

Council Caucus Room
May 25, 2010 5:30 p.m.

A meeting of Guelph City Council.

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

Absent: Councillors Burcher and Laidlaw

Staff Present: Mr. H. Loewig, Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. P. Cartwright, General Manager of Economic Development and Tourism; Ms. T. Sinclair, Manager of Legal Services; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Findlay
Seconded by Councillor Beard
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Litigation Status Report

S. 239 (2) (e) Litigation or Potential Litigation, including matters before Administrative Tribunals.

Litigation or Potential Litigation & Advice that is Subject to Solicitor-Client Privilege

S. 239 (2) (e) Litigation or Potential Litigation, including matters before Administrative Tribunals.

S. 239 (2) (f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Proposed or Pending Acquisition of Land by the Municipality

S. 239(2) (c) Proposed or Pending Acquisition or Disposition of Land by the Municipality

Security of City Property

S. 239 (2)(a) Security of property of the Municipality

Carried

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

.....
Mayor

.....
Deputy Clerk

Council Caucus Room
May 25, 2010 5:32 p.m.

A meeting of Guelph City Council closed to the public.

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; Dr. J. Laird, Director of Environmental Services; Mr. J. Riddell, Director of Community Design and Development Services; Mr. P. Cartwright, General Manager of Economic Development and Tourism; Ms. T. Sinclair, Manager of Legal Services; Ms. T. Agnello, Deputy Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Litigation or Potential Litigation

1. Moved by Councillor Findlay
Seconded by Councillor Hofland

Ms. L.E. Payne

THAT the Litigation Status Report dated May 17, 2010, be received for information.

Carried

Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Mr. J. Riddell, Director of Community Design and Development Services; Ms. S. Aram, Deputy Treasurer; Ms. T. Sinclair, Manager of Legal Services; Ms. T. Agnello, Deputy City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

PRESENTATIONS

The Mayor presented City of Guelph medals to members of the Guelph Huggins Real Estate Thunder Bantam BB Hockey team in recognition of winning the gold medal at the Ontario Provincial Championships: - Maddie Shippides; Meghan Hovey; Taylor Richardson; Olivia Tuffnail; Beatrice Harrietha; Erica Costa; Kirsten, Harbin; Stephanie Sharman; Madeline De Corso; Erika McFarlane; Brooke O'Donnell; Anna Morris; Amelia Edmonds; Sarah Dunbar; Rebecca Haddaway; Kendra Pitts; Paul Morris, Head Coach; Larry Richardson, Assistant Coach; Howie Tuffnail, Assistant Coach; Geoff Haddaway, Assistant Coach; Sandra Pitts, Trainer; Wendy Shippides, Trainer; Lynne Harbin, Manager; Don Huggins Real Estate, Sponsor

The Mayor presented City of Guelph medals to members of Team Dorey from The Guelph Country Club in recognition of winning the Ontario Provincial Masters Curling Championship and the 2010 Canadian Masters Curling Championship: - Mike Dorey, Skip; Brian Henderson, 3rd; Gary Houghton, 2nd; Paul Knight, Lead

The Mayor presented City of Guelph medals to members of the Guelph Ringette Petite Double A team in recognition of winning the Provincial Championships: - Nicole Shaw; Lorraine Vandermyden; Jordyn Farquharson; Hannah Male; Neely Jarvis; Gillian Marrow; Stacey Warner; Katrina Hart; Selina Case; Christina Nadalin; Madison Seabrooke; Madison Jarvis; Samantha Gorgi; Coaching Staff – Todd Marrow; Gary Shaw; Arlene Warner; Art Vandermyden

Margaret Martin, Regional Field Officer for the Duke of Edinburgh's Awards, South-Western Ontario was present and provided information on the criteria of the award. The Mayor presented certificates to the following Bronze

Level recipients: Nicholas Wadel-Turcotte; John Agda; Jamie Reinholt; Andrew Stewart; and Kimberly Moull.

1. Moved by Councillor Burcher
Seconded by Councillor Billings

THAT the minutes of the Council meetings held on April 26 and May 3, 2010 and the minutes of the Council meetings held in Committee of the Whole on April 26 and May 10, 2010 be confirmed as recorded and without being read.

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

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

The following items were extracted from the Community Development & Environmental Services Committee Fourth Consent Report to be voted on separately:

- CDES-1 Coal Phase Out
- CDES-4 Shared Rental Housing 2010-2011 Work Plan
- CDES-6 Conversion in Method of Collection of Organic Waste

Councillor Piper presented the balance of the Community Development & Environmental Services Committee Fourth Consent Report.

