

Council Committee Room B  
December 17, 2007 5:30 p.m.

**A meeting of Guelph City Council.**

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; Chief S. Armstrong, Director of Emergency Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. G. Stahlmann, Director of Community Services; Mrs. L.A. Giles, City Clerk/Manager of Council Administrative Services; and Ms. J. Sweeney, Council Committee Co-ordinator

- 1. Moved by Councillor Kovach  
Seconded by Councillor Burcher

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

- personal matters about identifiable individuals;
- litigation or potential litigation.

Carried

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

.....  
Mayor

.....  
Clerk

Council Committee Room B  
December 17, 2007 5:32 p.m.

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

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; Chief S. Armstrong, Director of Emergency Services; Ms. L.E. Payne, Director of Corporate Services/City Solicitor; Mr. J. Riddell, Director of Community Design and Development Services; Mr. G. Stahlmann, Director of Community Services; Mrs. L.A. Giles, City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

**DECLARATIONS UNDER MUNICIPAL CONFLICT OF INTEREST ACT**

There were no declarations of pecuniary interest.

Ms. L.E. Payne 1. Moved by Councillor Kovach  
Seconded by Councillor Burcher  
THAT the Litigation Status Report dated November 29, 2007, be received for information.

Carried

REPORT 2. Moved by Councillor Burcher  
Seconded by Councillor Piper  
THAT Donna Kelly and Jason Scott be appointed to the Committee of Adjustment for a term expiring November 2010;

AND THAT Jake DeBruyn and Kellie McCormack be appointed to the Environmental Advisory Committee for a term expiring November 2010;

AND THAT Michele Doncaster, Gordon Drewitt, Rob Johnson be appointed to the Environmental Advisory Committee for a term expiring November 2008;

AND THAT Robert Kerr, Jessica Klug and Meghan Shannon be appointed to the Green Plan Steering Committee for a term expiring November 2008;

AND THAT Laura Murr and Dorothy Remmer be appointed to the Green Plan Steering Committee for a term expiring November 2010;

AND THAT Betty-Lou Clark, Lori Gaiardo, Lesley Hayward, Lorraine Pagnan, Susan Ratcliffe and Mary Tivy be appointed to Heritage Guelph for a term expiring November 2010;

AND THAT Ethan Aquilina be appointed to the Property Standards/Fence Viewers Committee for a term expiring November 2008;

AND THAT Patricia McDermott and Rocky Orton be appointed to the Property Standards/Fence Viewers Committee for a term expiring November 2010.

Carried

REPORT

3. Moved by Councillor Laidlaw  
Seconded by Councillor Hofland

THAT Michele Altermann, Mario Bourque, Robert Britton, Doug Grove, Robert Harvey, and Eileen LaBerge be appointed to the Guelph Transit Ad Hoc Sub Committee for the duration of the mandate of the Committee;

AND THAT Gary Gander be appointed to the River Run Centre Board of Directors for a one year term ending November 2008.

Carried

Mrs. L.A. Giles

4. Moved by Councillor Farrelly  
Seconded by Councillor Piper

THAT the correspondence received from Scott Lamb tendering his resignation from the Guelph General Hospital Board of Directors be received with regret.

AND THAT the correspondence from Gary E. Chapman tendering his resignation from the River Run Centre Board of Directors be received with regret.

AND THAT the correspondence from Jennifer Lynes tendering her resignation from the Green Plan Steering Committee be received with regret.

Carried

The Chief Administrative Officer provided information relating to a personal matter about an identifiable individual.

The Chief Administrative Officer provided information relating to a personal matter about identifiable individuals.

The meeting adjourned at 6:30 o'clock p.m.

.....  
Mayor

.....  
Clerk

Council Chambers  
December 17, 2007

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

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; Chief S. Armstrong, Director of Emergency Services; Mr. M. Amorosi, Director of Human Resources; 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. G. Stahlmann, Ms. S. Aram, Manager Budget Services; Mr. P. Cartwright, Manager of Economic Development & Tourism; Mr. R. Henry, City Engineer; Mr. D. Wyman, Manager Solid Waste Resources; Director of Community Services; 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 Bell  
Seconded by Councillor Findlay

THAT the minutes of the Council meetings held on November 5, 19, 26 and December 3, 2007 and the minutes of the Council meeting held in Committee of the Whole on November 5, 19 and December 3, 2007 be confirmed as recorded and without being read.

