



**Minutes of Guelph City Council  
Held in the Council Chambers, Guelph City Hall on  
December 17, 2018 at 5:30 p.m.**

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**Attendance**

Council: Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor D. Gibson

Councillor J. Gordon  
Councillor R. Goller  
Councillor J. Hofland  
Councillor D. O'Rourke

Absent: Councillor M. MacKinnon  
Councillor L. Piper  
Councillor M. Salisbury

Staff: Mr. S. O'Brien, City Clerk  
Ms. D. Tremblay, Council and Committee Coordinator

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**Call to Order (5:30 p.m.)**

Mayor Guthrie called the meeting to order.

**Authority to Resolve into a Closed Meeting of Council**

1. Moved by Councillor Downer  
Seconded by Councillor Billings

That Council as Shareholder of Guelph Municipal Holdings Inc. and Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b)(c) and (f) of the Municipal Act with respect to personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land by the municipality or local board and advice that is subject to solicitor client privilege, including communications necessary for that purpose.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland and O'Rourke, (10)

**Voting Against:** (0)

Carried

**Closed Meeting (5:33 p.m.)**

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

The following matters were considered:

**Minutes – Council Closed Session November 19, 2018**

These minutes were adopted by Council.

**CS-2018-70 Potential Expropriation- Speedvale Avenue East**

**GMHI-2018-05 Guelph Municipal Holdings Inc. (GMHI) -District Energy Assets – Update (Closed)**

**GMHI-2018-06 Appointment of Guelph Representative to Alectra Board of Directors**

**Rise and recess from Closed Meeting (6:35 p.m.)**

Council recessed.

**Open Meeting (6:45 p.m.)**

Mayor Guthrie called the meeting to order.

**Attendance**

Council: Mayor C. Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor D. Gibson  
Councillor J. Gordon  
Councillor R. Goller  
Councillor J. Hofland  
Councillor M. MacKinnon  
Councillor D. O'Rourke  
Councillor L. Piper  
Councillor M. Salisbury

Staff: Mr. D. Thomson, Chief Administrative Officer  
Ms. C. Clack, Deputy CAO Public Services  
Mr. T. Lee, Deputy CAO Corporate Services  
Mr. S. Stewart, Deputy CAO Infrastructure, Development and Enterprise Services  
Mr. C. Cooper, General Manager, Legal, Realty and Court Services/City Solicitor  
Mr. T. Salter, General Manager, Planning and Building Services  
Ms. H. Flaherty, General Manager, Parks and Recreation  
Ms. K. Dedman, General Manager, Engineering and Transportation, City Engineer  
Mr. L. Jefferson, Manager, Open Space Planning  
Mr. S. O'Brien, City Clerk  
Ms. D. Tremblay, Council and Committee Coordinator

**Closed Meeting Summary**

Mayor Guthrie spoke regarding the matters addressed in closed and identified the following:

**Minutes – Council Closed Session November 19, 2018**

These minutes were adopted by Council.

**CS-2018.70 Potential Expropriation- Speedvale Avenue East**  
Information was received and staff were given direction on this matter.

**GMHI-2018.05 Guelph Municipal Holdings Inc. (GMHI) -District Energy Assets – Update (Closed)**  
Information was received and staff were given direction on this matter.

**GMHI-2018-06 Appointment of Guelph Representative to Alectra Board of Directors-2018**  
Information was received and staff were given direction on this matter.

### **Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

### **Presentations**

Mayor Guthrie provided comments regarding the 2018 City of Guelph United Campaign and presented Sean Finlay with the United Way Campaign of the Year, public sector award, in recognition of his work on the 2018 City of Guelph United Way Campaign.

Sean Finlay, Manager, City of Guelph United Way Campaign and Stephanie Smith, Campaign Manager, Guelph-Wellington United Way, provided a summary of the 2018 City of Guelph United Way Campaign.

### **Confirmation of Minutes**

2. Moved by Councillor Bell  
Seconded by Councillor Gibson

That the minutes of the Council Meetings held November 19, 2018 be confirmed as recorded and without being read.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

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

### **Consent Agenda**

**GMHI-2018-07 Proposed New Corporate Governance Structure for Guelph Municipal Holdings Inc.**

3. Moved by Councillor Gibson  
Seconded by Councillor Goller

1. That Report Number GMHI-2018-07, entitled "Proposed New Corporate Governance Structure for Guelph Municipal Holdings Inc.", dated December 17, 2018, be received; and
2. That City Council, as the Shareholder of Guelph Municipal Holdings Inc. ("GMHI"):
  - (a) approve the amalgamation of GMHI and GMHI Development Corporation as outlined in Report Number GMHI-2018-07, entitled "Proposed New Corporate Governance Structure for Guelph Municipal Holdings Inc.", dated December 17, 2018; and
  - (b) approve the new corporate governance structure for GMHI as set out in Report Number GMHI-2018-07, entitled "Proposed New Corporate Governance Structure for Guelph Municipal Holdings Inc.", dated December 17, 2018; and
  - (c) direct the Chief Administrative Officer, in his capacity as Chief Executive Officer and Chair of the Board of GMHI, to prepare a new Shareholder Declaration as between the City and the amalgamated GMHI as recommended in Report Number GMHI-2018-07, entitled "Proposed New Corporate Governance Structure for Guelph Municipal Holdings Inc.", dated December 17, 2018.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

