



**Minutes of Guelph City Council
Held in the Council Chambers, Guelph City Hall on
Monday June 23, 2014 at 5:30 p.m.**

Attendance

Council: Mayor Farbridge
Councillor B. Bell
Councillor T. Dennis
Councillor I. Findlay
Councillor J. Furfaro
Councillor C. Guthrie

Councillor Hofland
Councillor G. Kovach
Councillor M. Laidlaw
Councillor L. Piper
Councillor A. Van Hellemond
Councillor K. Wettstein

Absent: Councillor L. Burcher

Staff: Mr. M. Amorosi, Executive Director, Corporate & Human Resources
Mr. D. Thomson, Executive Director, Community & Social Services
Mr. A. Horsman, Executive Director, Finance & Enterprise
Ms. J. Laird, Executive Director, Planning & Building, Engineering and Environment
Mr. D. McCaughan, Executive Director, Operations, Transit & Emergency Services
Ms. T. Agnello, Deputy Clerk
Ms. J. Sweeney, Council Committee Coordinator

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

Mayor Farbridge called the meeting to order.

Authority to Resolve into a Closed Meeting of Council

1. Moved by Councillor Hofland
Seconded by Councillor Laidlaw

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (d) and (e) of the *Municipal Act* with respect to labour relations or employee negotiations and litigation or potential litigation.

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.2014.36 ATU Negotiations

C.2014.37 Litigation or Potential Litigation

Rise from Closed Meeting (6:50 p.m.)

Council recessed.

Open Meeting (7:00 p.m.)

Mayor Farbridge called the meeting to order.

Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures.

The Mayor presented Access Recognition Awards to the following:

- Outstanding Contribution of an Organization - 2Rivers Festival Group, accepting on their behalf Sue Rietschin and Patti Maurice
- Outstanding Contribution of an Organization - Hillside Festival, accepting on their behalf Marie Zimmerman
- Outstanding Contribution of an Organization - Guelph Soccer, accepting on their behalf Mauricio and Rubin Flores
- Outstanding Contribution of an Organization - Diabetes Care Guelph, accepting on their behalf Sam Marzouk, Ross Kirkconnell and Dr. Steven Traplin
- Outstanding Contribution of an Individual - Jean McClelland
- Outstanding Contribution of an Organization – Athletic Centre and the Physical Resources Departments at the University of Guelph, accepting on their behalf Justin Selby
- Outstanding Contribution of an Individual – Community of Hearts Founders Andrea Kretz, Jason Dudgeon and Susan Wahlroth, accepting on their behalf Jason Dudgeon and Susan Wahlroth

Confirmation of Minutes

1. Moved by Councillor Guthrie
Seconded by Councillor Furfaro

That the minutes of the Council Meeting held on May 26, 2014 and the minutes of the Closed Meeting of Council held May 26, 2014 be confirmed as recorded.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Consent Reports

Audit Committee Third Consent Report

Councillor Guthrie presented the Audit Committee Third Consent Report.

2. Moved by Councillor Guthrie
Seconded by Councillor Kovach

That the June 23, 2014 Audit Committee Third Consent Report as identified below, be adopted:

AUD-2014.16 2013 Draft Audited Consolidated Financial Statements & External Post Audit Report

1. That Finance & Enterprise report FIN-14-31 - 2013 Draft Audited Consolidated Financial Statements and External Post-Audit Report, as amended, be received for information; and
2. That the 2013 Draft Audited Consolidated Financial Statements be approved.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Community & Social Services Committee Fourth Consent Report

The following items were extracted:

- CSS-2014.16 South End Community Centre Needs Assessment and Feasibility Study**
CSS-2014.17 Tourism Operational Review

Corporate Administration, Finance & Enterprise Committee Fifth Consent Report

The following items were extracted:

- CAFE-2014.26 Updated Procurement By-law**

Balance of Corporate Administration, Finance & Enterprise Committee Consent Items

Councillor Hofland presented the balance of the Corporate Administration, Finance & Enterprise Committee Fifth Consent Report.

