

Committee of the Whole Meeting Agenda

Monday, December 4, 2017 – 2:00 p.m.
Council Chambers, Guelph City Hall, 1 Carden Street

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Please note that an electronic version of this agenda is available on
guelph.ca/agendas.

Call to Order – Mayor

Disclosure of Pecuniary Interest and General Nature Thereof

Presentations

- 1) Recognition of staff recipients of the Diamond Water Supplier in the 2017 Mercury Tribune Reader's Choice Awards
 - 2) Recognition of full approval of the City's Official Plan Amendment - OPA 48
 - 3) Recognition of staff recipient of the Canadian Parking Association Contributing Member Award
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Consent Agenda – Governance

Chair – Mayor Guthrie

The following resolutions have been prepared to facilitate Council's consideration of various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. It will be extracted and dealt with separately as part of the Items for Discussion.

COW-GOV-2017.4 CAO Performance Evaluation Process

Recommendation:

1. That the revised CAO Performance Evaluation Process - Terms of Reference included as ATT-1 to report CAO Performance Evaluation Process CS-2017-86 dated December 4, 2017, be approved.
2. That the CAO Performance Evaluation Form included as ATT-2 to report CAO Performance Evaluation Process CS-2017-86 dated December 4, 2017, be approved.

COW-GOV-2017.5 Notices of Motion Review

Recommendation:

That, when introducing subject matter not on the agenda, members of Council first approach the Service Area Chair and Deputy CAO for approval to place the matter on the next relevant Committee of the Whole agenda, prior to initiating the notice of motion process, and that the Procedural By-law be amended accordingly and as outlined in ATT-1 Potential Amendment to Procedural By-law to Report No. CS-2017-73 titled 'Notices of Motion Review' dated December 4, 2017.

COW-GOV-2017.6 Striking Committee Policy

Recommendation:

That any updates in policies or process regarding the Striking Committee Policy - Councillor Appointments be considered at the time the Committee of the Whole review is provided in Q2 2018.

COW-GOV-2017.7 Public Notice Provisions Policy Review and Update

Recommendation:

That the Public Notice Provisions Policy as shown in ATT-1 to the December 4, 2017 report entitled Public Notice Provisions Policy Review and Update be approved.

Consent Agenda – Corporate Services

The following items have been extracted from Consent Agenda and will be considered separately. These items have been extracted either at the request of a member of Council or because they include a presentation and/or delegations.

COW-CS-2017.21 2017 Q3 Capital Variance Report

Recommendation:

That \$2,490,000 to complete the Glenhill Drive infrastructure upgrades be approved in accordance with the funding allocation outlined in the 2017 QE Capital Variance Report (CS-2017-38) dated December 4, 2017.

COW-CS-2017.22 Update to the Tax Billing and Collection Policy

Recommendation:

That Report CS-2017-76 titled Update to the Tax Billing and Collection Policy dated December 4, 2017 be approved.

Service Area Chair and Staff Announcements

Consent Agenda – Infrastructure, Development and Enterprise

Chair – Councillor Gibson

The following resolutions have been prepared to facilitate Council's consideration of various matters and are suggested for consideration. If Council wishes to address a specific report in isolation of the Consent Agenda, please identify the item. It will be extracted and dealt with separately as part of the Items for Discussion.

COW-IDE-2017.40 Sign By-law Variances - Woodlawn Road Multi-Use Pathway

Recommendation:

1. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a freestanding sign with a sign area of 16.7m² and a height of 7m above the adjacent roadway to be set back 1.6m from the nearest public road allowance at 367 Woodlawn Road West, be approved.
2. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a freestanding sign with a sign area of 14m² and a height of 6.25m above the adjacent roadway to be set back 0.1m from the nearest public road allowance at 383 Woodlawn Road West, be approved.
3. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a freestanding sign with a sign area of 14m² and a height of 6.5m above the adjacent roadway to be set back 1.6m from the nearest public road allowance at 389 Woodlawn Road West, be approved.
4. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a freestanding sign with a sign area of 6m² and a height of 5.7m above the adjacent roadway to be set back 1.6m from the nearest public road allowance at 397 Woodlawn Road West, be approved.

COW-IDE-2017.41 Sign By-law Variances – 381 Woolwich Street

Recommendation:

1. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a 0.85m² non-illuminated sign on an awning located over the public road allowance at 381 Woolwich Street, be approved.
2. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a 4.2m² building sign painted directly onto the wall and over the road allowance at 381 Woolwich Street to be a height of 0.5m above the ground surface, be approved.
3. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a 2m² building sign to be located on the second storey of the building, within 1.2m of the adjacent property and over the public road allowance of 381 Woolwich Street, be approved.

COW-IDE-2017.42 Sign By-law Variances – 345 Hanlon Creek Boulevard

Recommendation:

That the request for variance from Sign By-law Number (1996)-15245, as amended, to permit a 2.17m² non-illuminated freestanding sign at 345 Hanlon Creek Boulevard to be located 45m from a freestanding sign on the same property, be approved.

COW-IDE-2017.43 Sign By-law Variances – 630 Scottsdale Drive

Recommendation:

That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a non-illuminated building sign with an area of 1.7m² and to be a height of 1.83m above the ground surface at 630 Scottsdale Drive, be approved.

COW-IDE-2017.44 Sign By-law Variances – 20-30 Clair Road West

Recommendation:

1. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit an illuminated freestanding sign with a sign area of 9.97m² at 20-30 Clair Road West to be setback 1.75m from the nearest public road allowance and to be a height of 6.15m above the adjacent roadway (Clair Road West), be approved.
2. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit an illuminated freestanding sign with a sign area of 7.9m² at 20-30 Clair Road West to be setback 1m from the nearest public allowance and to be a height of 6.15m above the adjacent roadway (Gordon Street), be approved.

Items for Discussion – Infrastructure, Development and Enterprise

The following items have been extracted from Consent Agenda and will be considered separately. These items have been extracted either at the request of a member of Council or because they include a presentation and/or delegations.

COW-IDE-2017.45 Clair-Maltby Secondary Plan Conceptual Community Structure

Presentation:

Stacey Laughlin, Senior Policy Planner
Arun Hindupur, Supervisor, Infrastructure Engineering

Recommendation:

That the Clair-Maltby Secondary Plan Conceptual Community Structure be approved as outlined in the December 4, 2017 report IDE-2017-129 titled Clair-Maltby Secondary Plan Conceptual Community Structure.

Service Area Chair and Staff Announcements

Mayor as Chair

Chair and Staff Announcements

Please provide any announcements, to the Chair in writing, by 12 noon on the day of the Council meeting.

Adjournment

Staff Report



To	Committee of the Whole
Service Area	Corporate Services
Date	Monday, December 4, 2017
Subject	CAO Performance Evaluation Process
Report Number	CS-2017-86

Recommendation

1. That the revised CAO Performance Evaluation Process - Terms of Reference included as ATT-1 to report CAO Performance Evaluation Process CS-2017-86 dated December 4, 2017, be approved.
2. That the CAO Performance Evaluation Form included as ATT-2 to report CAO Performance Evaluation Process CS-2017-86 dated December 4, 2017, be approved.

Executive Summary

Purpose of Report

Provide Council with a revised process to evaluate the performance of the Chief Administrative Officer (CAO). Previously and under the City's former Standing Committee structure, the Governance Committee handled the CAO's performance evaluation process. With the transition to a Committee of the Whole structure, the recommendations above align this process with the City's new governance structure.

Key Findings

On an annual basis (within the first quarter), performance objectives will be set for the CAO by Council that are aligned to the Corporate Administrative Plan and Council Shared Agenda.

The CAO will provide a minimum of two updates per year on progress towards the completion of the objectives and proposed actions. The updates will be provided to all members of Council.

The primary responsibility of the Committee is to approve performance objectives, work with the CAO on a development plan, recommend to Council any changes to salary based on contract provisions or NUME compensation policies.

The General Manager, Human Resources is designated as the Human Resources representative to assist the Mayor, Committee, and Council in guiding the CAO

Performance Evaluation Process. It is common practice to have a Committee of Council evaluate the performance evaluation of the CAO.

Prior to the term of Council expiring, the Committee will conduct a performance evaluation of the CAO to determine any salary adjustments.

The General Manager, Human Resources was directed by Committee to meet with each member of Council to obtain input and feedback. Over the last several months the General Manager, Human Resources met and incorporated the feedback into the report and attachments.

Financial Implications

In 2015 \$10,160 was expensed by Council to use an outside consultant. External consulting costs are not anticipated with respect to the CAO Performance Evaluation Process.

Alternatively, should Council decide to use an outside consultant, the anticipated costs are \$5,000 to \$10,000. Cost is dependent on the extent they are used.

There is no salary increase for the CAO during the term of the contract from June 2, 2016 to midnight on April 30, 2019.

Report

The requirement for a CAO performance evaluation is directed by Council in By-law Number (2016)-2007 (ATT-3) which establishes the Chief Administrative Officer (CAO).

The By-law stipulates that the CAO is "To annually meet with Council to review and assess performance during the past year and review and discuss the salary and benefit provisions as well as priorities to be pursued during the following year."

In 2008, Council approved a CAO Employment Policy that established criteria for the recruitment, selection/offer of employment, terms and conditions of employment, performance development/appraisal, compensation, and termination of employment.

In July 2013, Council formalized and approved Terms of Reference for the CAO Performance Evaluation, including a Process Protocol. These documents outline the process used by City Council as part of their responsibilities in assessing the performance of the CAO, which is the singular position that Council is responsible to oversee.

Establishing and making these documents available publicly reinforces Council's ongoing commitment to transparency and open government through proactive disclosure.

As outlined in the Terms of Reference for the CAO Performance Evaluation Process "a primary function of Council is to ensure the effective management of the affairs of the Corporation of the City of Guelph for the purpose of ensuring the efficient and effective operation of the municipality."

The CAO, as per the Municipal Act, is the head of the administrative arm of city government and is responsible to Council for the administration of policies and plans established by Council. The Committee Terms of Reference and Process Protocol formalize the annual performance evaluation of the CAO.

The Terms of Reference (ATT-1) document outlines Guiding Principles, Mandate of the Committee, Composition and Term, Resources, Operating Procedures, Resources and Roles of Stakeholders with respect to the Committee meetings.

CAO Performance Evaluation Form (ATT-2) is to be completed individually by all members of Council. Members of Council will assess the actual performance of CAO for each Key Result Area.

The CAO Performance Evaluation Process outlines specific tasks during the term of Council regarding job description review, review of the CAO By-law, development of performance objectives, the performance evaluation process including the determination of an overall performance rating, recommendations for compensation, and a professional development plan inclusive of a 360 degree assessment used for development purposes.

Previously, outside consulting services were obtained to guide Council in the completion of the CAO performance evaluation. Staff are recommending that the General Manager, Human Resources be designated as the Human Resources representative to assist the Mayor and Council in guiding the CAO Performance Evaluation Process.

Financial Implications

In 2015 \$10,160 was expensed by Council to use an outside consultant. External consulting costs are not anticipated with respect to the CAO Performance Evaluation Process.

Alternatively, should Council decide to use an outside consultant, the anticipated costs are \$5,000 to \$10,000 dependent on the extent they used.

There is no salary increase for the CAO during the term of the contract from June 2, 2016 to midnight on April 30, 2019.

Consultations

Each member of Council was consulted. The Chief Administrative Officer and City Clerk were also consulted on the process.

Corporate Administrative Plan Overarching Goals

Service Excellence
Financial Stability
Innovation

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Our People- Building a great community together

Our Resources - A solid foundation for a growing city

Attachments

ATT-1 CAO Performance Development Plan - Terms of Reference

ATT-2 Performance Evaluation Form

ATT-3 By-law Number (2016)-20070

Report Author

David Godwaldt



Approved By

David Godwaldt

General Manager, Human Resources

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Recommended By

Trevor Lee

Deputy CAO, Corporate Services

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CAO Performance Evaluation Process - Terms of Reference

Introduction

A primary function of Council is to ensure the effective management of the affairs of the Corporation of the City of Guelph for the purpose of ensuring the efficient and effective operation of the municipality.

Guelph's model of administration establishes a Chief Administrative Officer (CAO) position as the head of the administrative arm of city government and in accordance with the Municipal Act. The CAO is responsible to Council to administer the business affairs of the City in accordance with the policies and plans established and approved by Council.

The hiring of the CAO is one of the key responsibilities of Council. The CAO is the only position that Council is directly responsible for hiring.

Accomplishment and measurement are two fundamental principles of the Governance Framework adopted by Council. Performance measurement is an important human resources management practice.

Council is responsible for the evaluation of the performance of the CAO. The Committee of the Whole is delegated the responsibility of overseeing the process on behalf of Council.

Guiding Principles

1. All Committee work will be carried out in accordance with provisions of the Municipal Act and other governing legislation.
2. The Council's Code of Conduct and principles of transparency and accountability will guide Committee efforts promoting the highest ethical standards and professionalism while ensuring that the best interests of the community are met.
3. The Council endorsed corporate values of wellness, integrity and excellence will also be observed.

Purpose of Committee

When the Committee of the Whole meets to discuss the CAO performance their purpose is to facilitate the decision-making of Council and to ensure that appropriate policies, principles, procedures and roles are established for the functional areas that comprise the scope of the Committee's responsibility.

Committee's Structure

By its nature, Committee of the Whole is comprised of all members of Council. All members of Council will meet as Committee of the Whole when considering matters relating to the CAO's performance.

Scope of the Committee's Responsibilities:

The responsibilities for the Committee are:

Accomplishment and Measurement

- Oversee the process for the establishment of annual objectives for the CAO.
- Oversee the process for the annual performance evaluation of the CAO.
- Recommend to Council any changes to CAO compensation as an outcome of the performance evaluation process.

Continuous Learning & Development

- Ensure there is a learning and development plan for the CAO.
- Ensure members of Council are oriented on their participation in the CAO performance evaluation process.
- Recommend changes to the CAO Performance Evaluation Process based on feedback from the CAO and members of Council.

Resources

- The General Manager, Human Resources will be designated as the Human Resources representative to assist the Mayor, Committee and Council in guiding the CAO Performance Evaluation Process.
- The Chief Administrative Officer (CAO), the General Manager, Human Resources and other specialists may be called upon to conduct research, communications or any other Committee identified requirements. Given that Council has delegated responsibility to the CAO for the administration of the affairs of the City in accordance with decisions adopted by Council, under the direction of the CAO, staff have the responsibility and the authority to provide consultation, advice and direction to Council through Committee of the Whole.

Operating Procedures

1. Committee meetings will be in accordance with Council's Procedural By-law Number (2016)-20087. It is recognized that some items consistent with Section 239 in the Municipal Act may permit a meeting to be closed to the public. The holding of any closed meetings and the general nature of the matter to be considered will be made public to ensure full transparency.
2. [CAO Performance Evaluation Process](#) – Guides the Committee's work as it relates to the CAO performance evaluation process (Schedule 1).

Roles of Stakeholders With Respect to Committee Meetings/Business

The following key stakeholders are recognized:

1. Committee Chair
2. Committee of the Whole
3. Chief Administrative Officer
4. General Manager, Human Resources

1. Committee Chair Role

The Mayor will be designated as the “Chair” when Committee of the Whole deals with matters related to the CAO’s performance evaluation. Specific roles and responsibilities for the Committee Chair include:

1. Consulting the CAO and developing an annual work plan.
2. Working with the City Clerk, ensuring the confidentiality of material distributed to Committee and Council.
3. Working with General Manager, Human Resources to ensure the coordination of the Performance Evaluation Process.

2. Committee Member Role

Specific roles and responsibilities for the Committee Members include:

1. Reading all agenda material and seeking clarification from the Chair of on any matters prior to meetings in order to make the most effective use of the Committee’s time.
2. Attending meetings and participating fully in all Committee work related to the performance evaluation of the CAO.

3. Chief Administrative Officer (CAO)

Specific roles and responsibilities for the CAO include:

1. Preparing a summary of accomplishments based on the approved performance objectives for the evaluation period.
2. Preparing objectives for the approval of Council for the coming evaluation period.
3. Attending meetings at the request of the Chair.

4. General Manager, Human Resources

Specific roles and responsibilities for the General Manager, Human Resources include:

1. To assist the Mayor, Committee and Council in guiding the CAO Performance Evaluation Process.
2. Providing advice to the Committee as required.
3. Attending Committee meetings at the request of the Chair.
4. Serving in the capacity of the City Clerk when the Committee makes recommendations to Council regarding CAO compensation.

Schedule 1 - CAO Performance Evaluation Process

Step 1 - Review of CAO By-law

- The review of the CAO By-law will occur once during the term of Council and should be completed by the end for the first quarter of the first year of the Council term unless the recruitment of a new CAO is anticipated early in the term. When required, the CAO By-law is reviewed as the first step in recruiting a new CAO.
- The review would be initiated by the Chief Administrative Officer (CAO) and would include all members of Council. Council would review the key result areas and the major responsibilities set out in the existing CAO By-law.
- The purpose of the review is to ensure there is agreement on the Key Result Areas and Position Responsibilities.

Step 2 - Development of Performance Objectives

- On an annual basis (Q1), performance objectives will be set for the CAO that are aligned to the approved City and Corporate strategies.
- The CAO's **Key Result Areas** are:
 - Our Services – Municipal services that make lives better
 - Our People – Building a great community together
 - Our Resources – A solid foundation for a growing city
 - Leadership Charter – lead with a shared community mindset, communicate with clarity, foster innovation, be accountable to stakeholders
- Using the Performance Evaluation Form, specific performance objectives and proposed actions are to be developed for the Key Results Areas.
- The CAO will prepare performance objectives in consultation with the Mayor and members of Council (who form the Committee of the Whole). Input may be sought from Executive Team. Upon final approval by Committee, the performance objectives will be presented to Council for approval.
- Performance objectives will be established for the calendar year.
- Performance objectives will be approved within the first quarter of each year.
- Partial-year performance objectives will be established by a new CAO appointed before the last quarter.
- The CAO will present their objectives at an open meeting of Council.

Step 3- Performance Evaluation

- The measurement of performance will be completed on a formal basis in the first quarter of the second, third and fourth years of the term of Council.
- The evaluation period will commence in January of each year and end no later than March (i.e. a three-month process). Timing may vary with a newly-appointed CAO.
- Areas of evaluation will include the performance objectives set in the Key Results Areas.
- The performance review shall be inclusive and evaluative of the Key Results Areas results expected versus the actual results achieved as well as an evaluation of how the CAO has modelled and lived the Leadership Charter (i.e. what and how work has been accomplished).
- The CAO will provide a minimum of two updates per year to Council on progress towards the completion of the objectives and proposed actions. A summary of the results achieved is to be prepared by the CAO and included in the actual performance section of the Performance Evaluation Form.
- Council will be provided with an orientation program on how to complete the Performance Evaluation Form.
- The form is to be completed individually by all members of Council. The form will be circulated to members of Council by General Manager, Human Resources (beginning of December). All members of Council are expected to complete and submit the form (by the end of December). The General Manager, Human Resources will work to ensure 100% participation of Council members.
- Council will assess the actual performance for each Key Result Area. First the actual performance for each objective is assessed as Not Achieved (for acceptable reason), Not Achieved (for unacceptable reasons), Achieved, or Exceeded. Secondly a numerical rating is then given for each Key Result Area.

The numbers used in this rating are intended to identify the level of achievement for each Key Result Area.

- The General Manager, Human Resources will meet with each member of Council individually to obtain additional feedback (during the month of January).
- The definitions used for rating the Achievement Level are as follows:
 - 4 = Exceptional
 - 3 = Full Successful
 - 2 = Developing
 - 1 = Unsuccessful
- Partial ratings may be given (i.e. 2.5).
- The individual ratings from each Council member are then averaged to provide one rating.
- Individual ratings and comments provided by members of Council will be reviewed and summarized by the General Manager, Human Resources.
- The General Manager, Human Resources will provide the Committee with a summary that includes the overall performance rating, recommendation for salary, common themes from Council comments, areas identified for professional development and suggestions for development. The summary will advise if any members of Council have not completed the form.
- The summary will be presented at a meeting of Council. The General Manager, Human Resources will attend and support the recommendation of the Committee.
- Prior to the term of Council expiring, the Committee will conduct a performance evaluation of the CAO to determine any salary adjustments.

Overall Performance Rating

- An overall performance rating will be calculated by the General Manager, Human Resources based on the averaged performance ratings provided by individual members of Council and included as part of their report to the Committee and its report to Council.

Step 4 - Recommendations for Salary Adjustment

- Based on the Overall Performance Rating, the Committee would establish a recommended salary adjustment, including the second, third and fourth years of the term of Council.
- The guidelines for establishing the salary are as follows:
 - Rating of 3-4 – Receive salary adjustment in accordance with CAO contract or the NUME Compensation Policy, whichever is greater.
 - Rating of 2 -2.99 – Developing, eligible for partial adjustment in accordance with the NUME Compensation Policy
 - Rating of 0 – 1.99 - No salary increase
- **Note** – should NUME compensation practices change over time, recommendations for the CAO salary, subject to satisfactory performance may be aligned to the NUME practice, provided that provisions exist in the CAO contract for the change, or subject to sufficient notice to the incumbent CAO of the change.
- The salary level corresponding to the levels indicated above would be based on NUME salary grid.
- The overall performance rating and the recommended salary would be presented to Council for approval as part of the performance evaluation report

to Council. After Council has approved the rating and salary, the Chair (Mayor) would meet with the CAO to provide feedback and a sign off for that year.

- Economic increases are approved during the budget process for all NUME not through the CAO performance evaluation process.
- A market-based evaluation for the CAO position is completed annually and recommendations brought forward independently and not through the CAO performance evaluation process.

360-Degree Assessment

- The 360-degree assessment may be completed in the fall of the first year of Council's four-year term. The 360-degree feedback would be gathered from the CAO, his/her direct reports and members of Council.
- The information collected in the 360-degree assessment would be used in developing professional development plans.
- The timing of the 360-degree assessment may be adjusted when a CAO is appointed mid-term.
- Participants in the 360-degree assessment will receive appropriate training on the process.
- The 360-degree process shall be a separate process from the performance review (i.e. to commence after the performance review period). It should be structured in such a way as to provide feedback for personal, professional and leadership development to augment development that had been identified through the performance review period.
- As a best practice, results of the 360-degree assessment shall be shared only with the CAO. The CAO shall provide a summary of the feedback to the Mayor. Results may alter the development plan established during the performance appraisal, and will be confirmed by Committee.
- The 360-degree assessment will be managed through General Manager, Human Resources with expertise in this area.