2. Moved by Councillor Piper
Seconded by Councillor Burcher

THAT the balance of the May 25, 2010 Community Development & Environmental Services Committee Fourth Consent Report as identified below, be adopted:

a) **Walk to School Initiatives**

Mr. J. Riddell

THAT the Community Design and Development Services Report 10-56 entitled 'Walk to School Initiatives' be received;

AND THAT City staff be authorized to work with Upper Grand District School Board staff, Wellington Catholic District School Board staff, and stakeholders to form a working group for promoting and facilitating walk-to-school as an attractive alternative to driving children to schools in Guelph, as outlined in this Report.

b) **Regional Transportation Initiative Involving the Ministry of Transportation and the Municipalities of Brant, Brantford, Cambridge, Guelph, Kitchener, Region of Waterloo, Waterloo and Wellington**

Mr. J. Riddell

THAT the Community Design and Development Services Report 10-58 entitled `Regional Transportation Initiative Involving the Ministry of Transportation and the Municipalities of Brant, Brantford, Cambridge, Guelph, Kitchener, Region of Waterloo, Waterloo and Wellington be received;

AND THAT City of Guelph staff be directed to work with their counterparts in the Ministry of Transportation and the municipalities of Brant, Brantford, Cambridge, Kitchener, Region of Waterloo, Waterloo and Wellington, in undertaking a Foundational Study as the first step towards a future Strategic Transportation Planning Initiative, as outlined in this report.

c) **Hanlon Creek Business Park – Completion of 2010 Jefferson Salamander Monitoring Program**

Mr. J. Riddell
Mr. P. Cartwright

THAT the Community Development and Design Services report dated May 17, 2010, with respect to the Hanlon Creek Business Park entitled, Completion of Jefferson Salamander Monitoring Program, be received;

AND THAT Council confirms that (a) a comprehensive salamander monitoring program for the Hanlon Creek Business Park subdivision development has been completed; (b) the results of the monitoring program indicate that there is no presence of Jefferson salamander within the Business Park; and (c) the results of the monitoring program enable the development of the Business Park to proceed immediately as a draft-approved plan of subdivision, including enhanced mitigation measures based on additional information gathered during the monitoring program, as outlined in this report;

AND THAT the Mayor convey this Report 10-61 dated May 17, 2010, along with a copy of Council's resolution, to the Minister of Natural Resources, Guelph MPP, Liz Sandals, and MNR Guelph District Office Manager.

d) **Approval of Water and Wastewater Long-Range Financial Plan 017-301 (2010) as Required Under Ontario Regulation 453/07**

Dr. J. Laird
Ms. M. Neubauer

THAT the report of the Director of Environmental Services dated May 17, 2010 entitled 'Approval of Water and Wastewater Long-Range Financial Plan 017-031 (2010) as Required Under Ontario Regulation 453/07' be received;

AND THAT Council, as the owner of the Guelph municipal drinking water system, approve the Water and Wastewater Long-Range Financial Plan 017-301 (2010) in compliance with Ontario Regulation 453/07;

AND THAT staff submit the Water and Wastewater Long-Range Financial Plan 017-301 (2010) to the Province by July 1, 2010 in compliance with Ontario Regulation 453/07;

AND THAT the Water and Wastewater Long-Range Financial Plan be updated annually and included in the annual Water and Wastewater User Pay budgets presented to Council.

e) **180 Gordon Street – Brownfield
Redevelopment Community Improvement
Plan – Financial Incentive Request**

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

THAT Community Design and Development Services Report 10-51, dated May 17, 2010 regarding requests for financial assistance pursuant to the City of Guelph Brownfield Redevelopment Community Improvement Plan for the property known municipally as 180 Gordon Street be received;

AND THAT the request for financial assistance made by 879132 Ontario Inc. under the Environmental Study Grant program pursuant to the Brownfield Redevelopment Community Improvement Plan for the property known municipally as 180 Gordon Street, to an upset total of \$10,000 upon the completion of a Phase 2 Environmental Site Assessment and an additional grant to an upset total of \$10,000 upon the completion of a Remedial Work Plan, be approved;

AND THAT the request for financial assistance made by 879132 Ontario Inc. under the Tax Assistance During Rehabilitation Program pursuant to the Brownfield Redevelopment Community Improvement Plan for the property known municipally as 180 Gordon Street, for a duration of up to 3 years from the commencement of remedial work at the property subject to the terms and conditions attached hereto as Schedule 1, be approved;

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 Province requesting relief from the education portion of the taxes for the property known municipally as 180 Gordon Street for a duration of up to 3 years from the commencement of remedial work at the property;

AND THAT staff be directed to proceed with the finalization of Environmental Study Grant, Tax Cancellation, and Information Sharing Agreements with 879132 Ontario Inc. 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 Environmental Study Grant, Tax Cancellation, and Information Sharing Agreements.

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

VOTING AGAINST: (0)

Carried

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

- ECO-3 Noise Control Bylaw Exemption Request – ABS Friction Corporation, 10 Kingsmill Avenue
- ECO-5 Long Term Monthly Parking Agreement with Co-Operators General Insurance Company, Skyline Real Estate Holdings Inc., Skyline Incorporated and Skyway Estates Inc.

Councillor Findlay presented the balance of the Emergency Services, Community Services & Operations Committee Fourth Consent Report.

3. Moved by Councillor Findlay
Seconded by Councillor Farrelly

THAT the balance of the May 25, 2010 Emergency Services, Community Services & Operations Committee Fourth Consent Report as identified below, be adopted:

- a) **Fire Services – Office of the Fire Marshal Annual Compliance Report**

Mr. S. Armstrong

THAT the Office of the Fire Marshal "Annual Compliance Report" dated May 17, 2010 be received;

AND THAT the Mayor and the Director of Emergency Services be authorized to sign the declaration of compliance in completing all the necessary requirements as stated in Clause 2(1)(a) of the Fire Protection and Prevention Act.

b) **Emergency Services Grant Opportunity – Radio Interoperability**

Mr. S. Armstrong

THAT the report dated May 17, 2010 with respect to the Emergency Services grant opportunity, be received for information;

AND THAT the Director of Emergency Services (or his delegate) be authorized to apply for said grant when the next grant application release date is known, act as the primary applicant for said grant and obtain support from partnered applicants.

c) **Festival Italiano – Noise Control Bylaw Exemption**

Mr. D. McCaughan

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 Festival Italiano, including the amplification of music and speech and the operation of midway rides and generators between the hours of 12:00 p.m. to 11:00 p.m. and the crowd noise from 12:00 p.m. to 1:00 a.m., from July 9th to July 11th, 2010, be approved.

