

Council Committee Room B
October 15, 2007 5:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper and Wettstein

Absent: Councillors Billings and Salisbury

Staff Present: Mr. H. Loewig, Interim Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Ms. Tricia Sinclair, Assistant City Solicitor; Mr. D. Wyman, Manager Solid Waste Resources; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Hofland
Seconded by Councillor Bell

THAT the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (b), (c), (e) and (f) of the Municipal Act, with respect to:

- Personal matters about identifiable individuals;
- Proposed or pending acquisition or disposition of land;
- Litigation or potential litigation;
- Advice that is subject to solicitor-client privilege.

Carried

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

.....
Mayor

.....
Clerk

Council Committee Room B
October 15, 2007 5:32 p.m.

A meeting of Guelph City Council meeting in Committee of the Whole.

Present: Mayor Farbridge, Councillors Beard, Bell, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper and Wettstein

Absent: Councillors Billings and Salisbury

Staff Present: Mr. H. Loewig, Interim Chief Administrative Officer; Dr. J. Laird, Director of Environmental Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Ms. Tricia Sinclair, Assistant City Solicitor; Mr. D. Wyman, Manager Solid Waste Resources; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations of pecuniary interest.

1. Moved by Councillor Kovach
Seconded by Councillor Piper

THAT Council hear the delegation of its outside legal counsel on a litigation matter.

Carried

The City's outside legal counsel provided an update on a litigation matter.

2. Moved by Councillor Kovach
Seconded by Councillor Beard

THAT staff be given direction with respect to a litigation matter.

Ms. L.E. Payne
Dr. J. Laird

Carried

3. Moved by Councillor Piper
Seconded by Councillor Hofland

THAT the Litigation Status Report dated October 5, 2007, be received for information.

Ms. L.E. Payne

Carried

4. Moved by Councillor Burcher
Seconded by Councillor Laidlaw

THAT staff be given direction with respect to a litigation matter.

Ms. L.E. Payne
Dr. J. Laird

Carried

PASSED IN COUNCIL
BY SPECIAL
RESOLUTION

5. Moved by Councillor Kovach
Seconded by Councillor Wettstein
THAT City Council approve and authorize the Mayor and Clerk to execute the Minutes of Settlement attached regarding a proposed variance under file A-47/06 and Ontario Municipal Board proceedings affecting 199 Victoria Road South, 490 York Road;
- AND THAT appropriate City staff be authorized to attend an Ontario Municipal Board Hearing to support the proposed settlement reached between Sherwood Forest Investments (Guelph) LTD. (Sherwood Investments) and the Corporation of the City of Guelph.

Carried

PASSED IN COUNCIL
BY SPECIAL
RESOLUTION

6. Moved by Councillor Laidlaw
Seconded by Councillor Burcher
THAT City Council authorize Mayor Farbridge, the Chair of Land Ambulance Committee, the Chair of Governance and Economic Development Committee, along with the Interim Chief Administrative Officer and appropriate staff, to engage in discussions with the County of Wellington, regarding the Joint Service Agreements between the two municipalities.

Carried

Ms. L.E. Payne

7. Moved by Councillor Wettstein
Seconded by Councillor Hofland
THAT staff be given direction with respect to a proposed or pending disposition of land.

Carried

REPORT

8. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT Barbara Turley McIntyre and Dr. Susan Healey be appointed to the Guelph Downtown Coordination Committee.

Carried

Mrs. L.A. Giles

9. Moved by Councillor Kovach
Seconded by Councillor Piper
THAT the correspondence from William E. Tossell tendering his resignation from the Board of Commissioners of Guelph General Hospital, be received with regret.

Carried

The Interim Chief Administrative Officer provided an update with respect to personal matters about identifiable individuals.

The meeting adjourned at 6:45 o'clock p.m.

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Mayor

.....
Clerk

Council Chambers
October 15, 2007

Council reconvened in formal session at 7:00 p.m.

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

Absent: Councillor Billings

Staff Present: Mr. H. Loewig, Interim Chief Administrative Officer; Mr. M. Amorosi, Director of Human Resources; Chief S. Armstrong, Director of Emergency Services; Dr. J. Laird, Director of Environmental Services; Mr. D. McCaughan, Director of Operations; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design & Development Services; Mr. B. Stewart, Acting Director of Finance; Ms. S. Aram, Supervisor of Budgets & Reporting; Mr. B. Barr, Manager Fleet & Equipment; Mr. P. Cartwright, Manager of Economic Development & Tourism; Mr. S. Hannah, Manager of Development & Parks Planning; Mr. R. Henry, City Engineer; Mr. R. Mackay, Manager of Recreation & Culture; Mr. M. McCrae, Manager of Corporate Property Services; Ms. K. McCracken, Director of Guelph Museums; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There was no declaration of pecuniary interest.

