) requirements for newly planted trees that maximize their growth and lifespan potential, (2) requirements for protecting existing trees, and (3) progressive tree cabling practices, integrated with an inspection cycle, to support the preservation of large canopied trees.	1	4 Agrees 1 Disagrees	 TP Zones By-law enforcement Diversity selection Permeable Swales - open ditches vs. curb and gutter This information is available, let's not reinvent the wheel. Fine if you have sufficient well trained arborists in the system. A separate Department from Public Works Specs for tree preservation need to be developed Selecting species to plant needs to include food-bearing trees for human an urban livestock - consider future needs for food. Favour native species Actually hold to these shouldn't capitulate as is general practice Should emphasize priority on saving trees instead of taking the easy route of simple removal Add management Assume this would consider priority of native species, climate change effects (what will be appropriate in 25 years) and other forward looking considerations. Plan for better soil preservation in new subdivisions so that planted trees have a higher probability of survival On public lands and new developments (not occupied) Need more focus on preserving trees and canopy Sufficient penalties to ensure that tree protection by-laws are adhered to. This should apply to new trees as well as older trees Take into account new technology – permeable surfaces, bioswales wherever possible, improved and larger tree root areas (plan for full spread).

20. The City should coordinate an <u>inventory of City trees with</u> <u>a risk assessment of this</u> <u>resource</u> , and commit to implementing corrective measures for identified high risk or hazard trees as a high priority item.	1	4 Agrees	 Should say as assessed by a certified forester Ensure removed trees have program to use wood. Trees identified for last reference numbering system perhaps, city maps Must emphasize trimming and preservation over pre-emptive removal With options for managing hazards besides removal. According to OFN handout, dead standing trees provide nesting and roosting sites for ¼ of forest species-dead trees should be part of the urban forest
21. The City should <u>establish a</u> <u>pruning cycle and a grid</u> <u>pruning program for street and</u> <u>park trees</u> to shift from a reactive to a proactive maintenance mode.	2 (1) (3)	3 Agree 1 Disagree	 Would like to see a monitoring program rather than prune trees because the schedule says so Still need trained arborists for this kind of work. Davey Tree in Kent, Ohio has an excellent school well worth a visit Should be changed to a lower priority. #1 is the top priority here. Let's focus our energy on protecting our existing canopy and increasing it. Pruning and replacement I understand why we can't do this until 19 is completed – shift to number 1 Important that pruning be appropriate Pruning needs to be more clearly defined – i.e. pruning for a variety of purposes Past tree pruning has been too severe Structural pruning of young and recently planted trees. Education is key, private citizens/property owners will inevitably prune their own. When this is done poorly it can kill trees. To educate people do it right or not at all.

22. Once a preliminary City- wide risk assessment has been conducted, the City should implement an <u>inspection</u> <u>protocol for trees that have</u> <u>been identified as having some</u> <u>level of risk</u> possibly in conjunction with pruning activities.	2(1)	4 Agrees 1 Disagrees	 Agree, but only if done by a certified arborist 20 and 22 go hand in hand Some level of risk? Inspect/utility w/o system Should be #1 as a number of species are already at high risk! Assume this is linked to #21 This could be done at a higher priority by engaging citizens to report hazards through the website or on the phone Include private trees in risk assessment and provide notification or recommendation for maintenance of those private trees This private assessment could tie into a tree registry – perhaps offer options for pruning/maintenance (ex. Small fee – City will prune) to educate homeowners and make private tree maintenance easier.
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E. Urban Forest Strategy and Sustainability Recommendations *cont'd*

Recommendation	C ur re nt Pr io ri ty	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
23. The City should <u>hire</u> <u>additional qualified staff</u> <u>members</u> to support current operations activities, or consider sub-contracting out to (1) catch up on the back-log of tree pruning / maintenance work, (2) undertake an assessment of risk trees on all City lands and, where required, undertake mitigative measures or removals, and (3) increase the tree replacement ratio.	1	9 Agree	 Too much focus on legal liability. Would prefer a forest management approach that recognizes the importance of trees in decline. 46 species of birds rely on dying and dead trees for their food supply. Hire don't contract This should mesh with #5 as they are v similar. Implementation staff and planning staff should be in discussions. Yes, but must be costed and defendable How does this fit with recommendation #24? Depends on cost Concerned about cost here - what are other options, if any? Contracting out less expensive in the long term, yearly budget Use of tree spades also contact to plant larger trees where those have been removed The city needs to create a permanent position of a city arborist, rather than contracting out. Increasing the tree replacement ratio needs to be give much higher priority than pruning. The pruning that has occurred in the city in the last 18 months has been unacceptable - tree topping, pruning of evergreens up to 10', the removal of trees with a risk rating of #4. City must hire an arborist or certified forester. City should hire additional qualified staff members to staff its urban forestry department See comments in #20 Yes - must be costed and defendible

- I'm not sure the overall strategy can be developed without looking at specific characteristics of each entity, i.e.: street trees, trees in recreational areas and trees in natural areas. How can trees be part of a functioning forest clear-cutting the understory in parks and natural areas?
- Should consider city and private property owners use of permeable vs. non-permeable surfaces re: water infiltration of root systems.
- I have concerns about genetic diversity **within** selected species. This concerns me because of issues that relate to diseases and pests.
- Identify a dollar figure for the benefits of a healthy urban forest to the City, and use that to promote the allocation of more funds for staff and management of the urban forest as a resource or asset. Get the funding to make it work.
- New subdivisions must be made tree-friendly. Current practices (heavy compaction of soil) preclude the establishment of trees. Criteria need to be revised for new subdivisions minimize compaction and diversion of run-off.
- Should try to plant native trees
- A good start would be to study the program in force in the City of Richmond Hill
- Trees as infrastructure

F. Landscape and Connectivity Recommendations

Recommendation	C ur re nt Pr io ri ty	Agree / Disagr ee	Suggestions How Recommendation Could Be Improved
25. Once a municipal tree inventory has been undertaken, the City should conduct a study (using GIS) to identify <u>opportunities for reforestation</u> <u>within the City's urban matrix</u> , and work with the County of Wellington and the GRCA to support linkages to natural areas extending outside the City.	3 (1) (1) (2)	9 Agree	 TFG/Rotary/Aspect of community building Corridors need to be considered ASAP to set "reforestation" priorities. <u>Brownfields</u> are an ideal area for forestation walking trail Needs to be the goal and central "2" at least – since inventory is starting, let's start this too. Wellington Society for the Country side Higher priority. Don't just identify opportunities but do reforestation (perhaps this is what was meant) Some reforestation can be done before inventory is complete

OTHER COMMENTS:

- Overall need to think about trees in higher density housing environment proposed by Places to Grow. Big trees probably in opposition to this.
- Over focus on existing management (maintaining street trees) as opposed to new development areas and opportunities to increase coverage.
- Where is possible enforcement
- Need to consider other by-laws soil retention on new land developments that support healthy trees!
- Let's fight the hardscaping-your-city-lot fad! Promote climbers where there is no space for big trees.
- Need separate parks department with funding to maintain and plant
- Put some serious teeth in any tree protection by-laws or construction sites, otherwise they will only be another cost of doing business for contractors
- Over focus on existing management (maintaining street trees) as opposed to new development areas and opportunities to increase coverage. Where is possible enforcement
- Key gaps -1) all recommendations require cost projections
- 2) need discussion of contradiction(s) with other policies/example density requirements
- Don't reinvent the wheel all kinds of information out there on this subject, other municipalities, Ontario Shade Tree Council, International Society of Arboriculture, Toronto was one of the first in Ontario to adopt an Urban Forest Plan!

Please summarize in the section below:

4. The most common points/themes:

- Agree or Disagree
- Get started with strategy and implementation immediately
- Emphasize green infrastructure importance
- Need to stop talking and <u>start</u> implementing
- SUFM plan should do a better job of protecting existing trees when developments are approved – not just "replace" them
- Staffing needs to be adequate and funded
- Stated goals must include diversity
- Stated goals must include diversity
- General support for tree protection
- Problem is that real issue is one of reasonable management
- Need for additional definitions proper pruning for example
- Need to link forestry versus other vegetation
- Tax benefit or cost coverage or sharing for trees on private property
- New development needs to require more and bigger trees
- Link trees to soil requirements
- Urban forest versus actual forest issue is one of ______ need to understand if urban forest has ______
- We need a By-law NOW
- We need to hire an arborist or certified forester
- We need to begin reforestation NOW to increase our urban forest canopy from its 25% to at least 40%

5. Key gaps within the existing recommendations:

- What is risk management?
- Land management component
- Importance of land management to tree health i.e. permeable surfaces
- Associated costs
- No gaps
- Trees should be managed by Parks Department
- Guidelines of tree management with consequences, firm, sufficient
- Some focus on planting an understory
- Source of stock local seeds, local tree nursery
- How fight bulldozing developers?
- Should plan be expanded to include or reference green spaces (grassed parkland areas)?
- Clarify direct vs. Indirect management
- Assessment should include private trees
- By-laws for front yards should include tree planting clause? Not just percentages for driveways and landscaping
- Be more specific with regard to landscaping certain % of hardscape allowed and certain % of softscape (with certain number of trees required).
- Importance of land management to tree health, i.e. permeable surfaces.
- No priority yet on planting for food bring in permaculture principles get more benefits besides those mentioned in the Framework
- Need a citizen involvement program to promote and plant new trees on private lots educate homeowners about their value and care needs. This might come in after inventory is well underway
- Tree policies need to be integrated with urban agriculture goals. This will be higher priority in the not-too-distant future and so needs planning now
- Divergent opinions on tree protection versus legal liability. Not clear how ISA standards are actually being applied
- No mention of succession planting and selective (versus swath) tree removal in order to preserve the canopy
- Land management
- Cost for each recommendation
- Coverage as sole measurement of good forestry needs to be revisited.
- Same as above plus recommendation that Guelph needs an independent urban forestry

department

- New development needs to require more & bigger trees
- Link trees to soil requirements
- Urban forest vs. cultural forest issue is one of understory/security need to understand if urban forest has understory. Preservation Park vs. Exhibition Park
- Need to link between cost and benefit i.e. cost = benefit on individual or household basis
- Address issue/definition of invasive species
- Does management of forests = unnatural
- Forest shade effects on other vegetation
- Lack of soil/water protection necessary for forest growth
- Lack of differentiation of public versus private

6. Top Five Priorities:

- Ad Hoc committee of 8 to choose an urban forest management advisory committee
- If this is important enough to put millions into, people will be willing to form ad hoc committee and carefully select advisory committee to sit for three year term. Nobody on council or from City Hall but broad spectrum five member board can be formed.
- Can you tell us how much twenty years worth of policies/planning have cost taxpayers so far and still no action after twenty years.
- Need to clearly state that Guelph plans to manage trees as a "green infrastructure" on par with roads, sewers, etc.
- Implement "tree friendly" zoning
- Priority on using native species and species appropriate to placement
- I like the suggestion on shade structures for playgrounds plant grapevines and kiwi to grow over them.
- Preservation Park vs. Exhibition Park
- Need balance between hardscaping and landscaping
- Inventory must be #1 have to know what you've got
- Same as # 1 and 2
- Inventory of trees should begin as soon as possible
- Native trees on all City properties not just native to Canada or Ontario but those native to Guelph
- Proactive tree maintenance
- Forestry department Mississauga is a great example

Group Reporting Back Form

Group Notes

- Tree By-law
 - Enforcement
 - Update and review
- #22 City wide assessment of risk to include private property
- #19 Specifications for tree maintenance
- Native trees to area
- Department for maintenance needs to be identified
- Need for green infrastructure
- Holistic approach
- Education
- Distinction between maintenance of areas
- Diversity of species
- Participation to happen on an ongoing basis
- Hazard trees higher priority with engagement with citizens

- Need for a plan
- Green infrastructure needs to be identified at all levels
- Communication and processes
- web based communication needs
- General support for tree protection
- Protection must be reasonable management
- Definitions required, i.e. proper pruning
- Structure
- Preservation Park vs. Exhibition Park
- Gaps land management
- Costs associated with recommendations
- Measure of coverage
- Structure
- Goal for diversity
- Set started with strategy
- Gaps No gaps
- Managed by Parks
- Guidelines with consequences/By-laws
- Protect trees
- Source of stock needs to be native
- Priorities
 - Ad hoc committee to select a n advisory committee
 - Cost of policies and planning
- FMP needs to protect existing and maintaining new plantings
- Staffing needs to be adequate
- No priority for planting for food needs
- Need for citizen planting group
- Educate homeowners
- Programming
- Food production within the City is important
- Planting of native species
- Caring for fruit bearing trees
- Invasive species
- Shade policy
 - Structures within parks
- Understory planting
- Money spent on SUMFP

SUFM Other Comments

Direct management/indirect management Large tree canopy – size/# residential/downside(if high %) Plantable spaces Proper pruning – purpose priority Tree protection by-laws/pruning/healthcare Public/private resource (asset) Gardeners/landscapers/foresters/balance Residential costs – pruning/manage/removal/replacement Review old site plans

Additional Comments Received

I feel very strongly that many of Guelph's trees have been cut and the canopy reduced without the expertise, focus and accountability of the value and natural capital that trees give.

Natural Capital names the value trees give. The benefits of trees are becoming critical. Delivering and ensuring this is done in practice needs a dedicated forester and a commitment to support this.

Citizens of Guelph in consultation with expert foresters, have invested and created a comprehensive view on the state of Guelph's trees. They are an excellent, informed resource.

1. We need an interim protective tree by-law now and a permanent by-law as a first priority of the Urban Forest Management Plan.

2. We need comprehensive standards for tree preservation in the city that protect existing trees, and maximize the growth and lifespan potential for all trees.

3. We need an independent urban forestry department, headed by a certified forester and supported by a public advisory committee.

4. We need an inventory of the trees in Guelph so we can evaluate the success of maintaining the health, diversity and canopy of the urban forest.

After the public meeting held April 29, 2009, I realized that there was one component of the group discussion which was not adequately addressed by me in the summary presented as part of that meeting. The current treed areas within the City of Guelph have different characteristics and this was alluded to by reference to Preservation Park as opposed to Exhibition Park. What was not made clear was that these different park environments would have different risks associated with them. For example, personal security as well as risk of fire may be different due to the different characteristics of the understory within any particular park. Therefore, decisions about the design and management components related to the trees and understory within these public areas need to be related to findings provided by the police and fire departments. For example, does the structure of a more "natural" urban woodlot result in a different frequency and kind of criminal and/or nuisance activities? Additionally, does the sociological and/or psychological literature suggest that those living near and/or using woodlots have more or less fear as a result of the characteristics of those different wooded areas and does this fear result in behaviours that will negatively affect the objectives associated with the management plan?

I wish to submit my comments about the Urban Forest Management Plan. I have some concerns about the process as some of the opinions that were expressed in the breakout groups during the public meeting did not get recorded. I fear that we are moving away from an urban forest 'vision' and towards a tree management policy only. Below are a few of my comments and concerns however I feel the process needs to be more inclusive of public opinion.

- City staff who sat in with the groups should have been present as information/resource people only and not to dominate the discussion.

- What is the difference between a naturalized area a recreational area? Who made this distinction and the management criteria for each area?

- There seemed to be a huge concern on the part of some staff with liability around trees and public safety. If this is truly an issue then perhaps staff should actually speak to this rather than force it in through the public process.

- I am also concerned about the tree management activities that are taking place while this plan is in the process of being developed and that they may undermine opportunities for change. Some of the management activities that have occurred in the past year have created new problems that now must be dealt with, just one example: pruning the lower branches of coniferous trees now means weeds grow under them and will have to be cut back on a regular basis. This means increased stress on tree trunks and roots and additional cost to the city.

- I would like to see a forester on staff or somebody who has a greater understanding of the overall functioning of trees in the ecosystem. I feel this is missing in the city management plan as too much emphasis is being placed on safety issues that may not be that urgent.

I would like to comment on one area of the plan I think is very important.

In the past when dealing with staff on tree issues I felt it was the public's idea of what we wanted for the urban forest versus the staff"s vision.

I think we need to have a plan with a clear understanding of the public wants -as it is their property. The problem is that policy comes from one or two people on staff who have their vision, but is not necessarily what the public wants.

In the next stage we need to all sit together and work out a plan that we all more or less agree on. But they must be clear easy to follow rules or guidelines.

This will be better for all and lead to less confrontation and stress.

I am happy to see the city move forward with such an important initiative, and apart from some minor tweaking of timelines and priorities (which were commented on in our group submission), I wholeheartedly support this plan.

What struck me as most important were the introductory comments by the consultant; the Urban Forest was described as green infrastructure that should be considered equally as important as for example sewers or roads.

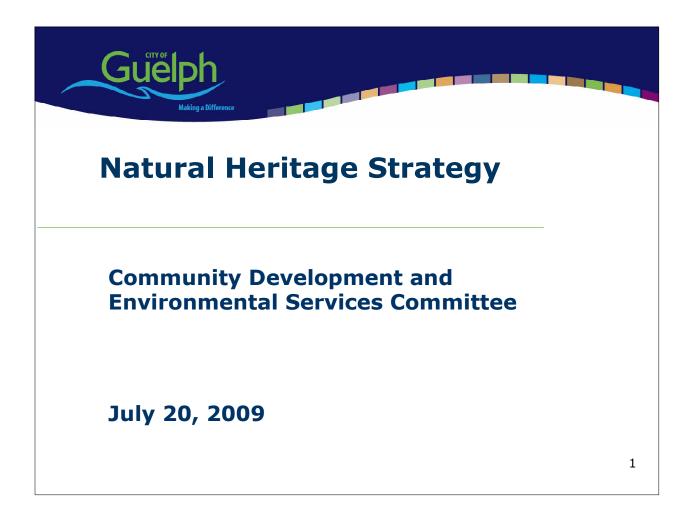
Concern was voiced at the evening's meeting that historically the problem was in the effective (or lack of) implementation of agreed upon city strategies. I fear the same fate will befall this tree management plan unless council emphatically indicates that urban tree management is a vital component of the city's infrastructure. Council can do this by creating a separate Urban Forestry department complete with an individual with appropriate accreditation to manage and oversee all initiatives relating to city trees.

The days of having departments and individuals responsible for the management of our green spaces hidden within the operations department should be long over. Council needs to make the budgetary commitments necessary to rectify this restructuring error made by the previous council. Unless this is done, I fear the Urban Forest Management Plan will never live up to its true potential.

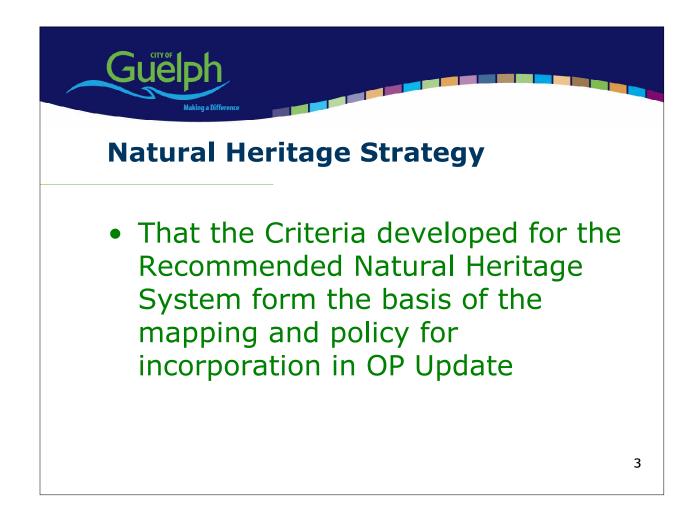
The SUFMP should include provision to create a permanent staff position of City Arborist. Active biodiversification and re-introduction of native species should be a top priority of the plan. Community input and participation is vitally important and must be fostered through the SUFMP. Setting specific goals around increasing the canopy of the city should be a priority, as well as a means of monitoring the progress of these goals.

I would like to thank Suzanne Young and all those involved in organizing the April 29, 2009 workshop regarding the Strategic Urban Forest Management Plan. I was disappointed however, that the recommendations made by GUFF in its presentation to the Community Development and Services Committee on March 30 were not included in the Participant Workbook. These recommendations included the following: 1) Guelph needs a tree protection by-law now, 2) Guelph needs an independent urban forestry department, and 3) Guelph needs to hire an arborist or a certified forester.

It would also have been useful to include the relevant policies and definitions from the 2005 Provincial Policy Statement (ISBN 0-7794-7484-8) The definition of woodlands and significant woodland are especially important. 2.1.4c states that "Development and site alteration shall not be permitted in significant woodlands..."

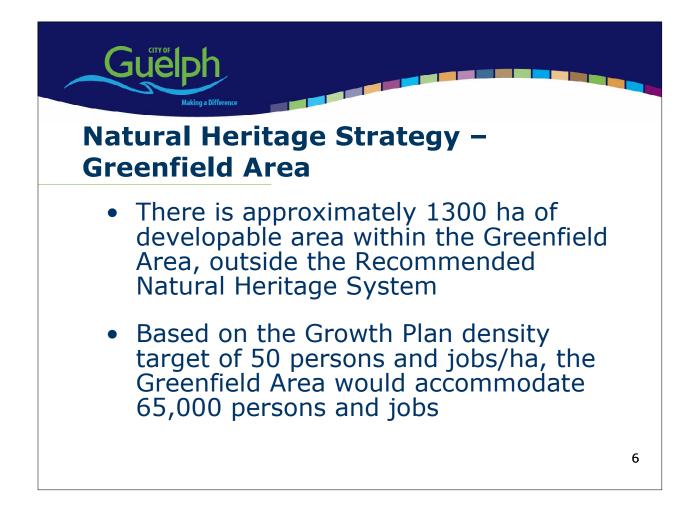




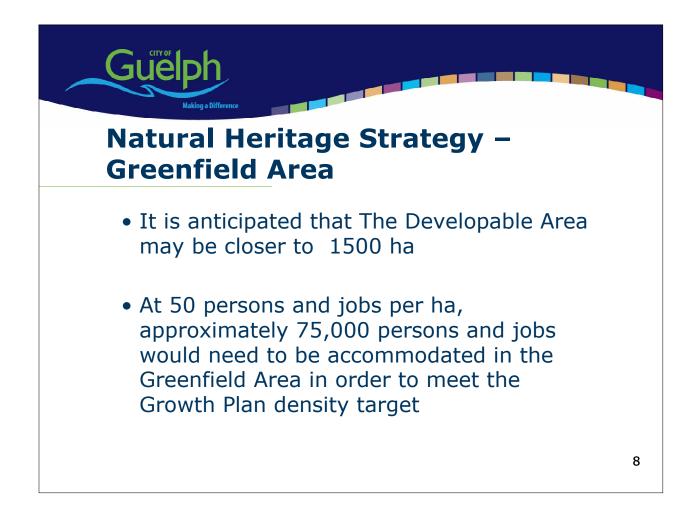


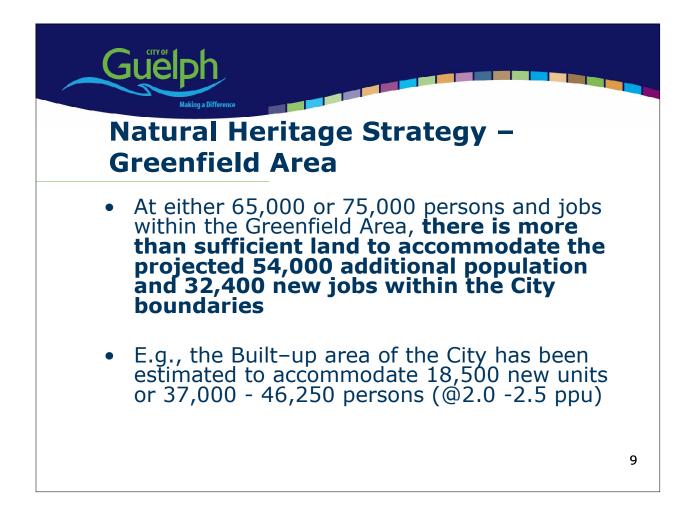


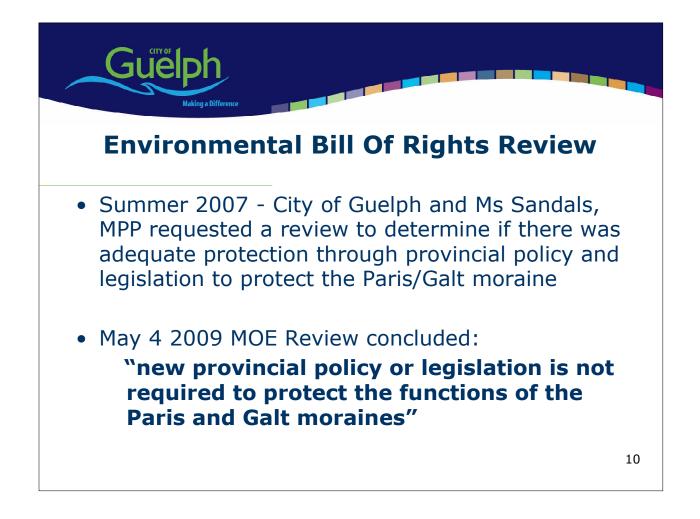




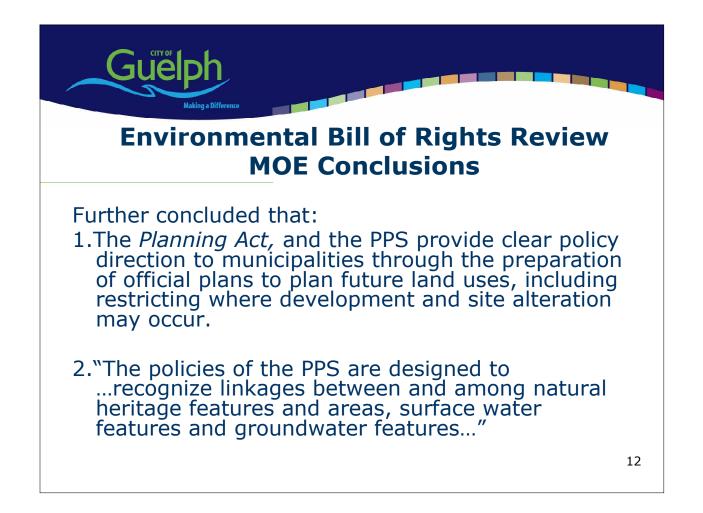


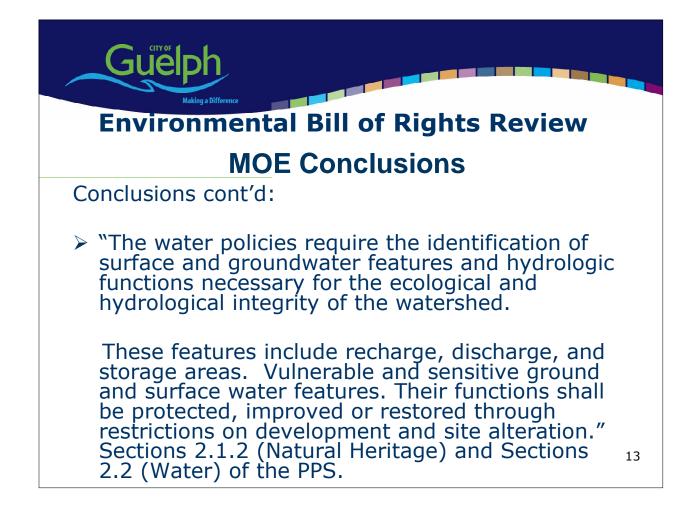




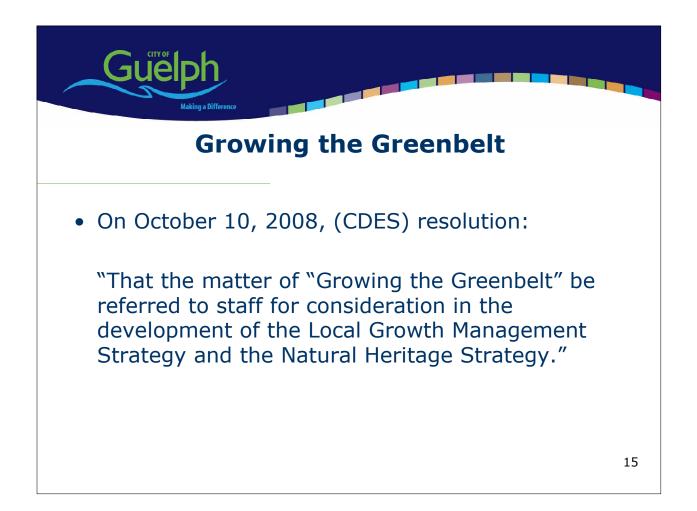


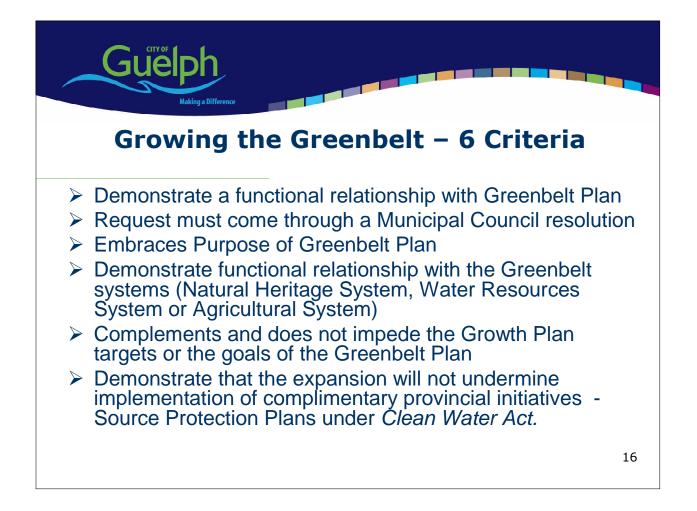




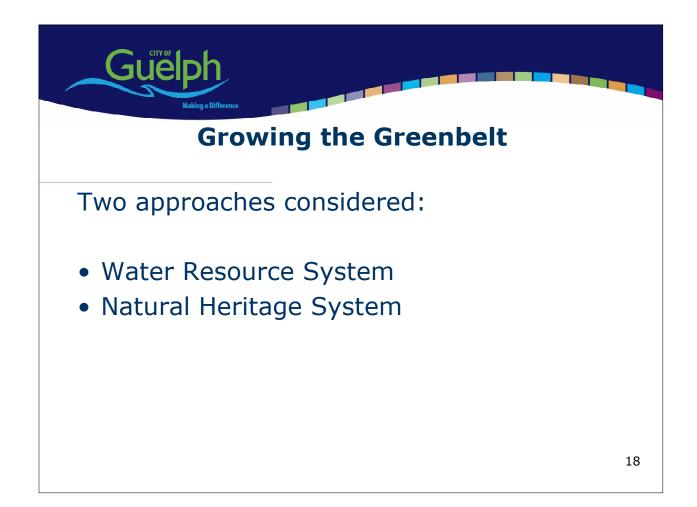


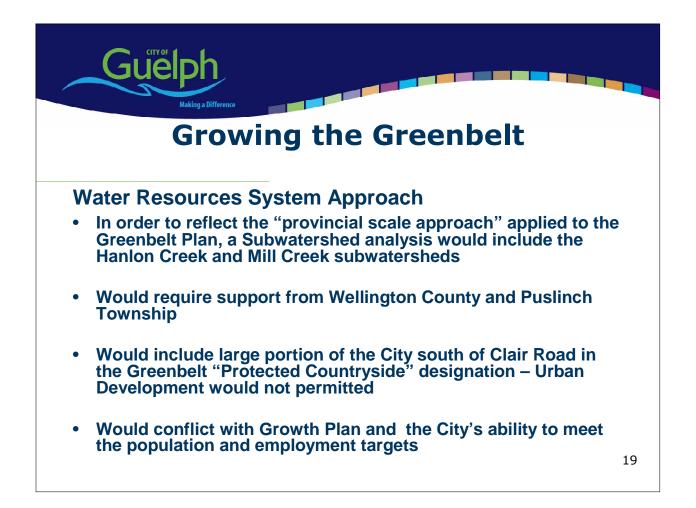


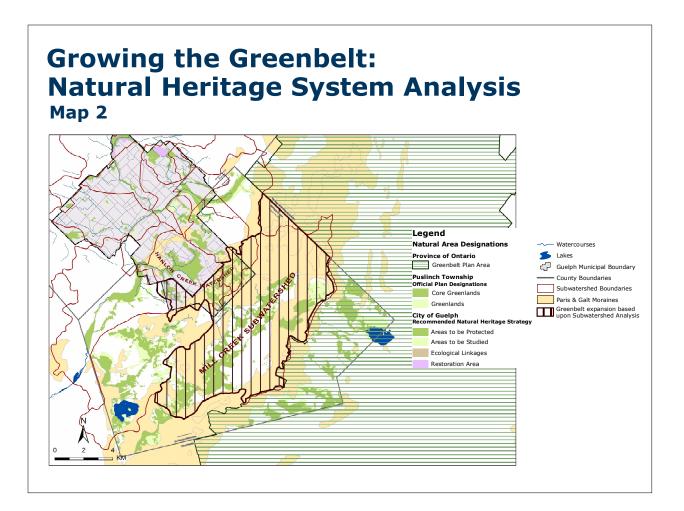


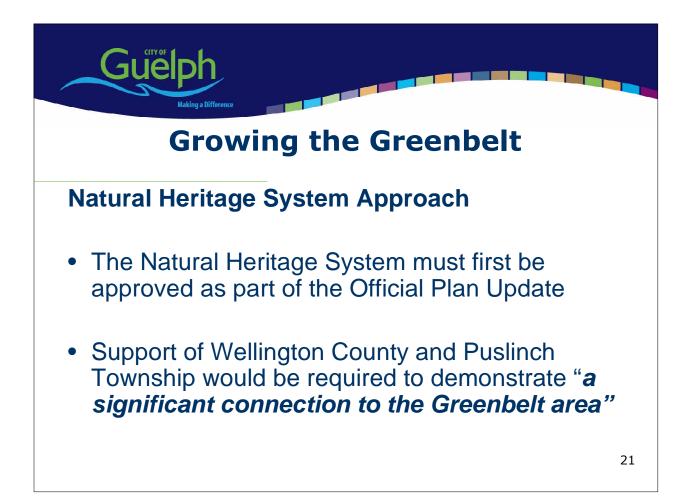




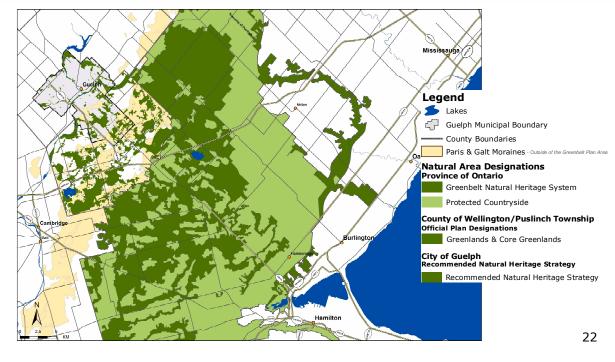




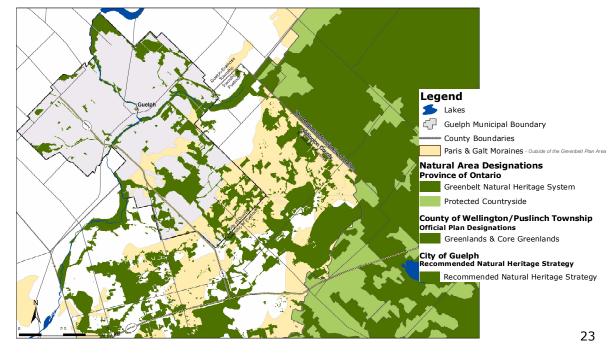


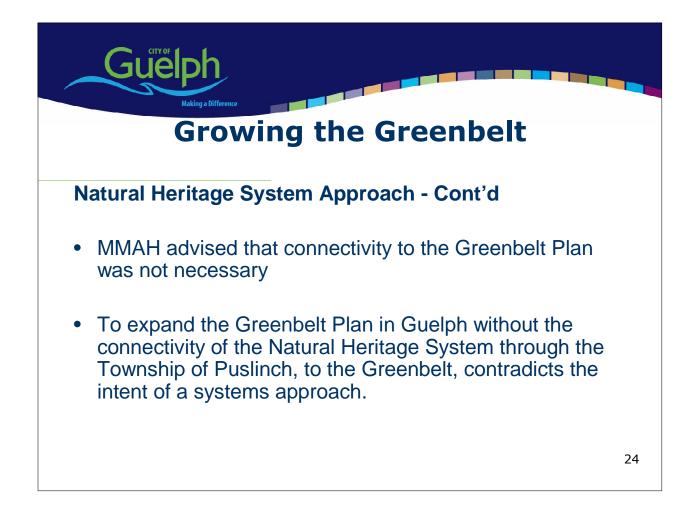


Growing the Greenbelt: Natural Heritage System Analysis Map 3



Growing the Greenbelt: Natural Heritage System Analysis Map 3A



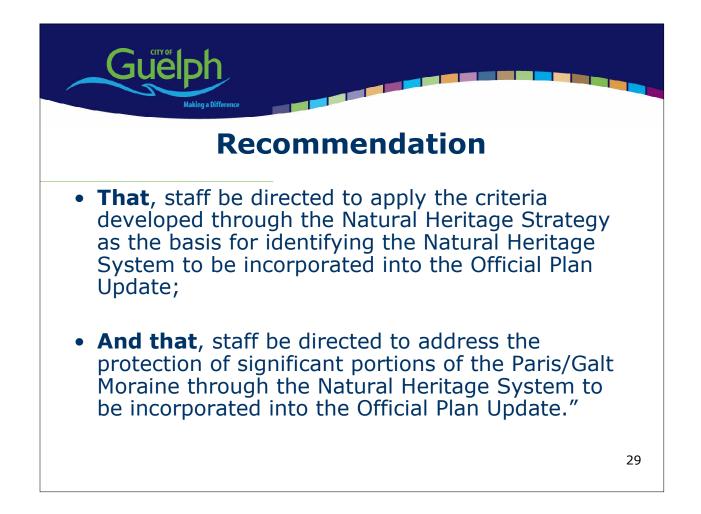


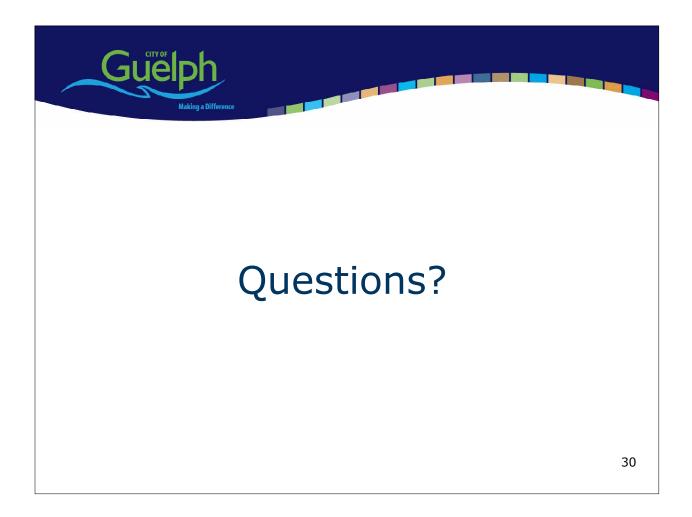




Gueph Making a Difference	
Growing the Greenbelt	
 Natural Heritage System Approach - Cont'd Under the Greenbelt Plan, development could not expand into the Natural Heritage System without an amendment to the Greenbelt Plan)
 Only the Minister can initiate an amendment to the Greenbelt Plan 	
 The Minister requires Council support and justification before initiating an amendment (initiation is at the Minister's discretion) 	
Cabinet makes the final decision	27









NATURAL HERITAGE STRATEGY

Phase 2: Terrestrial Inventory & Natural Heritage System (NHS)

FINAL REPORT & RECOMMENDATIONS



Presentation to Committee to Community Design and Environmental Services (CDES)

July 20, 2009





Presentation Outline

- Study Phasing & Goals
- Study Rationale
- Phase 2 Overview & 3 Status



- Key Findings: Existing Conditions
- Overview of Comments & Key Revisions
- Approach for NHS Identification
- Recommended Criteria & Draft Policies
 - application in mapping
 - associated draft policies
- Recommended Natural Heritage System (NHS)
- Concluding Remarks & Key Recommendations

Natural Heritage Strategy

PHASE 1 (2004 - 2005)

- Consolidated existing information (subwatershed studies, OMNR, GRCA)
- Developed working criteria for identifying locally significant natural areas

PHASE 2 (2005 - 2009)

- Added information (from Environmental Impact Studies, OMNR, GRCA)
- Added data from field studies and habitat classification mapping
- Finalized criteria for locally significant natural areas and applied them to create Natural Heritage System

PHASE 3 (2008 - 2009)

- Using Phase 2 work as the basis for natural heritage policies.

**All phases have involved consultations with the steering committee, stakeholders and



Study Rationale

1. Provincial Policy & Legislation

- **Provincial Policy Statement** (2005)
- Species at Risk Act for Ontario (2007)

2. Regional & Local Policies

- Growth Plan for the Greater Golden Horseshoe (2006)
- **City's current Official Plan** (1994, 2006)
- Environmental Action Plan (2003)
- City's Strategic Plan (2006)

Goal 6: "A leader in conservation and resource protection / enhancement "

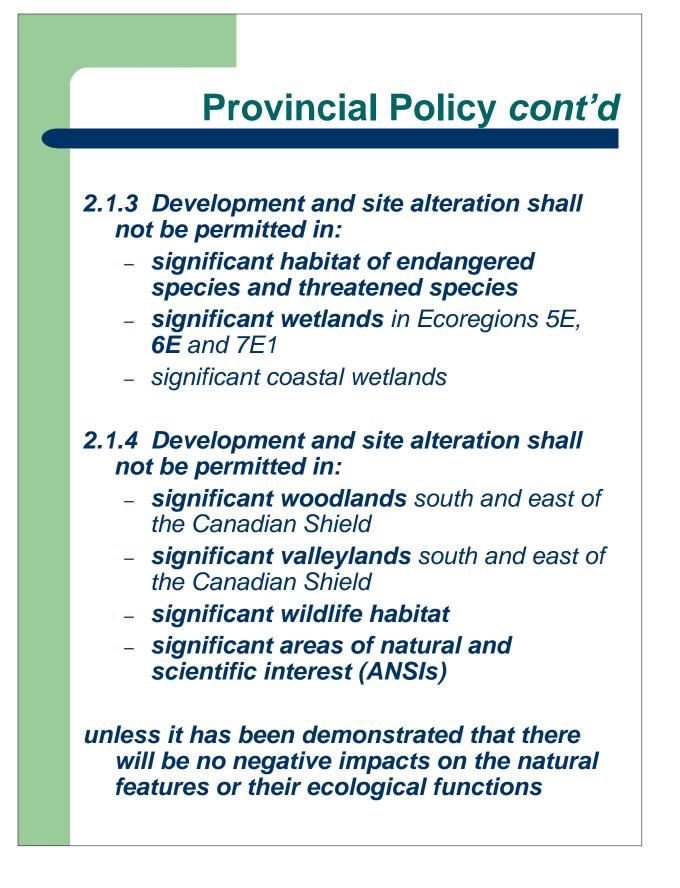


Provincial Policy (2005)

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.





Study Rationale cont'd

3. Provision of Ecosystem Services

- contribute to air pollution control
- moderate temperature extremes
- help protect groundwater
- help prevent erosion & flooding
- opportunities for leisure & recreation
- contribute to social wellbeing

4. Taking Responsibility

- contributing to biodiversity protection
- Having a connected system may support some adaptation to climate change



Phase 2 Overview

Updates to natural heritage data

- Various background sources
- Habitat classification
- Field surveys (outside wetlands and floodplains)
- Criteria revisions and application
- Consultations:
 - Ongoing with City Staff & Steering Committee
 - FALL WINTER 2008: Committee to Council, Stakeholders / Public, Agencies / Local Municipalities
- Draft Report (August 2008)
- Final Report (March 2009)



Phase 3 Status

 Draft natural heritage policies under development

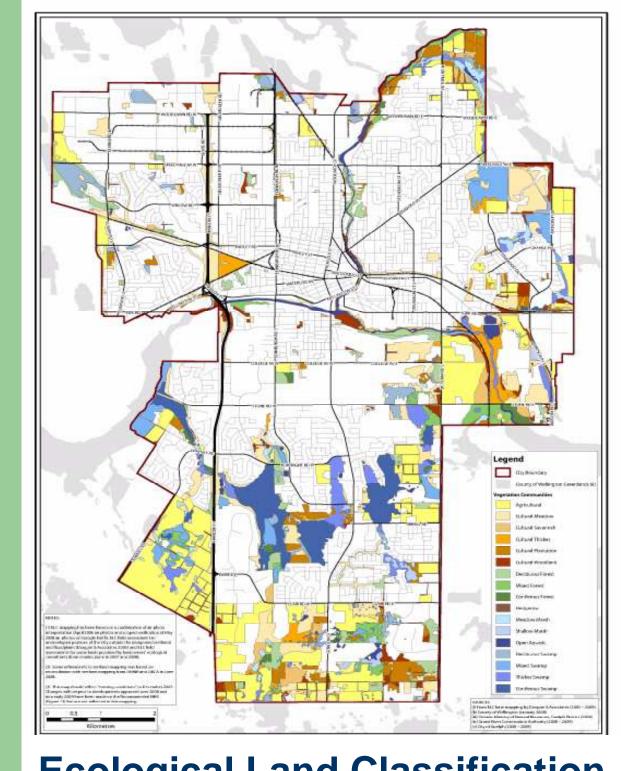
Note: Close correspondence with the recommended NHS criteria

- Input to date received from:
 - City staff
 - Guelph EAC
 - NHS Steering Committee
 - Stakeholders (e.g., agencies, small and large landowners)
 - Community
- Draft policy direction presented today



Key Findings: Existing Conditions - Habitats

- CITY OF GUELPH (~8800 ha)
 24% still "natural" (~2160 ha)
- UPLAND WOODS / FOREST (incl. plantations)
 7% of City (~600 ha)
- WETLANDS & OPEN WATER (incl. swamps)
 9% of City (~800 ha)
- **SUCCESSIONAL HABITATS** (incl. meadows, thickets)
 - 8% of City (~750 ha)
- OTHER LAND COVERS (residential, commercial, industrial, institutional, parklands, agricultural)
 76% (~6700 ha)
- FOREST COVER
 - 12.5% of City (~ 1100 ha) incl. swamps
 - 9% of City deciduous, coniferous & mixed forest
 - 3.5% plantations, cultural woodlands, hedgerows
 - some forested swamp habitats large, but upland forests very fragmented



Ecological Land Classification

Key Findings: Existing Conditions - Species

PLANT SPECIES

- 1 federally & provincially END
- 6 provincially rare
- 27 locally significant

BIRD SPECIES

- 28 locally significant
- incl. 12 area-sensitive

AMPHIBIANS

- 4 of 9 species locally significant
 - 1 federally THR species



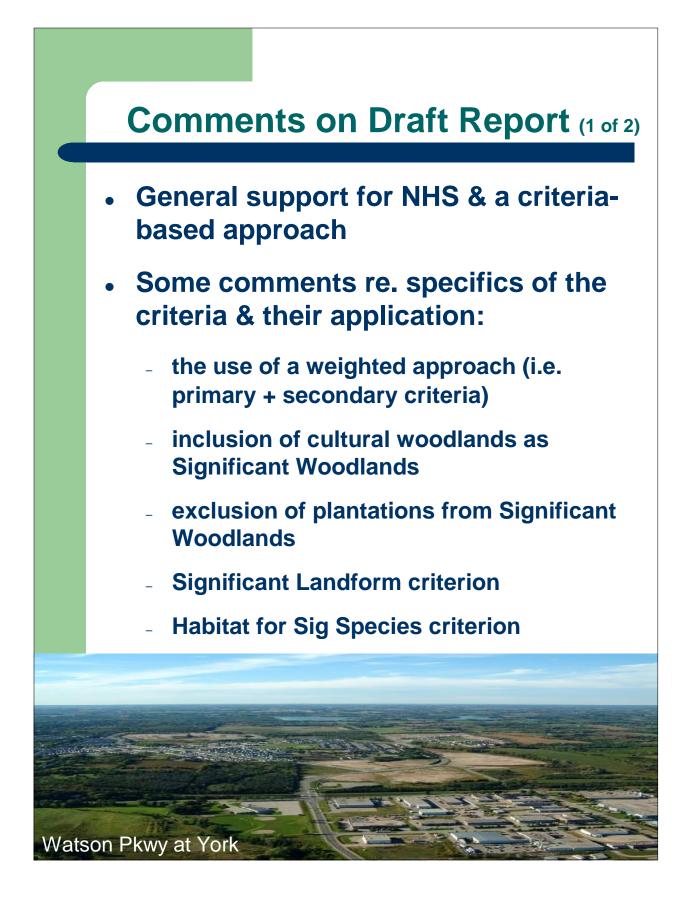
Approach: Criteria-based

- Assessment of all remaining natural areas in the City of Guelph
- Screening of those areas to determine which are significant from a natural heritage perspective
- Identification of a Natural Heritage System (NHS) using criteria that are:
 - consistent with requirements of the PPS, supporting guidelines, related legislation
 - readily applied with existing data, or data that can be readily obtained
 - rooted in the current principles and practice of conservation biology
 - consistent with approaches in other comparable municipalities
 - reflective of Guelph's unique natural heritage

Approach: Mapping Qualifications

- Based on compilation of the most current available information, but still requires verification at the site level through more detailed studies
 - E.g., feature boundaries, fish habitat,
 "other" wetlands status
- Significant species mapping not comprehensive



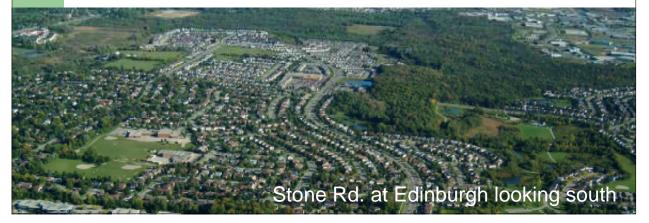


Comments on Draft Report (2 of 2)

- Need for:
 - more refined ELC
 - minimum buffers
 - restoration areas
- Some areas overlooked:
 - City and GRCA owned natural areas
 - University of Guelph Arboretum lands

• Some areas captured that should not:

- some areas already identified for development through detailed studies in progress, including linkages
- some wildlife crossings and linkage opportunities overlooked



Key Changes from Draft

- Integration of more refined ELC for some areas (where provided)
- Criteria Revised
 - all criteria made primary
 - Landform criterion
 - Sig Species criteria
 - Minimum Buffers added
- Linkages reviewed
- Identification of Restoration Areas



 Recommended NHS reviewed to ensure consistency with draft plan approvals to February 2009

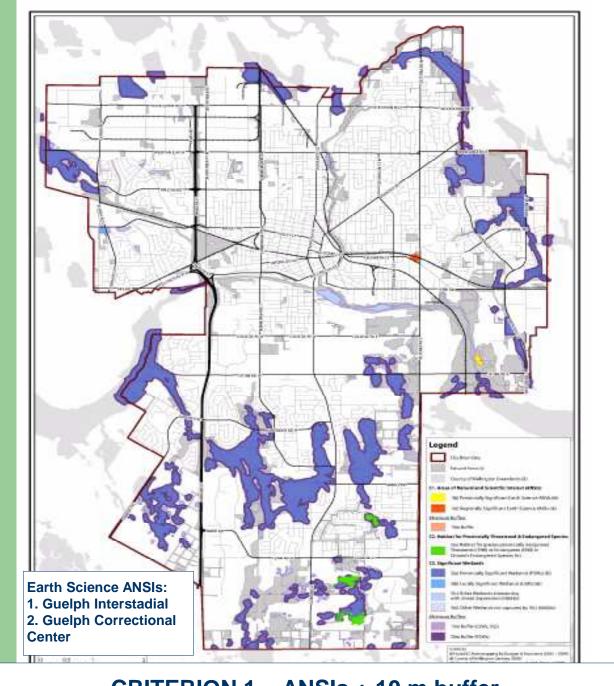
Overview of Criteria

- ANSIs + min. buffers
- Habitat for THR & END Species
- Significant Wetlands + min. buffers
- Surface Water & Fisheries Resources
 + min. buffers
- Significant Woodlands + min. buffers
- Significant Valleylands