Carried

**PRESENTATIONS**

Peter Sykanda, project Coordinator for Project Porchlight was present and advised that their mission was to deliver one compact fluorescent bulb to 30,000 households in the City. He outlined the impact of the campaign to the City and the residents in the electricity saved and the reduction in greenhouse gas. He thanked the City, Janette Loveys-Smith and the staff in the Community Development office of the Community Services Department for their support. He also thanked Glynis Logue and Guelph Environmental Leadership for their support to the project.

Glynis Logue of Guelph Environmental Leadership was present and provided information with respect to Green Impact Guelph which promotes the City's Community Energy Plan. She advised that the project aims to change household energy reduction. She further advised that they aim to install Conservation Kits in over 10,000 homes. She requested that the City endorse the program.

**Councillor Burcher presented Clause 2 of the Fourteenth Report of the Community Development and Environmental Services Committee.**

Ms. G. Logue  
Dr. J.L. Laird

2. Moved by Councillor Burcher  
Seconded by Councillor Piper

THAT Council congratulates and endorses Guelph Environmental Leadership on their two large projects which are funded through the Minister of Energy "Green Impact Guelph" and the "Ontario Power Authority";

AND THAT Council endorses the efforts of Guelph Environmental Leadership and other community groups that are seeking to support the implementation of Guelph's Community Energy Plan.

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

VOTING AGAINST: (0)

Carried

3. Moved by Councillor Billings  
Seconded by Councillor Burcher

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

Carried

**REGULAR MEETING**

**DELEGATIONS**

**South End Community Centre**

Sarah Robson was present and expressed disappointment that the South End Community Centre is not moving forward. She expressed concern that the south end residents have to drive to access city services and facilities. She suggested that there is a need for this facility which would also provide space for community use. She requested that Council approve the feasibility study in the 2008 budget.

Fernanda Svaikauskas urged Council to build the South End Community Centre. She expressed concern with respect to the pollution created by citizens in the south end of the city driving to other areas to use various facilities. She requested that Council move forward with this project.

Todd Dennis, Chair of the Clairfields Neighbourhood Group requested that the feasibility study for the South End Community Centre be included in the 2008 budget. He advised that the land has been identified and purchased for this facility. He urged Council to authorize the feasibility study to be included in the 2008 budget and to move this project forward.

Mr. G.W. Stahlmann 4. Moved by Councillor Billings  
Seconded by Councillor Wettstein  
THAT the information report dated September 12, 2007 with respect to the South End Community Centre, be received for information.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)  
VOTING AGAINST: (0)

Carried

Mr. G.W. Stahlmann 5. Moved by Councillor Billings  
Mr. B. Stewart Seconded by Councillor Wettstein  
THAT staff be directed to proceed with the feasibility study for the South End Community Centre, and that the feasibility study be included in the 2008 Capital Budget.

VOTING IN FAVOUR: Councillors Beard, Billings, Burcher, Farrelly, Findlay, Hofland, Piper and Wettstein and (8)  
VOTING AGAINST: Councillors Bell, Kovach, Laidlaw, Salisbury and Mayor Farbridge (5)

Carried

Mr. G.W. Stahlmann 6. Moved by Councillor Billings  
Mr. B. Stewart Seconded by Councillor Wettstein  
Ms. B. Boisvert THAT the time line for moving forward the South End Community Centre in the Capital Budget be dealt with by the priority setting process.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Piper, Salisbury, Wettstein and Mayor Farbridge (12)  
VOTING AGAINST: Councillor Laidlaw (1)

Carried

7. Moved by Councillor Burcher  
Seconded by Councillor Billings  
THAT Council now go into the Committee of the Whole to consider reports and correspondence.

Carried

**Councillor Burcher presented the balance of the Fourteenth Report of the Community Development & Environmental Services Committee**

**Guelph Transportation Terminal**

Mayor Farbridge  
Mr. J. Riddell

8. Moved by Councillor Burcher  
Seconded by Councillor Piper  
THAT the Community Design and Development Services Report 07-117, dated December 7, 2007 be received;

AND THAT Council request the Provincial Government to fund the interregional component of the proposed Transportation Terminal, estimated to be 35% of the total cost;

AND THAT the Mayor advise the Minister of Transportation, Minister of Public Infrastructure Renewal, and the Minister of Finance of Guelph's request for Provincial funding support for the Guelph Interregional Transportation Terminal;

AND THAT the Mayor advise the Guelph MPP of the Council resolution requesting Provincial funding support for the Guelph Interregional Transportation Terminal.