3. Moved by Councillor Hofland
Seconded by Councillor Kovach

That the balance of the June 23, 2014 Corporate Administration, Finance & Enterprise Committee Fifth Consent Report as identified below, be adopted:

CAFE-2014.25 Corporate Records Retention By-law Amendment

1. That the records retention by-law, as set out in Appendix B of the report, be approved and adopted by Council.

CAFE-2104.27 2013 Year-end Operating Variance Report and Operating Surplus Allocation

1. That the report FIN-14-26 dated June 10, 2014 entitled '2013 Year-End Variance Report and Operating Surplus Allocation' be received.
2. That the April 22, 2014 letter from Guelph Police Services requesting that the projected Police Operating Surplus of \$153,314 be utilized to fund work associated with the Headquarters project not be approved.
3. That the allocation of the 2013 Tax Supported year end operating surplus in the amount of \$693,100 be allocated to reserve 193 – OMB and Legal Reserve.
4. That the Water and Wastewater surpluses be allocated as follows:

2013 Water & Wastewater Surplus Allocation

Water Stabilization Reserve (181)	\$ 196,313
Water Capital Reserve Fund (152)	\$ 343,052
Wastewater Stabilization Reserve (182)	\$ 208,061
Wastewater Capital Reserve Fund (153)	\$1,707,874
Total Allocation	\$2,455,300

5. That the Court Services deficit of \$173,545 be funded from reserve 211 – POA Contingency Reserve.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Operations, Transit & Emergency Services Committee Third Consent Report

Councillor Findlay presented the Operations, Transit & Emergency Services Committee Third Consent Report.

4. Moved by Councillor Findlay
Seconded by Councillor Piper

That the June 23, 2014 Operations, Transit & Emergency Services Committee Third Consent Report as identified below, be adopted:

OTES-2014.20 Land Ambulance Response Time Performance Plan for 2015

1. That OTES Report #OTES061427 Land Ambulance Response Time Performance Plan for 2015, dated June 3, 2014, be received.
2. That the Response Time Performance Plan (RTPP) for 2015 be set as recommended in OTES report #OTES061427 dated June 3, 2014.

3. That a special meeting of OTES be held wherein staff make presentation on the complexities affecting the current delivery of Land Ambulance Service.

OTES-2014.21 Business Licence By-law Review – Food Vehicle Schedule

1. That the Operations, Transit & Emergency Services Committee Report #OTES061424 regarding Food Vehicle Licensing dated June 3, 2014 be received.
2. That staff be directed to initiate a by-law review for Food Truck vendors in 2014 to report back by Q2 in 2015.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Planning & Building, Engineering and Environment Committee Fourth Consent Report

The following item was extracted:

PBEE-2014.17 2014 Solid Waste Management Mater Plan

Balance of Planning & Building, Engineering and Environment Committee Consent Items

Councillor Bell presented the balance of the Planning & Building, Engineering and Environment Committee Fourth Consent Report.

5. Moved by Councillor Bell
Seconded by Councillor Guthrie

That the balance of the June 23, 2014 Planning & Building, Engineering and Environment Committee Fourth Consent Report as identified below, be adopted:

PBEE-2014.16 Draft Grand River Watershed Water Management Plan

1. That Council endorse, in principle, the Grand River Watershed Water Management Plan.
2. That the City continue to collaborate with other Plan partners to develop and voluntarily implement the best value solutions to water management issues in the Grand River Watershed.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Council Internal Audit First Consent

The following items were extracted:

IA-2014.1 Q2 Update on Overtime Audit Implementation Plan

IA-2014.2 CVOR – Fleet Follow-up Audit Report

Council Consent Agenda

The following items were extracted:

CON-2014.34 Terra View, 72 York Road Property, DC Redevelopment Reduction Letter

CON-2014.36 331 Clair Road East Proposed Official Plan and Zoning By-law Amendments (File OP1202/ZC1211)

Extracted Items

Delegations

CSS-2014.16 South End Community Centre Needs Assessment and Feasibility Study

Ms. Judith Carson, President of the Guelph-Wellington Seniors Association introduced Ken Chupa.

