

**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Tuesday, May 24, 2016 at 5:30 p.m.**

Attendance

Council: Mayor Guthrie
Councillor P. Allt
Councillor B. Bell
Councillor C. Billings
Councillor C. Downer
Councillor D. Gibson
Councillor J. Gordon
Councillor J. Hofland
Councillor M. MacKinnon
Councillor L. Piper (*arrived at 5:32*)
Councillor M. Salisbury
Councillor A. Van Hellemond
Councillor K. Wettstein

Staff: Ms. A. Pappert, Chief Administrative Officer
Mr. S. Stewart, Deputy CAO of Infrastructure, Development & Enterprise
Mr. D. Thomson, Deputy CAO of Public Services
Mr. B. Coutts, General Manager, Court Services/Acting Deputy CAO
Mr. P. Cartwright, General Manager, Business Development & Enterprise
Mr. R. Kerr, Corporate Manager, Community Energy Initiative
Mr. A. Chapman, Program Manager, Energy
Mr. J. Krauter, Dep. Treasurer/Manager of Taxation and Revenue
Mr. S. O'Brien, City Clerk
Ms. G. van den Burg, Council Committee Coordinator

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 Bell
Seconded by Councillor Allt

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), (e) and (f) of the *Municipal Act* with respect to the security of the property of the municipality; personal matters about identifiable individuals; litigation or potential litigation including matters before administrative tribunal; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

Closed Meeting (5:31 p.m.)

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The following matters were considered:

- C-2016.43 CAO Contract**
- C-2016.38 Meeting of the Shareholders of Guelph Municipal Holdings Inc.**
- (a) Report from the Chair of GMHI re Actions and Decisions**
- (b) GMHI -GHESI Shareholder Declaration**
- C-2016.39 Report from the Infrastructure, Development & Enterprise
 Committee - Resident Appointments to the Waste Innovation
 Centre Public Liaison Committee**
- C-2016.41 Dolime Update**
- C-2016.42 Snow Disposal Facility**

Rise and recess from Closed Meeting (7:01 p.m.)

Council recessed.

Open Meeting (7:09 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 – April 7, 11, 18, 25, 27, 2016**
 These minutes were confirmed by Council.
- C-2016.43 CAO Contract**
 Information was received and external Legal Counsel was given
 direction on this matter.
- C-2016.38 Meeting of the Shareholders of Guelph Municipal Holdings Inc.**
- (a) Report from the Chair of GMHI re Actions and Decisions**
 Information was received.
- (b) GMHI -GHESI Shareholder Declaration**
 Information was received and Council will be reporting out under
 Special Resolutions.

C-2016.39 Report from the Infrastructure, Development & Enterprise Committee - Resident Appointments to the Waste Innovation Centre Public Liaison Committee

Information was received and Council will be reporting out under Special Resolutions.

C-2016.41 Dolime Update

Information was received.

C-2016.42 Snow Disposal Facility

Staff were given direction on this matter.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

Mayor Guthrie presented Team Medals to members of the Guelph Royals BU13 Blue Soccer Team in recognition of winning gold at the OSA Provincial Futsal Cup in February 2016.

Confirmation of Minutes

2. Moved by Councillor Hofland
Seconded by Councillor Allt

That the minutes of the Council Meetings held April 7, 11, 18, 20, 25, and 27, 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

City Council as Shareholder of Guelph Municipal Holdings Inc.

3. Moved by Councillor Allt
Seconded by Councillor Hofland

That the May 24, 2016 City Council as Shareholder of Guelph Municipal Holdings Inc. Consent Report as identified below, be adopted:

GMHI-2016.3 Report from the Chair of GMHI re Actions and Decisions

That the report of the Chair of GMHI dated May 24, 2016 be received.

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

Corporate Services Committee Fourth Consent Report

Councillor Hofland presented the Corporate Services Committee Fourth Consent Report.

4. Moved by Councillor Hofland
Seconded by Councillor Allt

That the May 24, 2016 Corporate Services Committee Fourth Consent Report as identified below, be adopted:

CS-2016.12 Transfer of Railway Right of Way and Assignment of Other Interests to Guelph Junction Railway Limited