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

**Notice of Intention to Designate 1-7 Douglas Street, Pursuant to the Ontario Heritage Act**

Mr. J. Riddell  
Mrs. L.A. Giles

9. Moved by Councillor Burcher  
Seconded by Councillor Piper  
THAT the City Clerk be authorized to publish and serve Notice of Intention to Designate 1-7 Douglas Street, originally known as the Brownlow Block and more recently the Gummer Building, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before City Council for approval if no objections are received within the thirty (30) day objection period.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)  
VOTING AGAINST: (0)

Carried

**Notice of Intention to Designate 60 Cardigan Street, pursuant to the Ontario Heritage Act**

Mr. J. Riddell  
Mrs. L.A. Giles

10. Moved by Councillor Burcher  
Seconded by Councillor Piper

THAT the City Clerk be authorized to publish and serve Notice of Intention to Designate 60 Cardigan Street, originally known as the Robert Stewart Lumber Company, in accordance with the Ontario Heritage Act and as recommended by Heritage Guelph;

AND THAT the designation by-law be brought before Council for approval if no objections are received within the thirty (30) day objection period.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)  
VOTING AGAINST: (0)

Carried

**Proposed Rehabilitation of the Eramosa Road Bridge**

Mr. J. Riddell

11. Moved by Councillor Burcher  
Seconded by Councillor Piper

THAT the Community Design and Development Services Report 07-118, dated December 7, 2007, be received;

AND THAT a fiberglass bridge deck be included as an option in the tender for the reconstruction of the Eramosa Road bridge.

AND THAT staff report back to the Committee with costs and timing details when the tender is closed.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)  
VOTING AGAINST: (0)

Carried



**Request for Financial Assistance – Affordable Housing  
Proposal by Options for Homes**

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

12. Moved by Councillor Burcher  
Seconded by Councillor Piper

THAT the Community Design and Development Services Report 07-112 dated December 7, 2007 regarding the review of the request for financial assistance by Options for Homes/Home Ownership Alternatives Non-Profit Corporation be received;

AND THAT Council agrees in principle to defer the payment of municipal development charges by the proponent for a period of up to 10 years in respect of the proposal for affordable ownership housing at 35 Mountford subject to:

- 1) all required planning development approvals being obtained; and
- 2) Council considering and approving at a future Council meeting an agreement or agreements in accordance with the terms and conditions outlined in Report 07-112 and any other terms and conditions required by the City

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 Laidlaw presented the Eleventh Report of the  
Emergency Services, Community Services & Operations  
Committee**

**Elmira Road North Pavement Markings**

Mr. D. McCaughan

13. Moved by Councillor Laidlaw  
Seconded by Councillor Beard

THAT Elmira Road North between Willow Road and Speedvale Avenue West be marked with two travel lanes, two bike lanes, a two-way left turn lane and one parking lane on the east side.

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

VOTING AGAINST: (0)

Carried

**Review of Personal Safety Equipment Requirements of Park  
and Facility Patrons**

Mr. D. McCaughan  
Mr. G.W. Stahlmann  
Mr. B. Stewart

14. Moved by Councillor Laidlaw  
Seconded by Councillor Beard

THAT staff promote education and awareness of the importance of wearing personal safety equipment while participating in recreational activities;

AND THAT to reduce the exposure to injury while participating in outdoor recreational hockey, pond-hockey style nets be adopted as a City standard for use on community ice rinks.

