

Council Caucus Room
November 23, 2009 5:30 p.m.

A meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Billings, Farrelly, Findlay, Hofland, Salisbury and Wettstein

Absent: Councillors Beard, Bell, Burcher, Kovach, Laidlaw and Piper

Staff Present: Mr. H. Loewig, 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 and Development Services; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

1. Moved by Councillor Hofland
Seconded by Councillor Farrelly
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

Potential Land Acquisition

S. 239 (2) (c) proposed or pending acquisition or disposition of land

Citizen Appointments to the Transit Growth Strategy & Plan Advisory Committee

S. 239 (b) personal matters about an identifiable individual

Resignation from the River Run Centre Board of Directors

S. 239 (b) personal matters about an identifiable individual

Labour Relations

S. 239 (2) (d) labour relations or employee negotiations

Carried

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

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Mayor

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Clerk

Council Caucus Room
November 23, 2009 5:32 p.m.

A meeting of Guelph City Council closed to the public.

Present: Mayor Farbridge, Councillors Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw (arrived 6 p.m.), Piper (arrived 5:45 p.m.), Salisbury and Wettstein

Absent: Councillor Beard and Bell

Staff Present: Mr. H. Loewig, 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. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mrs. L.A. Giles, Director of Information Services/City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT

There were no declarations.

Litigation or Potential Litigation, Including Matters Before Administrative Tribunals

- 1. Moved by Councillor Hofland
Seconded by Councillor Kovach

Ms. L.E. Payne

THAT the Litigation Status Report dated November 16, 2009, be received for information.

Carried

Proposed or Pending Acquisition or Disposition of Land

Ms. L.E. Payne 2. Moved by Councillor Burcher
Seconded by Councillor Findlay
THAT the report of the Manager of Realty Services with respect to a potential land acquisition be received.

A recorded vote was requested, which resulted as follows:

VOTING IN FAVOUR: Councillors Burcher, Farrelly, Findlay, Hofland, Piper, Salisbury, Wettstein and Mayor Farbridge (8)

VOTING AGAINST: Councillors Billings and Kovach (2)

The motion was carried.

Personal Matters About An Identifiable Individual

Mrs. L.A. Giles 3. Moved by Councillor Wettstein
Ms. C. Clack Seconded by Councillor Hofland
THAT the correspondence from Lloyd Longfield advising of his resignation from the River Run Centre Board of Directors, be received with regret.

Carried

Personal Matters About Identifiable Individuals

REPORT 4. Moved by Councillor Piper
Seconded by Councillor Kovach
THAT the following citizens be appointed to the Transit Growth Strategy and Plan Advisory Committee for a term for the mandate of the committee:
Carol Dauda as the representative for Ward 1;
Stefan Larasse as the representative for Ward 2;
Unto Kihlanki as the representative for Ward 5;
John Marchese as the representative for Ward 6.

AND THAT staff continue efforts to fill the vacancies in the remaining two wards.

Carried

Labour Relations or Employee Negotiations

The Chief Administrative Officer provided the Committee with information.

The meeting adjourned at 6:40 o'clock p.m.

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Mayor

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Clerk

Council Chambers
November 23, 2009

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

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

Absent: Councillor Beard

Staff Present: Mr. H. Loewig, 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. M. Neubauer, Director of Finance; Ms. A. Pappert, Director of Community Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mrs. L.A. Giles, Director of Information Services/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 the following with Guelph Barrier Free Access Awareness Awards:

- Dawson Road Family Medical Clinic for Outstanding Contribution of a Business
- Guelph Animal Hospital for Outstanding Contribution of a Business

- Ryan's Quality Pet Foods for Outstanding Contribution of a Business
- Rainbow Day Camp for Outstanding Contribution by a Community Group
- Sue Alexander for Outstanding Accomplishment of an Individual
- Gloria Bruce for Outstanding Contribution of an Individual
- Jolyne Neil for Outstanding Accomplishment of an Individual
- Marcey Gray for Outstanding Accomplishment of an Individual
- Matthew Bulmer for Outstanding Accomplishment of an Individual – Wellington County
- Mildred Kingdon, Award accepted by her son, Brent Kingdon, for Outstanding Accomplishment of an Individual - Posthumous

The Mayor presented the Municipal Waste Association Public Education Award, Gold Winner for the Best Calendar: - City of Guelph 2009 to Laurie Watson of Corporate Communications.

The Mayor presented the Municipal Waste Association Public Education Award, Silver Winner for P&E Tool for the Waste Collection Vehicle Ad Campaign to Mirjana Zubac of Solid Waste Resources.

The Mayor presented the Guelph Tribune Reader's Choice Award, Platinum Winner for Water Supplier to the City of Guelph to Peter Busatto, Gerry Best, Vince Suffoletta and Wayne Galliher of Waterworks.

Deputy Fire Chief John Osborne did a presentation in recognition of the Fire Department's 100th Anniversary.