1. That the transfer to Guelph Junction Railway Limited of the right of way lands previously owned by Canadian Pacific Railway and transferred to the City in 1999, except that portion of the right of way lands being used by the City as a trail, as shown on the draft reference plans attached to report CAO-LS-1610, is approved; and
2. That the assignment to Guelph Junction Railway Limited of the City's interests in the various agreements assigned to the City by Canadian Pacific Railway in an agreement dated March 31, 1999 is approved; and
3. That the transfer to Guelph Junction Railway Limited of the remaining right of way lands in the Northwest Industrial Park, as shown outlined in red and green on Schedule C to report CAO-LR-1610 is approved; and
4. That the assignment to Guelph Junction Railway Limited of the City's interest in the Tri-Party Agreement between Canadian National Railway, Canadian Pacific Railway and Guelph Junction Railway dated October 22, 1956, as amended, including the City's ownership interest, operating rights and maintenance obligations in and for the track in the Northwest Industrial Park, is approved; and
5. That the City Solicitor is authorized to approve and execute on behalf of the City any documents required to implement the above resolutions; and
6. That the General Manager Parks and Recreation is authorized to execute an agreement between Guelph Junction Railway Limited and the City that provides the City with an opportunity to purchase additional lands for trails in the event Guelph Junction Railway Limited intends to transfer to a non-affiliated third party any part of Guelph Junction Railway Limited's right of way between Speedvale Avenue and the City limits as shown outlined in orange on Schedule D in Report CAO-LR-1610 or in the event there is intended to be a change in control of Guelph Junction Railway Limited from the City to a non-affiliated third party.

CS-2016.14 2015 Reserve and Reserve Fund Statement

1. That report CS-2016-24 dated May 2, 2016, entitled "2015 Reserve and Reserve Fund Statement" be received for information.
2. That Council approve the following reserve and reserve fund consolidations and closures as described throughout the report:
 - 1) Consolidate and close Accumulated Sick Leave Reserves 102 and 103 into Accumulated Sick Leave Reserve 100;
 - 2) Consolidate and close Social Housing Reserve 208 into the Affordable Housing Reserve 119;
 - 3) Consolidate and close the Capital Fire Reserve Fund 173 into the Equipment Replacement Fire Reserve Fund 111;
 - 4) Consolidate and close the Capital Transit Improvement Reserve Fund 161 into the Capital Transit Reserve Fund 172;
 - 5) Closure of the Investing in Ontario Act Reserve Fund 200, as funds have been fully allocated to capital projects.

CS-2016.16 Budget Impacts per Ontario Regulation 284/09 and Budget PSAB Reconciliation

That Council approve compliance report CS-2016-25, Budget Impacts per Ontario Regulation 284/09 and 2016 Budget PSAB Reconciliation included in Table 1 and Attachment 1 respectively.

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 Third Consent Report

Mayor Guthrie presented the Governance Committee Third Consent Report.

5. Moved by Councillor Billings
Seconded by Councillor Gibson

That the May 24, 2016 Governance Committee Third Consent Report as identified below, be adopted:

GOV-2016.5 Project Charter to Update the City's Affordable Housing Reserve Policy

That Council approve Report # CAO-I-1602 and the Project Charter (Attachment 1) to draft an Affordable Housing Reserve Policy.

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 Fourth Consent Report

Councillor Bell presented the Infrastructure, Development & Enterprise Committee Fourth Consent Report.

The following item was extracted:

IDE-2016.12 Guelph Energy Efficiency Retrofit Strategy (GEERS) Pilot Implementation

6. Moved by Councillor Bell
Seconded by Councillor MacKinnon

That the balance of the May 24, 2016 Infrastructure, Development & Enterprise Committee Fourth Consent Report as identified below, be adopted:

IDE-2016.13 Update on Source Water Protection Plan and Appointment of the Risk Management Official and Risk Management Inspectors

1. That Peter Rider, the City of Guelph's current Risk Management Official (RMO) be appointed as the RMO and as a Risk Management Inspector (RMI), and that Prasoon Adhikari, the City's current Environmental Engineer be appointed as a RMI under subsection 47(6) of the *Clean Water Act* (CWA), 2006; and
2. That the Clerk be directed to issue Certificates of Appointment to RMOs and RMIs as required under subsection 47(7) of the *Clean Water Act* (CWA), 2006.

IDE-2016.15 2015 Building Permit Revenue & Expenditures, Building Stabilization Reserve Fund, Annual Setting of Building Permit Fees and Building By-law Amendments

1. That report 16-33 dated May 3, 2016 entitled "2015 Building Permit Revenue & Expenditures, Building Stabilization Reserve Fund, Annual Setting of Building Permit Fees and Building By-law Amendments", be received; and
2. That an amended Building By-law, included as Attachment 2, be enacted to, among other things, repeal appointment by-law (1995)-14803.