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

VOTING AGAINST: (0)

Carried

Councillor Beard presented the Finance, Administration & Corporate Services Committee Fourth Consent Report.

4. Moved by Councillor Beard

Seconded by Councillor Wettstein

THAT the balance of the May 25, 2010 Finance, Administration & Corporate Services Committee Fourth Consent Report as identified below, be adopted:

a) **Automatic Increase of Building Permit Fees**

Mr. J. Riddell
Mr. B. Poole

THAT the Report (No. 10-26) on Automatic Increase of Building Permit Fees from the Community Design and Development Services Department, dated April 12, 2010, be received;

AND THAT Council approve the automatic increase of Building Permit Fees to be equal to the increase to the City of Guelph's Tax-Supported Operating Budget plus 20 percent of the increase;

AND THAT Council approve the attached Schedule 2 of Permit Fees, effective June 1, 2010.

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

VOTING AGAINST: (0)

Carried

The following items were extracted from the Governance Fourth Consent Report to be voted on separately:

- GOV-1 Council Remuneration 2011-2014

Councillor Findlay presented the balance of the Governance Committee Fourth Consent Report.

5. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT the balance of the May 25, 2010 Governance Committee Fourth Consent Report as identified below, be adopted:

a) **Review of Mandates of Advisory Committees**

Mrs. L.A. Giles

THAT the criteria outlined in the report of the Director of Information Services/Clerk dated May 10, 2010, be used in the review of the mandates of the City's advisory committees.

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

VOTING AGAINST: (0)

Carried

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

6. Moved by Councillor Kovach
Seconded by Councillor Laidlaw

THAT the balance of the May 25, 2010 Council as Committee of the Whole Fifth Consent Report as identified below, be adopted:

a) **Citizen Appointment to the Board of Trustees of the Elliott Community**

Mrs. L.A. Giles

THAT Jackie Wojcicki be appointed to the Board of Trustees of the Elliot Community for a one year term expiring November 2010.

b) **Citizen Appointments to the Guelph Sports Hall of Fame Board of Directors**

Mrs. L.A. Giles

THAT Sandra Pitt and Brian Tatarnic be appointed to the Guelph Sports Hall of Fame Board of Directors for a one year term ending November 2010.

c) **Citizen Appointment as Director of Guelph Hydro Inc.**

Mrs. L.A. Giles

THAT Jasmine Urisk be appointed as Director of Guelph Hydro Inc. for a three year term.

d) **Appointment of Auditor for Guelph Hydro Inc.**

Mr. B. Chuddy
Ms. M. Neubauer

THAT the recommendation by the Board of Guelph Hydro Inc. to appoint KPMG LLP as auditors of the Corporation to hold office until the next annual meeting of the shareholder of the Corporation, be approved.

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

VOTING AGAINST: (0)

Carried

Consent Agenda

The Mayor advised that Consent Report A-1, Proposed Demolition of 1897 Gordon Street, will be considered by Council at a subsequent meeting.

7. Moved by Councillor Kovach
Seconded by Councillor Billings
THAT the May 25, 2010 Council Consent Agenda as identified below, be adopted:

a) **Hanlon Creek Business Park – Phase 1, Stage 2 (Part 'A') Contract No. 2-1014**

Mr. J. Riddell
Mr. P. Cartwright
Ms. M. Neubauer

THAT the tender of Capital Paving Inc. be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract No. 2-1014 for the Hanlon Creek Business Park – Phase 1, Stage 2 (Part 'A') for a total tendered price of \$3,033,237.93 including GST and contingency with actual payment to be made in accordance with the terms of the contract.

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

VOTING AGAINST: (0)

Carried

DELEGATIONS

Shared Rental Housing 2010-2011 Work Plan

Daphne Wainman-Wood was present with respect to the Shared Rental Housing Work Plan. She advised it is not acceptable for the timeline to go into 2011 as some areas are becoming destabilized as most home owners do not occupy the house or live in the neighbourhood. She concurred with the retention of outside legal counsel. She suggested that a moratorium be placed on new accessory apartments until the zoning by-law is amended.

Elizabeth Smith advised that she lives in the Hales and Moore area, one of the most concentrated areas for student housing. She said that 55% of the homes in this area are student rentals with absentee landlords. She suggested that any rental accommodation be allowed only in owner occupied homes and should have a separation distance of 100 m.

Angie Morrison suggested that the Old University Neighbourhood area has lost much of its diversity and stability due to the proliferation of student housing.

Elizabeth Meiering stated that she has watched neighbourhoods changing with long term residents moving out and properties being turned into rentals. She

suggested that cost effective sustainable solutions are needed now. She urged Council to change its priorities and shift the work plan to create balanced harmonious communities.