1. Moved by Councillor Findlay
Seconded by Councillor Piper

THAT sections 16.4(i), 16(4)(ii) and 16(5) of Procedural By-law Number (1996)-15200, as amended, regarding the recording of votes for all motions other than procedural, be suspended for this meeting of Council.

Carried

2. Moved by Councillor Wettstein
Seconded by Councillor Burcher

THAT the minutes of the Council meetings held on September 17 and October 1, 2007 and the minutes of the Council meeting held in Committee of the Whole on September 17, 2007 be confirmed as recorded and without being read.

Carried

PRESENTATIONS

Mayor Michael Harding of the City of Woodstock presented gifts to the Mayor and Council for winning the Blackout Day challenge.

The Mayor presented City of Guelph medals to the following members of the Guelph Phoenix Bantam Girls #1 basketball team: Melinda McNeice; Julie Soriano; Chelsey Mathieu; Jamie Janssen, Claire Endicott, Rebecca Keil, Cierra Carere, Michelle Reynolds, Silvie Cafarella, Erica Zen, Paul Cafarell – Coach; John Endicott – Coach; Paul Mathieu – Coach; Howard Keil – Coach.

Sandra Hanmer, CEO of Waterloo Wellington Local Health Integration Network was present and provided information on the operation and activities of the organization.

REGULAR MEETING

3. Moved by Councillor Beard
Seconded by Councillor Kovach

THAT persons wishing to address Council be permitted to do so at this time.

Carried

DELEGATIONS

City of Guelph – Province of Treviso Twinning Agreement

4. Moved by Councillor Piper

Seconded by Councilor Burcher

THAT City Council receive the report of October 15, 2007 prepared by the Manager of Economic Development and Tourism regarding a Twinning Agreement between the City of Guelph and the Province of Treviso;

AND THAT Guelph City Council directs the Mayor and City Clerk to sign the Twinning Agreement described in the report of October 15, 2007 prepared by the Manager of Economic Development and Tourism.

The Mayor of Castelfranco Veneto, Paolo Quaggiotto brought greetings from the Treviso delegation.

Mayor Farbridge welcomed the members of the Treviso delegation who are visiting the City for the week.

5. Moved by Councillor Piper

Seconded by Councillor Burcher

THAT City Council receive the report of October 15, 2007 prepared by the Manager of Economic Development and Tourism regarding a Twinning Agreement between the City of Guelph and the Province of Treviso;

AND THAT Guelph City Council directs the Mayor and City Clerk to sign the Twinning Agreement described in the report of October 15, 2007 prepared by the Manager of Economic Development and Tourism.

A recorded vote was requested which resulted as follows:

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

VOTING AGAINST: (0)

The motion was carried.

Councillor Salisbury arrived at 7:50 p.m.

The Mayor and Clerk signed the twinning agreement along with the members of the delegation from the Province of Treviso.

The Mayor adjourned the meeting at 8:00 p.m. to allow for photographs to be taken with the members of the Treviso delegation.

Mr. P. Cartwright
Mr. J. Riddell

Council reconvened at 8:15 p.m.

6. Moved by Councillor Bell
Seconded by Councillor Findlay

THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

Councillor Burcher presented the TWELFTH REPORT of the Community Development & Environmental Services Committee

Howden Crescent Park Master Plan Update

7. Moved by Councillor Bucher
Seconded by Councillor Piper

Mr. J. Riddell
Mr. B. Stewart

THAT the Community Design and Development Services Report 07-89 regarding the Howden Crescent Park Master Plan Update, dated October 5, 2007, be received;

AND THAT the Howden Crescent Park Master Plan Update 2 be approved;

AND THAT staff be directed to proceed with the implementation of the park master plan update 2.

Carried

Organic Processing Technology Review Public Steering Committee

8. Moved by Councillor Burcher
Seconded by Councillor Piper

Dr. J. Laird
Ms. B. Law
Mrs. L.A. Giles

THAT the composition of the Organic Processing Technology Review Public Steering Committee be amended to include a representative from the Township of Puslinch.

