



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday March 21, 2016 at 5:00 p.m.**

Attendance

Council: Mayor Guthrie
Councillor P. Allt
Councillor B. Bell
Councillor C. Billings
Councillor C. Downer
Councillor D. Gibson
Councillor J. Gordon (arrived 5:03)

Councillor J. Hofland
Councillor M. MacKinnon
Councillor L. Piper
Councillor M. Salisbury (arrived 5:03)
Councillor A. Van Hellemond
Councillor K. Wettstein

Staff: Ms. A. Pappert, CAO
Mr. M. Amorosi, Deputy CAO of Corporate Services
Mr. S. Stewart, Deputy CAO of Infrastructure, Development & Enterprise
Mr. D. Thomson, Deputy CAO of Public Services
Mr. S. O'Brien, City Clerk
Ms. J. Sweeney, Council Committee Coordinator

Call to Order (5:03 p.m.)

Mayor Guthrie called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

1. Moved by Councillor Piper
Seconded by Councillor Bell

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b) and (e) of the *Municipal Act* with respect to personal matters about identifiable individuals and litigation or potential litigation, including matters before administrative tribunals.

CARRIED

Closed Meeting (5:01 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

C-2016.21 Guelph Storm Negotiation

C-2016.22 CAO Contract

Rise and recess from Closed Meeting (6:08 p.m.)

Council recessed.

Open Meeting (7:08 p.m.)

Mayor Guthrie called the meeting to order.

Closed Meeting Summary

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

Minutes – Council Closed Session – February 8, 22, 24 and 29, 2016

These minutes were acknowledged by Council.

C-2016.21 Guelph Storm Negotiation Update

Information was received and staff were given direction on this matter.

C-2016.22 CAO Contract

Direction was provided.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Mayor Guthrie recognized the University of Guelph Gryphons Football Program who won the Ontario University Athletics (OUA) Championship Yates Cup.

Confirmation of Minutes

1. Moved by Councillor Allt
Seconded by Councillor Hofland

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

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Consent Reports

Corporate Services Committee Second Consent Report

The following item was extracted:

CS-2016.6 Tax Ratios - 2016

Councillor Hofland presented the balance of the Corporate Services Committee Second Consent Report.

2. Moved by Councillor Hofland
Seconded by Councillor Billings

That the balance of the March 21, 2016 Corporate Services Committee Second Consent Report as identified below, be adopted:

CS-2016.5 Outstanding Motions of the Corporate Services Committee

1. That the report dated March 3, 2016, regarding outstanding motions of the Corporate Services Committee be received.
2. That the items marked completed be removed.
3. That the item:
December 5/13 (Council)
That Finance & Enterprise staff conduct a comprehensive review of the City's strategic real estate needs and report back in Q2 2014 with a policy framework supporting the creation and administration of a Strategic Real Estate Reserve.
be referred to Deputy CAO, Infrastructure, Development & Enterprise Services to report to Infrastructure, Development & Enterprise Committee.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)
VOTING AGAINST: (0)

CARRIED

Governance Committee First Consent Report

Mayor Guthrie presented the Governance Committee First Consent Report.

3. Moved by Councillor Bell
Seconded by Councillor Gibson

That the March 21, 2016 Governance Committee First Consent Report as identified below, be adopted:

GOV-2016.1 Governance Options Regarding the County of Wellington's Social Services Committee

That Governance Committee recommend to Council:

Reconstitute a Strategic Partnership between the City and the County.

Components to include:

- A negotiated Terms of Reference – City Council representative(s), with Staff support, to work with County representatives to produce a Terms of Reference.
- Joint strategic planning sessions – Co-ordinated by City and County staff to be delivered on a regular basis (at least annually). The agenda and focus will be determined through enhanced City and County staff collaboration to ensure that matters of shared interest/responsibilities are tabled.
- Enhanced City Staff and Council participation at the County's Social Services Committee – Identified Staff representative(s) to actively participate at the Committee to facilitate information sharing and provide strategic input. One Council representative to participate.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)
VOTING AGAINST: (0)

CARRIED

Infrastructure, Development & Enterprise Committee Second Consent Report

The following items were extracted:

IDE-2016.2 Stormwater Funding Study
IDE-2106.7 Heritage Redevelopment Reserve Grant Application for 15 Wyndham Street North (Petrie Building)

Councillor Bell presented the balance of the Infrastructure, Development & Enterprise Committee Second Consent Report.