Oxanna Adams advised that she supports strengthening the by-laws with respect to rental properties. She suggested that rental properties having 7 renters should be considered lodging houses. She expressed concern with respect to the integrity and stability of neighbourhoods being affected by the number of absentee landlord rental properties and that the city needs strong enforceable by-laws.

Bill Hamilton requested that staff be directed to move this review forward faster. He expressed concern with property investors purchasing houses for rental income prior to any changes to the zoning bylaw. He further suggested that if a house has an absentee landlord it should be considered as a lodging house.

John Campbell advised that short term transient students outnumber permanent residents in some neighbourhoods. He suggested that the student's social actions are incompatible with the permanent residents. He further suggested that student housing should be spread throughout the city and that more than 3 rental bedrooms should be licensed. He thought that licensing such properties would give staff an opportunity to investigate complaints. He requested that a concrete proposal for lodging houses/accessory apartments be completed and before Council by July.

Richard Chaloner expressed concern that student housing is concentrated in areas and the proliferation of absentee landlords. He suggested a moratorium be placed on accessory apartments, and where such rentals could be considered as a lodging house and that a separation distance of 100m be considered.

Colleen Hopkins stated that the community is now in crisis. She advised of student drunkenness and mob like parties that neighbourhoods have to put up with.

Councillor Piper presented Clause 4 that was extracted from the Community Development & Environmental Services Committee Fourth Consent Report.

In response to questions, the Manager of Legal Services provided information with respect to the retention of

outside legal counsel to assist with the shared rental housing review.

8. Moved by Councillor Piper
Seconded by Councillor Burcher

THAT Report 10-53 from Community Design and Development Services regarding the Shared Rental Housing Work Plan, dated May 17, 2010, be received;

AND THAT the Shared Rental Housing Work Plan for 2010 and 2011 as shown in Attachment 6 of Community Design and Development Services Report 10-53, dated May 19, 2010, be approved;

AND THAT staff be directed to conduct the approved Shared Rental Housing 2010-2011 Work Plan;

AND THAT legal staff report back to Council by May 25th with timing and costs for the retention of external legal counsel to review options for zoning regulation of two unit rental houses in order to expedite the process;

AND THAT staff report back on the feasibility of placing a moratorium on accessory apartment registration.

9. Moved in Amendment by Councillor Kovach
Seconded by Councillor Wettstein

THAT staff be directed to implement a temporary moratorium on the registration of accessory apartments and licensing of lodging houses; or report back why it is not possible to implement this moratorium by the June regular council meeting.

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

VOTING AGAINST: (0)

Carried

10. Moved in Amendment by Councillor Piper
Seconded by Councillor Billings

That staff be directed to procure external legal counsel within the existing budget, to expedite a zoning by-law amendment.

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

VOTING AGAINST: Councillor Salisbury (1)

Carried

Mr. J. Riddell
Ms. L.E. Payne

11. Moved by Councillor Piper
Seconded by Councillor Burcher
THAT Report 10-53 from Community Design and
Development Services regarding the Shared Rental
Housing Work Plan, dated May 17, 2010, be received;

AND THAT the Shared Rental Housing Work Plan for 2010
and 2011 as shown in Attachment 6 of Community Design
and Development Services Report 10-53, dated May 19,
2010, be approved as amended;

AND THAT staff be directed to conduct the approved
Shared Rental Housing 2010-2011 Work Plan;

AND THAT staff be directed to procure external legal
counsel within the existing budget, to expedite a zoning
by-law amendment;

THAT staff be directed to implement a temporary
moratorium on the registration of accessory apartments
and licensing of lodging houses; or report back why it is
not possible to implement this moratorium by the June
regular council meeting.

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

VOTING AGAINST: (0)

Carried

Long Term Monthly Parking Agreement with Co-operators General Insurance Company, Skyline Real Estate Holdings Inc., Skyline Incorporated and Skyway Estates Inc.

Barbara Turley-McIntyre was present on behalf of the Co-Operators General Insurance Company requesting Council support for the proposed long term parking agreement.

Jason Ashdown of Skyline advised of his support for the proposed long term parking agreement. He advised that the Co-Operators are a positive thinking community business.

Councillor Findlay presented Clause 5 that was extracted from the Emergency Services, Community Services & Operations Committee Fourth Consent Report.

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

12. Moved by Councillor Findlay
Seconded by Councillor Farrelly
THAT the Mayor and Clerk be authorized to sign an agreement with Co-operators General Insurance Company, Skyline Real Estate Holdings Inc., Skyline Incorporated and Skyway Estates Inc. for the provision of monthly parking permits subject to the final approval of the agreement by the Director of Operations and the City Solicitor.

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

VOTING AGAINST: (0)

Carried

Counc. Findlay
Mr. D. McCaughan

13. Moved by Councillor Bell
Seconded by Councillor Findlay
THAT the matter of identifying additional parking in the downtown be referred to the Emergency Services, Community Services & Operations Committee.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury and Mayor Farbridge (10)

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

Carried

Council Remuneration 2011-2014

Janet Roy on behalf of the Citizens Review Committee for Council Remuneration outlined the methodology used to establish the recommendations and the comparator group criteria and the municipalities used.

Councillor Piper presented Clause 1 that was extracted from the Governance Committee Fourth Consent Report.