Carried

Councillor Laidlaw presented the NINTH REPORT of the Emergency Services, Community Services & Operations Committee

Creation of a Guelph Transit Ad Hoc Subcommittee

9. Moved by Councillor Laidlaw
Seconded by Councillor Beard

Mr. G.W. Stahlmann
Mr. R. French

THAT the attached Terms of Reference, for an ad hoc subcommittee to identify and make recommendations on

neighbourhood/community transit issues be approved with the addition of staff representation from Transportation Planning as required.

Carried

Loretto Convent Lease Agreement

10. Moved by Councillor Laidlaw
Seconded by Councillor Beard

THAT the Mayor and Clerk be authorized to execute a Lease Agreement with The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario for the Loretto Convent;

AND THAT staff be directed to proceed with all work necessary to secure and take control of the Loretto Convent and property as required by the Lease Agreement;

AND THAT the Loretto Convent Conversion Capital Project be pre-approved and be identified in the 2008 – 2010 Capital budget and forecast in the amount of \$12,700,000, including external grants and subsidies;

AND THAT the one-time costs of securing and taking control of the Loretto Convent be allocated to the Museum and the resulting variance be offset from savings identified in other areas of the City Operating Budget during 2007;

AND THAT the expansion to the 2008 Museum Operating Budget to cover annual expenses at the Loretto Convent be pre-approved;

AND THAT, subject to confirmation of a minimum of \$3,000,000 in grants or other contributions from each of the Federal and provincial levels of government;

- (a) Staff are authorized to prepare and issue an RFP for consulting design services;
- (b) The Mayor and Clerk are authorized to execute a design contract with the successful consulting design firm;
- (c) Staff be directed to provide for public input during the design process;
- (d) Staff are authorized to tender the construction project based on the design; and
- (e) Subject to the tender amount being within the budget amount of \$11.4M, the Mayor and Clerk be authorized to execute the construction contract with the successful bidder.

11. Moved in Amendment by Councillor Piper
Seconded by Councillor Burcher

THAT paragraph 6(a) be amended to include “and to examine the appropriateness of the Purchasing By-law with respect to the eligibility of architectural firms.”

Carried

It was requested that the clauses be voted separated into preservation of the structure and the development of a future museum on the site.

12. Moved by Councillor Laidlaw
Seconded by Councillor Beard

Ms. L.E. Payne
Ms. K. McCracken
Mr. B. Stewart

THAT the Mayor and Clerk be authorized to execute a Lease Agreement with The Roman Catholic Episcopal Corporation of the Diocese of Hamilton in Ontario for the Loretto Convent;

AND THAT staff be directed to proceed with all work necessary to secure and take control of the Loretto Convent and property as required by the Lease Agreement;

AND THAT the one-time costs of securing and taking control of the Loretto Convent be allocated to the Museum and the resulting variance be offset from savings identified in other areas of the City Operating Budget during 2007;

AND THAT the expansion to the 2008 Museum Operating Budget to cover annual expenses at the Loretto Convent be pre-approved.

Carried

13. Moved by Councillor Laidlaw
Seconded by Councillor Beard

Ms. L.E. Payne
Ms. K. McCracken
Mr. B. Stewart

THAT the Loretto Convent Conversion Capital Project be pre-approved and be identified in the 2008 – 2010 Capital budget and forecast in the amount of \$12,700,000, including external grants and subsidies;

AND THAT, subject to confirmation of a minimum of \$3,000,000 in grants or other contributions from each of the Federal and provincial levels of government;

- (a) Staff are authorized to prepare and issue an RFP for consulting design services and to examine the appropriateness of the Purchasing By-law with respect to the eligibility of architectural firms;
- (b) The Mayor and Clerk are authorized to execute a design contract with the successful consulting design firm;
- (c) Staff be directed to provide for public input during the design process;

- (d) Staff are authorized to tender the construction project based on the design; and
- (e) Subject to the tender amount being within the budget amount of \$11.4M, the Mayor and Clerk be authorized to execute the construction contract with the successful bidder.

Carried

Mayfield Park Beach Volleyball Courts

Mr. D. McCaughan 14. Moved by Councillor Laidlaw
Seconded by Councillor Beard
THAT the existing volleyball net standards in Mayfield Park be retained.