Significant Landform

 (i.e., significant portions of the Paris-Galt Moraine)

- Significant Wildlife Habitat (i.e., deer wintering areas, waterfowl overwintering areas, significant vegetation types, significant species habitat, ECOLOGICAL LINKAGES)
- Naturalization / Restoration Areas
- Wildlife Crossings



CRITERION 1 – ANSIs + 10 m buffer CRITERION 2 – Habitat for THR & END Species CRITERION 3 – SIGNIFICANT WETLANDS PSW + 30 m buffer, LSW + 15 m buffer, Other

Category 2: Habitat for THR & END Species

Development not permitted in habitat for provincially THR or END species

Extent of habitat required and associated buffers to be determined on a case by case basis in consultation with OMNR and Recovery Team (if applicable)



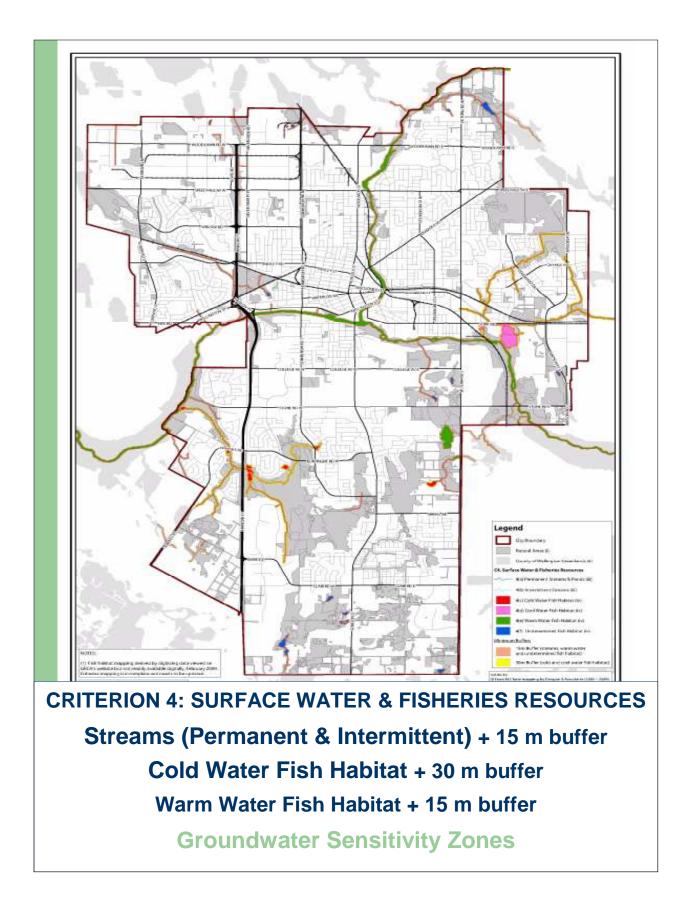
Category 3: Significant Wetlands

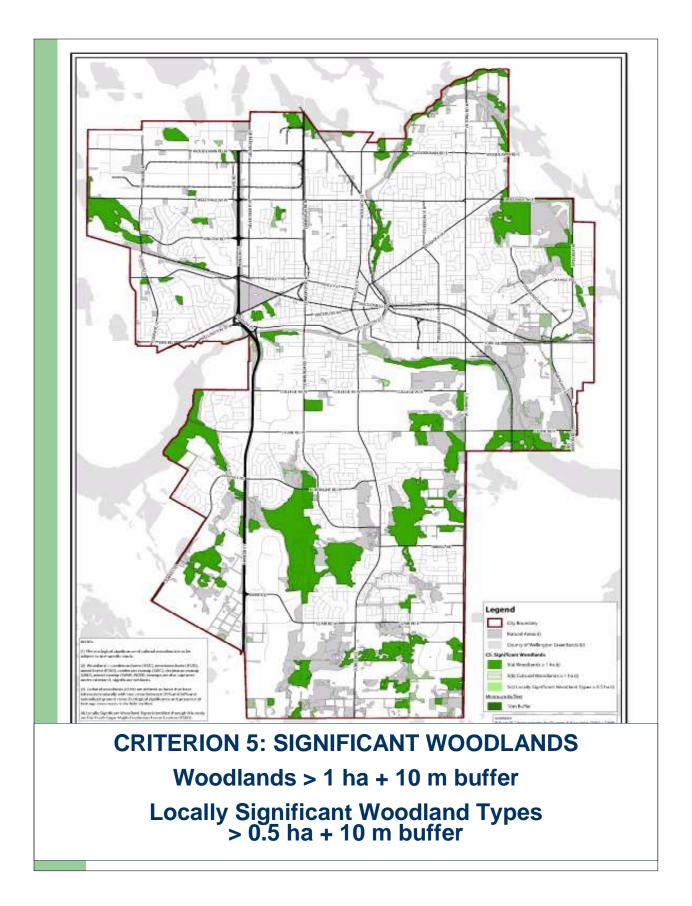
3(a) Provincially Significant Wetlands (PSWs)

3(b) Locally Significant Wetlands (LSWs)

3(c) Other Wetlands: some may be developed if below size threshold







Category 5: Significant Woodlands

Excludes tree plantations

Includes *cultural woodlands* but identifies them separately to allow for more flexible policy treatment

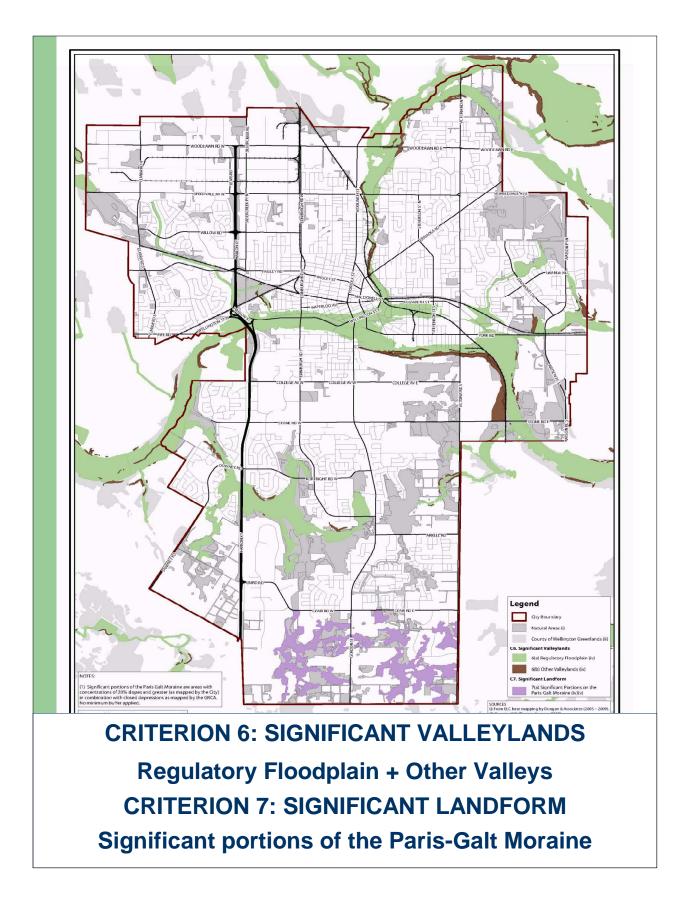
> "wooded areas that have been previously altered significantly by human disturbance – such as agriculture – but have naturalized to the point where tree cover is 35% to ..."

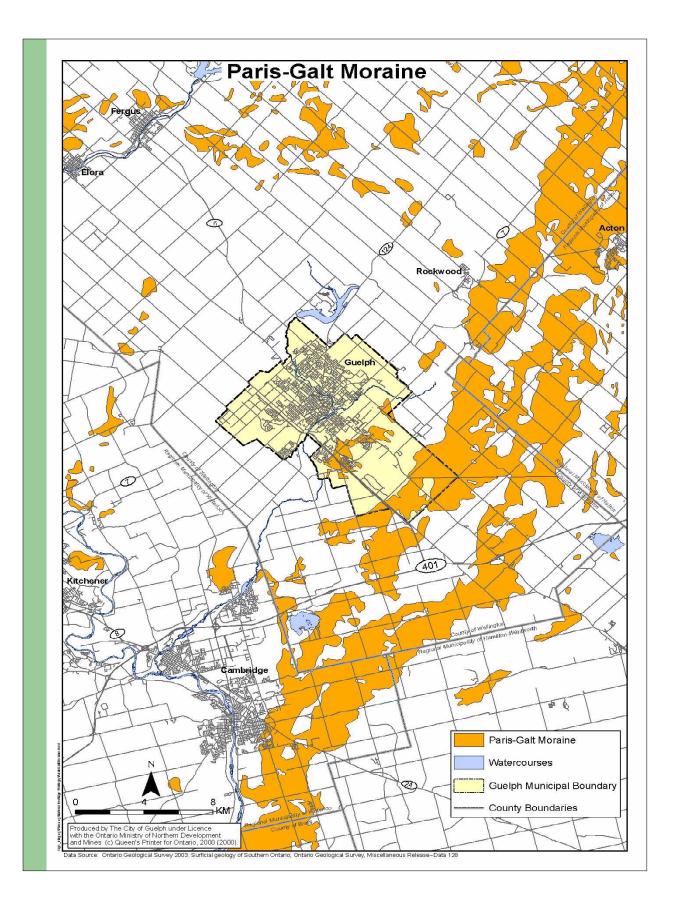
60%

Locally significant woodland types:

includes provincially rare woodland types and Sugar Maple forests

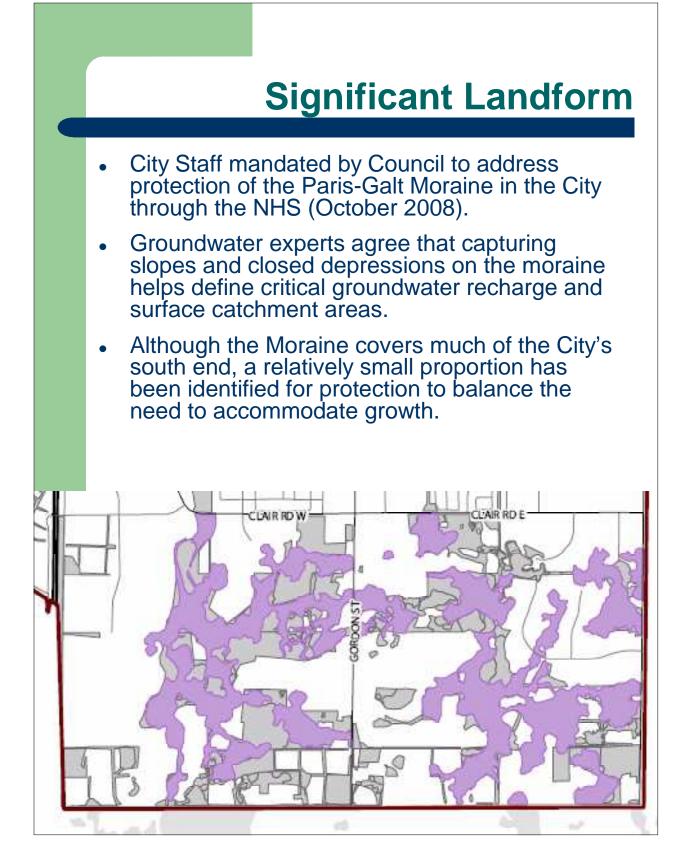






Paris-Galt Moraine in the City





Significant Landform

SURROGATE MEASURE FOR SIGNIFICANCE:

Concentrations of 20% slopes within 40 m of each other associated with closed depressions and other NHS features

RATIONALE FOR PROTECTION:

- **HYDROLOGIC:** Based on available information, these areas likely to contribute disproportionately to local groundwater recharge and supporting local wetlands.
- ECOLOGICAL LINKAGE: The natural heritage in the south end of the City is not well connected by the other criteria categories; the Moraine provides critical linkages between other significant features.

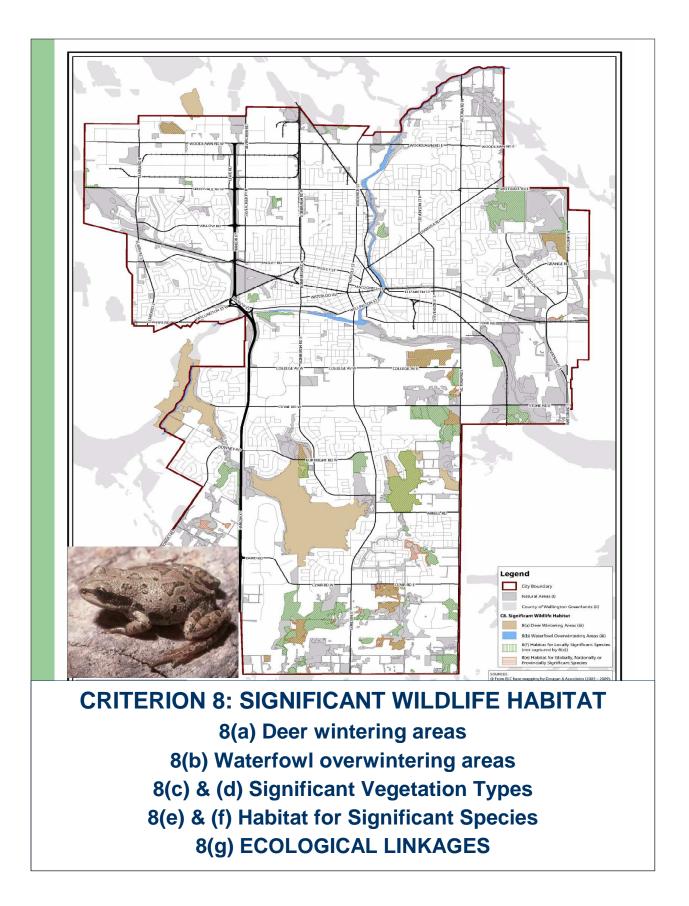
HABITAT FOR SIGNIFICANT SPECIES: The current diversity of vegetation communities on the Moraine provides habitat for a number of significant species.

• **AESTHETIC:** Moraine considered topographically unique and contributing to local natural heritage by Province; also considered such by community.

Category 8: Significant Wildlife Habitat

- Deer wintering areas
- Waterfowl overwintering areas
- Provincially Significant Vegetation Types
- Locally Significant Vegetation Types
- Habitat for Globally, Nationally, Provincially Significant Species (not captured by Category 2) – subject to study
- Habitat for Locally Significant Species
 - Lists developed for Wellington County
- Ecological Linkages





Criteria 9 and 10

Naturalization / Restoration Areas

- lands closely associated w/ NHS
- primarily on City or GRCA lands
- SWM facilities are included

Wildlife Crossings

- flag approx. locations where measures to facilitate safe wildlife crossing should be implemented
- guidelines and policy direction to be developed in consultation with the Engineering Department

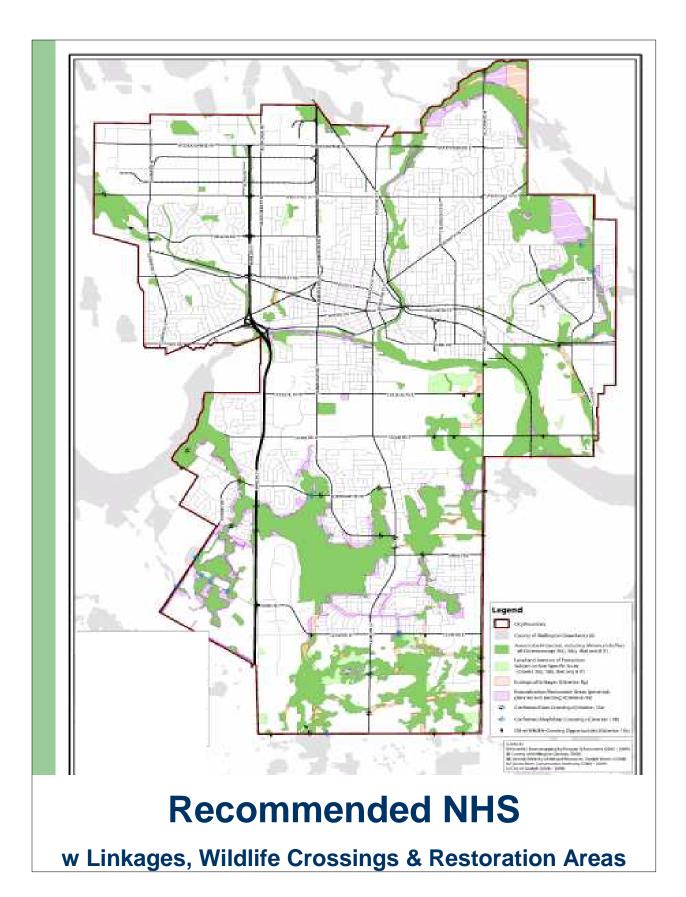
Wildlife Crossings



Wildlife Crossings





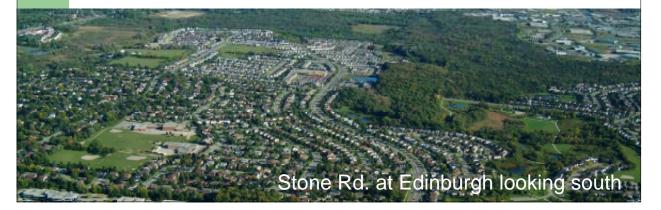


Recommended NHS

22.2% of City (~1960 ha)

Current policy direction:

- 18.2% of City "no development"
- 1.6% of City <u>may</u> be developed in part or whole subject to more detailed environmental studies
 - "other" wetlands
 - cultural woodlands
 - habitat for significant species
 - 2.4% of City identified as naturalization / restoration areas



Key Study Recommendations

- NHS criteria (& supporting mapping) should be basis for policy development & official plan updates.
- The buffers identified are <u>minimum</u> buffers
 - could not be applied in some areas
 - may be determined to be inadequate in areas to be developed (or re-developed).
- Ecological linkages are very constrained in the City and should be given the highest degree of protection and/or enhancement possible.
- Trails within the NHS must balance provision of access with protection of these areas.
- 5. Where municipal infrastructure is required to go through the NHS, the City shall work to:
 - minimize the extent of the NHS traversed and/or occupied,
 - mitigate impacts during the planning, design and construction of said infrastructure, and
 - undertake restoration following construction.
- 6. The significant species lists should be endorsed by the City and County as <u>working</u> lists to support ongoing environmental planning.

Draft Permitted Uses

Existing uses In most NHS features

- habitat conservation / restoration
- passive recreation (e.g., trails, signs)

In some NHS features

- flood and erosion control
- essential infrastructure (e.g., roads,
- pipelines and/or linear utilities)
- other works permitted by the GRCA / DFO

In buffers to NHS features

- the uses listed above
- low-impact stormwater management
- storm water management facilities

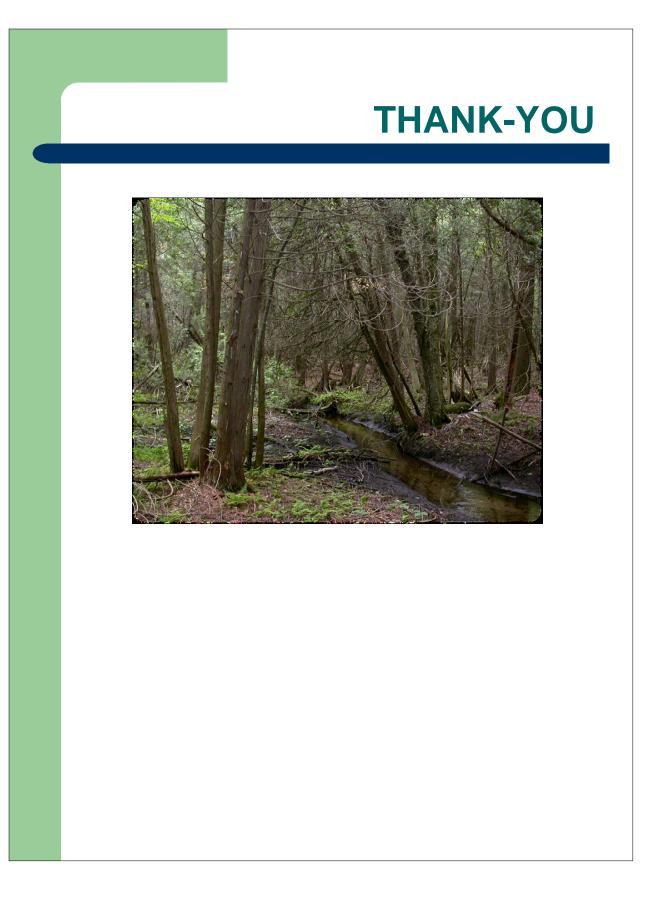
subject to an approved Environmental Impact Study (EIS) or Environmental Assessment (EA)

Next Steps

Phase 3

- Revised policies to be brought forward
- Additional Consultations
- Finalization of natural heritage policies and integration into Official Plan Updates





COMMITTEE REPORT



ТО	Community Development and Environmental Services Committee
SERVICE AREA DATE	Community Design and Development Services July 20, 2009
SUBJECT	Guelph Natural Heritage Strategy Phase 2 Terrestrial Inventory & Natural Heritage System (March 2009)
	MOE Environmental Bill of Rights Review Response Paris Galt Moraine (April 2009)
	Analysis of Growing the Greenbelt

REPORT NUMBER 09-40

RECOMMENDATION

"That the Community Design and Development Services Report 09-40 regarding the Natural Heritage Strategy, dated July 20, 2009, **be Received**;

And that, staff be directed to apply the criteria developed through the Natural Heritage Strategy Phase 2 Report - Terrestrial Inventory & Natural Heritage System prepared by Dougan and Associates, dated March 2009 and summarized in **Attachment 2,** as the basis for identifying the Natural Heritage System and policies to be incorporated into the Official Plan Update;

And that, staff be directed to address the protection of significant portions of the Paris/Galt Moraine through the Natural Heritage System and policies to be incorporated into the Official Plan Update."

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EXECUTIVE SUMMARY

The purpose of this report is:

1. To provide Council with an update on the Natural Heritage Strategy and recommend that the criteria developed through the Natural Heritage Strategy Phase 2 Report (March 2009), form the basis for the Natural Heritage System and policies to be incorporated into the Official Plan update.

The Guelph Natural Heritage Strategy Phase 2 - Terrestrial Inventory & Natural Heritage System (March 2009) has been circulated under separate cover and is available on the City's web site <u>guelph.ca</u> under "Natural Heritage Strategy".

2. Update the Council on the results of the Environmental Bill of Rights Review (Review) of whether there is a need for new provincial policy or legislation to protect the Paris/Galt Moraine.

The Review concluded that:

- a) New Provincial policy or legislation is not required to protect the moraine and that protection of the groundwater recharge is required by existing provincial policy including the Clean Water Act, the *Planning Act* and Provincial Policy Statement, *Greenbelt Act* and is augmented by the *Ontario Water Resources Act*.
- b) That a guidance document be prepared by the Province to assist municipalities in the interpretation of existing legislation and policy.
- 3. To provide a recommendation to the Council that the Paris/Galt Moraine should be protected within the City through the Natural Heritage System and the application of the PPS under the *Planning Act* through the Official Plan Update, rather than by "Growing the Greenbelt".

The analysis of the criteria for "Growing the Greenbelt" is addressed under Part 4.4 of this report and concludes that:

- a) That are two possible methods for potentially identifying a functional relationship between the Greenbelt Plan and the City of Guelph, namely through:
 - The Water Resource System; and
 - The Natural Heritage System.
- b) To address a functional relationship on the basis of the Water Resource System at the same provincial scale, as was done for the identification of the Protected Countryside of the Greenbelt Plan, would involve the inclusion of significant portions of the Hanlon Creek and the Mill Creek subwatersheds in the Greenbelt Plan. This approach would include the moraine in Guelph, generally below Clair Rd., and would require the support of the County of

Wellington and Puslinch Township (See Map 2). This approach would conflict with the Growth Plan and the City's Growth Management Strategy and is not recommended.

- c) To apply the functional relationship with the Greenbelt Plan on the basis of the Natural Heritage System, the Natural Heritage System would first need to be approved through the current Official Plan Update before the Minister would entertain any expansion; and second, this approach would also require the support of the County of Wellington and Puslinch Township to provide connectivity between the City and the Greenbelt Plan. (See Map 3 and 3A)
- d) The Protected Countryside permitted uses policies of the Greenbelt Plan would be more permissive than the potential protection afforded under the PPS with respect to certain uses, e.g., aggregate extraction and agriculture is permitted within the Natural Heritage System of the Greenbelt Plan.
- e) Only the Minister (MMAH) can initiate an amendment to the Greenbelt Plan (Part 5.7 of the Greenbelt Plan).
- f) Through the 10 Year Review of the Plan, the Minister will only consider modifications to expand the urban boundary into any portion of the Greenbelt Plan (Protected Countryside and or Natural Heritage System) if the upper or single tier municipality provides a comprehensive justification or growth management study (Part 5.6 of the Greenbelt Plan).
- g) Private proponents and/or municipalities cannot initiate an amendment to the Greenbelt Plan.
- h) The provincial Cabinet makes the final decision on all amendment to the Greenbelt Plan (Section 11 and 12 of the Greenbelt Act).
- It is recommended that the City address the protection of the Paris Galt Moraine through the Natural Heritage System and the Planning Act and the PPS.

BACKGROUND

The Natural Heritage Strategy commenced in 2004 and has been the subject of a lengthy public engagement process. The detailed background of this process is outlined in the attached staff Report 08-97 dated September 5, 2008. (Attachment 1)

On September 5, 2008, the Community Development and Environmental Services Committee received the Revised Draft Phase 2 Natural Heritage Strategy -Terrestrial Inventory & Natural Heritage System update (July 2008) and directed staff to circulate the document for public and stakeholder input before finalization of the Phase 2 Report.

Phase 2 is the second of a three phase process. The third and final phase involves the development of the Natural Heritage System mapping and policy for incorporation into the Official Plan Update.

1. Revised Draft 2 Guelph Natural Heritage Strategy (July 2008) Consultation

In accordance with the direction of the Committee, staff undertook a consultation process in the fall of 2008 that included:

- circulation of the Revised Draft Phase 2 Report to City departments and public agencies;
- meetings with the City's Technical Advisory Committee made up of key departments, e.g., Operations, Environmental Services, Engineering and Development and Parks Planning;
- a public meeting;
- a stakeholder meeting, for which individual mail notice was provided to all landowners affected by the draft Phase 2 recommended Natural Heritage System;
- review and feedback from the City's Environmental Advisory Committee;
- a roundtable meeting with key municipal, ministry agencies and City departments.

Both the Stakeholder and the Public Meeting were well attended by approximately 60-70 people.

Following the public and stakeholder meetings held in fall 2008, staff met on an individual basis with numerous landowners and their representatives. In addition, over 60 written submissions were received by the City.

There were also additional meetings with City staff in order to ensure that existing approvals were appropriately reflected in the mapping.

Commitment was given that additional consultation would take place with respect to draft policies once the comments had been evaluated and the mapping refined.

2. Response to the Draft 2 Guelph Natural Heritage Strategy (July 2008)

The responses received with respect to the Draft Phase 2 Report are summarized below.

- 1. The mapping should be accompanied by policies in order to understand the implications of the recommended Natural Heritage System.
- 2. What compensation, if any, will be provided for lands within the Natural Heritage System?
- 3. Need for more refined Ecological Land Classification on specific sites.
- 4. Need for the identification of restoration areas.
- 5. Criticism of the use of primary and secondary criteria.
- 6. Significant woodlands should not include cultural woodlands.
- 7. Objection to plantations being excluded from significant woodlands and the support for including cultural woodlands.
- 8. Criticism of the Landform Conservation criteria and its association with locally significant species.
- 9. List of locally significant wildlife species (and related habitat) was too diverse and included common species.
- 10. Mapping refinements were necessary to reflect existing conditions and or approvals.
- 11. Some wildlife crossings and linkages were overlooked.
- 12. City and Grand River Conservation Authority lands were not adequately considered (e.g., restoration area opportunities).

3. Final Phase 2 Guelph Natural Heritage Strategy (March 2009)

Upon consideration of the comments received in the fall of 2008, the Natural Heritage Strategy criteria and mapping have been refined and draft policy direction has been prepared. The revised mapping criteria to define the Natural Heritage System and draft policy direction is attached under **Attachment 2** and have been the subject of a second round of consultation in February through to April 2009. The Final Phase 2 Natural Heritage Strategy Report (March 2009) has been provided under separate cover and is posted on the City's web site and is available to the public at the Community Design and Development Services, 3rd Floor, City Hall.

The Recommended Natural Heritage System is attached under Map 1.

The revised criteria, mapping and draft policy direction were the subject of review and consultation that included:

- Internal City staff and external experts;
- the Technical Steering Committee;
- the City's Ecological Advisory Committee and River Systems Advisory Committee;
- two Public Forums held on March 24 & 25, 2009;
- A Roundtable Meeting with key municipal, ministry, agencies and City

departments.

The two Public Forums were well attended with approximately 60-65 people each night.

The comments received in response to the March 2009 NHS to date are summarized in **Attachment 3.**

The most contentious criteria are the Significant Landform, the Cultural Woodlands and Significant Wildlife criteria.

These are discussed in detail under Appendix 3.

The March 2009, Phase 2 Report has been finalized and provided to the City. Any refinements to the criteria, mapping and policies will need to be addressed through the Official Plan Update.

REPORT

1. Differences between the July 2008 Draft Natural Heritage Strategy and the March 2009 Recommended Natural Heritage Strategy

The following summarizes the differences between the July 2008 Draft Natural Heritage Strategy and the Final Phase 2 Report (March 2009) and outlines the general policy direction.

- 1. Secondary criteria are no longer included. All the criteria, including the significant landform criterion associated with the Paris/Galt moraine, are primary criteria and are more specifically aligned with the significant natural heritage features and areas and the surface and groundwater features addressed by the Provincial Policy Statement (PPS).
- 2. Significant Wildlife Habitat now includes ecological linkages in order to ensure that connectivity and linkages are recognized as an integral part of wildlife habitat in accordance with Section 2.1.2 of the PPS.
- 3. Minimum buffers have been established and have been incorporated into the mapping of the Natural Heritage System. The minimum buffers have been based upon typical minimum buffers achieved in the City and/or applied by other jurisdictions and are considered reasonable and defensible. It should be noted that the establishment of minimum buffers do not preclude the need to undertake an Environmental Impact Study within the adjacent¹ lands to significant natural heritage features. Through the Environmental Impact Study (EIS) process, the adequacy of the buffers will be assessed and may be increased, but not decreased.
- 4. Cultural Woodlands² greater than 1 ha are included under Significant Woodlands, however, it is proposed that development and site alteration may be permitted within cultural woodlands provided it is demonstrated through an EIS or Environmental Assessment that there will be no negative impact on the ecological functions, a tree preservation plan is prepared to protect native trees in good condition and provided a tree inventory has been completed and trees are replaced on the property or elsewhere within the City at a suitable ratio. A number of policy provisions are under consideration. These include replacement based upon a ratio (e.g., Ratio of 1:3 for every tree removed, three (3) trees will need to be replaced) or on the basis of replacement of the basal area and/or crown area. A more flexible approach has been applied to cultural woodlands

¹ Adjacent lands are typically 120 m from provincially significant wetlands, and 50m from all other natural heritage features and areas identified under Section 2.2 of the Provincial Policy Statement as identified in the Natural Heritage Reference Manual.

 $^{^{2}}$ Cultural woodlands are defined as lands that have reforested naturally with tree cover between 35% and 60% and contain naturalized groundcover.

greater than 1 ha on the basis that it has been recognized that cultural communities often have higher proportions of non-native and invasive species, particularly in situations where they are isolated, and therefore may not have much ecological significance.³

5. In the Draft Phase 2 Natural Heritage Strategy (July 2008) the significant landform criteria related to the Paris/Galt Moraine was a secondary criteria and defined on the basis of 15 % slope concentrations. Only those portions of the Paris/Galt Moraine that also met other secondary criteria were defined for protection. In the final Phase 2 report, the criteria is as a stand alone criterion and was defined on the basis of 20 % rather than 15 % slope concentrations in association with closed kettle depressions and the identified natural heritage features (e.g., woodlands and wetlands).

In addition to the comments received, a number of events influenced a refined approach. These are addressed below:

"Growing the Greenbelt"

In August 2008, the Ministry of Municipal Affairs released the criteria for "Growing the Greenbelt."

On October 10, 2008, the Community Development and Environmental Services Committee (CDES) passed the following resolution:

"That the matter of "Growing the Greenbelt" be referred to staff for consideration in the development of the Local Growth Management Strategy and the Natural Heritage Strategy."

In view of this direction regarding "Growing the Greenbelt", coupled with the provisions of the PPS to consider the natural heritage features and areas in conjunction with the surface and ground water resources cited below, the Significant Landform criterion was refined as a primary criterion. The criterion aims to identify the most significant portions of the Paris/Galt Moraine for protection.

It is important to note that landform consideration and protection is a key component identified in the Natural Heritage Reference Manual (OMNR 1999) as well as in the draft revised Natural Heritage Reference Manual released on May 28, 2009, as a feature to be applied in the identification of natural heritage systems. In the Final Natural Heritage Strategy Phase 2 Report, Dougan and Associates identify the Paris/Galt moraine landforms as contributing to a number of services including:

"contributing to surface and groundwater resources, providing wildlife habitat, providing important linkages, and contributing to biodiversity and aesthetic values in the landscape"⁴.

³ Dougan and Associates, Page 57.

⁴ Dougan and Associates et al, City of Guelph Natural Heritage Strategy Phase 2: Terrestrial Inventory & Natural Heritage System, Vol. 1, (March 2009) page 59.

The application of 20 % slope concentrations, in association with closed kettle depressions and other natural heritage features provides a more continuous system approach and identifies the most topographically significant portions of the moraine for protection.

This criterion recognizes the linkage between and among natural heritage features and areas, and surface and groundwater features in accordance with Section 2.1.2 and 2.2.1 of the Provincial Policy Statement.⁵ It aims to recognize that in addition to the protection of the landform as part of the Natural Heritage System, the PPS (Section 2.2.2) requires that development and site alteration shall be restricted in or near sensitive surface water features and sensitive groundwater features such that these features and their related hydrologic functions will be protected, improved or restored. This ensures that these features and their related hydrological functions will be protected, improved or restored.

The slope concentration approach has been adapted from the approach applied in the Oak Ridges Moraine as described under Section 2 b) below. It has had the benefit of input from several hydrologists and is regarded as a reasonable approach to define significant landforms in association with surface and groundwater functions in accordance with the above cited provisions of the PPS, and in the absence of detailed hydrogeological data.

The protection of significant portions of the moraine through the application of this criteria would not preclude the need for detailed hydrological/stormwater management assessments on the developable portions of the lands in order to ensure that surface and ground water resources will be protected, improved or restored in accordance with the provisions of the PPS.

6. Naturalization/restoration areas have been identified for inclusion in the Natural Heritage System. These areas are primarily owned by the City and or the Grand

2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:
c) identifying surface water features, groundwater features, hydrological functions and natural heritage features and areas which are necessary for the ecological and hydrological integrity of the watershed;
d) implementing necessary restrictions on development and site alteration to protect, improve or restore vulnerable surface and ground water, sensitive surface water features, and sensitive ground water features and their hydrological functions;

d) maintaining linkages and related functions among surface water features, ground water features, hydrological functions and natural heritage features and areas.

Vulnerable: means surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

Sensitive: means in regard to surface water and groundwater features, means areas that are particularly, susceptible to impacts from activities or events including, but not limited to water withdrawals, and additions of pollutants.

⁵ 2.1.2 The diversity and connectivity of natural features in an area, and the long term ecological function and biodiversity of natural heritage systems, should be maintained, restored or where possible improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

River Conservation Authority and may include valley or flood plain lands and City parks intended for passive uses. Within identified City parks naturalization areas will be defined through Park Master planning. The portion of the Eastview Pollinator Park, which is proposed for pollinator habitat, is also identified as a restoration area. Storm water management lands owned by the City, located in close proximity to identified significant natural areas, or where they function as linkages have also been included. These areas provide excellent opportunity for naturalization and thereby will add diversity and connectivity to the landscape. On private land, there are a few pockets of unclassified areas included in restorations areas that are completely surrounded by significant lands identified as part of the Natural Heritage System.

7. The wildlife crossings have been revised based on additional public input and are symbolically identified on the Recommended Natural Heritage System mapping. Their identification "flags" where mitigation/intervention is warranted to ensure safe crossing of public roads by wildlife and driver safety.

The draft policies will clearly establish where development is prohibited in accordance with the PPS and thereby define the developable area within the greenfield area in accordance with the provisions of the Growth Plan.

The Growth Plan minimum density target of 50 persons and jobs/ha apply only to the developable area outside identified natural heritage features and areas where development is prohibited.⁶

The application of the Natural Heritage System, recommended through the Final Phase 2 Report provides approximately 1300 ha of developable area in the greenfield area. In accordance with the Growth Plan density target of 50 persons and jobs per ha, the greenfield area would accommodate a total of 65,000 persons and jobs. It is anticipated that not all the natural heritage system will be able to "netted out" of the developable area and therefore the number of persons and jobs to be accommodated in the greenfield would likely have to be closer to 75,000.

As indicated in the Phase IV – Implications Analysis of the City of Guelph's Local Growth Management Strategy (Report Number 08-122) received by Council on May 4, 2008, the population and employment forecast of an additional 54,000 persons and 32,400 jobs will be accommodated in both the built-up area and the Greenfield area. The Built-up area has been estimated to accommodate an approximate additional 18,500 residential units. Based on this analysis, there is more than sufficient land within the City to accommodate the forecasted growth.

2. The Policy Basis for the Recommended Natural Heritage Systems Phase 2 (March 2009)

⁶ The Greenbelt Plan calculates the developable area of the Greenfield as the area remaining after removing the natural heritage features where development is prohibited by the PPS, e.g., woodlands, wetlands, valleylands, wildlife habitat, areas of natural and scientific interest, habitat of endangered species and threatened species and fish habitat.

The Natural Heritage System recommended in the Final Phase 2 Natural Heritage Strategy is based on the ten (10) criteria outlined in **Attachment 2**. These are addressed below:

Criteria 1-6 and 8 - Significant Natural Heritage Features and Areas

Criteria 1 through 6 and Criterion 8, cited below, are based on the provisions of Sections 2.1.3, 2.1.4, 2.1.5 and 2.1.6 of the PPS which restricts development and site alteration within and adjacent to the following natural heritage features:

- 1. Areas of Natural and Scientific Interest
- 2. Habitat of Provincially Threatened and Endangered Species
- 3. Significant Wetlands
- 4. Surface Water and Fisheries Resources
- 5. Significant Woodlands
- 6. Significant Valleylands, and
- 8. Significant Wildlife Habitat.

Criteria 9 and 10 - Supportive Ecological Functions and Wildlife Crossings

The Supportive Ecological Functions and Wildlife Crossing criteria identify linkages in the landscape and areas where wildlife is known to cross roads. These criteria aim to maintain, restore and enhance linkages between the natural heritage features and areas and implement Section 2.1.2 of the PPS. Protection of linkages also aims to maintain, restore and, where possible, improve diversity and connectivity of natural features, the long term ecological function and biodiversity and recognizes linkages between and among natural heritage features and areas, surface water features and ground water features.

Criterion 7 – Significant Landform Associated with the Paris/Galt Moraine

Criterion 7, Significant Landform, as discussed above, is based upon Sections 2.1.2, 2.2.1 and 2.2.2 of the PPS and identifies for protection, the most significant portions of the Paris/Galt Moraine within the City.

As outlined in the Natural Heritage Strategy, Phase 2 Report on Pages 59-62, the protection of landform conservation has been recognized through Provincial policy for sometime. The precedents set under the Niagara Escarpment Plan and the Oak Ridges Moraine Plan are briefly described below.

a) Niagara Escarpment Plan (1985)

In 1973 the *Niagara Escarpment Planning and Development Act* provided for the development of a Provincial Plan "to provide for the maintenance of the Niagara Escarpment and lands in its vicinity substantially as a continuous natural

environment ..." (Part 2 of the *Niagara Escarpment Planning and Development Act*). The Escarpment slopes are identified predominantly for protection. Development may be permitted on existing lots of record or lots created in accordance with the Plan, (e.g. recreation of the original township lot) subject to satisfying the Development Criteria of the Plan. The Niagara Escarpment Plan has been in effect for almost 25 years.

b) Oak Ridges Moraine Plan (2002)

The Oak Ridges Moraine Conservation Plan protects a significant portion of southern Ontario through the Natural Core and Natural Linkages designations. Both designations, among other objectives, aim to maintain natural heritage features and connectivity, maintain quality and quantity of groundwater and surface water, and protect landform features. Within these designations, uses are generally restricted to passive recreational uses (non motorized trails, nature appreciation and un-serviced camping on public and institutional lands), existing uses and home businesses.

Within the Countryside Area designation agriculture and other rural uses such as, mineral aggregate extraction and major recreational uses, including golf courses are permitted.

The Oak Ridges Moraine Plan further identifies Landform Conservation Areas as an overlay constraint to the above basic designations.

The Landform Conservation Areas overlays are defined on the basis of slope concentrations under two categories:

Category 1

- lands where 50% or more of the land surface exhibit slopes of 10% or greater;
- lands where there are distinct landform features such as kames, kettles and ravines; and/or
- land with a high diversity of land slope classes.

Category 2

- lands were 20-50 % of the land surface exhibit 10 % slopes;
- exhibits distinctive landform features such as kames, kettles and ravines; and /or
- land with a high diversity of land slope classes.⁷

Under Category 1, uses are required to maintain landform features such as "steep slopes, kames and kettles in their natural undisturbed form." In addition, development and site alteration are limited to 25 % of the total area of the property, with no more than 15 % impervious.

In Category 2 areas, the net developable area is limited to 50 % of the site, with no more than 20 % impervious.

⁷ Oak Ridges Moraine Conservation Plan Technical Paper Series 4 – Landform Conservation

Both Provincial plans exhibit a landform based approach for protection and make up the majority of the Greenbelt Plan.

3. Draft Policy Direction for the Recommended Natural Heritage System

Recommended buffers and draft policy direction for each of the Natural Heritage System criteria are outlined in **Attachment 2.** The draft policy direction was presented as part of the public engagement process.

Within the recommended Natural Heritage System and their buffers, the following uses are proposed to be permitted: flood and erosion control, wildlife habitat conservation / restoration/management, passive recreation (e.g., trails and interpretive signs).

Development and site alternations will be prohibited within most categories. However, development may be permitted, subject to site specific Environmental Impact Studies (EIS) and were applicable Environmental Assessments within:

- other wetlands not located within closed depressions (3d)
- cultural woodlands (5c)
- habitat of globally, nationally and provincially significant species and (8e)
- habitats of locally significant wildlife species (8f).

Essential transportation and linear utilities are proposed to be permitted within Significant Landforms, Ecological Linkages and Surface Water Resources in order to ensure essential road and servicing connectivity can be achieved.

It should be noted that the proposed permitted uses will vary within each criterion.

The draft policy direction as contained in **Attachment 2** is provided for information. The draft policy direction was provided during the Phase 2 public engagement process in early 2009 to assist the public in understanding the possible permitted uses applicable to each criterion. The feedback from the public will inform the detailed policy development in Phase 3.

It is not intended that Council approve the policy direction at this time. The policies will be reviewed in conjunction with the comments received from the February – April 2009 public input and will be incorporated into the Official Plan Update.

In conclusion, it is recommended that the Natural Heritage Strategy Phase 2 Report (March 2009) form the basis for identifying the Natural Heritage System and policies for incorporation into the Official Plan Update.

4. Protection of the Paris/Galt Moraine through "Growing the Greenbelt" vs. Existing Legislation and the Provincial Policy Statement

This report also provides an analysis of whether significant portions of the Paris /Galt Moraine feature should be protected through "Growing the Greenbelt" or through the Planning Act and PPS provisions.

As previously cited, the Community Development and Environmental Services Committee directed staff to consider "Growing the Greenbelt" in conjunction with the development of the Local Growth Management Strategy and the Natural Heritage Strategy.

The background and staff analysis are addressed below.

4.1 Environmental Bill of Rights Request for Protection of the Paris/Galt Moraines

In the summer of 2007, Mayor Farbridge, on behalf of Council, and Elizabeth Sandals, MPP, requested, through the Environmental Bill of Rights, that there be a review of provincial policy and legislation to determine if there was adequate provincial policy to protect the Paris/Galt Moraines. On July 26, 2007 the Ministry of the Environment agreed to conduct a review. The results of the review were released on May 4, 2009. The EBR Review Response: Paris and Galt Moraines, April 2009, Ministry of the Environment can be viewed on the Ministry of the Environment web site at:

www.ene.gov.on.ca/en/water/moraines/EBRReviewWaterlooMoraine.

The Review concluded that:

- "new provincial policy or legislation is not required to protect the functions of the Paris and Galt moraines at this time;" and
- that the "protection of the groundwater recharge in the Upper Grand River Watershed and other watersheds located along the Paris and Galt moraines is required by existing provincial policies, such as the *Clean Water Act*, 2006, the Provincial Policy Statement, 2005, the Greenbelt Plan, and augmented by more general policies for protection of water quality and quantity such as the *Ontario Water Resources Act.*

However, the Ministry review recommended that a consultation process should be initiated to develop "guidance materials to assist in the implementation of existing policies protecting hydrologic functions" (e.g., policies in the PPS). The EBR Review (Review) indicates that the Ministry will establish a process with stakeholders to determine the extent and scope of the guidance required. This guidance document is to provide details, presumably comparable to the guidance documents produced by the Province to interpret the natural heritage policies of the PPS, e.g., Natural Heritage Reference Manual and Significant Wildlife Technical Guide.

It is anticipated that the consultation process and the development of a guidance document will take time to develop. At this time, no timeline has been provided by the Province. However, it is unlikely that it would be finalized in time to assist the

City in determining which parts of the Moraine should be identified for protection, either as part of the Official Plan Update or as part of "Growing the Greenbelt."

4.2 Functions of Moraines

In describing the function of moraines, the Review acknowledges the complex interrelationship between water resources and natural heritage features and functions. For example, the Review cites that moraines provide "groundwater recharge, discharge and storage functions, which result in water quality and quantity related benefits, such as:

- maintenance/improved water quantity and quality of drinking water and water for other water users;
- provision and protection of habitat;
- filtration of water (runoff/rainfall);
- maintenance of stream flows and wetland and resiliency during seasonal and long term droughts;
- decrease of storm flows and downstream flooding; and
- adaption to impacts of climate change."⁸

4.3 Applicability of Policies of the PPS

The Review concludes that the *Planning Act* and in particular the PPS provides clear policy direction to municipalities in the preparation of official plans to plan future land uses, including restricting where development and site alteration may occur. All planning decisions are required to be consistent with the PPS. The Ministry Review cites the provisions of Sections 2.1.2 (Natural Heritage) and 2.2 (Water) of the PPS (2005) as applicable, to the protection of the moraine as follows:

"The policies of the PPS, 2005 are designed to help maintain and restore the diversity and connectivity of natural features in an area and their ecological functions and biodiversity of natural heritage systems, recognizing linkages between and among natural heritage features and areas, surface water features and groundwater features... The water policies require the identification of surface and groundwater features and hydrologic functions necessary for the ecological and hydrological integrity of the watershed. These features include recharge, discharge, and storage areas. Vulnerable and sensitive ground and surface water features and their functions shall be protected, improved or restored through restrictions on development and site alteration."⁹

The recommended Natural Heritage Strategy has relied upon the above cited provision of the PPS to identify the most significant moraine features to be

⁸ Ministry of the Environment, EBR Review Response: Paris and Galt Moraine, April 2009, page 7.

⁹ Ibid., page 17

protected as part of the Natural Heritage System.

In addition, it should be noted that the detailed Appendix document prepared on behalf of the Ministry - Review of the State of Knowledge for the Waterloo and Paris/Galt Moraines concluded that:

- 1. new provincial legislation and policy is not required to protect the functions of the Paris and Galt moraines;
- 2. protection of groundwater recharge and source waters is required by the Provincial Policy Statement and the *Clean Water Act;*
- 3. the *Clean Water Act* is expected to address the concerns regarding drinking water;
- 4. recharge areas should be defined in areas where land use change is expected;
- 5. that there is general understanding of the groundwater function, as it relates to the streams and wetlands where sub watershed studies have been carried out, e.g., the Hanlon and Mill Creek sub watersheds within Guelph;
- 6. that detailed studies should be carried out at a smaller scale prior to development of these areas¹⁰;
- 7. the assessment and maintenance of ecological features would generally require an understanding of the recharge, groundwater flow and discharge flow paths¹¹ (presumably determined through the sub-watershed studies) and that this linkage should be characterized at an appropriate scale prior to planning.

The significant landform criteria of the Natural Heritage Strategy has relied upon the sub watershed studies which characterize the moraine "as relatively permeable and supporting high rates of recharge". This recharge function is identified as being particularly important to the maintenance of baseflow to the Hanlon and Mill Creeks.¹² In addition, the Paris/Galt moraine within the City supports numerous provincially significant wetlands and cold water streams, which in turn support diverse ecosystems.¹³ The significant landform criteria has relied upon the PPS provisions cited above and identifies "the portions of the moraine where groundwater connectivity is most likely to be concentrated."¹⁴ This approach also captures the most dominant parts of the landform, as well as the areas of the moraine that best provide a linkage between surface and groundwater resources, the hummocky terrain, closed depressions and their association with adjacent wetlands and related functions, e.g., wildlife corridors and linkages.

The hydrogeolgical studies prepared to date were reviewed. However, these studies have been carried out on a watershed basis and were determined to be too general to provide the level of detail at the City scale.

Therefore, the approach to identify significant part of the Paris/Galt moraine within

¹⁰ Review of the State of Knowledge for the Waterloo and Paris/Galt Moraines, Feb 2009 Land and Water Policy Branch, Ministry of the Environment, Page 82

¹¹ Ibid, Page 83

¹² Natural Heritage Strategy Phase 2, Volume 1 Report, Dougan and Associates, March 2009, Page 61.

¹³ Ibid., Page 61.

¹⁴ Ibid., Page 61.

the City, aims to reflect the provisions of the PPS cited above and ensures a systems approach to identifying and protecting the most significant portions of the moraine.

As recommended by the Review, more detailed studies are intended to be required within the developable areas as part of development applications to ensure water quality and quantity is protected.

4.4 The Analysis of Expanding the Greenbelt Plan within the City of Guelph

In view of the findings of the MOE Review and the development of criteria by the province for "Growing the Greenbelt, the City's initial request to expand the Greenbelt Plan needs to be addressed. In the fall of 2007, Mayor Farbridge, on behalf of the City, made a request to the Ministry of Municipal Affairs and Housing that "portions of the City of Guelph be included in the Greenbelt to better protect the Galt –Paris Moraine" within the City of Guelph. See **Attachment 4**.

In August 2008 and in response to municipal interest, the Ministry of Municipal Affairs and Housing released criteria for "Growing the Greenbelt."