Ongoing Professional Development

- The City of Guelph is committed to learning and development for all employees. It is expected that the CAO will model lifelong learning in their role.
- In the spring of the second and third years of the Council term, the CAO will ensure the Performance Evaluation process including professional development plans. This plan will be reviewed by Committee. The plan may be related to issues identified during the Performance Development Plan Process or the 360-Degree Assessment.
- The professional development referenced above should include areas for development, including but not limited to – strategic planning, relationship management, team leadership, and communication. The CAO may also choose to discuss ongoing career path plans and develop in those areas.

PERFORMANCE EVALUATION FORM

Name:		Position:	CAO
Review Period:	Jan 1 – Dec 31, 2017		

Looking Back

2017 Performance Achievements				
Objectives		Results Achieved	Self-Assessment	Council Rating (Averaged)
1				
2				
3				
4				
5				
6				

Leadership Charter			
	Skill demonstration (examples below)	Self-Assessment	Council Rating (Averaged)
Lead with a shared community mindset	<ul style="list-style-type: none">Collaborates across City Service Areas/departments, external City partners and across the broader public sectorBuilds deliberate relationships to achieve strategic goals and provide excellent service to the community		
Communicate with clarity	<ul style="list-style-type: none">Creates clear line of sight for inside and outside of the organizationSupports transparent and open government		
Foster innovation	<ul style="list-style-type: none">Leverages diverse ideas and progressive ways of thinkingChampions change		
Accountable to our stakeholders	<ul style="list-style-type: none">Be results focused and encourages this in othersDevelops people and cultivates future leadersRole models courage, resilience		

Performance Discussion Notes			
	Average Rating – Achievements		
	Average Rating – Leadership Charter		
	Overall Rating		

Looking forward

2017 Performance Objectives	
Key Results Areas	SMART Goals (Results expected)
Our Services	
Our People	
Our Resources	
Other	

2018 Professional Development Plans	
	What knowledge or skills will you develop? How and when will you develop these?
Current Job	
Career Path	

Acknowledgement
Employee Comments:
Summary of Council Comments:

Sign off

Employee Name	Signature	Date
Mayor (or designate)	Signature	Date

Please email a signed copy of this form to GM, Human Resources

Performance Review Rating Guide

1.0	2.0	3.0	4.0
Unsuccessful	Developing	Fully Successful	Exceptional
The employee's performance falls substantially short of criteria and standards of job performance. Performance frequently fails to meet minimum standards.	The employee's performance usually meets the normal requirements in most of the job areas but occasionally fails to meet minimum criteria. This rating would also apply to an employee new to a position who is still learning aspects of the job.	The employee demonstrates sound performance that meets organizational goals. The employee consistently fulfils performance expectations and periodically may exceed them.	The employee has performed so well that organizational goals have been achieved that would not have been otherwise. Major positive influence includes innovations, improvements and contributions to management, administrative, technical or other functional areas. This level of performance is the exception.
Immediate and substantial improvement is necessary.	Requires development.	Performance fully meets performance expectations.	Performance is exceptional.

Half point ratings may be awarded, up to a maximum of 4.0

Further definition considerations

Unsuccessful

The employee has not achieved the goals set out on numerous occasions or has been substandard in their completion. For example, every time he/she completes a goal, they are over-budget or fail to account for crucial, controllable details. The will to complete assigned tasks is not demonstrated regularly.

Developing

The employee usually meets objectives however on occasion has not. The employee is developing a skill that is impacting his/her ability to meet objectives on a regular basis but is making steady progress towards improvement. The employee is new and is learning about the job. Steady progress is being made.

Fully Successful

The employee is meeting goals and objectives. Sound performance is being seen on a **regular** basis while demonstrating the Corporate Values. Occasionally the employee exceeds expectations.

Exceptional

The employee is performing so well that goals are achieved and exceeded with **high frequency** while demonstrating the Corporate Values.

A word about meeting goals

When an employee fails to meet goals, the following should be reviewed:

- were the goals and expected outcomes appropriately defined?
- were the goals achievable given the conditions of the role or the environment?
- were the goals relevant? Did they make sense?
- were timelines set out? Were they realistic?
- what uncontrollable factors need to be considered? Could these factors have prevented achievement of the goal?
- does the employee share accountability in not meeting the goal? Be sure to fairly balance employee accountability with control over conditions affecting the completion of the goal.

THE CORPORATION OF THE CITY OF GUELPH**By-law Number (2016)-20070**

A by-law to define the general duties, roles and responsibilities of the Chief Administrative Officer and to repeal by-laws (2008)-18693 and (2011)-19310. (to appoint CAO and repeal by-laws)

**THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH
ENACTS AS FOLLOWS:**

1. THAT Council shall appoint Derrick Thomson as Chief Administrative Officer who shall be responsible for exercising general control and management of the affairs of The Corporation of the City of Guelph for the purpose of ensuring the efficient and effective operation of the municipality, in accordance with Schedule "A" attached hereto.
2. That by-laws (2008)-18693 and (2011)-19310 be repealed.

PASSED this THIRTEENTH day of JUNE, 2016.



A handwritten signature in blue ink, appearing to read 'Cam Guthrie', written over a horizontal line.

Cam Guthrie – Mayor

A handwritten signature in blue ink, appearing to read 'Joyce Sweeney', written over a horizontal line.

Joyce Sweeney – Acting Deputy Clerk

Schedule "A"
to By-law Number (2016)-20070

General Duties, Roles and Responsibilities

Introduction

The Chief Administrative Officer (CAO) shall carry out the general duties, roles and responsibilities set out herein in accordance with any and all relevant and applicable by-laws, resolutions, policies and guidelines that may be enacted or directed from time to time by Council.

Nothing contained in this document shall be deemed to empower the CAO to perform, do or direct any act which shall in any manner or extent whatsoever encroach upon the legislative powers of Council.

1. General Duties and Responsibilities

Subject to the provisions of the Municipal Act, and as herein provided, the duties and responsibilities of the CAO shall be as follows:

- a) To report to, be accountable to, and receive authority from the Council of the Corporation of the City of Guelph and to perform his/her duties in conformity with Council decisions;
- b) To coordinate, lead and direct the Executive Team in the administration of the business affairs of the Corporation;
- c) To delegate appropriate duties and responsibilities to the Executive Team within the organizational structure for the purpose of establishing an efficient and effective administrative structure;
- d) To be responsible for motivating and developing the skills of the Executive Team members and fostering productivity, professionalism, adherence to the corporate values and open communications;
- e) To provide hands-on direction and assistance in planning and implementing difficult and complex tasks which may cover a number of departmental disciplines and which require the co-ordination and co-operation of the various departments;
- f) To provide information and advice, in co-operation with the Executive Team, as required or as might be useful to Council for purposes of decision making and by-law approvals;
- g) To attend meetings of City Council, Planning Council and Committees of Council as required or as delegated, with the right to speak, but not to vote. The CAO's right to attend exclude matters specific to CAO Contract and Council's deliberation of the results of the CAO Performance Appraisal Process;
- h) To present to Council, in co-operation with the Executive Team, reports and information regarding progress and accomplishments of programs and projects, the status of revenue and expenditures and the general administrative management of the Corporation;
- i) To direct the co-ordination of all policy decisions of Council and deal with matters arising from Council's decisions in accordance with such established policies without further reference to Council except to regularly report to Council upon the actions taken through the established reporting systems of Council and Committee or as specifically directed by Council;
- j) To guide the strategic process as established by Council for the Corporation which includes the development of corporate implementation plans;

Schedule "A"
to By-law Number (2016)-20070
Page 2

- k) To attend to the interests of the Corporation on federal, provincial, regional or local municipal intergovernmental issues and with boards, agencies and commissions at the administrative level;
- l) To serve as the Chief Executive Officer of Guelph Municipal Holdings Inc. providing leadership and direction as a non-voting member of the Board of Directors without additional remuneration or compensation, other than as expressly approved by Council. Reasonable expenses for travel and/or training in respect of this role may be incurred in accordance with policies established by the Board and approved by Council. To act as the City's "Shareholder Representative" for purposes of communicating Council decisions to the Board; and
- m) To perform any additional responsibilities and to exercise the powers incidental thereto which may, from time to time, be assigned to the CAO by Council.

2. Human Resource Management & Administration

- a) To advise Council as to the appointment, promotion, demotion, suspension or dismissal of an Executive Team member reporting directly to the CAO:
- b) To have authority and responsibility to appoint, promote, demote, suspend or dismiss any employees of the Corporation below the position of Executive Director/CFO in accordance with the lines of authority defined in the organizational structure;
- c) To have authority to appoint, promote, demote, dismiss any other employees of the Corporation in accordance with procedures contained in all collective agreement and in accordance with the lines of authority that are defined in the organizational structure;
- d) To oversee the collective bargaining process with all unionized Corporation employees and to recommend to Council collective agreements concerning wages, benefits, and terms of service and upon approval of Council, to direct the administration of such collective agreements;
- e) To administer all salaries and performance review of employees who are subject to the supervision of the CAO, within the limitation of any salary plan or salary contract agreement, in consultation with Council, as required; and
- f) To carry out an annual performance evaluation of all Executive Team members recognizing achievements, correcting deficiencies and improving overall individual or departmental performance in consultation with Council, as required.

3. Financial Management

- a) To direct, in co-operation with the Chief Financial Officer and the Executive Team, the preparation and presentation of operating and capital budgets on an annual basis;
- b) To exercise financial control over all Corporate operations in conjunction with the Chief Financial Officer, to ensure compliance with the annual estimates of revenue and expenditure approved by Council;
 - i) to adjust staffing levels to maintain the level of Council approved programs and services provided that no new costs are incurred in the current or subsequent budget years;

Schedule "A"
to By-law Number (2016)-20070
Page 3

- ii) where, as a result of emerging priorities (e.g. provincial initiatives, changing community priorities, Council direction) that result in the need to introduce new programs or increased service levels, or to increase staffing levels that add cost to the current or subsequent budget years, to secure Council approval;
- iii) where service level or program reductions are contemplated, to secure Council approval;
- c) To direct the review of fiscal policy and its management;
- d) To approve all purchasing with authority to enter into contracts;
- e) To approve all tenders and quotation awards where funds are provided in the budget and established purchasing policies have been observed; and
- f) To approve all tenders and quotation awards when Council is unavailable, where funds are provided in the budget and established purchasing policies have been observed.

4. Administrative Organization and Management

- a) To create and re-organize, in consultation with the Executive Team, such departments of the City as may be considered necessary and property to fulfil obligations for the Corporation, and will report to Council on the changes;
- b) To annually meet with Council to review and assess performance during the past year and review and discuss the salary and benefit provisions as well as priorities to be pursued during the following year; and
- c) To hold office at the pleasure of Council for the agreed upon term. Council may, in its sole discretion, suspend or dismiss the CAO subject to compliance with any statutory requirements or contractual agreements, and subject to the right of the CAO to a hearing before Council or such Committee therefore as Council may by by-law authorize in respect of such suspension or dismissal, if so requested by the CAO.

Staff Report



To	Committee of the Whole
Service Area	Corporate Services
Date	Monday, December 4, 2017
Subject	Notices of Motion Review
Report Number	CS-2017-73

Recommendation

That, when introducing subject matter not on the agenda, members of Council first approach the Service Area Chair and Deputy CAO for approval to place the matter on the next relevant Committee of the Whole agenda, prior to initiating the notice of motion process, and that the Procedural By-law be amended accordingly and as outlined in ATT-1 Potential Amendment to Procedural By-law to Report No. CS-2017-73 titled 'Notices of Motion Review' dated December 4, 2017.

Executive Summary

Purpose of Report

The purpose of this report is to provide Council with a summary of results of research regarding a potential Notice of Motion Policy.

Key Findings

A notice of motion is a procedural tool through which Councillors may put forward a motion at a Council meeting, which is not otherwise on an agenda. The process, as described in section 5.11 of the Procedural By-law, provides a mandatory notice period for the public, councillors and staff before the motion is discussed at a Council meeting.

Currently, agenda items may be brought forward on a Committee of the Whole agenda through consultation with the applicable Service Area Chair and Deputy CAO, as indicated in the Council Terms of Reference, or through the notice of motion process outlined in the Procedural By-law.

Staff have completed a review of comparator municipalities and found that none have specific policies regarding notices of motion, beyond the process through which they may be introduced at a Council meeting.

To provide greater clarity and expediency, staff are recommending that when introducing subject matter not on the agenda, members of Council first approach the Service Area Chair and Deputy CAO for consideration to place the matter on the

next relevant Committee of the Whole agenda, and if their request is not approved, initiate the notice of motion process.

Financial Implications

There are no direct financial implications resulting from this report.

Report

A notice of motion is a procedural process by which Councillors bring forward a motion they wish Council to discuss and potentially address at a Council meeting. It provides advance notice for other Council members, staff and the public to review the matter prior to it coming forward for Council deliberation.

A notice of motion regarding a review of the notice of motion process was placed on the April 10, 2017 Council Planning agenda. This agenda item was in relation to the appropriate use of notices of motion and the absence of a Notice of Motion Policy, as currently only procedures are provided.

At the April 24, 2017 Council meeting, discussion regarding notices of motion, their purpose and the most appropriate way of placing items on a Council agenda took place.

At the May 1, 2017 Committee of the Whole meeting a motion was passed to direct staff to research and/or review best practices for notices of motion and to report back on potential options for a policy. As a result, City Clerk's Office staff completed a review of Guelph's 26 comparator municipalities and determined that, aside from procedural rules regarding notices of motion, none of the comparator municipalities have a specific policy or criteria that describe when a notice of motion may be brought forward.

The only municipality that referenced policy-type statements in relation to notices of motion in their Procedural By-law was the City of Cambridge. The City of Cambridge requires a notice of motion to be within the jurisdiction of Council or the motion is considered not in order and cannot be considered. Similarly, the City of Guelph's Procedural By-law states in section 4.10(e) that "a motion in respect of a matter which is not within the jurisdiction of the Council or Committee shall not be in order."

While some comparator municipalities strongly encouraged members of Council to obtain assistance from staff in drafting motions, and to consult with the relevant department heads in advance of presenting a notice of motion, none went as far as establishing criteria that staff could use to determine whether or not a notice of motion was admissible or not.

Currently, agenda items may be brought forward informally through consultations with the applicable Service Area Chair and Deputy CAO, as indicated in the Council Terms of Reference, or formally through the notice of motion process as outlined in the Procedural By-law. The advantages and disadvantages of each method are listed below:

Consultation with Chair and DCAO to place on Committee of the Whole agenda
(in accordance with Council Terms of Reference)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Appropriate departmental staff consulted in advance • More expedient timeline for the matter to be dealt with • Public provided some notice as the item is placed on an agenda and distributed through the standard process and timelines 	<ul style="list-style-type: none"> • Chair and Deputy CAO may not agree on which items should be added to an agenda • No advance public notice of items upcoming on an agenda other than standard process and timelines

Notice of Motion (in accordance with Procedural By-Law)

Advantages	Disadvantages
<ul style="list-style-type: none"> • Advance public notice of items prior to publishing on a Committee of the Whole agenda for discussion • Advance notice for Councillors • Advance notice for staff to contemplate response to questions that may come at Committee 	<ul style="list-style-type: none"> • Lengthy process as motions must be referred to Committee of the Whole and then return to Council for approval • Appropriate department staff may not be consulted in advance

Drafting a Notice of Motion Policy which establishes criteria for determining the admissibility of notices of motions would be difficult given the wide scope of authority Council wields under the Municipal Act. The implementation of such a policy may also be challenging given that it would involve staff reviewing and “judging” motions put forward by elected officials as admissible or inadmissible for discussion despite potentially being within Council’s jurisdiction.

Currently, members of Council are able to bring forward items following either of the above-noted methods. For clarity and expediency, staff are recommending that when introducing subject matter not on the agenda, members of Council first approach the Service Area Chair and Deputy CAO for approval to place the matter on the next relevant Committee of the Whole agenda prior to initiating the notice of motion process. Attachment 1 provides sample wording that could form an amendment to the City’s Procedural By-law.

This process is similar to the process used for public delegation requests to speak on a matter not listed on the agenda. Pursuant to section 4.8 (o) of the Procedural By-law, delegates wishing to speak to a matter not on the agenda must first provide a written request to the City Clerk and the appropriate Chair and Deputy CAO will be consulted. The requestor will then be advised of actions taken by the Service Area or when the item is coming forward to Council or Committee.

Financial Implications

There are no direct financial implications resulting from this report.

Consultations

Approximately 26 municipal comparators were consulted through an environmental scan of municipal Procedural By-laws and policy processes.

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Attachments

ATT-1 Potential Amendment to Procedural By-law

Departmental Approval

Not applicable

Report Author

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POTENTIAL AMENDMENT TO PROCEDURAL BY-LAW

Bold = added wording & revised numbering

PROCEDURAL BY-LAW

5.11 Notices of Motion

(a) Prior to initiating the notice of motion process, a Member shall first submit the proposed motion in writing to the Deputy CAO and relevant Committee of the Whole Service Area Chair for approval to place the matter on a Committee of the Whole agenda. If approved, the motion shall be submitted in writing to the Clerk prior to the regular agenda deadline for inclusion on a Committee meeting agenda.

(b) If the matter is not placed on a Committee of the Whole agenda by the relevant Service Area Chair and Deputy CAO, at a Regular Council, Council Planning or Committee of the Whole meeting, a Member shall give notice that he or she intends to introduce a motion at a subsequent meeting of Council to initiate any measure within the jurisdiction of Council.

(c) The notice of motion shall be submitted in writing, on the prescribed form, to the Clerk prior to the regular agenda deadline for inclusion on any Regular Council, Council Planning or Committee meeting agenda.

(d) The motion may not be submitted as part of an addendum to an agenda.

(e) A motion for which notice has been given, other than one to reconsider or rescind a prior decision of Council, shall be in the form of a referral to Committee of the Whole.

(f) The motion for which notice has been given, shall be included as a Special Resolution on an agenda of a Regular Council Meeting.

(g) If a motion is introduced and not brought forward in the next two (2) subsequent meetings of a Regular Council meeting, the motion expires.

(h) No delegations shall be permitted to speak on a notice of motion.

Staff Report



To	Committee of the Whole
Service Area	Corporate Services
Date	Monday, December 4, 2017
Subject	Striking Committee Policy
Report Number	CS-2017-87

Recommendation

That any updates in policies or process regarding the Striking Committee Policy - Councillor Appointments be considered at the time the Committee of the Whole review is provided in Q2 2018.

Executive Summary

Purpose of Report

To respond to a Council request to update Striking Committee policies and processes.

Key Findings

In 2016, Council began governing under a Committee of the Whole system wherein all members of Council are members of the Committee of the Whole. Members of Council provide their appointment preferences in advance to the City Clerk who prepares a report to Council. This report is considered in closed session with appointee names left blank and filled in at an open meeting of Council.

In the past Council has either entertained nominations from the floor and followed a formal process of voting or have entertained a motion to appoint a member of Council directly.

Staff conducted an environmental scan of nine comparator municipalities, all of which have a public Council member appointment practice, with the majority appointing in open session with blanks, but no established formal process.

Financial Implications

During 2017 budget deliberations, Council approved a recommendation to remove the 5% additional remuneration for Committee of the Whole Service Area Chairs for 2017 and retroactive to its inception in September 2016. The discussion on this matter focused on the fact that the City no longer has a Standing Committee system of governance and the Committee of the Whole system changed the role of Service Area Chairs.

At the May 23, 2017 Council meeting staff presented a Six Month Committee of the Whole Recap Report. At that meeting Council approved a recommendation that the 5% additional remuneration for the Service Area Chairs be discontinued on a go forward basis.

Report

On March 27, 2017, Committee of the Whole resolved as follows:

"That staff be directed to review, analyze and bring forward a recommendation updating the Striking Committee policies, processes and remuneration, and reporting of expenses and that staff report back to Committee of the Whole by Q4 2017."

Background

The Striking Committee is Council meeting as a whole to appoint Chairs and Vice-Chairs for the Committee of the Whole service areas and Councillors and the public to Agencies, Boards, Committees and Commissions (ABCs). The City's Procedural By-law includes the following reference as follows:

11.1 Striking Committee

(a) Council as a whole shall appoint Chairs for Committee of the Whole. Council shall consider rotating the Chairs position every two years. In appointing the Chairs, consideration shall be given to workload balance, individual interests and Councillor development.

(b) Council as a whole shall appoint Vice-Chairs for Committee of the Whole. Council shall consider rotating the Vice-Chairs every two years. In appointing a Vice-Chair, consideration shall be given to workload balance, individual interests and Councillor development.

(c) Council shall meet as a Striking Committee for the purpose of making Councillor and/or citizen appointments to Agencies, Boards, Committees and Commissions.

Past Council Appointment Process

The Council and public appointment process has evolved over the years as a result of changes in legislation and governance practices.

Prior to mid-2016, Council governed itself through a Standing Committee structure whereby approximately five members were appointed by Council at the commencement of each term either annually or every two years thereafter to various Standing Committees.

Historically, at its first meeting, Council would meet as a Striking Committee and the Chair would seek interest in the various Standing Committee positions by a show of hands from members. Once all committee positions had been filled, a recess of the meeting would take place and the selection of Chairs and Vice-Chairs would take place from the groups. The meeting would then resume and the appointments would be made public.

In 2014, changes to the governance structure resulted in the establishment of Standing Committees bi-annually (rather than annually). At the first open meeting of Council, Council would meet as a Striking Committee. The City Clerk would prepare a closed report which included preferences to committees and only the Standing Committee Chairs would be appointed. These Chairs would then form a Nominating Committee who would resume in closed session to select the remaining membership of the Standing Committees. The Nominating Committee's recommendations for appointment would be made to an open meeting of Council for approval. Vice-Chairs would be selected from amongst the Standing Committee members at their first meeting.

Current Appointment Process

In 2016, Council began governing under a Committee of the Whole system wherein all members of Council are members of the Committee of the Whole. Members of Council provide their appointment preferences in advance to the City Clerk who prepares a report to Council. This report is considered in closed session, with appointee names left blank and filled in at an open meeting of Council.

