

CITY COUNCIL AGENDA

Consolidated as of March 19, 2016



Council Chambers, Guelph City Hall, 1 Carden Street

DATE Monday March 21, 2016 – 5:00 p.m.

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

AUTHORITY TO MOVE INTO CLOSED MEETING

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to The Municipal Act, to consider:

- C-2016.21 Guelph Storm Negotiation Update**
Section 239 (2) (e) litigation or potential litigation, including matters before administrative tribunals
- C-2016.22 CAO Contract**
Section 239 (2) (b) personal matters about identifiable individuals

CLOSED MEETING

OPEN MEETING – 7:00 p.m.

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

CLOSED MEETING SUMMARY

PRESENTATION

- a) Recognition for the University of Guelph Gryphons Football Program - winners of the Ontario University Athletics (OUA) championship (the Yates Cup)

CONFIRMATION OF MINUTES (Councillor Allt)

“THAT the minutes of the Council Meetings held February 8, 11, 22, 24 and 29, 2016 and the minutes of the Closed Meetings of Council held February 8, 22, 24 and 29, 2016 be confirmed as recorded and without being read.”

CONSENT REPORTS/AGENDA – ITEMS TO BE EXTRACTED

The following resolutions have been prepared to facilitate Council's consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Reports/Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Consent Reports/Agenda will be approved in one resolution.

Consent Reports/Agenda from:

Corporate Services Committee			
Item	City Presentation	Delegations	To be Extracted
CS-2016.5 Outstanding Motions of the Corporate Services Committee			
CS-2016.6 Tax Ratios - 2016			✓

Adoption of balance of Corporate Services Committee # Consent Report - Councillor Hofland, Chair

Governance Committee			
Item	City Presentation	Delegations	To be Extracted
GOV-2016.1 Governance Options Regarding the County of Wellington's Social Services Committee			

Adoption of balance of Governance Committee # Consent Report – Mayor Guthrie, Chair

Infrastructure, Development & Enterprise Committee			
Item	City Presentation	Delegations	To be Extracted
IDE-2016.2 Stormwater Funding Study			
IDE-2016.3 Backflow Prevention By-law			
IDE-2016.4 2015 Annual and Summary Water Services Report (compliance)			
IDE-2016.5 Sign By-law Variances – 299 Scottsdale Drive			
IDE-2016.6 Sign By-law Variances – 102 Wyndham Street North			

IDE-2016.7 Heritage Redevelopment Reserve Grant Application for 15 Wyndham Street North (Petrie Building)		<ul style="list-style-type: none"> • Susan Ratcliffe 	✓
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Adoption of balance of Infrastructure, Development & Enterprise Committee # Consent Report – Councillor Bell, Chair

Public Services Committee			
Item	City Presentation	Delegations	To be Extracted
10 Carden Shared Space: Redevelopment of the Acker's Furniture Building at 42 Carden Street		<u>Correspondence:</u> <ul style="list-style-type: none"> • Marg Harbin 	
PS-2016.1 Support for New Refugees			
PS-2016.2 Business License Fees 2016			

Adoption of balance of Public Services Committee # Consent Report – Councillor Downer, Chair

Council Consent Agenda			
Item	City Presentation	Delegations	To be Extracted
CON-2016.9 Resolution from Township of Gillies Regarding Town of Aurora Council Resolution About Ontario Municipal Board Jurisdiction		<ul style="list-style-type: none"> • Maria Pezzano, The Ward Residents' Association • Scott or Michele Richardson, McElderry Residents' Community Inc. • Bruce Ryan, President, Old University Neighbourhood Residents' Association <u>Correspondence:</u> <ul style="list-style-type: none"> • Maria Pezzano • Stephen Runge • Kris Sturgeon 	✓
CON-2016.10 Victoria Road Recreation Centre – Renovation Update (report attached)		<u>Delegations:</u> <ul style="list-style-type: none"> • Peter Guth, Guelph Minor Hockey Assoc. • John Gerrard, Guelph Marlins Aquatic Club • Cynthia Fobert <u>Correspondence:</u> <ul style="list-style-type: none"> • Cynthia Fobert (petition also) 	✓

Adoption of balance of the Council Consent Agenda.

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

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

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

Reports from:

- Corporate Services Committee– Councillor Hofland
- Governance Committee – Mayor Guthrie
- Infrastructure, Development & Enterprise Committee – Councillor Bell
- Public Services Committee– Councillor Council Downer
- Consent – Mayor Guthrie

SPECIAL RESOLUTIONS

BY-LAWS

Resolution – Adoption of By-laws (Councillor Bell)

“THAT By-law Numbers (2016)-20026 to (2016)-20032, inclusive, are hereby passed.”