Requests to Grow the Greenbelt may be made to the Minister of Municipal Affairs and Housing and requires an amendment to the Greenbelt Plan. In making the request, the municipality is required to demonstrate how each of the criteria have been addressed and provide supporting documentation and maps. The Minister of Municipal Affairs and Housing, after considering the submissions provided from the municipality determines if the process to amend the Greenbelt Plan should be initiated. The final decision to expand the Greenbelt Plan is made by the Provincial Cabinet, upon recommendation of the Minister and may involve a hearing before a hearing officer appointed by the Minister. See **Attachment 5.**

Where an expansion of the Greenbelt Plan is approved by Cabinet, it is required to be designated in the Greenbelt Plan as "Protected Countryside."

There are six criteria that apply to requests to expand the Greenbelt Plan. The six criteria are outlined below, followed by staff comments on applicability:

Criterion 1 Municipal Request

The request is from a municipality and is supported by a council resolution.

Comment: Prior to a council resolution, the municipality is required to conduct a full consultation including notifying all affected landowners, key stakeholder organizations, adjacent municipalities, the public and including the aboriginal community.

The consultation process followed for the Natural Heritage

Strategy and planned for the Official Plan Update would serve as a good basis; however, additional consultation would be needed to fully explain the request and how a decision would impact the residents and other stakeholders.

Criterion 2 Additions to the Greenbelt

The request identifies a proposed expansion area that is either adjacent to the Greenbelt or demonstrate a clear functional relationship to the Greenbelt area (e.g., agricultural, natural heritage system, water resources headwaters, recharge areas and associated wetlands) and how the Greenbelt policies will apply.

Comment: The City of Guelph is not adjacent to the Greenbelt; therefore, the City would be required to demonstrate a functional relationship to the Greenbelt Plan. The functional relationship is addressed below under Criterion 4 – Connections to the Greenbelt System. The appropriateness of the Greenbelt Plan policies is addressed below under Part 4.5.

Criterion 3 Embraces the Greenbelt Purpose

The request demonstrates how the proposed expansion meets the intent of the Vision and one or more of the Goals of the Greenbelt Plan.

Comment: It is anticipated that it could be demonstrated that the following Greenbelt Plan vision could be met by permanently protecting the natural heritage system and related water resources system through their identification as part of the Natural Heritage System:

> "permanent protection to the natural heritage and water resources systems that sustain ecological and human health and that form the environmental framework around which major urbanization... will be organized"

The identification of the natural heritage and water resources system for protection through the Natural Heritage Strategy would also meet the following Greenbelt Plan goals:

- Protection, maintenance and enhancement of natural heritage, hydrologic and landform features and functions, including protection of habitat for flora and fauna and particularly species at risk, and
- Protection, improvement or restoration of the quality and quantity of ground and surface water and the hydrological integrity of watersheds.¹⁵

¹⁵ Greenbelt Plan 2005, Page 5.

The appropriateness of this approach is discussed in detail below under Criterion 4 and 5.

Criterion 4 Connections to Greenbelt Systems

One or more of the Greenbelt systems (Natural Heritage System, Agricultural System and Water Resources System) is identified and included in the proposed expansion area and their functional relationship to the existing Greenbelt system is demonstrated.

Greenbelt expansion must be based upon the same provincial scale Natural Heritage System and Water Resource Systems approach that was used in the Protected Countryside of the Greenbelt Plan.

Comment: Municipal requests to grow the Greenbelt need to identify and include one or more of these systems in the proposed expansion area. The municipality is required to demonstrate a functional relationship between the proposed expansion area and one or more of the systems of the existing Greenbelt Plan based upon the "same provincial scale" applied to development the Greenbelt Plan.

There is no provincial scale Agricultural Systems¹⁶ identified within the Greenbelt Plan that are functionally connected to the City of Guelph.

The Natural Heritage System approach is addressed under Criterion 6 below.

From a Water Resource System perspective, the Paris/Galt Moraine is within the Hanlon Creek and Mill Creek Subwatersheds, both of which are part of the Grand River watershed and drain to Lake Erie. There are small areas where there are surface water connections between the Hanlon and Mill Creek subwatersheds and the Greenbelt Plan in the Town of Milton.(**See Map 2 – Growing the Greenbelt – Subwatershed Analysis**). This overlap has occurred because the Greenbelt Plan follows a municipal boundary rather than a watershed boundary at this location. In fact, the Greenbelt Plan does not include any complete watersheds that drains to Lake Erie.

Also a small portion of the Mill Creek subwatershed is included within the Greenbelt Plan in Puslinch Township in the area of the 401.¹⁷ (See **Map 2 Growing the Greenbelt – Subwatershed Analysis**) It appears that, for the most part, the Greenbelt Plan intended to follow the Mill Creek subwatershed boundary at this location. It would be difficult to demonstrate a clear defensible surface water system connection on the basis of the small remnant areas that overlap with the Greenbelt Plan.

¹⁶ Agricultural Systems are defined to include **specialty crop lands**, **prime agricultural lands and rural areas**

¹⁷ Mill Creek Subwatershed Study, June 1996, Figure 4-3

However, there appears to be a deep bedrock connection as illustrated by Figure 3-12 of the Mill Creek Subwatershed Study¹⁸. Groundwater flows from a high point in the Town of Milton (within the Greenbelt Plan) east of the Puslinch boundary, westerly along the incline in the bedrock topography into the City.

Similar to the Hanlon Creek Subwatershed, the deep bedrock groundwater flow in the Mill Creek Subwatershed is generally westerly. However, in view of the high elevation of the moraine immediately north of Maltby Road, the localized intermediate groundwater flow is southerly into Mill Creek, which flows westerly and away from the Greenbelt Plan area.

Therefore, if one were to apply "the same provincial scale systems approach" used in the Protected Country Side of the Greenbelt Plan, both the Hanlon Creek and Mill Creek subwatersheds as identified on Map 2 would need to be included in the Greenbelt Plan (**See Map 2 -Growing the Greenbelt – Subwatershed Analysis**).

However, this approach would include the entire moraine in the south end of Guelph and would also require the support and a coordinated approach with the County and the Township to make a request to expand the Greenbelt Plan.

It is also inconsistent with the typical approach applied to the Greenbelt in two respects:

- The watersheds included in the Greenbelt Plan generally drain to Lake Ontario or Lake Simcoe, except where municipal boundaries form the basis of the Greenbelt Plan; and
- urban areas are typically not included in the Greenbelt Plan.
 e.g., St. Catharines, in the Niagara Peninsula. Section 3.4.2 of the Greenbelt Plan indicates that Towns and Villages within the Protected Countryside "continue to be governed by municipal official plans and are not subject to the Greenbelt Plan policies."
- The inclusion of such a large area of the City would conflict with the Growth Plan and the City's ability to implement its Growth Management Strategy and OPA 39 (Growth Plan conformity Amendment).

For the above reasons, this approach is not recommended.

Criterion 5 Complements the Growth Plan for the Greater Golden Horseshoe

A municipality's request to expand the Greenbelt may be considered by the Ministry of Municipal Affairs while the municipality is engaged in its

¹⁸ Mill Creek Subwatershed Study, June 1996, Figure 3-12

associated Growth Plan conformity exercise. The proposed area for expansion cannot impede the implementation of the Growth Plan. The municipality must demonstrate how the expansion area supports the goals, objectives and targets of both the Greenbelt Plan and the Growth Plan.

Expansions to the Greenbelt may be considered for areas that are outside of the existing urban settlement areas. An exception may be considered for "major natural heritage systems" that are located within existing urban settlement areas "and a significant connection to the Greenbelt area can be demonstrated". **The natural heritage system must be designated** within the municipal official plan.

Comment: Criteria 3 above addressed how the goal and objectives of the Greenbelt Plan may be met.

The municipality must also demonstrate that the Greenbelt expansion area supports the targets of the Growth Plan. This includes how future growth needs will be met and how the Greenbelt expansion complements the City's Growth Plan conformity exercise.

On the basis of the Recommended Guelph Natural Heritage System identified in the Phase 2 Natural Heritage Strategy (March 2009), there would be a minimum of 1300 ha of developable land remaining in the greenfield area outside the Recommended Natural Heritage System identified in the Phase 2 Report. As indicated in the Implications Analysis of the City of Guelph's Local Growth Management Strategy - Report 09-122, this area provides sufficient land to accommodate growth to 2031 at a density of 50 persons and jobs per ha and, therefore would not impede the implementation of the Growth Plan.

Although Criterion 5 states that "proposed expansions to the Greenbelt should be outside of urban settlement areas designated in municipal official plans". The criterion provides for an exception that may be considered for "major natural heritage systems" within an urban settlement area provided a significant connection to the Greenbelt area could be demonstrated. Existing examples of major natural heritage systems that are part of the Greenbelt Plan and extend into the surrounding municipality are the Bronte Creek Valley and the valley systems north of Hwy. 403 in the Region of Halton. (See Map 3)

The Ministry of Municipal Affairs and Housing staff advise that the intent of this criterion is to permit expansions of the Greenbelt Plan, even where the lands are not necessarily contiguous to the Greenbelt Plan. However, a natural heritage system requires connectivity to function as a system. To expand the Greenbelt Plan in Guelph without the connectivity of the natural heritage system through the Township of Puslinch contradicts the intent of a systems approach. Although in theory this approach may be possible, it lacks credibility from an environmental planning perspective.

To demonstrate "a significant connection" between the City and the Greenbelt through the County, support from the County of Wellington and the Township of Puslinch would be required.

This criterion also requires that the Natural Heritage System be designated within a municipal official plan. Therefore Guelph's Natural Heritage System would have to be approved as part of the City's Official Plan, in any event, before the Minister would entertain expanding the Greenbelt Plan.

Map 3 and Map 3A illustrate how an amendment based on the Natural Heritage System would theoretically appear within Guelph, and assumes connectivity with the Greenbelt Plan through the Township of Puslinch.

If the Official Plan is approved to include the Natural Heritage System, the benefit of expanding the Greenbelt Plan to include the Natural Heritage System, is questionable in view of the permissive nature of the policy regime of the Protected Countryside/Natural Heritage System provisions. The Greenbelt Natural Heritage System policies permit aggregate extraction and recreational uses, such as golf courses and recreational buildings on those portions of the moraine outside Significant Woodlands and Significant Wetlands. (See details below under Part 4.5.)

However, municipal official plans may be more stringent than the Greenbelt Plan, except as it applies to aggregate and agricultural uses. Therefore, if the moraine were included in the Greenbelt Plan, the official plan could not prohibit aggregate or agriculture. (Section 5.3 of the Greenbelt Plan)

If the Natural Heritage System were included in the Greenbelt Plan, future expansion of the urban settlement areas into the Greenbelt Plan would not be permitted, except by an amendment to the Greenbelt Plan. (Section 3.4.3 of the Greenbelt Plan) However, such expansions may only be considered through the 10-year Review of the Plan. The amendment process is similar to that illustrated in **Attachment 5** for Growing the Greenbelt.

Based on the above analysis, staff does not recommend this

approach.

Criterion 6 Timing and Relationship to other Provincial Initiatives

A municipality's request to expand the Greenbelt may be considered by the Ministry while complementary Provincial initiatives are being developed. The request has to demonstrate that the proposed expansion will not undermine provincial interests or the planning or implementation of complementary provincial initiatives, e.g., Source Protection Plans under the Clean Water Act.

Comment: It is anticipated that any proposed request to expand the Greenbelt Plan could demonstrate that the proposed expansion would complement and support provincial policy and would not impede their planning or implementation.

4.5 Does the Protected Countryside Designation provide Adequate Protection?

The "Growing the Greenbelt" policies clearly indicate that any expansion to the Greenbelt Plan would be designated "Protected Countryside" with a Natural Heritage overlay. However, it should be cautioned that the "Protected Countryside" designation is relatively permissive:

As discussed in part above:

- the Natural Heritage System of the Protected Countryside designation, would permit aggregate operations, and recreational buildings, golf courses and serviced campsites on those portions of the Natural Heritage System identified on the basis of the moraine. (Section 4.3.2.3); and
- in addition, the Greenbelt Plan would provide less protection for significant portions of the Paris/Galt Moraine on the basis that "Provincial Plans shall take precedence over policies in the Provincial Policy Statement to the extent of any conflict".¹⁹ Therefore, the more permissive policies of the Greenbelt Plan would prevail.

Therefore, the systems approach applied by the PPS and reflected in the Recommended Natural Heritage System, if approved, would provide for more protection to the features and associated functions of the moraine in accordance with Sections. 2.1.2 and 2.2 of the PPS.

The identification of the Natural Heritage System as part of the Greenbelt, would however, prevent urban settlement expansion into the Greenbelt Plan except by amendment to the Greenbelt Plan. Amendments are required to be initiated by the Minister. Neither a municipality or private proponents may initiate an amendment to the Greenbelt Plan.

¹⁹ Provincial Policy Statement 2005, Section 4.9.

As addressed above, under Criterion 5, the inclusion of the Natural Heritage System in the Greenbelt is required to meet two fundamental tests, namely:

- a) to be included, the Natural Heritage System is required to be considered "a major natural heritage system" and
- b) a "significant connection to the Greenbelt area" must be demonstrated.

These two tests cannot be met without the support of the County of Wellington and the Township of Puslinch.

The following Figure 1 provides a comparative analysis of the two approaches to protecting the significant portions of the Moraine e.g., through the Planning Act and the PPS, versus through Growing the Greenbelt.

FIGURE 1

Protection Approaches of Significant Portions of the Paris/Galt Moraine in the City of Guelph

Criteria for Evaluation	Protection through the	Protection through "Growing the Greenbelt"
	Planning Act and PPS	
1. Does the Natural Heritage System have to be identified in an approved official plan to provide protection to the significant portions of Paris/Galt moraine?	Yes	Yes
2. Is there a requirement to demonstrate functional connectivity/relationship with the Greenbelt Plan?	No	Yes
3. Is support from the County of Wellington and the Township of Puslinch needed to provide a successful link to the Greenbelt?	No	Yes

²⁰ Key natural heritage features and key hydrologic features do not include a landform criterion nor do they rely upon or apply the definitions of the PPS with respect to vulnerable and sensitive surface and groundwater features.

4. Once approved as part of NHS, in an Official Plan, can the official Plan policies protect the significant portions of the Paris/Galt Moraine?	Yes Once mapped and protection policies are approved in the official plan – the delineated parts of the moraine would be protected by the approved policies. Policy can be defined in accordance with and or be more restrictive than the PPS. Sections 2.1.2 and 2.2 of the PPS provides for the integration natural heritage features and functions with surface groundwater features and functions through a systems approach and provides for the identification of sensitive or vulnerable surface and groundwater features for protection.	No The Greenbelt Plan permits agriculture, aggregate extraction, major recreational uses such as golf courses, serviced campgrounds, serviced playing fields and recreational uses involving large scale buildings in those portions of the Natural Heritage System defined exclusively on the basis of the moraine feature and that are outside key natural heritage features and key hydrologic features as defined by the Greenbelt Plan. ²⁰ Municipalities may approve more stringent policies, however, aggregate extraction and agricultural uses could not be prohibited.
5. Can the municipal official plan be more stringent than the PPS?	Yes	PPS provisions do not apply within the Natural Heritage System within the Greenbelt Plan (3.2.4 of the Greenbelt Plan)
6. Can the municipal Official Plan be more stringent than the Greenbelt Plan?	NA	Yes - but not as it relates to aggregate and agricultural uses. (Section 5.3)

²⁰ Key natural heritage features and key hydrologic features do not include a landform criterion nor do they rely upon or apply the definitions of the PPS with respect to vulnerable and sensitive surface and groundwater features.

7. Is the Natural Heritage System intended to apply within urban settlement areas?	Yes	Not typically. Section 3.2.2 of the Greenbelt Plan currently states that the Natural Heritage System policies do not apply within the existing
		boundaries of settlement areas). However, the Growing the Greenbelt Criteria provides for expansions to include "major natural heritage systems" within urban settlement areas where a "significant connection" to the
		Greenbelt can be demonstrated. The Ministry advises that continuity with the Greenbelt Plan is not required. However, without a Natural Heritage System
		connection through the Township of Puslinch to the Greenbelt Plan, neither a systems approach nor a "significant connection" is achieved viably.
8. Once the moraine is identified for protection in an	The City.	The Provincial Cabinet.
approved Official Plan, who is responsible for determining if development can encroach on the moraine?	The City and/or a private proponent may initiate an amendment to the official plan. The City has the final decision (unless appealed).	Settlement areas are not permitted to expand into the Greenbelt . An amendment to the Greenbelt Plan would be required.
For example, through an Official Plan amendment?		Only the Minister of Municipal Affairs and Housing may initiate an amendment to the Greenbelt Plan. Such amendments would typically be initiated at the time of the 10- Year Review.
		Municipalities and or private proponents cannot initiate amendments to the Greenbelt Plan.

9. What planning process would be required to protect the moraine?	Protection of the significant portions of the moraine as defined through the official plan mapping and policies through the NHS and OP Update.	 An amendment would be required to the Greenbelt Plan to: Add the Natural Heritage System in the City and Wellington County.
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Conclusion	1. There is no clear advantage to requesting that the Greenbelt be expanded to include the Paris/Galt moraine until the Natural Heritage System is identified in the approved Official Plan and it is known whether the Wellington County and Puslinch Township would support the extension of the NHS through their municipalities.
	2. The permitted uses of the Greenbelt Plan do not provide long term protection to the moraine from certain uses, such as aggregate extraction.
	3. The Official Plan cannot be more restrictive than the Greenbelt Plan with respect to Aggregate extraction and agricultural uses.
	4. The City can protect the moraine through the Planning Act and the PPS.
	 5. In order to include the significant portions of the Paris Galt moraine in the Greenbelt Plan the following is required: the significant portions of the Paris Galt Moraine must be approved in the Official Plan as part of the Natural Heritage System; the County of Wellington and the Township of Puslinch would have to agree to include the natural heritage system in the County in the Greenbelt Plan.
	6. Under the Planning Act and PPS approach, any proposal to expand development into the Natural Heritage System would require a Council approval through an Official Plan Amendment.
	7. Under the Greenbelt Plan, any proposal to expand development into the Natural Heritage System would require an amendment to the Greenbelt Plan. Such an amendments would first require Council support and justification before the Minister would initiate an amendment. Cabinet makes the final decision.
	Under either approach, support from Council is required.
	The advantage is that private proponents cannot initiate an amendment. Only the Minister can initiate an amendment, and the Minister may agree or disagree with Council.
Page 31 of 58	8. Staff recommend that Council hot pursue @rowing the Greenbelt.

4.6 Conclusion

Based upon the above analysis, it is recommended that the City not pursue the expansion of the Greenbelt Plan on significant portions of the Paris/Galt moraine within the City. Instead, the significant portions of the Paris/Galt moraine should be identified for protection through the Natural Heritage System and the Official Plan Update in accordance with the provisions of the *Planning Act* and the PPS. As concluded by the Ministry of the Environment, there is sufficient policy within existing legislation and the PPS to protect the moraine.

The *Clean Water Act* will provide protection of municipal wells, but will not specifically address the moraine outside the identified zones of influence of municipal wells.

5. Transition Policies

As indicated in the previous report, current applications being processed will be subject to the provisions of the Official Plan pertaining to natural heritage, the provisions of the Growth Plan and the PPS (2005), as applicable. New development applications will be evaluated against the revised Natural Heritage policies once approved by Council and incorporated into the City's Official Plan. Transition policies will be developed for inclusion in the Official Plan Update.

CORPORATE STRATEGIC PLAN

Goal 6: A leader in conservation and resource protection/enhancement.

Strategic Objective: A biodiverse City with the highest tree canopy percentage among comparable municipalities.

FINANCIAL IMPLICATIONS

There is sufficient funding to complete Phase 2 and Phase 3.

DEPARTMENTAL CONSULTATION

Staff from Policy Planning and Urban Design led the Technical Advisory Committee. Other departments, including other sections of Community Deign and Development Services, Operations, Environmental Services and Economic Development have been consulted.

COMMUNICATIONS

Consultation with landowners, their representatives, the public, ministries, agencies, City staff, the Technical Steering Committee, the Environmental Advisory Committee and the River Systems Committee has been carried out throughout the finalization of Phase 2 as discussed above.

Additional public engagement is proposed with respect to Phase 3 – final mapping and policy development in 2009 for incorporation into the Official Plan updated in the fall 2009.

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List of Attachments

- Attachment 1 Report 08-97 City of Guelph Natural Heritage Strategy (September 5, 2008)
- Attachment 2 Table Summarizing the Criteria used to Identify the Recommended Natural Heritage System and Draft Policy Direction (March 2009)
- Attachment 3 Summary of Comments Received in Response to the Revised Criteria and Draft Policy Direction for Recommended Natural Heritage System(March 2009)
- Attachment 4 Mayor Farbridge's request to the Ministry of Municipal Affairs Regarding expanding the Greenbelt to include the Paris/Galt Moraine
- **Attachment 5** Greenbelt Plan Amendment Process

MAPS

Map 1	Figure 12 Recommended Natural Heritage System – Natural Heritage Strategy (Phase 2) March 2009
Map 2	Growing the Greenbelt – Subwatershed Analysis
Мар З	Growing the Greenbelt - Natural Heritage System Analysis
Мар ЗА	Enlargement of Growing the Greenbelt Natural Heritage System Analysis

Attachment 1 City of Guelph Draft Natural Heritage Strategy Report Number 08-97 to Community Design and Environmental Services on September 5, 2008

то	Community Design and Environmental Services
SERVICE AREA	Community Design and Development Services
DATE	September 5 th , 2008
SUBJECT	City of Guelph Draft Natural Heritage Strategy
REPORT NUMBER	08-97

RECOMMENDATION

THAT the Community Design and Development Services Report 08-97 on the Draft Natural Heritage Strategy prepared by Dougan and Associates dated July 2008, BE RECEIVED and;

THAT staff be directed to circulate the City of Guelph Draft Natural Heritage Strategy for public and stakeholder input in order to proceed with finalization of the Strategy.

BACKGROUND

The Natural Heritage Strategy consists of three phases aimed at building on Guelph's natural heritage system in order to ensure its long-term protection and enhancement in accordance with the Provincial Policy Statement (2005) and Guelph's long term vision.

The three-phased Guelph Natural Heritage Strategy is intended to facilitate this process by:

- updating the City's natural heritage mapping and data (Phase 1 and 2);
- identifying what is locally significant based on current provincial guidelines, status lists, and other available information (Phase 2);
- recommending a Natural Heritage System based on current information and defensible criteria (Phase 2); and
- developing natural heritage policies that reflect the existing conditions in the City and that are consistent with current Provincial policies.

Phase 1: Background Work

The preparation of a Citywide Natural Heritage Strategy was recommended by the City's Environmental Action Plan which was supported by Council in 2003. A Technical Steering Committee was established to guide the development of the Strategy. The Steering Committee is composed of ten members from diverse backgrounds and expertise who are knowledgeable in ecology and natural heritage planning. Two representatives from the Guelph and Wellington Development Association (GWDA) sit on the Committee.

Dougan and Associates were retained to prepare the Strategy.

Phase 1 of the Strategy involved:

- the development of an understanding of the City's existing natural heritage resources and features,
- a review of other municipal approaches to natural heritage protection,
- the establishment of working criteria for the identification of locally significant natural areas.

Public input was obtained through:

- a community survey that was conducted by mail and on the City's web site;
- a community forum that was held at the River Run Centre (65 people attended); and
- a key stakeholder workshop that was held at the Evergreen Seniors Centre (25 people attended).

Phase 1 culminated with the Phase 1 Report in March 2005, which recommended 8 working criteria for the identification of locally significant natural areas, and the recommendations for Phase 2.

In March 2005 the revised Provincial Policy Statement also came in to effect which established refined natural heritage policies.

Phase 2: Collection of Data and Analysis

The specific objectives of Phase 2 were to: (1) update and collect ecological field data for the City's terrestrial natural areas (i.e., areas outside the floodplains and wetlands) and (2) use the available background and collected field data to apply defensible criteria (initially developed during Phase 1 and refined during the course of this study) in order to develop a recommended Natural Heritage System (NHS) for the City.

For the more poorly documented natural areas within the City some field verification was necessary. Landowner contact packages were distributed explaining the Strategy and requesting permission to access specific properties. After the collection of field data, a "working draft" of the Phase 2 report was submitted by Dougan and Associates to City staff.

In September 2007 planning staff received and reviewed the working draft Phase 2 Report, which was then reviewed by the Technical Steering Committee in January 2008.

The Technical Steering Committee, in particular the Guelph and Wellington Development Association (GWDA), raised concerns regarding the draft criteria and the possible effects the criteria would have on potential development.

It also became apparent that there was a need to refine the criteria, to ensure the application of the criteria was traceable and update mapping due to the time that had passed since the initiation of the study. The City provided Dougan and Associates updated mapping and reports, including aerial photography (2006), recently completed Environmental Impact Studies and approved draft plans of subdivision.

Updated information was also obtained from the Ministry of Natural Resources (e.g., provincially significant wetlands) and the Grand River Conservation Authority (e.g., other wetlands and floodplain mapping). In addition, additional field checks were required to finalize the Ecological Land Classification, address steep slopes and more accurately reflect the requirement "to be consistent" with the 2005 Provincial Policy Statement.

REPORT

The Revised Draft Natural Heritage Strategy (July2008) is intended to provide the technical background and basis to guide the protection and, where appropriate, enhancement of natural heritage features and areas through a systems approach within an urban and urbanizing context. The results of this work (and the subsequent Phase 3, which includes policy development) will be incorporated into the Official Plan Update which will occur over 2008 and 2009.

Dougan and Associates have finalized the Revised Draft Natural Heritage Strategy Report including the establishment of revised recommended criteria which are attached (Attachment 1). The natural heritage system criteria have been applied in a manner that disaggregates each criterion in order to ensure a traceable and transparent process. The recommended criteria have been mapped and are illustrated on Attachment 2 - Recommended Natural Heritage System. The Recommended Natural Heritage System defines those natural heritage features and areas that warrant permanent protection in order to meet the applicable provisions of the Provincial Policy Statement and the City's Strategic Plan.

The revised criteria are explained in Attachment 1 and form the fundamental basis for the Natural Heritage System and are composed of the following:

Primary Criteria

(Only one primary criterion needs to apply to be part of the Natural Heritage System)

- **1.** Areas of Natural & Scientific Interest [ANSI]
- 2. Habitat for Provincially Threatened (THR) & Endangered (END) Species
- **3.** Areas of Primary Hydrological Significance

- **4.** Significant Woodlands
- **5.** Significant Valleylands
- 6. Areas of Primary Significant Wildlife Habitat

Secondary Criteria

(Two (2) secondary criteria need to apply in order to be included in the Natural Heritage System)

- 7. Areas of Secondary Hydrological Significance
- **8.** Landform Conservation Value
- **9.** Locally Significant Vegetation Types (Areas of Secondary Significant Wildlife Habitat)
- **10.** Habitat for Significant Species (Areas of Secondary Significant Wildlife Habitat)

Primary Criteria

11. Ecological Linkages & Supportive Functions

Ecological linkages and supportive functions implement Section 2.1.2 of the Provincial Policy Statement which requires:

The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Ecological Linkages / Connectivity, is considered a primary criterion in that it is recognized as a critical component of a natural heritage system (in both policy and precedent) and is applied independently to connect the identified features and areas. It is listed last because it requires identification of other recommended NHS features prior to its application.

In accordance with the PPS, proposed development adjacent to the natural heritage system and in particular the features identified in the PPS (e.g., Significant habitat of endangered and threatened species, significant woodlands, significant wetlands, significant valley lands, significant wildlife habitat and significant areas of natural and scientific interest) will be evaluated to ensure that there are no negative impacts on the natural features or their ecological functions. This analysis would be carried out at the site specific level through an Environmental Impact Assessment.

On the ground, the proposed Natural Heritage System will consist of a network of natural areas and linkages throughout the City. The ultimate goal of the Natural Heritage Strategy is to contribute to a healthy and attractive City which will also contribute to broader efforts towards an environmentally and socially sustainable community.

In August of this year the Revised Draft Natural Heritage Strategy was provided to the Community Design and Environmental Services Committee and City Council for review.

At this time staff are recommending that the Committee direct staff to obtain public input and comment on the Draft Natural Heritage Strategy Phase 2 Report. If supported by Committee, open house meetings will be arranged with stakeholders (e.g. landowners and public agencies) and the public in late September and early October of this year.

Following public and stakeholder input, the Draft Natural Heritage Phase 2 Report will be finalized and brought before City Council. Phase 3 will involve the development of natural heritage policies including addressing, among other things, the natural/urban interface on the adjacent lands to natural features and areas (e.g. wildlife impacts). The mapping and policy changes will be incorporated into the Official Plan Update and will be subject to public meetings, as required by the *Planning Act*.

Any development application that has been submitted and is currently in process is subject to the existing policies of the City's Official Plan, including the Natural Heritage policies now contained in the Official Plan. New development applications will not be evaluated against the revised Natural Heritage policies until they are approved by Council and adopted into the City's Official Plan.

CORPORATE STRATEGIC PLAN

A leader in conservation and resource protection/enhancement

FINANCIAL IMPLICATIONS

There is sufficient funding to complete Phase II.

DEPARTMENTAL CONSULTATION

The Natural Heritage Technical Advisory Committee, other Departments, such as Engineering and Environmental Services has been consulted as necessary.

COMMUNICATIONS

Public consultation, landowner contact and the establishment of the Technical Steering Committee has been carried out during Phases I and II of the project as discussed above. Open house(s) are proposed in the fall with the public and stakeholders.

ATTACHMENTS

Attachment 1: Revised Criteria Attachment 2: Recommended Natural Heritage System – Map 12

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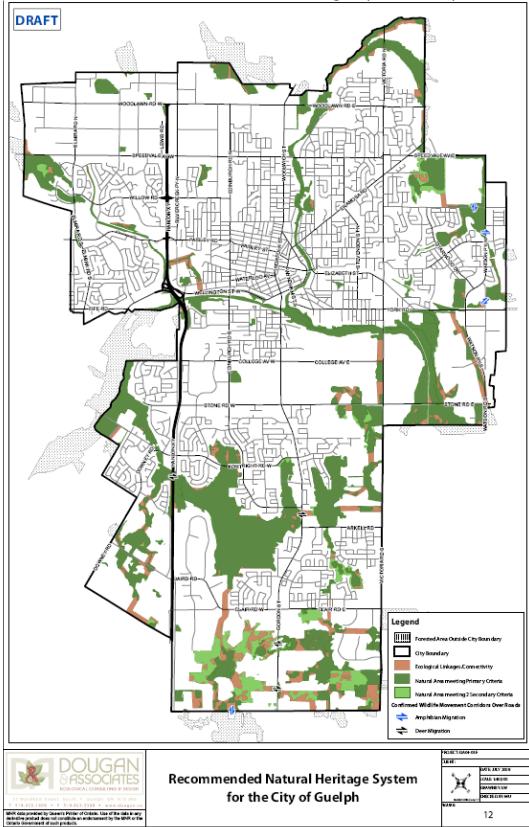
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Attachment 1: Revised Criteria

Primary Criteria	Measure(s)	Data Source & Comments
1. Areas of Natural	- Provincially Significant	ANSI mapping obtained from the
& Scientific Interest	- Regionally Significant	Ontario Ministry of Natural
[ANSI]		Resources (OMNR).
2. Habitat for	- Species designated	No Provincially Endangered or
Provincially	Endangered or Threatened in	Threatened species currently on
Threatened (THR)	Ontario - Species designated	record for the City of Guelph. Historical records note the Grey
and Endangered (END) Species	Endangered in Canada	Fox and Blanding's Turtle being
(LIND) Species		Threatened species.
3. Areas of Primary	- Provincially and Locally	Wetland mapping obtained from
Hydrological	Significant Wetlands	Ontario Ministry of Natural
Significance	- Permanent Streams	Resources (OMNR) and Grand River
	- Fish Habitat	Conservation Authority (GRCA).
		At this time City-wide fish habitat
		data is unavailable.
4. Significant	- Woodlands of at least 1 ha in	Woodlands included coniferous,
Woodlands	size	deciduous and mixed forests,
		cultural woodlands and treed
		wetlands.
		Hedgerows and plantations have
		been excluded.
5. Significant	- Regulatory floodplain	Floodplain and valley land mapping
Valleylands	- Apparent and other valley lands	obtained from the Grand River Conservation Authority (GRCA).
	lanus	Only steep slopes associated with
		river corridors are captured as
		other valley lands.
6. Areas of Primary	- Deer wintering areas	Deer wintering areas mapping
Significant Wildlife	- Provincially Rare Vegetation	obtained from Ontario Ministry of
Habitat	- Endangered (END) or	Natural Resources (OMNR).
	Threatened (THR) Species in	Provincially Rare Vegetation
	Canada	information obtained from the
		Ontario Ministry of Natural Resources Natural Heritage
		Information Centre (NHIC).
		The Western Chorus Frog found in
		areas of Guelph has been listed as
		Threatened (THR) in Canada.
Secondary Criteria	Measure(s)	Data Source & Comments
7. Areas of	- Other wetlands (not captured	Wetlands mapping obtained from
Secondary Hydrological	as provincially or locally significant)	the Grand River Conservation
Significance	- Intermittent streams	Authority (GRCA). At this time City-wide Intermittent
Significance		steam data is unavailable.

 8. Landform Conservation Value 9. Locally Significant Vegetation Types (Areas of Secondary Significant Wildlife Habitat) 	 Natural areas within the Paris-Galt Moraine with concentrations of natural slopes of at least 15%. Any Ecological Land Classification (ELC) Ecosite Types considered locally rare or uncommon of at least 0.5 ha. 	"Natural areas" include all woodlands, wetlands and cultural / successional vegetation communities, as well as plantations. Identified based on information collected for this study or through other local studies. Mapped using Ecological Land Classification (ELC) Community Series mapping.
10. Habitat for Significant Species (Areas of Secondary Significant Wildlife Habitat)	 Waterfowl overwintering areas Ecological Land Classification (ELC) areas containing Provincially Significant Species and/or Locally Significant Species. 	Waterfowl overwintering areas mapping obtained from Ontario Ministry of Natural Resources (OMNR). Species data collected from Committee on the Status of Endangered Wildlife in Canada (COSEWIC), Committee on the Status of Species at Risk in Ontario (COSSARO), Ontario Ministry of Natural Resources (OMNR) Natural Heritage Information Centre (NHIC), Significant Plant list and Significant Wildlife list for Wellington County.
Primary Criterion*	Measure(s)	Comments
11. Ecological Linkages & Supportive Functions	 Linkages between natural areas within the NHS of at least 50 m wide but ideally closer to 100m wide Linkages between the NHS and forested areas just outside the City's boundary of at least 50 m but ideally closer to 100m wide Any undeveloped open space in the City providing connectivity between natural areas within the NHS Confirmed deer and amphibian movement corridors 	 Using ELC mapping and wildlife field data completed for this study. The target ratio of width to length for linkages of 1:2 Portions of linkages requiring restoration to meet the target width (i.e., 100m) are identified and can include any natural areas (including plantations and hedgerows) or agricultural lands. Previous Greenlands mapping, City open space and parks mapping, and linkages identified in subwatershed studies were considered

* Criterion 11 – Ecological Linkages / Connectivity, is considered a primary criterion in that it is recognized as a critical component of a natural heritage system (in both policy and precedent) and is applied independently, however it is listed last because it requires identification of other recommended NHS features prior to its application.



Attachment 2: Recommended Natural Heritage System – Map

Attachment 2 Table Summarizing the Criteria used to Identify the Recommended Natural Heritage System and Draft Policy Direction (March 2009)

Table summarizing criteria categories and criteria used to identify the recommended Natural Heritage System (NHS) for the City of Guelph and associated *draft* natural heritage policies

Categories	Criteria + Minimum Buffers	Draft Policies Direction
1. Areas of Natural & Scientific Interest (ANSI)	 1(a) Provincially Significant Life Science ANSI + 20 m buffer* 1(b) Provincially Significant Earth Science ANSI + 10 m buffer 1(c) Regionally Significant Life Science ANSI + 20 m buffer* 1(d) Regionally Significant Earth Science ANSI (no buffer) 	Development not permitted in any type of ANSI except for works related to: flood and erosion control, habitat conservation / restoration or passive recreation (e.g., trails and interpretive signs). Development not permitted in buffers to ANSIs except for the uses listed above and low impact storm water management facilities provided no negative impacts are demonstrated through an approved Environmental Impact Study (EIS) or Environmental Assessment (EA).
2. Habitat for Provinciall y Threatene d (THR) & Endangere d (END) Species	2(a) Habitat for species provincially designated END or THR in Ontario's <i>Endangered</i> <i>Species Act</i> + buffers TBD	Development not permitted in habitat for THR and END species. Extent of habitat required and associated buffers to be determined on a case by case basis in consultation with OMNR and Recovery Team (if applicable) and subject to an approved EIS or EA.
3. Significant Wetlands	 3(a) Provincially Significant Wetlands (PSW) + 30 m buffer 3(b) Locally Significant Wetlands (LSW) + 15 m buffer 3(c) Other wetlands in closed depressions + 15 m buffer 3(d) Other wetlands not in closed depressions + buffer TBD 	Development not permitted in any type of wetlands except for category 3(d) where those wetlands are determined not to provide significant wetland functions and subject to approval by the GRCA in accordance with their policies. Development not permitted in buffers to wetlands except for works related to: flood and erosion control, habitat conservation / restoration, and passive recreation (e.g., tertiary trails) as supported through an approved EIS or EA. Proposed development outside the minimum buffer area but within 120 m of a PSW and 30 m of all other wetlands may be permitted provided no negative impacts are demonstrated through an approved EIS or EA, The status and boundaries of "other wetlands" in category 3(d) needs to be field verified.

4. Surface Water & Fisheries Resources	4(a) Permanent streams / ponds + 15 m buffer 4(b) Intermittent streams +15 m buffer FISH HABITAT 4(c) Cold Water + 30 m buffer	Development not permitted in any type of stream or fish habitat except for works related to: flood and erosion control, habitat conservation / restoration, or other works permitted by the GRCA and/or the Department of Fisheries and Oceans (DFO) provided no negative impacts are demonstrated through an approved EIS or EA and subject to approval from GRCA and/or DFO.
4. Surface Water & Fisheries Resources <i>cont'd</i>	4(d) Cool Water + 30 m buffer 4(e) Warm Water + 15 m buffer 4(f) Undetermined + 15 m buffer	Development not permitted in buffers to streams or fish habitat except for works related to: flood and erosion control, habitat conservation / restoration, passive restoration (e.g., trails) or low impact storm water management facilities provided no negative impacts are demonstrated through an approved EIS or EA and subject to approval from GRCA and/or DFO. Infrastructure should avoid surface water and fisheries resources, however, provision for essential infrastructure, including made, trails and/or linear utilities may estimate
		including roads, trails and/or linear utilities may cross a stream and/or fish habitat provided no negative impacts are demonstrated through an approved EIS or EA and subject to approval from GRCA and/or DFO. Opportunities to restore piped or culvertized streams to a more natural form to be pursued.
		Proposed development within 50 m of a stream or fish habitat is subject to an EIS or EA and subject to approval from GRCA and/or DFO.
		Fish habitat classifications need to be field verified.
5. Significant Woodland s	5(a) Woodlands ≥1 ha + 10 m buffer 5(b) Locally Significant Woodland Types ≥0.5 ha (not already captured by 5a) + 10 m	5(a) & (b) Development not permitted in woodlands except for works related to: flood and erosion control, wildlife habitat conservation / restoration. Trails are to be directed to woodland buffers and may only be permitted within the woodlands if no negative impacts are demonstrated through an approved EIS or EA.
	buffer 5(c) Cultural Woodlands ≥1 ha + buffer TBD	Development not permitted in buffers to woodlands except for works related to: flood and erosion control, habitat conservation / restoration, passive recreation (e.g., trails) or low impact storm water management facilities provided no negative impacts are demonstrated through an approved EIS or EA.
		Development within 50 m of a woodland may be permitted provided no negative impacts are demonstrated through an approved EIS or EA.
		5(c) Development may be permitted in cultural woodlands (and plantations) subject to an approved EIS or EA and associated tree preservation plan that identifies any opportunities for protection of healthy native species and tree planting.

[1			
6. Significant Valleyland s	6(a) Regulatory floodplain 6(b) Other Valleys	Development within regulatory floodplains and other and remnant significant valleys is not permitted except for works related to: flood and erosion control, habitat conservation / restoration, passive recreation (e.g., trails), essential infrastructure, linear utilities and low impact storm water management facilities provided no negative impacts are demonstrated through an approved EIS or EA and subject to approval from GRCA.			
		In all instances, stormwater management facilities are required to be above the meander belt, or the 100 year flood plain, whichever is greater.			
		Development within buffers may be permitted provided no negative impacts are demonstrated through an approved EIS or EA and, where applicable, approval from GRCA.			
7. Significant Landform	7(a) Significant Portions of the Paris-Galt Moraine (no buffer)	Development not permitted in significant portions of the Paris- Galt Moraine, as identified, except for works related to: habitat conservation / restoration, required municipal water supply wells, essential linear utilities and passive recreation (e.g., trails) provided no negative impacts are demonstrated through an approved EIS or EA.			
		Approved works will not involve grading to these areas.			
		Opportunities to restore habitats to be encouraged.			
Significantbuffer)Wildlife8(b) Waterfowl of areas (no buffer)Habitat**8(c) Provincially Vegetation Type8(d) Locally Sign Vegetation Type already captured + buffers TBD8(e) Habitat for of Nationally and F	8(b) Waterfowl overwintering areas (no buffer)	8(a), (b), (c), (d) Development is not permitted in these areas, as identified, except for works related to: flood and erosion control, wildlife habitat conservation / restoration, passive recreation (e.g., tertiary trails and interpretive signs) provided no negative impacts are demonstrated through an approved EIS or EA.			
	Vegetation Types*+ buffers TBD 8(d) Locally Significant	8(e) & (f) Extent of habitat required and associated buffers to be determined on a case by case basis subject to an approved EIS or EA.			
	8(e) Habitat for Globally, Nationally and Provincially Significant Species (not captured	8(f) Extent of habitat required and associated buffers to be determined on a case by case basis subject to an approved			
		EIS or EA. 8(g) Development not permitted in ecological linkages except for works related to: wildlife habitat conservation / restoration, essential transportation, linear utilities, passive recreation (e.g. trails) and limited low impact storm water management facilities provided no negative impacts are demonstrated through an approved EIS or EA.			
	8(f) Habitat for Locally Significant Species (not captured by Criteria 2 or 8(e))				
	8(g) Ecological Linkages (no buffer)	Linkages surrounded by natural features identified by Criteria 1- 7 will be subject to the applicable policies of the surrounding feature.			

9. Supportive Ecological Functions	9(a) Naturalization / Restoration Areas (potential, planned and existing)	Lands closely associated with the NHS where naturalization / restoration is being or should be applied primarily on City of GRCA lands. Storm water management facilities (existing and planned) are included. Guidelines and policy direction to be developed with the Parks and Engineering Departments. Naturalization/ restoration areas surrounded by natural features identified by Criteria 1-7 will be subject to the applicable policies of the surrounding feature.
10. Wildlife Crossings	10 (a) Confirmed deer crossings 10 (b) Confirmed amphibian crossings 10 (c) Other wildlife crossing opportunities	These flag approximate locations where mitigation measures (e.g., underpasses) to facilitate safe wildlife crossing should be implemented during road improvements or upgrades. Some measures (e.g., warning signs) may be implemented sooner. Guidelines and policy direction to be developed in consultation with the Engineering Department.

* There are currently no areas in the City of Guelph meeting this criterion.

** This is not a comprehensive list of significant wildlife habitat (SWH) criteria, but a list of criteria for which data was available at the time of the study. A complete list of all SWH criteria potentially applicable in the City of Guelph that should be considered at the site-specific level is provided in the study report (Volume 1).

MAPPING NOTE: Every effort has been made to ensure the mapping for this study is based on the most current available data. However, mapping for a number of natural heritage features and/or ecological functions still needs to be verified and refined in the field at the site-specific scale.

DEFINITIONS

MINIMUM BUFFERS identify minimum vegetation protection zones around significant features in the NHS. Buffers may include any natural areas (including cultural meadows or thickets), plantations, hedgerows, agricultural lands, City parklands or GRCA lands identified for open space uses, and current golf courses. Buffers could not be applied, in whole or in part, in some areas that have already undergone development. However, for areas to be developed, site-specific studies may find that in some cases these minimums are not adequate and that wider buffers need to be identified.

CULTURAL WOODLANDS are lands that have reforested naturally with tree cover between 35% and 60% and naturalized groundcover.

DEVELOPMENT is defined in Provincial Policy (2005) as "the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*".

ECOLOGICAL LINKAGES are meant to facilitate movement of flora and fauna between various significant natural areas and must be identified in relation to these other areas. Ideally, linkages should be at least 50 m wide but closer to 100 m where possible with a target width to length ratio of 1:2. However, depending on the adjacent land uses and existing opportunities, narrower and longer linkages have been (and could be) identified.

ENVIRONMENTAL ASSESSMENTS (EAs) are studies typically required for all medium or large governmental infrastructure projects to ensure that all environmental issues are identified and addressed, and that the public and other stakeholders have an opportunity to provide comment.

ENVIRONMENTAL IMPACT STUDIES (EIS) are site-specific studies triggered by proposed

development within or adjacent to significant natural heritage features which provide a comprehensive assessment of existing conditions and assess the anticipated impacts of the proposed development on natural features within the study area or their ecological functions.

ESSENTIAL INFRASTUCTURE means that which is considered by Council to be necessary and in the public interest after all reasonable alternatives have been considered.

GRCA = Grand River Conservation Authority

PARIS-GALT MORAINE is a large 6.4 to 8 km wide feature consisting of a complex of hummocky topography and kettle features of which a portion extends across the southern portion of the City of Guelph. Lands with this unique topography contribute disproportionately to local groundwater recharge, which also supports cold water fisheries and recharges deeper aquifers used for water supply.

RESTORATION / NATURALIZATION AREAS are areas that contribute to the biodiversity and connectivity potential of the *Natural Heritage System* where restoration and naturalization activities will be focused. These include lands owned by the City of Guelph or the Grand River Conservation Authority, existing and approved storm water management areas, and small areas surrounded by lands that meet Criteria 1 through 7.

Attachment 3 Summary of Comments Received in Response to the Revised Criteria and Draft Policy Direction (March 2009)

The following is a brief summary of the comments received categorized on the basis of the criteria.

- 1. Areas of Natural and Scientific Interest (ANSI)
 - The minimum buffer of 10 m to Earth and Life Science ANSI's should be increased.
 - All buffers should be based on detailed study.
 - Trails should not be permitted in the buffers.
 - The policy should "mirror" the PPS provisions.

Staff Comment

A minimum buffer of 10m to the provincially significant Earth Science ANSI is appropriate given that the ANSI is based on an exposed rock cut that exhibits representative stratigraphy and is publicly owned.

No buffers are proposed to the regionally significant Earth Science ANSI because it is within the road allowance of the built up area and it would not be reasonable to prohibit development.

Trails are proposed to be permitted within the buffers, however, the location and type of trails will be considered through development applications and Park and Trail Master Plans.

- 2. Habitat for Provincially Threatened and Endangered Species
 - Policy should address a mechanism to permit the policy and or species to change to reflect changes to threatened and endangered species and or policy.
 - How will the City be monitoring for protection of threatened and endangered species?
 - Unfair to expect private property owners to pay for (EIS) studies on their properties.

Staff Comment

Policies will be developed to address Species at Risk, including threatened and endangered species.

No monitoring is proposed at this time except through subsequent EIS and EIR's.

It is accepted policy to require landowners to pay for studies required to support planning applications.

- 3. Significant Wetlands
 - Existing wetlands should be reevaluated.
 - Minimum buffers to significant wetlands should be increased to 50 m from 30 m.
 - Dredged wetlands on golf courses should be restored.
 - Stormwater facilities should not be permitted adjacent to provincially significant wetlands.

Staff Comment

At the time of development, proponents will be required to undertake an evaluation of identified wetland and determine the extent of the wetland and the functions it performs along with the appropriate buffer requirement.

The 30 m buffer to the wetland is a minimum buffer. The buffer may be increased within the 120 m adjacent lands analysis carried out through the required EIS. The final extent of the buffer will depend upon the function of the wetland. The 30 m buffer is a reasonable starting point for protection and represents a credible minimum reflected in other municipal official plans that have received approval.

Restoration of altered natural environments will be addressed through policy.

Storm water management facilities within the buffer to a provincially significant wetland is currently not proposed.

- 4. Surface Water and Fisheries Resources
 - Buffers should be measured from the flood fringe.
 - Stormwater management facilities should not be permitted to flow directly into stream and wetlands.
 - Stormwater management ponds should not be permitted in the buffers.
 - Stormwater management ponds should be permitted within the buffers.
 - Support for restoring piped or buried streams to a more natural form.

Staff Comments

The issues raised will be considered through the policy analysis.

The appropriateness of storm water management facilities within the 30-15 m buffers will be carefully reevaluated.

The naturalization of existing streams is encouraged by the current Official Plan and will be addressed.

- 5. Significant Woodlands
 - The definition of cultural woodlands should be reevaluated.
 - The replacement policy applicable to cultural woodlands should be clarified with respect to how European Buckthorn, a noxious shrub, should be treated.
 - European Buckthorn should not be included in significant woodlands.
 - The replacement of trees removed from the cultural woodlots at a ratio of 1:3 should be reconsidered to address replacement on the basis of basal area.
 - Smaller woodlands and plantations should be included in this criterion.
 - Minimum buffers should be increased to 30 m from 10m.

Staff Comments

The policy treatment provides flexibility where cultural woodlands are dominated by invasive species.

The tree replacement policy will be evaluated where invasive species dominate cultural woodlands.

The evaluation of buffers within the 50 m adjacent lands will be required and may be increased depending on the function of the woodland.

- 6. Significant Valleylands
 - Excellent criteria

Staff Comment

No additional comment at this time.

- 7. Significant Landform
 - Entire Paris-Galt moraine should be protected including buffers in order to protect groundwater recharge.
 - The landform criterion should be removed from the Natural Heritage System.
 - Significant landforms that do not contain other significant ecological features and functions (i.e., also meet other criteria) should be considered for development provided hydrogeological and other related studies demonstrate through an approved EIS/EA that recharge function can be maintained.

- The protected ands should be based on 15% slopes instead of 20%.
- The area needs to be clearly defined as "no touch".
- Development should not be prohibited on the basis of hummocky topography. Site specific hydrological investigations should be required to assess the potential for maintaining groundwater recharge rates at a watershed scale through EIS. Development scale water budgets, which are quantified at the watershed scale should be used to design stormwater management techniques to maintain average rates of groundwater recharge, groundwater levels, groundwater low, and groundwater discharge to surface water features.

Staff Comments

The identification of the significant portions of the Paris /Galt Moraine addresses Sections 2.1.2 and 2.2 of the Provincial Policy Statement and is not solely based upon the hydrological function. Instead, it aims to recognize the linkages between and among the natural heritage features and the surface and groundwater features while maintaining the diversity and aesthetic offered by the landform.

The landform criteria also provides an approach to address Council and Committee direction regarding protection of significant portions of the Paris /Galt moraine through the Natural Heritage Strategy and/or through Growing the Greenbelt.

Staff is concerned that site specific consideration of the hydrological function alone will not be sufficient to protect the moraine and will result in long term erosion of the feature and its functions.

The comments received will be considered through further discussions prior to the development and incorporation of the Natural Heritage System and polices into the Official Plan.