Mr. M. Amorosi

14. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT Council approve the Guiding Principles for Council Remuneration as outlined in Schedule 3;

AND THAT Council approve the municipal Comparator Group used for the purposes of determining Council Remuneration (contained in this report);

AND THAT no changes be made to the current benefits provided to the Mayor and Members of Council, including OMERS pension;

AND THAT the current annual method of compensation adjustments for the Mayor and Members of Council be retained (i.e. That in non-election years, the remuneration for the Mayor and Members of Council be automatically adjusted by the same percentage increase received by the City's management staff.);

AND THAT the current policy of conducting a formal market review for Council every four years during the last year of the Council's term of office be maintained;

AND THAT the members of the Citizen's Review Committee for Council Remuneration be thanked for their time and work on the committee.

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

VOTING AGAINST: Councillor Kovach (1)

Carried

Mr. M. Amorosi
Ms. M. Neubauer

15. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT Council approve the 60th percentile as the competitive position for the purpose of determining the 2011 compensation Job Rate for the Mayor and Members of Council positions;

AND THAT the salary for the position of Mayor for the Council term commencing 2011 be set at \$88,983.86;

AND THAT the salary for the position of City Councillor for the Council term commencing 2011 be set at \$29,706.39.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (10)

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

Carried

Mr. M. Amorosi
Ms. M. Neubauer

16. Moved by Councillor Piper
Seconded by Councillor Hofland
THAT the implementation of the recommended salaries for the Mayor and Councillors be effective January 1, 2011, subject to the budget process.

VOTING IN FAVOUR: Councillors Beard, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Wettstein and Mayor Farbridge (9)

VOTING AGAINST: Councillors Bell, Billings, Kovach and Salisbury (4)

Carried

Councillor Piper presented Clause 1 that was extracted from the Community Development & Environmental Services Committee Fourth Consent Report.

Coal Phase Out

17. Moved by Councillor Piper
Seconded by Councillor Salisbury
THAT the City of Guelph write to Premier Dalton McGuinty to request that the Coal Phase-Out start now;

AND THAT coal plants be placed on standby reserve to be utilized only when absolutely necessary to meet energy needs.

18. Moved by Councillor Kovach
Seconded by Councillor Billings
THAT the matter with respect to coal phase-out be referred to Liz Sandals, MPP for further discussion.

VOTING IN FAVOUR: Councillors Bell, Billings, Hofland, Kovach, Salisbury and Wettstein (6)

VOTING AGAINST: Councillors Beard, Burcher, Farrelly, Findlay, Laidlaw, Piper and Mayor Farbridge (7)

Defeated

Mayor Farbridge

19. Moved by Councillor Piper
Seconded by councilor Salisbury
THAT the City of Guelph write to Premier Dalton McGuinty to request that the Coal Phase-Out start now;

AND THAT coal plants be placed on standby reserve to be utilized only when absolutely necessary to meet energy needs.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Hofland, Laidlaw, Piper, Salisbury and Mayor Farbridge (9)

VOTING AGAINST: Councillors Billings, Findlay, Kovach and Wettstein (4)

Carried

Councillor Piper presented Clause 6 that was extracted from the Community Development & Environmental Services Committee Fourth Consent Report.

Conversion in the Method of Collection of Organic Waste

20. Moved by Councillor Piper

Seconded by Councillor Burcher

Dr. J. Laird

THAT the report of the Director of Environmental Services concerning conversion to a cart-based curbside waste collection system for organic waste be approved;

AND THAT staff be directed to convert the method of collection of organic waste to a cart-based system and advise the Ministry of Environment accordingly;

AND THAT staff report back to Council in June 2010 with recommendations on the preferred alternative to modifying the City's waste collection system to facilitate cart-based collection.

VOTING IN FAVOUR: Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (11)

VOTING AGAINST: Councillor Billings and Kovach (2)

Carried

Councillor Findlay presented Clause 3 that was extracted from the Emergency Services, Community Services & Operations Committee Fourth Consent Report.

Noise Control Bylaw Exemption Request – ABS Friction Corporation, 10 Kingsmill Avenue

21. Moved by Councillor Findlay

Seconded by Councillor Farrelly

Mr. D. McCaughan

THAT an exemption from Schedule "A" of the Noise Control By-law (2000)-16366, as amended, to permit

noise associated with the manufacturing process in association with the ABS Friction Corporation, located at 10 Kingsmill Avenue within the City of Guelph between June 1 and September 5 from 9:00 p.m. to 7:00 a.m. Monday through Friday and from 9:00 p.m. to 9:00 a.m. on Saturdays, Sundays and Holidays be approved for 2010.

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

VOTING AGAINST: (0)

Carried

BY-LAWS

22. Moved by Councillor Farrelly
Seconded by Councillor Bell
THAT By-laws Numbered (2010)-19000 to (2010)-19017, inclusive, are 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 10:50 o'clock p.m.

Minutes read and confirmed June 28, 2010.