Carried

Transit Maintenance

Mr. D. McCaughan 15. Moved by Councillor Laidlaw
Mr. G.W. Stahlmann Seconded by Councillor Beard
Mr. B. Stewart THAT staff submit expansion packages for consideration in the 2008 Operating Budget to address the staffing issues identified in the Emergency Services, Community Services & Operations Committee report of September 12, 2007 Transit Maintenance;

AND THAT staff be directed to purchase three new buses at a total cost of \$1,290,000;

AND THAT staff be directed to purchase three used buses at a total cost of \$180,000.

A recorded vote was requested, which resulted as follows:

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

VOTING AGAINST: Councillors Findlay and Kovach (2)

The motion was carried.

Councillor Wettstein presented the EIGHTH REPORT of the Finance, Administration & Corporate Services Committee

Hospice Wellington

Mr. B. Stewart
Mr. G.C. Robinson

16. Moved by Councillor Wettstein
Seconded by Councillor Hofland
THAT the request of Hospice Wellington for support to their capital campaign in the amount of \$1M be referred to staff to be included in the 2008 budget for consideration during the 2008 budget deliberations.

Carried

Building Services Reserve Fund

Mr. J. Riddell
Mr. B. Stewart
Mr. B. Poole

17. Moved by Councillor Wettstein
Seconded by Councillor Hofland
THAT Council authorizes staff to expend approximately \$135,000.00 plus taxes from the Building Services Reserve Fund to assist in funding the implementation of the new AMANDA Portal initiative.

Carried

Amendments to the City Business Licensing By-law (2004)-17551 as a result of Bill 130 Amendments to the Municipal Act

Ms. L.E. Payne
Mrs. L.A. Giles

18. Moved by Councillor Wettstein
Seconded by Councillor Hofland
THAT the proposed changes to the City Licensing By-law (2004)-17551 which reflects the changes in the Municipal Act and other regulatory changes, attached hereto as appendix A, be approved;

AND THAT a By-law to amend City Licensing By-law (2004)-17551 to incorporate the changes be brought forward for Council's approval.

Carried

Councillor Laidlaw presented the THIRD REPORT of the Land Ambulance Committee

Replacement of Ambulances

Chief S. Armstrong
Mr. B. Stewart
Mr. S. Wilson

19. Moved by Councillor Laidlaw
Seconded by Councillor Beard
THAT Council approve the purchase of three (3) new ambulances, which are presently scheduled for in the 2008 Capital Budget;

AND THAT staff proceed to order these ambulances in 2007 in preparation for a 2008 delivery.

Carried

Councillor Kovach presented the FOURTH REPORT of the Council as a Committee of the Whole

Accountability & Transparency Committee

- Mrs. L.A. Giles
20. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT Christopher Moes, Todd Dennis, Scott Butler, Jean McKenzie Leiper and Rolf Pedersen be appointed to the Accountability and Transparency Committee for the duration of the mandate of the committee.

Carried

CONSENT AGENDA

The following item #A-3 was extracted from the Consent Agenda to be voted on separately.

21. Moved by Councillor Kovach
Seconded by Councillor Laidlaw
THAT the balance of the October 15, 2007 Consent Agenda as identified below, be adopted:
- a) **200 Crawley Road: proposed Zoning By-law Amendment (ZC0712) – Ward 6**
- Mr. B. Luffman
Mr. J. Riddell
Mr. D. McCaughan
Ms. L.E. Payne
Mr. B. Stewart
Mr. B. Poole
- THAT the application by Cooper Construction Limited for a Zoning By-law Amendment from the UR (Urban Reserve) Zone to the B.1 (Industrial) Zone affecting property municipally known as 200 Crawley Road and legally described as Part Lot 12, Concession 7, City of Guelph be approved in accordance with the regulations set out in Schedule 1 attached;
- AND THAT the request by Cooper Construction Limited to demolish the detached dwelling located on the property municipally known as 200 Crawley Road be approved.
- b) **Gummer/Victoria Hotel Buildings Financial Assistance Agreement**
- Mr. J. Ashdown
Mr. J. Riddell
Mr. B. Stewart
Ms. L.E. Payne
Mr. H. Loewig
- THAT, subject to Skyline Incorporated becoming the registered owner of both 1-7 Douglas Street and 67-71 Wyndham Street North and subject to the final form and content of the agreement being satisfactory to the Director of Community Design and Development Services and the City Solicitor, the Mayor and City Clerk are authorized to execute a Financial Assistance Agreement in substantially the form attached as Schedule 2 and to an upset limit of

\$1.31 Million to be paid over a ten year period in accordance with the Heritage Redevelopment Reserve Policy to assist in the retention of the heritage elements of the Gummer and Victoria Hotel redevelopment.