In the past Council has either entertained nominations from the floor and followed a formal process of voting or have entertained a motion to appoint a member of Council directly.

Comparator Municipalities

Staff conducted an environmental scan of nine comparator municipalities, all of which have a public Council member appointment practice, with the majority appointing in open session with blanks, but no established formal process.

Review of Committee of the Whole Governance Structure

At the May 23, 2017, Council meeting Council reviewed and discussed staff report CS-2017-53 Six-Month Committee of the Whole Recap and passed the following resolution:

"That staff conduct a calendar year review of the Committee of the Whole governance structure and report back in Q2 2018."

As part of the review process, staff conducted one-on-one interviews with members of Council to gather feedback and recommendations regarding the Committee of

the Whole governance structure. During these interviews, discussions have taken place surrounding Service Area Chairs. Staff will be including in their report, scheduled to be tabled in Q2 of 2018, a summary of the feedback received including feedback regarding Service Area Chairs and recommendations regarding these positions.

As there are no anticipated meetings scheduled for the Striking Committee to convene for Council appointments during the remainder of this term of Council, staff recommend that any revisions to the Striking Committee policies and process be considered at the time the Committee of the Whole review is provided in Q2 2018.

Draft Formal Appointment Process

Should Council wish to have a formal process, a proposed Striking Committee Policy and accompanying appointment process and procedures are included in ATT-1 to this report.

Financial Implications

During the 2017 budget deliberations, Council approved a recommendation to remove the 5% additional remuneration for Committee of the Whole Service Area Chairs for 2017 and retroactive to its inception in September 2016. The discussion on this matter focused on the fact that the City no longer has a Standing Committee system of governance and the Committee of the Whole system changed the role of Service Area Chairs.

At the May 23, 2017 Council meeting, staff provided a Six Month Committee of the Whole Recap Report. Council approved a recommendation that the 5% additional remuneration for the Service Area Chairs be discontinued on a go-forward basis.

Consultations

Staff have consulted with nine comparator municipalities and conducted one-on-one discussions with all members of Council regarding Committee of the Whole governance where some discussions have been had regarding Chairing, Striking Committee matters and provisions.

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Our Resources - A solid foundation for a growing city

Attachments

ATT-1 Striking Committee Policy - Council Appointments

Report Author

Donna Tremblay, Council Committee Coordinator



Approved By

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CORPORATE POLICY AND PROCEDURE



POLICY	Striking Committee Policy - Council Appointments
CATEGORY	Corporate
AUTHORITY	City Clerk's Office, Corporate and Human Resources
APPROVED BY	Stephen O'Brien, City Clerk
EFFECTIVE DATE	
REVISION DATE	

POLICY STATEMENT

The City of Guelph is committed to ensuring the appointment of members of Council to various Agencies, Boards, Committees and Commissions in a manner that is transparent, fair and consistent.

PURPOSE

The purpose of this policy is to provide the Striking Committee with a formal process for the appointment of members of Council to various Agencies, Boards, Committees and Commissions which occur during a term of office.

SCOPE

This policy shall govern the actions of Council convening as Striking Committee and the City Clerk's Office, to address appointments to various Agencies, Boards, Committees and Commissions required to be filled by Council appointments.

DEFINITIONS

"Appointment" means the appointment of a member of Council, by majority vote of Council, to fill a vacancy on an Agency, Board, Committee or Commission for a specified term.

"Candidate" means an individual seeking to be appointed to fill a position on an Agency, Board, Committee or Commission.

"City" means the City of Guelph.

"Clerk" means the City Clerk or his/her designate of the City of Guelph as appointed by Council.

“Council” means the Municipal Council of the City of Guelph.

“Member” means a Council member of the City of Guelph.

“Striking Committee” means Council meeting as a whole to appoint Chairs and Vice-Chairs to Committee of the Whole and making Councillor and public appointments to Agencies, Boards, Committees and Commissions.

POLICY

1. The vote to appoint Council members to Agency, Board, Committee or Commissions shall occur during an open Striking Committee meeting.
2. Appointment procedures with respect to this Policy are contained as:

Schedule 1 – Striking Committee - Council Appointment Procedure

RESPONSIBILITIES

Members of Council

Council meeting as a Striking Committee shall be responsible for:

- a) Approval, adoption and application of this policy and procedures and any resulting changes from time to time;
- b) Meeting as a Striking Committee, from time to time, on an as-needed basis; and
- c) Making appointments by resolution, of members to various Agencies, Boards, Committees and Commissions, in accordance with this policy.

Clerk

The City Clerk’s Office shall be responsible for:

- a) Preparing a report to Council;
- b) Arranging appropriate meetings for the Striking Committee; and
- c) Maintaining all records pertaining to Striking Committee Council appointments.

Schedule 1

Striking Committee – Council Appointment Procedure

The City Clerk, or designate, shall be responsible for interpreting, and where appropriate, facilitating the Striking Committee appointment process. The City Clerk has the authority to make minor technical amendments to this procedure as may be required from time to time.

1. At the Striking Committee meeting, the following shall take place:
 - a) The Chair shall make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
 - b) The Chair shall introduce the specific appointment being considered and indicate the number of candidates for the position.
 - c) The Chair shall afford each of the candidates the opportunity to address Council for a period of not more than two minutes to say a few words regarding why they are seeking appointment. The order of speaking will be determined by alphabetic order of last name.
 - d) Each Member of Council not being considered for the particular appointment will be allowed no more than one question to each candidate.
 - e) If more than one candidate is seeking appointment, upon hearing all of the submissions of the candidates, Council will proceed to vote as follows:
 - i. Members of Council will vote by way of public vote;
 - ii. A separate vote, by a raise of hands, will be taken for each candidate, in alphabetical order of last name.
 - iii. Members of Council will only vote for one candidate.
 - iv. The candidate or candidates who received the fewest number of votes shall be excluded from consideration.
 - v. The vote will be taken again and, if necessary, more than once, until the candidate has received the majority of votes.
 - vi. Once the voting has been completed and there is a candidate with a majority of votes, the Chair will ask for a motion to appoint the candidate and the vote will be recorded.
 - f) If there is only one candidate placing their name forward to fill the position, the following process will be followed:

-
- i. The Chair shall afford the candidate the opportunity to address Council for a period of not more than two minutes to say a few words regarding why they are seeking appointment.
 - ii. Each Member of Council not being considered for the particular appointment will be allowed no more than one question to the candidate.
 - iii. The Chair will ask for a motion from the floor to appoint the candidate and the vote will be recorded.
 - iv. If the motion is carried, the position will be filled.
 - v. If the motion is defeated, the Chair will entertain further motions from the floor until a successful candidate is appointed.

Staff Report



To	Committee of the Whole
Service Area	Corporate Services
Date	Monday, December 4, 2017
Subject	Public Notice Provisions Policy Review and Update
Report Number	CS-2017-88

Recommendation

That the Public Notice Provisions Policy as shown in ATT-1 to the December 4, 2017 report entitled Public Notice Provisions Policy Review and Update be approved.

Executive Summary

Purpose of Report

To review and update the City's Public Notice Provisions Policy ("the Policy").

Key Findings

The Public Notice Provisions Policy was adopted in November 2007 when the requirement for municipalities to have a Public Notice By-law was removed from the Municipal Act (Act) and replaced with a requirement to, instead, maintain such a policy. The Policy has not been updated since its inception and amendments are being recommended to ensure the City is executing relevant policies and practices to maintain accountability and transparency for the public.

Financial Implications

None.

Report

On November 19, 2007, Council adopted a Public Notice Provisions Policy ("the Policy") and repealed the Notice Provision By-law which was required under former Section 251 of the Municipal Act, 2001.

Staff have reviewed the Policy to ensure it remains relevant and accurate and to maintain accountability and transparency for the public.

This Policy is intended to address public notice provisions for matters directly affecting the public that are prescribed by legislation or deemed by the City to warrant public notice.

Amendments to the Policy

The following list provides a summary of amendments to the City's Public Notice Provisions Policy:

- In 2007, a new category was added to the Policy to include notice for amendments to the City's Sign By-law. Staff are currently conducting a review of the Sign By-law and will address the notice provisions within the review, therefore, the Sign By-law amendments will remain in this Policy.
- The public notice requirements for Council and Committee meetings, including Special meetings, are regulated within the City's Procedural By-law as approved by Council.
- The option for providing notice by email under appropriate circumstances has been added in keeping with the passing of Bill 73 which amended The Planning Act to permit email notification in some instances.
- All notices shall be compliant with the Accessibility for Ontarians with Disabilities Act, 2005, and will be provided in an accessible manner upon request.

Types of Notices Regulated by this Policy

The Policy will continue to specifically regulate the giving of notice regarding Changing Names of Highways and Municipal Restructuring that is still required by legislation.

Although it is no longer required by legislation, staff recommend that public notice provisions be continued for matters directly affecting the public. As such, the Policy will still include Sign By-law amendments.

Notwithstanding the notice provisions approved by Council within the policy, Council may direct, or staff may recommend, that additional notice and methods be applied where it is in the public interest (extending the circulation lists, providing additional postings, using other media sources or utilizing social media options).

How We Compare with Other Municipalities

Staff conducted a review of Public Notice Provisions of 29 comparator municipalities. Although a by-law is no longer required by legislation, more than two-thirds of our comparators have incorporated their Public Notice Provisions Policy into a Procedural By-law or have adopted a Public Notice Provision By-law. The remainder of the comparators have adopted a Public Notice Provision Policy. Staff believe a policy for public notice provisions should be separate from a procedural by-law because they serve different purposes. A procedural by-law governs Council's meeting procedures and processes, whereas a public notice policy addresses notification to the public about legislated matters and broad matters which are of interest to the community.

All municipalities are consistent regarding the categories of notices, timing, details included and the manner in which notices are given. Posting to websites, newspaper advertisements, and publication of agendas are the communication methods used, with social media as a commonly used additional method. The time frame for 95% of the municipalities for giving notice is 7-14 days, dependent upon the subject. The exception for timing of notices is for emergency meetings of Council which ranges between 24-48 hours' notice. The City of Guelph's Procedural By-law includes emergency meeting clauses.

Some municipalities mirror or "parrot" the methods, timing and content; including processes that are regulated within legislation. City staff recommend that procedures dictated by legislation should simply state "as per" and a reference to the relevant legislation in order to keep the policy current if changes or amendments are made to legislation.

For public notices not specified within the Policy, staff will give consideration to the City's Guiding Principles for Community Engagement to determine appropriate methods and timing of notice. Additionally, and as new circumstances for which notice is required arise, staff will consider bringing forward to Council relevant amendments to this policy.

City Clerk's Office staff have consulted with departments across the Corporation to ascertain the types of notices and processes they utilize in order to draft the proposed Public Notice Provisions Policy included as ATT-1 to this report.

When Notice Provisions are Required

Where notice provisions are prescribed by statute or City By-law, those notice provisions shall prevail over this Policy.

In the absence of legislated requirements, notices shall be provided in a manner suitable to the subject matter requiring such notice and consideration will be given to the Guiding Principles for Community Engagement (ATT-2).

Methods may include the following:

- (i) publication of agendas;
- (ii) posting to the website;
- (iii) direct mail delivery;
- (iv) emails;
- (v) newspaper advertisement;
- (vi) radio advertisement;
- (vii) social media;
- (viii) postings at City Hall and/or the applicable venue; and
- (vix) any means necessary to provide an accessible notice.

Notices shall contain the following information:

- (i) general description of the purpose of action requiring notice;

- (ii) relevant section of applicable legislation;
- (iii) date, time and location of meeting/action;
- (iv) if related to a specific property, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) contact information for submitting written comments or registering as a delegation and deadline for same;
- (vi) contact information for obtaining more information/clarification; and
- (vii) information for obtaining the notice in an accessible manner.

Financial Implications

Costs associated with any notice requirements will continue to be incorporated into a departmental budget submission each year.

Consultations

The City Clerk's Office has consulted with departments across the Corporation regarding notices they provide and the manner in which they are given. These departments include Building, Zoning, By-law Enforcement, Licensing, Engineering, Transit, Finance and Communications. Upon adoption, the Public Notice Provision Policy will be posted on the City website and distributed to applicable staff.

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Our Resources - A solid foundation for a growing city

Attachments

ATT-1 Public Notice Provisions Policy

ATT-2 [Guiding Principles for Community Engagement](#)

Departmental Approval

Christopher Cooper

City Solicitor/General Manager of Legal, Realty and Risk Services

Report Author

Dolores Black, Council Committee Coordinator



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CORPORATE POLICY AND PROCEDURE



POLICY	Public Notice Provisions Policy
CATEGORY	Corporate
AUTHORITY	Corporate Services - City Clerk's Office
RELATED POLICIES	Guiding Principles for Community Engagement
APPROVED BY	Guelph City Council
EFFECTIVE DATE	December 18, 2017
REVISION DATE	As required

POLICY STATEMENT

This policy is to establish public notice provisions for matters directly affecting the public that are prescribed by legislation or deemed by the City to warrant public notice.

PURPOSE

To allow for the giving of notice to the public of matters that may affect them, and to afford them the opportunity to make submissions, attend, and delegate before Council and their Committees.

DEFINITIONS

"Newspaper" means a printed publication in sheet form, intended for general circulation, published regularly at intervals not longer than one week, consisting in great part of news of current events of general interest and provided to the public and to regular subscribers.

"Accessible Manner" means compliant with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

"Policy" means the Public Notice Provisions Policy

"Procedural By-law" means the City's Procedural By-law

"Act" means "the Municipal Act, 2001"

PROCEDURE

Where notice provisions are prescribed by legislation or City by-law, those notice provisions shall prevail over this policy.

Nothing in this policy shall prevent the City from exceeding the notice provisions as set out in this policy.

Where Council or staff deems it in the public interest to exceed the standards set out in this policy, additional notice using various methods may be used. These methods may include, but are not limited to the following: newspaper advertisements, regular or registered mail, personal delivery, email, facsimile, radio announcements and social media.

Where the City is required to give notice under a provision of the Act in respect to a matter set out in the schedules attached hereto, the notice shall be given in a form and manner and at the times set out in the schedules unless:

- (a) the Act, another Act, or a regulation prescribes otherwise;
- (b) the requirements for the notice are prescribed in another City by-law;
- or
- (c) Council directs that other notice is to be given.

Notice of Council meetings and the meetings of its Committees shall be given in accordance with the City's Procedural By-law.

If a matter for which notice was given under this policy is deferred, adjourned or continued to a future meeting, no further notice is required, unless there is a statutory requirement otherwise, if:

- (a) a public statement is made at the meeting advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement; or
- (b) a written statement is posted at the meeting location advising that the matter has been deferred, adjourned or continued to a future meeting specified in the statement.

Where notice is given under the Act for a matter to be considered by Council, but such notice is not otherwise provided for, such notice shall be given by way of passing of a Council resolution at an open meeting of Council. Such notice shall be provided a minimum of ten days before the meeting at which the matter will be considered and the notice shall contain the following:

- (i) a general description of the matter;
- (ii) relevant section of the Act, including reference to regulations, if applicable;
- (iii) the date, time, and place of the meeting at which the matter will be considered;
- (iv) where the matter relates to specific lands within the City of Guelph, sufficient particulars of such lands, such as municipal address, legal description or key map;
- (v) contact information for submitting written comments or registering as a delegation and deadline for same;
- (vi) contact information for obtaining more information/clarification; and
- (vii) contact information for obtaining the notice in an accessible manner.

If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Mayor, is considered urgent, time sensitive or an extraordinary occasion, or which could affect the health, safety or wellbeing of the residents of the City of Guelph, or if a State of Emergency is declared, or is so advised by a Provincial Ministry, the notice requirements as laid out in the Procedural By-law shall apply.

Changing Names of Highways

The following are the notice requirements for giving notice of intention to pass a by-law renaming a highway:

Manner of Notice

Notice shall be published in a newspaper.

Where the highway that is to have its name changed is within one kilometre of a neighbouring municipality, notice shall also be sent to the Clerk of that municipality by prepaid, ordinary mail or by facsimile before the meeting at which the by-law will be considered.

Time of Notice

Notice published in a Newspaper shall be published once a week for two consecutive weeks before the meeting at which the proposed by-law will be considered.

Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time, and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, such as municipal address, legal description, or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation; and
- (vii) Information for obtaining the notice in an accessible manner.

Amendment to the City's Sign By-law Regarding Signage Requirements

The following are the notice requirements for the intention to pass a by-law regarding amending the Sign By-law to make any changes regarding signage requirements:

Manner of Notice

Notice shall be published in a newspaper.

Time of Notice

Notice published in a newspaper shall be published once a week for two consecutive weeks before the meeting at which the matter or proposed by-law will be considered.

Form of Notice

Notice shall contain the following information:

- (i) General description of the purpose of the meeting or proposed by-law
- (ii) Relevant section of the Act, including reference to regulations, if applicable
- (iii) The date, time and location of the meeting
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, including municipal address, legal description or key map
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation
- (vii) Information for obtaining the notice in an accessible manner

Municipal Restructuring

The following are the notice requirements for a public meeting respecting a restructuring proposal:

Manner of Notice

Notice shall be published in a newspaper.

Time of Notice

Notice published shall be given before the public meeting at which the matter will be considered in the time as prescribed by the Act.

Form of Notice

Notice shall contain the information:

- (i) General description of the purpose of the meeting or proposed by-law;
- (ii) Relevant section of the Act, including reference to regulations, if applicable;
- (iii) The date, time and location of the meeting;
- (iv) Where the purpose of the meeting or proposed by-law is related to specific lands within the City, sufficient particulars of such lands, including municipal address, legal description or key map;
- (v) Contact information for submitting written comments on the matter which is the subject of the meeting or proposed by-law and the deadline for receiving such comments;
- (vi) Contact information for persons wishing to appear as delegations and deadline for registration as a delegation; and
- (vii) Information for obtaining the notice in an accessible manner.

Staff Report

To **Committee of the Whole**

Service Area Corporate Services

Date Monday, December 4, 2017

Subject **2017 Q3 Capital Variance Report**

Report Number CS-2017-38

Recommendation

That \$2,490,000 to complete the Glenhill Drive infrastructure upgrades be approved in accordance with the funding allocation outlined in 2017 Q3 Capital Variance Report (CS-2017-38) dated December 4, 2017.

Executive Summary

Purpose of Report

To provide a summary of 2017 capital spending activity as at September 30, 2017 and highlight significant activity by program of work.

Key Findings

This report reflects year-to-date spending through Q3 of \$50.8 million and third quarter spending of \$21.7 million; an increase over Q2 of \$5.5 million and an increase over year-to-date 2016 by \$7.3 million.

Below is the capital activity for 2017 through Q3, details are provided in ATT-1.

2016 Carry-over	\$169,400,000
2017 Capital Budget, approved	\$92,860,300
2017 Additional funding	\$18,031,800
2017 Closed Projects	
(funding returned to reserve funds)	<u>(\$16,142,840)</u>
Total available capital funding for 2017	\$264,149,260
As of September 30, 2017	
2017 Capital spending	<u>(\$50,842,961)</u>
Balance available	\$213,306,299
Open purchase orders	<u>(\$62,785,253)</u>
Uncommitted	\$150,521,046

There are a number of approved projects that will reduce the uncommitted balance as follows:

- The Wilson Street Parkade (\$20,400,000)
- South End Community Centre (\$525,000)
- LED Streetlight Project (under evaluation)

The City advanced the 2018 capital budget approval to early November in order to achieve a competitive advantage in the market and access more favourable pricing. Within one month of receiving this approval, over \$16 million in projects have been tendered; although it's difficult to quantify the savings from this, staff believes there is value and supports the decision of early budget approval.

Glenhill Drive Infrastructure Upgrades

Based on a recently completed risk analysis and time sensitivity of the work required, staff is proposing to advance the linear infrastructure replacement and relocation (water, sewer and storm) on Glenhill Drive to commence immediately. This work is considered high priority and will both upgrade aging infrastructure and address related easement issues. Funding for this project is available in the applicable reserve funds.

Financial Implications

Ongoing monitoring of capital spending ensures that projects are delivered as intended and that any financial impacts are addressed proactively.

A successful reserve and reserve funding strategy gives the Corporation the flexibility to address priority needs as they arise during the year. The recommended budget of \$2,490,000 to support the linear infrastructure replacement and relocation on Glenhill Drive would be funded as follows:

Water Capital Reserve Fund	\$1,560,000
Water Services DC Reserve Fund	\$300,000
Wastewater Capital Reserve Fund	\$270,000
Stormwater Capital Reserve Fund	\$180,000
Infrastructure Renewal Reserve Fund	\$180,000

Report

Current Year Spending

As of Q3 2017, the total spending from capital accounts was \$50.8 million compared to \$43.5 million over the same period in 2016. The third quarter spending was \$5.5 million higher than the second quarter which is to be expected as the linear infrastructure and work in open spaces continued to progress through the late summer months. Additionally, tender and Request-For-Proposal (RFP) documents were being prepared so that major reconstruction awards could be finalized with construction starting in Q3.

Open purchase orders were less than Q2 by \$2.8 million; this is unexpected given that Q3 contained several construction projects being awarded/tendered. As previously reported, the Wilson Street Parkade purchase order was expected to be issued in Q3 but has been delayed to November and will be reflected in Q4.

Subsequent to the approval of the 2017 Capital Budget, additional capital funding was received for the following projects as of Q3:

Solid Waste Equipment Replacement	\$506,200
Insurance recovery from facility fire in 2016	
Groundwater Protection	\$90,600
Contribution from GRCA	
IT Fibre Data Network	\$500,000
Approved by Council June 26, 2017	
Wilson Street Parkade, Bridge and Street Phase III	\$8,935,000
Approved by Council July 24, 2017	
LED Streetlight Project	<u>\$8,000,000</u>
Approved by Council July 24, 2017	
	\$18,031,800

Wastewater Services closed two previously approved projects which were reprioritized into a future year for a total of \$16.1 million; this returned funding of \$12.1 million to the Wastewater Development Charge Reserve Fund and \$4.0 million to the Wastewater Capital Reserve Fund

Uncommitted

The uncommitted balance of \$150.5 million has been reduced by \$17.9 million over Q2 which was expected due to the closure of the Wastewater projects previously described. Additionally, staff expects that this figure will fall by an additional \$20.4 million as the purchase order for the Wilson Street Parkade is issued in November. Further, the recently approved \$8 million LED Streetlight Project is in the planning stage. The RFP is being developed, which once completed and awarded, will further reduce the balance in 2018.