By-law Number (2016)-20031 A by-law to authorize the execution of an agreement between Melloul-Blamey Construction Inc. for the renovation of the Victoria Road Recreation Centre.	To execute the agreement for the renovations to the Victoria Road Recreation Centre as per Consent Report 2016.10.
By-law Number (2016)-20032 A by-law to confirm the proceedings of meetings of Guelph City Council held March 9 and 21, 2016.	To confirm the proceedings of meetings of Guelph City Council held March 9 and 21, 2016.

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

Dear Mayor Guthrie and Members of City Council,

My purpose in writing this letter is to register my objection to the city lending financial support to the 10 Carden St. shared space for the redevelopment of the Acker Furniture building.

As I listened to the presentation for this request , it was clear that there is a lot of enthusiasm for this project. I think 10 Carden is a great concept and love the idea of what they are planning for 42 Carden St. It will definitely be an asset to the downtown.

It is not my intention to be negative, and the amount of money requested is small, but, for the following reasons, I am against the city offering financial support:

-a number of special interest groups are involved with 10 Carden. I'm certain that a lot of good work is done by some of those groups, but, it is my belief that the city should not spend tax dollars to support any ideology. It sets a precedent.

-the presentation revealed that the money is not needed for success of the project

-I'm one of the people who want to see taxes kept down, and, feel offended that some councillors automatically assume that means that I don't see the bigger picture on the environment and the need to have a vision for this city. However, as long as there is a tax levy on the table and little in reserves, my vision, for now, is one of austerity . Staff are presently looking for efficiencies, and so too should council. Once the city is in a better financial position, I will fully support new initiatives that support our future in this fine city.

Thank-you,
Marg Harbin

CONSENT AGENDA - Revised

March 21, 2016

His Worship the Mayor
and
Members of Guelph City Council.

SUMMARY OF REPORTS:

The following resolutions have been prepared to facilitate Council’s consideration of the various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with immediately. The balance of the Consent Agenda will be approved in one resolution.

A REPORTS FROM ADMINISTRATIVE STAFF

REPORT	DIRECTION
<p>CON-2016.9 RESOLUTION FROM TOWNSHIP OF GILLIES REGARDING A TOWN OF AURORA COUNCIL RESOLUTION ABOUT ONTARIO MUNICIPAL BOARD JURISDICTION</p> <p>Councillor Downer requested this item be pulled from the February 26, 2016 weekly Items for Information package and will speak to this item.</p>	
<p>CON-2016.10 VICTORIA ROAD RECREATION CENTRE – RENOVATION UPDATE</p> <p>1. That Council approve a budget increase in the amount of \$2,515,700 for project RF0051 VRRC Expansion/Renovation.</p> <p>2. That the additional budget be funded via \$466,400 in Recreation Development Charges, \$1,549,300 tax funded debt transferred from SS0019 Baker St. Re-development PH3, and \$500,000 from the City-Wide Parkland Dedication Reserve.</p> <p>3. That the tender bid of Melloul-Blamey Construction Inc. – Option #2 be accepted and that the Mayor and Clerk be authorized to sign the agreement for Reference Number 16-034 for the renovation of the Victoria Road Recreation Center for the total tendered price of \$12,642,000 exclusive of HST.</p>	Approve

attach.

FROM THE DESK OF

MARIA PEZZANO

CHAIR FOR THE WARD RESIDENTS' ASSOCIATION

March 17, 2016

Mayor Guthrie
City Councillors of the
City of Guelph

Re: Motion brought forward by Councillor Downer in regards to the reform of the OMB

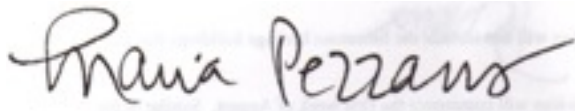
Dear Mayor and Council

I am here to ask that you support this motion brought forward by Councillor Downer in regards to supporting the reform of the Ontario Municipal Board.

The Ward Residents' Association worked hard and diligently with the Kilmer Brownfield Equity Fund, Fusion Homes and City Staff to give input towards a successful plan that integrates beautifully into our neighbourhood. We chose to work together to create our community. At no time did Kilmer or Fusion Homes go to the OMB.

Our Leaders should encourage the idea that the developer work with our residents and not have the option to go over the heads of our City Council to further their end. Our City plan is designed with the goal of what is best for Guelph, not what is best for the developer and they shouldn't be able to trump that.