### **Council Consent Agenda**

4. Moved by Councillor MacKinnon  
Seconded by Councillor O'Rourke

That the December 17, 2018 Council Consent Agenda as identified below, be adopted:

**PS-2018-36                      Emergency Operations Control Group and  
Community Emergency Management Program  
Committee Updates**

1. That Council approve the changes to the membership of the Emergency Operations Control Group, as contained in the Emergency Plan.
2. That Council approve the recommended membership of the Community Emergency Management Program Committee.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

## Items for Discussion

### PS-2018-38 Cannabis Retail Storefronts– Municipal Impacts

The following delegates spoke regarding this item:

Dr. Nicola Mercer, Medical Officer of Health, Guelph-Wellington-Dufferin Public Health

Anthony Veder

Brett Bell, consultant on behalf of Fire and Flower

5. Moved by Councillor Gordon  
Seconded by Councillor MacKinnon
  1. That staff be directed to create a City Bylaw mirroring the Smoke Free Ontario Act allowing for enforcement of tobacco and cannabis consumption by the City's Bylaw Compliance Officers, Guelph Police, or other designated individuals.
  2. That staff be directed to conduct further public engagement on the need to further strengthen regulations pertaining to smoking within the City of Guelph.
  3. That staff be directed to inform the Alcohol and Gaming Commission of Ontario that retail cannabis storefronts are permitted to operate within the City of Guelph and that the Delegation of Authority Bylaw (2013)-19529, be amended to authorize staff to provide comments to the Alcohol and Gaming Commission of Ontario, on behalf of the City Council, with respect to any store licence application that does not meet the public interest of the City of Guelph.

### First Amendment

6. Moved by Councillor Hofland  
Seconded by Councillor Allt

That staff be directed to include the following to the List of Comments contained in ATT 1 to Staff Report PS-2018-38 Cannabis Retail Storefronts – Municipal:

University lands  
Shelldale  
Libraries  
Community Health Centre

### Amendment to the Amendment

7. Moved by Councillor Salisbury  
Seconded Councillor Goller

That University lands be amended to "University main campus".

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

## Second Amendment

8. Moved by Councillor Piper  
Seconded by Councillor Goller

That Conestoga College be included in the List of Comments contained in ATT 1 to Staff Report PS-2018-38 Cannabis Retail Storefronts – Municipal.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

It was requested that the clauses be voted on separately.

9. Moved by Councillor Gordon  
Seconded by Councillor MacKinnon

1. That staff be directed to create a City Bylaw mirroring the Smoke Free Ontario Act allowing for enforcement of tobacco and cannabis consumption by the City's Bylaw Compliance Officers, Guelph Police, or other designated individuals.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

10. Moved by Councillor Gordon  
Seconded by Councillor MacKinnon

2. That staff be directed to conduct further public engagement on the need to further strengthen regulations pertaining to smoking within the City of Guelph.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

11. Moved by Councillor Gordon  
Seconded by Councillor MacKinnon

3. That staff be directed to inform the Alcohol and Gaming Commission of Ontario that retail cannabis storefronts are permitted to operate within the City of Guelph and that the Delegation of Authority Bylaw (2013)-19529, be amended to authorize staff to provide comments to the Alcohol and Gaming Commission of Ontario, on behalf of the City Council, with respect to any store licence application that does not meet the public interest of the City of Guelph. **as amended.**

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Downer, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (10)

**Voting Against:** Councillor Bell, Billings and Gibson (3)

Carried

Council recessed at 9:09 p.m. and reconvened at 9:27 p.m.  
Councillor Salisbury left the meeting at 9:09 p.m.

**PS-2018-37          Speedvale Underpass Trail -2018**

Colleen Clack, Deputy CAO, Public Services provided a summary of the Speedvale Underpass Trail.

The following delegates spoke regarding this item:

Marcia Santen

Jordan Richard, Guelph Coalition for Active Transportation

Mike Darmon, Guelph Coalition for Active Transportation

Jack Tacoma

Bill Mungall, Guelph Hiking Trail Club

Harry Oussoren

Hugh Whiteley

Martin Collier

**Extension of Meeting Per Procedural By-law**

12. Moved by Councillor Hofland  
Seconded by Councillor MacKinnon

That Section 4.13 (a) and (b) of the Procedural By-law be invoked to allow Council to continue to 11:59 p.m.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke and Piper (12)

**Voting Against:** (0)

Carried

13. Moved by Councillor Gordon  
Seconded by Councillor Goller

1. That Council approve the conceptual multi-use trail alignment along the west side of the Speed River under Speedvale Avenue East Bridge, as set out in Report # PS-2018-37 dated December 17, 2018.
2. That Council direct staff to complete an environmental assessment, detailed design and construction of the multi-use trail along the west side of the Speed River under Speedvale Avenue East, in accordance with the plan recommended in Report # PS-2018-37 dated December 17, 2018.
3. That Council approve implementation of the interim solution, to improve accessibility and on-road connectivity along Speedvale Avenue East, as set out in Report # PS-2018-37 dated December 17, 2018.