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 Wettstein presented the Tenth Report of the Finance, Administration & Corporate Services Committee**

**Software Licensing & Support Service Agreements**

Ms. L.E. Payne

15. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT the Mayor and Clerk be authorized to execute a Software License Agreement and a Software Support Agreement between the City of Guelph and the Regional Municipality of Niagara for the provision of the Court Administration Management System Software and support services to the City of Guelph, subject to the final form and content of the agreements being satisfactory to 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

**HR Update – Family Day and Minimum Wage Changes**

Mr. M. Amorosi  
Mayor Farbridge

16. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT the City of Guelph adopt the third Monday of every February as a new public holiday, pursuant to the provincial government declaration of 'Family Day';

AND THAT information regarding changes to the minimum wage be received for information;

AND THAT correspondence be forwarded to Premier Dalton McGuinty, advising him that the third Monday of February has previously been designated as Heritage Day.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Burcher, Farrelly, Findlay, Hofland, Kovach, Laidlaw, Piper, Salisbury, Wettstein and Mayor Farbridge (13)  
VOTING AGAINST: (0)

Carried

**LUMCO Resolution re Long-term Sustainable Infrastructure Funding**

17. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT the City of Guelph endorses the resolution passed by the Large Urban Mayors' Caucus of Ontario supporting the ongoing national campaign, calling on the government of Canada to fulfil its obligations to contribute to the growth and success of cities across Canada by providing long-term and sustainable infrastructure funding, including sharing the equivalent of one cent of GST with cities and communities to address their urgent infrastructure deficit needs, beginning with commitments in the next federal budget.

AND THAT LUMCO support the local campaigns within individual municipalities, including the Cities Now! Campaign in Mississauga that help to explain the issues to local residents.

18. Moved by Councillor Kovach  
Seconded by Councillor Salisbury

Mrs. L.A. Giles

THAT the matter of endorsing the resolution passed by the Large Urban Mayors' Caucus of Ontario with respect to Federal and Provincial long-term sustainable infrastructure funding and supporting the Cities Now! Campaign in Mississauga be referred back to staff to obtain clarification on the programs.

The motion for referral took precedence and was voted on first.

VOTING IN FAVOUR: Councillors Beard, Bell, Billings, Farrelly, Hofland, Kovach, Laidlaw, Salisbury and Wettstein (9)  
VOTING AGAINST: Councillor Burcher, Findlay, Piper and Mayor Farbridge (4)

Carried

**Recover of Downtown Policing and Garbage Collections/Clean Up Costs – Status Report**

Mr. P. Cartwright  
Mr. J. Riddell

19. Moved by Councillor Wettstein  
Seconded by Councillor Bell

THAT the timeline within the motion of the Finance, Administration & Corporate Services Committee, dated June 6, 2007, regarding the recovering of downtown policing and garbage collections/clean up costs be deferred to no later than March 2008;

AND THAT Council directs staff to develop options and recommendations in conjunction with the appropriate staff and in consultation with the Guelph Downtown Business Association and the Downtown Nightlife Task Force.

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 Ninth Report of the Governance & Economic Development Committee**

**Meeting Investigator**

Mrs. L.A. Giles

20. Moved by Councillor Kovach  
Seconded by Councillor Wettstein

THAT the City of Guelph appoint The Association of Municipalities of Ontario Local Authority Services Limited as the City's Meeting Investigator pursuant to S.239 of the Municipal Act and that the Mayor and City Clerk be authorized to execute the necessary documents.

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

VOTING AGAINST: Councillors Billings and Salisbury (2)

Carried

**Delegation of Authority and Accountability and Transparency Policies**

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

21. Moved by Councillor Kovach  
Seconded by Councillor Wettstein

THAT the draft delegation of authority and the accountability and transparency policy be approved as amended, and attached as Schedule A and B, subject to review by Legal Services for compliance with the legislation.

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 Sixth Report of the Council as a Committee of the Whole**

**Appointments of Citizens to Boards, Committees & Commissions**

Mrs. L.A. Giles

22. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw

THAT Paul Reeve and Julia Philips be appointed to the Accessibility Advisory Committee for a term to expire in November 2010;

AND THAT Tanya Davies and Ann Candlish be appointed to the Accessibility Advisory Committee for a term to expire in November 2008;

AND THAT Hugh Spencer be appointed to the Guelph Cemetery Commission for a term to expire November 2010;

AND THAT Ron Gumbley be appointed to the Guelph Sports Hall of Fame Board of Directors for a term to expire November 2010;

AND THAT Will Lenssen be appointed to the Guelph Sports Hall of Fame Board of Directors for a term to expire November 2008;

AND THAT Peter Hohenadel be appointed to the MacDonald Stewart Art Centre Board of Directors for a term to expire November 2010;