There are a number of reasons for the magnitude of the uncommitted balance including projects still in the planning stages that have not yet been awarded; some of the projects have been delayed or other projects which are currently under review for future requirements. This balance represents capital projects that are approved but do not yet have a purchase order issued. Staff is actively working to assess these projects and implement strategies to support better cash flow management.

Program of Work Activity and Variance Highlights

Below are highlights, but not comprehensive summaries, of the various programs of work. Please note that this reporting follows the 2017 programs of work and has not yet been updated for the revised 2018 programs of work that Council approved

as part of the November 2, 2018 Capital Budget approval. It is staff's intention to reflect the new program of work format for the 2017 year-end capital variance report.

Active Transportation

The active transportation program of work has had spending of \$1.6 million to date; \$1.1 million attributed to Transit terminal upgrades and equipment replacement and \$493, 000 for trails, sidewalks and the active transportation network.

Uncommitted outstanding balance includes \$3.3 million for Transit capital projects including the fare box upgrades, \$2.3 million for road allowance related projects, and \$2.1 million in trail projects.

Of note, the order for twenty new conventional transit buses to replace existing ones that have reached their end of life is in place with delivery expected to begin in Q4 of this year. This accounts for the \$7.7 million of the \$9.3 million open purchase orders for this program of work.

Building Expansion, Renewal & Upgrades

The higher spending this year relates to two of the City's current Tier-1 projects and significant facility renovations; high-level quarterly progress reports (Q3 2017) can be found in the Information Report, IDE-2017-124, Tier-1 Projects Q3 2017 Status Update.

http://guelph.ca/wp-content/uploads/info_items_102717-1.pdf#page=45

Guelph Police Service (GPS) headquarters renovation is progressing as planned and spending for 2017 to date totalled \$6.5 million. The project is tracking on budget, on schedule and within scope as of Q3 2017. Concrete work on all floors of the west wing is completed, while the new entrance on the east wing is taking shape. Structural steel work, exterior sheathing and stud walls on the east wing are completed. Additionally, curtain wall framing on the east wing is almost completed.

Victoria Road Recreation Centre (VRRC) had a successful grand re-opening event on Saturday, June 24, 2017. Spending in 2017 totals \$6.0 million and the project is projecting to be within budget. Final invoices and deficiency work is on-going with the final project report expected in Q4 2017.

In addition to the major facility renovations, there has been spending of \$2.2 million on other building renewal and life cycle projects at various other City facilities including a new fire alarm system in the Sleeman Centre and East & West Parkades.

The uncommitted balance remains significant at \$22.6 million of which \$8 million is for the recently approved LED Streetlight Project, \$3.5 million relates to later

phases and contingency budgets for the GPS headquarters renovation projects and approximately \$6.6 million for corporate building renewal and structural projects. Finally, there is \$3.9 million for the South End Community Centre (SECC) design. The Tier-1 project team and steering committee has been formed and the RFP for selection of the architect for Phase I conceptual design was awarded in November 2017 for \$525 thousand.

Downtown Implementation

Wilson Street Reconstruction and Parkade project hit a significant milestone in July 2017, as Council approved an expanded parkade structure with 496 parking spaces as well as awarded the design and build contract totaling \$20.4 million to The Newton Group. The amended budget includes Phase III Wilson Street road reconstruction work and the Norfolk Pedestrian Bridge, which will enable staff to move forward with completing all related Wilson Street projects in an efficient and connected manner. Phase II of Wilson Street, from Carden to MacDonnell, was completed and a re-opening celebration was held November 18, 2017.

In July 2017 Council approved the Baker District redevelopment project as a priority program of work to further implement the Downtown Secondary Plan. A Tier-1 project steering committee has been formed and is providing oversight for the connected projects within the downtown realm and includes the Baker District redevelopment project. Staff provided additional information to Council through email on October 31, 2017 that described the four stage approach that is currently underway with a Request for Qualification (RFQ) to be issued in late November.

Uncommitted – Total of \$26.8 million uncommitted as at September 30, 2017 is resulting from two projects: \$5.1 million is approved but not yet committed for the purchase of the remaining parcels of land within the Baker Street District and \$20.4 million is approved but not yet committed for the Wilson Street Reconstruction and Parkade. The contract for the latter was recently finalized and the purchase order will be issued in November 2017.

Full Corridor Reconstruction

Significant progress continued on the York Trunk Sewer/Paisley-Clythe Feeder Main (\$4.9 million in spending), as work continued east from the Covered Bridge to the F.M Woods Pumping Station. The current phase is expected to be completed by November 2017 with the completion of reconstruction of Waterworks Place road and final infrastructure connections at Lyon Park and the F.M. Woods Pumping Station.

Uncommitted – A total of \$20.4 million is outstanding as a result of: normal timelines required to complete the tendering process on significant construction projects, project delays due to land access and locate issues and tendering budget challenges. Outstanding tendering and awarding of major projects includes: Niska Bridge and Road \$3 million (expected 2018 tender), Woodlawn Road West \$2.5 million (expected early in 2018). The recently approved 2018 budget provided the

final funding portion to allow two key projects to progress; Phase IIB of the York Trunk Sewer/Paisley-Clythe Feeder Main with a budget of \$12.9 million and Bristol Street Reconstruction with a budget of \$3 million. Both of these projects have now been tendered.

Open Spaces

Construction of the washroom and change room facility at Eastview Park commenced over the summer (\$910 thousand), the balance of work will be completed through Q4 2017 and into early 2018.

Road & Right-of-Way

The annual asphalt program got under way over the summer with \$1.1 million in paving completed in Q3. As well road and sidewalk work on Eastview Road (\$670 thousand in Q3) with another \$990 thousand to be spent in Q4.

Vehicle and Equipment

Total spending of \$6.6 million or \$2.4 million during Q3 and notable purchases include: replacement of Emergency Services (Fire, Paramedic and Police) vehicles and equipment (\$1.76 million) including: Radio Infrastructure (\$655 thousand), vehicles (\$323 thousand) and IT equipment (\$293 thousand). Replacement and upgrades to equipment at the Solid Waste facilities was also undertaken for \$389 thousand.

The uncommitted balance of \$11.4 million is attributable to, \$4.9 million in Fleet vehicle replacement, \$1.3 million for playground equipment recently awarded, \$1.9 million of Police vehicle and equipment replacement and \$1.3 million of Solid Waste equipment replacement.

Wastewater Plant and Equipment

Uncommitted – Based on the recently completed comprehensive review of all approved capital projects to determine the continued need for these projects and the magnitude of related budgets, two projects were deemed to not currently be needed and were deferred to later date. This resulted in a reduction of the previously approved budget and the outstanding uncommitted balance by \$16.1 million.

Of the total remaining uncommitted balance of \$13.0 million, tendering will be completed in Q4 for the Digester Gas Proofing and Structural Repairs project (\$1.7 million), \$6.4 million relates to projects that will be informed by the asset inventory and condition assessment project to be completed in early 2018, and expressions of interest will be released in Q4 to update the business case for the Biosolids Facility upgrade. The Wastewater Treatment Plant Phase II expansion is still being delayed pending Ministry feedback and has the potential for significant capital savings.

Water Services Plant and Equipment

To date, the Water Services Department has tendered and started to implement the following construction contracts contributing to the capital spending of \$5.7 million and awarded purchase orders of \$7.8 million.

- Burke Well treatment and pumping facility upgrades \$5.1 million (construction started in June 2017)
- Phase III of District Metered Area Construction \$2.1 million (construction started in April 2017)
- Speedvale Water Tower Repainting and Operational Upgrades \$1.1 million (construction started April 2017)
- F.M. Woods Pumping Station Valve Train Replacements \$300 thousand (construction started in April 2017)
- F.M. Woods Pumping Station Transformer Upgrades \$110 thousand (construction started in June 2017)
- Glen Recharge Flow Meter Installation \$169 thousand (Construction to start in November 2017)

Water Services staff had also released a tender for piping improvements at Verney Water Tower in June 2017, as planned within the 2017 divisional capital work plan, but chose not to award this contract due to poor pricing and will be delaying these works (valued at \$400 thousand) to spring 2018 when Verney Water Tower is planned to be taken out of service for repainting/resurfacing and other process upgrades. Similarly, staff had released a tender for CCTV inspection of the Arkell Aquaduct (valued at \$200 thousand) with a limited market response and as result staff have chosen to restructure and re-release this tender in early 2018.

The uncommitted balance of \$16.7 million includes projects to be tendered in 2017 for Emma and Water Street wells (valued at \$400 thousand); Helmer well facility upgrades (valued at \$210 thousand); Park Station upgrades (valued at \$200 thousand), University well upgrades (valued at \$700 thousand) and F.M. Woods Highlift Pumps 4 & 5 Valve and Piping Replacements (\$220 thousand). Additionally, land acquisition and construction costs to be incurred following completion of a Class Environmental Assessment for treatment and process upgrades at Clythe well are valued at \$6.9 million. Further, construction costs associated with the Woods Facility Upgrades will be incurred in 2018 due to continued scoping of this complex to address operational risks at this critical water supply facility (a planned expenditure of \$0.9 million in 2017). The remaining balance is a combination of budget available for the later phases of the Burke Well treatment and pumping facility, groundwater protection, new supply and conservation & efficiency programs.

Priority Replacement of Glenhill Drive Infrastructure

Based on a recently completed risk analysis of water infrastructure and time sensitivity of the work required to address concerns, staff are proposing to advance the linear infrastructure replacement and relocation (water, sewer and storm) on

Glenhill Drive to begin immediately. This work is considered high priority and will include upgrading aging infrastructure and addressing related easement issues.

The capital reserve funding is available to support this project as a priority in 2017. Once approved, staff will complete the design work that is currently underway and will tender the construction of the upgrades in early 2018 with construction through to 2019. Normal capital upgrade project communications consisting of notices and open houses will be followed to keep the neighborhood informed.

Financial Implications

Ongoing monitoring of capital spending ensures that projects are delivered on schedule and as intended and that any financial issues that arise are dealt with in a proactive manner by staff and Council.

The budget request of \$2,490,000 requested to support the priority infrastructure replacements and relocation on Glenhill Drive will be funded as follows:

Water Capital Reserve Fund	\$1,560,000
Water Services DC Reserve Fund	\$300,000
Wastewater Capital Reserve Fund	\$270,000
Stormwater Capital Reserve Fund	\$180,000
Infrastructure Renewal Reserve Fund	\$180,000

Consultations

Corporate Management Team

Corporate Administrative Plan

Overarching Goals

Service Excellence
Financial Stability

Service Area Operational Work Plans

Our Resources - A solid foundation for a growing city
Our Services - Municipal services that make lives better

Attachments

ATT-1 Capital Spending as of September 30, 2017

Departmental Approval

Kealy Dedman, City Engineer, GM Engineering & Capital Infrastructure Services
Peter Busatto, GM Environmental Services
Mario Petricevic, GM Facilities Management

Report Author

Greg Clark, Program Manager Capital Planning



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Capital spending as of September 30, 2017

Program of Work	2017 Available Funding	2017 Actual Spending	September 30, 2017 Balance	Open Purchase Orders	Uncommitted
Active Transportation	18,414,675	1,555,741	16,858,934	9,273,351	7,585,583
Bridges & Structures	5,015,293	762,680	4,252,613	356,229	3,896,384
Building Expansion, Renewal & Upgrades	52,958,643	14,770,867	38,187,776	15,602,573	22,585,203
Contaminated Sites	3,298,409	91,147	3,207,262	434,997	2,772,265
Downtown Implementation	35,076,414	3,212,172	31,864,242	5,094,158	26,770,084
Full Corridor Reconstruction	38,482,222	9,418,234	29,063,988	8,709,196	20,354,792
Hanlon Creek Business Park	1,143,680	161,424	982,256	252,984	729,272
IT Innovation	6,873,708	2,340,848	4,532,860	1,738,900	2,793,960
Open Spaces	7,241,723	2,248,969	4,992,754	2,030,857	2,961,897
Planning & Studies	8,170,272	764,202	7,406,070	2,742,749	4,663,321
Road & Right of Way	6,579,648	2,162,233	4,417,415	1,562,132	2,855,283
Stormwater	8,144,048	505,310	7,638,738	1,370,129	6,268,609
Vehicle & Equipment	21,742,169	6,568,134	15,174,035	3,811,154	11,362,881
Wastewater Collection	4,940,579	74,643	4,865,936	1,148,556	3,717,380
Wastewater Plant & Equipment	14,068,057	466,756	13,601,301	561,244	13,040,057
Water Distribution Network	1,732,846	5,827	1,727,019	315,599	1,411,420
Water Plant & Equipment	30,266,874	5,733,774	24,533,100	7,780,444	16,752,656
Total	264,149,260	50,842,961	213,306,299	62,785,252	150,521,047

Staff Report



To	Committee of the Whole
Service Area	Corporate Services
Date	Monday, December 4, 2017
Subject	Update to the Tax Billing and Collection Policy
Report Number	CS-2017-76

Recommendation

1. That Report CS-2017-76 titled Update to the Tax Billing and Collection Policy dated December 4, 2017 be approved.

Executive Summary

Purpose of Report

To update the Tax Billing and Collection Policy in accordance with changes to legislation and best practices.

Key Findings

The Tax Billing and Collection Policy has been in effect without change since December 5, 2011. Since that time, legislation and best practices have changed. The update to the policy takes these changes into consideration, ensuring staff has policies and procedures in place to deliver service that is fair and equitable to all property owners in the City.

The key change to the policy is that a tax arrears certificate can now be registered once a property reaches two years in arrears. Previously, a property needed to be three years in arrears.

Financial Implications

Interest revenue on tax arrears is expected to decrease, revenue from fees and charges is expected to increase, and cash flow is expected to increase. The impacts of such will be reported to Council through the annual Tax Receivable Report as well as variance reporting and minor adjustments to the annual operating budget.

Report

Property taxation is the most significant source of revenue for municipalities and currently pays for approximately 65 per cent of the tax supported services that the City of Guelph provides. The tax billing and collection policy is intended to

supplement provincial legislation, protect this revenue source, and ensure staff has policies and procedures in place to deliver service that is fair and equitable to all property owners in the city.

The current policy was adopted by Council on December 5, 2011. Since that time, legislation and best practices have changed. The most significant change to the policy relates to a Municipal Act amendment in Bill 68 Modernizing Ontario's Municipal Legislation Act, 2017. A tax arrears certificate can now be registered in the second year of arrears instead of the third year. In other words, if there are arrears owing from 2016 or earlier, a tax arrears certificate could be registered after January 1, 2018. Notification of this change in legislation was mailed in September 2017 along with arrears notices to those property owners in arrears from 2016 and earlier.

The second most important change is the requirement that any payment arrangement to avoid the registration of a tax arrears certificate must be made in writing. This agreement must also be signed by the property owner or agent and a representative of the City. This is for the protection of both the property owner and City, ensuring the terms and expectations of the agreement are clear to each party.

Other administrative changes to the policy are as follows:

- Property owners must request in writing for tax bills to be mailed to an address of their choosing;
- Property owners may sign up to receive their tax bills through email by completing the necessary application;
- Credit card payments are now accepted through a third party vendor;
- A 12 month pre-authorized debit plan is now offered;
- Clarification that refunds can occur at any time so long as the refund does not put the account in a past due balance;
- As provincial legislation does not require Council approval of this policy, allowing for future administrative updates/changes to this policy by management staff with approval of the Deputy CAO, Corporate Services.

Financial Implications

Interest revenue on tax arrears is expected to decrease, revenue from fees and charges is expected to increase, and cash flow is expected to increase. The impacts of such will be reported to Council through the annual Tax Receivable Report as well as variance reporting and minor adjustments to the annual operating budget.

Consultations

Staff within the Tax Department.

Corporate Administrative Plan

Overarching Goals

Service Excellence
Financial Stability

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Attachments

ATT-1 Tax Billing and Collection Policy

Departmental Approval

James Krauter
Deputy Treasurer / Manager of Taxation and Revenue

Report Author

Gregory Bedard
Supervisor, Property Tax



Approved By

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Recommended By

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CORPORATE POLICY AND PROCEDURE



POLICY	Tax Billing and Collection Policy
CATEGORY	Departmental
AUTHORITY	Finance, Revenue and Taxation Division
RELATED POLICIES	2017 Property Tax Policy
APPROVED BY	City Council
EFFECTIVE DATE	December 19, 2011
REVISION DATE	December 18, 2017

POLICY STATEMENT:

To establish a policy for the prompt, effective and efficient billing and collection of real property taxes.

SCOPE:

The scope of this document is intended to cover all aspects of the billing and collection of realty property tax levies and any amounts added as taxes for collection. This policy excludes the collection of payments-in-lieu of taxes.

PURPOSE:

To ensure that municipal tax revenues are collected in a timely and effective manner.

To ensure that all taxpayers are treated fairly and equitably and to provide staff with guidance in decision making that is consistent with the City's commitment to excellence.

To ensure that collection procedures are applied in reference to the following legislation:

- The Municipal Act
- City By-Laws
- The Assessment Act
- The Bailiffs Act
- Any other legislation that may be applicable

PROCEDURES:

The mandate of the Taxation and Revenue Division of the Finance Department is to ensure the prompt, effective and efficient collection of taxes to meet the budgetary expenditures for the fiscal year. To accomplish this, the following procedures will be discussed in this policy:

- A. Tax Billings
- B. Due Dates
- C. Payment Options and Methods of Payment
- D. Payment Application
- E. Penalty and Interest Charges (Late payments)
- F. Tax Arrears – Collection Methods and Payment Incentives
- G. Miscellaneous
 - i. Interest on Tax Overpayments from Assessment / Tax Appeals
 - ii. Minimum/Small Balance Write-offs
 - iii. Tax Service Charges
 - iv. Refunds and Credit Balances
- H. Reporting Standards
- I. Responsibilities
- J. Policy Update

A. TAX BILLINGS

The authority to levy taxes is provided in Section 312 of the Municipal Act, 2001. It requires that the Council of a local municipality shall, each year, pass a by-law levying a separate tax rate on the assessment in each property class in the local municipality for the purpose of raising funds to satisfy its budgetary requirements. Tax rates are determined using the returned assessment roll for the tax year provided by the Municipal Property Assessment Corporation and the levy requirement approved by Council. By-laws are required to be passed by Council for both the Interim and Final tax billings.

The Interim levy is the first billing of the year and is based on 50% of the prior year's annualized levy.

The Final levy is produced after the passing of the annual municipal budget and the annual tax policy and is based on the tax rates established by by-law based on the budgetary requirements of the City and those of the Ministry of Education in concern with the education portion of the property tax bill. The Final levy is based on the tax year's property assessment and the current year's tax rates and is adjusted for the portion of taxes already paid through the Interim billing along with any other legislated adjustments or additions to the taxes (e.g. capping/clawback levies).

Any applicable Business Improvement Area, Local Improvement Charges or any other charges that Council may levy will be shown on the Final Bill.

Supplementary tax billings are issued throughout the tax year as Supplementary and Omitted Assessment Rolls are provided to the City by the Municipal Property Assessment Corporation. These rolls represent new assessment from the construction of new buildings or improvements made to properties that were not captured through the roll returned by the Municipal Property Assessment Corporation for the tax year or the previous two years. These Supplementary and Omitted tax billings are billed at the tax rates already approved by Council for the corresponding tax year.

Other additions to the roll that are deemed to be taxes are billed according to relevant legislation.

The tax bill issued will meet all of the requirements of the provincially standardized property tax bill in accordance with Section 343 (2) of the Municipal Act, 2001. Any arrears are included solely in the first instalment amount on each bill.

Tax bills must be mailed at least 21 calendar days prior to the first due date in accordance with Section 343 of the Municipal Act, 2001. Bills may be mailed earlier if time permits. Property owners must request in writing for tax bills to be mailed to an address of their choosing if different then the property address. The mailing address will default to the property address in the case of mail returned non-deliverable by Canada Post. Property owners may also choose to sign up for e-mail e-billing by completing the necessary form.

B. DUE DATES

There are four instalments per year with each regular billing having two instalments with due dates normally as follows:

INTERIM LEVY	The last business day of February The last business day of April
FINAL LEVY	The last business day of June The last business day of September

The specific due dates will be identified in both the Interim and Final Levy By-Laws for the City. Where due dates are delayed as a result of factors beyond the City's control, they shall then be set with regard to the notice provisions included in the Municipal Act.

Supplementary and Omitted Assessment Rolls received prior to the Final Billing will be billed in two instalments with instalment dates similar to those of the Final Levy. Supplementary and Omitted Assessments Rolls received after the Final Levy are billed in one or two instalments with the instalment(s) due date set by the Finance Department. A separate levying by-law is not required for a supplementary tax billing.

C. PAYMENT OPTIONS AND METHODS OF PAYMENT

Instalment payments are due to the City of Guelph Tax Office by the date listed as the instalment due date. Acceptable payment methods are:

- Pre-Authorized debit plans;
- Cheque made payable to the City of Guelph and mailed to the City of Guelph – Taxation and Revenue Division, 1 Carden St;
- In person at the ServiceGuelph counter by cash, cheque or debit payment;
- Through telephone or internet banking with a financial institution
- In person at a branch of a financial institution;
- By credit card using the City's third party credit card vendor;
- Cheques post-dated to the instalment due date are accepted at any time and are held by the Tax Division until the date of the cheque;
- Third party cheques are not accepted. A cheque made payable to both the City of Guelph and the property owner is not considered to be a third party cheque and will be accepted as payment.

When mailing a property tax payment, the taxpayer assumes the responsibility for the late payment charge if the payment is not received in the City of Guelph Tax Office by the due date.

Pre-authorized debit plans are offered to taxpayers as a convenient way to have their property tax payments automatically withdrawn from their bank accounts. There are currently four pre-authorized debit plans: the due date plan, the 9-month plan, the 11-month plan and the 12-month plan.

Taxpayers on the due date plan have their property tax payments withdrawn on the due dates at the end of February, April, June and September. Taxpayers on this plan receive notices twice per year advising of the upcoming withdrawal dates and amounts.