Sincerely yours,

A handwritten signature in black ink that reads "Maria Pezzano". The signature is written in a cursive, flowing style.

Maria Pezzano

From: Stephen Runge
Date: March 16, 2016 at 8:24:58 AM EDT
To: <Cathy.Downer@guelph.ca>
Subject: OMB Reform

Cathy, good luck on your initiative to start a conversation on OMB reform. It does not matter who I have this conversation with, the sentiment is over whelming that something needs to change. For too long developers have played roughshod over municipalities and by definition communities within. As a member of The McElderry Community we have spent close to \$50K presenting and defending our neighbourhood. Believe me I would rather leave the bottle drives to the local sports teams but that is what we have reduced to do.

Thanks
Stephen Runge

From: Kris Sturgeon

Date: March 10, 2016 at 3:01:06 PM EST

To: Cathy Downer and Leanne Piper <cathy.downer@guelph.ca>

Subject: OMB reform

Dear Cathy,

As a resident of the McElderry community which is currently fighting the construction of a 6-storey student accommodation by HIP Developments on the St. Matthias church site at 171 Kortright Road West, I have been very pleased to hear that you are working to reform the Ontario Municipal Board so that municipalities (and by extension neighbourhoods such as ours) retain more control over what goes on in their jurisdictions.

It has been extremely frustrating to see that the only way to fight for our community has been by spending thousands of dollars, with no guarantee whatsoever that that 6-storey building would not be built, simply because the developer has far deeper pockets than we do and can afford to appeal to the OMB as frequently as it takes to win his case. I don't believe it is right that neighbourhoods should have to raise this kind of cash and/or incur large debts in order to protect their well-being, and nor do I like to see my municipal tax dollars going to such negotiations, when I know that money would be far better spent elsewhere. I also believe it is decidedly unfair that the community concerned, and for that matter the municipality, has no say in situations like this; that it depends entirely on the judge presiding over the case.

Thank you so much for all the work you've done to support the McElderry community, and for your ongoing work to make Guelph a better place, by supporting such initiatives as keeping institutional properties as such where possible, and by demanding reform to the OMB.

Yours sincerely,

Kris Sturgeon

STAFF REPORT



TO City Council

SERVICE AREA Public Services – Parks and Recreation

DATE March 21, 2016

SUBJECT Victoria Road Recreation Centre – Renovation Update

REPORT NUMBER PS-16-05

EXECUTIVE SUMMARY

PURPOSE OF REPORT

To approve an increase to capital project RF0051 VRRRC Expansion/Renovation and approve the award of the tender for the renovation of the Victoria Road Recreation Centre (VRRRC).

KEY FINDINGS

- Staff has been working with CS&P Architects Inc. to address lifecycle, accessibility, mechanical and customer service changes required, which will move VRRRC from an aging and outdated recreation centre to an updated, more inclusive and accessible facility.
- Through the detailed design process, a number of issues have been identified that have brought the cost of this renovation over the initial project budget.
- Significant site plan work, poor soil conditions, requirement of engineered fill, extensive pool upgrades to meet code and accessibility requirements, parking lot re-pavement and storm water management improvements, addressing deficiencies with sewers and the water main to the facility, new main entrance and meeting rooms, improved site lighting, and partial occupancy of the site for arena use has brought the construction tender above the initial budget.
- Two options were explored with respect to the repairs to the lap pool, with Option #2 being the most cost effective over the long term.
- Based on the recent tender, a total budget of \$15,100,000 is required.

FINANCIAL IMPLICATIONS

An overall budget of \$12,584,300 was approved by Council in 2015 to renovate the aging Victoria Road Recreation Centre. Based on the recent tender submission and additional work required to undertake the renovation, a total budget of \$15,100,000 is required.

The additional funding required for this project will come from three areas: Tax Funded Debt, Recreation Development Charges, and the City-Wide Parkland Dedication Reserve.

STAFF REPORT

Tax supported debt funding of \$1,549,300 will be moved from SS0018 Baker St. Re-development PH2 to RF0051. Recreation Development Charges in the amount of \$466,400 will be applied to the project and \$500,000 will be transferred from the City-Wide Parkland Dedication Reserve to make up the required \$2,515,700.

ACTION REQUIRED

City Council to approve an increase to capital project RF0051 VRRC Expansion/Renovation and approve the award of the tender for the renovation of the Victoria Road Recreation Centre.