AND THAT Fred Thoonen be appointed to the Locomotive 6167 Restoration Committee for a term expiring November 2010;

AND THAT Robert Cassolato, Kevin James and Susan Watson be appointed to the Guelph Museums Board of Directors for a term expiring November 2010;

AND THAT Craig Chamberlain and Sandra Ferguson-Escott be appointed to the Guelph Non-Profit Housing Committee for a term expiring November 2010;

AND THAT Lynda Davenport be appointed to the Wellington-Dufferin-Guelph Health Unit Board of Directors for a term expiring November 2010;

AND THAT Cathy Alexander, Lynn Broughton and Joanne McAuley be appointed to the River Run Centre Board of Directors for a term expiring November 2010;

AND THAT Dennis Deters and Lloyd Longfield be appointed to the River Run Centre Board of Directors for a term expiring November 2008;

AND THAT Michael Keegan be appointed to the Guelph Library Board for a term expiring November 2008.

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 following items #A-3, A-4 and A-6 were extracted from the Consent Agenda to be voted on separately.

23. Moved by Councillor Kovach  
Seconded by Councillor Hofland

THAT the balance of the December 17, 2007 Consent Agenda as identified below, be adopted:

a) **Disposition of Permanent Easement – Part of Northern Heights Parklands**

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

THAT a permanent easement in the lands described as Part of Block 52, Plan 61M122, City of Guelph and designated as Part 2 on Reference Plan 61R10650 be declared as being surplus to the needs of the City;

AND THAT a permanent easement for the purposes of constructing and maintaining electrical equipment in the lands described as Part of Block 52, Plan 61M122, City of Guelph and designated as Part 2 on Reference Plan 61R10650 be granted by the City to Guelph Hydro Electric Systems Inc. for \$2.00, subject to the terms and conditions of the grant of easement being satisfactory to the Director of Community Design and Development and the City Solicitor.

b) **Proposed Demolition of a Detached Dwelling known Municipally as 1806 Hanlon Road**

Mr. J. Riddell  
Mr. B. Poole

THAT the application to demolish the building known municipally as 1806 Hanlon Road be approved.

c) **Public Infrastructure Renewal End-User License Agreement between the City and Her Majesty the Queen**

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

THAT the Mayor and Clerk be authorized to sign an agreement with Her Majesty the Queen in right of Ontario as represented by the Ontario Minister of Public Infrastructure Renewal (the "Licensor") for the use of Electronic Intellectual Property depicting the proposed Final Built Boundary for the Greater Golden Horseshoe, Fall 2007, as it pertains to the City of Guelph.

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

VOTING AGAINST: (0)

Carried

**Transfer of Land between the Province of Ontario and Cargill Meat Solutions**

24. Moved by Councillor Burcher  
Seconded by Councillor Wettstein

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

THAT the Manager of Economic Development and Tourism be directed to advise the Ontario Realty Corporation that the City:

- a) Recognizes that Cargill Meat Solution's proposal to expand the capacity of its Dunlop Drive Facility is consistent with the City's Economic Development objective to position Guelph as one of the top two agri-food centres within Canada;
- b) Has no interest in acquiring the lands and easements described in Attachment "A" of the Manager of Economic Development and Tourism's report dated December 17, 2007;
- c) Has no objections with the Province of Ontario transferring directly to Cargill Meat Solutions the transfer of lands and easements described in Attachment "A" of the Manager of Economic Development and Tourism's report dated December 17, 2007;

- d) Has no objections with the Province of Ontario using its Crown Right to effect the severance of the lands and easements described in Attachment “A” of the Manager of Economic Development and Tourism’s report dated December 17, 2007 subject to the following conditions being addressed prior to transfer;
- 1) An amendment to the Official Plan and Zoning By-law re-designating Parts 2, 10 – 25 from I2 (Institutional) lands to B4.4 (Industrial), and
  - 2) An agreement is reached between Cargill and Guelph Hydro Electrical Systems with respect to a utility easement (Parts 1, 2, 4, 7, 8, 9, 10, 11, 12, 18, 19, 20, 22, 25) which meets the requirements of Guelph Hydro; and
  - 3) An amendment to the Official Plan and Zoning By-law re-designating Parts 1, 3-9 to P1 (Conservation), and
  - 4) Approvals are granted by the Grand River Conservation Authority (GRCA) for works to install hydro poles within Parts 1, 3 – 9 that are within the GRCA Regulation Limit, and
  - 5) That it shall not be deemed that the City of Guelph gives any assurance that the Official Plan and Zoning Amendments, when applied for, shall be approved and that this shall be without prejudice to Official Plan and Zoning approval processes set out in the Planning Act.