1. Moved by Councillor Bell
Seconded by Councillor Findlay

THAT the minutes of the Council meetings held on October 26, November 2 and 12, 2009 and the minutes of the Council meetings held in Committee of the Whole on October 26, November 2, 9 and 16, 2009 be confirmed as recorded and without being read.

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

VOTING AGAINST: (0)

Carried

CONSENT REPORTS AND AGENDAS

The following item was extracted from the Community Development & Environmental Services Committee Eighth Consent Report to be voted on separately:

- CDES-3: - Royal City Park Plant Material Management Plan

Councillor Burcher presented the balance of the Community Development & Environmental Services Committee Eighth Consent Report.

2. Moved by Councillor Burcher
Seconded by Councillor Piper

THAT the balance of the November 23, 2009 Community Development & Environmental Services Committee Eighth Consent Report as identified below, be adopted:

- a) **Public Promotion Action Plan for Drinking Water Consumption – Progress Update**

Dr. J. Laird

THAT the report of the Director of Environmental Services, dated November 16, 2009 providing a progress update on the Public Promotion Action Plan for Drinking Water Consumption, be received for information;

AND THAT the Mayor and Clerk be authorized to sign an agreement between the City of Guelph and Regional Municipality of Waterloo for the development of the Portable Potable Water Supply Station Feasibility and Best Practices Review.

- b) **The Rink Rats Community Fundraising Update**

Mr. J. Riddell
Ms. A. Pappert

THAT report 09-93 from Community Design and Development Services, dated November 16, 2009, providing an update on the Ice Rink/Water Feature fundraising, and including a report from the Rink Rats community fundraising group, be received;

AND THAT Guelph City Council approve the Ice Rink/Water Feature Donor Recognition Corporate Policy and Procedure, as developed by Staff in response to the Rink Rats request;

AND THAT Guelph City Council supports the Rink Rats request for a Public Naming Competition for the Ice Rink/Water Feature, and directs that:

- the Naming Competition Jury to consist of the Commemorative Naming Committee, along with

the Rink Rats and two representatives from the Lead Donor; and,

- the Municipal Property and Building Commemorative Naming Policy form the basis for the Competition process, with modifications to the themes and process as required to run a site-specific public competition as described in this report.

c) **Committee Mandate and Charter**

Mayor Farbridge
Mrs. L.A. Giles

THAT the Committee Mandate and Charter for the Community Development and Environmental Services Committee, be approved as attached.

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

VOTING AGAINST: (0)

Councillor Salisbury was not in the Council Chambers during the vote.

Carried

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

3. Moved by Councillor Kovach
Seconded by Councillor Piper

THAT the November 23, 2009 Council as Committee of the Whole Seventh Consent Report as identified below, be adopted:

a) **Minutes of Settlement – Subbor and Eastern Power Limited**

Ms. L.E. Payne

That Council authorise the execution of the Minutes of Settlement with respect to Subbor and Eastern Power Limited regarding legal costs arising from the Subbor litigation.

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

VOTING AGAINST: (0)

Councillor Salisbury was not in the Chambers during the vote.

Carried

Consent Agenda

The following item was extracted from the November 23, 2009 Consent Agenda to be voted on separately:

- A-1 Proposed Demolition of 26 Hosking Place and Merger of 26 & 28 Hosking Place

DELEGATIONS

Royal City Park Plant Material Management Plan

Norah Chaloner outlined the various policies, plans and resolutions adopted by Council with respect to the protection of trees. She urged Council to protect the City's green spaces, like Royal City Park to prevent the loss of the city's tree canopy.

Judy Martin suggested that the vision statement should reflect public comments. She also suggested that the definition of a healthy tree is not workable and that the City should include more naturalization in the plan. She urged Council to make replanting of trees and naturalization of areas a priority. She further suggested that the removal of a number of trees could risk the remaining veteran trees.

Laura Murr suggested that years of improper care and stewardship had lead us to the potential removal of a number of trees from Royal City Park. She further suggested that the removal of the trees should be the last resort after all other mitigation measures have been considered. She then suggested that if other mitigation measures have not been considered then it is premature to remove the trees without further study by accepted methods of hazard evaluation.

Councillor Burcher presented Clause 3 that was extracted from the Community Development & Environmental Services Committee Eighth Consent Report.

4. Moved by Councillor Burcher
Seconded by Councillor Piper

Mr. J. Riddell
Mr. D. McCaughan

THAT the Community Design and Development Services Report 09-97 dated November 16, 2009 pertaining to the Royal City Park Plant Material Management Plan be received;

AND THAT the Royal City Park Plant Material Management Plan dated November 6, 2009 prepared by Silv-Econ Ltd.,

including all the recommendations in Section 6 be approved;

AND THAT staff be directed to implement the Royal City Park Plant Material Management Plan starting in January 2010 to the extent possible within approved budgets;

AND THAT the funding shortfalls identified in Schedule 3 of CDES report 09-97 be considered by Council as part of the 2010 Budget deliberation.