The 9-month plan withdraws tax amounts on the last business day of each month from January to September. Withdrawals from January to May are estimated based on the previous year's taxes plus 5% while the June to

September withdrawals are adjusted to reflect the current year's taxable property assessment and municipal tax rates.

The 11-month plan withdraws property tax payments on the last business day of each month from November to September. Withdrawals from November to May are estimated based on the previous year's taxes plus 5% while the June to September withdrawals are adjusted to reflect the current year's taxable property assessment and municipal tax rates.

The 12-month plan withdraws property tax payments on the 15th of every month from January to December. If the 15th falls on a weekend, the withdrawal will occur on the next business day. Withdrawals from January to May are estimated based on the previous year's taxes plus 5% while June to December withdrawals are adjusted to reflect the current year's taxable property assessment and municipal tax rates.

Taxpayers on the 9-month, 11-month plan and 12 month plan receive notification once per year in advance of their upcoming property tax payment schedule.

Accounts with arrears may participate in a pre-authorized debit plan as a collection tool. These accounts will be charged penalty and interest until the account balance is current.

To participate in a pre-authorized debit plan, taxpayers are required to complete an application form and return it to the Tax Office by the dates established by that office along with a void cheque or signed direct debit form from a financial institution. The form will clearly outline the program requirements as well as the policies regarding returned payments, penalty and interest charges and the 15-day written notice requirement to make any changes to their plan.

A returned payment under any payment plan will be subject to a service charge as set by Council. Any tax account on a pre-authorized debit plan that has two or more returned payments in one year may be terminated from the plan.

D. PAYMENT APPLICATION

Payments are applied to outstanding property tax accounts in accordance with Section 347(1) of the Municipal Act, 2001. Any partial payment shall be applied first to any penalty or interest outstanding and then to any outstanding taxes starting with the oldest amounts outstanding.

Partial payments are not accepted where a Tax Arrears Certificate has been registered against a property, except where the City has entered into an

Extension Agreement. If a payment is received, it will be returned or refunded as appropriate.

E. PENALTY AND INTEREST CHARGES (LATE PAYMENTS)

Penalty and interest charges are billed at a rate of 1.25% on the first day of default and the first day of each month thereafter on all property tax arrears in accordance with City By-Laws and Section 345 of the Municipal Act, 2001.

Failure to receive a property tax bill does not absolve the property owner from any taxes due or from penalty charges for the late payment. It is the taxpayer's responsibility to notify the property tax office in writing of any mailing address changes. Failure to notify the Taxation and Revenue Division of a mailing address change in writing is not considered to be an error.

Penalty and Interest charges added to taxes form part of such taxes and shall be collected as taxes. All collection actions taken against a property tax account shall include any and all outstanding penalty, interest charges, and collection costs.

Penalty and interest charges are only adjusted in accordance with:

1. Tax appeal adjustments made under Section 334, 354, 357 and 358 of the Municipal Act, 2001.
2. Adjustments to the assessment roll made subsequent to roll close by the Municipal Property Assessment Corporation through a Request for Reconsideration, Advisory Notice of Assessment or Post-Roll Amended Notice or through a decision of the Assessment Review Board or any other changes made as a requirement of the Assessment Act.
3. Errors or omissions resulting in penalty and interest charges as a result of the City's error or omission
4. Direction of Council, the City Treasurer, Manager of Taxation and Revenue or by any court of law.

The amount of penalty and interest charges cancelled is limited to the amount related to the tax reduction associated with a tax adjustment, change in assessment or City error or omission.

Write-off limits are in concurrence with the City of Guelph's Purchasing Policy and signing limits the Treasurer assigns to Finance Staff under said policy. In addition, staff within the Taxation and Revenue Division will be allowed to write-off up to \$50.00 in penalty and interest on the current instalment for properties in any tax classes.

F. TAX ARREARS – COLLECTION METHODS AND PAYMENT INCENTIVES

Property or realty taxes are a secured special lien on land in priority to any other claim except a claim by the Crown.

The City will primarily use the following methods to collect tax arrears:

- Arrears notices
- Telephone/email follow-up
- Payment arrangements
- Form or Personalized letters
- Rent Attornment
- Bailiff Services
- Municipal Tax Sales

Property taxes may be recovered, with costs, as a debt due to the City from the original owner and/or any subsequent owner of the property.

The ultimate resolution to clearing unpaid taxes two or more years in arrears is through a Tax Sale of the property. This authority is provided to municipalities as per Part XI of the Municipal Act, 2001, wherein it sets out the process for the "Sale of Land for Tax Arrears". Prior to the commencement of Tax Sale proceedings the following collection steps are available:

Arrears Notices

An arrears notice is sent each month to all taxpayers whose taxes are overdue. No statement is issued to those accounts in which the balance is \$5.00 or less. The notice will show all amounts of taxes in arrears on the account including any penalties and interest or items added as taxes. These notices are sent to remind taxpayers of the current delinquency of taxes and to determine whether any discrepancies exist.

Telephone / Email Follow-Up

Contact will be attempted for taxpayers who have a significant amount of arrears in addition to the mailing of the arrears notices. Every effort is made to try and reach an agreement that is satisfactory to both the taxpayer and the municipality. Results of this contact will be documented and noted on the property tax account for future reference.

Payment Arrangements

Payment arrangements may be entered into in order to provide for the clearing of arrears over a period of time. Payment arrangements entered into should not

extend beyond two years (24 months) in length. Payment arrangements must include all tax arrears, current taxes, accruing estimates of future taxes, interest/penalty and be sufficient to ensure that payment in full is realized by the end of the agreement term.

The taxpayer would be considered to be in default of the established payment arrangements if a payment is not made or if it is returned by their financial institution. Once in default of the payment arrangement or if no satisfactory payment arrangement can be made, the City will proceed or resume other collection actions as set out in this policy including the registration of a Certificate of Tax Arrears.

Payment arrangements for accounts less than two years in arrears should be made to minimize the time the account is in arrears while offering a workable solution to the taxpayer. Any reasonable arrangement will not be refused.

Late payment charges in terms of penalty and interest will continue to accrue during all such payment arrangements until full payment on the account has been made. Payment arrangements will not include any forgiveness of interest. Post-dated cheques or pre-authorized payments are to be obtained wherever possible. Payment arrangements should be documented and noted on the property tax accounts for future follow-up and be specific in their agreed upon terms.

Any payment arrangement made to avoid the registration of a Certificate of Tax Arrears must be made in writing and signed by the property owner or agent and a representative of the City of Guelph.

Notwithstanding any such arrangements, no third party payment(s) will be refused by the City of payment on account (example: payment from a mortgagee).

Form or Personalized Letters:

Before an account is two years in arrears, a warning notice "Sale of Lands for Municipal Tax Arrears" is sent to property owners advising of the potential of Tax Sale proceedings. The notice will request payment in full or offer the property owner the opportunity to make specific payment arrangements to clear the account. The warning notice is sent prior to December 31 of each year to each account that will be two years in arrears as of January 1 of the next year.

All tax accounts two years or more in arrears will be subject to collection proceedings which could lead to the "Sale of Lands for Tax Arrears" as provided by Part XI of the Municipal Act, 2001. If no payment or payment arrangements have been made by December 31st, a final notice will be sent advising the assessed owner of the effective date of tax registration if suitable payment arrangements are not met.

Rent Attornment

Rent attornment may be used to discharge the tax arrears on an income producing property where there is a significant amount of taxes owing. The seizure of rent is the most severe deterrent on this type of property in that it deprives the owner of their operating funds. This measure is only used when all other methods are unsuccessful and is provided for under Sections 350 and 351 of the Municipal Act, 2001.

A first notice is sent advising the owner that the account is in serious arrears, and that if full payment or alternative payment arrangements are not made, the seizure of rent could take place. If full payment has not been received or payment arrangements made within thirty (30) days from the date of the first notice, a second notice will be sent advising the owner of the effective date that rent attornment will be implemented by the City if full payment or payment arrangements have not been made.

When the taxes still remain unpaid, thirty (30) days from the date of the second letter a third notice will be sent to the tenants advising them to remit their rents to the City as a result of the tax arrears.

The second and third letters will be sent by registered mail.

Bailiff/Third Party Collections

The City is authorized to utilize third party services including a Bailiff to expedite collection prior to registration of a Tax Arrears Certificate for residential realty tax accounts which are two years or more in arrears and have received notice of such. Commercial, industrial and multi-residential properties may have the services of a Bailiff utilized at any time prior to the registration of a Tax Arrears Certificate in order to expedite collection.

Section 349 of the Municipal Act, 2001 provides that taxes may be recovered with costs as a debt due to the municipality from the taxpayer originally assessed for them and from any subsequent owner of the assessed land or any part of it. When the services of a Bailiff are deemed appropriate to facilitate the

collection of tax arrears, the City may issue a notice called “Final Notice – Bailiff Collection” to property owner(s) advising a “warrant to distrain” will be issued to a Bailiff in order that the outstanding taxes are collected.

The services of a Bailiff may include personal visitation to the property as an agent of the City in an effort to collect or arrange settlement of the account in full with the property owner. Costs associated with this action are the responsibility of the property owner and are deducted by the Bailiff, in accordance with legislation, prior to the remittance of payment to the municipality. Once an account is forwarded to a Bailiff for collection purposes, the property owner must deal directly with the Bailiff and make payments directly to the Bailiff. The City will not accept payments from property owners in this case as it blurs the line of accountability and record keeping in regard to collection efforts and costs.

Municipal Tax Sale

Tax registration should be only considered after all reasonable means of collection have been exhausted. Staff will make every effort to work with the taxpayer to make suitable arrangement prior to this step.

The City will follow the procedures as set out in Part XI of the Municipal Act, 2001 when the decision is made to implement the Tax Sale process.

Prior to commencement of the Tax Sale process, a Farm Debt Mediation Act “Notice of Intent to Realize on Security” will be sent to the registered property owner(s). This notification serves as a final notice before a Tax Arrears Certificate Registration is completed. It provides the property owner with thirty (30) days to set up farm debt mediation if applicable. This also allows this time for the property owner to pay their tax arrears in full or enter into a firm, suitable arrangement with the City. Otherwise, the City will register a Tax Arrears Certificate against the property.

Once registered, the City will send a Notice of Registration of Tax Arrears Certificate to the property owner and all interested parties. There is a one (1) year redemption period after the Tax Arrears Certificate is registered on title, during which full payment of all taxes, penalty/interest and costs can be made. No partial payments are allowed. If full payment is made, the City will register a Cancellation Certificate (as defined by the Municipal Act, 2001).

If requested within the redemption period, the Manager of Taxation and Revenue may recommend Council pass a By-law authorizing they enter into an Extension Agreement as defined under Section 378 of the Municipal Act, 2001. If taxes remain unpaid after the one year period has passed and no Extension

Agreement has been entered into, the account will then be reviewed by the Manager of Taxation and Revenue as well as Legal Services if necessary prior to advertising for Tax Sale.

There is no requirement for the municipality to establish market value prior to the sale, give any warranties with the property or provide vacant possession.

The Treasurer and/or the Manager of Taxation and Revenue has the discretion to cancel a Tax Sale pursuant to Section 382(6) of the Municipal Act, 2001 at any time up to the registration of a tax deed or notice of vesting.

From the sale proceeds, the City retains sufficient funds to clear all outstanding taxes, penalty/interest and costs (total is considered to be the "Cancellation Price"). Any proceeds in excess of the Cancellation Price shall be paid into the Court, where any party having a claim may apply for a share of the surplus.

If there is no successful Tax Sale, the Manager of Taxation and Revenue shall report to Council suggesting further actions that may be taken, which may include registration of a notice of vesting.

G. MISCELLANEOUS

i. Interest on Tax Overpayments from Assessment / Tax Appeals

The City shall pay interest on tax overpayments resulting from appeal decisions released to the City of Guelph by the Assessment Review Board in accordance with Section 345(6) of the Municipal Act, 2001. Interest begins to accrue 120 days after the date the decision is released to the City and the City has been sent all necessary information required to process said decision. The rate of interest payable is in the same manner as interest is paid under subsection 257.11(4) of the Education Act, which states the rate of interest payable is the lowest Prime Rate reported to the Bank of Canada by any of the banks listed in schedule 1 of the Bank Act (Canada) on the date interest is paid. This interest rate will be paid commencing at the end of the 120-day period until the date the appeal adjustment is applied to the tax account.

The appeal adjustment amount plus any applicable interest will be credited to the relevant tax roll number.

ii. Minimum/Small Balance Write-offs

Some accounts have remaining balances that are small enough that the additional cost of collection is not deemed worthwhile. Before Interim and Final billings are produced and at year end, accounts are reviewed and all

accounts with balances of less than \$5.00 or credits less than \$1.00 are written off. Council authorizes the Manager of Taxation and Revenue to approve such write-offs as required for outstanding amounts less than \$10.00 and credits less than \$1.00.

iii. Tax Service Charges

Subject to annual review and Council approval, certain service fees shall be levied on individual tax accounts in amounts set by City By-Law. .

iv. Refunds and Credit Balances

All refund requests must be made in writing to the City of Guelph Revenue and Taxation Division. All requests will be thoroughly reviewed by staff before any cheque requisitions are produced.

No refund will be given unless there is an overpayment on the account. No refunds for \$50.00 or less will be issued and instead will be applied towards the next instalment. No refunds will be issued that will make the account past due.

All credits resulting from Tax Appeals, Assessment Appeals and other rebate programs will be applied to the property tax account against any outstanding taxes billed and owed. Any remaining credit will be left on the account and written notification will be sent to the property owners to advise them of the appeal's completion. The Manager of Taxation and Revenue at their discretion may the refund any credit to the property owner at any time.

In cases of overpayments or misapplied payments to property tax accounts, the party requesting the refund must also submit proof of payment along with their refund request. In cases where the ownership of a property has changed, a copy of the statement of adjustments from the parties' lawyers must also be submitted to the Tax Office before a refund can be issued.

Tax and Assessment Appeal credits will be refunded in compliance with Section 341 (2) of the Municipal Act, 2001 which states that the municipality "...shall refund any overpayment to the owner of the land as shown on the tax roll on the date the adjustment is made...". Former owners of property applying to the City for refunds of property taxes must obtain a written letter of authorization from the property's current owners before any funds can be released to them.

The Tax Office reserves the right to request any additional documentation as deemed necessary in order to facilitate the processing of a refund request.

H. REPORTING STANDARDS

The Manager of Taxation and Revenue shall prepare a report for the Treasurer's and Council's information annually or as directed by Council with respect to tax collections, showing a comparative position for the immediate prior periods and that of the prior four periods with regard to taxes levied and outstanding.

I. RESPONSIBILITIES

The Manager of Taxation and Revenue shall ensure that property tax billing and collection processes are performed in accordance with this policy. The Manager may exercise discretion in the application of the guidelines of this policy where unusual circumstances exist and so that consistent fairness is provided to the taxpayer. Municipal collection procedures must be maintained in principal, pursuant with approved policies or where governed by legislation.

J. POLICY UPDATE

The Manager of Taxation and Revenue is authorized to create, amend, adapt or change the policy for administrative matters, including changes in legislation.

Any change to this policy will require approval from the Deputy CAO, Corporate Services.

To **Committee of the Whole**

Service Area Infrastructure, Development and Enterprise Services

Date Monday, December 4, 2017

Subject **Sign Variances -Woodlawn Road Multi-use Pathway**

Report Number IDE-2017-132

Recommendation

1. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a freestanding sign with a sign area of 16.7m² and a height of 7m above the adjacent roadway to be set back 1.6m from the nearest public road allowance at [367 Woodlawn Road West](#), be approved.
2. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a freestanding sign with a sign area of 14m² and a height of 6.25m above the adjacent roadway to be set back 0.1m from the nearest public road allowance at [383 Woodlawn Road West](#), be approved.
3. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a freestanding sign with a sign area of 14m² and a height of 6.5m above the adjacent roadway to be set back 1.6m from the nearest public road allowance at [389 Woodlawn Road West](#), be approved.
4. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a freestanding sign with a sign area of 6m² and a height of 5.7m above the adjacent roadway to be set back 1.6m from the nearest public road allowance at [397 Woodlawn Road West](#), be approved.

Executive Summary

Purpose of Report

To advise Council of sign by-law variance requests for the properties of 367, 383, 389 and 397 Woodlawn Road West.

Key Findings

As part of the Woodlawn Road Multiuse Pathway Project, the City has or will be entering into purchase agreements with the property owners of 367, 383, 389, and 397 Woodlawn Road West. The acquisition of land from these properties is required to facilitate the construction of a multiuse pathway.

Each of these properties has a freestanding sign exceeding a height of 4.5m and three of the four signs have a sign face area exceeding 10m². At a setback of at least 6m from the nearest road allowance, the Sign By-law permits a sign to have a sign face of up to 3m² per 1 metre of frontage to a maximum of 17m² and to be a maximum height of 7m. Prior to the acquisition of land by the City, each of the signs met these requirements.

With these land acquisitions, each of these signs will become located less than 6m from the nearest public road allowance. The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that freestanding signs located less than 6m from the nearest public road allowance have a maximum height of 4.5m and maximum sign face area of 10m². Therefore as a direct result of these acquisitions, these signs will no longer comply to these regulations. The current Sign By-law does not contain provisions to address situations relating to land acquisitions by the City. Therefore Staff have prepared this sign variance report in order to bring each of the signs into compliance with the City of Guelph Sign By-law (1996)-15245, as amended, after acquisition has occurred.

The requested variances are recommended for approval for the following reasons:

- the non-compliance of these signs are/will be a result of the City's acquisition of land to facilitate the construction of a multiuse pathway;
- after review it has been concluded that there are no safety concerns relating to the approval of these variances; and
- the visual appearance of the signs from Woodlawn Road West will not change; therefore each of the signs will continue to meet the general intent of the by-law and will not negatively impact the streetscape or surrounding area.

Financial Implications

Should these variances be approved, there should be no additional financial implications. If these variances are not approved, it has been estimated that the cost to relocate the signs or remedy the situation could be approximately \$40,000 per location. This may also result in the City having to hire a contractor to go onto private property which could cause additional liability issues.

Report

As part of the Woodlawn Road Multiuse Pathway Project, the City has or will be entering into purchase agreements with the property owners of 367, 383, 389, and 397 Woodlawn Road West (Please see ATT-1 for Location Maps). The acquisition of land from these properties is required to facilitate the construction of a multiuse pathway.

Each of these properties has a freestanding sign exceeding a height of 4.5m and three of the four signs have a sign face area exceeding 10m². At a setback of at least 6m from the nearest road allowance, the Sign By-law permits a sign to have a sign face of up to 3m² per 1 metre of frontage to a maximum of 17m² and to be a maximum height of 7m. Prior to the acquisition of land by the City, each of the signs met these requirements.

As a result of the land acquisitions, each of the signs will be located less than 6m from the nearest public road allowance. The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that freestanding signs be located less than 6m from the nearest public road allowance, have a maximum height of 4.5m and a maximum sign face area of 10m². Therefore these signs will no longer comply to these regulations. The current Sign By-law does not contain provisions to address situations related to land acquisitions by the City. Therefore Staff has prepared this sign variance report in order to bring each of the signs into compliance with the City of Guelph Sign By-law (1996)-15245, as amended, once acquisition has occurred.

The requested variances are as follows:

- to permit a freestanding sign with a sign area of 16.7m² and a height of 7m above the adjacent roadway to be set back 1.6m from the nearest public road allowance at 367 Woodlawn Road West;
- to permit a freestanding sign with a sign area of 14m² and a height of 6.25m above the adjacent roadway to be set back 0.1m from the nearest public road allowance at for 383 Woodlawn Road West;
- to permit a freestanding sign with a sign area of 14m² and a height of 6.5m above the adjacent roadway to be set back 1.6m from the nearest public road allowance at 389 Woodlawn Road West; and
- to permit a freestanding sign with a sign area of 6m² and a height of 5.7m above the adjacent roadway to be set back 1.6m from the nearest public road allowance at 397 Woodlawn Road West.

Please see ATT-2 for drawings.

The requested variances are recommended for approval for the following reasons:

- the non-compliance of these signs are/will be a result of the City's acquisition of land to facilitate the construction of a multiuse pathway;
- after review it has been concluded that there are no safety concerns relating to the approval of these variances; and
- the visual appearance of the signs from Woodlawn Road West will not change; therefore each of the signs will continue to meet the general intent of the by-law and will not negatively impact the streetscape or surrounding area.

Financial Implications

Should these variances be approved, there should be no additional financial implications. If these variances are not approved, it has been estimated that the cost to relocate the signs or remedy the situation could be approximately \$40,000 per location. This may also result in the City having to hire a contractor to go onto private property which could cause additional liability issues.