.....
Mayor

.....
Deputy Clerk

**Brownfield Redevelopment Community Improvement Plan
Environmental Study Grant Application Form**



PART A: General Instructions

- Community Design and Development Services Staff must be consulted prior to completing and submitting this application.
- As much detail as possible should be submitted regarding a proposed brownfield project. If you require more space than is provided on this form, please attach additional pages and/or documents. Do not simply reference sections in appended reports or documents.
- All environmental reports submitted to the City must be signed and sealed by a Qualified Person as defined by Ontario Regulation 153/04 under the *Environmental Protection Act* as amended from time to time.
- Applications must be acknowledged by Community Design and Development Services Staff as being 'complete'. Applications will not be acknowledged until all required information and material is submitted with the application form.
- Completed applications are accepted and processed on a first come first served basis.
- The total amount of financial assistance provided by the City for the purpose of Brownfield redevelopment (i.e. including financial contributions obtained outside of the Brownfield Redevelopment Community Improvement Plan) cannot exceed the eligible costs set out in the Community Improvement Plan.
- All requests for financial assistance under the Brownfield Redevelopment Community Improvement Plan require City of Guelph Council approval.
- Applications should be submitted to: **Community Design and Development Services**
Location: 1 Carden Street, 3rd Floor
Phone: 519-837-5616
Fax: 519-837-5640
Email: planning@guelph.ca

PART B: CONDITIONS & RESTRICTIONS

- Grants must be approved prior to the start of any applicable environmental study.
- Funds will not be issued until the City receives the results of the study. If the environmental study is not submitted within two (2) years the grant will be reallocated.
- The amount of any Environmental Study Grant(s) will be deducted from the eligible redevelopment costs available for tax increment-based grant funding.
- Grants related to the costs of completing a Phase 2 Environmental Site Assessment (ESA) and or Remedial Work Plan will be reimbursed up to 50% or to a maximum of \$10,000 (See BRCIP for exception).
- Studies submitted to the City must be completed by a qualified, independent consultant.
- Properties having a Minister's Order for clean-up are not eligible.
- No more than two (2) Environmental Study Grants will be awarded for a particular redevelopment.
- Properties in tax arrears are not eligible.

**Brownfield Redevelopment Community Improvement Plan
Environmental Study Grant Application Form**



PART C: Applicant Information

Name of Registered Property Owner: 879132 Ontario Inc.
Address of Registered Property Owner: [REDACTED]
[REDACTED]
Phone Number: [REDACTED] Fax Number: [REDACTED]
Email Address: [REDACTED]

Agent Information (If applicable)

Name of Agent: _____
Address of Agent: _____

Phone Number: _____ Fax Number: _____
Email Address: _____

PART D: Property Information

Address of Subject Property: 180 Gordon Street, Guelph, ON
Legal Description (e.g. Lot and Plan No.): "Part of Lot A, Plan 302 together with the right-of-way as described in Inst. #743914"
Official Plan Designation: _____
Zoning: C1-19 Vehicle Service Station
Current Use(s): Vacant
Size of Property: 0.41 acres
Existing Buildings: Building 1: N/A
 Yes (please specify size) Building 2: N/A
 No Building 3: N/A

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Property Details (e.g. history, easements, outstanding work orders, or other relevant details):

Since the property was once a gasoline station, work was completed by MTE to address the issue of petroleum hydrocarbons and BTEX compounds remaining in the soil. The addition of Waterloo Emitters and the passage of time, the July 2008 ground water sampling results reported no detections of petroleum hydrocarbons or BTEX compounds in any of the wells.

Has or will this property received grants/loans or other financial assistance from the City or other level of Government? Yes No

If yes, please specify type and amount of financial assistance received: N/A

PART E: Environmental Information

Please describe any known or suspected environmental contamination issues (e.g. soil or groundwater related) affecting the site including the types of contaminants, extent, causes (brief site history), underground storage tanks, above ground storage tanks, etc.

Subsequent to the remediation of petroleum hydrocarbons and BTEX compounds on the property, it was discovered in the fall of 2009 while conducting tests for a Phase II Environmental Site Assessment that land within the Table 1 sensitive area contained buried cinders, slag, ash and debris. Further investigation has revealed that this matter was most likely deposited on the property when the City of Guelph completed retaining walls along the Speed River and then backfilled the area now known as Marianne's Park & a section of 180 Gordon Street with landfill of a questionable nature.

**Brownfield Redevelopment Community Improvement Plan
Environmental Study Grant Application Form**



Has a Phase 1 Environmental Site Assessment been conducted? Yes No

Has a Phase 2 Environmental Site Assessment been conducted? Yes No

Has any remediation been conducted at the Site? Yes No

(If the answer to any of the above questions is 'Yes', please attach the appropriate Report to this application)

Environmental Consultant Information

Name of Environmental Consultant: Carol Mitchell

Address of Environmental Consultant: MTE Consultants Inc.

520 Bingham's Centre Drive, Kitchener, ON N2B 3X9

Email Address: cmitchell@mte85.com

Phone Number: 519-743-6500 Fax Number: 519-743-6513

PART F: Project Information

Is this property currently or previously subject to any City approvals (e.g. Re-zoning, site plan control, etc)? Yes No

If Yes, please provide brief description and file number: Project #33140-500 MTE
Remedial work on 180 Gordon Street in Guelph

Please provide a description of the proposed redevelopment (attach site sketch):

MTE has completed various studies on the Site including a Phase II ESA in 2006 and a groundwater remediation from 2007 to 2009; the most recent included tests required for Phase I and II Environmental Site Assessments in 2009 to support a potential application for a Record of Site Condition. During tests for the Phase II investigation, the land within the Table I sensitive area was found to contain buried cinders, slag, ash and debris. This discovery has triggered a remediation program to remove the impacted soil. This remediation is ongoing but currently on hold.