4. That Council direct staff to identify costs for the detailed design and construction of the interim solution, as set out in Report # PS-2018-37 dated December 17, 2018 within the 2020 capital budget forecast.
5. That as part of the Official Plan Update and comprehensive Zoning Bylaw Review, staff be directed to explore, in consultation with the Grand River Conservation Authority, the feasibility of amending the policies and regulations that prevent structures from being built in flood-plains, so as to enable the consideration of structures associated with trails and improved trail connectivity.
6. That should the outcomes of the Official Plan Update and comprehensive Zoning By-law Review result in new policies and regulations that enable the consideration of structures associated with trails in floodplains, that staff be directed to develop an updated trail design that connects the Trans Canada Trail between the south west bank of the Speed River at Speedvale Avenue, and the Enabling Gardens in Riverside Park, and that staff engage in a consultation process with the public on the new options that are enabled by these amended policies and regulations.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper (12)

**Voting Against:** (0)

Carried

14. Moved by Councillor Goller  
Seconded by Councillor Bell

That in order to improve safety, accessibility and on-road connectivity along Speedvale Avenue East, concurrent with the Speedvale Avenue east Bridge reconstruction, staff proceed to build the underpass connection south of Speedvale Avenue East as set out in Report PS-2018-37 dated December 17, 2018, and build the connection north of Speedvale Ave east bridge, as presented in option #4 "switchback ramps" to Speedvale at the open house on September 13, 2018, or other alternatives that connects the trail to the south and north sidewalks of speedvale Avenue East upon completion of the bridge reconstruction project.

### **Amendment**

15. Moved by Councillor Allt  
Seconded by Councillor Goller

That the word "build" be amended to "assess".

**Voting in Favour:** Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, MacKinnon, O'Rourke and Piper (10)

**Voting Against:** Mayor Guthrie and Councillor Hofland (2)

Carried



## **Main Motion as Amended**

16. Moved by Councillor Goller  
Seconded by Councillor Bell

That in order to improve safety, accessibility and on road connectivity along Speedvale Avenue East, concurrent with the Speedvale Avenue east Bridge reconstruction, staff proceed to access the underpass connection south of Speedvale Avenue East as set out in Report PS-2018-37 dated December 17, 2018, and access the connection north of Speedvale Ave east bridge as presented in option #4 "switchback ramps" to Speedvale at the open house on September 13, 2018 or other alternatives that connects the trail to the south and north sidewalks of speedvale Avenue East upon completion of the bridge reconstruction project.

**Voting in Favour:** Councillors Allt, Bell, and Goller (3)

**Voting Against:** Mayor Guthrie, Councillors Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, O'Rourke and Piper (9)

Defeated

## **CS-2018-66                      2018 Governance Review**

17. Motion Councillor Hofland  
Seconded Councillor Allt

That Report CS-2018-66 2018 Governance Review dated December 17, 2018 be referred to the first governance committee meeting in January, 2019.

**Voting in Favour:** Councillors Allt, Gordon and Hofland (3)

**Voting Against:** Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Goller, MacKinnon, O'Rourke and Piper (9)

Defeated

18. Moved by Councillor Downer  
Seconded by Councillor MacKinnon

1. That the Procedural By-law, included as ATT-1 of report CS-2018-66, 2018 Governance Review, be approved.
2. That the Code of Conduct for Council and Local Boards, included as ATT-2 of report CS-2018-66, 2018 Governance Review, be approved.
3. That the Committee of the Whole Terms of Reference, included as ATT-3 of report CS-2018-66, 2018 Governance Review, be approved.
4. That the City Council Terms of Reference, included as ATT-4 of report CS-2018-66, 2018 Governance Review, be approved.

5. That Committee of the Whole Service Area Chairs sit at the seat of the head of Council when acting as Chair in accordance with report CS-2018-66, 2018 Governance Review.

**Voting in Favour:** Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (11)

**Voting Against:** Councillor Allt (1)

Carried

## **By-laws**

19. Moved by Councillor Allt  
Seconded by Councillor Hofland

That By-laws Numbered (2018)-20352 to (2018)-20354, inclusive, are hereby passed.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Goller, Hofland, MacKinnon, O'Rourke, Piper (12)

**Voting Against:** (0)

Carried

## **Mayor's Announcements**

Mayor thanked Council and Staff and wished everyone a happy holiday season.

## **Adjournment** (11:18 p.m.)

20. Moved by Councillor Piper  
Seconded by Councillor Billings

That the meeting be adjourned.

Carried

Minutes to be confirmed on Monday, January 28, 2019.

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Mayor Guthrie

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Stephen O'Brien - City Clerk