- 8. Significant Wildlife Habitat
 - A minimum buffer should be applied.
 - Linkages do not need to be 100m wide.
 - Wildlife tunnels and diversion fences should be required at all identified wildlife crossing areas.
 - Effective wildlife crossings are necessary.
 - Locally significant wildlife habitat should not be used to sterilize land.

Staff Comment

Buffers to significant wildlife habitat will depend on the wildlife present. A site specific EIS will be required to demonstrate no negative impacts on the identified wildlife habitat.

Wildlife crossing and appropriate mitigation to maintain wildlife habitat (e.g., critical linkages between, food, shelter, feeding, breeding) as well as driver safety will be addressed through policy development.

The identification of locally significant wildlife habitat does not sterilize the lands. The extent of the habitat and habitat protection for locally significant species will be the subject of site specific EIS's and will be determined on a case by case basis.

- 9. Supportive Ecological Functions (Restoration/Naturalization Areas)
 - Goal should be towards 30% wooded cover within the City.
 - Ecological linkages should be included as naturalization/restoration areas with full protection and buffer zones.
 - Identified drainage features that could be restored from culverted/artificial to a natural state should be identified in addition to land to be restore.
 - Restoration targets for a variety of habitat cover should be established i.e., 10% forested, 10% grassland, 10% wetland, etc.

Staff Comment

Comments will be addressed through subsequent policy development. Restoration policy and direction will be developed through the official Plan update.

- 10. Wildlife Crossing
 - Wildlife corridors across major arterial roads (e.g. Gordon St. should be minimized.
 - Ensure that "turtles" and reptiles are included.
 - Provision for safe wildlife crossings and Gordon Street and the hanlon should be provided.
 - Backyard encroachment into corridors/crossings should be monitored e.g., garbage disposal, damage to trees, wildlife entrapment due to conflict between humans and animals.
 - Deer crossing on, Gordon, south of Clair Road should be marked further north-west between Brock Rd. Nursery and Prior's Farm.

Staff Comments

The official plan will address policy and where applicable the need for detailed guidelines to address Wildlife habitat including the wildlife crossing provisions.

EIS are required to address impacts were wildlife cross roads.

Appropriate road/highway crossings policies will be addressed to reduce wildlife impacts and driver safety.

Human wildlife conflicts will need to be the subject of an education program aimed at reducing the real and perceived conflicts.

General Comments

- 1. The Natural Heritage Strategy stresses the importance of Natural Areas to the City of Guelph but makes no provision for property tax reductions or tax credit for landowners that provide those essential natural areas for the benefit of all taxpayers in the City of Guelph.
- 2. The Natural Heritage System should be removed where it affects an identified future road and development.
- 3. Groundwater criteria are absent; this is inconsistent with overall general policies to protect the Paris/Galt Moraine for groundwater.
- 4. City should acquire the lands in the Natural Heritage System to protect them.
- 5. Don't just do the minimum enrich and enhance the existing NHS by making the larger buffers to allow for further habitat protection.
- 6. There needs to be policy to speak to restoration including incentives.
- 7. Need tree protection by-law to regulate removal of trees to ensure a tree canopy that will increase the linkage of the NHS across the older urban area.
- 8. The Conservation Land Tax Credit should be applied within the City on all lands declared "natural heritage" not just provincially significant wetlands.
- There is a need for transition policies to address how existing applications will be considered and request that they be exempt from the proposed NHS designation and policies.

ATTACHMENT 4: Regarding expanding the Greenbelt to include the Paris/Galt Moraine

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OFFICE OF THE MAYOR Cily Hall, 59 Carden Street Guelph, Ontario, Canada N1H 3A1 Telephone: (519) 837-5643 Fax: (519) 822-8277

October 19, 2007

Website: guelph.ca

Minister John Gerretsen Minister of Municipal Affairs and Housing 777 Bay St., 17th floor Toronto, ON M5G 2E5

Dear Minister Gerretsen:

Guelph City Council has asked that I write to you to request that portions of the City of Guelph be included in the Greenbelt to better protect the Galt-Paris Moraine. I have also written to the County of Wellington to encourage them to request to be included in the Greenbelt.

The City of Guelph depends on groundwater for its drinking water. It is essential that the Galt-Paris Moraine's key value as a major recharge area to the City is protected. The Moraine filters the water that recharges aquifers for the municipal water systems of Guelph, and also for Wellington County, Waterloo Region and Brant County.

Natural areas in southern Ontario are facing increased threats from land use change and development. The protection of natural features should not be left up to good land stewardship practices by landowners, or land use planning by local municipalities. A Greenbelt extended to include Guelph and Wellington County would better protect the Galt-Paris Moraine from increasing development pressures, and thereby help to protect our municipal drinking water supply.

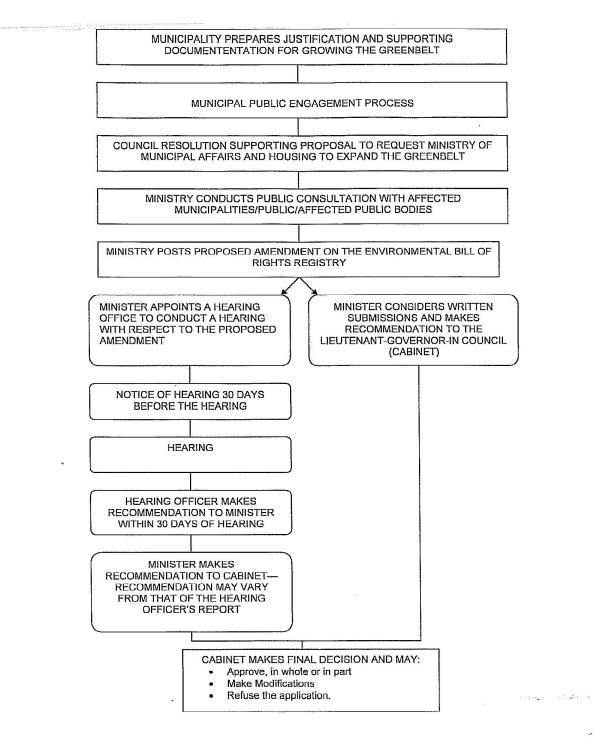
On behalf of Guelph City Council, thank you for your consideration of this request.

Sincerely Karen Farbridge

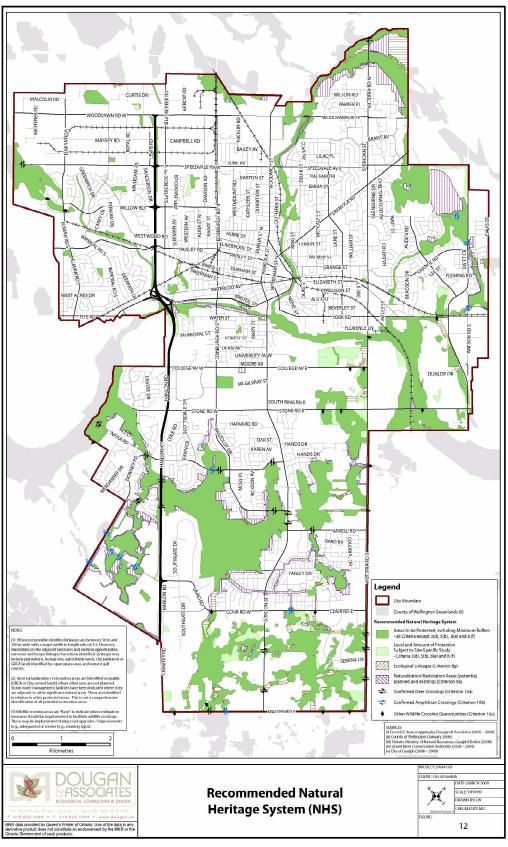
Mayor

Cc: Hon. David Ramsay, Minister of Natural Resources Hon. Laurel C. Broten, Minister of the Environment Liz Sandals, MPP Ted Arrott MPP

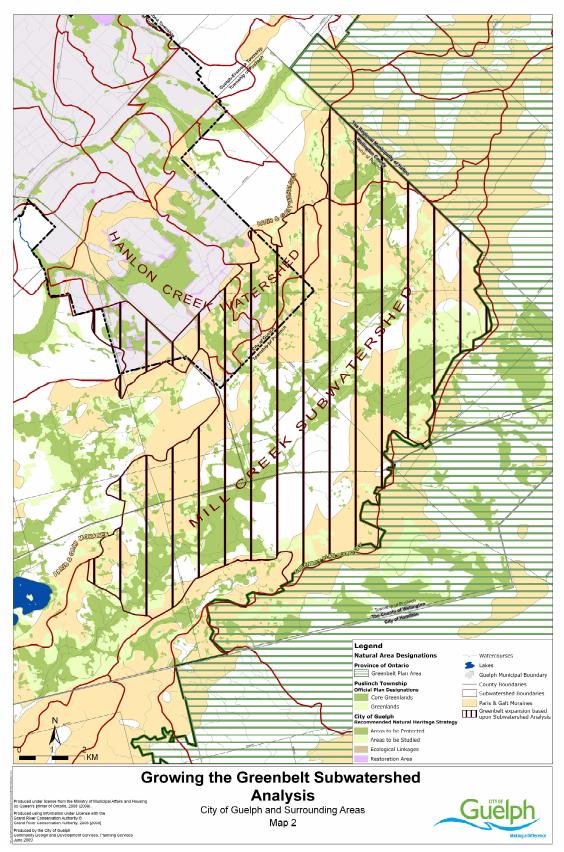
Attachment 5 Greenbelt Plan Amendment Process

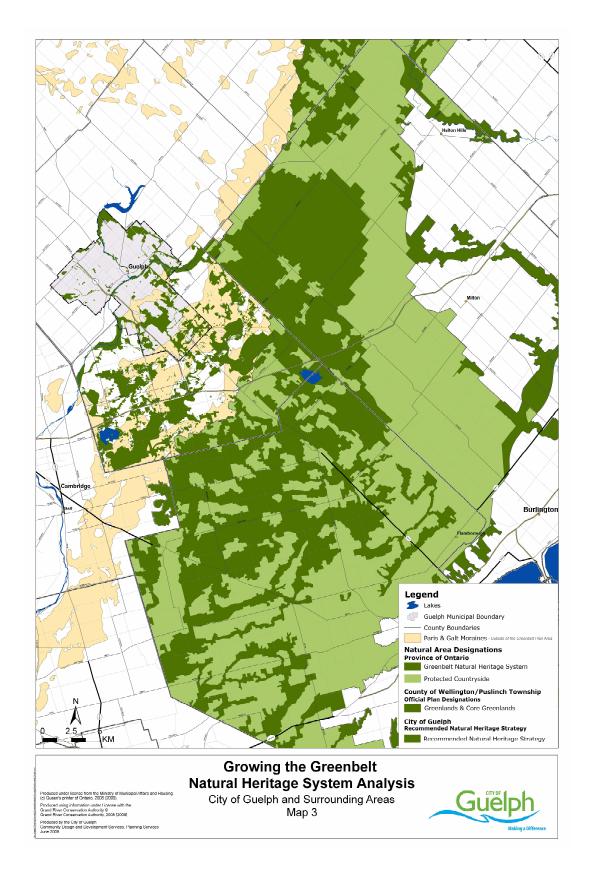


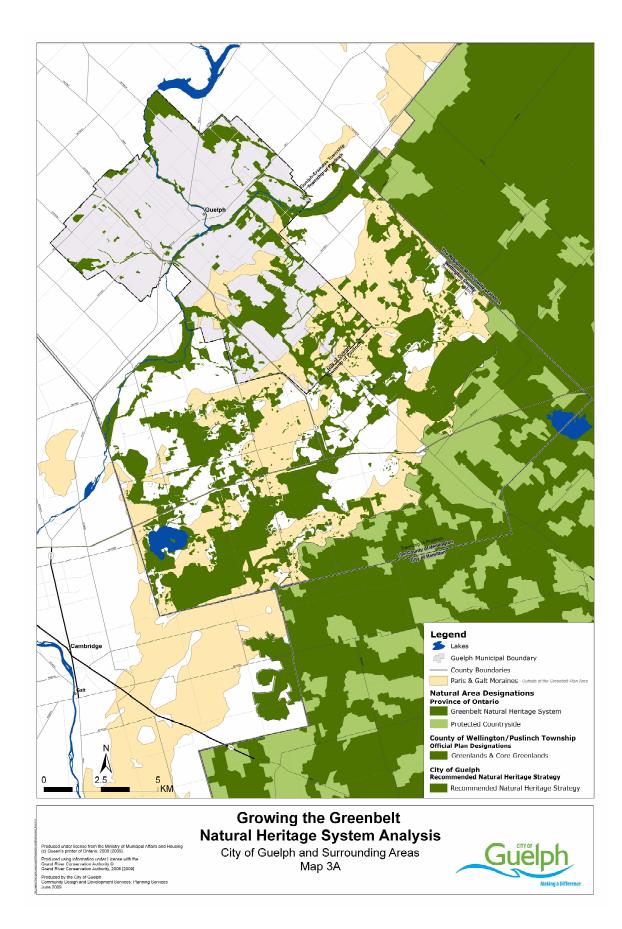
MAP 1Figure 12 - Recommended Natural Heritage System -Natural HeritageStrategy (Phase 2) March 2009



MAP 2







COMMITTEE REPORT



ТО	Community Development and Environmental Services Committee
SERVICE AREA	Community Design and Development Services
DATE	July 20, 2009
SUBJECT	Bicycle Policy
REPORT NUMBER	09-61

RECOMMENDATION

"THAT the Community Design and Development Services Report 09-61, on 'Bicycle Policy', dated July 20, 2009, be received;

AND THAT Council approve a policy to provide demarcated bike lanes instead of bike routes as part of reconstruction of arterial roadways that are not identified in the OP as having either bike lanes or bike routes;

AND THAT Council authorize staff to undertake retrofit construction to include bike lanes in sections of roadways that are designated to include bike lanes but are not scheduled for full reconstruction in the near term."

BACKGROUND

The Official Plan and the Transportation Master Plan provide the current policy framework for developing and implementing programs and initiatives to facilitate bicycle use in Guelph. In regard to physical infrastructure facilities to accommodate bicycle use, the current Official Plan identifies the on-street bike network including bike lanes and bike routes on specific roadways, while off-street bicycle paths are identified in the Trails Master Plan.

Following the recommendations of the 2005 Transportation Master Plan, the City has initiated a Transportation Demand Management (TDM) program focused on reducing automobile usage by encouraging the use of walking, cycling and transit modes. As part of the TDM program, a Bicycle-Friendly Guelph Plan is currently being developed to provide the framework for future physical infrastructure improvements and social infrastructure initiatives to triple the current use of cycling in the City.

Council authorized staff to "proceed with developing a bicycle transportation plan, including financing plan and implementation strategy, to make Guelph a bicycle-

friendly city" (Report 08-55) on May 8, 2008. The Bicycle-Friendly Guelph Plan is scheduled to be completed in 2010. In the meantime staff have been including bicycle lanes as part of road reconstruction on all arterial roads and some collector roads in order to expand the cycling network on the City's road system beyond what is currently identified in the Official Plan. Staff have also been undertaking a number of cycling promotional measures, such as the Bicycle-Friendly Guelph launch event. The purpose of this report is to outline these measures in the context of developing the Bicycle-Friendly Guelph Plan and offer an interim implementation policy.

REPORT

Promoting increased use of cycling has three objectives as well as benefits. First, as an active mode of transportation, cycling contributes to developing a healthy community. Second, it contributes to reducing the reliance on automobile usage and the traffic congestion it creates. Third, as an essential part of the transportation strategy to realize the objectives of the City's Community Energy Program, cycling would contribute to reducing energy usage as well as Green House Gas (GHG) emissions.

The Bicycle-Friendly Guelph Initiative that is now underway is premised on actions in five areas identified as the 'Five-Es' for promoting cycling usage. They are: Engineering, Enforcement, Encouragement, Evaluation and Education. The Engineering component primarily involves providing and maintaining bicycle infrastructure as well as enhancing the integration of cycling with other modes.

Attachment 1 illustrates the on-street bicycle network identified in the current Official Plan. The network provides for bike lanes and bike routes on selected arterial and a few collector roads. On-street bike lanes are 1.5 m wide, measured from the end of curb and demarcated exclusively for bicycles; bike routes provide wider curb lanes of 4-4.5 m, without demarcation, to accommodate both vehicles and cycles (the vehicle lanes alone are 3.5 m wide).

There is a strong preference among those who use bicycles for non-recreational purposes (e.g. home-work, home-school trips) to have on-street bike lanes as opposed to on-street bike routes, or off-street multi-use trails. Designated on-street bike lanes are safer than unmarked on-street bike routes, and provide more direct connections between trip ends than off-street trails. On-street bike lanes are also included in roadway winter maintenance unlike off-street trails.

As a result, there have been increasing requests to provide a more extensive network of on-street bike lanes than what is identified in the current Official Plan. Engineering Services Division, including TDM and Design and Construction staff, has responded to these requests by undertaking the following measures:

1) Continue to include new bike lanes in the reconstruction of roadways that are identified in the Official Plan (OP) as having bike lanes: This has always been the practice and is being continued - e.g. many sections in the Gordon-Norfolk-Woolwich corridor.

2) Provide demarcated bike lanes instead of bike routes as part of reconstruction of arterial roadways that are currently designated as bike routes in the OP: The reconstructed Clair Road and Stone Road east of Victoria Road include demarcated bike lanes instead of bike routes. Similarly bike lanes will be provided on Stevenson Road and Victoria Road (north of York Road) as part of future reconstruction.

3) Include bike lanes as part of reconstruction of arterial roadways that are not identified in the OP as having either bike lanes or bike routes: Examples in this category include Arkell Road and Eastview Road which have been designed/constructed to include bike lanes even though they are not identified as roadways with bike lanes or bike routes in the OP.

4) Undertake retrofit construction to include bike lanes in sections of roadways that are designated to include bike lanes but are not scheduled for full reconstruction in the near term: At present there are no bike lanes in the section of Gordon Street between Harts Lane and Kortright Road and in the section of Stone Road west of Victoria Road. Neither of these road sections is slated for life-cycle reconstruction in the short-term. However, the two sections are included in the infrastructure stimulus projects approved for Federal and Provincial funding and will be reconstructed with bike-lanes in 2010-11. The construction of bike lanes in these sections will provide continuous bike lanes in two of the most heavily used bicycle corridors in Guelph.

Of the four categories outlined above, the first category of providing bike lanes on OP-designated roadways is usually the most straightforward undertaking, as bike lanes are included from the outset of project identification. In the second and third categories, where bike lanes are included in the later stages of the project, problems arise with respect to property requirements and cost of utility relocations. The problems in the fourth category involve the removal and replacement of the curb and the drainage system and may also require utility relocations.

A total of 50 lane-km of new bike lanes (2 lanes per road) have been built in Guelph over the last ten years. An estimated 60 lane-km of additional bike lanes are required to provide bike lanes on all arterial roads in Guelph, a third of which are identified as growth related bike lanes and the remainder would be in non-growth areas. A Development Charges Account has been created to provide for the growth portion of bike lanes constructed in new growth areas. It is recommended that as a interim policy that bike lanes in other arterial road sections will now be included as part of road reconstruction from the early stages of individual projects. Each project including budget is subject to Council approval prior to implementation.

The Bicycle Friendly Guelph Initiative and the resulting Bicycle Master Plan will integrate the network of on-street bike lanes and off-street multi-use trails and establish convenient connections between them to facilitate a comprehensive system of bicycle infrastructure that could be used for a variety of trip purposes by both utilitarian and recreational users. In addition to identifying physical infrastructure, the Bicycle Master Plan will also identify supporting social infrastructure through recommendations within the Five-Es (Engineering, Enforcement, Encouragement, Evaluation and Education) framework. A number of supporting initiatives have already been identified for implementation: Transit-Bicycle integration by providing bike-racks on buses, which will be launched in August 2009; a user-friendly Cycling Map; Bicycle User survey to identify priorities and problems; and enforcement measures to improve cyclist safety.

CORPORATE STRATEGIC PLAN

Strategic Direction #1: To Manage Growth in a Balanced Sustainable Manner

• Ensure the City's infrastructure is appropriate for current and anticipated growth

FINANCIAL IMPLICATIONS

Each capital works project will contain the estimated costs of constructing bicycle lanes.

DEPARTMENTAL CONSULTATION

N/A COMMUNICATIONS

N/A

ATTACHMENTS

Attachment 1 – Official Plan, Schedule 9 C: Bicycle Network Plan

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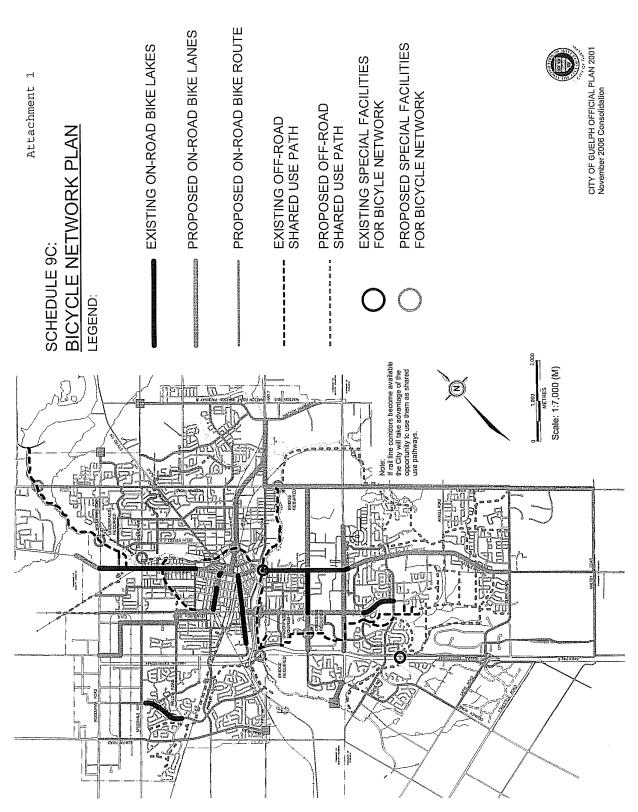
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Endorsed By: Richard Henry, P.Eng., City Engineer (519) 837-5604, ext. 2248 richard.henry@guelph.ca

Recommended By: James N. Riddell Director, Community Design and Development Services (519) 837-5617, Ext. 2361

jim.riddell@guelph.ca

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Attachment 2

ecoMOBILITY PROJECT BUDGET Bicycle-Friendly Guelph Initiative

TABLE B.1 TOTAL BUDGET (ALL YEARS)

Initiative	Budget	<i>(Guelph)</i> (cash)	<i>(Guelph)</i> (in-kind)	(Other sources)	Canada
1) Gap Analysis					
Summer student TDM Assistant to assist with gap analysis (also with drafting of BTP)	\$28,800	(included in staff time calculations)			\$28,800
2) Surveys					
Consulting for design and analysis	\$30,000				\$30,000
3) Public consultation					
Facilitation of workshops	\$4,500				\$4,500
Focus Group Workshops	\$3,000				\$3,000
Guelph Cycling Advisory Committee (9 meetings/year)	\$1,800				\$1,800
4) Drafting of Bicycle Transport (BTP)	ation Plan				
(costs included in GCAC meetings and staff time*)	· · · · · · · ·				
5) Implementation of the BTP					
Consulting for social marketing, facility design	\$50,000				\$50,000
Cycling infrastructure/network	\$6,510,800	\$6,510,800			
Community Events	\$59,000		Estimated at \$53,000	(TBD)	\$6,000
Miscellaneous Budget Items					
Travel/Participation	\$3,000				\$3,000
PROJECT TOTALS	\$6,690,900	\$6,510,800	\$53,000	TBD	\$127,100
Percentage of total 100% * staff time included in "cycling infrastructure/ network" 100%		97.3%	0.8%	TBD	1.9%

COMMITTEE REPORT



ТО	Community Development and Environmental Services Committee
SERVICE AREA DATE	Community Design and Development Services July 20, 2009
SUBJECT	Changes to Administrative Procedures for Lodging Houses and Accessory Apartments
REPORT NUMBER	09-60

RECOMMENDATION

"That the Community Design and Development Services Report 09-60 regarding the Administrative Procedures for Lodging Houses and Accessory Apartments, dated July 20, 2009, be Received;"

"That staff be directed to report back with a proposed amendment to the Business Licensing By-law, to require Lodging Houses to have a business licence;"

"That staff be directed to prepare an amendment to the Zoning By-law to require a licensing process in order to establish priority for lodging houses" and

"That staff be directed to report back with a proposed amendment to the Registration of Two-Unit Houses By-law Number (1997)-15392, to incorporate the expiration of registration after three years to require the reinspection of these properties."

BACKGROUND

This report is in response to the following resolution from the Community Design and Environmental Services Committee's March 30th and April 7th 2009 meeting:

"THAT staff be directed to report back with a recommendation on a bylaw amendment process relating to the administrative procedures used for certification of Lodging Houses and Accessory Apartments."

This resolution is based on public concern about the lack of a clearly defined process for reviewing lodging house certification applications.

Shared Rental Housing Regulation Review

From 2003-2005 staff conducted a review of regulations and processes relating to shared rental housing in Guelph. The two common forms of shared rental housing in Guelph are lodging houses¹ and accessory apartments. These forms of housing are regulated through the Zoning By-law as well as the Provincial Fire and Building Codes. The goal of this review was to ensure an adequate and safe supply of affordable rental housing in the City of Guelph while addressing issues identified by the community and City staff.

The staff review, together with extensive public input, resulted in over 50 issues being identified and recommendations for enhancement to public education, by-law enforcement, zoning regulations and administration. Following Council approval in June 2005, staff implemented the recommendations of the staff report to improve shared rental housing for tenants, landlords and neighbours (the recommendations can be viewed on the City's website: guelph.ca, use quicklinks menu to find "shared rental housing").

REPORT

1. Lodging House Process

Lodging houses are regulated under the Zoning By-law and certified by the City under a voluntary certification program if they meet fire and building code requirements. The Zoning By-law allows lodging houses in single detached housing zones provided that a 100 metre separation distance is maintained between lodging houses and adequate parking and amenity area regulations are met. Voluntary certification is renewed annually provided fire and property standards requirements are met upon inspection.

Currently there are 49 certified lodging houses in the City compared to 45 licensed lodging houses in 2001. On average only a few new applications for lodging houses are received every year. The Zoning By-law requires that the minimum separation distance between lodging houses is 100 metres.

a) The Current Certification Process

Under the current certification process in order to ensure the 100 metre distance separation, precedence is given to the first application or notice of intended application for lodging house certification. Since this process relies upon voluntary applications for certification in order to determine priority, issues have arisen when more than one applicantion has been applied for within 100 metres at the same time.

The voluntary certified lodging house process has worked well for properties that have taken part and they have rarely been the cause of complaints. That being said, few additional properties have come forward to be certified despite the

¹ Lodging houses are defined in the City of Guelph Zoning By-law. A "Lodging House Type 1," means any *Place,* including but not limited to a *Dwelling Unit*, that is used to provide 5 or more *Lodging Units* for hire or gain directly or indirectly to persons.

regulatory changes from the shared rental house review. Newly created or existing lodging houses that are not certified continue to be communicated to staff through public complaints.

b) Previous Licencing Process for Lodging Houses

Prior to the shared rental housing review, lodging houses were required to be licensed under the City's Business Licensing By-law. During the Shared Rental Housing Review, staff recommended that the lodging house licensing requirement be repealed for two main reasons. First, during the legal review of lodging house regulations in 2004 it was determined that the *Municipal Act* prohibited the licensing of "residential units". It was difficult for enforcement staff to collect sufficient evidence to distinguish between a lodging house and a residential unit. Secondly, staff wished to encourage lodging house owners to come forward to have their lodging houses inspected to ensure they met safety requirements. In place of the licensing requirement, staff recommended a voluntary certification process for lodging houses. The Zoning By-law amendment pertaining to lodging houses was approved by Council in July, 2006.

In 2007, the *Municipal Act* was revised and the regulations that prohibited licensing residential units were removed. Therefore lodging houses can now be regulated through licensing. A recent staff review found that many municipalities currently require business licences for lodging houses including Waterloo, Kitchener, Brantford, London, Mississauga, Windsor, Oakville and Kingston.

As such, staff recommend that the Business Licensing By-law be amended to require a licence for lodging houses. Annual inspections for fire safety and property standards requirements should be continued and be made part of the licence renewal process. Reinstating the lodging house licensing requirement would provide the City with a means of enforcement against owners that do not comply with the licence conditions or that choose to operate without a licence. In addition, the requirements of the Zoning By-law, the Building Code and the Fire Code would continue to apply. The licensing application process would also be used by the City as a mechanism for establishing priority for the 100 metre separation distance in the Zoning By-law, and all licence applications would require the signed concurrence of the registered owner. An administrative amendment to the Zoning By-law would be required to recognize the licensing process.

2. Accessory Apartment Process

Accessory apartments are regulated under the Zoning By-law and are required to be registered by the City under the Two-Unit Houses Registration By-law (By-law The number (1997) - 15392).Shared Rental Housing Regulation Review recommended changes to the accessory apartment regulations in the Zoning By-law to ensure they acted as subsidiary units and were more compatible with existing residential neighbourhoods. The Zoning By-law allows accessory apartments in single and semi-detached houses provided that adequate lot size is available to meet the need for additional parking and the size of the accessory unit and number of bedrooms are limited (a maximum of 80 square metres and two bedrooms).

The current registration process for accessory apartments has been working well. On average there are approximately 100 new units registered every year. A total of 1449 units have been registered since 1995. A survey of accessory apartment owners in 2005 revealed that 72 percent of houses with accessory apartments were occupied by the owner and that 10 percent of owners considered their accessory apartment to be temporary and planned on removing it within 2-10 years.

Accessory apartments are generally viewed by staff as a positive addition to the housing mix in the City. They provide affordable rental units and are encouraged by the Province as a way of providing residential intensification both in the Provincial Policy Statement and in the Growth Plan for the Greater Golden Horseshoe.

A concern with the current accessory apartment registration process is that there is currently no method to reinspect accessory units to ensure that they are being maintained to building and fire code requirements. Once a unit receives its registration, reinspection only happens at the request of an owner or if a complaint is made. Also, staff have no way of knowing how many accessory apartments are still in use or if they have been removed.

To improve administration and ensure the safety of occupants, staff recommend altering the registration process for accessory apartments by placing a time expiration on the registration to require reinspection for compliance with the fire and building codes. Staff recommend that these properties be reinspected at least every three years (both newly developed and already existing accessory units). This will better ensure that these units are safely maintained and staff will be able to better monitor the number that exist and their location.

3. Next Steps

If Council adopts these resolutions, staff will develop and bring forward a report with the proposed lodging house licensing details, and amendments to the Business Licensing By-law, the Two-Unit House Registration By-law, and the Zoning By-law to incorporate the proposed changes.

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well-functioning and sustainable city. Goal 2: A healthy and safe community where life can be lived to the fullest.

FINANCIAL IMPLICATIONS

Additional staff time will be required for follow up inspections and the increased administrative requirements given additional inspections that would be required with changes to the Two-Unit House Registration By-law. Any additional funding requirements will be brought forward as part of the operating budget process.

DEPARTMENTAL CONSULTATION

Staff from Planning, Building, Zoning, Clerks, Fire and Legal Services have been involved in the review of processes related to lodging houses and accessory apartments.

COMMUNICATIONS

None.

ATTACHMENTS

Schedule 1 – Resolution from March 30 and April 7, 2009 CDES Meeting

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SCHEDULE 1

Council Resolution

Making a Difference

Some Design and Development Services

APR 2 7 2009

April 24, 2009

.

Mr. J. Riddell Director of Community Design & Development Services

Dear Mr. Riddell:

At a meeting of the Community Development and Environmental Services Committee held on March 30 and April 7, 2009, the following resolution was adopted:

"THAT staff be directed to report back with a recommendation on a bylaw amendment process relating to the administrative procedures used for certification of Lodging Houses and Accessory Apartments."

Yours truly,

.

Tina Agnello Deputy City Clerk

TA:db

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CITY OF GUELPH COMMITTEE REPORT

COMMITTEE REPORT



ТО	Community Design and Environmental Services Committee
SERVICE AREA DATE	Community Design and Development Services July 20, 2009
SUBJECT	Wellington Street Dam and Parklands Agreement
REPORT NUMBER	09-67

RECOMMENDATION

"THAT the Community Development and Environmental Services Report 09-67, dated July 20, 2009, regarding the Wellington Street Dam and Parklands Agreement **be Received**; and

THAT staff investigate the physical condition of the Wellington Street Dam and the financial, environmental and liability implications of the possible control and maintenance of the dam structure and report back on the results before Council makes a decision regarding whether to accept responsibility for the lands and infrastructure;

THAT staff continue to work with the Grand River Conservation Authority to resolve the issues associated with the expired agreement;

THAT staff hold initial public consultation sessions to gauge the public interest in the long term operation and possible removal of the Wellington Street Dam;

THAT staff investigate the possibility of undertaking a Municipal Class Environmental Assessment (EA) under Schedule "B" to assess the long term operation including possible removal of the dam structure and the downstream weir structures;

AND THAT this project be considered for the 2010 Capital Budget."

BACKGROUND

The Wellington Street Dam, located west of Gow's (MacCrae) Bridge on the Speed River, was constructed in 1958. At the same time, the City entered into a fifty year agreement with the Grand Valley Conservation Authority (known today as the Grand River Conservation Authority (GRCA)) for the operation and maintenance of the dam. The Agreement expired May 22, 2008. The GRCA is interested in transferring the ownership and maintenance of the dam structure and the associated lands to the City of Guelph.

History of the Dam

In 1958 the Conservation Authority, at the request of the City of Guelph, acquired lands and constructed a dam, dike and gates to control flows along the Speed River. The dam is known today as the Wellington Street Dam. It is believed that, at the time, Provincial infrastructure/ economic stimulus grants were available to Conservation Authorities to assist with the construction of flood control structures and river improvements in cooperation with local municipalities.

On May 22, 1958 the Grand Valley Conservation Authority and the City of Guelph entered into an agreement which outlined the control and management of the dam structure and the associated lands. At the time it was agreed that the Conservation Authority would retain ownership of the dam and the associated lands for a period of fifty years. This agreement expired May 22, 2008. The agreement states that:

"at the expiration of the said fifty years, upon Guelph agreeing to accept full responsibility for the scheme and undertaking to operate it according to good conservation practices, the Authority will transfer and convey to Guelph all its rights, title and interest in the scheme including all lands owned by the Authority used in this scheme."

Transfer of Ownership

City staff have had discussions with the GRCA concerning these issues. A meeting was held on February 25, 2009 with City and GRCA staff to discuss the proposed ownership transfer and a follow up letter was received from the GRCA on May 11, 2009. The letter states:

"Given that these lands are used primarily for municipal park purposes, and in consideration that the water control infrastructure has a negligible role in mitigating flood hazards, the GRCA proposes that the City of Guelph take full responsibility for both the lands and the infrastructure. GRCA staff are prepared to seek approval to transfer ownership of these assets at the request of the City of Guelph".

Further discussions will be required to clarify the full environmental, financial and liability implications of taking ownership of the structure.

REPORT

The following outlines the issues that will need to be considered and a recommended process.

1. Economic Considerations

The City of Guelph is currently maintaining the parklands adjacent to the dam structure. The dam itself is fifty years old. Correspondence from the GRCA indicates that Conservation Authority engineers recently completed a maintenance inspection and determined that some work is required at this time including: painting of the dam gates and superstructure and there is a need to repair/replace the two training walls downstream of the dam. The GRCA is forecasting this work will be completed in 2013 based on their current maintenance protocol. A full understanding of the cost implications will need to be addressed through discussions with the Conservation Authority.

The owner of the canoe operation at the "Boathouse" contacted staff to voice his concerns regarding the potential removal of the dam structure. Based on his knowledge of the Speed and Eramosa Rivers, it is his belief that the removal of the dam structure would reduce water levels significantly making the canoe operation unviable which currently provides approximately ten "person months" of employment per year.

2. Environmental Considerations

Both the Official Plan and the River Systems Management Plan aim to improve and enhance the natural character of the river systems.

Section 6.9.5 of the City's Official Plan provides:

"The City promotes the future naturalization and environmental enhancement of the Speed and Eramosa river valleys. It is hoped these measures will improve the rivers' water quality, fish habitat, prevent bank and steep slope erosion as well as provide the filtration for storm water run-off."

Section 6.9.5 of the Official Plan further provides for the removal of structural barriers through the following provision:

6.9.5.3 ..."the City will continue to investigate the feasibility of removing/modifying structured barriers in the Speed and Eramosa Rivers and their tributaries in order to permit natural stream process and the formation of the natural stream morphology. This review will be conducted in consideration of the original intent for the provision of the river/stream structure".

In addition, Section 7.0 – Objective 3 of the River Systems Management Plan recommends that the dam structure be removed for improved water quality, habitat

diversity, fish habitat, fish passage, and recreational benefits.

The River Systems Management Committee has been advised of the expiration of the agreement and endorsed the following resolution:

"That the River Systems Advisory Committee recommends City staff continue to work with the GRCA to resolve the issues associated with the expired agreement.

AND THAT staff investigate the full range of options including the feasibility of removing the Wellington Street Dam and the downstream weir structures" (June 17, 2009).

Since the construction of the Guelph Lake Dam, the Wellington Street Dam serves only a limited flood control function. However, the Wellington Street Dam may provide a low flow augmentation function with respect to the City's Waste Water Treatment Facility. Therefore, the opportunity to remove the dam and/or its functions should be explored in detail.

Staff have had preliminary discussions with the Conservation Authority, Trout Unlimited, and the University of Guelph Landscape Architecture Department regarding the possibility of assessing various management options for the dam structure. If directed by Council, a multidisciplinary team/partnership will be formed to define a review process and the assessment of alternative options for the structure as part of the agreement negotiations.

Discussions with the Conservation Authority regarding cost sharing of the analysis of the various management options will be necessary.

3. Social and Historical Considerations

The environmental benefits associated with the potential removal of the dam structure are reasonably well understood but will need to be further documented; however, these benefits must be balanced with the historical and social importance of the structure. Section 3.5.1 of the Official Plan states that:

"The City will encourage the restoration, protection, maintenance and enhancement of cultural heritage resources which include, but are not limited to, archaeological resources, built heritage resources and cultural heritage landscape resources."

Although the dam and weir structures have not been identified as having historic significance through the City's heritage inventories, the various management options may impact the current views and character of Royal City Park. According to the **"Guelph Parks and Recreation 1830-1960"** written by Ross W. Irwin, the Royal City Park lands were purchased by the City in 1910 for recreation purposes.

The importance of this park and the existing views will be an important

consideration in the long term management of the dam. In addition, the Chair of the River Systems Advisory Committee received correspondence from Heritage Guelph outlining the heritage significance of the dam structure. Consultation with Heritage Guelph will be an integral part of the process to determine the future management alternatives.

4. Liability

The liability associated with ownership and management of the dam is also a consideration that will need to be explored, e.g., liability in the event of a structural failure, implications of flooding, public safety, etc. The Ministry of Natural Resources is currently developing new regulations for dam safety under the Lakes and Rivers Improvement Act (LRIA). The provisions of the new regulations will also need to be considered.

In order to assess the impacts and management opportunities staff recommend that the City investigate the possibility of initiating a Municipal Class EA process to evaluate all alternatives and potential impacts, including possible removal. The EA process would likely take 1 -2 years and would include a full public engagement process.

Staff Recommendations

Based on this discussion, staff recommend the following actions:

- that staff continue to investigate the physical condition of the Wellington Street Dam and the financial, environmental and liability implications of the possible control and maintenance of the dam structure and report back on the results before deciding to take responsibility for both the lands and the infrastructure;
- 2) that staff continue to work with the GRCA to resolve the issues associated with the expired agreement;
- that staff hold initial public consultation sessions to gage the public interest in the long term operation and possible removal of the Wellington Street Dam; and
- 4) that staff investigate the possibility of undertaking a Municipal Class Environmental Assessment (EA) under Schedule "B" to assess the long term operation and including possible removal of the dam structure and the downstream weir structures."

CORPORATE STRATEGIC PLAN

The acquisition and management of the Wellington Street Dam and the associated lands contributes to the City mission "to achieved excellence through leadership, innovation, partnerships and community engagement" through the following goals and objectives:

Natural Environment

- A leader in conservation and resource protection/enhancement
- 6.1 Coordinated management of parks, the natural environment and the watershed

Government and Community Involvement

A community-focused, responsive and accountable government

5.4 – Partnerships to achieve strategic goals and objectives

Arts, Culture and Heritage

A vibrant and valued arts, culture and heritage identity 4.4 Intact and well managed heritage resources

FINANCIAL IMPLICATIONS

At this time the full cost of acquiring and managing the dam structure and associated lands has not been determined. Historically, the City has maintained the park lands adjacent to the dam. Additional costs associated with the possible transfer of ownership may include:

- Cost of obtaining a structural assessment of the dam by a qualified engineer;
- Costs associated with the repairs identified by the GRCA and the long term maintenance and/or possible removal of the structure; and
- Implementation of the Class EA process including retention of a consultant to conduct the Environmental Assessment on behalf of the City.

Capital budget resources would need to be provided for this project in the 2010 budget year.

DEPARTMENTAL CONSULTATION

Operations, Realty Services, Engineering and Community Design and Development Services

COMMUNICATIONS

NA

ATTACHMENTS

Schedule 1 - Letter received May 11, 2008 from the GRCA requesting that transfer of ownership take place.

Schedule 2 - Map 1 - Wellington Street Dam Location Map

"original signed by Suzanne Young"

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Derek McCaughan Director of Operations 519-822-1260 ext.2018 derek.mccaughan@guelph.ca

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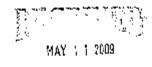
Schedule 1 – Letter Received from GRCA – May 11, 2009



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May 7, 2009

Jim Stokes Manager of Realty Services City of Quelph 59 Carden Street Gnelph, Ontario N i H 2A1



CHARLEEPERSONENT

Dear Mr. Stokes;

Re: Wellington Street Parklands and Dam

Forther to our recent discussions regarding the lands and water control infrastructure owned by the Grand River Conservation Authority (GRCA) abutting Wellinging Street in Goolph, I would like to confirm that the GRCA desires to continue discussions with the City of Guelph concerning the future of these assols.

The Corporation of the Ciry of Guelph and the Graud Valley Conservation Authority estered into a filly (50) year Agreement for multilenance and control of those Authority owned lands and water control infrastructure in 1958. This agreement expired in May of 2008; following the expiry of this agreement, GRCA has entitized to operate the water control infrastructure and the Ciry of Guelph has continued to maintain the adjacent lands. There included an aerial photograph showing the location and boundaries of the subject property.

Given that these lands are used primarily for municipal park purposes, and in consideration that the water control infrastmentice has a negligible role in mitigating flood hazards, the GRCA proposes that the City of Guelph take full responsibility for both the lands and the infrastructure. GRCA staff are prepared to seek approval to transfer ownership of these assets at the request of the City of Guelph.

The City of Guelph and the GRCA have a long history of cooperation regarding freese and other properties in Guelph. GRCA happen that you will give our proposal sincere consideration.

Yours cruly

Michael Bracley Manager of Property (519) 621-2765 ext, 2210

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Schedule 2- Wellington Street Dam Location Map

COMMITTEE REPORT



ТО	Community Development and Environmental Services Committee
SERVICE AREA DATE	Community Design and Development Services July 20, 2009
SUBJECT	FCM Green Municipal Fund Support for Guelph Innovation District Secondary Plan
REPORT NUMBER	09-65

RECOMMENDATION

THAT Report No. 09-65, dated July 20, 2009 from Community Design and Development Services, regarding FCM Green Municipal Fund Support for the Guelph Innovation District Secondary Plan **Be Received**; and

THAT Council direct staff to apply for a FCM Green Municipal Fund Grant for the development of the Guelph Innovation District Secondary Plan as a sustainable community plan that includes a sustainable community vision and sustainability targets; and

That the City of Guelph request \$155,000 from FCM Green Municipal Funds to help offset total project costs of \$340,000 which were previously approved by Guelph Council.

BACKGROUND

Purpose

The Guelph Innovation District (GID) Secondary Plan (a.k.a. York District Study) was initiated in early 2005 to determine an appropriate land use and servicing strategy for the area. The Guelph Innovation District consists of 426 ha. (1,052 acres) of land located south of York Road, east of Victoria Road, and includes lands south of Stone Road. The majority of the lands are owned by the Province with the City and private landowners each accounting for roughly a quarter of the land area. The City of Guelph Official Plan designates parts of the study area as "Open Space", "Industrial", "Service Commercial", "Neighbourhood Centre" with the majority within a "Special Study Area" designation. The Special Study Area recognizes that "a diversity of existing and potential land use activities and a holistic examination of land use, servicing, transportation and community needs is required".

Status of Work

The City ostensibly completed its Phase I Background Report and Phase II Land Use

Concepts Report by the end of 2006 through the consulting services of planningAlliance. In 2007, City work on the district was paused while the Province conducted its own research and stakeholder engagement process. In November 2007, the Province released the Authenticity Report which presented a mixed use business park, live/work development scenario for the lands. Work on Phase III, the development of a Secondary Plan for the area, is progressing.

Project Expansion and Integration

Since the initiation of this Study a number of significant initiatives have surfaced which greatly influence the strategic significance of the lands. The key initiatives and areas of integration include:

- Council endorsement of the vision, goals and directions of the Community Energy Plan in April 2007. The Community Energy Plan was developed by a consortium of stakeholders, including the City, as a long term look at how the community uses energy in Guelph, to identify future energy needs and to guide future efficient and sustainable energy use in the City;
- Council endorsement of a Local Growth Management Strategy in June 2008 with an implications analysis of the strategy approved in April 2009. The Local Growth Management Strategy proposes to meet an additional 54,000 people and 32,400 additional jobs by 2031 within the City's current boundaries. Lands within the Guelph Innovation District are expected to support 3,000 5,000 people and 8,000 10,000 jobs. The Local Growth Strategy is the City's response to the Provincial Growth Plan for the Greater Golden Horseshoe;
- Development of a Natural Heritage Strategy is underway. This work includes the identification of a natural heritage system which identifies key natural features for protection;
- Conservation of identified cultural heritage resources is underway. There are nine cultural heritage resources identified within the GID. A Conservation Plan is being developed by the Ontario Realty Corporation for one of the sites, the reformatory complex, which will identify the cultural heritage features of the site that warrant long term protection; and
- Development of an Economic Development Cluster Strategy for the area is underway that will create research, development and green jobs that draw upon Guelph's strengths in agricultural, environmental and life science areas.

Vision

The future vision for these lands has evolved since the onset of this work in 2005. At the current time the emerging vision for these lands embrace the following components:

- Higher density innovative employment area that focuses on green economy/green collar jobs;
- Eco-business Park;
- Urban Village (Complete Community);
- Opportunity to work, live, play and learn;
- Integrated energy master plan/zoning; and
- Excellence in urban design, energy planning (efficiencies, renewable sources, distribution systems), environmental/cultural stewardship and

compact/complete community development.

The holistic and integrated approach emerging clearly leads to the development of the Guelph Innovation District Secondary Plan as a sustainable community plan that includes a sustainable community vision and sustainability targets.

REPORT

The development of an appropriate land use policy framework for the Guelph Innovation District is of significant interest to community stakeholders and is a top priority of Council. The increased scope of work for Phase III combined with the sustainable/integrated direction of the Secondary Plan, makes it an excellent fit with FCM's Green Municipal Funding, which will help offset project costs.

Scope of Work and Timing

The Secondary Plan will include:

- Community Energy Plan Integration The Plan will provide a framework for implementation, including, but not limited to, opportunities for:
 - Energy Efficiency: site orientation, building standards, green roofs, grey water recapture;
 - Renewable Energy Sources: solar thermal, solar photovoltaic, wind energy, hydro generation, geothermal; and
 - Distributed Energy System(s): use of heat from proposed cogeneration (Combined Heat and Power, (CHP)) at Cargill and the Waste Innovation Centre and other locations, linkages with Guelph Hydro and energy from methane, district heating (e.g. existing boiler serves the reformatory lands at present), development of CHP systems and the preparedness of the development to connect to a city-wide district energy network.
- Development of an Innovative Economic Development Cluster for the area that will create research, development and green jobs that draw upon Guelph's strengths in agricultural, environmental and life science areas;
- Development of an Urban Village on the site which in conjunction with the employment land will function as a complete community in accordance with the Provincial Growth Plan for the Greater Golden Horseshoe;
- Provision for affordable housing;
- Conservation of Cultural Heritage Resources including their protection from development and reuse where appropriate;
- Protection of a Natural Heritage System; and
- Development of urban design guidelines including 3 D modelling.

A draft secondary plan is scheduled for completion in winter 2009 followed by a public open house. A final Secondary Plan will be developed followed by a statutory public meeting. Council approval of the Plan is anticipated in early 2010.

FCM Funding Request

There is a natural and undeniable fit between the development of a Secondary Plan for the Guelph Innovation District and the intent behind FCM's Green Municipal Fund for the development of Sustainable Community Plans. The City's expectations for the Secondary Plan fit closely with the criteria setout in the Green Municipal Fund application guidelines. GMF Criteria are attached as **Attachment 1**. In particular, the Plan is being developed by the City of Guelph (municipal government) and integrates the sustainability issues across various municipal departments including Environmental Services, Engineering, Economic Development and Tourism, and Policy Planning and Urban Design. The Plan will serve as a pilot and test the implementation of various City wide sustainable initiatives, within a defined neighbourhood (Guelph Innovation District), including the Community Energy Plan and Local Growth Management Strategy, which supports the complete community concept in the Provincial Growth Plan for the Greater Golden Horseshoe. The work will set a new foundation for development across the City and serve as a resource for other communities embarking on sustainable initiatives. The Plan will set out the policy framework for an Innovation District with a strong emphasis on learning, knowledge and the sharing of ideas.

The work plan ensures that Council, Community members and other stakeholders are kept informed and engaged in the process, findings, and completion of project milestones. The ultimate goal is the incorporate the sustainable Secondary Plan within the City's Official Plan.

Under FCM's Green Municipal Fund, municipalities may apply for 50% of eligible costs up to a maximum of \$350,000. Eligible costs include consultant fees and 10% of in-kind staff time. The budget for consulting fees for the Guelph Innovation District Secondary Plan is set at \$310,000, excluding GST. Total project costs are budgeted at \$340,000. It is recommended that the City apply for \$155,000 in funding to help offset costs.

CORPORATE STRATEGIC PLAN

The York District Study addresses all of the following strategic goals: An attractive well-functioning and sustainable City.

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

A diverse and prosperous local economy.

A vibrant and valued arts, culture and heritage identity.

A community-focused responsive and accountable government.

A leader in conservation and resource protection/enhancement.

FINANCIAL IMPLICATIONS

The completion of the Secondary Plan is budgeted at \$340,000. If successful, FCM Green Municipal Funds requested will offset \$155,000 in the budget.

DEPARTMENTAL CONSULTATION

A staff advisory group has been established to assist with this project including representation from Community Services, Economic Development and Tourism, Engineering, Environmental Services and Policy Planning and Urban Design. The advisory group has been instrumental in pulling together background information and developing the recommended land use scenario. In addition, staff are included in discussions of key related projects which include the Community Energy Plan (Environmental Services) and the Economic Development Cluster Strategy for the Guelph Innovation District (Economic Development and Tourism.

COMMUNICATIONS

A comprehensive public consultation process has been followed during Phases I and II of the project. The Province continues to be an active participant.

Public and stakeholder consultation will continue through the Phase III process and will provide further opportunities to comment throughout the Secondary Plan process. Information on this project continues to be updated on the City's website. An integrated web page is under development which will coordinate work related to the Guelph Innovation District including the Secondary Plan, Community Energy Plan and Economic Development Cluster Strategy.