Consultations

Not applicable

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Attachments

ATT-1 Location Maps
ATT-2 Sign Variance Drawings

Departmental Approval

Ike Umar, Project Manager, Engineering Services

Walter Buettel, Engineering Technologist - Engineering Services

Greg Bernardi, Realty Specialist – Legal, Realty and Risk Services


Report Author

Bill Bond

Zoning Inspector III/Senior By-law Administrator

Approved By:

Patrick Sheehy
Program Manager – Zoning



Approved By

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Planning, Urban Design, and
Building Services
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todd.salter@guelph.ca

Approved By:

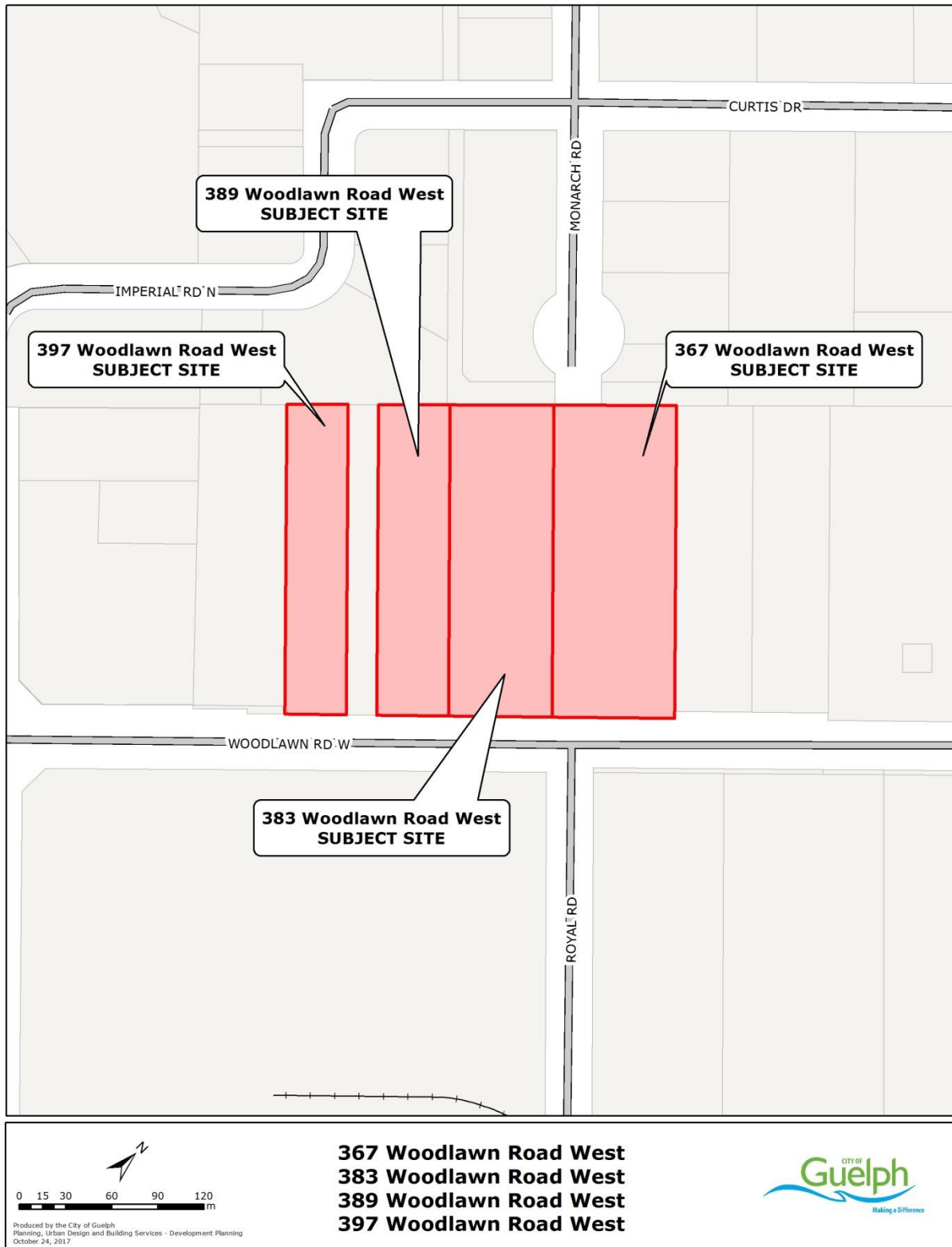
Rob Reynen
Chief Building Official



Recommended By

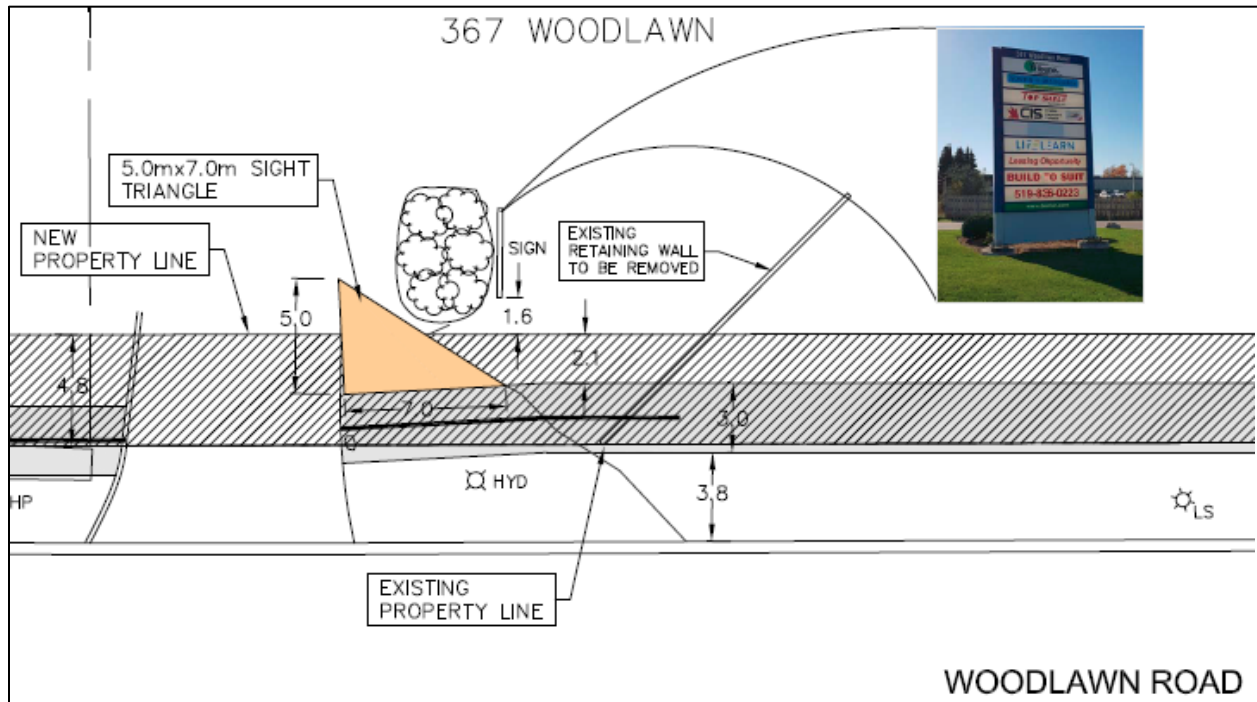
Scott Stewart, C.E.T.
Deputy CAO
Infrastructure, Development and Enterprise
519-822-1260, ext. 3445
scott.stewart@guelph.ca

ATT 1– Location Maps

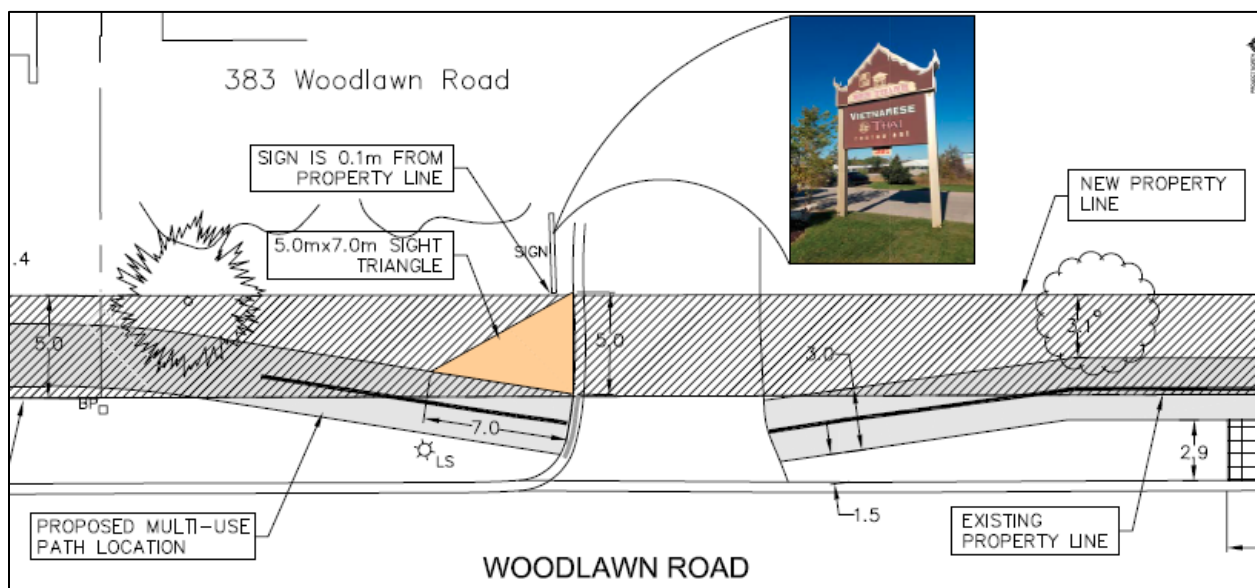


ATT-2 Sign Variance Drawings

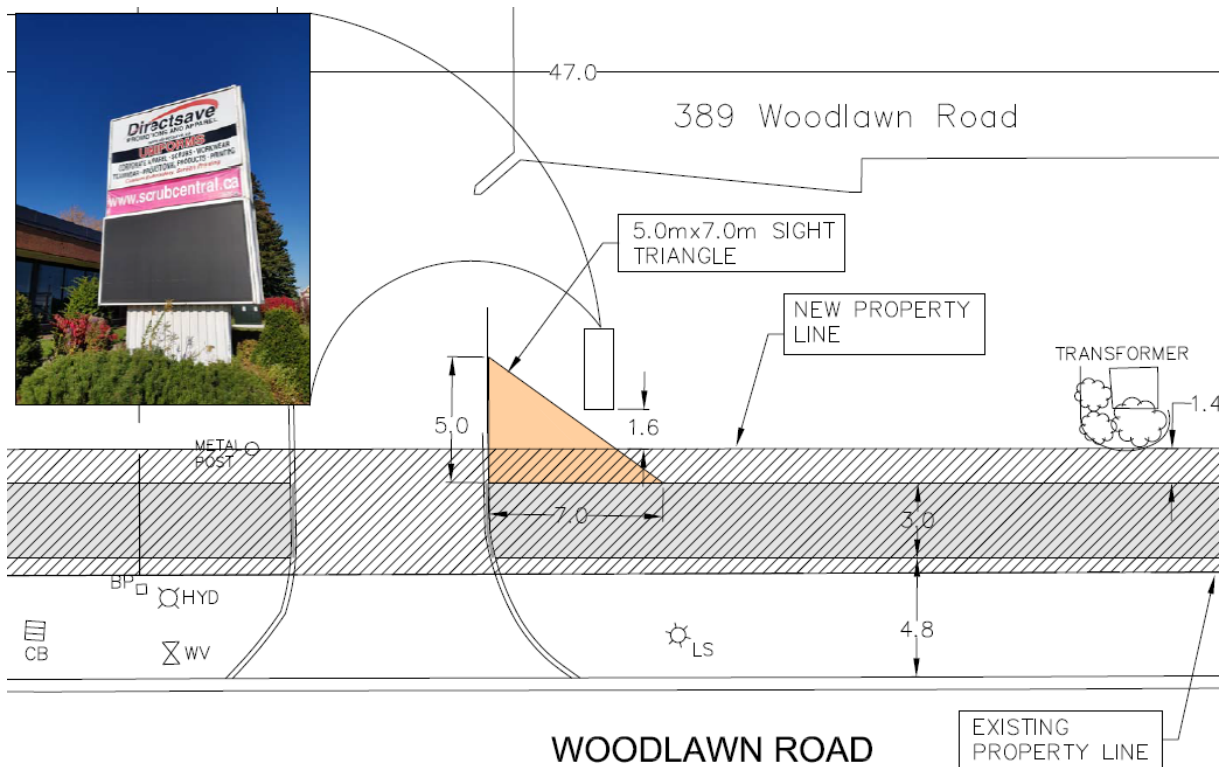
367 Woodlawn Road West



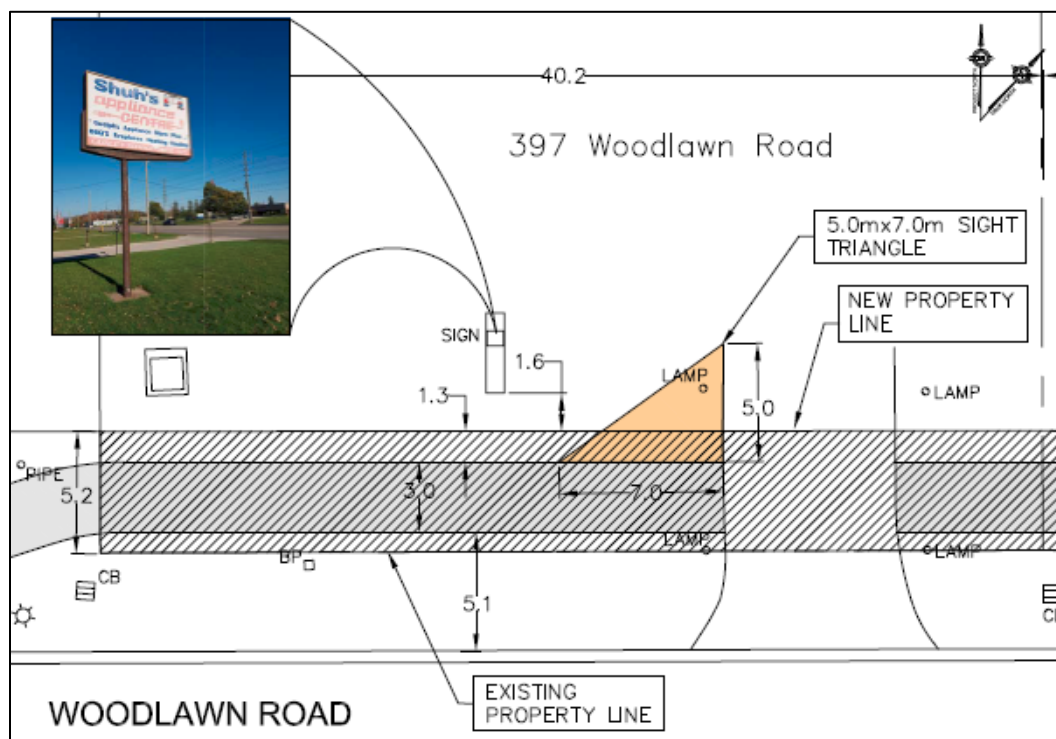
383 Woodlawn Road West



389 Woodlawn Road West



397 Woodlawn Road West



Staff Report



To **Committee of the Whole**

Service Area Infrastructure, Development and Enterprise Services

Date Monday, December 4, 2017

Subject **Sign By-law Variances – [381 Woolwich Street](#)**

Report Number IDE-2017-133

Recommendation

1. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a 0.85m² non-illuminated sign on an awning located over the public road allowance at 381 Woolwich Street, be approved.
2. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a 4.2m² building sign painted directly onto the wall and over the road allowance at 381 Woolwich Street to be a height of 0.5m above the ground surface, be approved.
3. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a 2m² building sign to be located on the second storey of the building, within 1.2m of the adjacent property and over the public road allowance of 381 Woolwich Street, be approved.

Executive Summary

Purpose of Report

To advise Council of Sign By-law variance requests for [381 Woolwich Street](#).

Key Findings

The subject property is located in an Office Residential (OR) Zone. The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that building signs located in an Office Residential zone be located on private property. Additionally the Sign By-law requires signs more than 1m² to be a minimum height of 2.4 metres above ground, requires that signs be located on the first storey of the building, and not within 7m of an adjacent property (when facing adjacent property).

ArtMed has submitted a sign by-law variance application to permit:

- a 0.85m² non-illuminated sign on an awning located over the public road allowance at 381 Woolwich Street;
- a 4.2m² building sign painted directly onto the wall and over the road allowance at 381 Woolwich Street to be a height of 0.5m above the ground surface; and
- a 2m² building sign to be located on the second storey of the building, within 1.2m of the adjacent property and over the public road allowance at 381 Woolwich Street.

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The request is reasonable given the building encroaches onto the road allowance and there is no feasible alternative to have the signs located on private property;
- The applicant has entered into an encroachment agreement with the City which includes signage on the building;
- The signs will assist the public by clearly identifying the location of business;
- The proposed signs should not pose a hazard to any persons travelling near the building;
- The building adjacent to the proposed second storey sign is set back and should not be negatively impacted by the proposed non-illuminated sign that is within 1.2m of the property;
- The owner of the property adjacent to the location of the proposed second storey sign was consulted and indicated that he has no objections to the proposed non-illuminated sign;
- The locations of the signs will not detract from the appearance of the building; and
- The proposed signs will not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable

Report

The subject property (see ATT-1 Location Map) is located in an Office Residential (OR) Zone. The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that building signs located in an Office Residential zone be located on private property. Additionally the Sign By-law requires signs more than 1m² to be a minimum height of 2.4 metres above ground, requires that signs be located on the first storey of the building, and not within 7m of an adjacent property (when facing adjacent property).

ArtMed has submitted a sign by-law variance application to permit:

- a 0.85m² non-illuminated sign on an awning located over the public road allowance at 381 Woolwich Street;
- a 4.2m² building sign painted directly onto the wall and over the road allowance at 381 Woolwich Street to be a height of 0.5m above the ground surface; and
- a 2m² building sign to be located on the second storey of the building, within 1.2m of the adjacent property and over the public road allowance at 381 Woolwich Street.

See ATT 2- Sign Drawings.

The following is a summary of the reasons that have been supplied by the Applicant in support of the variance requests:

- The building has no setback, therefore there is no opportunity for a freestanding sign or other signage on private property;

- The awning logo is difficult to see when driving on Woolwich Street - the two other signs will be easier to see from the street and will allow new customers to easily locate our business;
- This is also a safety advantage, given that customers will be able to locate our business from a safe distance and will not have to suddenly slow down in front of our building or have to turn around;
- Also, as none of our signs are illuminated, we chose the size and locations of these signs as the best alternative with both safety and visibility in mind.

The requested variances are as follows:

	By-law Requirements	Request
Location of signs	Private property	3 signs over the public road allowance
	1st storey	1 sign to be located on the 2 nd storey
	When fronting an adjacent property – required to be a minimum of 7m from the adjacent property	1 sign to be located within 1.2m of the adjacent property
	Minimum clearance of 2.4m above ground surface for signs exceeding 1m ²	To permit 1 sign with an area of 4.2m ² to be located 0.5m above the ground surface

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The request is reasonable given the building encroaches onto the road allowance and there is no feasible alternative to have the signs located on private property;
- The applicant has entered into an encroachment agreement with the City which includes signage on the building;
- The signs will assist the public by clearly identifying the location of business;
- The proposed signs should not pose a hazard to any persons travelling near the building;
- The building adjacent to the proposed second storey sign is set back and should not be negatively impacted by the proposed non-illuminated sign that is within 1.2m of the property;
- The owner of the property adjacent to the location of the proposed second storey sign (within 1.2 metres of his property) was consulted and indicated that he has no objections to the proposed non-illuminated sign;
- The locations of the signs will not detract from the appearance of the building; and
- The proposed signs will not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable

Consultations

Not applicable

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Attachments

ATT-1 Location Map
ATT-2 Sign Variance Drawings

Departmental Approval

Not applicable

Report Author

Bill Bond
Zoning Inspector III/Senior By-law Administrator

Approved By:

Patrick Sheehy
Program Manager – Zoning



Approved By

Todd Salter
General Manager
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Approved By:

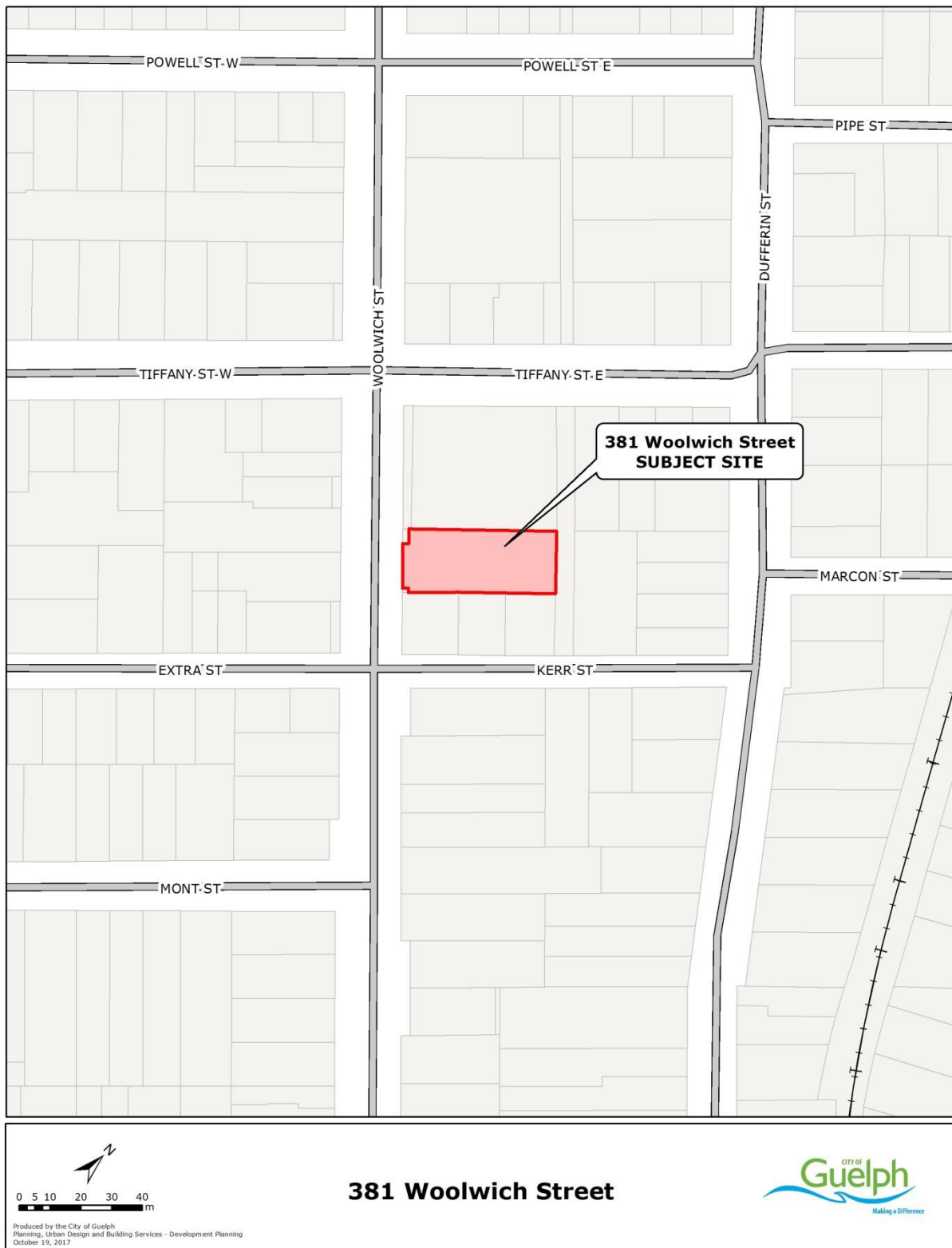
Rob Reynen
Chief Building Official



Recommended By

Scott Stewart, C.E.T.
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scott.stewart@guelph.ca