**Brownfield Redevelopment Community Improvement Plan
Environmental Study Grant Application Form**



ELIGIBLE COSTS

Please indicate which eligible costs the requested funding will be applied to:

- Phase 2 Environmental Site Assessment
- Remedial Work Plan

PART G: Complete Application Checklist

The following information and material must accompany a complete application:

- Phase 1 Environmental Site Assessment that recommends a Phase 2 Environmental Site Assessment is required to investigate potential on-site contamination.
- A Phase 2 Environmental Site Assessment proposal including a scope of work and cost estimate.
- N/A* Written consent from the property owner for a prospective purchaser to conduct the environmental study (if applicable).

PART H: Sworn Declaration

WE HEREBY APPLY for a grant(s) under the City of Guelph Brownfield Redevelopment Community Improvement Plan.

WE HEREBY AGREE to abide by the terms and conditions of the City of Guelph Brownfield Redevelopment Community Improvement Plan (please refer to Plan for additional details).

WE HEREBY AGREE to enter into any Agreement with the City of Guelph where specified in the Brownfield Redevelopment Community Improvement Plan.

WE HEREBY CERTIFY that the information contained in this application is true, correct and complete in every respect and may be verified by the City of Guelph by such inquiry as it deems appropriate, including inspection of the property for which this application is being made.

WE HEREBY GRANT PERMISSION to the City, or its agents, to inspect the subject property prior to, during, and after environmental remediation, site rehabilitation and project construction.

WE HEREBY AGREE that the program(s) for which application has been made herein is subject to cancellation and/or change at any time by the City in its sole discretion, subject to the terms and conditions specified in the Program. Participants in the program whose application has been approved and who have entered into the Agreement(s) with the City, will continue to receive grant payments, subject to their Agreement.

WE HEREBY AGREE that all grants will be calculated and awarded in the sole discretion of the City. Notwithstanding any representation by or on behalf of the City, or any statement contained in the program, no right to any grant arises until it has been duly authorized, subject to the applicant meeting the terms and conditions of the Brownfield Redevelopment Community Improvement Plan

**Brownfield Redevelopment Community Improvement Plan
Environmental Study Grant Application Form**



and any Agreement. The City is not responsible for any costs incurred by the Owner/Applicant in any way relating to any program, including, without limitation, costs incurred in anticipation of a grant.

Lorie Jocius for 879132 Ontario Inc.
Name of Property Owner or Applicant Title

Lorie Jocius
Signature of Property Owner or Applicant Date February 22, 2010

Carol Mitchell, P. Eng.
Name of Qualified Person Title Senior Environmental Engineer
(Environmental Consultant) Q.P.E.S.A. MTE Consultants Inc.

Carol Mitchell
Signature of Qualified Person Date Feb. 23, 2010
(Environmental Consultant)

PART I: Next Steps

PRIOR TO ISSUANCE OF FUNDS (to be filled out by City Staff)

- Environmental study grant agreement entered into with the City.
- Information sharing agreement entered into with the City.
- One electronic and one hard copy of the Phase 2 Environmental Site Assessment and Remedial Work Plan must be submitted to the City
- Invoices from the environmental consultant indicating complete payment must be submitted to the City.

Schedule of Permit Fees
- Effective June 1, 2010

SCHEDULE "A"
of By-law Number

Fees for a required Permit are set out in this Schedule and are due and payable upon submission of an application for a Permit.

Classes of Permits		Permit Fee (\$ per sq. foot)	Flat Fee (\$)
CONSTRUCTION - NEW BUILDINGS, ADDITIONS, MEZZANINES			
Group A:	Assembly Buildings (Shell) (Finished) Outdoor Patio Outdoor Public Pool	1.71 1.95	155.00 730.00
Group B:	Institutional (Shell) (Finished)	1.84 2.11	
Group C:	Residential SDD, Semi Detached, Row, Townhouse, Duplex Garage/Carport (per bay), Shed, Deck, Porch, Exterior Stairs Exterior Ramps, Hot Tubs Swimming Pools Apartment Building Hotels/Motels Residential Care Facility	1.04 0.99 1.65 1.35	80.00 80.00 155.00
Group D:	Business and Personal Services Office Buildings (shell) Office Buildings (finished)	1.40 1.65	
Group E:	Mercantile Retail Stores (shell) Retail Stores (finished)	0.92 1.16	
Group F:	Industrial Warehouse, Factories (shell) Warehouse, Factories (finished) Parking Garage	0.58 0.72 0.62	
	Farm Building	0.35	
	Foundation	0.10	
	Conditional Permit	0.10	
	INTERIOR FINISHES: All Classifications Interior finishes to previously unfinished areas (including finishing of residential basements and major renovations).	0.33	
	ALTERATIONS/RENOVATIONS: All Classifications Alterations and renovations to existing finished areas, new roof structures.	0.30	
	MINOR ALTERATIONS: Partitions, washrooms, new entry, minor demolitions (500 sq. ft. or less).		80.00
	SPECIAL CATEGORIES: Air Supported Structures Temporary Tents/per application, Temporary Buildings Portables - each (excludes port-a-pak) Major Demolitions (more than 500 sq. ft.) Change of Use Permit	0.37 0.002/155.00 min.	155.00 80.00 155.00
	MISCELLANEOUS: Fireplace/Woodstove (each) Exterior Ramps (excluding SDD Ramps) Retaining Wall (per linear foot) Balcony Guard (replace per linear foot) Ceiling (new or replace per square foot) Reclad Exterior Wall (per square foot) All Designated Structures (except retaining walls, public pools & signs) Storefront (replace) Elevator, Escalator, Lift Demising Wall/Firewall	3.00 0.60 0.05 0.05	80.00 155.00 315.00 155.00 315.00 80.00
	MECHANICAL WORK: (Work independent of building permit) HVAC Permit (residential per suite) HVAC Permit (non-residential) Sprinkler System (N.F.P.A. 13) or Standpipe System (N.F.P.A. 14) Commercial Kitchen Exhaust Systems, Spray Booths, Dust Collectors	0.10 0.04/155.00 min.	80.00 155.00
	ELECTRICAL WORK: (Work independent of building permit) Fire Alarm System and Electrical Work Electromagnetic Locks (each) and Hold Open Devices (each)	0.04/155.00 min.	35.00
	PLUMBING WORK: (Work independent of building permit) Plumbing Permit (per fixture) Hot Water Heaters (each) Testable Backflow Prevention Devices (each) Catchbasins/Manholes/Roofdrains (each) Building Services (per group) -SDD, Semi-Detached, Duplex Building/Site Services (per linear foot), excluding SDD, Semi-Detached, Duplex	0.63	13.00 35.00 80.00 13.00 80.00
	SEWAGE SYSTEMS: New Installations Replacement or Alteration		470.00 235.00