4. Moved by Councillor Bell
Seconded by Councillor Salisbury

That the March 21, 2016 Infrastructure, Development & Enterprise Committee Second Consent Report as identified below, be adopted:

IDE-2016.3 Backflow Prevention By-law

1. That Report 16-09 from Infrastructure, Development and Enterprise dated March 1, 2016 regarding the Backflow Prevention By-law, be received.
2. That a new, stand-alone, Backflow Prevention By-law, included as Attachment 2 to Report 16-09, be enacted.

IDE-2106.4 2015 Annual and Summary Water Services Report (compliance)

That the 2015 Annual and Summary Water Services Report (compliance) be received.

IDE-2016.5 Sign By-law Variances – 299 Scottsdale Drive

1. That Report 16-12 from Infrastructure, Development and Enterprise dated

March 1, 2016 regarding sign by-law variances for 299 Scottsdale Drive, be received.

2. That the request for variances from the Sign By-law for 299 Scottsdale Drive to permit one (1) illuminated freestanding sign with an area of 7.4m² and a height of 2.7m above the adjacent road, be approved.

IDE-2106.6 Sign By-law Variances – 102 Wyndham Street North

1. That Report 16-13 from Infrastructure, Development and Enterprise dated March 1, 2016 regarding sign by-law variances for 102 Wyndham Street North, be received.
2. That the request for variances from the Sign By-law to permit one (1) double faced sign with a sign face area of 0.74m² to be located perpendicular to the building on the second storey of 102 Wyndham Street North, be approved.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)
VOTING AGAINST: (0)

CARRIED

Public Services Committee First Consent Report

Councillor Downer presented the Public Services Committee First Consent Report.

5. Moved by Councillor Downer
Seconded by Councillor Billings

That the March 21, 2016 Public Services Committee First Consent Report as identified below, be adopted:

10 Carden Shared Space: Redevelopment of the Acker's Furniture Building at 42 Carden Street

That consideration of both the Community Bond Investment program and Community Improvement Plan tax incentive program be referred to finance staff for follow-up and reporting back by the end of Q2 2016 through the Corporate Services Committee.

PS-2016.1 Support for New Refugees

1. That the Public Services Report # PS-16-01 "Support for New Refugees" dated March 3, 2016 be received.
2. That staff be given approval to proceed with a one year pilot program providing temporary free passes for Guelph Transit, Guelph Museums, and open public programs (non-registered) within the Recreation Department to all new refugees settling in Guelph, as outlined in this report.

PS-2016.2 Business License Fees 2016

1. That the Public Services Report # PS-16-03 "Business Licence Fees 2016" dated March 3, 2016 be received.
2. That staff be directed to prepare the necessary amendments to Business Licence By-law (2009)-18855, as amended to incorporate the 2016 fees as identified in Public Services Report # PS-16-03 dated March 3, 2016.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Council Consent Agenda

The following items were extracted:

CON-2016.9 Resolution from Township of Gillies regarding Town of Aurora Council Resolution about Ontario Municipal Board Jurisdiction

CON-2016.10 Victoria Road Recreation Centre – Renovation Update

Extracted Items

IDE-2016.7 Heritage Redevelopment Reserve Grant Application for 15 Wyndham Street North (Petrie Building)

The following addressed Council:

- Susan Ratcliffe

6. Moved by Councillor Bell
Seconded by Councillor Salisbury

1. That Report 16-10 regarding the proposed Heritage Redevelopment Reserve grant application for 15 Wyndham Street North (Petrie Building) from Infrastructure, Development and Enterprise dated March 1, 2016, be received.
2. That the Heritage Redevelopment Reserve grant application for 15 Wyndham Street North (Petrie Building) be approved in principle as per the Heritage Redevelopment Reserve Policy with an upset maximum total grant payment limit of \$91,000 (or a lesser amount if the actual calculated property tax increase created by the commercial development of the subject property is less than estimated). Installments would be payable annually (approximately \$9,100 per year) over a maximum of 10 years.
3. That the City Solicitor be directed to prepare a comprehensive Tax Increment-based Grant Financial Assistance Agreement between the owner and the City of Guelph to the satisfaction of the General Manager of Finance generally in accordance with provisions outlined in Report 16-10.