Mr. Ken Chupa, Director of the Guelph-Wellington Seniors Association, highlighted the Seniors Association mission and advised they are utilizing spaces throughout the City and are looking to expand their program to include younger seniors. He advised that they participated in the public process and are supportive of the staff recommendation.

It was requested that the clauses be voted on separately.

6. Moved by Councillor Dennis
Seconded by Councillor Wettstein

1. That Council endorse the staff recommendation for the proposed site location of the South End Community Centre and the proposed facility scope **in principle**, and programming elements included.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

7. Moved by Councillor Dennis
Seconded by Councillor Wettstein

2. That the proposed costs for the South End Community Centre be referred to the 2015 capital budget process.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (11)

VOTING AGAINST: Councillor Bell (1)

CARRIED

8. Moved by Councillor Dennis
Seconded by Councillor Wettstein

3. That staff be directed to continue discussions with potential partner organizations and report back to the Community and Social Services Committee by January 2015 on the progress of these discussions.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

PBEE-2015.17 2014 Solid Waste Management Master Plan

Mr. Ted Pritchard of the Guelph Fair Tax Campaign advised of support of the recommendations in Solid Waste Management Master Plan and that the public process was an excellent approach to open and accessible government. He expressed concerns regarding recommendations 22, 23, 24, 25 and 26 with respect to multi-residential collection as they relate to condominiums.

Mr. Lloyd Longfield, present on behalf of the Downtown Advisory Committee, expressed concern with cart collection for downtown businesses relating to the right location for the carts and keeping the streets clean.

9. Moved by Councillor Bell
Seconded by Councillor Guthrie

1. That Council endorse in principle the recommendations contained in the 2014 Solid Waste Management Master Plan (SWMMP).
2. That Council extend their appreciation to the members of the SWMMP Steering Committee for their efforts and dedication over the past year.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

CON-2014.34 Terra View, 72 York Road Property, DC Redevelopment Reduction Letter

Ms. Sarah Purton, Manager Financial Planning & Budgets provided a brief history of the property at 72 York Road and the various financial assistance the property has received to date. She outlined the options available to Council and advised staff are recommending upholding the 48 month redevelopment reduction included in the 2014 Development Charges by-law.

Mr. David Brix, President of Terra View Homes, advised he is not looking to reopen the Development Charge reduction. He advised his priority regarding timelines was to get the funding in place for the cleanup of the site.

10. Moved by Councillor Hofland
Seconded by Councillor Furfaro

1. That report FIN-14-27 "Terra View, 72 York Road Property, DC Redevelopment Reduction Letter" be received.
2. That Council uphold the 48 month redevelopment reduction timeframe identified in section 3.8 of the 2014 DC By-law and deny an extension to the time limit for the DC redevelopment reduction for the property located at 72 York Road.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

CON-2014.36 331 Clair Road East Proposed Official Plan and Zoning By-law Amendments (File OP1202/ZC1211)

Mr. Al Hearne, Senior Development Planner, outlined the purpose of the Official Plan Amendment and Zoning By-law Amendment to re-designate lands to permit the development of 60 cluster townhouse units in addition to a personal service and office use. He advised that staff are of the opinion that the applications are premature and that a comprehensive Secondary Plan needs to be completed for the Clair Road to Maltby Road area. He further expressed concern with the sanitary servicing capabilities for this non designated development.

Ms. Paula Coughlin advised that she would not be speaking.

Mr. David Donnelly was not present.