ATTACHMENTS

Attachment 1

Green Municipal Fund Grants for Sustainable Community Plans – Application Guidelines

"original signed by Joan Jylanne"

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Attachment 1

Green Municipal Fund Grants for Sustainable **Community Plans**

Application Guidelines

Federation of Canadian Municipalities 24 Clarence Street Ottawa, Ontario K1N 5P3

www.sustainablecommunities.fcm.ca Telephone: 613-241-5221 Fax: 613-244-1515



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FCM | Centre for Sustainable Community Development

Green Municipal Fund, Grants for Sustainable Community Plans: Application Guidelines Version 10, 2 January 2008

The Application Guidelines and application forms for the Green Municipal Fund are available in English on the Federation of Canadian Municipalities' Centre for Sustainable Community Development website www.sustainablecommunities.fcm.ca>.

Les lignes directrices et les formulaire pour le Fonds municipal vert son disponible en français sur le site Web du Centre pour le développement des collectivités viables de la Fédération canadienne des municipalities www.collectivitesviables.fcm.ca.

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FCM Centre for Sustainable Community Development

Sustainable Community Plans

Introduction

1. About These Guidelines

Sustainable Community Plans

The guidelines explain how to apply for a Green Municipal Fund (GMF) grant to develop a <u>sustainable community plan</u>.

Note: Throughout these guidelines and other GMF documents the term "plans" refers to sustainable community plans. The term "municipalities" refers to municipal governments as defined by the GMF Funding Agreement with the Government of Canada (see the <u>Glossary</u> for more information).

2. About the Green Municipal Fund

GMF is a long-term source of financing for municipalities and their partners to develop communities that are more environmentally, socially, and economically sustainable.

The Government of Canada endowed the Federation of Canadian Municipalities (FCM) with \$550 million to establish GMF. The Fund

- provides low-interest loans and grants to municipalities that deliver leading examples of sustainable development; and
- builds capacity and shares the knowledge and experience gained by municipal leaders through GMFfunded studies and projects.

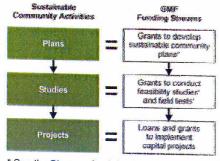
GMF is managed by FCM and operates at arm's length from the federal government. For more information, see the FCM Centre for Sustainable Community Development website at

www.sustainablecommunities.fcm.ca>.

3. What Is Eligible for a GMF Grant?

Application Guidelines

GMF has three funding streams that finance three types of sustainable community activities;



* See the Glossary for definitions of these terms.

Each funding stream is subject to specific prerequisites. For example, when submitting an application for a GMF grant, the applicant must include a municipal council resolution that commits the municipality to establishing a sustainable vision and targets.

The application forms and Application Guidelines for each funding stream are available on the FCM Centre for Sustainable Community Development website at

<www.sustainablecommunities.fcm.ca>.

Note: GMF invests in the plans, studies, and projects that provide the best examples of municipal leadership in sustainable development and from which other municipalities can learn and apply.



Application Guidelines

Sustainable Community Plans

4. Grants for Sustainable Community Plans

GMF grants can reimburse up to 50% of the total <u>eligible costs</u> of a plan, up to a maximum grant amount of \$350,000.

In the 2008–2009 fiscal year, FCM will approve between \$8 million to \$12 million in grants for plans, feasibility studies, and field tests.

4.1 Who Can Apply?

Only municipalities or wholly owned municipal corporations applying in <u>partnership</u> with a municipality can submit an application for a grant to develop a plan.

4.2 Application Process

Applicants can apply for a grant for a sustainable community plan throughout the year. The application process requires the completion of two forms:

- Part A Intent to Apply; and
- Part B Detailed Application.

If the Intent to Apply form is accepted, applicants will be invited to complete and submit the Detailed Application.

Application Requirements

5. Criteria

5.1 Eligibility Criteria

FCM will review the Part A – Intent to Apply form to ensure the <u>Lead Applicant</u> and the proposed plan are eligible for GMF funding. The application must meet the eligibility criteria described in Table 1.

	Criteria		
Lead Applicant	 The applicant must be a <u>municipal government</u>; or corporation wholly owned by a municipality applying in partnership with a municipal government. 		
Commitment to Establish Vision and Targets	The <u>Lead Municipality</u> must provide a municipal council resolution demonstrating its commitment to establishing a sustainable community vision and <u>sustainability targets</u> in the plan.		
Scope of Plan	The plan must integrate sustainability issues across municipal departments and service areas for an entire municipality and its community (community-wide level) or for an entire neighbourhood.		
Commitment to Complete Key Milestones	The Lead Applicant must commit to completing the <u>key milestones</u> and <u>activities</u> required by FCM (see <u>Section 6.3</u> for more information).		

Table 1: Eligibility Criteria for a Sustainable Community Plan

FCM Centre for Sustainable Community Development

Application Guidelines

	Criteria	
Commitment to Report	The Lead Applicant must commit to provide progress and completion reports on the results of the plan and the "lessons learned," and to provide a summary of eligible expenses incurred, with copies of supporting invoices.	
Adoption of the Plan	The Lead Municipality must commit to approving the sustainable community plan, its vision, and its targets once the plan is completed. Proof of council approval is a condition of the final grant disbursement.	
Eligible Costs	The costs proposed for the plan must meet the criteria for GMF eligib costs (see Section 7, "Eligible Costs").	
Financial Commitment	The Lead Municipality must make a minimum 10% cash contribution toward the eligible costs of the plan.	
Provincial/Territorial Consultation	The Lead Applicant (with the exception of Quebec) must provide a copy of its letter of consultation sent to its provincial or territorial government's municipal affairs representative. For a sample letter of consultation, see the FCM Centre for Sustainable Community Development website at < <u>www.sustainablecommunities.fcm.ca</u> >.	

5.2 Rated Criteria

The Part B – Detailed Application is assessed by an independent <u>Peer Review Committee</u> against the rated criteria listed in Table 2. Applications must obtain a score of 70 to be recommended for funding.

		Maximum Score
Sustainability Approa	ich	ocore
Linkages to Existing Plans	How the plan will fit and work with existing plans and policies within the community	10
Systems Approach	Appropriate explanation of how inputs and outputs and upstream and downstream impacts will be examined and addressed; and how the plan will be cross-departmental in purpose, scope, and implementation	
Sustainability Considerations How the municipality will establish short-, medium-, and long-term sustainability targets; and how the municipality will work towards and measure the targets		
Innovation and Know	edge Sharing	
Innovation	The plan or its approach will contribute to the demonstration or adoption of innovative practices for a region or community of a different size	5
Replication Potential Upon completion of the plan, findings and lessons learned have potential to be relevant to and applied in a wide range of municipalities across Canada		10
Knowledge Need		
Knowledge-sharing The plan has the potential to result in materials or products that Potential will assist other communities		10

Table 2: Rated	Criteria	for a	Sustainable	Community Plan

的影

Management and Work Plan		
Management Capacity	Capacity and experience of management and consulting teams to undertake development of the plan	
Work Plan	Work plan provides adequate explanation of key milestones and activities; allocates resources appropriately to accomplish required tasks	10
Budget and Cost- effectiveness	Budget is appropriate and cost-effective in relation to work plan	10
TOTAL	Second to Man the second second second second	100

6. Other Requirements

6.1 GMF Sectors

Application Guidelines

The final plan must be integrated across departments and all municipal service areas, including all GMF sectors for which the municipality is responsible:

- Brownfields
- Waste
- Energy
- Water
- Transportation

6.2 Environmental Targets

Municipalities are required to develop short-, medium- and long-term environmental targets in their plan. Targets for the municipality's corporate operations should be more stringent than those for the community level since sustainable municipalities are expected to demonstrate leadership to their community. For examples of the plans and targets of other municipalities, see the FCM Centre for Sustainable Community Development website at www.sustainablecommunities.fcm.ca>.

6.3 Key Milestones

Applicants must complete a work plan in the Part B – Detailed Application. The work plan identifies key milestones that must be completed upon approval of the grant application, as applicable.

Milestone		
Vision	Establish a sustainability vision shared by the municipality, the community, and stakeholders.	
Current Situation	Using existing information and knowledge, analyze the current situation and identify areas of strength and issues of concern.	
Action Plan	Develop sustainability goals to achieve the established vision, and targets to achieve the sustainability goals.	

Table 3: Key Milestones for Sustainable Community Plan



Application Guidelines

Milestone		
Implementation and Monitoring	Develop a detailed implementation plan that includes performance and evaluation criteria. The plan should identify funding requirements, phasing, scheduling, as well as the allocation of human and financial resources for implementing the plan. It should also include a monitoring plan that includes indicators to assess progress in meeting the sustainability goals and targets and enable adjustments to be made as necessary.	
Reporting	Report on the planning tasks undertaken, the results obtained, the final plan developed, and any recommendations for further study or for the implementation of identified alternatives and strategies, or both.	
Consultation	Throughout the process, consult members of the public and stakeholders to seek participation, input, and buy-in.	
Approval Obtain municipal council approval for the sustainable community plan.		

Criteria for Eligible Costs

7. **Eligible Costs**

GMF grants can reimburse up to 50% of the total eligible costs (i.e., eligible cash and inkind costs) of an approved plan, up to a maximum grant amount of \$350,000.

7.1 **Eligible Cash Costs**

Eligible cash costs include all necessary direct costs incurred properly and reasonably by the Lead Applicant and invoiced against a contract for services that were necessary for the completion of the plan. Such costs may include

- any costs associated with hiring • professional and technical consultants or contractors who are directly involved in the technical, engineering, environmental, or financial aspects of the proposed plan;* and
- costs to consult and educate the community about the proposed plan, including surveys, website development, and other communication tools directly related to the plan.

*Hired consultants must not be employees of the Lead Applicant or Contributing Partners.

Note: The Lead Applicant is responsible for paying the consultants working on the plan, and submitting copies of invoices to FCM for partial reimbursement.

7.2 **Eligible In-kind Costs**

The Lead Applicant may include a portion of its staff time directly related to the proposed plan for partial reimbursement as eligible inkind costs.

Such in-kind staff time must be reasonable, necessary for the completion of the plan, and documented (i.e., level and title of worker, rate of pay, number of hours worked, and description of tasks completed).

Note: Eligible in-kind costs can only be provided by the Lead Applicant and cannot exceed 10% of the total eligible costs.



Application Guidelines

7.3 Ineligible Costs

The following costs are not eligible for reimbursement:

- Office supplies, software, equipment, and furniture;
- Leasing or purchasing real estate, including renting office space;
- Any overhead costs (e.g., operating costs such as heating, electricity);
- Any cost or portion of any cost for which the Lead Applicant is eligible for a rebate, including the Provincial Sales Tax, federal Goods and Services Tax, and Harmonized Sales Tax;
- Any staff-related expenses, including salaries for full- and part-time employees and contractual employees on the Lead Applicant or Contributing Partners' payroll (except for staff time considered as eligible in-kind services);
- Attending conferences and participating in missions, including travel costs associated with such participation or attendance; and

 Education, training, outreach, or promotion not directly related to the proposed plan.

Sustainable Community Plans

7.4 Activities Excluded from Funding

GMF does not provide grants for

- sector plans such as transportation, watershed management, or waste management plans;
- baseline data collection (e.g., current energy consumption levels);
- inventory preparation, such as for greenhouse gases and brownfields; and
- computer software and related training.

Note: If a consultant has prepared a GMF application for your municipality, ensure that the consultant has not submitted the same proposal for another municipality. The application must be tailored to the Lead Municipality.

Review, Approval, and Disbursement

8. Application Review Process

Applicants can anticipate that, from the time the Part A – Intent to Apply is submitted until the FCM National Board of Directors makes its final decision, the average length of time an application takes to be approved is six to nine months.

GMF staff are available throughout the application process to assist applicants with suggestions to improve the application.

By providing GMF staff with requested additional information in a timely manner, applicants can help ensure the process is not slowed down unnecessarily.

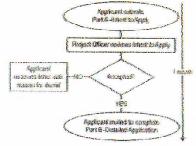
Note: If, at any time during the application review process, the applicant has not submitted all requested information or clarifications within 20 working days of an information request, GMF may notify the applicant that the file has been closed.

FCM Cont

Centre for Sustainable Community Development

CITY OF GUELPH COMMITTEE REPORT

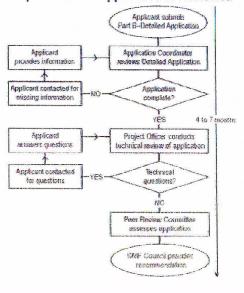
Step 1: Intent to Apply Is Reviewed



A GMF Project Officer reviews the Intent to Apply form to determine whether the proposed plan meets the eligibility criteria. The Project Officer will ask applicants for more information or for clarification, if necessary.

If accepted, applicants are invited to complete the Part B - Detailed Application.

Applicants are given two months to complete and submit the Detailed Application.



Step 2: Detailed Application Is Reviewed

Applicants whose Intent to Apply form is denied receive a written explanation of the reasons for the denial.

Application Guidelines

Exception—Municipalities in Quebec:

Municipalities from Quebec must submit the Intent to Apply form to the Ministère des Affaires municipales et des Régions (MAMR). MAMR reviews the project description provided in the Intent to Apply form to evaluate the proposal based on the province's energy and environmental policies.

Within 15 working days of receiving the Intent to Apply form, MAMR forwards accepted proposals and a ministry letter of support to FCM. FCM then processes the Intent to Apply form in the same way as it processes the form with other applicants.

Applicants whose application is denied by MAMR receive a written explanation of the reasons for the denial from MAMR.

Application Guidelines

A GMF Application Coordinator reviews the Detailed Application to ensure it is complete and includes all necessary attachments. If necessary, the Application Coordinator contacts the applicant to request additional information.

Exception- Municipalities in Quebec:

Municipalities from Quebec must submit the Detailed Application to MAMR in the same way as the Intent to Apply form. MAMR reviews the Detailed Application and forwards applications that meet the province's energy and environmental policies to FCM for evaluation. Such applications are then processed as other Detailed Applications sent directly to FCM.

Technical Review

The Project Officer reviews the technical aspects of the information provided in the application. Applicants may be contacted to discuss ways of improving or strengthening the plan and application.

Peer Review Committee Assessment

The application is reviewed and assessed by independent peer reviewers with appropriate subject-matter expertise.

Each peer reviewer conducts an individual assessment of the application and assigns a score to each of the <u>rated criteria</u>. Once the peer reviewers complete their individual assessment, they discuss their scores and develop a final consensus score for the application.

GMF Council Review and Recommendation

The Project Officer prepares a summary of the application, final consensus scores, and overall peer reviewers' comments, and submits the summary to the <u>GMF Council</u> for review at its next quarterly meeting.

The GMF Council reviews the summary, taking into account the number of approved applications that are within urban and rural communities and among regions within

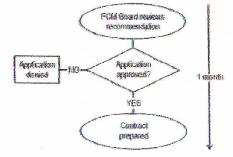
FCM Centre for Sustainable Community Development Canada, as required by the agreement between FCM and the Government of Canada.

Based on its review of the summary, the Council provides the FCM National Board of Directors with a recommendation to approve or decline the application.

Sustainable Community Plans

9. Application Approval Process

Step 3: Application Is Approved



FCM National Board Reviews Recommendation

The FCM National Board of Directors is responsible for ensuring that GMF follows due process in making funding recommendations. The Board reviews the recommendations made by the GMF Council and makes the final decision on the application.

Applicant Informed of Decision

Applicants receive written notification of the FCM National Board of Directors' decision once it has been made. If the application is denied, the written notification includes an explanation.

10. Contracting and Disbursement

Contract Is Prepared

If approved, the Lead Applicant is sent a draft contract. The contract lists the conditions of funding, including the reporting requirements. The terms of the contract come into effect after the Lead Applicant has signed the final contract and returned it to FCM.

Grant Is Disbursed

Grant funding is disbursed through two to three payments in accordance with the

terms, conditions, and schedule outlined in the final contract. FCM reimburses the Lead Applicant for a portion of the eligible expenses (up to 50%) incurred to conduct the plan.

Application Guide

To obtain a disbursement, the Lead Applicant must submit a disbursement request along with

- copies of invoices paid by the Lead Applicant for eligible expenses; and
- a progress or completion report (see Section 11.3, <u>"Reporting</u> Requirements").

Accountability Requirements

11. Accountability

Applicants should be aware of the accountability requirements specified in the grant agreement before completing the Part A – Intent to Apply form.

11.1 Other Sources of Funding

Applicants must obtain a letter of commitment from each Contributing Partner specifying its cash or in-kind commitment, or both, if applicable. For a sample letter, see the FCM Centre for Sustainable Community Development website at <u>www.sustainablecommunities.fcm.ca</u>>.

The Lead Applicant should also take advantage of any government-funding programs for which the plan is eligible.

11.2 Recognition Requirements

Once the grant agreement is signed, all approved applicants are required to acknowledge FCM's support in public announcements and media releases about the plan, at relevant special events, and on their websites. GMF communications staff will work with approved applicants to coordinate and implement a suitable funding announcement.

FCM will also inform the public about approved GMF grants by publishing a short summary of the plan with the Lead Applicant's contact information, a copy of the plan's final report, and a case study profiling the initiative, its outcomes, and lessons generated.

11.3 Reporting Requirements

GMF invests in plans that provide the best examples of municipal leadership in sustainable development and from which other municipalities can learn and apply. Therefore, all approved applicants must report on the plan for which they receive funding. A report must be submitted with each disbursement request (see <u>Grant Is</u> <u>Disbursed</u> in Section 10, "Contracting and Disbursement" for the process). Three types of reports are required to receive disbursements:



Application Guidelines

- **Progress report**: a short update on the progress of the plan in relation to the key milestones. The progress report includes an initial account of preliminary results and lessons learned. The applicant sends a progress report with each request for disbursement.
- Completion report: a more comprehensive overview of the community context, the purpose, approach, and cost of the plan, the results and next steps, and lessons learned. The applicant sends the completion report with the final disbursement request.
- Plan: the sustainable community plan. The applicant sends a copy of the plan with the completion report.

The grant agreement will specify the due date, format, and information requirements of progress and completion reports.

The applicant must submit a complete report accompanied by paid invoices for eligible expenses with each disbursement request.

Note: GMF staff review all reports and may request further information if they have questions or concerns.

11.4 Duty to Inform

Applicants that are approved for GMF grants must inform their FCM contacts (i.e., Application Coordinator or Project Officer) of any deviation from the plan as described in the application.

Glossary

Contributing Partner—A municipal government or non-governmental or private-sector organization that contributes financially to the plan activities.

Consultant—Any organization or individual that receives payment for professional services related to the plan.

Economic benefit—The positive impacts that a municipal environmental project will have on the Lead Municipality through increased revenue, decreased operating costs, and increased employment.

Eligible costs—Plan-related cash and inkind costs that meet the GMF eligibility criteria. Once an application is approved, the funding provided by GMF reimburses a percentage of these eligible costs. See Section 7, "<u>Eligible Costs</u>," for more information.

Eligible cash costs—Any costs associated with hiring professional and technical consultants directly involved in the proposed plan; and costs to consult and educate the community about the proposed plan. See Section 7, "Eligible Costs," for more information.

Eligible in-kind costs—A portion of the Lead Applicant's staff time directly related to the proposed plan. Such in-kind costs must be reasonable, necessary for the completion of the plan, and documented. See Section 7, "Eligible Costs," for more information.

Feasibility study—An assessment of the technical and financial feasibility, as well as the environmental, social, and economic impacts of a potential municipal environmental project. A feasibility study typically includes an assessment of the requirements and outcomes of a specific project using verifiable evaluation processes, leading to a recommended course of action.

FCM Centre loi Sustainable Community Development



Field test-An evaluation of the small-scale installation of a potential municipal environmental project under the conditions in which it will operate. A field test evaluates the technical and financial feasibility, as well as the environmental, social, and economic impacts of a new system or technology, using verifiable evaluation processes, to determine the implications of full-scale implementation. The field test is not a demonstration project and it must be reversible.

Full-cost accounting—Takes a similar approach to a life cycle analysis, but the results are expressed in financial terms.

GMF Council—Comprised of 15 members, five of whom are elected municipal officials appointed by the FCM National Board of Directors, five from the Government of Canada (Environment Canada, Natural Resources Canada, and Transport Canada) and five from non-governmental organizations and the private sector. The GMF Council provides a recommendation to the FCM National Board of Directors to approve or decline a funding application.

GMF sectors-Brownfields, energy, transportation, waste, and water. A sustainable community plan must address all municipal service areas, including all GMF sectors for which the municipality has responsibility.

Ineligible costs-Plan costs that do not meet the GMF eligibility criteria. See Section 7, "Eligible Costs," for a list of ineliaible costs.

Innovation-The demonstration or adoption of knowledge, practices, or technology in different community or region types and sizes, where the knowledge, practice, or technology has not previously been applied.

Lead Applicant-The organization or agency that will manage the plan and incur all expenses, sign the funding contract, and request and receive disbursements. For a sustainable community plan application, the Lead Applicant must be a municipality.

Lead Municipality-The municipality that will take responsibility for making a minimum 10% cash contribution to the plan.

Life cycle analysis-Considers the environmental impacts of the municipal environmental project in combination with upstream and downstream activities (the inputs and processes necessary to operate. and the outputs that result from operating the municipal environmental project). For example, if a process requires the input of material or energy, a life cycle approach would quantify the environmental impacts of creating those materials and consuming energy. Additionally, a life cycle approach would quantify the products or waste generated as outputs from the project.

Municipal government (municipality)-Defined in the GMF Funding Agreement with the Government of Canada as a region, county, city, town, village, township, rural municipality, improvement district, or any other regulatory authority that exercises power in relation to municipal affairs in unorganized areas or territories in Canada that have not been surveyed. Throughout these guidelines and other GMF documents, the term "municipalities" refers to municipal *aovernments*

Municipal environmental project-A capital project or a change in processes or procedures that will improve the environmental performance of brownfields, energy, transportation, waste, water, or sustainable planning, or some combination of these activities.

Partnership-In a partnership, the Lead Applicant and its public- or private-sector partner, or partners, must take some level of risk or contribute to the financial viability of the proposed plan and expect, under reasonable circumstances, an appropriate return or benefit for the risks assumed.



Application Guidelines

Peer Review Committee—The technical advisory group responsible for assessing applications against the rated criteria. It is comprised of independent members with technical or financial expertise, or both, in specific environmental fields.

Reporting—Approved applicants are required to submit one or two progress reports and a completion report as part of their disbursement requests. The reports must provide an overview of the progress and results of the work in relation to the plan milestones.

Social benefit-All benefits to the community as a whole, for example, protection of human health, economic development of the overall community, and improvements to community quality of life.

Sustainability goal-A goal that aims toward developing and managing municipal activities in a manner that, in so far as possible, protects the environment, reduces the municipality's ecological footprint and improves social and economic conditions to support the transition to sustainable development.

Sustainability target-A quantified target for improving the environmental, social, and economic performance of municipal activities over current or baseline conditions.

Sustainable community plan-A plan developed through public consultation that identifies a vision and includes environmental, social, and economic goals and targets for the community. The plan also describes the short-, medium-, and long-term strategies for reaching its goals and targets, and integrates all areas of municipal concern, such as energy use, neighbourhood and transportation planning, and waste and water management.

Systems approach-Describes the way in which the municipal environmental project will interact with related systems based on a

life cycle analysis of the project. Such an approach considers the extent to which the eventual municipal environmental project deals with the root causes of the environmental issues under review, as opposed to "end-of-pipe" solutions that only deal with symptomatic issues.

Work plan-A required element of the Part B - Detailed Application comprised of five categories: milestones, activities, timelines, responsibilities, and reporting methods.

Work plan activities-The main steps needed to achieve the work plan milestones. Examples of activities include consultation, analyzing current information, and establishing targets. Activities must be tied to a specific milestone, and each milestone should have at least one activity associated with it. Like milestones, activities should link to the overall goals of the plan.

Work plan milestones—Concrete, measurable deliverables or outcomes that the Lead Applicant and consulting team is expected to achieve either at specific times during the plan, or by the time the work is complete. The milestones and the activities serve as benchmarks to measure progress.

Work plan timeline-Defines the schedule for carrying out activities or milestones, or both, specifying when the activities are to be carried out, and how long each will take to complete.

FCM Centre for Sustainable Community Development



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

July 20, 2009

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

Your Emergency Services, Community Services & Operations Committee beg leave to present their SIXTH CONSENT REPORT as recommended at its meeting of July 22, 2009.

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 Emergency Services, Community Services & Operations Committee will be approved in one resolution.

THAT College Avenue West between Hanlon Road and Stone Road West be remarked to a three lane cross-section with a centre two-way left turn lane, one travel and bike lane in each direction.

THAT, an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from live amplified music in association with the Guelph Jazz Festival between the hours of 11:00 p.m. to 1:00 a.m. annually, be approved.

THAT an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from the various activities associated with the Masai Fundraiser at 31 Kendrick Avenue, including the amplification of music between the hours of 7:00 p.m. to 10:00 p.m. on August 29, 2009, be approved;

AND THAT the applicant notifies the surrounding neighbourhood of the activities associated with the Masai Fundraiser before the event occurs.

THAT an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from the various activities associated with the New Student Orientation Weekend including the amplification of music and speech and crowd noise between the hours of 11:00 p.m. to 12:00 a.m. annually, be approved.

Page No. 2 June 22, 2009 <u>Emergency Services, Community Services & Operations Committee Report Consent</u>

THAT the Mayor and Clerk be authorized to execute a service agreement between the City of Guelph and the Children's Foundation of Guelph and Wellington that supports the granting of fee assistance to children and youth for participation in educational, cultural and recreation enrichment activities.

THAT Guelph Transit statutory holiday schedule service be discontinued, beginning in August 2009 and for the remainder of the year including New Year's Day 2010.

THAT while the City of Guelph encourages citizens to cheer on Olympic Torch Relay Runners as they pass through Guelph for one minute on December 28, 2009, no special civic funded event is planned in conjunction with the Torch Relay.

THAT consideration be given on behalf of the Nightlife Task Force to partial funding approval of the Pissoir pilot program on a trial basis for September – October 2009.

All of which is respectfully submitted.

Councillor June Hofland, Chair Emergency Services, Community Services & Operations Committee

PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE AGENDA FOR THE JULY 20, 2009 MEETING.

COMMITTEE REPORT



TO Emergency Services, Community Services and Operations Committee

SERVICE AREAOperationsDATEMonday, July 20, 2009

SUBJECT College Avenue W. Pavement Markings

RECOMMENDATION

THAT College Avenue West between Hanlon Road and Stone Road West be remarked to a three lane cross-section with a centre two-way left turn lane, one travel and bike lane in each direction.

BACKGROUND

As part of Engineering Services' annual asphalt contract for 2009, College Avenue west of the Hanlon Expressway is scheduled for resurfacing. Traffic Investigations staff received a request from a resident to remark this section of College Avenue with a centre two-way left turn lane, one travel lane in each direction and bike lanes (see Appendix A – Proposed Pavement Markings).

REPORT

Existing Conditions:

College Avenue W. between the Hanlon Expressway and Stone Road W. (see Appendix B – College Avenue W. Area Map) is classified and marked as a four-lane collector. It has a speed limit of 50 km/h and is used as a transit route.

Land use along this section of College Avenue W. is primarily low-density residential with one neighbourhood commercial plaza at Dovercliffe Road.

Traffic volumes and operating speeds are shown in the chart below:

	Volume (vehicles/day)	Speed (km/h)
Westbound	1,075	68
Eastbound	1,130	58
Combined	2,205	63

On-street parking is not permitted at any time on College Avenue.

<u>Analysis:</u>

Based on the existing traffic volumes, College Avenue W. west of the Hanlon Expressway does not require two travel lanes in each direction. (For comparison, Imperial Road S. carries over 7,500 vehicles per day and the roadway has been remarked with a similar three-lane cross-section.)

The following are some advantages of marking College Avenue W as a three-lane cross-section:

- Left turns to side streets and driveways can be made from a separate turn lane rather than a travel lane. This decreases the likelihood of rear-end collisions.
- Vehicle speeds may be slower, as there is not an opportunity for motorists to legally pass.
- Cyclists are provided a dedicated lane.

Resident Survey:

Traffic Investigations staff surveyed all affected property owners (188) on College Avenue W. 85% (33 out of 39) of the responses received from these residents were in favour of the proposed roadway change.

Recommendation:

With the support of the majority of residents who responded, staff recommend that College Avenue W. between Hanlon Road and Stone Road W. be marked with a three-lane cross-section as shown in Appendix A – Proposed Pavement Markings.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

New pavement markings will be funded through the Annual Asphalt Program (RD0112) and new signs will be funded through Operating budget New Sign Installation Account 720-3141.

DEPARTMENTAL CONSULTATION

- Guelph Police Service (Traffic Division) supports this proposed change as it should reduce speeding and reduce the potential for rear-end collisions in particular.
- Engineering Services (TDM Coordinator) supports this proposed changed as it

will provide additional connectivity to trails in the College Avenue W. and Stone Road W. area.

• Community Services (Transit) has no issues with this recommendation.

COMMUNICATIONS

Affected residents have been notified of this matter being brought to Committee.

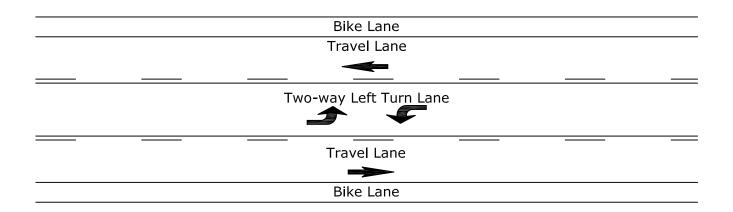
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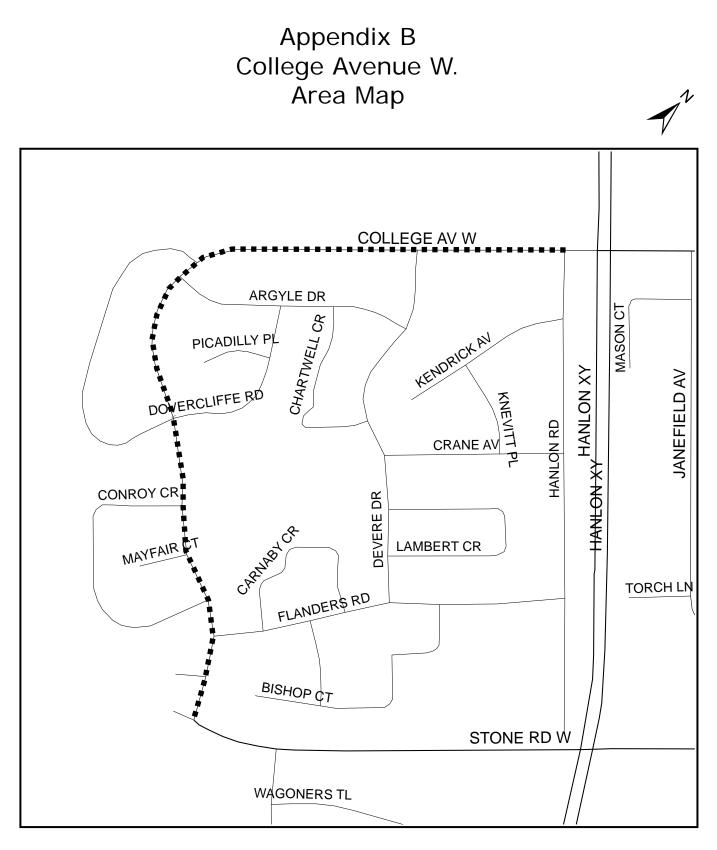
Appendix A – Proposed Pavement Markings Appendix B – College Avenue W. Area Map

Prepared By: John Gaddye, C.E.T. Traffic Technologist II 519-822-1260 x2040 john.gaddye@guelph.ca **Recommended By:** Doug Godfrey Acting Manager, Traffic & Parking 519-822-1260 x2520 doug.godfrey@guelph.ca

Recommended By: Derek McCaughan Director, Operations 519-822-1260 x2018 derek.mccaughan@guelph.ca

Appendix A Proposed Pavement Markings





Legend:

Existing 4-lane cross-section

COMMITTEE REPORT



TO Emergency Services, Community Services and Operations Committee

- SERVICE AREAOperations DepartmentDATEMonday June 22, 2009
- **SUBJECT** Noise Control By-law Exemption Request for the Guelph Jazz Festival

RECOMMENDATION

"THAT, an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from live amplified music in association with the Guelph Jazz Festival between the hours of 11:00 p.m. to 1:00 a.m. annually, BE APPROVED."

BACKGROUND

The Guelph Jazz Festival is celebrating the 16th anniversary of the festival. Traditionally, the Festival has operated a jazz tent in the downtown core on the Saturday of the Festival weekend. Initially set up on Carden Street between Wyndham and Wilson Streets, for the past three years the tent has been situated on Upper Wyndham Street North due to the construction on Carden Street. This event has been hugely popular and successful.

The Guelph Jazz Festival offers a celebration of musical innovation and excellence and this year will again present world-class artists (the majority of whom are Canadian) in a variety of settings including the jazz tent. The tent, which is free to the general public, offers music, beverages, food and children's activities to many patrons throughout the day. In previous years, an estimated 6,000 people have attended the whole of the festival, contributing to the City in a number of ways. A significant number of out of town visitors come to the festival, contributing positively to the local economy.

REPORT

The Guelph Jazz Festival is proposing to close an area on Upper Wyndham Street North (see Schedule A- Location Map) in order for a jazz tent to be erected. The Festival has applied to the City for street closure privileges on Saturday September 12th until Sunday September 13th, 2009.

The exemption to the Noise Control By-law (2000)-16366 is for two additional hours from 11:00 p.m. to 1:00 a.m., generally for crowd noise and amplified music.

Since downtown Guelph is located in an "other" area as defined in Schedule B of Noise Control By-law (2000)-16366, as amended, the noise associated with amplified music or speech and crowd noise is prohibited from 11:00 p.m. to 7:00

a.m. Monday to Friday and from 11:00 p.m. to 9:00 a.m. on Saturday and

The Downtown Guelph Business Association supports the festival and the noise exemption.

Public notice of this noise exemption request has been advertised in the Guelph Tribune on July 10, 2009 (see Schedule "B"). The Jazz Festival has also prepared a mailing to local residents in the vicinity of the jazz tent (see Schedule "C").

The applicant has been advised of our recommendation and of the date, time and location of this meeting.

This year that staff are recommending an on-going noise exemption for this event.

CORPORATE STRATEGIC PLAN

A vibrant and valued arts, culture and heritage identity

DEPARTMENTAL CONSULTATION

COMMUNICATIONS

The Downtown Guelph Business Association The Guelph Jazz Festival will also be notifying affected business in the area by letter

ATTACHMENTS

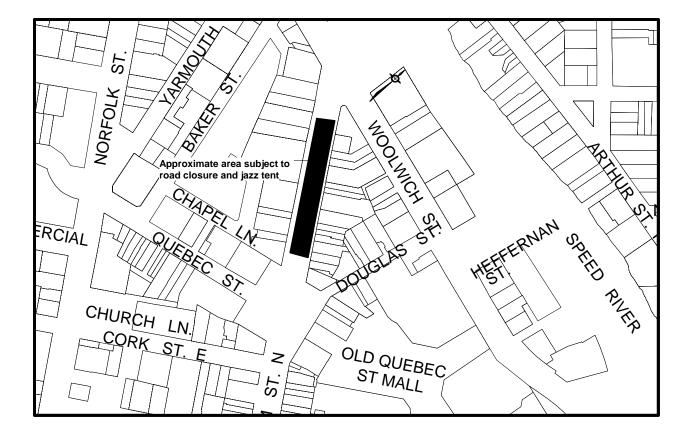
Schedule "A"- Location Map Schedule "B"- Public Notice

Prepared and Recommended: Doug Godfrey, Acting Manager Traffic & Parking, Operations Department (519) 822-1260 ext 2520 Doug.Godfrey@guelph.ca

DuetMayha

Recommended By:

Derek J. McCaughan Director, Operations Department (519) 822-1260 ext 2018 Derek.McCaughan@guelph.ca SCHEDULE "A" LOCATION MAP



SCHEDULE "B"

PUBLIC NOTICE

PUBLIC NOTICE

Noise Control By-law Exemption

Notice is hereby given that an application is being made to Guelph City Council for an exemption to the City of Guelph Noise Control By-law (2000)-16366, as amended which prohibits amplified sound and crowd noise between the hours of 11:00 p.m. to 9:00 a.m. The applicant, the Guelph Jazz Festival is requesting an exemption as follows:

"an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from live amplified music in association with the Guelph Jazz Festival between the hours of 11:00 p.m. to 1:00 a.m. annually."

The Guelph Jazz Festival will be operating a jazz tent on Wyndham Street North within the downtown core and has requested a Noise By-law Exemption to extend the hours of operation until 1:00 a.m. The tent is located in an area defined as "other" in the Noise Control By-law and as such, amplified music is normally restricted from 11:00 p.m. until 9:00 a.m.

The application will be presented to the City of Guelph's Emergency Services, Community Services and Operations Committee in a public meeting on July 20, 2009 at 5:00 p.m. in Committee Room 212, City Hall, 1 Carden Street, Guelph, ON.

If you wish to speak to the Committee about this matter, please contact Dolores Black, Assistant Council Committee Coordinator at 519-822-1260 x2269 no later than July 18, 2009. If you are unable to attend this Committee meeting and wish to make comment, send or email your written comments to Dolores Black, 1 Carden Street, N1H 3A1, Dolores.Black@Guelph.ca no later than July 18, 2009.

COMMITTEE REPORT



TO Emergency Services, Community Services and Operations Committee

SERVICE AREAOperations DepartmentDATEJuly 20, 2009

SUBJECT Noise Control By-law Exemption Request for 31 Kendrick Avenue, Guelph, fundraiser for The Masai Centre

RECOMMENDATION

"THAT an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from the various activities associated with the Masai Fundraiser at 31 Kendrick Avenue, including the amplification of music between the hours of 7:00 p.m. to 10:00 p.m. on August 29, 2009, be approved.

AND THAT the applicant notifies the surrounding neighbourhood of the activities associated with the Masai Fundraiser before the event occurs."

BACKGROUND

The City of Guelph has received a Noise Control By-law exemption request for the property at 31 Kendrick Avenue (see Schedule "A" - Location Map). An event is to be held to raise funds for the Masai Centre. The Masai Centre is raising funds for the Guelph and Region - Masai for Africa Campaign. The funds will be used to sponsor the Tsepong HIV Clinic in the African country of Lesotho.

31 Kendrick Avenue is located within a residential area and is zoned R.1B residential. The surrounding neighbourhood consists of residential dwellings. The fundraising event is to be held from 6:00 p.m. to 11:00 p.m. The Steve Strongman Band is to provide amplified music from 7:00 p.m. to 10:00 p.m. The event is to take place on Saturday August 29, 2009. This is the fourth time this event has taken place at this location, last year the organizers worked with the neighbourhood to lessen the impact of the noise.

REPORT

The Noise Control By-law was enacted to ensure residents in the City of Guelph are protected against "noise" pollution. An extra measure of control was placed on residential areas with the goal that certain noise producing activities do not cause a disturbance to area residents. The Exemption Request process is not designed for events of convenience, such as house parties, outdoor wedding receptions or the like. It has been City policy that these activities be held in compliance with the Noise Control By-law.

Since 31 Kendrick Avenue is located in a "residential" area as defined in Schedule B of Noise Control By-law (2000)-16366, as amended, the noise associated with amplified music or speech is prohibited at all times. However, variances to the

requirements of the by-law can be permitted by Council. In this very specific example the request for the noise exemption would permit a band to play in a residential neighbourhood for a span of three hours on the evening of August 29, 2009. The short duration of the events warrants the approval of the requested variance.

Public notice of this noise exemption request was advertised in the Guelph Tribune on July 10, 2009 (see Schedule "B").

The applicant has been advised of our recommendation and of the date, time and location of this meeting.

CORPORATE STRATEGIC PLAN:

To enhance Community wellness

FINANCIAL IMPLICATIONS:

Not applicable

DEPARTMENTAL CONSULTATION/CONCURRENCE:

Not applicable.

COMMUNICATIONS:

See Schedule B - Public Notice

ATTACHMENTS:

Schedule A- Location Map Schedule B- Public Notice

Prepared and Recommended:

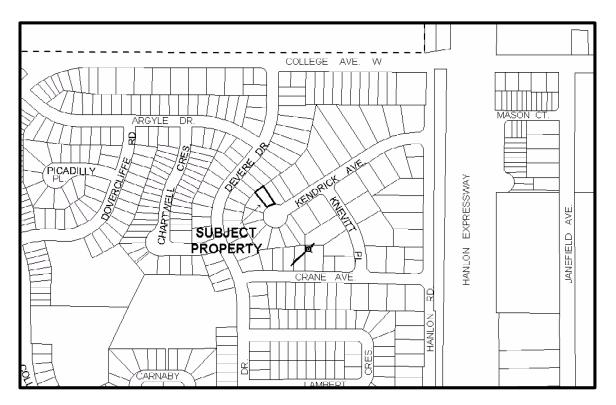
Doug Godfrey, Acting Manager Traffic & Parking Operations Department (519) 822-1260 ext 2520 Doug.Godfrey@guelph.ca

Automayha

Recommended By: Derek J. McCaughan Director, Operations Department (519) 822-1260 ext 2018 Derek.McCaughan@guelph.ca

SCHEDULE "A"

LOCATION MAP



SCHEDULE "B" PUBLIC NOTICE

Noise Control By-law Exemption

Notice is hereby given that an application is being made to Guelph City Council for an exemption to the City of Guelph Noise Control By-law (2000)-16366, as amended which prohibits amplified sound at all times. The applicant, Kevin Brown on behalf of The Masai Centre Fundraiser, 31 Kendrick Street, Guelph, is requesting an exemption as follows:

"An exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from the various activities associated with the Masai Fundraiser including the amplification of music between the hours of 7:00 p.m. to 10:00 p.m. on August 29, 2009."

The City of Guelph has received a Noise Control By-law exemption request for the property at 31 Kendrick Avenue (see Location Map). An event is to be held to raise funds for the Masai Centre. The Masai Centre is raising funds for the Guelph and Region- Masai for Africa Campaign. The funds will be used to sponsor the Tsepong Clinic in the African country of Lesotho. The support will help sustain the existing HIV clinic and help establish a sister clinic.

31 Kendrick Avenue is located within a residential area and is zoned R.1B residential. The surrounding neighbourhood consists of residential dwellings. The fundraising event is to be held from 6:00 p.m. to 11:00 p.m. The Steve Strongman Band is to provide amplified music from 7:00 p.m. to 10:00 p.m. The event is to take place on Saturday August 29, 2009.

The application will be presented to Guelph City Council on July 20, 2009 in the Council Chambers, City Hall, 1 Carden Street, Guelph at 5:00 p.m. You are invited to attend this public meeting if you are interested in more details on the application or if you have any comments to offer which may aid City Council in making a decision on this matter.

The application will be presented to the City of Guelph's Emergency Services, Community Services and Operations Committee in a public meeting on July 20, 2009 at 5:00 p.m. in Committee Room 212, City Hall, 1 Carden Street, Guelph, ON.

If you wish to speak to the Committee about this matter, please contact Dolores Black, Assistant Council Committee Coordinator at 519-822-1260 x2269 no later than July 18, 2009. If you are unable to attend this Committee meeting and wish to make comment, send or email your written comments to Dolores Black, 1 Carden Street, N1H 3A1, Dolores.Black@Guelph.ca no later than July 18, 2009.

COMMITTEE REPORT



TO Emergency Services, Community Services and Operations Committee

SERVICE AREAOperations DepartmentDATEJuly 20, 2009

SUBJECTNoise Control By-law Exemption Request for the NewStudent Orientation Week at the University of Guelph

RECOMMENDATION

"THAT an exemption from Schedule A of Noise Control By-law (2000)-16366, as amended, to permit noise from the various activities associated with the New Student Orientation Weekend including the amplification of music and speech and crowd noise between the hours of 11:00 p.m. to 12:00 a.m. annually, be approved."

BACKGROUND

The University of Guelph will be holding the annual New Student Orientation Weekend throughout various areas on the campus on their property. The University of Guelph received approval of the same Noise Exemption requests in 2005, 2006 and 2007.

REPORT

Orientation weekend is designed to introduce new students to the social, academic and cultural environment at the University of Guelph. There are various events planned throughout the weekend.

Orientation Weekend is an important tradition at the University of Guelph. It is their chance to introduce new students to the services, resources, and people at the University. Events organized range from music festivals to Ultimate Frisbee games, walks in the Arboretum to food fairs, a Guinness World Record Challenge, meet and greets, mock lectures and a Pep Rally.

The exemption to the Noise Control By-law (2000)-16366 is for one additional hour from 11:00 p.m. to 12:00 a.m., generally for crowd noise and amplified music. The exemption has been requested for the circumstance that some of the events may run past the 11:00 p.m. time restriction.

Since the University of Guelph is located in an "other" area as defined in Schedule B of Noise Control By-law (2000)-16366, as amended, the noise associated with amplified music or speech and crowd noise is prohibited from 11:00 p.m. to 7:00 a.m. Monday to Friday and from 11:00 p.m. to 9:00 a.m. on Saturday and

Sundays.

Public notice of this noise exemption request was advertised in the Guelph Tribune on July 10, 2009 (see Schedule "A").

The applicant has been advised of our recommendation and of the date, time and location of this meeting.

This year that staff are recommending an on-going noise exemption for this event.

ATTACHMENTS:

Schedule "A"- Public Notice

CORPORATE STRATEGIC PLAN

To enhance Community wellness

FINANCIAL IMPLICATIONS

Not applicable

Prepared and Recommended:

Doug Godfrey, Acting Manager, Traffic & Parking Facilities Operations Department (519) 822-1260 ext 2520 Doug.Godfrey@guelph.ca

Mayha

Recommended By: Derek J. McCaughan Director, Operations Department (519) 822-1260 ext 2018 Derek.McCaughan@guelph.ca

SCHEDULE "A"

PUBLIC NOTICE

Noise Control By-law Exemption

Notice is hereby given that an application is being made to Guelph City Council for an exemption to the City of Guelph Noise Control By-law (2000)-16366, as amended which prohibits amplified sound and crowd noise between the hours of 11:00 p.m. to 9:00 a.m. The applicant, the University of Guelph, 50 Stone Road East, Guelph, is requesting an exemption as follows:

"An exemption to permit noise from the various activities associated with the annual Frosh Weekend activities, including the amplification of music, speech and crowd noise between the hours of 11:00 p.m. to 12:00 a.m. annually."

The University of Guelph will be holding their annual New Student Orientation Weekend throughout various areas on the campus on their property. Orientation weekend is designed to introduce new students to the social, academic and cultural environment at the University of Guelph. There are various events planned throughout the weekend.

Orientation Weekend is an important tradition at the University of Guelph. It is their chance to introduce new student to the services, resources, and people at the University. The exemption to the Noise Control By-law (2000)-16366 is for one additional hour from 11:00 p.m. to 12:00 a.m., generally for crowd noise and amplified music. The exemption has been requested for the circumstance that some of the events may run past the 11:00 p.m. time restriction.

The application will be presented to the City of Guelph's Emergency Services, Community Services and Operations Committee in a public meeting on July 20, 2009 at 5:00 p.m. in Committee Room 212, City Hall, 1 Carden Street, Guelph, ON.

If you wish to speak to the Committee about this matter, please contact Dolores Black, Assistant Council Committee Coordinator at 519-822-1260 x2269 no later than July 18, 2009. If you are unable to attend this Committee meeting and wish to make comment, send or email your written comments to Dolores Black, 1 Carden Street, N1H 3A1, Dolores.Black@Guelph.ca no later than July 18, 2009.

COMMITTEE REPORT



ТО	Emergency Services, Community Services and Operations Committee
SERVICE AREA DATE	Community Services June 30, 2009
SUBJECT	Children's Foundation of Guelph and Wellington: Service
	Agreement Related to Fee Assistance for Children

RECOMMENDATION

THAT the Mayor and Clerk be authorized to execute a service agreement between the City of Guelph and the Children's Foundation of Guelph and Wellington that supports the granting of fee assistance to children and youth for participation in educational, cultural and recreation enrichment activities.

BACKGROUND

In March 2008, a stakeholder group of service providers in Guelph and Wellington gathered to begin discussions about the potential of streamlining and centralizing access to fee assistance in recreation and leisure for children and youth. With the closing of Kids Can Play, a local organization which granted funds to families to support registration for sport and recreational activities, the need to bring organizations together to provide subsidies to families in a timely and effective manner without duplicating services became evident. As a result a Children's Subsidy Task Force was established, with the City of Guelph being a founding member. Membership of the Children's Subsidy Task Force is comprised of;

- Children's Foundation of Guelph & Wellington
- Child Care Services County of Wellington
- Guelph Wish Fund for Children
- YMCA-YWCA Guelph
- Guelph Youth Soccer
- United Way of Guelph and Wellington
- Guelph Community Foundation
- Centre Wellington Community Resource Centre
- Guelph Youth Sports Advisory Council.
- City of Guelph

To date, each of these Task Force partners who previously administered fee assistance grants to children and youth have transferred funding to the Children's Foundation of Guelph and Wellington to coordinate distribution of funds to qualified applicants.

REPORT

Since 1998 the City of Guelph has administered the Fee Assistance In Recreation (F.A.I.R.) Program, confidential fee assistance for qualified individuals to receive a percentage of subsidy for their registration fees for City of Guelph programs, swim passes or selected memberships. The funding for the F.A.I.R. Program has been supported by an annual United Way allocation (annual portion divested to children's F.A.I.R. program equals \$2400), internal fundraising, donations, and recently the Canadian Tire Foundation's Jumpstart Program, of which we are a chapter member. The Service Agreement attached outlines the expectations of the City to transfer fundraised revenues related to the children and youth portion of F.A.I.R. to the Children's Foundation of Guelph and Wellington.

The Children's Foundation acts in a centralized role to collect and distribute funds to provide financial assistance to enable children to participate in recreation and leisure programs offered by the City, as well as other programs within Guelph and Wellington County which meet the Children's Foundation of Guelph and Wellington's life enrichment criteria. This system will also allow families to apply to a single organization for all enrichment activities with standardized criteria consistent with the objectives of F.A.I.R.

Community Services will continue to represent the City's interests as a partner on the Children's Subsidy Task Force and Granting Committee to provide oversight of this initiative. Community Services will continue to operate the F.A.I.R. program to provide fee assistance for adults for City of Guelph recreation and leisure programs and services.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

There are no budget implications at this time. The allocation of United Way funds and Canadian Tire Foundation Jumpstart funds will be transferred to a holding account with the Children's Foundation of Guelph-Wellington as per the Service Agreement. This Service Agreement covers the remainder of the 2009 year. Remaining 2009 United Way allocation assigned to children's portion of F.A.I.R grant \$1200, 2009 balance of Jumpstart assigned to City as a chapter member \$2350, and 50% of proceeds raised from any donations and fundraisers related to F.A.I.R. to year end 2009 per the Service Agreement.