B Items for Direction of Council

1) **Request for an Exemption from By-law (1988)-12960 with respect to the Evergreen Seniors Centre Volunteer Appreciation Night**

Mr. G.W. Stahlmann
Guelph Humane Society
Chief R. Davis

THAT the Evergreen Seniors Centre be granted an exemption to the City of Guelph Exotic Animal By-law (1988)-12960 to permit the display of a camel on November 1, 2007 at the Evergreen Seniors Centre Volunteer Appreciation Night.

Carried

Site Alteration By-law

22. Moved by Councillor Burcher
Seconded by Councillor Salisbury

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

THAT By-law Number (2007)-18420, as amended, be approved;
Clause 5(g) add “the size, species and condition are to be identified”
Clause 5(k) change reference of 1 metre to 0.5 metres
Clause 34 – first conviction penalty to be a maximum of \$100,000.

Carried

23. Moved by Councillor Burcher
Seconded by Councillor Wettstein
THAT the Committee rise with leave to sit again.

Carried

24. Moved by Councillor Burcher
Seconded by Councillor Wettstein
THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

SPECIAL RESOLUTIONS

OMB Minutes of Settlement – 199 Victoria Road South, 490 York Road

25. Moved by Councillor Burcher

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

Seconded by Councillor Wettstein
THAT City Council approve and authorize the Mayor and Clerk to execute the Minutes of Settlement attached regarding a proposed variance under file A-47/06 and Ontario Municipal Board proceedings affecting 199 Victoria Road South, 490 York Road;

AND THAT appropriate City staff be authorized to attend an Ontario Municipal Board Hearing to support the proposed settlement reached between Sherwood Forest Investments (Guelph) LTD. (Sherwood Investments) and the Corporation of the City of Guelph.

Carried

Joint Service Agreements between City of Guelph and County of Wellington

Mr. H. Loewig
Mayor Farbridge
Councillor Laidlaw
Councillor Kovach
Ms. L.E. Payne

26. Moved by Councillor Laidlaw
Seconded by Councillor Kovach

THAT City Council authorize Mayor Farbridge, the Chair of Land Ambulance Committee, the Chair of Governance and Economic Development Committee, along with the Interim Chief Administrative Officer and appropriate staff, to engage in discussions with the County of Wellington, regarding the Joint Service Agreements between the two municipalities.

Carried

BY-LAWS

27. Moved by Councillor Farrelly
Seconded by Councillor Hofland

THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2007)-18404 to (2007)-18429, inclusive.

Carried

The By-laws were read a first and second time at 9:20 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2007)-18404 to (2007)-18429, inclusive.

Mayor Farbridge in the Chair.

At 9:24 o'clock p.m., the Committee rose and reported By-laws Numbered (2007)-18404 to (2007)-18429, inclusive, passed in Committee without amendment.

28. Moved by Councillor Findlay
Seconded by Councillor Bell

THAT By-laws Numbered (2007)-18404 to (2007)-18429, inclusive, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 9:26 o'clock p.m.

MAYOR'S ANNOUNCEMENTS

The Mayor announced that Councillor Beard recently selected as the Canadian recipient of the 2007 North American Pollinator Protection Campaign Pollinator Advocate Award.

ADJOURNMENT

The meeting adjourned at 9:30 o'clock p.m.

Minutes read and confirmed November 19, 2007.

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Mayor

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Clerk

Guelph Transit Ad Hoc Subcommittee

Terms of Reference

Goal

To provide input to Guelph Transit on neighbourhood and community transit issues.

Mandate

The Transit sub committee shall provide input to Guelph Transit on the need to:

- Improve system capacity and ridership growth;
- Improve service quality and customer satisfaction.

Committee Structure

- Representative from the Accessibility Advisory Committee
- Representative from the Downtown Board
- Representative from the University of Guelph
- 1 Member of Council
- 6 Citizen appointees

Staff Support

- Manager of Transit Services
- Supervisor of Operations, Driver Training & Development
- Supervisor of Scheduling & Service Planning

Meeting Schedule

- Monthly or as necessary, at the call of the Chair
- Meeting time to be set by members of the sub committee
- Appointment to the ad hoc committee would be for approximately 4 months