ATT-1 - Location Map

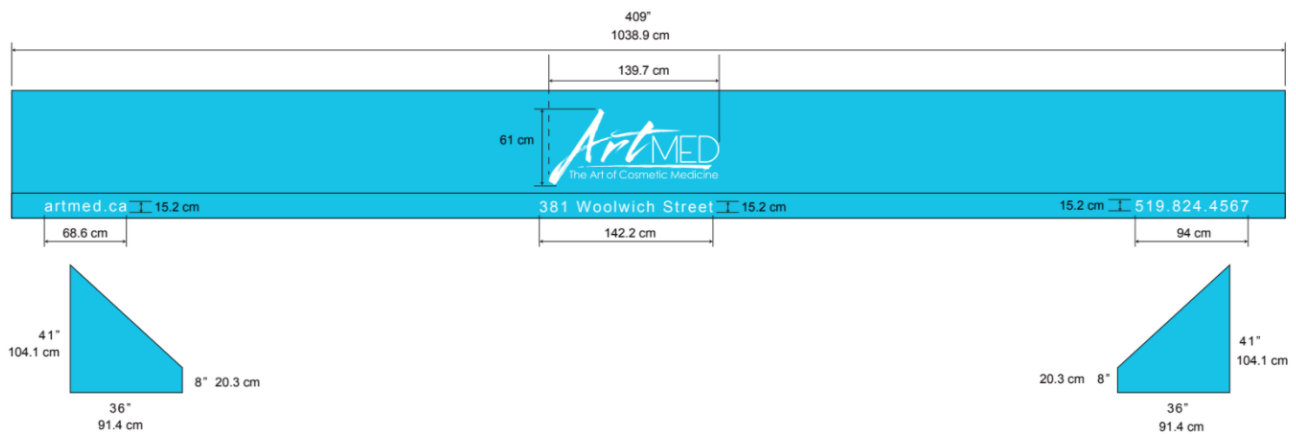


ATT-2 - Sign Variance Drawings (Provided by the applicant)

Street view of building

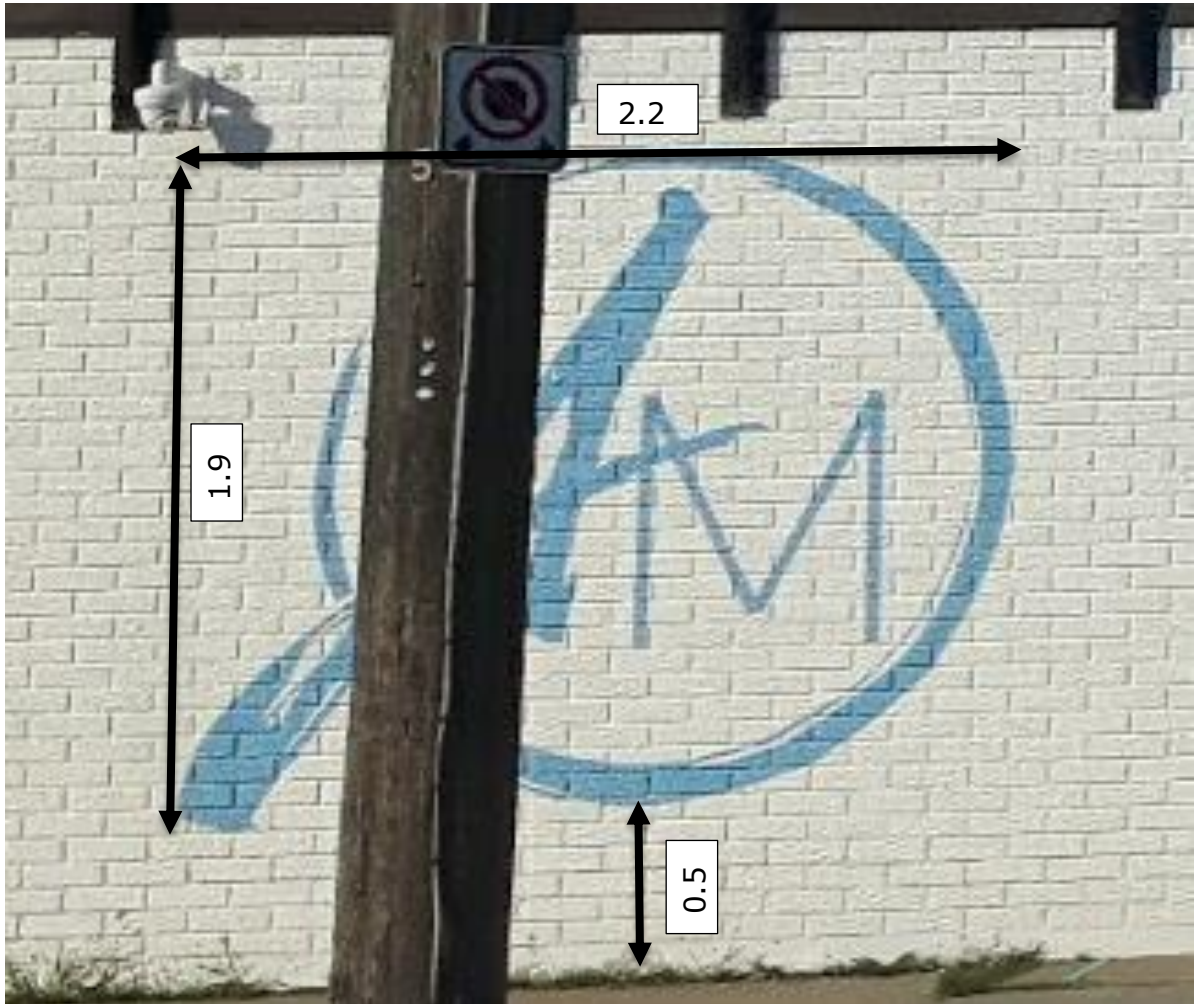


0.85m² non-illuminated sign on an awning located over the public road allowance at
381 Woolwich Street



**ATT-2 - Sign Variance Drawings
(Provided by the applicant)**

Building sign painted directly onto the wall and over the road allowance at 381
Woolwich Street (0.5m above the ground surface)



**ATT-2 - Sign Variance Drawings
(Provided by the applicant)**

2m² building sign to be located on the second storey of the building, within 1.2m of the adjacent property and over the public road allowance of 381 Woolwich Street



Staff Report



To **Committee of the Whole**

Service Area Infrastructure, Development and Enterprise Services

Date Monday, December 4, 2017

Subject **Sign By-law Variance – [345 Hanlon Creek Boulevard](#)**

Report Number IDE-2017-134

Recommendation

1. That the request for variance from Sign By-law Number (1996)-15245, as amended, to permit a 2.17m² non-illuminated freestanding sign at 345 Hanlon Creek Boulevard to be located 45m from a freestanding sign on the same property, be approved.

Executive Summary

Purpose of Report

To advise Council of Sign By-law variance request for [345 Hanlon Creek Boulevard](#).

Key Findings

The subject property is located in an Industrial B.5 (B.5-4) Zone. The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that there be a minimum separation distance of 120m between freestanding signs on the same property in an Industrial Zone.

Lovett Signs Inc. has submitted a sign by-law variance application on behalf of Wurth Canada Limited to permit:

- a 2.17m² non-illuminated freestanding sign at 345 Hanlon Creek Boulevard to be located 45m from a freestanding sign on the same property

The requested variance from the Sign By-law is recommended for approval for the following reasons:

- The proposed sign is a directional sign to advise truck drivers that they cannot go further;
- If the proposed directional sign was less than 0.4m² it would not require a variance;
- Staff have been informed that the reason the sign is proposed to be an area of 2.17m² is to provide increased visibility so that drivers have sufficient notice to turn around safely without driving over the landscaped area;
- The location of the sign does not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable

Report

The subject property (see ATT-1 Location Map) is located in an Industrial B.5 (B.5-4) Zone. The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that there be a minimum separation distance of 120m between freestanding signs on the same property in an Industrial Zone.

Lovett Signs Inc. has submitted a sign by-law variance application on behalf of Wurth Canada Limited to permit:

- a 2.17m² non-illuminated freestanding sign at 345 Hanlon Creek Boulevard to be located 45m from a freestanding sign on the same property

See ATT 2- Sign Drawings.

The requested variances are as follows:

	By-law Requirements	Request
Minimum required separation distance between freestanding signs on the same property	120m	45m

The requested variance from the Sign By-law is recommended for approval for the following reasons:

- The proposed sign is a directional sign to advise truck drivers that they cannot go further;
- If the proposed directional sign was less than 0.4m² it would not require a variance;
- Staff have been informed that reason the sign is proposed to be an area 2.17m² is to provide increased visibility so that drivers have sufficient notice to turn around safely without driving over the landscaped area;
- The location of the sign does not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable

Consultations

Not applicable

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Attachments

ATT-1 Location Map
ATT-2 Sign Variance Drawings

Departmental Approval

Not applicable

Report Author

Bill Bond
Zoning Inspector III/Senior By-law Administrator

Approved By:

Patrick Sheehy
Program Manager – Zoning



Approved By

Todd Salter
General Manager
Planning, Urban Design, and
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Approved By:

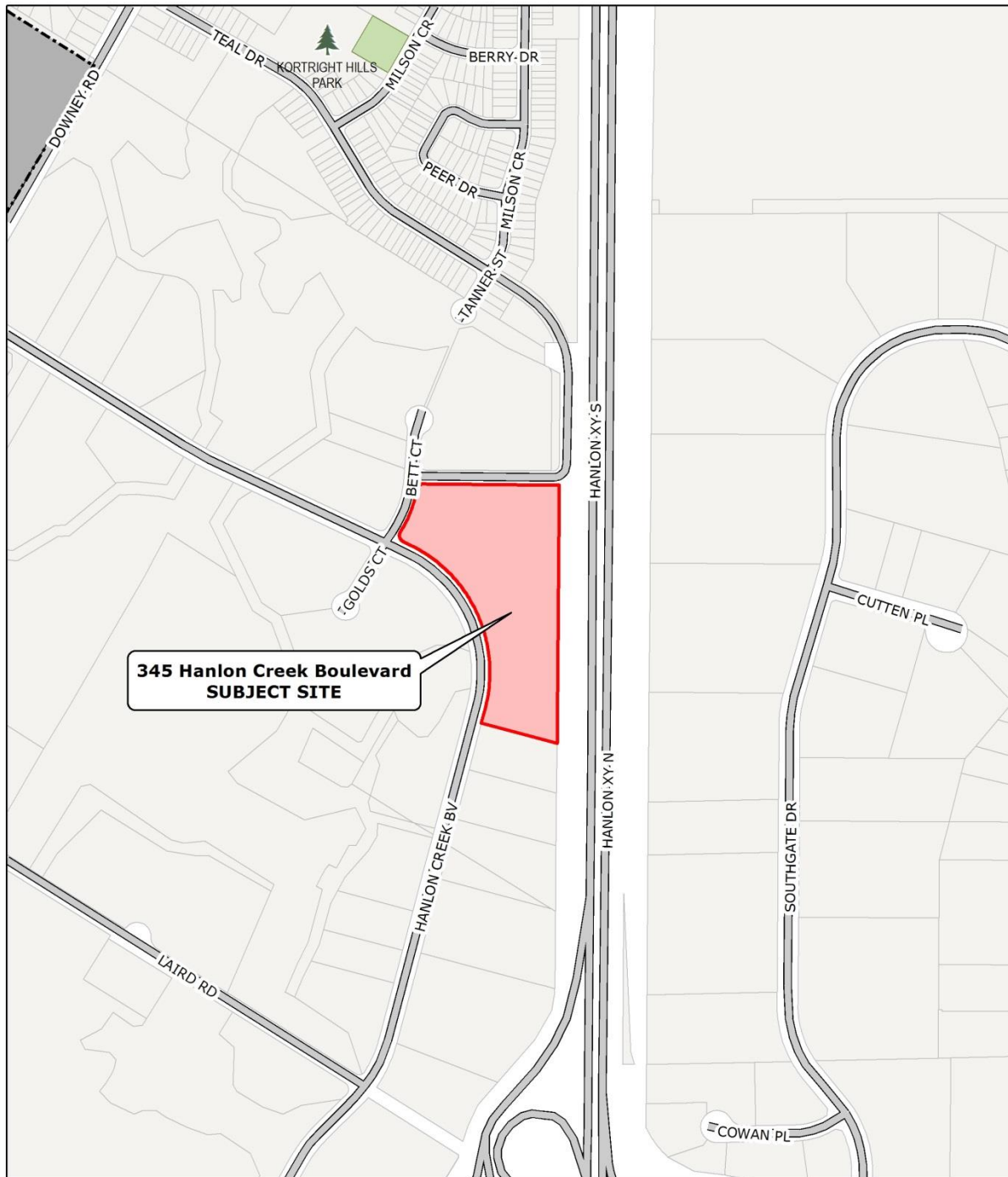
Rob Reynen
Chief Building Official



Recommended By

Scott Stewart, C.E.T.
Deputy CAO
Infrastructure, Development and Enterprise
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scott.stewart@guelph.ca

ATT-1 - Location Map



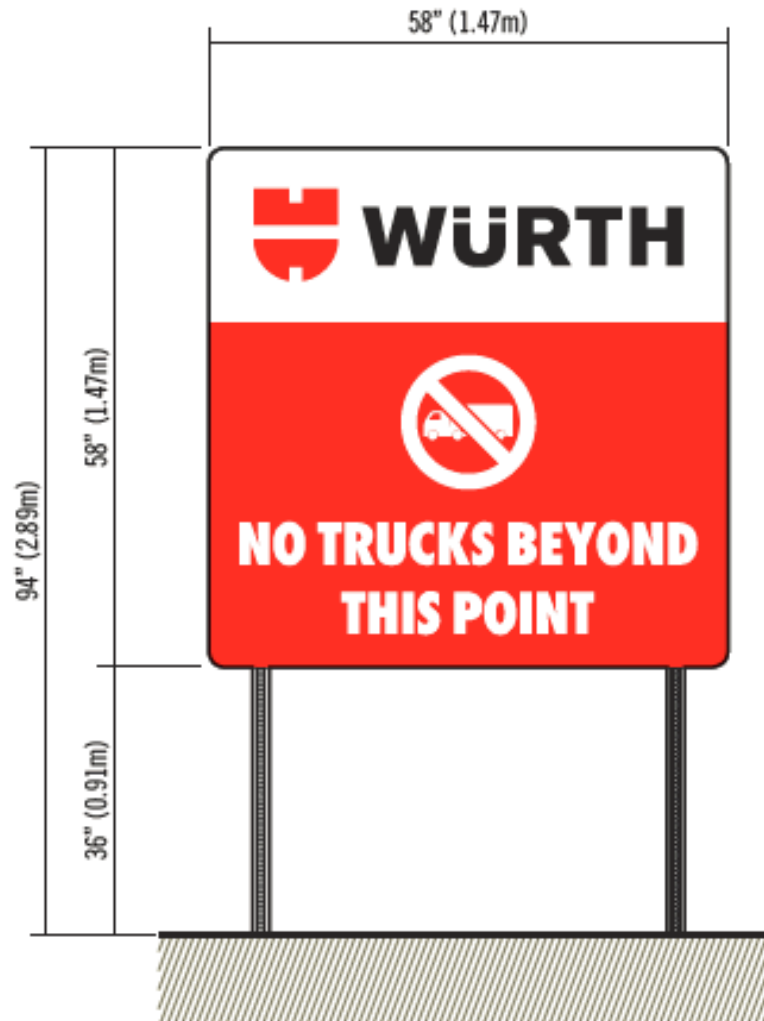


Produced by the City of Guelph
Planning, Urban Design and Building Services - Development Planning
October 19, 2017

345 Hanlon Creek Boulevard

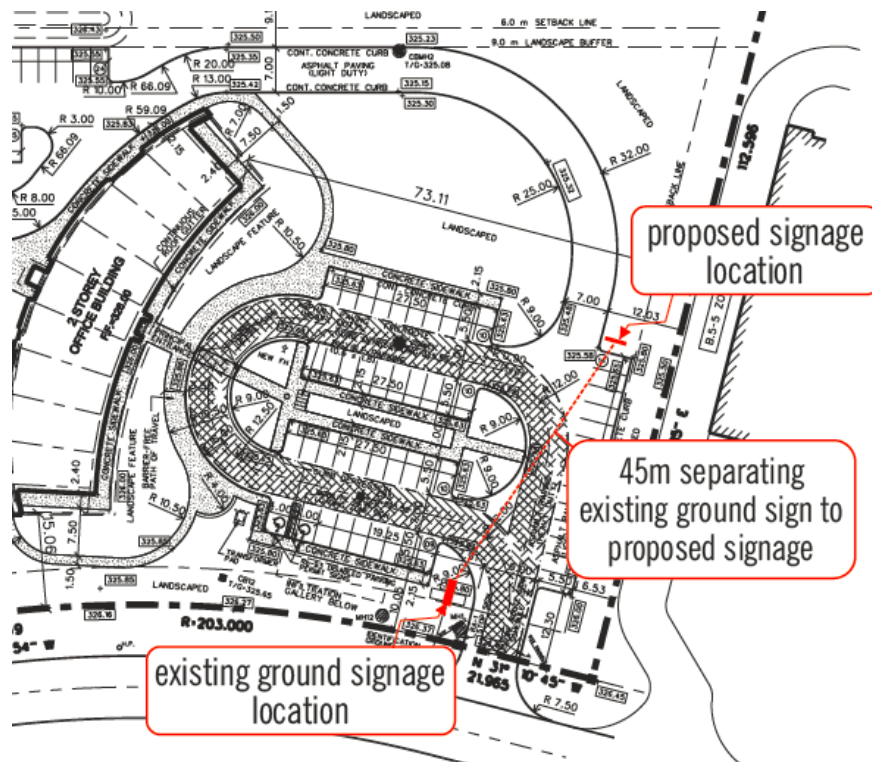


**ATT-2 - Sign Variance Drawings
(Provided by the applicant)**



Signage Sq Footage: 23.36 sq ft / 2.17 sq m

proposed signage location



Staff Report



To **Committee of the Whole**

Service Area Infrastructure, Development and Enterprise Services

Date Monday, December 4, 2017

Subject **Sign By-law Variances – [630 Scottsdale Drive](#)**

Report Number IDE-2017-135

Recommendation

1. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit a non-illuminated building sign with an area of 1.7m² and to be a height of 1.83m above the ground surface at 630 Scottsdale Drive, be approved.

Executive Summary

Purpose of Report

To advise Council of Sign By-law variance requests for [630 Scottsdale Drive](#).

Key Findings

The subject property is located in a Service Commercial (SC. 1-14) Zone. The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that building signs larger than 1m² in a Service Commercial Zone have a minimum of 2.4m of clearance above the ground surface.

Lovett Signs Inc. has submitted a sign by-law variance application on behalf of 2286294 Ontario Inc. (Scottsdale Dental Centre) to permit:

- a non-illuminated building sign with an area of 1.7m² and to be a height of 1.83m above the ground surface at 630 Scottsdale Drive.

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The sign has a minimal projection from the building and is located over landscaped space, therefore will not pose a hazard to any persons entering or exiting the building;
- The sign will assist the public by clearly identifying the location of business;
- The location of the sign does not detract from the appearance of the building; and
- The sign does not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable

Report

The subject property (see ATT-1 Location Map) is located in a Service Commercial (SC. 1-14) Zone. The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that building signs larger than 1m² in a Service Commercial Zone have a minimum of 2.4m of clearance above the ground surface.

Lovett Signs Inc. has submitted a sign by-law variance application on behalf of 2286294 Ontario Inc. (Scottsdale Dental Centre) to permit:

- a non-illuminated building sign with an area of 1.7m² and to be a height of 1.83m above the ground surface at 630 Scottsdale Drive.

See ATT 2- Sign Drawings.

The requested variances are as follows:

	By-law Requirements	Request
Location of sign	Minimum clearance of 2.4m above ground surface for signs exceeding 1m ²	To permit 1 sign with an area of 1.7m ² to be located 1.83 above the ground surface

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The sign has a minimal projection from the building and is located over landscaped space, therefore will not pose a hazard to any persons entering or exiting the building;
- The sign will assist the public by clearly identifying the location of business;
- The location of the sign does not detract from the appearance of the building; and
- The sign does not have a negative impact on the streetscape or surrounding area.