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

VOTING AGAINST: (0)

Councillor Kovach was absent from the Chambers when the vote was taken on this resolution.

Carried

**Proposed Demolition of a Detached Dwelling known Municipally as 3 Galt Street**

25. Moved by Councillor Laidlaw  
Seconded by Councillor Burcher

THAT the application to demolish the detached dwelling known municipally as 3 Galt Street be approved.

Mr. J. Riddell  
Mr. B. Poole



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

VOTING AGAINST: (0)

Councillor Kovach was not in the Chambers when the vote was taken.

Carried

**Award of Contract for a Glass Recovery System at the Materials Recovery Facility (MRF)**

26. Moved by Councillor Burcher  
Seconded by Councillor Farrelly

Dr. J. Laird  
Mr. B. Stewart

THAT the bid of Lubo USA in the amount of \$1,063,709 (net of GST) be accepted and that the Mayor and Clerk be authorized to sign the agreement for Contract #07-093 for Secondary Screen Replacement and Design and Build of a Mixed Broken Glass Recovery System at the Waste Resource Innovation Centre;

AND THAT funding be reallocated from the approved 2007 Waste Management Equipment Replacement budget in the amount of \$263,709.

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

27. Moved by Councillor Farrelly  
Seconded by Councillor Hofland

THAT the Committee rise with leave to sit again.

Carried

28. Moved by Councillor Findlay  
Seconded by Councillor Kovach

THAT the action taken in Committee of the Whole in considering reports and correspondence, be confirmed by this Council.

Carried

**BY-LAWS**

29. Moved by Councillor Hofland  
Seconded by Councillor Salisbury

THAT leave be now granted to introduce and read a first and second time By-laws Numbered (2007)-18450 to (2007)-18467, inclusive.

Carried

The By-laws were read a first and second time at 10:07 o'clock p.m.

Council went into Committee of the Whole on By-laws Numbers (2007)-18450 to (2007)-18467, inclusive.

Mayor Farbridge in the Chair.

At 10:12 o'clock p.m., the Committee rose and reported By-laws Numbered (2007)-18450 to (2007)-18467, inclusive, passed in Committee without amendment.

30. Moved by Councillor Kovach  
Seconded by Councillor Laidlaw

THAT By-laws Numbered (2007)-18450 to (2007)-18467, inclusive, be read a third time and passed.

Carried

The By-laws were read a third time and passed at 10:13 o'clock p.m.

### **MAYOR'S ANNOUNCEMENTS**

The Mayor thanked Sam Mattina and the road crews who worked so diligently at keeping the streets clear during Sunday's snow storm.

The Mayor announced that this was the last meeting Gus Stahlmann will be attending due to his retirement. She extended thanks to Mr. Stahlmann for all of his work over the years.

The Mayor extended best wishes for the holiday season to Council and staff.

### **ADJOURNMENT**

The meeting adjourned at 10:15 o'clock p.m.

Minutes read and confirmed January 28, 2008.

.....  
Mayor

.....  
Clerk

**CORPORATE  
POLICY AND  
PROCEDURE**



POLICY No.

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EFFECTIVE DATE

REVISION

**Tab** CITY COUNCIL

**Subject** DELEGATION OF POWERS AND DUTIES

**Related Policies** Accountability And Transparency  
Purchasing By-law (2005)-17679

**Approved by** (date)

**Review Date** Annually

**POLICY STATEMENT** Guelph City Council, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Municipal Act, 2001 (the Act) and will respect the applicable restrictions outlined in the Act.

**PURPOSE** The Act requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the legislative and administrative powers and duties which Council may delegate and to establish principles governing such delegation. This policy has been developed in accordance with the Act in order to comply with its other applicable sections, including section 270. This policy applies to all committees of Council, departments and staff.

**DEFINITIONS** **Legislative Powers** - Includes all matters where council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies, and exercising decision making authority.