IDE-2016.16 180 Gordon Street Brownfield Tax Increment-Based Grant Agreement Extension

1. That IDE report #16-27, regarding 180 Gordon Brownfield Tax Increment-Based Grant Agreement Extension, dated May 3, 2016 be received; and
2. That the request to extend the deadline for project completion from March 28, 2017 to March 28, 2021 be approved; and
3. That staff be directed to prepare an amendment to the Tax Increment-Based Grant agreement between the City and 180 Gordon Street Ltd., to the satisfaction of the General Manager of Planning, Urban Design and Building Services, the City Solicitor, and the City Treasurer; and
4. That the Mayor and Clerk be authorized to execute the amendment to the Tax Increment-Based Grant Agreement.

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

Nominating Committee First Consent Report

7. Moved by Councillor Hofland
Seconded by Councillor Billings

That the May 24, 2016 Nominating Committee First Consent Report as identified below, be adopted:

NOM-2016.1 Council Appointments to the Social Services Terms of Reference Advisory Committee

That Mayor Guthrie be appointed to the Social Services Terms of Reference Advisory Committee as the City of Guelph's Council representative for such time as the mandate of the Committee has been met, to end no later than November 30, 2018.

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 Third Consent Report

Councillor Downer presented the Public Services Committee Third Consent Report.

- 8. Moved by Councillor Downer
Seconded by Councillor Billings

That the May 24, 2016 Public Services Committee Third Consent Report as identified below, be adopted:

PS-2016.8 Cultural Property Category A Designation for Guelph Museums

- 1. That the Public Services Report # PS-16-09 "Cultural Property Category A Designation for Guelph Museums" dated May 2, 2016 be received; and
- 2. That the certified cultural property or property acquired with a Movable Cultural Property grant be transferred to another designated organization in the event that the City ceases operations of Guelph Museums, 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

Council Consent Agenda

Council Consent Items

- 9. Moved by Councillor Billings
Seconded by Councillor Bell

That the May 24, 2016 Council Consent Agenda as identified below, be adopted:

CON-2016.24 York Road Reconstruction from Wyndham Street East to Ontario Street Contract No. 16-020

That the tender from Drexler Construction Limited be accepted and that the Mayor and Clerk be authorized to sign the Agreement for Contract 16-020 for the York Road Reconstruction Contract for a total tendered price of \$2,697,310.00 (price include 13% HST) with actual payment to be made in accordance with the terms of the contract.

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

Extracted Items

IDE-2016.12 Guelph Energy Efficiency Retrofit Strategy (GEERS) Pilot Implementation

The following individuals spoke on this matter:

Kirby Calvert; Susan Watson; Dennis Galon; Brenda Dyack; Evan Ferrari; Steve Dyck, President, Guelph Solar; Mike Schreiner

Correspondence was received from Maggie Laidlaw.

A point of order was called regarding the debate that was proceeding on the referral and the discussion was redirected back to the original motion.

10. Moved by Councillor Bell
Seconded by Councillor MacKinnon
 1. That the GEERS report referral back to staff be placed on the Infrastructure, Development and Enterprise Committee Consent Report for consideration at the May 24, 2016 Council meeting; and
 2. That report IDE- BDE-1606 entitled Guelph Energy Efficiency Retrofit Strategy (GEERS) Pilot Implementation be referred back to staff to gather further information from outside sources, further options for potential third-party finances and support and further information on a city-wide residential energy audit option as a first step for consideration within a GEERS program; and
 3. That staff report back regarding how electric vehicle charging infrastructure might be facilitated through GEERS in residential homes; and
 4. That the referral to staff regarding GEERS include that staff report back on:
 - i) further development of GEERS as a pilot
 - ii) analysis of the costs and revenue related to administration
 - iii) transaction costs
 - iv) budget implications
 - v) determining the technologies and/or efficiencies to be supported; and
 5. That staff report back to committee on the GEERS report no later than October 2016.

VOTING IN FAVOUR: Mayor Guthrie, Councillors Bell, Billings, Gibson, MacKinnon, Van Hellemond (6)

VOTING AGAINST: Councillors Allt, Downer, Gordon, Hofland, Piper, Salisbury, and Wettstein (7)

DEFEATED

11. Moved by Councillor Downer
Seconded by Councillor Allt

1. That Council receive the report IDE-BDE-1606 for information; and
2. That Council direct staff to continue the development of GEERS with consideration to further identifying participants, an analysis of the costs and revenue related to administration, transaction costs and budget implications; and
3. That staff consider a full range of technologies in the implementation of GEERS; and
4. That staff consider increasing the number of participants in order to meet the goal of having the program substantially delivered by a third party or a consortium of community partners; and
5. That staff consider a staged implementation instead of a pilot that is performance based with measurable targets for moving forward through the stages possibly using pre and post energy audits; and
6. That funding of GEERS be considered through the 2017 budget process; and
7. That staff consider connections with provincial and federal emerging policies; and
8. That staff report back regarding how electric vehicle charging infrastructure might be facilitated through GEERS in residential homes; and
9. That staff report back to the Infrastructure, Development & Enterprise Committee no later than October 2016.