(continued)

(Schedule "A" – continued)

- A minimum Permit fee of \$80.00 shall be charged for all work where the calculated Permit fee is less than \$80.00.
- For classes of Permits not described in this Schedule, a reasonable Permit fee shall be determined by the Chief Building Official.
- Floor area of the proposed work is to be measured to the outer face of exterior walls (excluding residential attached garages) and to the centre line of party walls, firewalls or demising walls.
- In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work, e.g. tenant suite.
- Mechanical penthouses and floors, mezzanines, lofts, habitable attics and interior balconies are to be included in all floor area calculations.
- Except for interconnected floor spaces, no deductions are made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, etc.).
- Unfinished basements for single detached dwellings (including semi, row, townhouse and duplex) are not included in the floor area.
- Attached garages and fireplaces are included in the Permit fee for single detached dwellings (including semi, row, townhouse and duplex).
- Where interior alterations and renovations require relocation of sprinkler heads, standpipe components or fire alarm components, no additional charge is applicable.
- Ceilings are included in both new shell and finished (partitioned) Buildings. The Permit fees for ceilings only apply when alterations occur in existing Buildings. Minor alterations to existing ceilings to accommodate lighting or HVAC improvements are not chargeable.
- Where Demolition of partitions or alterations to existing ceilings are part of an alteration or renovation Permit, no additional charge is applicable.
- Corridors, lobbies, washrooms, lounges, etc. are to be included and classified according to the major occupancy for the floor area on which they are located.
- The occupancy categories in this Schedule correspond with the major occupancy classifications in the Ontario Building Code. For multiple occupancy floor areas, the Permit fees for each of the applicable occupancy categories may be used, except where an occupancy category is less than 10% of the floor area.
- For rack storage use, apply the square footage charge that was used for the Building.
- A temporary Building is considered to be a Building that will be erected for not more than one year.
- Additional Permit fees are not required when the Sewage System is included with the original Building Permit.

Refund of Permit Fees

In the case of withdrawal or abandonment of an application or abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall, upon written request of the Owner or Applicant, determine the amount of paid Permit fees that may be refunded to the Owner or Applicant, if any, as follows:

- a) 80 percent (80%) if administrative functions only have been performed;
- b) 70 percent (70%) if administrative and zoning functions only have been performed;
- c) 50 percent (50%) if administrative, zoning and plans examination functions have been performed;
- d) 35 percent (35%) if the Permit has been issued and no field inspections have been performed subsequent to Permit issuance;
- e) 5 percent (5%) shall additionally be deducted for each field inspection that has been performed after the Permit has been issued;
- f) No refund shall be made of an amount that is less than the minimum Permit fee applicable to the work;
- g) No refund shall be made after two years following the date of Permit Application where the Permit has not been issued or one year following the date of Permit issuance.

Guiding Principles for City of Guelph Council Remuneration

The philosophy is to base the compensation for the Mayor and Members of Council on realistic standards so that elected officials of the city may be compensated according to their roles and responsibilities.

To achieve the above, a Compensation plan reflects one that:

- Is fair and reasonable and will attract a diverse and representative pool of candidates from Guelph residents wishing to seek election to Council but also be seen as fair by taxpayers;
- Recognizes that the work of the mayor and council is demanding and important and as such they should be appropriately compensated;
- Recognizes the complexity, responsibilities, time commitments and accountabilities associated with the role of Mayor and Council;
- Is aligned to the 60th percentile (similar to the City's non-union employees) of the comparator group and is appropriate for the average full-time earnings within the community;
- Applies an appropriate ratio between the role of a part-time councilor and that of a full-time mayor;
- Must demonstrate fiscal responsibility and align to the Strategic Plan for the City of Guelph.