**Administrative Powers** - Includes all matters required for the management of the corporation subject to such limitations as Council may deem appropriate.

**Delegate(s)** – The person, persons or body to whom a delegation of

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authority is made by Council.

**Delegation** – The granting of authority by City Council to a person, persons or a body to exercise a legislative or administrative power of the Council.

**POLICY  
REQUIREMENTS**

1. All delegations of Council powers, duties or functions shall be effected by bylaw.
2. Unless a power, duty, or function of Council has been expressly delegated by bylaw, it shall remain with Council.
3. A delegation of a power, duty or function under any bylaw to any member of staff includes a delegation to a person who is appointed by the CAO or the staff member's supervisor or selected from time to time by the delegate to act in the capacity of the delegate in the delegate's absence.
4. Subject to section 3, a person to whom a power, duty or function has been delegated by bylaw has no authority to further delegate to another person any power, duty or function that has been delegated, unless such sub-delegation is expressly permitted.
5. Legislative matters may be delegated by Council where they are minor in nature or where Council has explicitly provided for the terms and conditions under which the powers shall be exercised, and such delegations must take into account the limitations set out in the Act.
6. Administrative matters may generally be delegated to staff subject to the conditions set out in the delegation and in this policy, and such delegations must take into account the limitations set out in the Act.

**IMPLEMENTATION "A" - ADMINISTRATIVE POWERS  
PROCEDURE**

In order for Council to authorize the delegation of any of its Administrative Powers, it shall first approve the conditions and limitations of the delegation.. Council shall approve policy and procedures for the delegation which include measures for the monitoring and accountability of the delegate and the transparency of the delegate's actions and decisions. In exercising any delegated power, the delegate shall ensure the following:

1. Any expenditure related to the matter shall have been provided for in the current year's budget, or authorized by the Purchasing By-

- law (2005)-17679.
2. The scope of the delegated authority shall not be exceeded by the delegate.
  3. Where required by the specific delegated authority, reports shall be submitted to Council advising of the exercise of a delegated power and confirming compliance with the delegated authority and this policy.
  4. The delegate, in carrying out the delegated powers and duties, shall consider the public interest, shall act in good faith, shall not act unfairly and shall not act arbitrarily.

**“B” - LEGISLATIVE POWERS**

Council’s legislative powers can only be delegated to the following:

- One or more members of municipal council
- A body that has at least 2 members, of which 50% are council members, council appointees, or a combination thereof
- An officer, employee or agent of the municipality (if the power delegated is of a “minor nature” as provided in S. 23.2 of the Municipal Act).

Council shall approve the conditions and limitations for the delegation of any of its Legislative Powers.

Council shall approve specific and individual policy and procedures for each delegation which include measures for the monitoring and accountability of the delegate and the transparency of the delegate’s actions and decisions.

Council shall only delegate Legislative Powers to an officer, employee or agent of the municipality if those Legislative Powers are minor in nature.

The only Legislative Powers of Council which may be delegated are powers found in the Municipal Act, the Planning Act, a private act relating to the municipality and “such other Acts as may be prescribed by Regulation.

**GENERAL RULES  
RELATING TO  
DELEGATION OF  
AUTHORITY**

A delegation may be revoked at any time without notice unless the delegation by-law specifically limits the municipality’s power to revoke the delegation.

A delegation shall not limit the right to revoke the delegation beyond the term of the council which made the delegation.

A delegation may provide that only the delegate can exercise the delegated power or that both the municipality and the delegate can exercise the power.

A delegation or deemed delegation of a duty results in the duty being a joint duty of the municipality and the delegate.

A delegation may be made subject to such conditions and limits as the Council considers appropriate. Council shall outline the procedures that the delegate is required to follow and specific measures for accountability of the delegate and the transparency of the delegate's actions.

Where a power is delegated, the power is deemed to be delegated subject to any limits on the power and to any procedural requirements, including conditions, approvals and appeals which apply to the power and any duties related to the power are deemed to be delegated with the power.

Council may provide for reviews or appeals of decisions made by persons or bodies in the exercise or intended exercise of powers or the performance or intended performance of duties delegated pursuant to this policy.