It was requested that the clauses be voted on separately.

12. Moved by Councillor Downer
Seconded by Councillor Allt

1. That Council receive the report IDE-BDE-1606 for information; and

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

13. Moved by Councillor Downer
Seconded by Councillor Allt

2. That Council direct staff to continue the development of GEERS with consideration to further identifying participants, an analysis of the costs and revenue related to administration, transaction costs and budget implications; and

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

14. Moved by Councillor Downer
Seconded by Councillor Allt

3. That staff consider a full range of technologies in the implementation of GEERS; and

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

15. Moved by Councillor Downer
Seconded by Councillor Allt

4. That staff consider increasing the number of participants in order to meet the goal of having the program substantially delivered by a third party or a consortium of community partners; and

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

16. Moved by Councillor Downer
Seconded by Councillor Allt

5. That staff consider a staged implementation instead of a pilot that is performance based with measurable targets for moving forward through the stages possibly using pre and post energy audits; and

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

17. Moved by Councillor Downer
Seconded by Councillor Allt

6. That funding of GEERS be considered through the 2017 budget process; and

VOTING IN FAVOUR: Councillors Allt, Bell, Downer, Gibson, Gordon, Hofland, MacKinnon, Piper, Salisbury, Van Hellemond and Wettstein (11)
VOTING AGAINST: Mayor Guthrie, Councillor Billings (2)

CARRIED

18. Moved by Councillor Downer
Seconded by Councillor Allt

7. That staff consider connections with provincial and federal emerging policies;
and

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

19. Moved by Councillor Downer
Seconded by Councillor Allt

8. That staff report back regarding how electric vehicle charging infrastructure might be facilitated through GEERS in residential homes; and

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

20. Moved by Councillor Downer
Seconded by Councillor Allt

9. That staff report back to the Infrastructure, Development & Enterprise Committee no later than October 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

21. Moved by Councillor Gibson
Seconded by Councillor MacKinnon

- That staff be directed to include a revenue neutral option for the GEERS implementation when reporting back to the 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

Special Resolutions

C-2016.38 b) GMHI -GHESI Shareholder Declaration

22. Moved by Councillor Bell
Seconded by Councillor Gibson

That the amended Shareholder Declaration of Guelph Municipal Holdings Inc. regarding Guelph Hydro Electric Systems Inc. dated May 12, 2016 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

C-2016.39 Report of the Infrastructure Development & Enterprise Committee - Resident Appointments to the Waste Innovation Centre Public Liaison Committee

23. Moved by Councillor Piper
Seconded by Councillor Bell

That Bassim Abbassi and Skylar Grayson be appointed to the Waste Innovation Centre Public Liaison Committee for a term ending November 30, 2017.

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

Councillor Van Hellemond's motion for which notice was given April 25, 2016.

24. Moved by Councillor Van Hellemond
Seconded by Councillor MacKinnon

That the following motion be referred to the Public Services Committee for consideration:

"That staff be directed to undertake a by-law review of the Bed & Breakfast Schedule within the City of Guelph's Licensing By-law, commencing in 2017."

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

VOTING AGAINST: Councillors Salisbury and Wettstein (2)

CARRIED

25. Moved by Councillor MacKinnon
Seconded by Councillor Wettstein

That staff be directed to undertake a review of potential policies of the "shared economy" and/or "disruptive technology" and its impacts on municipalities, including such options as "TaskIT" (talent marketplace), "Uber" (drive-share), "ROVER" (parking) and "Airbnb" (lodging) and report back to the Public Services Committee.

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

VOTING AGAINST: Councillors Gordon and Hofland (2)

CARRIED

By-laws

26. Moved by Councillor MacKinnon
Seconded by Councillor Van Hellemond

That By-laws Numbered (2016)-20058 to (2016)-20061, 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

The Mayor expressed appreciation to Derrick Thomson, Deputy CAO of Public Services for his years of service at the City of Guelph and wished him success at the Town of Caledon.

Adjournment (10:27 p.m.)

27. Moved by Councillor Bell
Seconded by Councillor Van Hellemond

That the meeting be adjourned.

CARRIED

Minutes to be confirmed on June 27, 2016.

Mayor Guthrie

Stephen O'Brien - City Clerk