Ms. Barbara Riley spoke on behalf of the Clair Road Corridor Neighbours Association in support of a comprehensive plan for the development of the Clair Road corridor. She advised that the Association is asking Council to support the staff recommendation. She suggested that the proposed development is not compatible with the adjacent properties and neighbourhood.

Ms. Robin-Lee Norris was present on behalf of Reid's Heritage Homes to answer any questions.

11. Moved by Councillor Findlay
Seconded by Councillor Dennis

1. That Report 14-19 regarding the Ontario Municipal Board (OMB) appeal (Case #PL140028 and 140029) of applications for Official Plan and Zoning By-law Amendments to permit the development of 60 cluster townhouse units and to permit a personal service establishment and office use within the existing dwelling, applying to property legally described as Part of Lot 11, Concession 8, Township of Puslinch, County of Wellington, municipally known as 331 Clair Road East, City of Guelph, from Planning, Building, Engineering and Environment, dated June 23, 2014, be received.

2. That Council not support the applications by GSP Group Inc. on behalf of Reid's Heritage Homes requesting an amendment to the Official Plan to re-designate the subject lands from 'Reserve Lands' to 'General Residential', and requesting an amendment to the Zoning By-law to rezone the subject property from the existing A-2 (Specialized Agricultural) Zone in the Township of Puslinch Zoning By-law, to a Specialized R.3A (Residential Cluster Townhouse) Zone to allow the cluster townhouses and a Specialized R.1A (Residential Single-Detached) Zone to allow a personal service and office use within the existing dwelling.
3. That Council take the position that the applications are premature until a comprehensive Secondary Planning Study including the subject lands and the Clair Road to Maltby Road area, involving all interested stakeholders has been completed, and until it has been confirmed that adequate municipal servicing capacity is available to the site to the satisfaction of the City Engineer, and that the development is compatible with the adjoining properties and existing neighbourhood, and until the applications represent good planning.
4. That Council direct appropriate City staff to attend the upcoming Ontario Municipal Board Hearing and any related proceedings concerning the appeal, representing the City's position that the applications are premature.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

CSS-2014.17 Tourism Operational Review

12. Moved by Councillor Dennis
Seconded by Councillor Findlay

1. That the 21 recommendations included in the consultants' report relating to the Tourism Operational Review be received.
2. That staff be directed to form a Tourism Industry Stakeholder Advisory Committee, to be established no later than Q4 2014.
3. That the remaining 20 recommendations included in the consultants' report be referred to staff and the Advisory Committee to review and establish the timeline for implementation.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Wettstein (11)

VOTING AGAINST: (0)

Councillor Van Hellemond was not in the Council Chambers during the vote.

CARRIED

CAFE-2014.26 Updated Procurement By-law

13. Moved by Councillor Hofland
Seconded by Councillor Kovach

1. That report FIN-14-23 "Updated Procurement By-law" dated June 10, 2014 be received by Committee for information.
2. That the new Procurement By-law be approved.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

IA-2014.1 Q2 Update on Overtime Audit Implementation Plan

Mr. Derrick Thomson, Executive Director of Community & Social Services, advised of the recommendations completed to date and the timeline for the remainder of the recommendations to be completed.

14. Moved by Councillor Hofland
Seconded by Councillor Dennis

1. That the June 23, 2014 report entitled "Q2 Update on Overtime Audit Implementation Plan", be received.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

IA-2014.2 CVOR – Fleet Follow-up Audit Report

Ms. Loretta Alonzo, the Internal Auditor, summarized the status of the 20 accepted recommendations. She advised that the overall outcome of the follow-up audit is satisfactory and that significant work has been done to improve the processes and compliance with the Ministry of Transportation Ontario legislative requirements.

15. Moved by Councillor Findlay
Seconded by Councillor Hofland

1. That Council receive the Internal Auditor's report entitled CVOR – Fleet Follow-up Audit Report, dated June 23, 2014.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Special Resolution

Councillor Laidlaw presented her motion for which notice was given May 26, 2014.

16. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

That the following motion be referred to the Planning & Building, Engineering and Environment Committee:

1. That City Council direct the City Solicitor to write to the Federal Minister of Natural Resources requesting immediate implementation of proposed regulations announced by the Government of Canada that will require companies operating major crude oil pipelines to have a minimum of \$1 billion in financial capacity.
2. That City Council request the Premier, the Minister of Energy and the Minister of the Environment to follow-up on any outstanding concerns not addressed in the National Energy Board decision on Line 9B and further, to advise that the City supports any actions undertaken by the Province to ensure the outstanding concerns are addressed by Enbridge.
3. That City Council requests the Ontario Minister of Environment to conduct a comprehensive environmental assessment for the Enbridge Line 9B Application.
4. That City Council directs the City Clerk to forward a copy of the request in Part 3 to the Federal Minister of the Environment.
5. That the staff be directed to seek the position of the Federation of Canadian Municipalities and the Grand River Conservation Authority.

17. Moved by Councillor Guthrie
Seconded by Councillor Van Hellemond

That the City of Guelph Procedural By-law be suspended to allow Council to consider Councillor Laidlaw's motion at this meeting.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Furfaro, Guthrie, Laidlaw, Piper and Van Hellemond (6)

VOTING AGAINST: Councillors Bell, Dennis, Findlay, Hofland, Kovach and Wettstein (6)

DEFEATED

18. Moved by Councillor Laidlaw
Seconded by Councillor Hofland

That the following motion be referred to the Planning & Building, Engineering and Environment Committee:

1. That City Council direct the City Solicitor to write to the Federal Minister of Natural Resources requesting immediate implementation of proposed regulations announced by the Government of Canada that will require

companies operating major crude oil pipelines to have a minimum of \$1 billion in financial capacity.

2. That City Council request the Premier, the Minister of Energy and the Minister of the Environment to follow-up on any outstanding concerns not addressed in the National Energy Board decision on Line 9B and further, to advise that the City supports any actions undertaken by the Province to ensure the outstanding concerns are addressed by Enbridge.
3. That City Council requests the Ontario Minister of Environment to conduct a comprehensive environmental assessment for the Enbridge Line 9B Application.
4. That City Council directs the City Clerk to forward a copy of the request in Part 3 to the Federal Minister of the Environment.
5. That the staff be directed to seek the position of the Federation of Canadian Municipalities and the Grand River Conservation Authority.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper and Van Hellemond (10)

VOTING AGAINST: Councillors Dennis and Wettstein (2)

CARRIED

By-laws

19. Moved by Councillor Hofland
Seconded by Councillor Bell

That By-laws Numbered (2014)-19769 to (2014)-19774, inclusive, are hereby passed.

20. Moved by Councillor Findlay
Seconded by Councillor Wettstein

That By-law Number (2014)-19769 be deferred pending Councillor Piper's notice of motion.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

21. Moved by Councillor Hofland
Seconded by Councillor Wettstein

That By-laws Numbered (2014)-19770 to (2014)-19774, inclusive, are hereby passed.

VOTING IN FAVOUR: Mayor Farbridge, Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein (12)

VOTING AGAINST: (0)

CARRIED

Notice of Motion

Councillor Piper gave notice that she will be bringing forward a motion to a subsequent meeting for reconsideration to re-open discussion on Clause 4 of Council's resolution of February 25, 2013 related to the Guelph Cycling Master Plan, specifically the reference to the removal of on-street parking and installation of bicycle lanes on Downey Road.

Councillor Findlay gave notice that he will be bringing forward a motion to a subsequent meeting with respect to an Official Plan Amendment for 80 Simmonds Drive.

Adjournment (9:50 p.m.)

- 22. Moved by Councillor Hofland
Seconded by Councillor Bell

That the meeting be adjourned.

CARRIED

Minutes to be confirmed on July 28, 2014.

Mayor Farbridge

Deputy Clerk