## **RESTRICTIONS**

Council is not authorized to delegate any of the following powers and duties:

- To appoint or remove from office statutory officers of the municipality.
- To pass a by-law to deal with issues regarding taxes.
- To incorporate corporations.
- To adopt an official plan or an amendment to an official plan under the Planning Act.
- To pass a zoning by-law under the Planning Act.
- To pass a by-law related to small business counseling & municipal capital facilities
- To adopt a community improvement plan
- To adopt or amend the municipal budget
- Any other power that may be prescribed by Regulation

No delegation of legislative powers to a corporation is permitted.

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Any delegation may be subject to any regulation made by the Minister.



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**Tab** CITY COUNCIL

**Subject** ACCOUNTABILITY AND TRANSPARENCY

**Related Policies** Disposition of Surplus Property By-law (1995)-14835  
 Hiring Of Employees  
 Procurement Of Goods And Services By-law (2005)-17679  
 Notice To The Public  
 Delegation Of Authority  
 Guiding Principles for Public Involvement  
 Council Code of Ethics

**Approved by** (date)

**Review Date** Annually

**POLICY STATEMENT** Guelph City Council acknowledges that it is responsible to provide good government for its community stakeholders in an accountable and transparent manner by:

- Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- Delivering high quality services to our constituents; and
- Promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the City adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its community stakeholders. In addition, wherever possible, the City of Guelph will engage its stakeholders throughout its decision making process which will be open, visible and transparent to the public.

Guelph City Council also acknowledges that there will be matters that due to their very nature must be considered at meetings that are not open to the public, and when these occasions occur, the City of Guelph commits to compliance with the statutory requirements regarding closed meetings under S. 239 of the Municipal Act, 2001 (the Act).

**PURPOSE** The purpose of this policy is to comply with S. 270 of the Act which requires that all municipalities adopt and maintain a policy with respect to the manner in which the City of Guelph will try to ensure that it is accountable to the public for its actions, and the manner in which we will try to ensure that our actions are transparent to the public. This policy will provide guidance for the delivery of the City’s activities and services in accordance with the principles as outlined herein.

**DEFINITIONS**

**Accountability** - The principle that the City of Guelph will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.

**Transparency** – The principle that the City of Guelph actively encourages and fosters stakeholder participation and openness in its decision making processes. Additionally, transparency means that the municipality’s decision making process is open and clear to the public.

**Meeting** – Any regular, special or other meeting of council, of a local board or of a committee of either of them.

**POLICY REQUIREMENTS** The principles of accountability and transparency shall apply equally to the political process for decision making and to the administrative practices of the municipality.

**“A” - Financial Matters**

The City of Guelph will be open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. Some examples of how the City of Guelph provides such accountability and transparency in its financial matters, are as follows:

- internal/external audit
- reporting/statements
- long term financial planning
- asset management
- purchasing/procurement
- disposition of surplus property
- budget process

**“B” - Internal Governance**

The municipality’s administrative practices ensure specific accountability

on the part of its employees through the following initiatives:

- code of conduct for staff
- performance management and evaluation
- hiring policy
- orientation/continuing education
- health and safety
- work/life balance
- compensation/benefit
- commitment of senior management to ensure that administrative practices and procedures recognize Council's commitment to accountability and transparency

#### **"C" - Public Participation**

The City of Guelph ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. The City's meetings will be open to the public when and as required under the Act, and members of the public will have an opportunity to make delegations or submit comments in writing on specific items at these meetings. In addition, the City of Guelph has adopted guiding principles for public involvement which ensure that participation by the public can be meaningful and effective by encouraging participation that is:

- inclusive not exclusive
- voluntary
- purpose driven
- respectful of time and financial constraints
- open communication
- adaptable
- accessible to information and decision making
- respectful of diverse interests
- regularly evaluated

These guidelines are available in the City Clerk's Office and on the City's website.

#### **"D" - Disclosure of Information**

The City is committed to timely disclosure of information by various

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means including print media, websites, etc. Some specific examples include:

- The City's website [www.guelph.ca](http://www.guelph.ca)
- The City News Page
- Use of various communication vehicles (newsletters, brochures, print and radio advertising, etc.)
- A robust media relations programme
- Direct communication with constituents (both verbal and written)
- Development of corporate communication strategies
- Public meetings and open houses on municipal initiatives
- Engagement of the public through an effective public consultation process, so as to receive and not just convey information.