DEPARTMENTAL CONSULTATION

Legal and Risk Management Services Finance

COMMUNICATIONS

ATTACHMENTS

Appendix A: Service Agreement

Original Signed by

Prepared By:

Jennifer Maddock Inclusion & Volunteer Services Coordinator, Neighbourhood Engagement 519-822-1260 ext. 2702 jennifer.maddock@guelph.ca

Original Signed by

Recommended By:

Rob Mackay Manager of Community Facilities and Programs 519-822-1260 ext. 2664 rob.mackay@guelph.ca Original Signed by

Recommended By:

Barb Powell Manager, Integrated Services and Development 519-822-1260 ext. 2675 barbara.powell@guelph.ca

Original Signed by

Recommended By:

Colleen Clack Acting Director of Community Services 519-822-1260 ext. 2558 colleen.clack@guelph.ca This Funding Agreement is made this

day of

, 2009

Between:

The Corporation of the City of Guelph

Of the first part (Herein called the "City")

-and-

The Children's Foundation of Guelph and Wellington

Of the second part (Herein called the "Foundation")

Whereas the Foundation is assuming a centralized role of collecting and distributing funds to provide financial assistance or subsidies to enable children and youth to participate in recreation and leisure programs within the City and the County of Wellington;

And whereas the Foundation is establishing a program (the "Granting Program") to carry out this role;

And whereas the City has in the past collected and distributed funds and operated its own Granting Program (Fee Assistance in Recreation or F.A.I.R.) for this purpose;

And whereas the City wishes to cease operating the Children and Youth portion of the City's Granting Program;

And whereas the City wishes to forward to the Foundation, for use in the Foundation's Granting Program, funds that the City holds, collected for the above-mentioned purpose but not yet expended;

And whereas the City wishes that funds which the City may, in the future, collect for this purpose, be forwarded to the Foundation for use in the Foundation's Granting Program;

And whereas the Children's Subsidy Task Force is an independent advisory body providing guidance on the Granting Programs;

Now therefore, this Agreement witnesses that in consideration of the sum of \$1.00 and the mutual covenants contained herein, the parties hereto hereby agree as follows:

Obligations of the City

- 1. The City shall:
 - (a) upon commencement of the term of this Agreement, make a one-time transfer to the Foundation of:
 - 50% of the remaining 2009 funds collected by the City from the United Way of Guelph/Wellington related to the Fee Assistance in Recreation (F.A.I.R.) Program and still held by the City as of the date of commencement of the term of this Agreement; and
 - ii. 100% of the 2009 funds allocated to the City from the Canadian Tire Foundation related to the Jumpstart program;
 - (b) transfer to the Foundation, upon receipt by the City during the term of this Agreement:
 - i. 50% of any funds received by the City by way of donations (including Class donations and donations from the annual fundraisers) intended for general purposes related to children and youth; and
 - 100% of any funds received by the City by way of donations (including the North Pole Connection and Hip Hop Dance Competition) intended specifically to provide financial assistance to enable children and youth to participate in recreation and leisure programs;
 - (c) not operate a Granting Program for children and youth subsidies during the term of this Agreement;
 - (d) during the term of this Agreement, direct to the Foundation any inquiries or funding requests that the City may receive, relating to the provision of financial assistance to enable children and youth to participate in recreation and leisure programs;
 - (e) if the Foundation, during the term of this Agreement, identifies any barriers to access by children and youth wishing to participate in City programs, work cooperatively with the Foundation to assist in overcoming such barriers; and
 - (f) cooperate with the Children's Subsidy Task Force in the development, implementation and evaluation of the Foundation's Granting Program.

Obligations of the Foundation

- 2. The Foundation shall:
 - (a) operate the Granting Program (as defined herein);
 - (b) incorporate within its Granting Program the following elements of the City's F.A.I.R. Program:
 - a. provide a grant covering up to 100% of the qualifying costs for qualifying families; and
 - b. respond within 10 business days to applicants who have completed the necessary documentation and meet the applicable criteria;

- (c) permit the City and its directors, officers, staff and volunteers (the "Personnel") to participate in the Foundation's Granting Program;
- (d) permit the City Personnel to discuss the Foundation's Granting Program with the Foundation's Personnel;
- (e) provide the City with annual reports and quarterly updates on the operation of the Foundation's Granting Program;
- (f) notify the City, in advance, of any proposed change to the process or scope of the Foundation's Granting Program;
- (g) use all the funds received from the City pursuant to this Agreement solely for the Foundation's Granting Program;
- (h) treat, and ensure that its Personnel treat, all personal information relating to children and youth or their families participating in the Foundation's Granting Program as strictly confidential;
- (i) indemnify and save the City and the City Personnel harmless from any liability, action, claim, loss, injury, damage, payment, cost, fine, fine surcharge, recovery or expense, including reasonable legal fees, arising out of the performance, failure of performance or purported performance of the Foundation's obligations under this Agreement, including, without limitation, any negligent act or omission by any Foundation Personnel or anyone else for whom the Foundation is in law responsible, save and except where the liability, action, claim, loss, injury, damage, payment, cost, fine, fine surcharge, recovery or expense, including reasonable legal fees, arises out of the negligence of the City or City Personnel; the Foundation shall, at the City's election, either assume the City's defence or cooperate with the City in the defence of any such action, including providing the City with prompt notice of any such action and the provision of all material documentation;
- (j) not assign this Agreement, in whole or in part, without the prior written consent of the City;
- (k) upon request by the City, provide a full accounting, to the satisfaction of the City, of all expenditures of funds received from the City pursuant to this Agreement and all financial matters (including revenues and expenditures) relating to the Foundation's Granting Program; and
- (1) upon termination of this Agreement, return to the City any funds transferred pursuant to this Agreement by the City to the Foundation and remaining unspent at the time of termination of this Agreement.

General

3. The term of this Agreement shall commence upon the execution hereof by both parties.

4. The term of this Agreement shall end on December 31, 2009, unless terminated earlier pursuant to this Agreement.

5. Either party may terminate this Agreement at any time upon at least thirty (30) days'

written notice to the other party.

6. Notice may be given pursuant to this Agreement:

To the City, to: Cindy Richardson Manager Neighbourhood Engagement 1 Carden Street, Guelph <u>Cindy.Richardson@guelph.ca</u>

To the Foundation, to: Ed Sluga Executive Director 87 Waterloo Avenue, Upper Level, Guelph Ed.sluga@childrensfoundation.org

Such notice shall be effective on the day it is given.

7. The parties may amend this Agreement in writing, signed by both parties.

In witness whereof the parties hereto have hereunto set their hands and seals.

Signed, sealed and delivered.

	(The Corporation of the City of Guelph
	(Per: (Karen Farbridge – Mayor
Date:	(Per: (Lois A. Giles – City Clerk (
	((The Children's Foundation of Guelph and Wellington
	(Per:
Date:	((Per:

5

COMMITTEE REPORT



TO Emergency Services, Community Services and Operations Committee

SERVICE AREA Community Services DATE July 20, 2009

SUBJECTGuelph Transit Statutory Holiday ServiceREPORT NUMBERCS-TR-0918

RECOMMENDATION

THAT Guelph Transit statutory holiday service be discontinued, beginning in August 2009 and for the remainder of the year including New Year's Day 2010.

BACKGROUND

Projected ridership numbers and costs to operate the service, based on 2008 actuals, are as follows for the statutory holidays between August and January:

Statutory Holiday	Ridership	Cost to Provide Service	Projected Fare Revenue	Net Cost to Operate
John Galt Day – August	2,986	\$23,500	\$5,800	\$17,700
Labour Day – September	3,126	\$23,500	\$6,100	\$17,400
Thanksgiving – October	2,647	\$24,000	\$5,200	\$18,800
Boxing Day – December	3,880	\$24,000	\$7,600	\$16,400
New Year's Day – January	3,639	\$24,000	\$7,100	\$16,900

* Christmas Day service is currently not offered

As a point of comparison, ridership on regular (non-statutory holiday) days throughout the year ranges from a low of almost 12,000 per day to a high of almost 31,000 per day.

On average across the entire year, Transit's revenue versus cost ratio (i.e. the fare revenue as a percentage of the costs to provide the service) is approximately 39%. On Statutory holidays only, this ratio drops to just under 25%. This is because of the significantly higher cost of providing the service because of overtime costs for staff, as well as the reduced fare revenue due to the low ridership.

REPORT

Ridership on statutory holidays is significantly lower than on the other days throughout the year. As a cost containment strategy, and to address in part the current negative budget variance in Transit, staff recommends eliminating Transit service on the remaining statutory holidays in 2009, as well as for New Year's Day in 2010.

A determination about statutory holiday Transit service for the remainder of 2010 will be made as part of the overall 2010 budget process.

This decision was made after doing a service review of the Statutory holiday transit service, and after analysis of the data which demonstrated that ridership was not at a level that made providing the service sustainable.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

The net savings in 2009 for elimination of service on the remaining four statutory holidays is \$70,300.

The net savings in 2010 for elimination of service on New Year's Day is \$16,900.

DEPARTMENTAL CONSULTATION

Finance Department

COMMUNICATIONS

Media release City website

ATTACHMENTS

N/A

Eller Clock

Prepared By: Colleen Clack Acting Director, Community Services 519-822-1260 ext. 2588 colleen.clack@guelph.ca

Recommended By: Rudy Stehle Interim Manager, Transit Services 519 822-1811 ext. 2795 rudy.stehle@guelph.ca

and gr

Ann Pappert Director, Community Services 519-822-1260 ext. 2665 Ann.pappert@guelph.ca

COMMITTEE REPORT



TO Emergency Services, Community Services and Operations Committee

SERVICE AREA Community Services DATE July 20, 2009

SUBJECTTorch Run Relay - Vanoc 2010REPORT NUMBERCS-FP-0919

RECOMMENDATION

THAT while the City of Guelph encourages citizens to cheer on Olympic Torch Relay Runners as they pass through Guelph for one minute on December 28, 2009, that no special civic funded event is planned in conjunction with the Torch Relay.

BACKGROUND

The Olympic Winter Games will take place in Vancouver from February 12 - 28, 2010 followed by the Paralympics March 12 - 21, 2010. The Games will be preceded by a Torch Relay from Greece to Vancouver, then around the perimeter of Canada, a distance of 45,000 kilometers, finishing back in Vancouver for the opening of the Olympic Winter Games.

Vanoc 2010 has established the Torch Relay Route, and designated specific communities along the route as "Celebration Communities" or the somewhat less involved "Route Communities". Guelph has been designated as a Route Community, and the torch is scheduled to pass through our City in the morning of Monday, December 28, 2009. The Torch Bearers will be chosen by Vanoc 2010.

REPORT

Vanoc 2010 is encouraging Route Communities to hold concurrent events to celebrate the Torch passing through, but they do not permit the association of the event with the Olympic or Vanoc 2010 names.

The route has been finalized by Vanoc 2010, but will not be made public until shortly before the Torch passes through Guelph for security reasons.

A staff committee explored options for concurrent celebrations, but the staff recommendation is that no other activities be planned. The following factors played into this recommendation:

- 1. As a Route Community the Torch will only stop in Guelph for one minute.
- 2. We were only notified that we would be a route community in October 2008,

after our budgets were submitted.

The date that the Torch Relay will pass through Guelph is December 28, 2009, which is the date that the City of Guelph will observe Boxing Day.
 The Torch will pass through Guelph at 10:00 am

CORPORATE STRATEGIC PLAN

N/A

FINANCIAL IMPLICATIONS

The draft costs for holding a special event on the Boxing Day holiday would be between \$4,000 – 8,000. There is currently no budget allocated to this event.

Traffic has quoted \$830 for rolling street closures. Security will be provided by Guelph City Police from their budget.

DEPARTMENTAL CONSULTATION

Operations - Traffic Guelph City Police Corporate Communications

COMMUNICATIONS

A press release will be issued on approximately December 20, 2009 which will publicize that the Torch Relay will be passing through Guelph, and announce the route.

ATTACHMENTS

N/A

Robert Was

Prepared By: Rob Mackay Manager, Facilities and Programs 519-822-1260 ext. 2664 rob.mackay@guelph.ca

the lan

Recommended By: Ann Pappert Director of Community Services 519-822-1260 ext. 2665 ann.pappert@guelph.ca

COMMITTEE REPORT



TO Emergency Services, Community Services and Operations Committee

SERVICE AREA	Operations
DATE	July 20,2009

SUBJECT Consideration of Funding for Pissoir (open air urinal) Pilot Program and change in length of pilot program duration

RECOMMENDATION

THAT, consideration be given on behalf of the Nightlife Task Force to partial funding approval of the Pissoir pilot program on a trial basis for September – December 2009.

BACKGROUND

City Staff prepared and submitted a committee report to the Emergency Services, Community Services and Operations Committee on June 15, 2009 recommending implementation of an open air urinal pilot project in the downtown business district for the summer of 2009.

The following Resolution was passed by Council on June 22, 2009;

THAT in conjunction with the Night Life Task Force, staff proceed to introduce an open air urinal on Macdonell Street in the vicinity of Wyndham Street during summer 2009 on a trial basis to evaluate its effectiveness and to assess public acceptance of this type of public facility;

AND THAT the downtown stakeholders be responsible for the full cost recovery.

AND THAT staff speak with the Guelph Police Services with respect to increasing police enforcement during the pilot project.

REPORT

The Night Life Task Force, chaired by Downtown Guelph Business Association, (DGBA), Guelph Police Services and staff met on July 8, 2009 to review Council's decision to not fund the pilot program and to re-visit sponsorship and components comprising the pilot program. This report to Committee is to request funding consideration for the approved pilot program on behalf of the Nightlife Task Force.

The Night Life Task Force and staff have identified new information which has significantly reduced the original program cost, as well as secured partial stakeholder sponsorship for the program.

The Night Life Task force has sourced an alternate pissoir unit which is currently being used successfully in a similar program in Edmonton and Victoria.

The Task Force proposes placing two units in the downtown core for the period of September 2009 to December 2009 available for public use 24 hours per day, 7 days per week (24/7) as opposed to the original pilot period ending in late September 2009. The proposed units will be purchased for a nominal amount and would be serviced daily by a third party firm licensed by the Ministry of Environment.

The units will be located on MacDonnell Street, the final locations of which have not been finalized. The units will be tastefully and safely camouflaged by a partial screen. The DGBA will complete development of a public awareness poster program and will implement that program by August 31, 2009. Additionally, Guelph Police Services has committed to increase its on street vigilance and enforcement of our existing anti-fouling by laws following implementation of the poster program.

CORPORATE STRATEGIC PLAN

Goal 1: An attractive, well-functioning and sustainable city. Goal 2: A healthy and safe community where life can be lived to the fullest. Goal 5: A community-focused, responsive and accountable government.

FINANCIAL IMPLICATIONS

The costs involved are as shown in the attached spreadsheet.

Fixed costs include the following;

- purchase and install two units at (\$1350.00 per each X2 includes pst),
- cost to provide camouflage lattice perimeter, (\$500.00/each X 2),
- costs for winter maintenance (\$500.00) to end of December 2009.
- Implementation of public awareness poster program, (\$3500.00), funded by DGBA

Total Fixed Costs: \$7,700.00.

Maintenance Costs variable with respect to program duration;

• Daily servicing costs are \$90.00 or \$630.00 per week, (7 days).

Funding secured from The Nightlife Task Force and downtown stakeholder groups will <u>total</u> <u>\$4,200.00</u>, (this includes the fixed cost public awareness poster program funding of \$3,500.00 above).

If approval is received to run the Pilot Program for the entire 17 week period the total costs would be;

Cost to the city to end of December 2009 will be;

servicing fee of \$630.00/week for the duration of the Pilot Program, potentially 17 weeks (\$10,710.00) + Fixed Costs (\$7700.00) less Funding secured by Stakeholders (\$4200.00) =

\$3,500.00 fixed cost plus unit maintenance

```
Cost to the City = (unit maintenance + Fixed costs - Funding secured from stakeholders)
= ($10,710 + $7700 - $4200)
= $14,210.00
```

or

approx. \$836.00 per week for 17 weeks.

DEPARTMENTAL CONSULTATION

N/A

COMMUNICATIONS

The Downtown Night Life Task Force and Downtown Co-ordinating Committee are aware this matter is before committee.

ATTACHMENTS

Attachment A - Picture of Proposed Pissoir Unit Attachment B - Listing of Nightlife Task Force Members Attachment C – spreadsheet showing costs to the city to Dec 31, 2009

Prepared and Recommended By: Sam Mattina, Manager, Roads and Right of Ways Acting Director of Operations 519-837-5628 ext 2017 Sam.Mattina@Guelph.ca

ATTACHMENT A

Picture of Proposed Pissoir Unit



ATTACHMENT B

List of City of Guelph Downtown Nightlife Task Force Members, July 2009

Conrad Aikens, Van Gogh's Ear	
Councillor Ian Findlay	
David Corks, City of Guelph	
Derek McCaughan, City of Guelph	
Rob Davis, Guelph Police	
Brent Eden, Guelph Police	
Brenda Whiteside, University of Guelph	
Mark Rodford, DGBA Chair	
Lorenz Calcagno, DGBA Director	
Jennifer Mackie, DGBA ED	

ATTACHMENT C

FINANCIAL IMPLICATIONS TO THE CITY OF GUELPH FOR PISSOIR UNITS

2 Units - \$1,350 each		2,700.00
2 Camouflage lattices - \$500 each		1,000.00
Public Awareness Program (funded by DGBA)		3,500.00
Winter Maintenance (ending December 31, 2009)		500.00
	Subtotal	7,700.00
Servicing of Units - \$90 / day for 119 days		10,710.00
Funding Secured money from Nightlife Task Force		4,200.00
includes public awareness poster program funding		

Total Cost to City of Guelph to December 31, 2009 14,210.00



MEMO

Making a Difference

TO:	Mayor & Members of City Council
FROM:	Derek McCaughan
DEPARTMENT:	Operations
DATE:	July 22, 2009
SUBJECT:	Open Air Urinals - Revised Estimates

At their meeting of July 20th, 2009, the Emergency Services, Community Services & Operations Committee requested information pertaining to the City contribution necessary to undertake an open air urinal pilot project for a revised period of eight weeks versus the 16 weeks cited in the staff report.

The change in the duration of this project will result in the following changes to the financial information provided in Attachment C of the report:

Fixed Costs:Reduced by \$500.00 (elimination of winter maintenance)Servicing Costs:Reduced by \$5,310.00

Total City Contribution for an 8 week period: \$8,400.00.

Regards,

wet May

Derek J. McCaughan Director

DJM:

Operations Department

T 519-837-5628 F 519-767-2871 E operations@guelph.ca

CONSENT REPORT OF THE FINANCE, ADMINISTRATION & CORPORATE SERVICES COMMITTEE

July 27, 2009

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

Your Finance, Administration & Corporate Services Committee beg leave to present their FOURTH CONSENT REPORT as recommended at its meeting of July 13, 2009.

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 Finance, Administration & Corporate Services Committee will be approved in one resolution.

1)

THAT the Council of the City of Guelph support in principle the public health's ownership of property;

AND THAT the local MPPs Liz Sandals, Ted Arnott and Sylvia Jones be advised of the City's support in principle;

AND further that staff be requested to meet with the staff of the Counties of Wellington and Dufferin to review the financial analysis and options and report back to the Finance, Administration & Corporate Services Committee.

2)

THAT the information report of the Director of Information Services/City Clerk regarding the Business Licence By-law Review Process dated July 13, 2009 be received;

AND THAT an interim corporate administrative charge in the amount of 20% be included in all Business licensing fees.

3)

THAT staff be directed to prepare a new Business licensing By-law for Council approval in September 2009, incorporating all the changes to the current by-law as noted in the report to the Finance, Administration and Corporate Services Committee from the Director of Information Services/City Clerk dated June 9, 2009 based on cost recovery with an annual fee review.

Page No. 2 July 27, 2009 <u>Finance, Administration & Corporate Services Committee</u>

4)

THAT the Finance report 09-27 dated July 13, 2009 entitled "Operating Budget Variance Report as at December 31st, 2008" be received;

AND THAT the following surplus and deficit allocations be approved: Tax Supported Surplus of \$2,406,932

- \$502,769 be allocated to the Police Relocation reserve
- \$91,605 be allocated to the Library Relocation reserve
- \$1,200,000 be allocated to the Parkland Dedication reserve fund
- \$612,558 be allocated to the Tax Rate Stabilization reserve

Userpay

- Water deficit of \$706,880 be funded \$576,931 from the Water Rate Stabilization reserve and \$129,949 from the Water Capital reserve
- Wastewater deficit of \$1,967,001 be funded completely from the Wastewater Rate Stabilization reserve
- Parking deficit of \$677,980 be funded \$353,372 from the Parking Rate Stabilization reserve and \$324,608 from the Parking Capital reserve.

All of which is respectfully submitted.

Councillor Vicki Beard, Chair Finance, Administration & Corporate Services Committee

PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE AGENDA JULY 13, 2009 MEETING.



Wellington-Dufferin-Guelph Public Health

WWW.WDGHU.ORG

WDGPH Guelph Facility History

1969 BOH and GGH mortgaged and constructed 125 Delhi St office.

City of Guelph conveyed the parcel of land under the condition that once mortgage paid land and building returned to City.

Nov. 22, 1989 BOH re-conveyed land and building to City of Guelph.

Sept. 2003 BOH decision to consolidate to three main locations and authorized search for suitable Guelph site.

Oct. 29, 2007 BOH decision not to return to Delhi site due to asbestos concerns.





Space Requirement

Hiring an external consulting firm specialized in design of building and space requirement.Building designer has prepared a two-dimensional feasibility plan for the new building.Has provided estimate sq ft needed to meet the

needs of staff and service delivery to the public.



Critical Requirements for New Building

Location – City of Guelph, servicing residents of Guelph and Wellington County

Initial space requirement is estimated at 45,000 sq ft to accommodate and co-locate three locations into one.

34,000 sq ft for staff including meeting space, vaccine, fridges, storage

11,000 sq ft (ground level) for clinics, public services, program delivery

Environmentally friendly organization – "green" building meeting Leed Silver Standards.

Minimum of 160-180 parking spaces required. Close to public transit.

Occupancy date - no later than end of 2011.



Financial Analysis – Leasing Option

	Total	City of
		Guelph
Lease Option		46.20%
Gross Occupancy Costs over 20 Years	\$ 33,507,990	\$15,480,691
including Rent, Utilities Taxes, Insurance, Maintenance,		
Common Area, Capital Improvement (years 10-20)		
Total Captial Asset after 20 years of lease payments	\$-	\$-
Projected Gross Occupancy Costs Years 20-25		
Rent	\$ 5,523,750	\$ 2,551,973
Realty Taxes & Utilitiies, Insurance, Maintenance, Common Area	\$ 4,773,941	\$ 2,205,561
Capital Improvement	\$ 604,880	\$ 279,455
Total Lease Costs Years 20-25	\$ 10,902,571	\$ 5,036,988



Financial Analysis – Purchase Option

Purchase Option			Guelph 46.20%
			.0.2070
Gross Occupancy Costs over 20 Years including Rent, Utilities Taxes, Insurance, Maintenance, Common Area, Capital Improvement (years 10-20)	\$	30,206,197	\$ 13,955,263
Total 20 Year Savings that will Result in Purchase Option versus the Option to Lease	\$	3,301,793	\$ 1,525,428
Projected Value of Capital Asset after 20 Years	\$	8,324,017	\$ 3,845,696
Total Value of Asset and Savings Resulting from Purchase Option (Cashflow Differential)	\$	11,625,810	\$ 5,371,124
Projected Gross Occupancy Costs Years 20-25	\$	-	\$ -
		4,773,941	\$ 2,205,561
Rent	\$	+,113,3+1	279,455
Rent Realty Taxes & Utilitiies, Insurance, Maintenance, Common Area	\$ \$	604,880	\$ 219,400
<u>Projected Gross Occupancy Costs Years 20-25</u> Rent Realty Taxes & Utilitiies, Insurance, Maintenance, Common Area Capital Improvement Total Lease Costs Years 20-25	\$		2,485,015

Recommendation

Wellington-Dufferin-Guelph Public Health requests that the City of Guelph support Public Health's ownership of property as a strategy to manage our costs and our longterm facility needs.



COMMITTEE REPORT



ТО	Finance, Administration and Corporate Services Committee
SERVICE AREA DATE	Information Services, Clerk's July 13, 2009
SUBJECT	Business Licence By-law Review Process- Corporate administrative cost recovery
REPORT NUMBER	

RECOMMENDATION

That the information report of the Director of Information Services/City Clerk regarding the Business Licence By-law Review Process dated July 13, 2009 be received;

And that an interim corporate administrative charge in the amount of 20% be included in all Business licensing fees;

And that the report to FACS dated June 9, 2009 regarding the Proposed New Business licensing By-law be approved.

BACKGROUND

On June 9, 2004 a report came before the Finance Administration and Corporate Services Committee regarding the proposed new Business Licensing by-law. At that time the FACS committee resolved as follows:

"That the matter with respect to the proposed new business licensing by-law be referred back to staff to report back next month with information on the complete recovery of costs".

In particular, the Committee was interested in cost recovery for corporate administrative costs related to business licensing.

The report before the FACS committee on June 9th calculated fees based on staff time and vehicle costs related to inspections, administration and enforcement for each category of business. The proposed fees did not include overhead costs. It was proposed that full cost recovery be considered in the future, which would capture overhead costs, in order that the full cost of the business license would be paid through the license fee.

REPORT

Staff in the Finance Division will be undertaking a comprehensive review with respect to internal administrative cost recoveries commencing the third quarter of 2009 based on activity based costing. This process will involve consultation with the various divisions in the City that charge fees, and those departments that support them. An information report from Finance to the committee pertaining to the process is forthcoming to the FACS committee.

Although there has been some work done regarding internal and external cost recoveries in the municipal field, there are not currently any quick standard formulas for best practices that can be readily used to determine overhead costs. The process for determining these costs is lengthy and will require a great deal of research and information. In absence of this, staff have reviewed similar recoveries currently being charged at the City of Guelph and in other municipalities.

Under the Building Code Act, municipalities may charge fees to administer and enforce the Act. In cooperation with the Finance department, the City of Guelph Building division has established a corporate cost recovery of 20% which includes postage, telephone, communications, advertising, rent, utilities, building maintenance, insurance, and staff development.

A review has been conducted of some Municipalities that have implemented corporate administrative recoveries as a portion of their business licensing fees. Please note that items included in these charges for each municipality vary.

The City of Barrie, which passed its new Business licensing by-law less than one year ago, charges 29.6% as a corporate administrative recovery onto the license fee. This calculation includes the following: technology equipment, communications, furnishings, payroll/human resources, per square foot office space including utilities and insurance.

The City of Burlington charges an average of 21.7% as a corporate administrative recovery onto the license fee. This calculation includes the following services: legal, prosecutions and court, technology, and City hall operations.

The City of Mississauga charges an average of 39.22% as a corporate administrative fee which includes legal services and per square foot office space including utilities, insurance and maintenance.

As an interim measure until the Finance department has conducted its review, the committee may wish to apply a similar administrative cost recovery to that which is being applied to the building permit. The implementation of a 20 percent corporate administrative cost recovery will result in additional revenues of approximately \$25,000. As a result, it is anticipated that business licence revenues for 2010 would be approximately \$22,000 less over that which has been forecasted in the previous year.

CORPORATE STRATEGIC PLAN

This report supports the following goals in the strategic plan:

5.3 - Open, accountable and transparent conduct of municipal business; and 5.6 - Organizational excellence in planning, management, human resources and people practices

FINANCIAL IMPLICATIONS

The implementation of a 20 percent corporate administrative cost recovery will result in additional revenues of approximately \$25,000.

DEPARTMENTAL CONSULTATION

Finance and Building Services

COMMUNICATIONS

An ad inviting the public to submit comments or speak at the July 13 FACS meeting and tentatively the July 27 Council meeting was placed in the Guelph Tribune on June 26, 2009. All background information and reports are available on the City of Guelph website and the reports are available at ServiceGuelph.

ATTACHMENTS

Schedule of current fees and proposed fees including a 20% corporate administrative recovery.

"original signed by Tina Agenello"

Prepared By: Tina Agnello

Deputy Clerk 519 822-1260 x 2811 tina.agnello@guelph.ca "original signed by Tina Agnello for"

Recommended By:

Lois Giles Director of Information Services/City Clerk 519 822-1260 x2232 lois.giles@guelph.ca PROPOSED BUSINESS LICENCE CATEGORIES FEES

<u>Category</u>	Inspections (new application)	Inspection Fee	Application Fee & Enforcement Fee	Proposed Fee = Inspection, Enforcement +Application	Total Fee with 20% Cost Recovery	Current Fee, Established in 2004	Inspections (renewal)	Proposed Renewal Fee= Inspection, Enforcement, & Application	Total Fee with 20% Cost Recovery	Current fee
Adult Entertainment Establishment	Zoning, By-law, Fire, Bldg	\$205.10	\$118.35	\$323.45	\$388.14	\$220.00	By-law, Fire	\$163.04	\$195.65	\$85.00
Adult Entertainment Retail	Zoning, By-law, Fire, Bidg	\$179.32	\$118.35	\$297.67	\$357.20	\$190.00	By-law, Fire	\$163.04	\$195.65	\$85.00
Amusement Establishment	Zoning, Fire, Bldg	\$193.39	\$93.35	\$286.74	\$344.09	\$220.00	Fire	\$113.04	\$135.65	\$85.00
Bed and Breakfast	Zoning, Fire, Health, Bldg	\$155.32	\$93.35	\$248.67	\$298.40	\$225.00	Fire, Health	\$126.60	\$151.92	\$120.00
Catering Company	Zoning, Fire, Health, Bldg	\$181.16	\$93.35	\$274.51	\$329.41	\$220.00	Fire, Health	\$126.60	\$151.92	\$85.00
Food Shop+ Restaurant now combined for "Food Premises"	Zoning, Fire, Health, Bldg	\$206.95	\$93.35	\$300.30	\$360.36	\$220.00	Fire, Health	\$126.60	\$151.92	\$85.00
Food Vehicle	Zoning, By-law, Fire, Health, Bidg	\$132.27	\$93.35	\$225.62	\$270.74	\$195.00	By-law, Fire, Health	\$142.56	\$171.07	\$115.00
Holistic Services	Zoning, By-law, Bldg, Fire,Health	\$233.62	\$93.35	\$326.97	\$392.36	\$220.00	By-law, Fire, Health	\$167.56	\$201.07	\$85.00
Holistic Services Operator/Practitioner	n/a	0	\$151.35	151.35	\$181.62	\$220.00	By-law	\$125.00	\$150.00	\$85.00
Hotel	Zoning, By-law, Bldg, Fire, Health	\$226.51	\$93.35	\$319.86	\$383.83	\$220.00	Fire	\$162.72	\$195.26	\$115.00
Pawnbroker	Zoning, Fire, Bldg	\$141.82	\$93.35	\$235.17	\$282.20	\$190.00	N/A	\$63.35	\$76.02	\$55.00
Personal Service Est. (includes Hair Salon)	Zoning, By-law, Fire, Health, Bidg	\$171.34	\$93.35	\$264.69	\$317.63	\$220.00	By-law, Fire, Health	\$142.56	\$171.07	\$85.00
Private Parking Agent	By-law	\$50.16	\$93.35	\$143.51	\$172.21	\$100.00	N/A	\$63.35	\$76.02	\$55.00
Public Hall- <i>incl. Theatre</i> & Indoor Flea Market	Zoning, Fire, Health, Bldg	\$206.95	\$93.35	\$300.30	\$360.36	\$220.00	Fire, Health	\$126.60	\$151.92	\$115.00
Street Vendor (City tendered)	Zoning, By-law, Fire, Health	\$132.27	\$118.35	\$250.62	\$300.74	\$195.00		\$167.56	\$201.07	\$195.00

COMMITTEE REPORT



ТО	Finance, Administration and Corporate Services Committee
SERVICE AREA DATE	Information Services June 9, 2009
SUBJECT REPORT NUMBER	Proposed New Business licensing Bylaw

RECOMMENDATION

THAT staff be directed to prepare a new Business licensing Bylaw for Council approval in September, 2009, incorporating all the changes to the current by-law as noted in the report to the Finance Administration and Corporate Services Committee from the Director of Information Services/City Clerk dated June 9, 2009 based on cost recovery with an annual fee review; and,

THAT the authority to hear appeals under the business licensing bylaw be delegated to a committee comprised of 3 citizens and that the power to make the decision be delegated to the Hearings Committee. That the delegated authority be exercised in accordance with rules approved by Council.

BACKGROUND

Currently, the purpose for licensing businesses in the City of Guelph is primarily for the health, safety and well-being of the public, where there is a municipal interest that is not otherwise legislated. Examples of businesses meeting these purposes are establishments where food is prepared, where there are services that involve bodily contact, or where large assemblies are inherent in the business. Where these types of conditions exist, a higher degree of inspections is warranted with respect to health, sanitation, and safety.

Staff were directed to conduct a comprehensive review of the current business licensing by-law. Concurrently, a service review was conducted which resulted in a consolidation of bylaw enforcement including the enforcement of the business licensing bylaw.

A review of the legislation and other municipalities' by-laws was conducted, among them, Barrie, Brantford, Burlington, Kitchener, Kingston, Milton, Oakville, and Waterloo. Many of these municipalities are currently conducting similar reviews of their municipal Business licensing By-laws. Only three (Barrie, Milton, Oakville) of the foregoing municipalities have passed new Bylaws since the provisions relating to business licensing were changed in the Municipal Act.

Projections of actual costs for Fire, Building, Zoning, Public Health inspections and administration including By-law enforcement were calculated. A staff working group and sub groups comprised of representatives from Building, City Clerks, Court Services Enforcement, Fire Services, Legal services, Zoning, and Wellington-Dufferin-Guelph Public Health met on numerous occasions. There was also consultation with Guelph Police Services.

REPORT

The working team reviewed the following keeping in mind the City's established purposes for licensing:

- Categories
- Definitions
- Application process
- Hearing process
- Conditions to be applied to all categories
- Conditions applying to specific categories
- Inspection process for applications, renewals and enforcement
- Calculation of proposed fees

Categories to be licensed/not licensed

Staff are proposing that the following business categories continue to be licensed as they continue to maintain the City's Purposes for licensing:

Adult entertainment (to include establishment and retail) Amusement establishment Bed and breakfast Catering company Food premises (to include Food shop & Restaurant where food is prepared/handled) Food vehicle (Chip Wagons, Mobile preparation, refreshment) Holistic services/operator/practitioner (to not include mind control) Hotel establishments Pawnbroker Personal service establishment (to include hair salon) Private parking agent Public Hall (theatres & indoor flea markets 100 people or more) Street vendor (City tendered on City Property)

A number of existing categories in the current By-law are proposed to be discontinued because they are regulated or governed by another level of government or agency. An example is the tobacco licence which predated the Smoke Free Ontario Act. The province now has the authority under this legislation to regulate tobacco sales. With regard to pet stores, the *Ontario SPCA Act* mandates the Society to enforce animal cruelty laws and provides Ontario SPCA Community investigators with police powers to do so. Retail Establishments, Auctioneer and Door to Door sales are being removed as staff determined that they no longer meet the criteria for licensing purposes. The categories proposed to be discontinued are as follows: Auctioneer Billiards Establishment Bowling Alley Door to door sales Driving Instructor/ school Food Vehicle (Mobile Barbeque, refrigerated bicycles) Laundromat/drycleaner Pet shop Physical fitness centre Plumbing contactor/Backflow device tester/Drain contactor Retail Temporary Sales Tobacco Sales Vehicle Service Establishment

Please note that all businesses, regardless of whether they require a business licence or not, are still subject to the requirements of the Building Code, the Fire Protection and Prevention Act, the Health Protection and Promotion Act, the Zoning By-law and any other applicable By-laws or legislation.

Changes applicable to all categories

When the categories were reviewed there were certain provisions which staff felt should equally apply to all categories as a matter of equity and fairness. These changes can be categorized as those which are general in nature, those which relate to the application process, and those regarding the hearing process. There will also be housekeeping changes to harmonize things such as definitions throughout the by-law for consistency and clarity. The material changes which are general in nature and apply to all categories are noted in Appendix "A".

Hearings process changes

Staff have been directed to review the composition of the hearings committee with regard to delegation of authority. Council has delegated to Finance Administration and Corporate Services Committee the power to conduct hearings of appeals. Council itself makes the final decision on whether a license is granted or refused.

The Hearings Committee is a tribunal which follows the Statutory Powers Procedures Act. They require knowledge of this legislation so that the appropriate procedures can be followed in a hearing for a decision regarding a business licence. Council may now delegate its quasi judicial powers and duties pursuant to Section 23.2 and 23.5 of the Municipal Act. This delegation includes the authority to delegate the hearings and also the authority to make the decision. Many municipalities are currently reviewing this in light of changes to the Municipal Act which now allows delegation of authority to hear appeals to citizens, and also allow delegation of final decision to the hearings committee; meaning it is not appealable to Council. Mississauga is currently the only known municipality in Ontario whose Licensing tribunal is comprised solely of citizens. The following are changes are proposed to the hearings process:

*Composition of Hearings Committee to be comprised of 3 citizens.

*Power to make decision to be delegated to the Hearings Committee

*Hearings members to receive a stipend of 130.00 and Chair to receive 160.00 per day or part thereof

*Processing fee in amount of \$50 to be required as part of appeal

*Permits staff refusal of late appeals based on the requirements of the by-law

The proposals for changes to the delegation of authority to a citizens committee and to delegate the authority for the decision is in keeping with the Policy regarding the Delegation of Authority as adopted by Council on December 17, 2007.

Changes applicable to specific categories

When the individual categories were reviewed, it was determined that some sub categories no longer met the criteria for the purposes for licensing, such as internet gaming. Alternatively, some conditions, which staff recommends should also apply to other categories such as Personal Service Establishment, are proposed to be added. Conditions have also been added to some categories being expanded such as Public hall which is proposed to include indoor flea markets and theatres. It is also proposed that any physical changes to the premises required as a result of the passing of the by-law be effective on January 2, in order to allow the existing licensee sufficient time to make any required changes.

Amusement Establishment:

-Defined as Indoor facilities only

-Arcades, internet gaming & internet cafes will not be included

Holistic Services Establishment:

-Psychological therapies will not be included (such as hypnotists)

-view into the storefront of the building is to be unobstructed (other than service areas and washrooms)

-practitioners to provide proof of current Professional liability insurance upon renewal

- practitioners to provide proof of current Holistic membership in good standing upon renewal

Personal Service Establishment:

-Services and fees to be posted

-Only area designated on floor plans is to be used for services

-Where a personal service & holistic service are one business, both licences are required and the license fee shall be the greater of the two

-sanitary requirements (Same as in Holistic Services Establishment category

-Linens to be laundered after each use

- -Contact surface to be clean
- -First aid kit to be provided
- -Toilet and washroom to be provided
- -Hand washing basin with hot water and drying materials to be provided

Public Hall:

-Applies to indoor premises with capacity of 100+

-If operating as a flea market, conditions regarding keeping list of vendor information applies

-Sidewalk & highway to be unobstructed

-No exit or corridor to be blocked or obstructed

The application process

Staff are proposing a two-step process for inspections related to business licensing and the application for the licence. The fee for such is to be based on actual costs of inspection and processing the application.

There are several reasons why a two step application process for Business licensing is being proposed:

- Businesses were applying for a licence and not completing inspections
- Deficiencies were not being rectified in a timely manner
- Businesses were operating before obtaining a licence

All required inspections must be passed before a business licence fee is paid.

To our knowledge, only Barrie has a similar system based on inspections and application fees. The City of Barrie recently completed its review. They are basing their inspection fees on actual per hour costs per inspection, with an added administrative fee for processing the application of \$147.50.

For new applications:

The first step is applying for and passing the required inspections, prior to applying for a licence. This involves paying an inspection fee and passing the required inspections. It is proposed that all inspections be completed within 90 calendar days* of application. Three inspections from each inspecting authority are permitted. If more than three inspections are required a new inspection application and fee is required. A thirty day extension, in writing, may be granted to complete any works which are in progress. A fee based on the inspections is proposed.

Inspection approvals are only valid for a period of 90 days from that date the last inspection is passed. An applicant who does not apply for the business licence within 90 calendar days must repeat the first step.

The second step is the application for licence. The applicant is required to obtain a licence within 90 calendar days after all inspections have passed. The application is

required within the 90 day period to ensure that the inspection information is relatively current when the licence is granted. Should the application for license not be applied for within the 90 days, a new inspection process, including payment of fees, must be commenced. All paperwork including proof of insurance, proof of interest in premises shall be submitted. A licence application fee based on administration and ongoing enforcement is proposed.

* 90 calendar days

This period of time is the maximum time it should take for the process to be completed in order to allow for three inspections so that the applicant can make any required changes to be in compliance with the provisions of the By-law. Where all inspections have passed on the first visit, the inspection process should be completed well in advance of the 90 day period. Staff has committed to a timely inspection process so that the process for application and granting of a business licence will be imminent. The 90 day period is for inspection(s) and resolution; for the benefit of the applicant, so that they have time to comply with any outstanding matters.

For renewals:

The renewal process proposed is similar to the current process in that the renewal notices are mailed out and the required inspections must be completed prior to the renewal of the licence. Two inspections from each inspecting authority are permitted. If more than two inspections are required a new renewal fee is required. A thirty day extension, in writing, may be granted to complete any works which are in progress as of the expiry date. A fee based on the inspections, administration and enforcement is proposed.

Calculation of fees

The application fee includes Clerks Office staff compensation costs to process the applications, and ongoing by-law enforcement fee and vehicle costs.

Inspection, application and renewal rates are based on costs directly attributable to inspections, application and enforcement. Other associated costs such as overhead (operating costs), legal, court and technological support services have not been included.

A comprehensive cost recovery formula including overhead may be considered in the future in order that the full cost of the business licence is paid through the licence fee. In doing so, the business license process would be sustainable and not partially funded by the general tax base.

Staff time for inspection is based on the compensation rate of the staff person per hour multiplied by the average time for inspection

Inspection authorities are Building, By-law, Fire, Health*, and Zoning. (*25% of the costs of inspection for Public Health is charged which represents the city's Portion.)

The cost of the vehicle is calculated according to the average time for an inspection.

Options for charging fees

Based on the city costs, licence fees are increasing in all but two situations. The proposed schedule of fees and current fees is attached as Appendix "B". The current fees have not been increased or reviewed since the By-law was passed in 2004. In the event Council does not wish to recover costs immediately as per Appendix "B", the following options are proposed:

- A (i) Cost recovery (based on staffing + vehicle costs) including annual indexing
 - (ii) Cost recovery, no annual indexing*
- B (i) Cost recovery not including enforcement with annual indexing
 (ii) Cost recovery not including enforcement, no annual indexing*
- C (i) 2 year phase in for A. (i) Cost recovery/annual indexing
 (ii) 2 year phase in for A (ii) Cost recovery/no annual indexing*
 (iii) 2 year phase in for B (i) Cost recovery/no enforcement & annual indexing
 (iv) 2 to 4 year phase in for B (ii) Cost recovery no enforcement/ no indexing*

Should an option be chosen which includes indexing or an annual review of fees, there may be less of an impact on fees when the next comprehensive review of the By-law is conducted.

* As a further option, where no indexing is chosen, Staff may be directed to conduct an annual review of the fee schedule based on current costs.

Indexing = year over year increase based on Statistics Canada consumer price index before your renewal notice has been issued.

Consultation Process to date

An information report was tabled at the Finance Administration and Corporate Services Committee meeting of April 14 outlining the communication process and timetable. A web page on the City site was established, which included all information relating to the Business license By-law review and approval process, including all the documents referred to below.

An open house was scheduled to be held on May 7, 2009 in the council chambers. Communication for the open house was as follows:

- \checkmark 1,742 invitations were sent to current licensees on April 24
- \checkmark Ad appeared in Guelph Tribune on April 27 and May 1
- ✓ Information and link to city web-site forwarded to the Guelph Chamber of Commerce, the Downtown Guelph Business Association and the Guelph Wellington Business Enterprise Centre. Follow-up calls were subsequently made to these three groups

- ✓ Staff contact information was included in all communications
- ✓ A proposed fee schedule was distributed (Appendix "B")
- Poster information boards were available at the open house (Appendix "C")
- A presentation was given detailing proposed recommendations (Appendix "D")
- ✓ A comment sheet was distributed

Approximately 45 people were in attendance including many of the staff working team.

We received 4 completed comment sheets:

- 1 supporting removal of plumbing/backflow category
- 1 supporting removal of retail
- 1 supporting no licence for public halls under 100 (this is in the current bylaw)
- 1 supporting removal of licence for the driving school and instructors category because they are already regulated

We also received 11 emails and 12 phone calls, the majority of which were general enquiries related to the business licence review process. Specific comments were are as follows:

- 2 stating that fees not be raised
- 1 stating that it is reasonable for fees to be raised as they have not increased over past 5 years
- 1 that the new provision in the holistic schedule regarding the view into the building be grandfathered
- 9 supported the deletion of the following categories: Retail, Physical Fitness centre, Laundry/drycleaner, Bowling Alley, Vehicle service establishment
- 2 requesting that the professional practice of hypnotism be included in the list of approved professions
- A call from the University of Guelph advising that they will be submitting comments

Notice of this meeting and of the Council meeting to consider approval of the New Proposed by-law provisions was placed in the Tribune on Friday May 22, 2009 in accordance with City's Public Notice Provision Policy and made available on the City Web page and at Service Guelph, City Hall, on Friday May 29, 2009.

Next Steps

June 22: Report regarding new business license bylaw to Council for approval Sept. 28: Passing of Bylaw as directed by Council in June After Sept 28: Ad in paper regarding new Business licensing bylaw October: renewals for 2010 to be mailed out Jan. 2/10: New licensing Bylaw in effect

In order to implement the new provisions of the By-law it is required that the New

Business Licensing by-law be passed by Council in September.

CORPORATE STRATEGIC PLAN

This report supports the following goals in the strategic plan: 5.3 - Open, accountable and transparent conduct of municipal business; and 5.6 - Organizational excellence in planning, management, human resources and people practices

FINANCIAL IMPLICATIONS

Changes in the fee structure and elimination of various categories are predicted to result in a loss of approximately \$47,125 in 2010.

Should an option other than cost recovery be chosen to implement the fees, the loss in 2010 will be a greater amount.

DEPARTMENTAL CONSULTATION

Building Services Bylaw Enforcement City Clerks Office Court Services Fire Services Guelph. Guelph Police Services Legal Services Wellington Dufferin Guelph Public Health Zoning Services

COMMUNICATIONS

(Refer to Consultations and Next steps)

ATTACHMENTS

Appendix "A": Proposed General Changes to the By-law Appendix "B": Proposed Business Licence Categories and Fees spreadsheet Appendix "C": Open House Information Posters Appendix "D": Open House Presentation

"original signed by Tina Agnello"

Prepared By:

Tina Agnello Deputy Clerk 519 822-1260 x 2811 tina.agnello@guleph.ca "original signed by Lois Giles"

Recommended By:

Lois Giles Director of Information Services/ City Clerk 519 822 1260 x 2232 lois.giles@guelph.ca

<u>Appendix "A"</u> <u>Proposed General Changes to the Business licensing By-law</u>

- Changes to any information provided in the application, (e.g. changes to floor plan or hours of operation) are to be reported to the Clerk's office within 15 calendar days
- Main entrance to remain unlocked during hours of operation (except dwellings)
- Charities and non profit organizations are not exempt from licensing requirements and payment of a fee
- if there is a prohibition order or any federal or provincial order ceasing that activity, a licence may be refused/revoked/suspended or cancelled
- *Refund of fee on refusal to issue or renew a licence which is not appealed shall be equivalent to the enforcement portion of the fee (if enforcement fees are included)
- no March 31 renewal date, so new licence is required if application for renewal of licence has not been made by date of the licence expiry
- No interest calculation on late payments past December 31
- All businesses are to carry minimum \$2 million insurance
- Proof of interest in lands or premises to be provided (e.g. lease/ property tax bill)
- Floor plans to scale to be provided (for location businesses only)
- Hours of operation to be included in application.
- Hours of operation to be posted on exterior of business (except dwellings)
- Sworn affidavit to be provided by corporations & partnerships
- Include ability to stagger annual License renewals.

Appendix B

Category		Inspection Fee	Application Fee & Enforcement	NESS LICENCE CATEG Proposed Fee = Inspection, Enforcement +Application	Current Fee, Established in 2004	Inspections (renewal)	Proposed Renewal Fee= Inspection, Enforcement,	Current fee
							& Application	
Adult Entertainment Establishment	Zoning, By-law, Fire, Bldg	\$205.10	\$118.35	\$323.45	\$220.00	By-law, Fire	\$163.04	\$85.00
Adult Entertainment	Zoning, By-law, Fire, Bldg	\$179.32	\$118,35	\$297.67	\$190.00	By-law, Fire	\$163.04	\$85.00
Retall Amusement	Zoning, Fire, Bldg	\$193.39	\$93.35	\$286.74	\$220.00	Fire	\$113.04	\$85.00
<u>Establishment</u> Bed and Breakfast	Zoning, Fire,	\$155.32	\$93.35	\$248.67	\$225.00	Fire, Health	\$126.60	\$120.00
Catering Company	Health, Bldg Zoning, Fire,	\$181.16	\$93.35	\$274.51	\$220.00	. Fire, Health	\$126.60	\$85.00
Food Shop+	Health, Bldg Zoning, Fire,	\$206.95	\$93.35	\$300.30	\$220.00	Fire, Health	\$126.60	\$85.00
Restaurant now	Health, Bldg Zoning, By-law,	\$132.27	\$93.35	\$225.62	\$195.00	By-law, Fire, Health	\$142.56	\$115.00
Holistic Services	Fire, Health, Bldg Zoning, By-law,	\$233.62	\$93 . 35 ·	\$326.97	\$220.00 [.]	By-law, Fire, Health	\$167.56	\$85.00
Holistic Services	Bildg, Fire,Health n/a	0	\$151.35	151.35	\$220.00	By-law	\$125.00	\$85.00
<u>Operator/Practitioner</u> Hotel	Zoning, By-law,	\$226.51	\$93.35	\$319.86	\$220.00	Fire	\$162.72	\$115.00
Pawnbroker	Bldg, Fire, Health Zoning, Fire, Bldg	\$141.82	\$93.35	\$235.17	\$190.00	N/A	\$63.35	\$55.00
Personal Service Est. (includes Hair Salon)	Zoning, By-law, Fire, Health, Bldg	\$171.34	\$93.35	\$264.69	\$220.00	By-law, Fire, Health	\$142.56	\$85.00
L	By-law	\$50.16	\$93.35	\$143.51	\$100.00	N/A	\$63.35	\$55.00
Private Parking Agent Public Hall- <i>incl.</i>	Zoning, Fire,	\$206.95	\$93.35	\$300.30	\$220.00	Fire, Health	\$126.60	\$115.00
Theatre & Indoor Flea Street Vendor (City	Zoning, By-law, Fire, Health	\$132.27	\$118.35	\$250.62	\$195.00	By-law, Fire, Health	\$167.56	\$195.00

Status of our current Business licensing By-law

► Under our current By-law the purposes for licensing are as follows:

Health Safety Wellbeing

...where there is a municipal interest* that is not otherwise provincially or federally legislated.

*What is considered to be a municipal interest?

Where the following exists:

Food handling/ preparation/ sales Invasive procedures Where there are large assemblies of people (100 or over) Where people are sleeping Where it is required or allowed by legislation

Categories Proposed to be licensed:

Adult Entertainment Establishment (AEE) Adult Entertainment Retail (to be included in AEE category) Amusement Establishment Bed and Breakfast Catering Company Indoor Flea Market (to be included in Public Hall) Food Shop (include with restaurant= Food premise category) Food Vehicle -Chip Wagons Mobile Preparation Vehicle **Refreshment Vehicle** Hair Salon (to be included in personal service category) Holistic Services (including operators & practitioners) Hotel Establishments Pawnbroker Personal Service Establishment (include hair Salon) Private Parking Agent Public Hall (include Indoor Flea Market & Theatre 100+ capacity)

Restaurant (include w food shop= Food premise category) Street Vendor- City tendered Theatre (to be included in Public Hall)

Categories Proposed to no longer require a licence:

Auctioneer **Billiards Establishment** Bowling Alley Door-to-Door Sales Business Driving Instructor/Driving School Flea Market (outdoor only) Food Vehicle -Mobile Barbeque Facility **Refrigerated Bicycle Carts** Laundromat/Dry Cleaner Pet Shop Physical Fitness Centre Plumbing Contractor/Backflow Device Tester/ **Drain Contractor Retail Business** Temporary Sale Tobacco Vehicle Service Establishment

Why are these categories being deleted?