RECOMMENDATION

1. That Council approve a budget increase in the amount of \$2,515,700 for project RF0051 VRRC Expansion/Renovation
2. That the additional budget be funded via \$466,400 in Recreation Development Charges, \$1,549,300 tax funded debt transferred from SS0019 Baker St. Re-development PH3, and \$500,000 from the City-Wide Parkland Dedication Reserve
3. That the tender bid of Melloul-Blamey Construction Inc. – Option #2 be accepted and that the Mayor and Clerk be authorized to sign the agreement for Reference Number 16-034 for the renovation of the Victoria Road Recreation Centre for the total tendered price of \$12,642,000 exclusive of HST

BACKGROUND

The Victoria Road Recreation Centre was opened in 1975 and its amenities currently include a 50 metre pool, a smaller teaching pool, one indoor ice pad, a small fitness room, and multi-purpose rooms. Based on the age of the facility and outdated design, the VRRC requires a significant number of upgrades/repairs and renovations to deal with accessibility, security, customer service, gaps in programming, energy efficiencies and internal building operating systems.

Feasibility studies were completed and Council approved a budget of \$12,584,300 for the renovation project based on a Class D estimate provided by our cost consultants from Turner Townsend. According to the 'Guide to Cost Predictability in Construction' prepared by the Joint Federal Government/Industry Cost Predictability Taskforce, November 2012, the accuracy of the number provided in a Class D estimate is generally +/- 20% to 30%, depending on the complexity of the project and whether the project is new construction on a 'greenfield' site or a renovation.

Staff has been actively working with CS&P Architects Inc. to address lifecycle, accessibility, mechanical, energy efficiencies, programming and customer service

STAFF REPORT



changes required, which will move the VRRRC from an aging and outdated recreation centre to an updated, more inclusive and accessible facility.

During this same period, staff initiated a pre-qualification process for general contractors that would be interested in bidding on this work. Twenty one submissions were received and reviewed by the project team, with eight submissions receiving pre-approval. Tender documents were posted on the City of Guelph website the third week of January, and the tender closed on March 2, 2016 with seven submissions being received.

REPORT

Through the detailed design process, a number of issues have been identified that has driven the cost of this renovation over the initial project budget. Significant site plan work, poor soil conditions, requirement of engineered fill, extensive pool upgrades to meet code and accessibility requirements, parking lot re-pavement and storm water management improvements, addressing deficiencies with existing storm sewers and an undersized water main to the facility, new main entrance and meeting rooms, and partial occupancy of the site for arena use has brought the construction tender above the initial budget.

Staff, through the 50% and 90% costing phases, has made adjustments and analysed the findings to be fiscally responsible. Many options in all areas of the project have been considered in terms of cost savings; however any further reductions will jeopardize the intended operation of the facility or result in a phased approach, whereby additional funds would be required in a subsequent budget years for completion.

We are entering a critical phase of addressing a majority of lifecycle items whereby further delays may result in a significant immediate impact to the facility, its operation and our stakeholders. In the event that this project is deferred to another budget year, there will remain the requirement for lifecycle upgrades and repairs that have not been completed as they have been captured in this overall project. In order to achieve partial occupancy for the arena in October, construction is required to begin in early April.

As previously stated, a significant cost is attributed to the pool and its requirements for full functionality. Contractors were asked to provide two options in the tender document with the difference directly attributed to the type of finishing in the pool tank.

Option #1 pricing includes the cost to replace the fiberglass lining with ceramic tile. The unknown factor with this option is the amount of work required to properly prepare the walls for tile installation. The additional cost and delay to the project, due to this unknown condition of the tank hidden behind the existing fiberglass finish, could be significant. If there is remedial work required, this project could be delayed and will have a financial impact through project contingencies.

STAFF REPORT



Option #2 pricing includes a stainless steel wall insert that has significant operational advantages. Primarily, this insert can be installed over the existing finish which will help mitigate the unknown of the fiberglass removal. This insert, used by a number of municipalities including the recent Pan/AM game aquatic venues, will reduce the construction schedule on the pool portion of this complex renovation and provide operational savings in maintenance and down time for our customers when it requires re-grouting at an approximate cost of \$187,000 and a minimum 4 week closure every 5 – 7 years. This relates to a potential revenue loss of up to \$11,000 dollars/shut down.

In addition, this system, that raises the water level to the appropriate regulation depth, will provide the Guelph Marlins Aquatic Club the ability to host concurrent 25m events that will be an economic driver for sport tourism and will contribute to additional revenue to the City.

CORPORATE STRATEGIC PLAN

Innovation in Local Government

2.3 Ensure accountability, transparency and engagement

City Building

3.1 Ensure a well-designed, safe, inclusive, appealing and sustainable City

3.3 Strengthen citizen and stakeholder engagement and communications

FINANCIAL IMPLICATIONS

A budget of \$12,584,300, inclusive of 1.76% HST was approved by Council in 2015 to renovate the VRRRC. Based on the recent tender and additional work required to complete the renovation, a total budget of \$15,100,000 is required. A construction contingency of \$1,000,000 is included in this request.