4. That the City and owner enter into a Heritage Conservation Easement Agreement involving the Petrie Building at 15 Wyndham Street North to the satisfaction of the General Manager of Planning, Urban Design and Building Services and the City Solicitor prior to any grant payments being issued to the owner.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

CON-2016.9 Resolution from Township of Gillies regarding Town of Aurora Council Resolution about Ontario Municipal Board Jurisdiction

The following addressed Council:

- Maria Pezzano on behalf of The Ward Residents' Association
- Michele Richardson on behalf of the McElderry Residents' Community Inc.
- Bruce Ryan, President, Old University Neighbourhood Residents' Association

7. Moved by Councillor Downer
Seconded by Councillor Piper

That the City of Guelph requests the Ministry of Municipal Affairs & Housing (MMAH) upcoming review of the Ontario Municipal Board be viewed as an opportunity for significant and substantial reform, including the limiting of its jurisdiction;

And that the review also consider the issue of lack of accessibility for interested residents into the OMB's process as it relates to cost and knowledge;

And that the City of Guelph develop an education and communication plan to encourage participation into the Ministry of Municipal Affairs & Housing's Ontario Municipal Board Review.

And that the City of Guelph requests that the Ministry of Municipal Affairs & Housing to host a public meeting in Guelph during the review;

And that a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario; the Honourable Ted McMeekin, Minister of Municipal Affairs & Housing; and the Honourable Liz Sandals, MPP, Guelph;

And that a copy of this motion be sent to the Association of Municipalities of Ontario (AMO) and to all Ontario municipalities for their consideration.

Amendment

8. Moved by Councillor Gibson
Seconded by Councillor Downer

That the motion be forwarded to Patrick Brown, Leader of the Progressive Conservative Party and Andrea Horwath, Leader of the New Democratic Party.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)
VOTING AGAINST: (0)

CARRIED

Amendment

9. Moved by Councillor Allt
Seconded by Councillor Piper

That a copy of the motion be forwarded to all AMO affiliated groups (ie. LUMCO, ROMA, NOMA, etc.)

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)
VOTING AGAINST: (0)

CARRIED

Main Motion as Amended

10. Moved by Councillor Downer
Seconded by Councillor Piper

That the City of Guelph requests the Ministry of Municipal Affairs & Housing (MMAH) upcoming review of the Ontario Municipal Board be viewed as an opportunity for significant and substantial reform, including the limiting of its jurisdiction;

And that the review also consider the issue of lack of accessibility for interested residents into the OMB's process as it relates to cost and knowledge;

And that the City of Guelph develop an education and communication plan to encourage participation into the Ministry of Municipal Affairs & Housing's Ontario Municipal Board Review.

And that the City of Guelph requests that the Ministry of Municipal Affairs & Housing to host a public meeting in Guelph during the review;

And that a copy of this motion be sent to the Honourable Kathleen Wynne, Premier of Ontario; the Honourable Ted McMeekin, Minister of Municipal Affairs & Housing; and the Honourable Liz Sandals, MPP, Guelph; **Patrick Brown, Leader of the Progressive Conservative Party; and Andrea Horwath, Leader of the New Democratic Party;**

And that a copy of this motion be sent to the Association of Municipalities of Ontario (AMO), **to all AMO affiliated groups (ie. LUMCO, ROMA, NOMA, etc.)** and to all Ontario municipalities for their consideration.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)
VOTING AGAINST: (0)

CARRIED

CON-2106.10 Victoria Road Recreation Centre – Renovation Update

- The following addressed Council:
Peter Guth on behalf of the Guelph Minor Hockey Association
- Ken Mark, President, Guelph Marlins Aquatic Club
- Cynthia Fobert