- A. A municipality's authority is limited when is comes to licensing for the purpose of consumer protection e.g. Retail The trades Vehicle Service Est.
- B. Some are now governed by provincial or federal legislation e.g. Tobacco sales

Proposed New Application Process

A. The proposed **NEW** application process for a business licence will be a two-step process

Step 1 – the **inspection** process

1. complete an application for inspection(s)

2. ensure your required inspections are completed before you apply for your business licence

- 3. provide a floor plan (for all location licences)
- 4. ensure your inspections are completed within 90 days
- 5. 3 inspections are included, if you require more than 3 inspections, a new inspection application and fee will be required
- 6. a 30 day extension is available if you provide proof of commencement of works
- 7. a payment fee for inspection is required

Step 2 – the Application process

1. complete an application for a business licence once your inspections have passed, this must be received by the Clerk's Office within 90 days of completing your inspection; otherwise a new inspection application and fee is required

2. submit all your paperwork such as insurance, partnership/ corporation documents, association membership (if required)

3. payment for application processing is required

Proposed New Application Process (continued)

The Renewal process

- Inspections must be completed by your business licence expiry date
- 2 inspections are included, if you require more than 2 inspections a new inspection application and fee is required
- copies of current valid insurance and current valid membership in association (if applicable) are required
- If the renewal application is not received by your licence expiry date, a new inspection application and business licence application is required
- If your application has been received but your inspections have not been completed by the expiry date, a 30 day extension is available with proof of commencement of works
- A payment fee for licence renewal is required

Proposed New Fee Structure

New Application

I: Inspection process	= staff inspection costs + vehicle costs		
II: Application process	= staff administration+ enforcement + vehicle costs Administration = processing costs Enforcement+ vehicle = visits throughout the year		
I + II = fee required to obtain a business licence			

Renewal =	staff inspection+	administration+ enfo	rcement +vehicle costs
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Options for Proposed New Fee Structure

- A. (i) Cost recovery (based on staffing + vehicle costs) including annual indexing
 - (ii) Cost recovery, no annual indexing
- B. (i) Cost recovery not including enforcement with annual indexing
 (ii) Cost recovery not including enforcement, no annual indexing
- C. (i) 2 to 4 yr phase in for A. (i) Cost recovery/annual indexing
 - (ii) 2 to 4 yr phase in for A. (ii) Cost recovery/no annual indexing
 - (iii) 2 to 4 year phase in for B.(i)Cost recovery/no enforcement & annual indexing
 - (iv) 2 to 4 year phase in for B.(ii) Cost recovery no enforcement/ no indexing

Indexing means year over year increase based on the consumer price index before your renewal notice has been issued.

Highlights of proposed by-law changes- general

* Changes to be reported to the Clerk's office within 15 days

* Main entrance to remain unlocked and accessible during hours of operation

* Charities and non profit organizations not exempt from paying fee

* New renewal licence required if application for licence has not been made by the day following the date of the licence expiry

* New ground to be added for refusal to issue or renew a licence or revoking/suspending or cancelling a licence if there is a prohibition order or other federal or provincial order ceasing that activity

* Refund of fee on refusal to issue or renew a licence which is not appealed shall be equivalent to the enforcement portion of the fee

Highlights of proposed by-law changes – application process

- * All businesses to carry minimum \$2 million insurance
- * Proof of interest in lands or premises to be provided
- * Floor plans (to scale) to be provided (for location businesses)

* Hours of operation to be included in application and posted on exterior of Business (except dwellings)

* Corporations & partnership information to be provided

Highlights of proposed by-law changes- appeal process

- * Composition of Appeals tribunal to include some or all citizens
- * Appeals Tribunal decision to be final and binding
- * Processing fee of \$50.00 required as part of appeal

*Appeals to be submitted during office hours within 20 days from the notice being issued

* Secretary of the appeals tribunal may refuse appeals which are late 9. OPEN HOUSE REGARDING NEW BUSINESS LICENSING BY-LAW

Highlights of proposed changes for specific categories

<u>Category</u>	
Amusement	-Defined as indoor facilities only - Arcades, internet gaming and internet cafes not included
Holistic	 Psychological therapies not included Façade view to non service areas to be unobstructed from exterior Professional liability insurance & membership in good standing to professional association to be provided upon renewal for practitioners
Personal Service	 -List of services and fees to be posted no area other than designated area to be used for services Where a personal service & holistic service are one business, both licences are required and the license fee shall be the greater of the two Linens to be laundered after each use Contact surface to be clean according to public health best practices First aid kit to be provided Toilet and washroom to be provided hand washing basin with hot water and drying materials to be provided provisions of this category to apply to hair salon
Public Hall	 applies to indoor premises with capacity of 100+ if operating as a flea market, conditions of current category apply add condition from theatre category that sidewalk & highway to be unobstructed & attendant to be present no exit or corridor to be blocked or obstructed

We need your input

Please provide your thoughts on the comment sheet, or

You can also email your comments by May 14, 2009 to <u>tina.agnello@guelph.ca</u> or <u>jennifer.jacobi@guelph.ca</u>

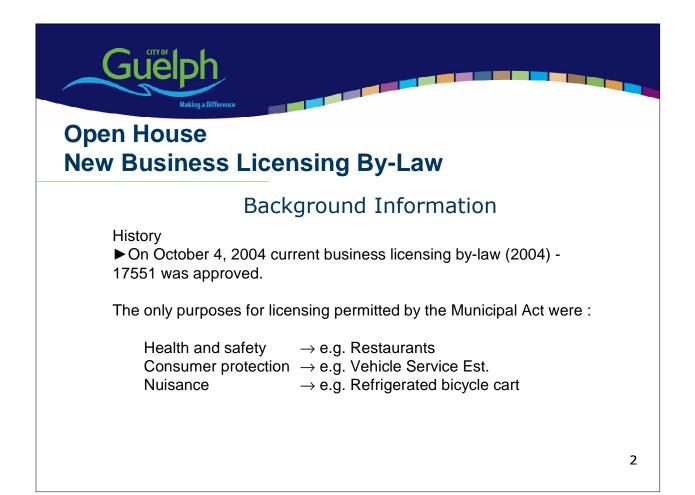
Next steps

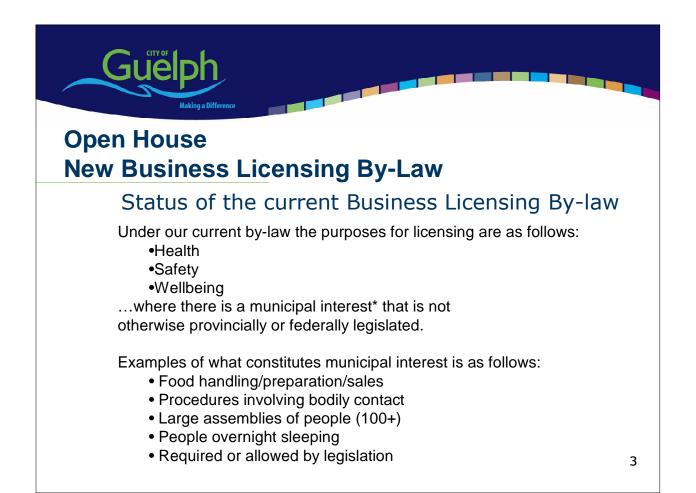
<u>June 9, 2009</u> - Recommendations to be brought forward to Finance Administration Community Services Committee June 22, 2009 - tentatively planned to go to Council for

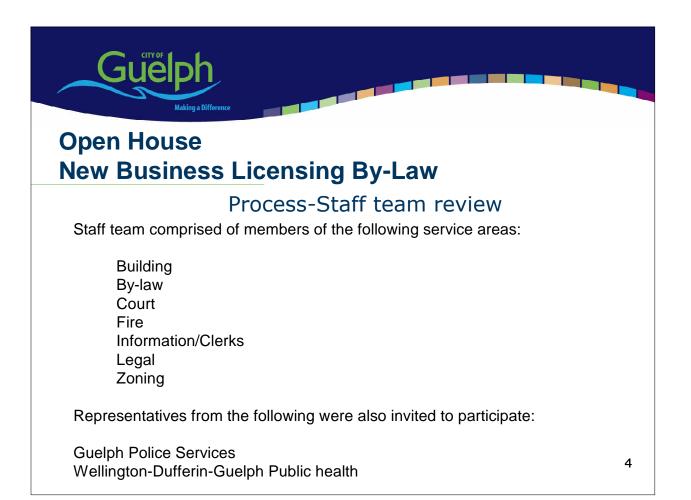
approval.

By-law effective January 2, 2010













Open House New Business Licensing By-Law

Process-Open House Communications

1,742 Invitations sent to licensees on April 24

City Webpage posted with information on April 24

Ad appeared in Guelph Tribune on April 27 and May 1

Information forwarded to: Guelph Chamber of Commerce Downtown Guelph Business Association Guelph Wellington Business Enterprise Centre

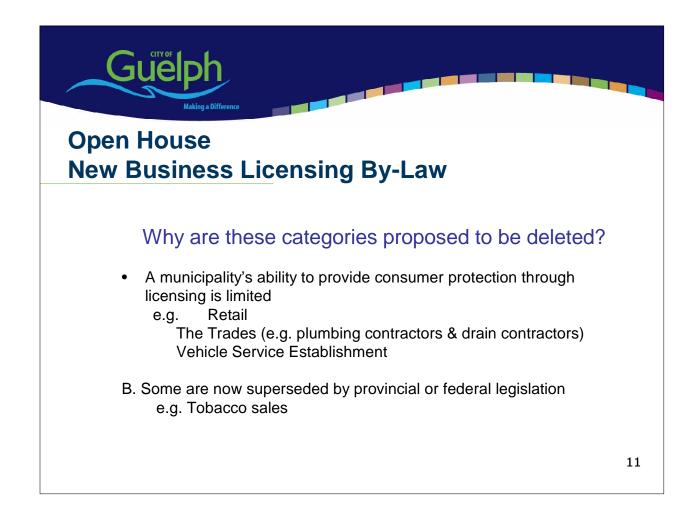
Contact information included in all communication: email & phone number













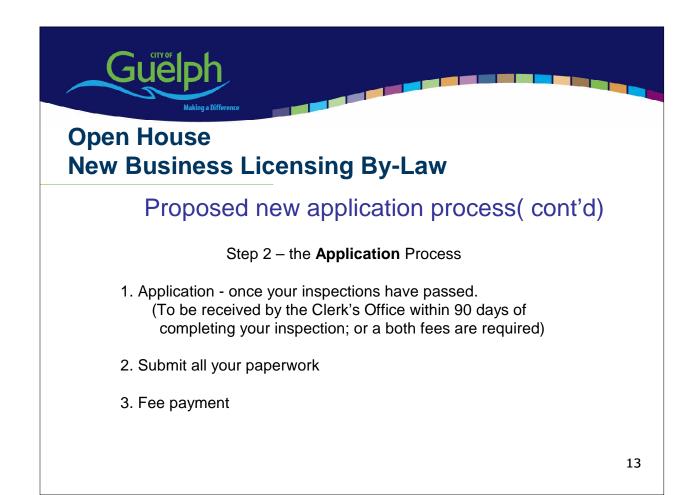
Open House New Business Licensing By-Law

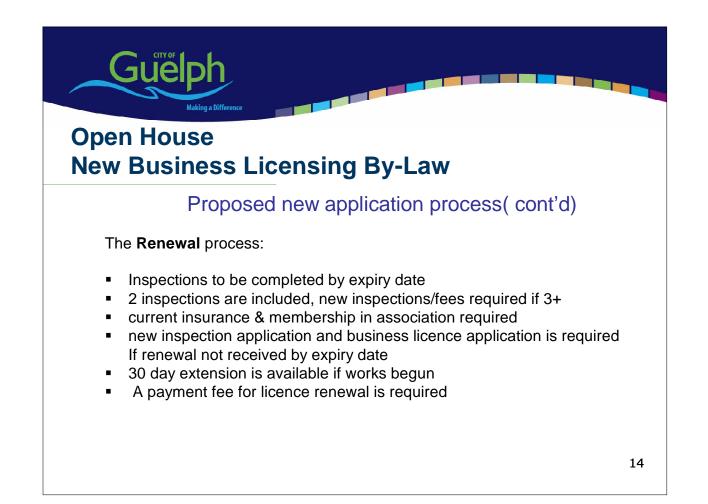
Proposed New Application Process

The proposed **NEW** application process for a business licence will be a twostep process:

Step 1 – the **Inspection** Process

- 1. complete an application for inspection(s)
- 2. inspections to be complete before application for business licence
- 3. provide a floor plan (for all location licences)
- inspections to be completed within 90 days
- three inspections are included.
- new application fee required if more than 3 inspections occur
- 30 day extension is available if works begun
- fee required









Highlights of proposed by-law changes- general

*Changes to be reported to the Clerk's office within 15 days

* Main entrance unlocked during hours of operation (except dwellings)

*No Exemption for Charities and non profit organizations

*New ground for refusal to issue/renew/revoke/suspend/cancel a licence if there is a prohibition order or other federal or provincial order ceasing that activity

*Refund of fee on refusal to issue or renew a licence which is not appealed to be the enforcement portion of the fee

*New licence required if application for renewal of licence has not been made by the day following the date of the licence expiry, therefore,

- no March 31 renewal date
- no interest calculation

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Highlights of proposed by-law changes- appeal process

*Composition of hearings committee to include some or all citizens

*Hearings committee decision to be final and binding

*Processing fee in amount of \$50 to be required as part of appeal

*Time limits to be clarified

*Secretary of the hearings committee may refuse appeals which are late



Highlights of proposed changes to specific categories

Amusement

-Defined as Indoor facilities only -Arcades, internet gaming & internet cafes not included

Holistic

-Psychological therapies not included

-Façade to be unobstructed from exterior

-Professional liability insurance & membership in good standing to professional association to be provided upon renewal for practitioners

Public Hall

-Applies to indoor premises with capacity of 100+

-If operating as a flea market, conditions of current category apply

-Sidewalk & highway to be unobstructed & attendant to be present

-No exit or corridor to be blocked or obstructed

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Highlights of proposed changes to specific categories

Personal Service

-Services and fees to be posted

-Only area designated to be used for services

-Where a personal service & holistic service are one business , both licences

are required and the license fee shall be the greater of the two

-Linens to be laundered after each use

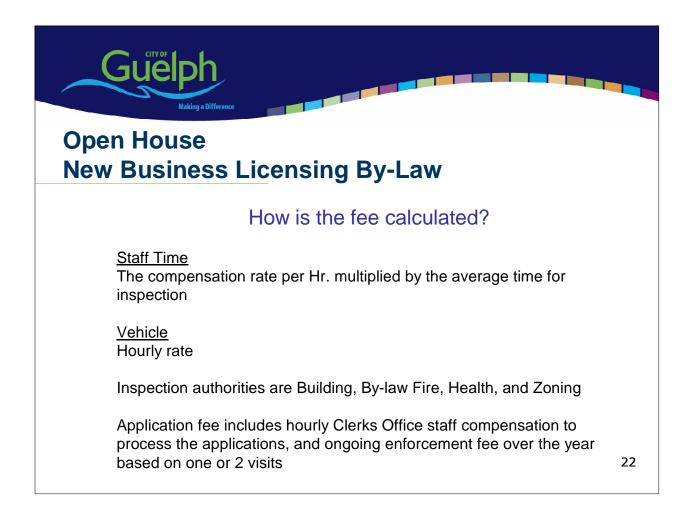
-Contact surface to be clean

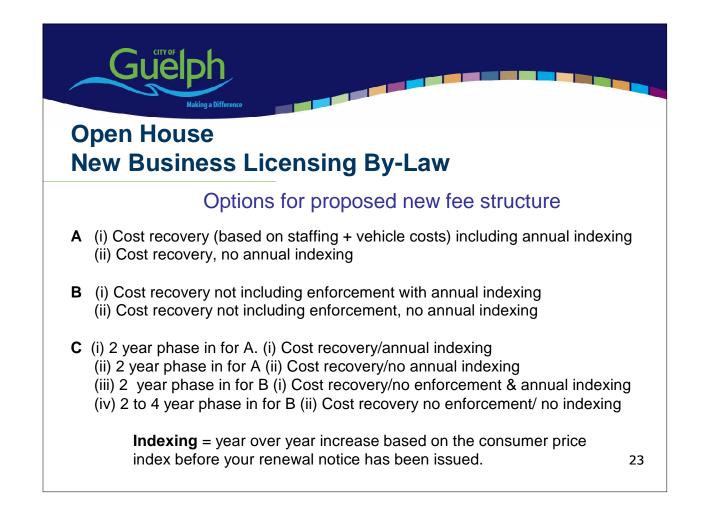
-First aid kit to be provided

-Toilet and washroom to be provided

-Hand washing basin with hot water and drying materials to be provided

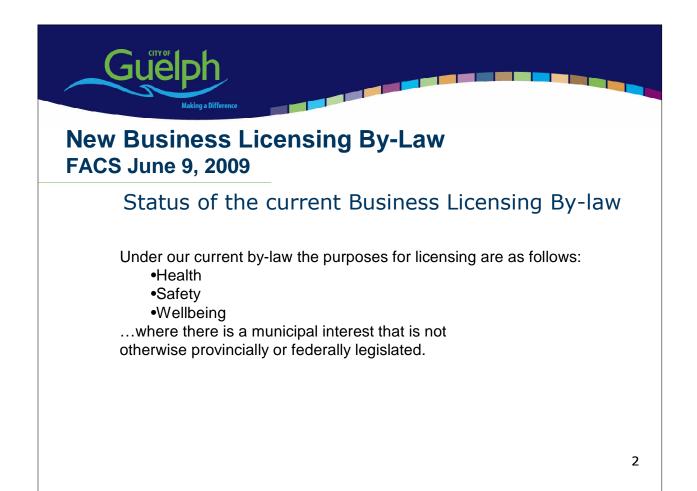


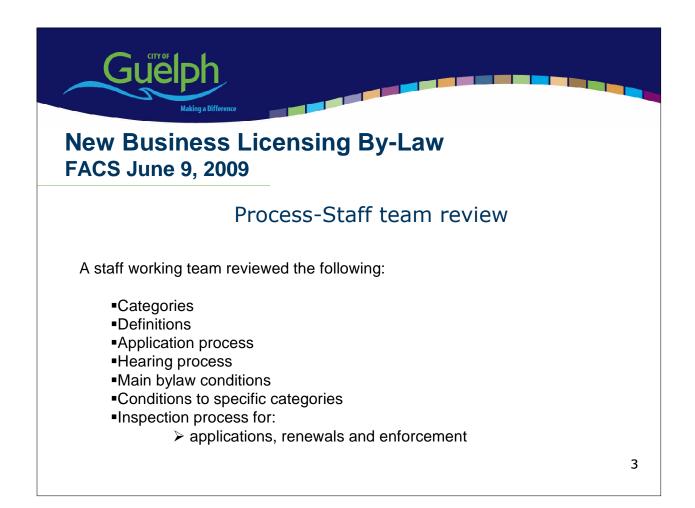




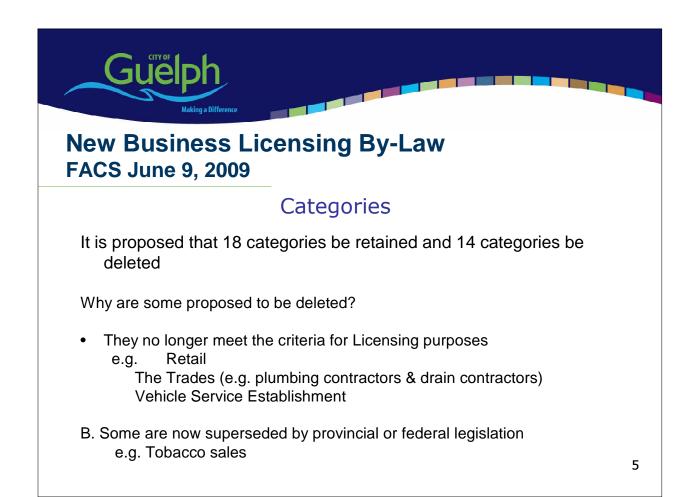




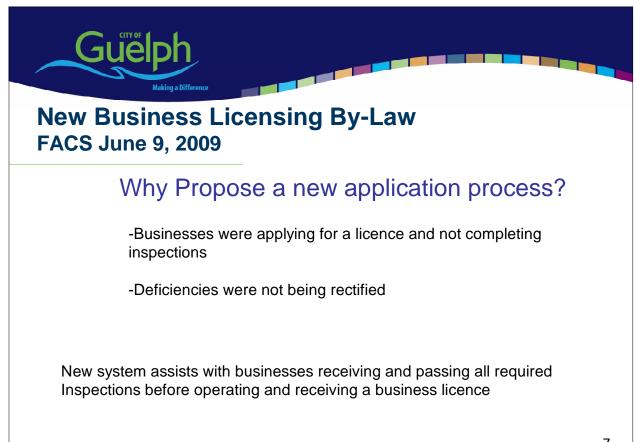


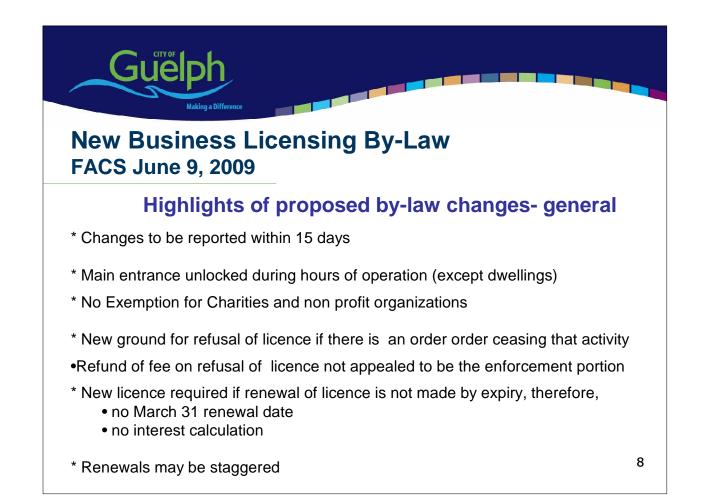


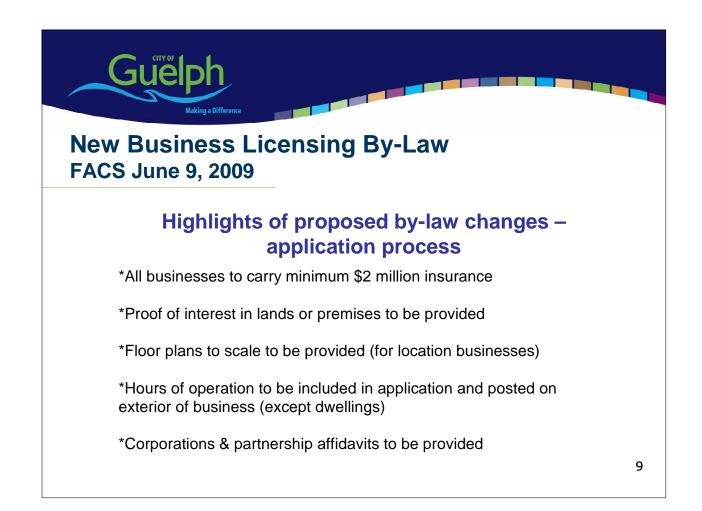


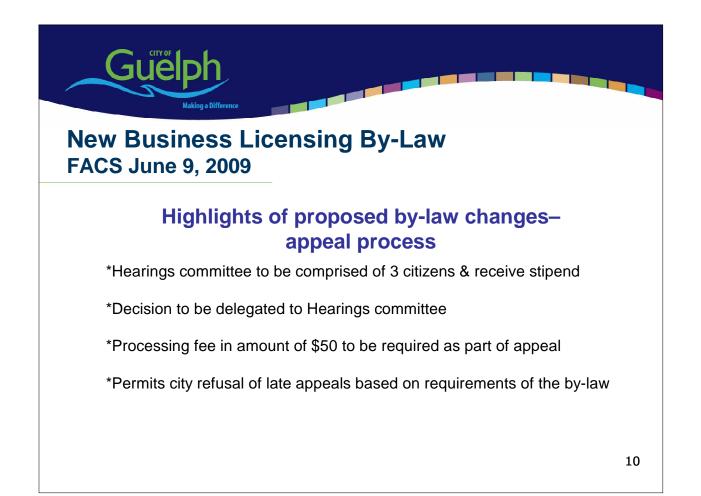


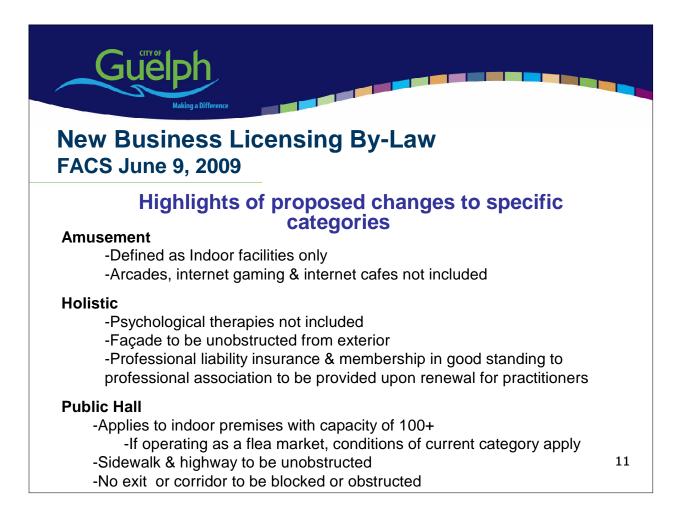


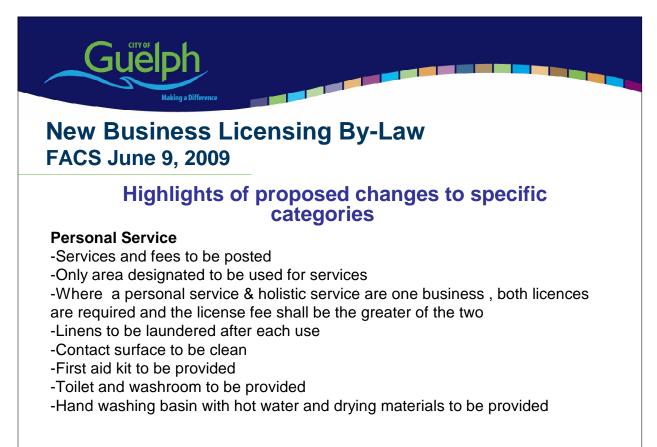


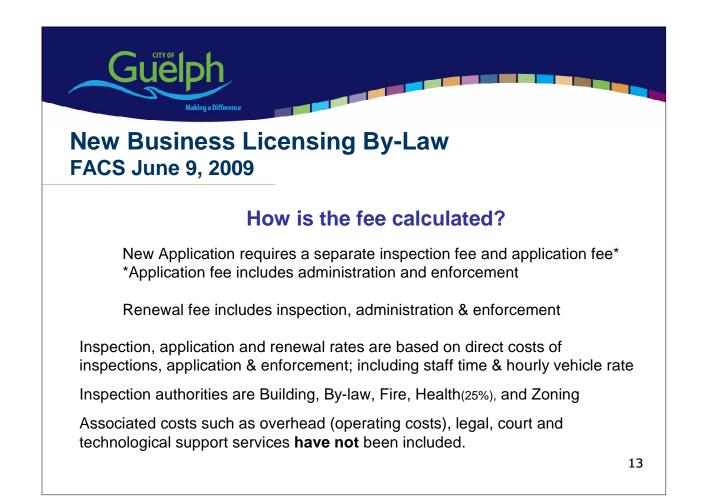


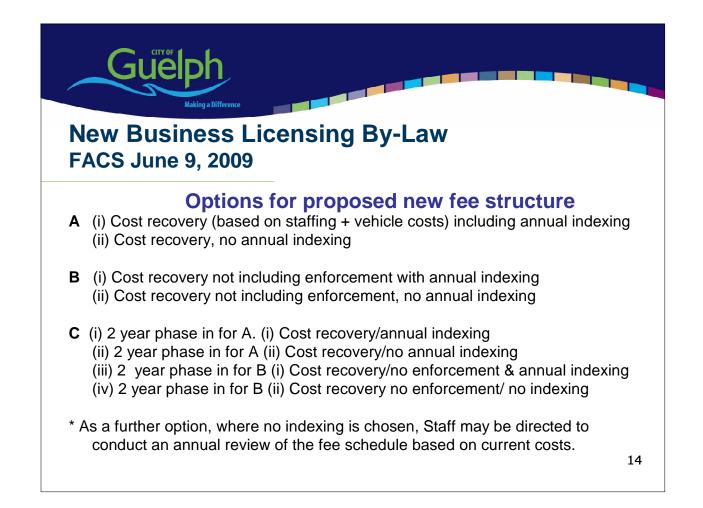


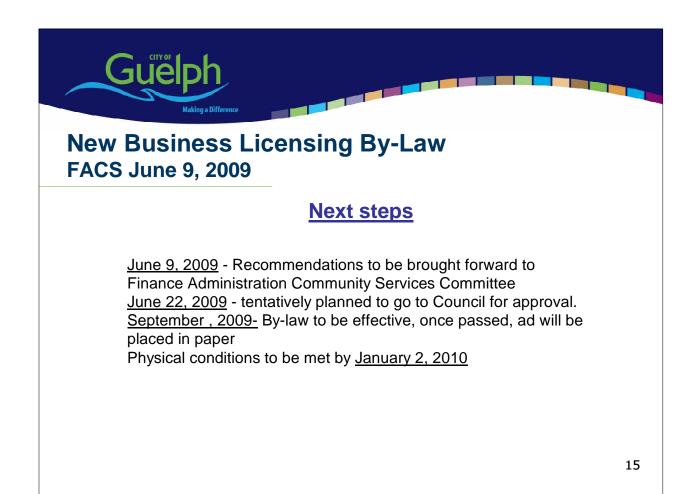


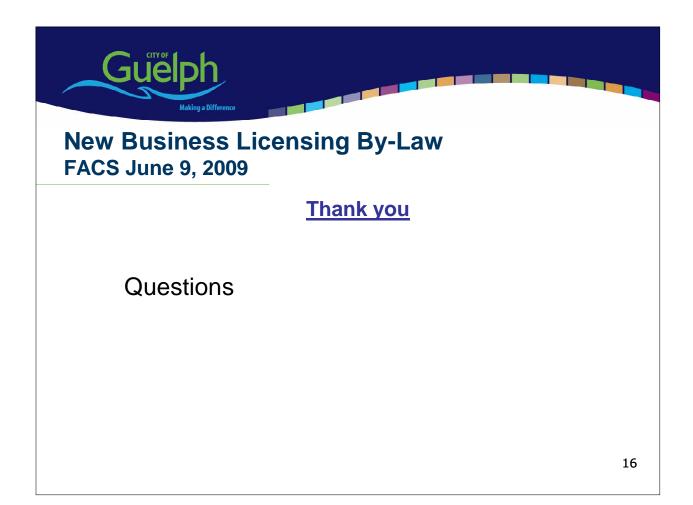












COMMITTEE REPORT



TO Finance, Administration and Corporate Services Committee

SERVICE AREAFinanceDATEJuly 13, 2009

SUBJECTOperating Budget Variance Report as at December 31st,
2008 (subject to year end audit)

REPORT NUMBER FIN-09-27

RECOMMENDATION

THAT the Finance report 09-27 dated July 13, 2009 entitled "Operating Budget Variance Report as at December 31st, 2008" be received;

AND THAT the following surplus and deficit allocations be approved: Tax Supported Surplus of \$2,406,932

- \$502,769 be allocated to the Police Relocation reserve
- \$91,605 be allocated to the Library Relocation reserve
- \$1,200,000 be allocated to the Parkland Dedication reserve fund
- \$612,558 be allocated to the Tax Rate Stabilization reserve

Userpay

- Water deficit of \$706,880 be funded \$576,931 from the Water Rate Stabilization reserve and \$129,949 from the Water Capital reserve
- Wastewater deficit of \$1,967,001 be funded completely from the Wastewater Rate Stabilization reserve
- Parking deficit of \$677,980 be funded \$353,372 from the Parking Rate Stabilization reserve and \$324,608 from the Parking Capital reserve

REPORT

Tax Supported Budget

The year end position in 2008 for the Tax Supported Operating Budget indicates a favourable variance in the amount of \$2,406,932 (pending finalization of the year end audit). The surplus amount is derived after processing a transfer of \$154,898 from the OMB reserve to cover costs associated with Ontario Municipal Board proceedings, as dictated by approved Council policy. Details for each department and division are included in the attached schedules with the major causes of variance outlined below.

The top three favourable variances for the year are:

1. General Revenue – favourable variance caused by significant unbudgeted taxation revenue from one additional supplementary tax run which captured significant new construction in the commercial/industrial sector.

- 2. Police favourable variance caused mainly by salary savings as well as unbudgeted grant revenue.
- 3. Human Resources favourable variance caused by actual benefit costs being less than the budgeted costs.

The top three unfavourable variances for the year are:

- 1. Road & Boulevard Maintenance unfavourable variance caused by significant winter control activity required to maintain roads and rights of way during several winter storms.
- 2. Transit unfavourable variance caused by increased fuel costs, overtime, utilities for expanded building and reduced revenue.
- 3. General Expenditures unfavourable variance caused by insurance costs exceeding budgeted amounts and higher than anticipated tax write offs.

Tax Supported Surplus Allocation

Staff are recommending the Tax Supported surplus be allocated amongst four reserves. The amounts specified for the Police Relocation reserve and the Library Relocation reserve represent the surplus amounts from those specific budgets.

Staff are recommending the majority of the remaining surplus be allocated to the Parkland Dedication reserve fund. This funding is required to pay off all known commitments from the reserve up to the end of 2009. Policies and procedures regarding parkland dedication will be updated to ensure this reserve fund does not return to a deficit position in the future.

The final surplus allocation recommended by staff is to the Tax Rate Stabilization reserve. Adding to this reserve will ensure there is sufficient funding to meet the budgeted obligation approved in the 2009 budget. Staff intend to eliminate the contribution from this reserve as a budgeted funding source for future budgets. This reserve is intended to offset year end deficits, not to be an ongoing funding source for operating budget items.

Userpay Budgets

All three userpay budgets experienced deficits in 2008. Explanations and funding recommendations for each budget are described below.

Water

Water had a negative variance of \$706,880 at the end of the year. This was primarily caused by lower than budgeted revenues from decreased consumption. The three main causes for decreased consumption were an overly wet spring/summer, increased conservation, and business closures. Some of the revenue shortfall in 2008 was offset by reduced spending throughout the Water budget. The amount that could not be covered by reduced spending is to be offset by Water reserves. The entire balance of the Water Rate Stabilization reserve is to be used with the Water Capital reserve funding the remaining deficit.

In light of decreased water consumption in 2008, staff reduced the consumption values budgeted for 2009. This should ensure revenue projections are met and that additional funding is available to build up the Water Rate Stabilization reserve.

Wastewater

Wastewater had a negative variance of \$1,967,001 at the end of the year. The revenue problems experienced by Water also impacted Wastewater. Wastewater was unable to offset the revenue shortfall with spending reductions as it was also faced with a sizeable unbudgeted payment in lieu of taxes due to increased assessment for the expanded plant. Therefore, the variance is to be funded by the Wastewater Rate Stabilization reserve, which remains in a positive position. As with Water, the 2009 budgeted consumption numbers for Wastewater were reduced based on the consumption patterns experienced in 2008.

Parking

Parking had a negative variance of \$677,980 at the end of the year. This was primarily caused by revenue shortfalls due to 2-hour free parking downtown and the allowance of seasonal on-street parking. These revenue shortfalls are to be offset by Parking reserves. The entire balance of the Parking Rate Stabilization reserve is to be used with the Parking Capital reserve funding the remaining deficit.

The 2009 budget saw Parking migrate from a self-funded operation to being a Tax Supported operation. Parking continues to generate substantial revenues, but not enough to cover the full cost of operations.

CORPORATE STRATEGIC PLAN

5.3 Open, accountable and transparent conduct of municipal business.

FINANCIAL IMPLICATIONS

The Tax Supported surplus will help augment depleted reserves (Tax Rate Stabilization and Parkland Dedication) and provide funding for future capital projects (Police Relocation, Library Relocation).

The Userpay deficits will be funded from their Rate Stabilization reserves. Water and Parking Rate Stabilization reserves do not have sufficient balances to cover the entire deficit in those areas, so the Capital reserves will be used to fund the remaining deficits.

DEPARTMENTAL CONSULTATION

City departments have provided their comments for this report.

ATTACHMENTS

- 1. 2008 Operating Budget Variance Report as at December 31, 2008 Departmental Summary
- 2. 2008 Operating Budget Variance Report as at December 31, 2008 Divisional Summary

"original signed by Ryan Hagey"

"original signed by Sue Aram"

Prepared By: Ryan Hagey, CGA **Recommended By:** Sue Aram, CGA Supervisor of Budgets

Deputy Treasurer

Attachment #1 2008 Operating Budget Variance Report as at December 31, 2008 Departmental Summary

	The Corp	oration of t	he City of Gu	uelph			
The Corporation of the City of Guelph 2008 Tax Supported and User Pay Operating Budget Variance Report As At December 31, 2008 (s AMOUNTS IN THOUSANDS)							
Department	2008 Budget	as of 31-Dec-08	Date Variance	Explanation			
Department	Duugei	31-Dec-00	(brackets indicate				
			a favourable variance)				
TAX SUPPORTED SERVICES							
ADMINISTRATION	1,326	1,326		No significant variance. Positive variance caused by actual benefit costs being less			
HUMAN RESOURCES	3,176	2,687	(489)	than budgeted.			
OPERATIONS	15,759	16,707	948	Control activity due to severe weather.			
ENVIRONMENTAL SERVICES	9,568	9,392	(175)	Positive variance caused by delay in hiring Community Energy Plan Manager and due to decreased costs from reduced solid waste tonnages.			
COMMUNITY SERVICES	12,722	13,705	983	Negative variance in Transit caused by increased fuel costs, staff overtime, overtime associated with new stat holiday service, utilities, and reduced revenue due to increased use of monthly passes rather then the purchase of bus tickets.			
EMERGENCY SERVICES	19,260	19,361	101	Negative variance due to a significant spike in fuel cost, an increase in vehicle repairs and parts replacement, coupled with the cost of replenishing Fire Vehicles with medical supplies.			
COMMUNITY DESIGN AND DEVELOPMENT SERVICES	4,335	4,634	299	Negative variance mainly due to Building Services			
				compensation being over budget. Negative variance due to not meeting revenue budget in			
ECONOMIC DEVELOPMENT & TOURISM SERVICES	1,254	1,281	28	Visitor and Convention Services.			
CORPORATE SERVICES	2,378	2,011	(367)	Positive variance due to savings in facility operating costs caused by delay of New City Hall opening. Also, positive variance in POA fine revenue.			
INFORMATION SERVICES	5,177	4,956	(220)	Positive variance mainly due to Information Technology			
FINANCE	2,023	1,645	(377)	savings in salary, network costs, and software costs. Positive variance primarily a result of vacant positions.			
GENERAL EXP/REVENUES & CAPITAL FINANCING	(136,323)	(136,944)	(621)	Positive variance due to an extra supplementary tax run primarily from new construction of commercial /industrial construction. Also, additional payments in lieu of taxes (PIL's) as a result of increased assessments due to improvements for Transit , Waterworks and Wastewater. Some negative variance caused by higher than expected insurance costs, and higher than expected write off of taxes.			
TOTAL CITY DEPARTMENTS	(59,346)	(59,238)	108				
LOCAL BOARDS							
POLICE	27,729	27,729		Positive year end variance mainly caused by salary savings. Entire Police surplus of \$502,769 transferred to Police Relocation reserve.			
LIBRARY	6,186	6,186	0	Small year end variance caused by a number of savings throughout the library budget and higher than expected revenues. Entire Library surplus of \$91,605 transferred to			
				Library Relocation reserve.			
MUSEUM	559	444	(115)				
SUB-TOTAL LOCAL BOARDS	34,473	34,359	(115)				
OUTSIDE BOARDS & AGENCIES							
SOCIAL SERVICES	11,010	10,984	(26)	°			
SOCIAL HOUSING	11,528	11,552	24	Year end surplus of \$329,717 transferred to Tax Rate Stabilization reserve. Amount showing is variance for Youth Shelter operations.			
HEALTH UNIT	1,851	1,851		No significant variance.			
GRANTS & COMMUNITY PROGRAM FEES	484	491	7	No significant variance.			
911 EMERGENCY SYSTEM	222	222		No significant variance.			
SCHOOL SAFETY PATROL SUB-TOTAL OUTSIDE BOARDS & AGENCIES	76 25,171	78 25,178	3	No significant variance.			
			(107)				
TOTAL BOARDS AND AGENCIES	59,644	59,537	(107)				
TOTAL PROJECTED TAX SUPPORTED VARIANCE	297	298	1				
USER PAY SERVICES							
PARKING SERVICES				Negative year end variance covered from reserves.			
WATERWORKS				Negative year end variance covered from reserves.			
WASTE WATER				Negative year end variance covered from reserves.			
TOTAL USERPAY							

Attachment #2 2008 Operating Budget Variance Report as at December 31, 2008 Divisional Summary

Department or Program2008Explanation of Budget Variance(Brackets indicate a favourable variance)(Brackets indicate a favourable variance)(Brackets indicate a favourable variance)TAX SUPPORTED(Brackets indicate a favourable variance)(Brackets indicate a favourable variance)ADMINISTRATION(\$28,313)(Training underbudget.CAO OFFICE(\$28,313)(Cellphone/Blackberry charges and training or HUMAN RESOURCESHUMAN RESOURCES(\$489,401)(Positive variance caused by actual benefit cost budgeted.OPERATIONS(\$489,401)Positive variance in salaries and benefits, redu renovations.DRAINAGE(\$280,347)Inspection program identified units as not requ thus resulting in a positive variance.FLEET\$312,943Fuel prices higher than budgeted. Also, addit maintenance required due to heavy Winter Co PARKS ACTIVITIES & INFRASTRUCTURE(\$184,386)ROADWAY MAINTENANCE\$832,361Variance caused primarily by increased Winter	ts being less than ction in cost for office uiring cleaning this year ional fuel and
favourable variance)TAX SUPPORTEDADMINISTRATIONCAO OFFICE(\$28,313)Training underbudget.MAYOR AND COUNCIL\$28,138Cellphone/Blackberry charges and training onHUMAN RESOURCESHUMAN RESOURCESHUMAN RESOURCESOPERATIONSADMINISTRATION & MAINTENANCE(\$67,270)Positive variance in salaries and benefits, redurenovations.DRAINAGE(\$280,347)Inspection program identified units as not recently thus resulting in a positive variance.FLEET\$312,943Fuel prices higher than budgeted. Also, additimatinenance required due to heavy Winter Core PARKS ACTIVITIES & INFRASTRUCTURE(\$184,386)Employee compensation well below forecast ROADWAY MAINTENANCE	ts being less than ction in cost for office uiring cleaning this year ional fuel and
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CAO OFFICE(\$28,313)Training underbudget.MAYOR AND COUNCIL\$28,138Cellphone/Blackberry charges and training onHUMAN RESOURCES*********************************	ts being less than ction in cost for office uiring cleaning this year ional fuel and
MAYOR AND COUNCIL \$28,138 Cellphone/Blackberry charges and training on training on the training on training on the training on traning on training on training on traning on trai	ts being less than ction in cost for office uiring cleaning this year ional fuel and
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OPERATIONS ADMINISTRATION & MAINTENANCE (\$67,270) • Positive variance in salaries and benefits, redurenovations. DRAINAGE (\$280,347) • Inspection program identified units as not rectibute resulting in a positive variance. FLEET \$312,943 • Fuel prices higher than budgeted. Also, additimation maintenance required due to heavy Winter Comparison well below forecast PARKS ACTIVITIES & INFRASTRUCTURE (\$184,386) • Employee compensation well below forecast ROADWAY MAINTENANCE \$832,361 • Variance caused primarily by increased Winter	ction in cost for office uiring cleaning this year ional fuel and
ADMINISTRATION & MAINTENANCE (\$67,270) Positive variance in salaries and benefits, redurenovations. DRAINAGE (\$280,347) Inspection program identified units as not required to the second program identified units as not required units as not required units as not required units as not required unit	uiring cleaning this year
Image: Constraint of the second se	uiring cleaning this year ional fuel and
DRAINAGE (\$280,347) Inspection program identified units as not rectulus resulting in a positive variance. FLEET \$312,943 Fuel prices higher than budgeted. Also, additimaintenance required due to heavy Winter Comparison with the second second	ional fuel and
thus resulting in a positive variance. FLEET \$312,943 Fuel prices higher than budgeted. Also, addit maintenance required due to heavy Winter Co PARKS ACTIVITIES & INFRASTRUCTURE (\$184,386) Employee compensation well below forecast ROADWAY MAINTENANCE \$832,361 Variance caused primarily by increased Winter	ional fuel and
FLEET \$312,943 • Fuel prices higher than budgeted. Also, addit maintenance required due to heavy Winter Co PARKS ACTIVITIES & INFRASTRUCTURE (\$184,386) • Employee compensation well below forecast ROADWAY MAINTENANCE \$832,361 • Variance caused primarily by increased Winter	
maintenance required due to heavy Winter Co PARKS ACTIVITIES & INFRASTRUCTURE (\$184,386) • Employee compensation well below forecast ROADWAY MAINTENANCE \$832,361 • Variance caused primarily by increased Winter	
PARKS ACTIVITIES & INFRASTRUCTURE(\$184,386)• Employee compensation well below forecastROADWAY MAINTENANCE\$832,361• Variance caused primarily by increased Winter	introl activity.
ROADWAY MAINTENANCE \$832,361 • Variance caused primarily by increased Winter	,
BOULEVARD MAINTENANCE \$403,562 • Variance caused primarily by increased Winter	
FORESTRY & HORTICULTURE \$13,962 • Lower than anticipated employee compensation	on due to employee
illness.	
TRAFFIC SIGNALS (\$79,879) • Savings in hydro costs by purchasing power a	t off-peak price.
TRAFFIC INVESTIGATIONS (\$2,866) • No significant variance.	
ENFORCEMENT \$0 • No significant variance.	
ADMINISTRATION (\$70,414) • Savings from delay in hiring Community Ener	roy Plan Manager
WASTE MANAGEMENT (\$105,049) • Positive variance due to reduced costs from red	
COMMUNITY SERVICES	duced tofffages.
COMMUNITY DEVELOPMENT (\$21,576) • Savings in compensation.	
ADMINISTRATION \$12,854 . Bank charges slightly overbudget.	
RECREATION \$47,795 Increased utility costs, and additional repair and	id maintenance bills
relating to equipment and building.	
RIVER RUN \$20,073 • Unexpected replacement of the Building's Au	tomation System and
utility costs overbudget.	,
TRANSIT \$924,086 Unfavourable variance due to increased fuel c	osts, staff overtime,
overtime associated with new stat holiday serv	
revenue due to increased use of monthly pass	es rather then the
purchase of bus tickets.	
EMERGENCY SERVICES	
LAND AMBULANCE\$0•No significant variance.	
EMERGENCY PLANNING & \$14,487 • Small negative variance caused by equipment	purchase and operating
MANAGEMENT costs.	
FIRE SERVICES \$86,446 • Additional fuel costs and an unexpected incre	ase to vehicle repair and
replacement part costs.	
COMMUNITY DESIGN AND DEVELOPMENT SERVICES	11
BUILDING SERVICES \$205,258 • Compensation overbudget and recoveries und ENGINEERING \$61,807 • Compensation overbudget.	ierbudget.
ENGINEERING \$61,807 Compensation overbudget. PARK PLANNING \$27,454 Compensation overbudget.	
PLANNING SERVICES \$4,648 • No significant variance.	
ECONOMIC DEVELOPMENT & TOURISM SERVICES	
ECONOMIC DEVELOPMENT \$27,571 • Visitor and Convention Services revenues und	lerbudget.
CORPORATE SERVICES	
COURT SERVICES (\$177,659) • Received more fine revenue than budgeted.	
LEGAL & REALTY SERVICES \$32,124 • Compensation overbudget.	
CORPORATE PROPERTY (\$221,692) • Savings in facility operating costs due to delay	in moving into City Hall

Attachment #2 2008 Operating Budget Variance Report as at December 31, 2008 Divisional Summary