The additional funding required for this project will come from three areas: Tax Funded Debt, Recreation Development Charges, and the City-Wide Parkland Dedication Reserve.

Tax supported debt funding of \$1,549,300 will be moved from SS0018 Baker St. Re-development PH2 to RF0051. Recreation Development Charges in the amount of \$466,400 will be applied to the project and \$500,000 will be transferred from the City-Wide Parkland Dedication Reserve to make up the required \$2,515,700.

As the City's debt capacity is currently 100% allocated, reallocating of prior approved but unused debt funding allows for the partial funding of this project. Tax supported debt funding of \$1,549,300 will be moved from SS0019 Baker St. Re-development PH2 to RF0051.

Recreation Development Charges in the amount of \$466,400 will be applied to this project and \$500,000 will be transferred from the City-Wide Parkland Dedication Reserve.

STAFF REPORT



The Planning Act identifies that parkland dedication funds shall be “spent only for the acquisition of land to be used for park or other public recreation purposes, including the erection, improvements or repairs of buildings and the acquisition of machinery for park or other public recreational purposes.” In keeping with the planning act the funding needs to be directed towards projects that provide an improvement to public parks or recreation facilities. Currently there is \$2.4 million in the City-Wide Reserve. This expenditure will be reduced to \$1.9 million for future recreational projects.

Below is the construction budget that has been established for this project.

Construction Costs	Budget Allocation	Project Percentage
General Contractor	\$ 12,642,000	83.7%
Construction Contingency	\$ 1,000,000	6.6%
Consulting Fees	\$ 1,028,936	6.8%
Project Management Fees	\$ 76,500	0.5%
Building Permit and Site Plan Application Fees	\$ 56,200	0.4%
FFE- Furniture Fixtures & Equipment	\$ 10,200	0.1%
Project Contingency	\$ 25,000	0.2%
Sub Total	\$ 14, 838,836	
HST 1.76%	\$ 261,164	1.76%
Total	\$ 15,100,000	100%

Staff recommends tender Option #2 in order to mitigate the unknown cost of the fiberglass removal and for long term operational effectiveness.

Bids were received from seven of the eight pre-qualified general contractors as per the following list:

General Contractor	Option #1	Option#2
Melloul-Blamey Construction Inc.	\$12,315,000	\$12,642,000
Aquicon Construction	\$12,399,000	\$12,849,000
Harbridge & Cross Limited	\$12,790,000	\$13,390,000
Bondfield Construction	\$12,876,000	\$13,176,000
Merit Contractors Niagara	\$13,200,000	\$13,107,000
McKay-Cocker Construction Limited	\$13,586,000	\$13,744,000
Maple Reinders Constructors Ltd	\$13,675,000	\$13,808,000

❖ Please note that all bids are good for 90 days and do not include HST

STAFF REPORT



Once approved, staff will immediately commence with the contractor to maintain the timeline that has been identified for this closure. Completing the required work to obtain partial occupancy will be the first major milestone.

Item	Projected Date
Construction Start Date	Week of April 4, 2016
Full Building Closure	April 4, 2016 – September 30, 2016
Partial Facility Opening - Ice pad only	October 15, 2016 – March 30, 2017
Substantial Completion	Spring 2017
Building Opening	June 2017

DEPARTMENTAL CONSULTATION

Parks and Recreation
Facilities Management
Finance
Corporate Communications
Planning
Urban Design
Building

COMMUNICATIONS

Through a comprehensive communication plan, Council and the community will be kept informed of the construction progress.

ATTACHMENTS

N/A

Report Author

Heather Flaherty
General Manager
Parks and Recreation

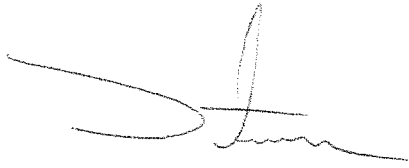
Recommended By

Mario Petricevic, CET
General Manager
Facilities Management
519-822-1260 ext. 2668
Mario.petricevic@guelph.ca

Approved By

Scott Stewart, CET
Deputy CAO
Infrastructure, Development and Enterprise
519-822-1260 ext. 3445
scott.stewart@guelph.ca

STAFF REPORT



Recommended By

Derrick Thomson
Deputy CAO
Public Services
519-822-1260 ext. 2665
Derrick.thomson@guelph.ca