11. Moved by Councillor Bell
Seconded by Councillor Hofland

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 Center for the total tendered price of \$12,642,000 exclusive of HST.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)
VOTING AGAINST: (0)

CARRIED

CS-2016.6 Tax Ratios - 2016

12. Moved by Councillor Hofland
Seconded by Councillor Allt

1. That Report CS-2016-05 entitled "Tax Ratios – 2016" be received for information.
2. That the 2016 Tax Ratios be set as follows:

- a) That the multi-residential ratio be reduced from 2.0399 to 1.9979;
 - b) That the industrial tax ratio be reduced from 2.3111 to 2.2048;
 - c) That all other class ratios and vacancy discounts remain the same as 2015.
3. That staff prepare the 2016 Tax Policy Report, tax rates and the tax by-laws using these ratios.

VOTING IN FAVOUR: Councillors Allt, Bell, Downer, Gordon, Hofland, Piper and Salisbury (7)

VOTING AGAINST: Mayor Guthrie, Councillors Billings, Gibson, MacKinnon, Van Hellemond and Wettstein (6)

CARRIED

Council recessed at 9:00 p.m. and resumed at 9:07 p.m.

IDE-2016.2 Stormwater Funding Study

13. Moved by Councillor Bell
Seconded by Councillor Salisbury

1. That Stormwater Funding Study, dated February 2, 2016, be received.
2. That the transition of the stormwater service from a tax funded service to a dedicated variable user fee based on impervious area be approved.
3. That staff be directed to proceed with developing an implementation strategy with the following considerations:
 - a) Develop a variable user fee based on impervious area using the Equivalent Residential Unit (ERU) methodology;
 - b) Determine an appropriate level of service and funding including a phasing schedule;
 - c) Develop a credit program/policy to allow for property owners the opportunity to reduce fees through the implementation of on-site stormwater measures.

Amendment

14. Moved by Councillor Bell
Seconded by Councillor Gibson

That the total tax implications of the stormwater funding to a dedicated variable fee be referred to the Corporate Services Committee for consideration.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)

VOTING AGAINST: (0)

CARRIED

Amendment

15. Moved by Councillor MacKinnon
Seconded by Councillor Wettstein

That the matter with respect to stormwater funding be referred back to the Infrastructure, Development & Enterprise Committee for consideration of options other than the ten included in the staff report.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Downer, Gibson, Gordon, Hofland, Piper, Salisbury, Van Hellemond and Wettstein (10)

VOTING AGAINST: Councillors Bell, Billings and MacKinnon (3)

DEFEATED

Main Motion as Amended

16. Moved by Councillor Bell
Seconded by Councillor Salisbury

1. That Stormwater Funding Study, dated February 2, 2016, be received.
2. That the transition of the stormwater service from a tax funded service to a dedicated variable user fee based on impervious area be approved.
3. That staff be directed to proceed with developing an implementation strategy with the following considerations:
 - a. Develop a variable user fee based on impervious area using the Equivalent Residential Unit (ERU) methodology;
 - b. Determine an appropriate level of service and funding including a phasing schedule;
 - c. Develop a credit program/policy to allow for property owners the opportunity to reduce fees through the implementation of on-site stormwater measures.
4. **That the total tax implications of the stormwater funding to a dedicated variable fee be referred to the Corporate Services Committee for consideration.**

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Downer, Gibson, Gordon, Hofland, Piper, Salisbury, Van Hellemond and Wettstein (11)

VOTING AGAINST: Councillors Billings and MacKinnon (2)

CARRIED

By-laws

17. Moved by Councillor Bell
Seconded by Councillor Billings

That By-laws Numbered (2016)-20026 to (2016)-20032, inclusive, are hereby passed.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (13)
VOTING AGAINST: (0)

CARRIED

Mayor's Announcements

Councillor Allt advised that April is Organ Donor Month and that a flag raising will be held at City Hall on Friday April 8, 2016.

Adjournment (10:10 p.m.)

18. Moved by Councillor Bell
Seconded by Councillor Billings

That the meeting be adjourned.

CARRIED

Minutes to be confirmed on April 25, 2016.

Mayor Guthrie

Stephen O'Brien - City Clerk