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

VOTING AGAINST: Councillors Bell and Laidlaw (2)

Carried

Report Extracted from the Consent Agenda

Proposed Demolition of 26 Hosking Place and Merger of 26 & 28 Hosking Place

Mr. Fred Lauzon, owner of the subject properties was present and expressed concern with the recommendation to deny the demolition of 26 Hosking Place. He suggested that he purchased the neighbouring property based on advice from City staff that it was possible to join the two properties. He advised that his surrounding neighbours are in support of his application and that such a mix of buildings are found on other streets in the City.

5. Moved by Councillor Kovach
Seconded by Councillor Bell

THAT Report 09-98 regarding the proposed demolition of a detached dwelling at 26 Hosking Place and merger of the properties municipally known as 26 & 28 Hosking Place, City of Guelph, from Community Design and Development Services dated November 23, 2009, be received;

AND THAT the proposed demolition of the detached dwelling at 26 Hosking Place be approved;

AND THAT a by-law to deem Lots 13 and 14, Plan 702 not to be Lots on a Plan of Subdivision, pursuant to Section 50 (4) of the *Planning Act*, which would allow them to merge, be passed.

It was requested that the clauses be voted on separately.

6. Moved by Councillor Kovach
Seconded by Councillor Bell
Mr. J. Riddell THAT Report 09-98 regarding the proposed demolition of a detached dwelling at 26 Hosking Place and merger of the properties municipally known as 26 & 28 Hosking Place, City of Guelph, from Community Design and Development Services dated November 23, 2009, be received.

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

VOTING AGAINST: Councillor Farrelly (1)

Carried

7. Moved by Councillor Kovach
Seconded by Councillor Bell
Mr. J. Riddell
Ms. L.E. Payne
Mr. B. Poole THAT the proposed demolition of the detached dwelling at 26 Hosking Place be approved;

AND THAT a by-law to deem Lots 13 and 14, Plan 702 not to be Lots on a Plan of Subdivision, pursuant to Section 50 (4) of the *Planning Act*, which would allow them to merge, be passed.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher, Farrelly, Findlay, Kovach and Wettstein (7)

VOTING AGAINST: Councillors Hofland, Laidlaw, Piper, Salisbury and Mayor Farbridge (5)

Carried

SPECIAL RESOLUTIONS

Baker Street Redevelopment and Acquisition: 152-158 Wyndham Street North

8. Moved by Councillor Burcher
Seconded by Councilor Wettstein
THAT the Mayor and Clerk be authorized to execute an Agreement between Smilja Lesic and the City for acquisition of the property known as 152-158 Wyndham Street North.

AND THAT staff be directed to take the steps necessary to demolish the building at 152-158 Wyndham Street North due to its poor condition at a cost of approximately \$360,000;

AND THAT staff be directed to take steps necessary to convert the property at 152-158 Wyndham Street North into a parking facility, at cost of approximately \$40,000 to be included in the City's parking inventory until the land is required for redevelopment.

It was requested that the clauses be voted on separately.

Ms. L.E. Payne

9. Moved by Councillor Burcher
Seconded by Councillor Wettstein
THAT the Mayor and Clerk be authorized to execute an Agreement between Smilja Lesic and the City for acquisition of the property known as 152-158 Wyndham Street North.

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

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

Carried

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

10. Moved by Councillor Salisbury
Seconded by Councillor Piper
THAT the matter of the future use of the property at 152-158 Wyndham Street North be referred back to staff for consideration of alternative uses for the property in addition to a parking lot, and to provide the rationale for the creation of a parking lot on this property.

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

VOTING AGAINST: Councillor Kovach (1)

Carried

BY-LAWS

11. Moved by Councillor Billings
Seconded by Councillor Burcher
THAT By-laws Numbered (2009)-18892 to (2009)-18911, inclusive, are hereby passed.

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

VOTING AGAINST: (0)

Carried

11. Moved by Councillor Billings
Seconded by Councillor Burcher
THAT BY-law Number (2009)-18912, is hereby passed.

VOTING IN FAVOUR: Councillors Bell, Billings, Burcher,
Farrelly, Findlay, Kovach, Piper, Wettstein and Mayor
Farbridge (9)

VOTING AGAINST: Councillors Hofland, Laidlaw and
Salisbury (3)

Carried

MAYOR’S ANNOUNCEMENTS

The Mayor advised that applications for citizen appointments to various boards, committees and commissions are due in the Clerk’s Office by November 27, 2009.

The Mayor congratulated Councillor Burcher on her appointment as the FCM Government Representative for the Caribbean and Latin America.

Councillor Laidlaw extended condolences to the family of Michael Elrick on his recent passing.

NOTICE OF MOTION

Councillor Findlay advised that he will be presenting a notice of motion at an upcoming Council meeting on the signalized intersection at St. George’s Square.

ADJOURNMENT

The meeting adjourned at 8:50 o’clock p.m.

Minutes read and confirmed December 21, 2009.

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Mayor

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Clerk