Image: Construction of the second system	Department or Program	Variance at 31 December 2008		Explanation of Budget Variance
INHORMATION SERVICES (\$46,421) • Salary savings from vacant positions and postage savings from reduced targe. COMMUNICATIONS (\$25,053) • Salary savings from vacant position. INFORMATION TECHNOLOGY (\$148,874) • Positive variance mainly due to savings in salary, network costs, and poftware costs. FINANCE (\$37,460) • Salary savings from vacant positions. GENERAL EXPENDITURIS (\$37,7460) • Salary savings from vacant positions. GENERAL EXPENDITURIS \$42,400 • Negative variance caused by higher than expected in surance costs, and higher than expected as varie of its. GENERAL EXPENDITURIS \$42,400 • Negative variance due to an extra supplemative cost. And negative variance due to an extra supplemation. Also, and wasteware. GENERAL REVENUE (\$778,561) • Positive variance due to an extra supplemative cost. And Negative variance due to improvements for Tamsi , Wateworks and Wasteware. CAPITAL FINANCING (\$264,838) • Loan payment covered by reserve. IDCAL BOARDS (\$114,520) • Positive variance due to an extra supplemation. Also, and payment solve to prove of \$391,005 transferred to Police Robardon reserve. MUSEUM (\$114,520) • Dos significant variance. SOCIAL LEW/VCIS (\$26,249) • No significant variance. SOCIAL LEW/VCIS (\$23,545 </th <th>Department of Flogram</th> <th>(Brackets indicate a</th> <th></th> <th>Enfranktion of Budget (Minister</th>	Department of Flogram	(Brackets indicate a		Enfranktion of Budget (Minister
CLERKS (\$46,421) Islary savings from vacant positions and postage savings from reduced usage. COMMUNICATIONS (\$25,053) Islary savings from vacant position. INFORMATION TECHNOLOGY (\$148,874) Positive variance mainly due to savings in salary, network costs, and positive variance costs. FINANCLA LIVISIONS (\$377,460) Islary savings from vacant positions. GENERAL EXP. REV & CAPITAL FINANCING (\$377,460) Negative variance costs. Positive variance costs. Indiger than expected insurance costs, and higher than expected insurance costs, and portage its or costs. Indiger than expected insurance costs. Indiger than e		favourable variance)		
Image: Image: Image: COMMUNICATIONS (\$25,053) • Salary savings from a vacant position. INFORMATION TECHNOLOGY (\$148,874) • Dritite variance mainly due to savings in salary, network costs, and ioffware costs. FINANCE (\$377,460) • Salary savings from vacant positions. GENERAL EXP.REV & CAPITAL FINANCING • Rogative variance due to an extra supplementary as run primarily from new construction of commentary tax run primarily from new construction of comments for Transit, Waterworks and Wastewater. CAPITAL FINANCING (\$264,838) • Loan payment covered by reserve. LOCAL BOARDS * Policite surplus of \$302,707 transferred to Police Relocation reserve. IJBRARY (\$11 • Policite surplus of \$302,707 transferred to Daving Rootification reserve. MUSEUM (\$114,520) • Coast of securing Low and covering Low and covering Low and the operations. SOCIAL ERVICES (\$20,249) • No significant variance. SOLICLE \$				
INFORMATION TECHNOLOGY (\$148,874) Positive variance mainly due to savings in salary, network costs, and software costs. FINANCIAL DIVISIONS (\$377,660) Salary savings from vacant positions. GENERAL EXP, REV & CAPITAL FINANCING GENERAL EXP, REV & CAPITAL FINANCING GENERAL EXPENDITURES \$422,490 Negative variance caused by higher than expected insurance costs, and higher than expected awrite of fis. GENERAL REVENUE (\$778,561) Positive variance due to an exra supplementary tax run primarily from new construction of construction of construction. CAPITAL FINANCING (\$264,838) Loan payment sin lieu of taxes (PL/S) as a result of increased assessments due to improvements for Transit, Waterworks and Wastewater. CAPITAL FINANCING (\$264,838) Loan payment covered by reserve. DOCAL BOARDS Police surplus of \$270,601 misfered to Folke Rolocation reserve. LIBRARY (\$11,520) Strail year end variance caused by a number of savings throughout the intrary budget and higher than expected revenue. Entire Library is surplus of \$21,605 transferred to Folke Rolocation reserve. COTSIDE BOARDS, AGENCIES & SHARED SERVICES SOCIAL, SERVICES SOCIAL, SERVICES SOCIAL, SERVICES SOCIAL SERVICES No significant variance. SOCIAL SERVICES Solard VARANCE No	CLERKS	(\$46,421)		usage.
FINANCE software costs. FINANCIAL DIVISIONS (\$377,460) GENERAL EXPENDITURES \$422,400 GENERAL EXPENDITURES \$262,612 CAPITAL FINANCING \$264,838) DICAL BOARDS \$20,769 transferred to Police Relocation reserve. IDICE \$2 Policie surplus of \$202,769 transferred to Police Relocation reserve. MUSEUM \$114,520 OUTSIDE BOARDS, AGENCIES & \$14ARED \$28,400 SOCIAL EVORING \$23,454 SOCIAL EVORING \$23,454 SOCIAL EVORING \$23,454 SOCIAL INDUNITY PROGRAM FEES \$7,125 SOCIAL EVORING \$23,454 <td></td> <td></td> <td></td> <td></td>				
FINANCIAL DIVISIONS (\$377,460) • Salary savings from vacant positions. GENERAL EXPERIDITURES \$422,490 • Negative variance caused by higher than expected insurance costs, and higher than expected ins write offs. GENERAL REVENUE (\$778,561) • Negative variance caused by higher than expected insurance costs, and higher than expected ins write offs. GENERAL REVENUE (\$778,561) • Positive variance due to an extra supplementary tax run primarily from new construction of commercial industrial construction. Also, and Wastewater. CAPITAL FINANCING (\$244,838) • Loan payment covered by reserve. IOCAL BOARDS • Positive variance due variance mainly caused by salary savings. Enrine Police supplus of \$322,701 mashered to police Relocation reserve. IIBRARY (\$1) • Small year end variance caused by a number of savings throughout the hibrary budget and higher than expected to reserve. Enrine Inbarry Supplus of \$32,701 mashered to 1 Jurny Relocation reserve. MUSEUM (\$114,520) • No significant variance. SOCIAL ERVICES (\$26,249) • No significant variance. SOCIAL SERVICES (\$10,62,491) • No significant variance. SOCIAL HOUSING \$2,200 • No significant variance. SILDE DOARDS, AGENCIES & \$11AED SERVICES • No significant variance. SOCIAL ERVICUES \$2,649 • N		(\$148,874)	•	
GENERAL EXP. REV. & CAPITAL FINANCING Negative variance cused by higher than expected insurance costs, and higher than expected insurance costs. GENERAL REVENUE (\$778,561) Positive variance due to an extra supplementary tax run primarily from exercise as supplementary tax run primarily form exercise as supplementary tax run primarily from exerces and watereas and the tax inported to police Relocation reserve. CAPITAL FINANCING (\$264,838) Loan payment covered by reserve. DOCAL BOARDS POLICE \$2 Positive variance caused by a subset of surings throughout the library budget and higher than expected revenues. Insire Library surplus of \$320,710 transferred to Library Relocation reserve. MUSEUM (\$114,520) Costs of securing Loretto site less than budgeted. OUTSIDE BOARDS, AGENCIES \$25,545 (\$26,249) No significant variance. SCICAL HOUSING \$23,545 Ya er and surplus of \$329,171 transferred to Tax Rate Stabilization reserve. Anount showing is variance for Youth Shelter operations. 	FINANCE			
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GENERAL REVENUE (\$778,561) Positive variance due to a curst supplementary tax run primarily from new construction of commercial industrial construction. Also, additional payments in lieu of taxes (PULS) as a result of increased assessments due to improvements for Transit, Waterworks and Wastewater. CAPITAL FINANCING (\$264,838) Loan payment covered by reserve. DOLICE S2 Positive year end variance mainly caused by salary savings. Entire Police surplus of \$502,769 to Police Relocation reserve. IIBRARY (\$114,520) Standly car end variance caused by a number of savings throughout the library badget and higher than expected revenues. Entire Library surplus of \$322,710 transferred to Library Relocation reserve. OUTSIDE BOARDS, AGENCIES & SHARED SERVICES SOCIAL FOUSING \$22,545 Year end surplus of \$322,717 transferred to Tax Rate Stabilization reserve. Amount showing is variance. SOCIAL FOUSING \$22,545 Year end surplus of \$322,717 transferred to Tax Rate Stabilization reserve. Amount showing is variance. SCILOL ISAFETY PATROL \$2,900 No significant variance. SCILOL SAFETY PATROL \$2,900 No significant variance. SUBRORS (\$0) Negative variance due to negative variance was offset by transferred for morphical wariance was offset by transferred for Making reserves. Amount that could no be offset by transferred form Water reserves. WATER (\$10,68,014) No significant variance. SUBARS (SAGENCES SUBARS (SAGENCES SUBARS (SAGENCES<td></td><td></td><td>•</td><td></td>			•	
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POLICE \$2 Positive year end variance mainly caused by salary savings. Entire Police surplus of \$302,769 transferred to Police Relocation reserve. LIBRARY (\$1) • Small year end variance caused by a number of savings throughout the library budget and higher than expected revenues. Entire Library surplus of \$31,605 transferred to Library Relocation reserve. MUSEUM (\$114,520) • Costs of securing Lorento site less than budgeted. OUTSIDE BOARDS, AGENCIES & \$26,249) • No significant variance. SOCIAL SERVICES \$23,545 • Year end surplus of \$320,717 transferred to Tax Rate Stabilization reserve. Amount showing is variance for Youth Shelter operations. TREALTH UNIT \$0 • No significant variance. GRANTS & COMMUNITY PROGRAM FEES \$7,125 • No significant variance. SCHOOL SAFETY PATROL \$2,900 • No significant variance. USER PAY • • PARKING • • WATER WORKS \$1,068,014 • Negative variance caused by reduced revenue based on 2-hour free parking and seasonal overnight parking, This negative variance was offset by transfers from the Parking reserves. WATER \$1,068,014 • No significant variance aresult of transferring funding from Wastewater reserve to offset overall negative variance in revenues. Amount that could not be offset by these reductions transferred from Water reserves. <	CAPITAL FINANCING	(\$264,838)	•	Loan payment covered by reserve.
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library budget and higher than expected revenues. Entire Library surplus of \$91,605 transferred to Library Relocation reserve. MUSEUM (\$114,520) Costs of securing Loretto site less than budgeted. OUTSIDE BOARDS, AGENCIES & SHARED SERVICES Costs of securing Loretto site less than budgeted. SOCIAL SERVICES (\$26,249) No significant variance. SOCIAL HOUSING \$23,545 Vear end surplus of \$329,717 transferred to Tax Rate Stabilization reserve. Amount showing is variance for Youth Shelter operations. HEALTH UNIT \$0 No significant variance. GRANTS & COMMUNITY PROGRAM FEES \$7,125 No significant variance. GRANTS & COMMUNITY PROGRAM FEES \$7,125 No significant variance. SCHOOL SAFETY PATROL \$2,900 No significant variance. USER PAY 1 1 PARKING (\$0) Negative variance caused by reduced revenue based on 2-hour free parking and seasonal overnight parking. This negative variance was offset by transfers from the Parking reserves. WATER WORKS \$1,068,014 Negative variance due to water conservation program, decreased water usage as major businesses closed and extremely wet spring/summer. WATER \$1,068,014 Positive variance a result of transferring funding from Wastewater reserves. WATER WATER \$1,043,913	POLICE	\$2		Police surplus of \$502,769 transferred to Police Relocation reserve.
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	REVENUE	\$1,012,415	•	

CONSENT REPORT OF THE GOVERNANCE COMMITTEE

July 27, 2009

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

Your Governance Committee beg leave to present their FOURTH CONSENT REPORT as recommended at its meeting of July 22, 2009.

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 Governance Committee will be approved in one resolution.

1)

THAT the votes on all motions be recorded in the minutes of Council meetings, and that By-law (1996)-15200, as amended, be further amended by deleting the requirement to pass the following procedural motions:

- Motion to hear delegations;
- Motion for Council to go into Committee of the Whole to consider reports and correspondence;
- Motion for the Committee to rise with leave to sit again;
- Motion for the action taken in Committee of the Whole to be confirmed by Council.

All of which is respectfully submitted.

PLEASE BRING THE MATERIAL THAT WAS DISTRIBUTED WITH THE AGENDAS FOR THE July 22nd, 2009 MEETING.

COMMITTEE REPORT



Governance Committee

SERVICE AREAInformation ServicesDATEJuly 22, 2009

Procedural Motions

REPORT NUMBER

SUBJECT

TO

RECOMMENDATION

THAT the votes on all motions be recorded in the minutes of Council meetings, and that By-law (1996)-15200, as amended, be further amended by deleting the requirement to pass the following procedural motions:

- Motion to hear delegations.
- Motion for Council to go into Committee of the Whole to consider reports and correspondence.
- Motion for the Committee to rise with leave to sit again.
- Motion for the action taken in Committee of the Whole to be confirmed by Council.

BACKGROUND

For many years, Council has passed a number of procedural motions at various points during their meetings. These motions date back to a time when meetings were much more formal in nature, they are never debated, and always pass.

At the last meeting of the Governance Committee, staff were directed to report back to the Committee with recommendations on voting with respect to the order of the City Council Agendas.

REPORT

Historically, recorded votes only occurred when specifically requested by a member of Council. With the move to electronic voting in the Chambers, only the votes on non-procedural motions are recorded. In order to make voting practices consistent, and to streamline procedures at our meetings, it is recommended that the votes on all motions at Council meetings be recorded, and that the requirement to pass the following procedural motions be eliminated from the procedural by-law:

- Motion to hear delegations. (Note: All other rules relating to delegations would continue to apply.)
- Motion for Council to go into Committee of the Whole to consider reports and

correspondence.

- Motion for the Committee to rise with leave to sit again.
- Motion for the action taken in Committee of the Whole to be confirmed by Council.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

n/a

DEPARTMENTAL CONSULTATION

n/a

COMMUNICATIONS

n/a

"original signed by Lois Giles"

Recommended By:

Lois A. Giles, Director of Information Services/Clerk. (519) 822-1260, ext. 2232 Lois.giles@guelph.ca

CONSENT REPORT OF THE COUNCIL AS COMMITTEE OF THE WHOLE

July 27, 2009

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

Your Council as Committee of the Whole beg leave to present their FIFTH CONSENT REPORT as recommended at its meeting of June 22, 2009.

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 Council as Committee of the Whole will be approved in one resolution.

1) MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF GUELPH AND OPSEU LOCAL 231

THAT the Memorandums of Agreement between the City of Guelph and OPSEU Local 231 on file with Human Resources, be approved.

2) CITIZEN APPOINMENTS – MUNICIPAL PROPERTY & BUILDING COMMEMORATIVE NAMING POLICY COMMITTEE

THAT Robin Bergart and Enrico Stradiotto be appointed to the Municipal Property & Building Commemorative Naming Policy Committee for a term ending November, 2010.

All of which is respectfully submitted.

Councillor Gloria Kovach

CONSENT AGENDA

July 27, 2009

Her Worship the Mayor and Members of Guelph City Council.

SUMMARY OF REPORTS:

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

A Reports from Administrative Staff

REPORT		DIRECTION
A-1)	PROPOSED DEMOLITION OF 7 CHESTER STREET, WARD 3	Approve
	THAT Report 09-63 regarding the proposed demolition of a detached dwelling at 7 Chester Street, City of Guelph, from Community Design and Development Services dated July 27, 2009, be received;	
	AND THAT the proposed demolition of the detached dwelling at 7 Chester Street, be approved;	
	AND THAT 7 Chester Street be removed from the Municipal Register of Cultural Heritage Properties for "non-designated" heritage structures.	
A-2)	PROPOSED DEMOLITION OF 37 CALLANDER DRIVE, WARD 1	Approve
	THAT Report 09-64 regarding the proposed demolition of a detached dwelling at 37 Callander Drive, City of Guelph, from Community Design and Development Services dated July 27, 2009, be received;	
	AND THAT the proposed demolition of the detached dwelling at 37 Callander Drive, be approved.	

A-3) CANADA – ONTARIO AFFORDABLE HOUSING PROGRAM

THAT the following resolution be approved and forwarded to the Ministry of Municipal Affairs and Housing, Liz Sandals, M.P.P. and the County of Wellington:

WHEREAS the Federal/Provincial Stimulus Funding program has allocated funds for affordable housing projects;

AND WHEREAS two projects have been proposed in Guelph, specifically a project developed by the St. Joseph's Health Centre at their site on Westmount Road, and a second private sector project proposed for 71 Wyndham Street;

AND WHEREAS the City has been advised that the County, as the Consolidated Municipal Service Manager, has submitted these projects for consideration by the Ministry, however before the Ministry will consider the two submissions, a motion from Wellington County is required approving the proposals;

AND WHEREAS City staff have committed to the proponents of the projects that the City will assist to expedite the necessary planning and permit approvals;

AND WHEREAS these affordable housing projects are essential to meeting the shortfall of available housing units in Guelph;

THEREFORE be it resolved that the City of Guelph supports the affordable housing projects proposed by St. Joseph's Health Centre and 71 Wyndham Street;

AND FURTHER THAT the County, as the Consolidated Municipal Service Manager, be requested to pass a resolution, as soon as possible, approving the Affordable Housing Program projects for St. Joseph's Health Centre and for 71 Wyndham Street as required by the Ministry.

A-4) **FINANCING OF CAPITAL PROJECTS**

The report will be distributed under separate cover.

B ITEMS FOR DIRECTION OF COUNCIL

Approve

B-1) DALTEC CANADIAN BUFFALO MANUFACTURING LTD. – EMPLOYEE RECOGNITION

THAT the City of Guelph has no objection to an outdoor event planned by Daltec Canadian Buffalo Manufacturing Ltd. for August 28, 2009.

B-2) GUELPH HYDRO INC. AMENDMENT TO SHAREHOLDERS AGREEMENT

See attached letter requesting that the shareholder agreement be amended by removing reference to "the President and CEO" from being members of the Board of Directors, and that Council approve an additional director.

B-3) COUNCILLOR LAIDLAW – REQUEST TO ATTEND AMO CONFERENCE

Councillor Laidlaw requests that her allowable expenses be exceeded in order for her to attend the Association of Municipalities of Ontario Conference.

B-4) COUNCILLOR HOFLAND – REQUEST TO ATTEND AMO CONFERENCE

Councillor Hofland requests that her allowable expenses be exceeded in order for her to attend the Association of Municipalities of Ontario Conference.

C ITEMS FOR INFORMATION OF COUNCIL

attach.

COUNCIL REPORT



ТО	Guelph City Council
SERVICE AREA DATE	Community Design and Development Services July 27, 2009
SUBJECT	Proposed Demolition of 7 Chester Street, Ward 3, Guelph
REPORT NUMBER	A-1

RECOMMENDATION

"THAT Report 09-63 regarding the proposed demolition of a detached dwelling at 7 Chester Street, City of Guelph, from Community Design and Development Services dated July 27, 2009, BE RECEIVED; and,

THAT the proposed demolition of the detached dwelling at 7 Chester Street, BE APPROVED; and,

THAT 7 Chester Street be removed from the Municipal Register of Cultural Heritage Properties for "non-designated" heritage structures."

BACKGROUND

An application to demolish the existing detached dwelling at 7 Chester Street has been received by Community Design and Development Services.

The subject property is located on the northerly side of Chester Street, between Kathleen Street and Exhibition Street, just south of Speedvale Avenue West (see **Schedule 1** - Location Map). The property is zoned R.1B (Residential Detached) which permits detached dwellings.

The existing dwelling is listed on the City's Inventory of Heritage Properties. It was constructed in approximately 1920 and is a one storey board and batten "Vernacular minimal cottage" with a gable roof and newer lean-to (see **Schedule 2** – Site Photograph). On July 6, 2009, Heritage Guelph passed the following motion:

"THAT Heritage Guelph requests that the owner provide a photographic record of the site, including documentation of the demolition, to the City for its records;

Salvage of quality material be carried out where possible; and

THAT Heritage Guelph members be consulted on the design of the replacement structure".

REPORT

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.

The approval of the demolition application is recommended as heritage concerns relating to the structure and property are being addressed and the existing house is to be replaced with a new dwelling unit, therefore there is no loss of residential capacity proposed as a result of this application. The currently proposed replacement dwelling is a raised bungalow with an attached garage. The footprint of the replacement dwelling is larger than that of the existing dwelling (see **Schedule 3** – Proposed Replacement Dwelling). The new dwelling will have a front yard setback of approximately 4.60 m (15.0 ft.) which is in keeping with the existing dwellings on either side of the subject property.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

None

COMMUNICATIONS

A sign was posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information.

ATTACHMENTS

Schedule 1 - Location Map Schedule 2 - Site Photograph Schedule 3 - Proposed Replacement Dwelling

"original signed by Stacey Laughlin"

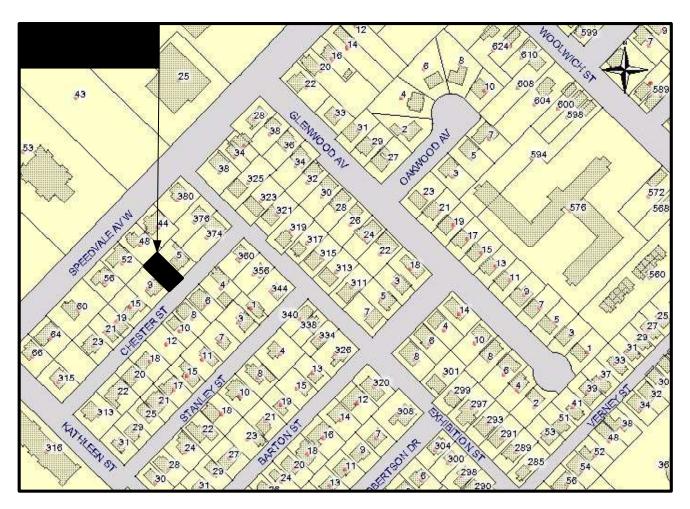
Prepared By: Stacey Laughlin Development and Urban Design Planner 519.837.5616 x2327 stacey.laughlin@guelph.ca

Recommended By: R. Scott Hannah Manager of Development and Parks Planning 519.837.5616 x2359 scott.hannah@guelph.ca

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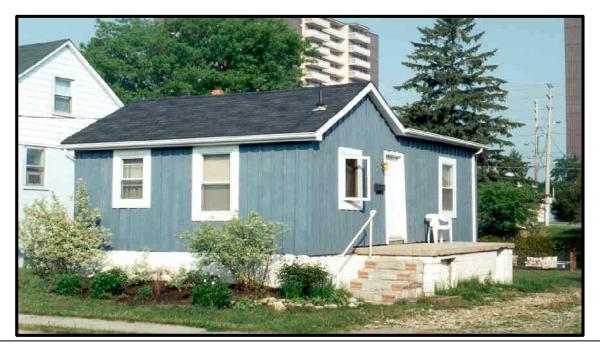
Recommended By: James N. Riddell Director of Community Design and Development Services 519.837.5616 x2361 jim.riddell@guelph.ca

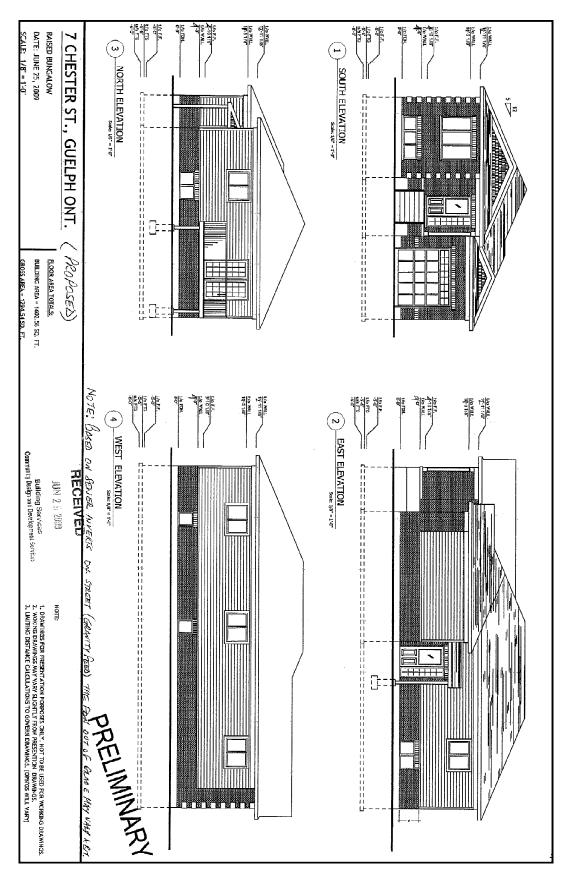
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SCHEDULE 1 – Location Map

SCHEDULE 2 – Site Photograph





SCHEDULE 3 – Proposed Replacement Dwelling

COUNCIL REPORT



ТО	Guelph City Council
SERVICE AREA DATE	Community Design and Development Services July 27, 2009
SUBJECT	Proposed Demolition of 37 Callander Drive, Ward 1, Guelph
REPORT NUMBER	A-2

RECOMMENDATION

"THAT Report 09-64 regarding the proposed demolition of a detached dwelling at 37 Callander Drive, City of Guelph, from Community Design and Development Services dated July 27, 2009, BE RECEIVED; and,

THAT the proposed demolition of the detached dwelling at 37 Callander Drive, BE APPROVED. "

BACKGROUND

An application to demolish the existing detached dwelling at 37 Callander Drive has been received by Community Design and Development Services.

The subject property is located on the easterly side of Callander Drive, south of Eramosa Road (see **Schedule 1** - Location Map). The property is zoned R.1B (Residential Detached) which permits detached dwellings.

The existing dwelling is not listed on the City's Inventory of Heritage Properties.

REPORT

The City's Demolition Control By-law was passed under the authority of Section 33 of the *Planning Act*. The By-law is intended to help the City "...retain the existing stock of residential units and former residential buildings in the City of Guelph." Section 33 of the *Planning Act* allows that Council's decision may be appealed by the applicant to the Ontario Municipal Board. In addition, an applicant may appeal if there is no decision within 30 days of filing the application.

The approval of the demolition application is recommended as the existing house is to be replaced with a new dwelling unit, therefore there is no loss of residential capacity proposed as a result of this application. The currently proposed replacement dwelling is a raised bungalow with an attached garage. The footprint of the replacement dwelling is larger than that of the existing dwelling (see **Schedule 3** – Proposed Replacement Dwelling). The new dwelling will have a front yard setback of approximately 9.4 m (30.8 ft.) which is in keeping with the existing front yard setbacks in this area.

CORPORATE STRATEGIC PLAN

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

FINANCIAL IMPLICATIONS

N/A

DEPARTMENTAL CONSULTATION

None

COMMUNICATIONS

A sign was posted on the subject property advising that a demolition permit has been submitted and that interested parties can contact Building Services for additional information.

ATTACHMENTS

Schedule 1 - Location Map Schedule 2 - Site Photograph Schedule 3 - Proposed Replacement Dwelling

"original signed by Stacey Laughlin"

Prepared By:

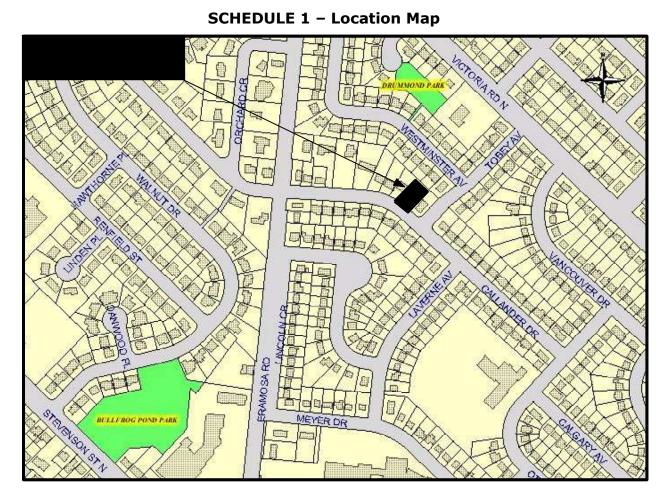
Stacey Laughlin Development and Urban Design Planner 519.837.5616 x2327 stacey.laughlin@guelph.ca

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Recommended By: James N. Riddell Director of Community Design and Development Services 519.837.5616 x2361 jim.riddell@guelph.ca

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Récommended By: R. Scott Hannah Manager of Development and Parks Planning 519.837.5616 x2359 scott.hannah@guelph.ca

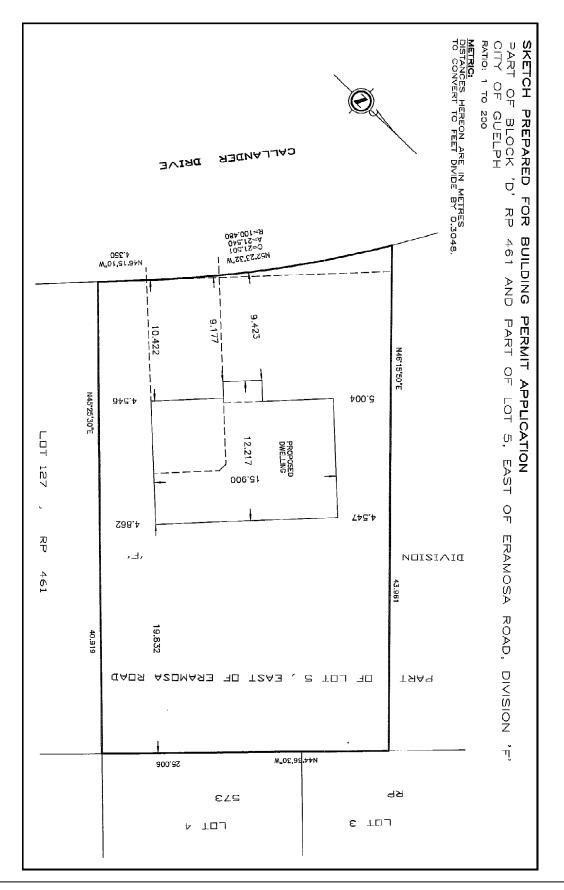


SCHEDULE 2 – Site Photograph (July 2009)



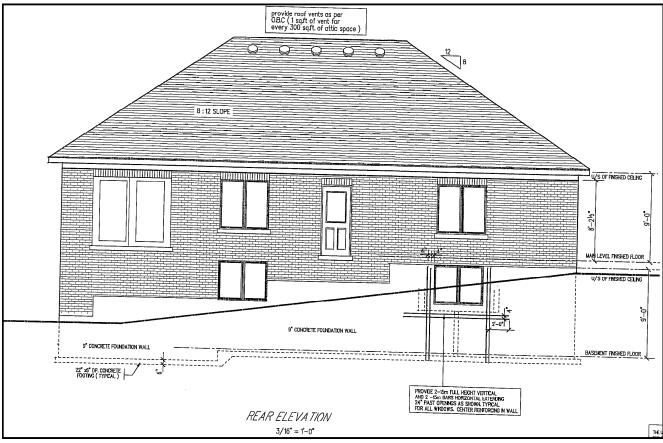
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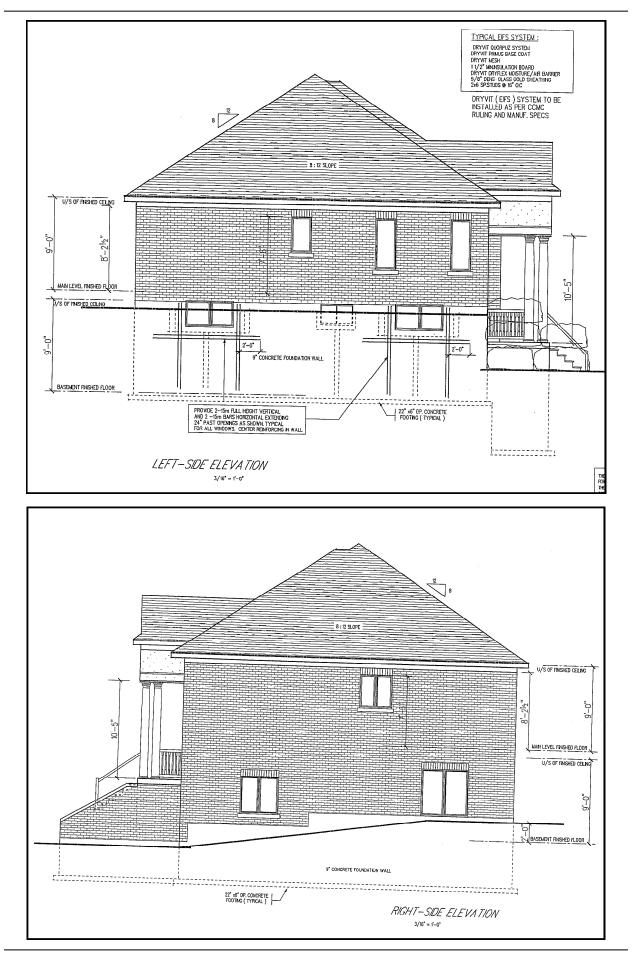
CITY OF GUELPH COUNCIL REPORT



SCHEDULE 3 – Proposed Replacement Dwelling







COUNCIL REPORT



h City Council

SERVICE AREA	Corporate Administration
DATE	July 27, 2009

SUBJECTCanada – Ontario Affordable Housing ProgramREPORT NUMBERA-3

RECOMMENDATION

THAT the following resolution be approved and forwarded to the Ministry of Municipal Affairs and Housing, Liz Sandals, M.P.P. and the County of Wellington:

WHEREAS the Federal/Provincial Stimulus Funding program has allocated funds for affordable housing projects;

AND WHEREAS two projects have been proposed in Guelph, specifically a project developed by the St. Joseph's Health Centre at their site on Westmount Road, and a second private sector project proposed for 71 Wyndham Street;

AND WHEREAS the City has been advised that the County, as the Consolidated Municipal Service Manager, has submitted these projects for consideration by the Ministry, however before the Ministry will consider the two submissions, a motion from Wellington County Council is required approving the proposals;

AND WHEREAS City staff have committed to the proponents of the projects, that the City will assist to expedite the necessary planning and permit approvals;

AND WHEREAS these affordable housing projects are essential to meeting the shortfall of available affordable housing units in Guelph;

THEREFORE be it resolved that the City of Guelph supports the affordable housing projects proposed by St. Joseph's Health Centre and 71 Wyndham Street;

AND FURTHER that the County, as the Consolidated Municipal Service Manager, be requested to pass a resolution, as soon as possible, approving the Affordable Housing Program projects for the St. Joseph's Health Centre and for 71 Wyndham Street as required by the Ministry.

BACKGROUND

The attached correspondence between the City and County regarding the Affordable Housing stimulus project opportunities provides a brief chronology and background of this affordable housing opportunity.

The City of Guelph is not the Consolidated Municipal Service Manager for Social Services and Housing and therefore has no status with the Ministry in respect to affordable housing project submissions. However, the opportunities provided by the stimulus funding program could be lost to Guelph if the projects are not submitted to the Province according to their criteria and requirements. The recommended resolution is intended to demonstrate the need for new affordable housing units in Guelph and the importance of approving these two projects towards addressing this need.

"original signed by Hans Loewig"

Prepared By: Hans Loewig Chief Administrative Officer 519-837-5602 hans.loewig@guelph.ca

Attachments(2):

E-mail from Hans Loewig to Scott Wilson, Chief Administrative Officer for the County of Wellington, dated July 3, 2009 incorporating e-mail from Liz Sandals, M.P.P. to Hans Loewig dated July 2, 2009

Letter from Scott Wilson, Chief Administrative Officer for the County of Wellington, to Hans Loewig dated July 10, 2009

Hans Loewig

From:	Hans Loewig
Sent:	July 3, 2009 9:24 AM
То:	'scottw@county.wellington.on.ca'
Cc:	'Isandals.mpp@liberal.ola.org'; Karen Farbridge; 'joanner@county.wellington.on.ca'; 'mduquesn@sjhh.guelph.on.ca'
Subject:	FW: AHP and SHRRP Guidelines
Attachments:	AHP Guidelines Homeownership.pdf; AHP Guidelines Rental.pdf;

AHP Guidelines SHRRP.pdf; SHRRP&AHP guidelinesSummary.pdf

As a follow-up to our meeting with the representatives of St. Joseph's, I took the opportunity of discussing the affordable/supportive housing program opportunities for Guelph/Wellington with our MPP Liz Sandals. I have forwarded the response from her office for your information, and it appears that the Province is receptive to receiving proposals specifically identifying the St. Joseph's proposal, as well as that of another proponent. The guidelines indicate that low income seniors have been identified as a special target area, and that the funding eligibility is \$120,000 to \$150,000 per unit. As well the next deadline for applications for year 1 projects is July 31st. We strongly support the strategy identified by our MPP to submit the proposals, even if they exceed the allocation, and as soon as possible.

Regards

Hans Loewig | Chief Administrative Officer T 519-837-5602 E hans.loewig@guelph.ca

From: Sandals_Liz-MPP-CO [mailto:lsandals.mpp.co@liberal.ola.org] Sent: July 2, 2009 3:20 PM To: Hans Loewig Subject: AHP and SHRRP Guidelines

Dear Mr. Loewig,

MPP Sandals has asked me to forward to you the guidelines that are attached. She has also asked me to share that the other proponent is a conventional affordable housing proponent in Guelph.

Speed is of the essence.

The strategy should be to get Wellington County to submit both proposals to MMAH (with presumably St. Joe's ranked first because of seniors' supportive housing). Even if it exceeds the Wellington County unit allocation, we might get extra units if not all authorities submit their maximum.

MPP Sandals suggests that you check out the reference to municipal support.

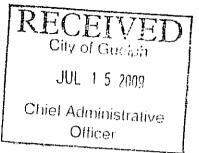
If you have any further questions, please don't hesitate to call the Constit Office at 519-836-4190. Sincerely Jenny Waterston Constituency Assistant for Liz Sandals, MPP



COUNTY OF WELLINGTON

SCOTT WILSON CHIEF ADMINISTRATIVE OFFICER TEL: (519) 837-2600, EXT.2330 1-800-663-0750 FAX: (519) 837-1909 e-mail: scottw@wellington.ca (100 the start sta

74 WOOLWICH STREET GUELPH, ONTARIO N1H 3T9



July 10, 2009

Mr. Hans Loewig Chief Administrative Officer City of Guelph 1 Carden Street Guelph ON N1H 3A1

Dear Hans;

Thanks for the e-mail of July 3rd, and the accompanying material. I am able to advise that the County has submitted the St. Joseph's project, as well as another, to the Ministry for consideration for the AHP.

As you may be aware, the County did not receive any allocation for the Quick Starts as it was deemed that the projects were not construction ready (as per the ministry criteria outlined on page 7 in the Canada-Ontario Affordable Housing Program 2009 Extension Programme Guidelines.) The projects remain in the application queue, and do not require re-submission.

With respect to MPP Liz Sandals' suggestion about "municipal supports", I wish to clarify the role the City can play in support of future affordable rental housing projects in the City of Guelph. As with other stimulus funding, the key test is construction readiness. Owners must start construction within 90-120 days of project approval; the Ministry will confirm with the CMSM the project's potential start date prior to approval. Given the Ministry's requirements, the next deadline for submission which can be reasonably met is September 30, 2009.

In order to meet the September 30th submission date, the City can help get the projects ready for selection for provincial approval of funding with:

- assistance to the owner with getting zoning in place; site plan approval; initial building permit (may be demolition or foundation permit); and any other permits that would be required to meet these requirements – i.e. compliance with the Canadian Environmental Assessment Act (CEAA).
- property tax class requirement is already in place under the City's by-law.

 any (optional) additional City municipal incentives beyond the maximum programme incentives of \$120,000 per unit, such as reduced or waived development charges, planning fees, or building permit fess. Any incentives will be identified with the submission of projects, and assist the County in reviewing (and confirming) the financial viability of a project.

In addition, and prior to the CMSM signing the funding agreement with the Province, there will need to be an agreement between the County and City for any future liabilities with the AHP projects. This agreement is required as the County, as the CMSM, has an ongoing financial responsibility for any project funded through the AHP. In the worst case scenario, the County could be required to re-pay any advanced funds resulting from a failed project eg. increased construction costs, bankruptcy, failure to remain affordable for 20 years. Ideally, an agreement can be achieved prior to the September 30th date.

The County certainly agrees that there is a need for additional AHP units and are willing to assist the City to ensure everything is done in order to have projects qualify for the funding. Please contact the County Treasurer, Mr. Craig Dyer, respecting municipal incentives and agreement between the City and County, and the Housing Director, Ms.Heather Burke for further clarification on other municipal approvals.

Yours Truly,

Wilson

Scott Wilson CAO

- c. Warden Joanne Ross-Zuj Mayor Karen Farbridge MPP Liz Sandals M. DuQuesnay C. Dryer E. Alton
 - H. Burke



Daltec Canadian Buffalo Manufacturing

465 Laird Road, Guelph, Ontario, N1G 4W1 Manufacturers of Industrial Fans and Blowers 519-837-1921 519-837-2380(fax)

June 26, 2009

CITY CLERK'S OFFICE

Monsent B-1

Municipal Clerks Office City of Guelph Administration Offices 1 Carden Street Guelph, Ontario N1H 3A1

To Whom It May Concern:

Daltec Canadian Buffalo Manufacturing will be holding an event on Friday, August 28, 2009 for employees as recognition of 25 years in business.

We expect 45 employees to attend this event.

We are renting 2 tents, 15 feet by 15 feet that will be on our property and have also applied for a liquor license to serve a very limited amount of spirits at our event. We will also be hosting a catered BBQ.

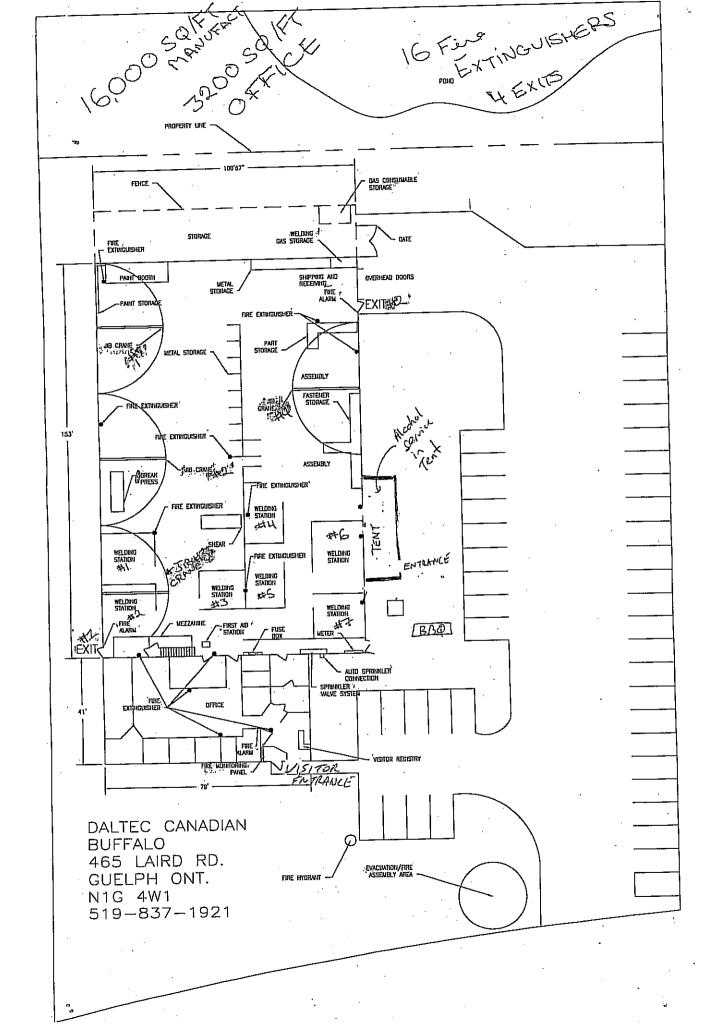
I have attached a copy of our facility, showing where the tents and BBQ will be.

Kindly advise if any further permits are required by the City.

Yours truly,

Peter Csaszar, General Manager/COO Daltec Canadian Buffalo Manufacturing Ltd. peter@dcbm.ca

CC City of Guelph Fire Department City of Guelph Police Department City of Guelph Public Health Department City of Guelph Municipal Clerk





June 25, 2009

Mayor Karen Farbridge City of Guelph 1 Carden Street Guelph, ON N1H 3A1

Dear Karen:

Re: Guelph Board Composition

On behalf of the Board of Directors for Guelph Hydro Inc. (GHI), I am writing to request a change to paragraph 4.2 of the current the Shareholder Declaration outlining the expectations of the Shareholder relating to the principles of governance expected of GHI by the shareholder.

Paragraph 4.2 describes the composition of the board of directors as follows: "The Board shall be comprised of the Mayor or another serving member of Council designated by the Mayor, the President and CEO, and up to five (5) other directors who shall be non-members of Council."

We are requesting that this paragraph be changed to (a) eliminate reference to "the President and CEO", and (b) increase the number of other directors from five (5) to six (6).

Rationale for this Proposed Change

For several years considerable attention has been given to the need for board independence from management in the conduct of board business. It is commonly understood, for example, that one key responsibility of a board is to supervise the CEO's management of the corporation, including his/her selection, evaluation, compensation, and replacement if necessary. For this reason and others, boards of directors are increasingly encouraged to exclude management from board positions, relying instead on a complete slate of private directors, with management represented as needed in an *exofficio* capacity.

With a new CEO scheduled to assume his responsibilities very shortly, coupled with the complex and important investment opportunities presented to our companies and to our community by the Green Energy Act and the Community Energy Plan, we believe we have an urgent need to supplement our GHI board with the additional skills required of this new environment.

Next Steps

With shareholder approval of this recommendation, we will then request shareholder approval of an additional private director as described on the accompanying recommendation approved on June 23rd by the Board for submission to the shareholder. While it might be expeditious to deal with these items together, we leave this for you to decide.

Yours sincerely,

GUELPH HYDRO INC.

Jasmine Urisk Chair

RECEIVED City of Guelph JUN 2 5 2009

Office of the Mayor



Please recycle!

- BYLAWS -

- July 27, 2009 –	
By-law Number (2009)-18818 A by-law to authorize the release and conveyance of 0.3 metre reserve described as Block 22, Registered Plan 793, City of Guelph.	Execution of a release and conveyance as the land is not longer required by the City,
By-law Number (2009)-18819 A by-law to appoint members to various Boards, Committees and Commissions and to amend By-law (2008)-18570.	To appoint citizens to various boards, committees & commissions as approved by Council.
By-law Number (2009)-18820 A by-law to remove Lot 25, Plan 61M144 designated as Parts 25 and 26, Reference Plan 61R10879; in the City of Guelph from Part Lot Control. (50 & 52 Acker Street)	To remove land from part lot control to create 2 semi-detached lots to be known municipally as 50 & 52 Acker Street.
By-law Number (2009)-18821 A by-law to remove Lot 29, Plan 61M144 designated as Parts 17 and 18, Reference Plan 61R10879; in the City of Guelph from Part Lot Control. (34 & 36 Acker Street)	To remove land from part lot control to create 2 semi-detached lots to be known municipally as 34 & 36 Acker Street.
By-law Number (2009)-18822 A by-law to authorize the purchase of an Easement in favour of the Corporation of the City of Guelph, on Part of Lots 5 & 6, Concession 2, Division "G" (formerly Guelph Township), designated as Parts 1, 2 and 3, Reference Plan 61R11132, City of Guelph.	To purchase an easement for the purpose of constructing traffic signal loops, signal poles and other associated signal hardware.

	1
By-law Number (2009)-18823 A by-law to authorize the acceptance of Easements in favour of the Corporation of the City of Guelph on Part of Lot 123, Plan 492, designated as Part 1, Reference Plan 61R11158, City of Guelph.	To accept an easement for the purpose of constructing and maintaining a public pedestrian walkway, park sign, parking sign, traffic control bollards and installing and maintaining sanitary and storm sewers.
By-law Number (2009)-18824 A by-law to authorize the acceptance of an Easement in favour of the Corporation of the City of Guelph, on Part of Block 2, 61M158, designated as Part 1, Reference Plan 61R11156, City of Guelph.	To accept an easement for the purpose of an overflow pipe.
By-law Number (2009)-18825 A by-law to authorize the acquisition of property described as Part of Lots 10 and 12, Broken Front East side of Concession 1, Division "G", (formerly Guelph Township), designated as Parts 1, 2, 4 and 7, Reference Plan 61R- 11036, City of Guelph.	To acquire land to widen Victoria Road South.
By-law Number (2009)-18826 A by-law to authorize the execution of a License Agreement between The Corporation of the City of Guelph and Agricultural Research Institute of Ontario.	To execute a license agreement for the purpose of protecting the natural storm water catchment area located on the east side of Victoria Rd. S. and the Licensor's lands.
By-law Number (2009)-18827 A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph as it affects property described as Part of Lot 1, Concession 7, Division 'C', City of Guelph, and known municipally as 671 Victoria Road North to permit a commercial and residential draft plan of subdivision (File 23T-08502/ZC0802).	To amend the Zoning By-law as approved by Council July 6, 2009.

By-law Number (2009)-18828 A by-law to dedicate certain lands known as Part of Lot 5, Concession 3, Division "C" (formerly Guelph Township), designated as Parts 2 and 4, 61R11159 as part of Starwood Drive, City of Guelph.	To dedicate land as part of Starwood Drive.
By-law Number (2009)-18829 A by-law to amend By-law Number (2002)-17017 (2 hour parking limit on Metcalfe St. between Eramosa Rd. and Pleasant Rd. in Restricted Parking Schedule XVII) and to adopt Municipal Code Amendment #495, amending Schedule XVII of Chapter 301 of the Corporation of the City of Guelph's Municipal Code.	To amend the Traffic By-law.
By-law Number (2009)-18830 A by-law to remove Lot 95, Plan 61M146 designated as Parts 7 and 8, Reference Plan 61R10877, in the City of Guelph from Part Lot Control. (76 & 78 Clough Cres.)	To remove land from part lot control to create 2 semi-detached lots to be known municipally as 76 & 78 Clough Cres.
By-law Number (2009)-18831 A by-law to amend By-law Number (2008)-18656 with respect to the appointment of persons serving as By- law Enforcement Officers for the City of Guelph, and to add Pomroy, Winkler, Campbell and to remove Chapman and Goldsmith.	To amend the by-law with respect to the appointment of persons as By-law Enforcement Officers.
By-law Number (2009)-18832 A by-law to amend By-law Number (2009)-18776, being a by-law regulating the power of entry onto land (housekeeping changes)	To amend the by-law with respect to the power of entry onto land.

By-law Number (2009)-18833 A by-law to authorize the execution of an Agreement between Capital Paving Inc. and the Corporation of the City of Guelph. (Contract No. 2-0908 for the servicing and road construction of College Ave. from Powerhouse Lane to Dundas Lane)	To execute Contract No. 2-0908 for the servicing and road construction of College Ave. from Powerhouse Lane to Dundas Lane.
By-law Number (2009)-18834 A by-law to provide for the temporary closure of a portion o College Avenue during the servicing and road construction of College Ave. from Powerhouse Lane to Dundas Lane. (Contract No. 2-0908)	To temporarily close College Avenue from Powerhouse Lane to Dundas Street during the servicing and road construction.
By-law Number (2009)-18835 A by-law to authorize the execution of an agreement between Prior Construction Corporation and the Corporation of the City of Guelph. (Contract No. 2-0915 for the servicing and road construction of Westminister Woods East, Phase 4)	To execute Contract No. 2-0915 for the servicing and road construction of Westminister Woods East, Phase 4.
By-law Number (2009)-18836 A by-law to authorize the execution of an Agreement between The Corporation of the City of Guelph and The Corporation of the Township of Guelph/ Eramosa. (water services for the Gazer- Mooney Subdivision)	To execute an agreement for water services for the Gazer-Mooney Subdivision as approved by Council May 25, 2009.
By-law Number (2009)-18837 A by-law to authorize the execution of an Agreement between The Corporation of the County of Wellington and The Corporation of the City of Guelph. (funding support of the Neighbourhood Support Coalition and provision of neighbourhood group programs and services)	To execute an agreement with respect to funding support of the Neighbourhood Support Coalition and provision of neighbourhood group programs and services, as approved by Council June 22, 2009.

By-law Number (2009)-18838 A by-law to authorize the execution of an Agreement between The Corporation of the City of Guelph and Collaborative Structures Limited. (Guelph POA Courthouse 09-1902 – Canadian Standard Construction Management Contract)	To execute the Canadian Standard Construction Management Contract for the Guelph POA Courthouse 09-1902.
By-law Number (2009)-18839 To authorize the execution of an agreement between The Corporation of the City of Guelph and Her Majesty the Queen in Right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario. (2009 Ontario Bus Replacement Program)	To execute an agreement with respect to the 2009 Ontario bus Replacement Program.
By-law Number (2009)-18840 A By-law to amend By-law Number (2009)-18727, being a by-law to appoint a Fire Chief, Director of Emergency Services Fire / Ambulance, and Deputy Fire Chiefs for the City of Guelph. (appointing Deputy Fire Chief John Osborne)	To appoint John Osborne as Deputy Fire Chief.
By-law Number (2009)-18841 A By-law to amend By-law Number (2009)-18725, being a By-law to continue and regulate the Guelph Fire Department.	Updating the Guelph Fire Department organizational chart.
By-law Number (2009)-18842 A by-law to remove Part Lot B, Concession 2, Division E, (formerly Guelph Township), designated as Parts 1 and 2, Reference Plan 61R11165 in the City of Guelph from Part Lot Control. (146 & 148 Fife Rd.)	To remove land from part lot control to create 2 semi-detached lots to be known municipally as 146 & 148 Fife Road.

By-law Number (2009)-18843 A by-law to remove Lot 24, Plan 61M129 designated as Parts 11 and 12, Reference Plan 61R10512 in the City of Guelph from Part Lot Control. (22 & 24 Davison Drive)	To remove land from part lot control to create lots to be known as 22 & 24 Davison Dr.
By-law Number (2009)-18844 A by-law to remove Lot 143, Plan 61M152 designated as Parts 23 and 24, Reference Plan 61R11040 and Lot 148, Plan 61M152 designated as Parts 33 and 34, Reference Plan 61R11040, in the City of Guelph from Part Lot Control. (11 & 15 Dougall St. and 33 & 35 Dougall St.)	To remove land from part lot control to create lots to be known municipally as 11 & 15 Dougall St. and 33 & 35 Dougall St.