Financial Implications

Not applicable

Consultations

Not applicable

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Attachments

ATT-1 Location Map
ATT-2 Sign Variance Drawings

Departmental Approval

Not applicable

Report Author

Bill Bond
Zoning Inspector III/Senior By-law Administrator

Approved By:

Patrick Sheehy
Program Manager – Zoning



Approved By

Todd Salter
General Manager
Planning, Urban Design, and
Building Services
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todd.salter@guelph.ca

Approved By:

Rob Reynen
Chief Building Official



Recommended By

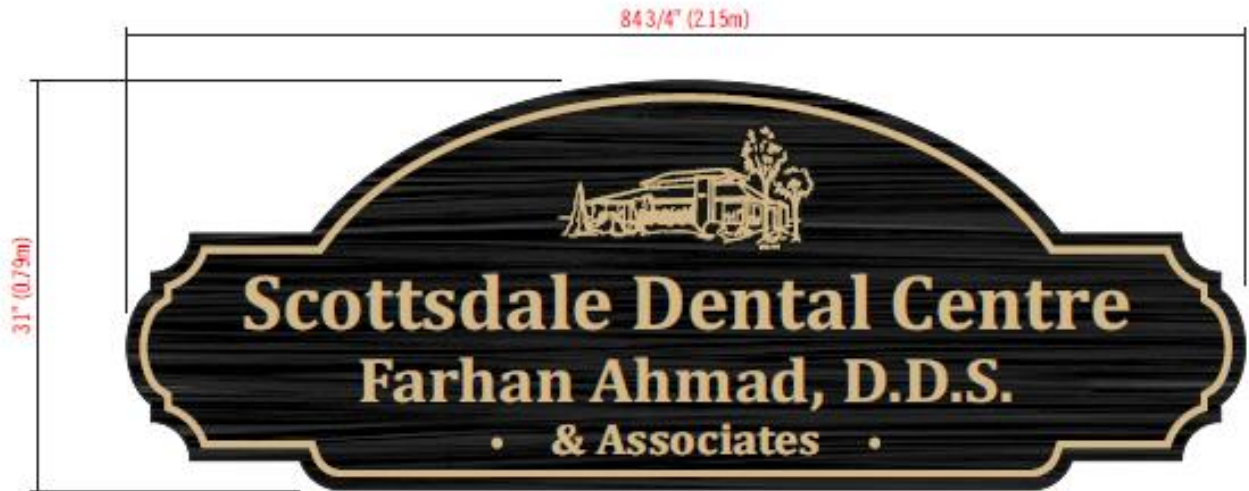
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Infrastructure, Development and Enterprise
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ATT-1 - Location Map



**ATT-2 - Sign Variance Drawings
(Provided by the applicant)**

Non-illuminated building sign with an area of 1.7m² and to be a height of 1.83m above the ground surface at 630 Scottsdale Drive



Location on the building



Staff Report



To **Committee of the Whole**

Service Area Infrastructure, Development and Enterprise Services

Date Monday, December 4, 2017

Subject **Sign By-law Variances – [20-30 Clair Road West](#)**

Report Number IDE-2017-136

Recommendation

1. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit an illuminated freestanding sign with a sign area of 9.97m² at 20-30 Clair Road West to be setback 1.75m from the nearest public road allowance and to be a height of 6.15m above the adjacent roadway (Clair Road West), be approved.
2. That the request for variances from Sign By-law Number (1996)-15245, as amended, to permit an illuminated freestanding sign with a sign area of 7.9m² at 20-30 Clair Road West to be setback 1m from the nearest public allowance and to be a height of 6.15m above the adjacent roadway (Gordon Street), be approved.

Executive Summary

Purpose of Report

To advise Council of Sign By-law variance requests for [20-30 Clair Road West](#).

Key Findings

The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that a freestanding sign that is setback less than 6 metres from the nearest road allowance in a Community Shopping Centre (CC) Zone, be a height of no more than 4.5 metres above the adjacent roadway.

Lovett Signs has submitted a sign by-law variance application on behalf of D-Four Guelph Developments Limited to permit:

- An illuminated freestanding sign with a sign area of 9.97m² at 20-30 Clair Road West to be setback 1.75m from the nearest public road allowance and to be a height of 6.15m above the adjacent roadway (Clair Road West); and
- To permit an illuminated freestanding sign with a sign area of 7.9m² at 20-30 Clair Road West to be setback 1m from the nearest public allowance and to be a height of 6.15m above the adjacent roadway (Gordon Street).

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The signs will assist the public by identifying the tenants of the property;
- The requests are reasonable given the characteristics of the property, including short building setbacks;
- A declaration has been signed stating that the message centre will only change once every twenty-four hours; therefore the sign with the message board will not flash or be animated;
- The proposed signs will not have a negative impact on the streetscape or surrounding area and are not in close proximity to residential uses.

Financial Implications

Not applicable

Report

The City of Guelph Sign By-law Number (1996)-15245, as amended, requires that a freestanding sign that is setback less than 6 metres from the nearest road allowance in a Community Shopping Centre (CC) Zone, be a height of no more than 4.5 metres above the adjacent roadway.

Lovett Signs has submitted a sign by-law variance application on behalf of D-Four Guelph Developments Limited to permit:

- An illuminated freestanding sign with a sign area of 9.97m² at 20-30 Clair Road West to be setback 1.75m from the nearest public road allowance and to be a height of 6.15m above the adjacent roadway (Clair Road West); and
- To permit an illuminated freestanding sign with a sign area of 7.9m² at 20-30 Clair Road West to be setback 1m from the nearest public allowance and to be a height of 6.15m above the adjacent roadway (Gordon Street).

The requested variances are as follows:

	By-law Requirements	Request
Maximum height above the adjacent roadway for signs setback at least 1 metre and no greater than 6 metres away from the nearest public road allowance	Maximum height of 4.5 metres above an adjacent roadway	2 signs to be a height of 6.15 metres above an adjacent roadway

The requested variances from the Sign By-law are recommended for approval for the following reasons:

- The signs will assist the public by identifying the tenants of the property;
- The requests are reasonable given the characteristics of the property, including short building setbacks;
- A declaration has been signed stating that the message centre will only change once every twenty-four hours; therefore the sign with the message board will not flash or be animated;
- The proposed signs will not have a negative impact on the streetscape or surrounding area and are not in close proximity to residential uses.

Financial Implications

Not applicable

Consultations

Not applicable

Corporate Administrative Plan

Overarching Goals

Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Attachments

ATT-1 Location Map
ATT-2 Sign Variance Drawings

Departmental Approval

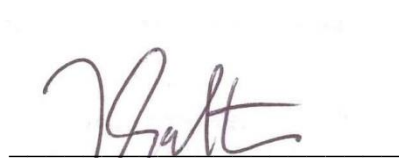
Not applicable

Report Author

Bill Bond
Zoning Inspector III/Senior By-law Administrator

Approved By:

Patrick Sheehy
Program Manager – Zoning



Approved By

Todd Salter
General Manager
Planning, Urban Design, and
Building Services
519-837-5615, ext. 2395
todd.salter@guelph.ca

Approved By:

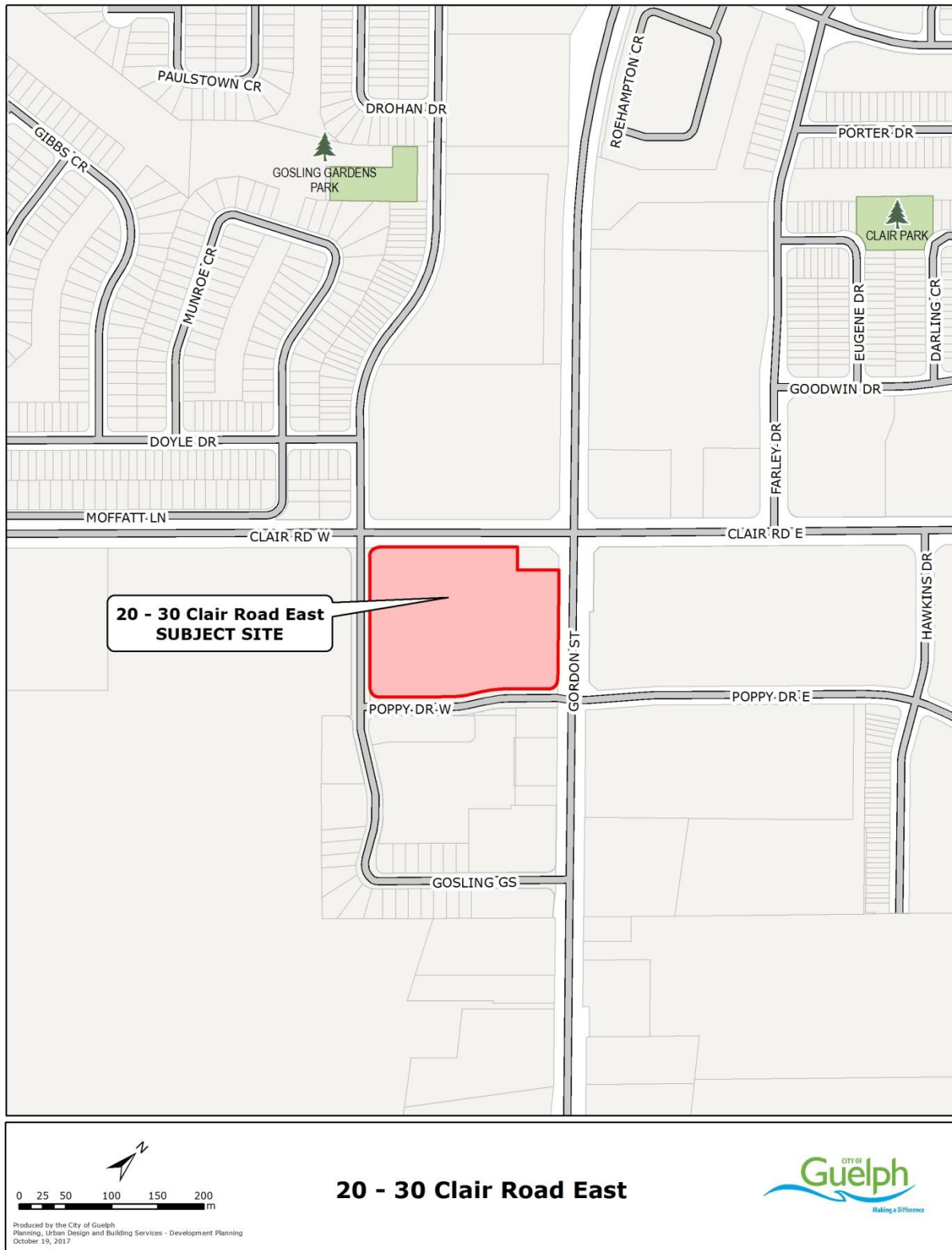
Rob Reynen
Chief Building Official



Recommended By

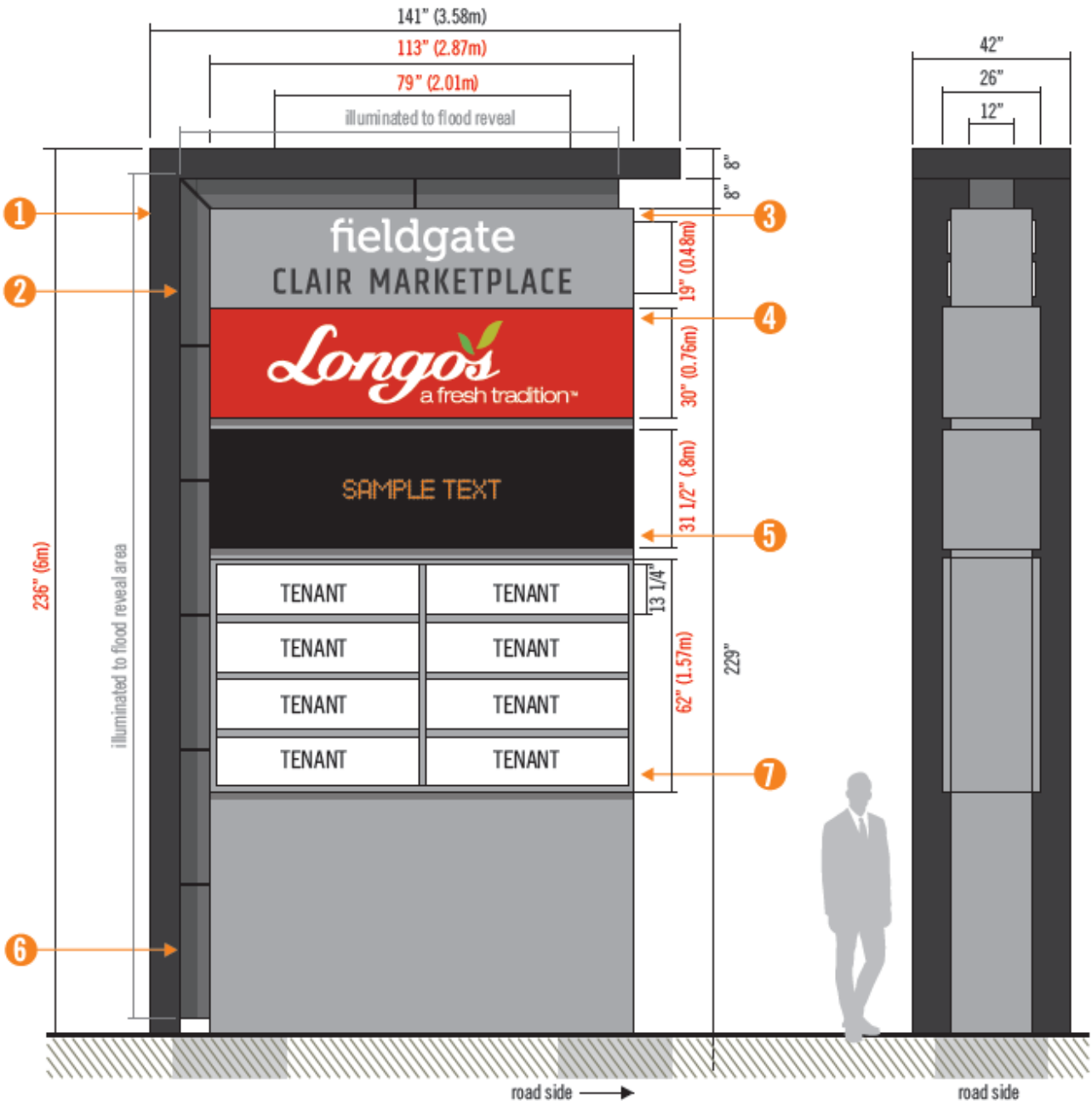
Scott Stewart, C.E.T.
Deputy CAO
Infrastructure, Development and Enterprise
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scott.stewart@guelph.ca

ATT-1 - Location Map

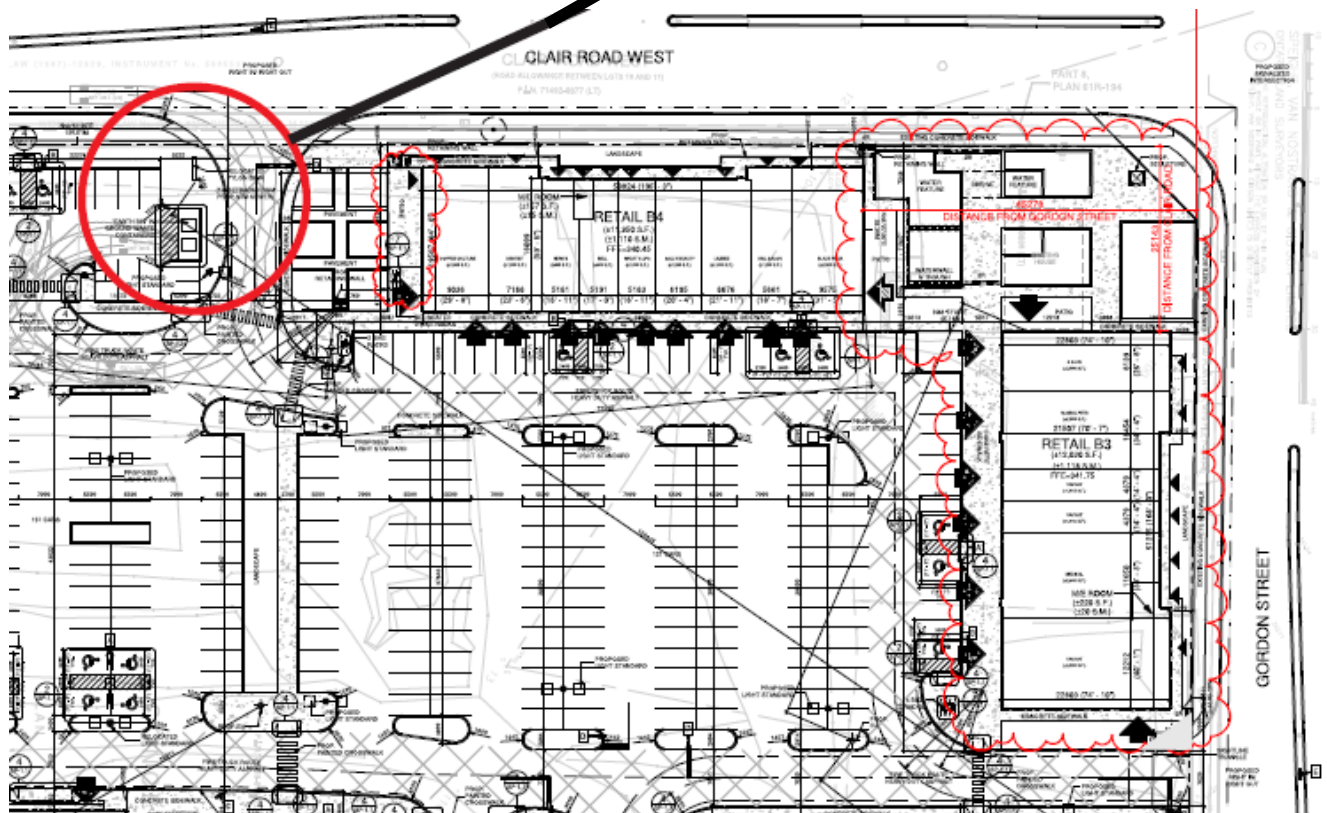
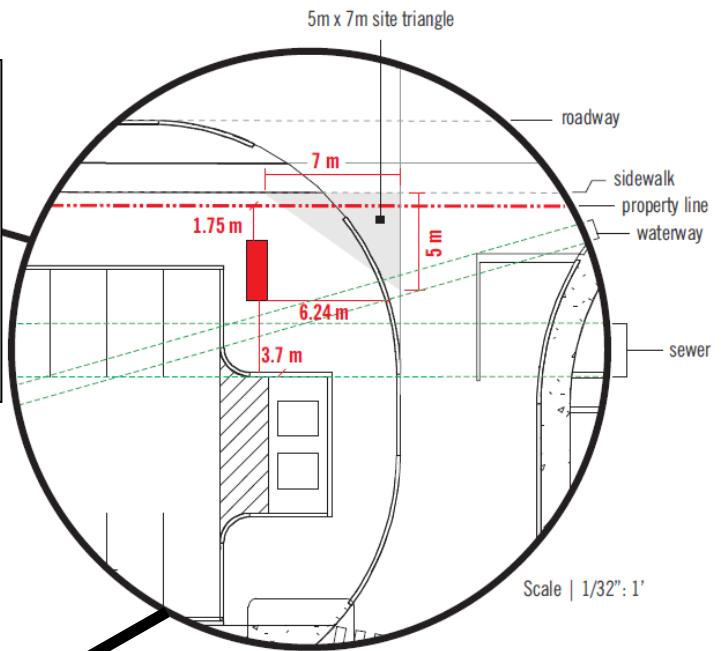


ATT-2 - Sign Variance Drawings (Provided by the applicants)

Illuminated freestanding sign with a sign face area of 9.97m² at 20-30 Clair Road West proposed to be setback 1.75m from the nearest public road allowance and a height of 6.15m above the adjacent roadway

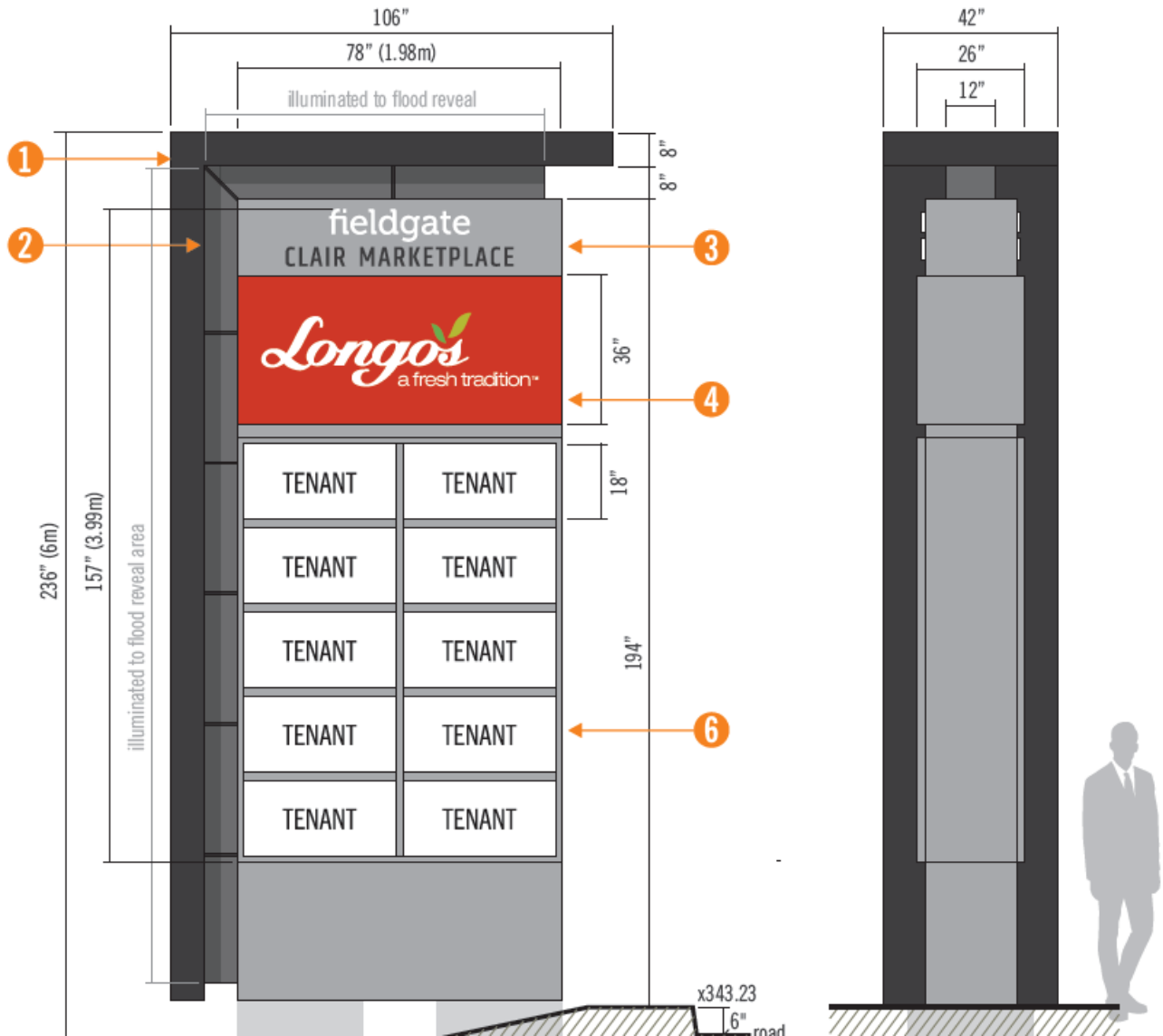


Proposed location of the illuminated freestanding sign with a sign face area of 9.97m² to be setback 1.75m from the nearest public road allowance and to be a height of 6.15m above the adjacent roadway

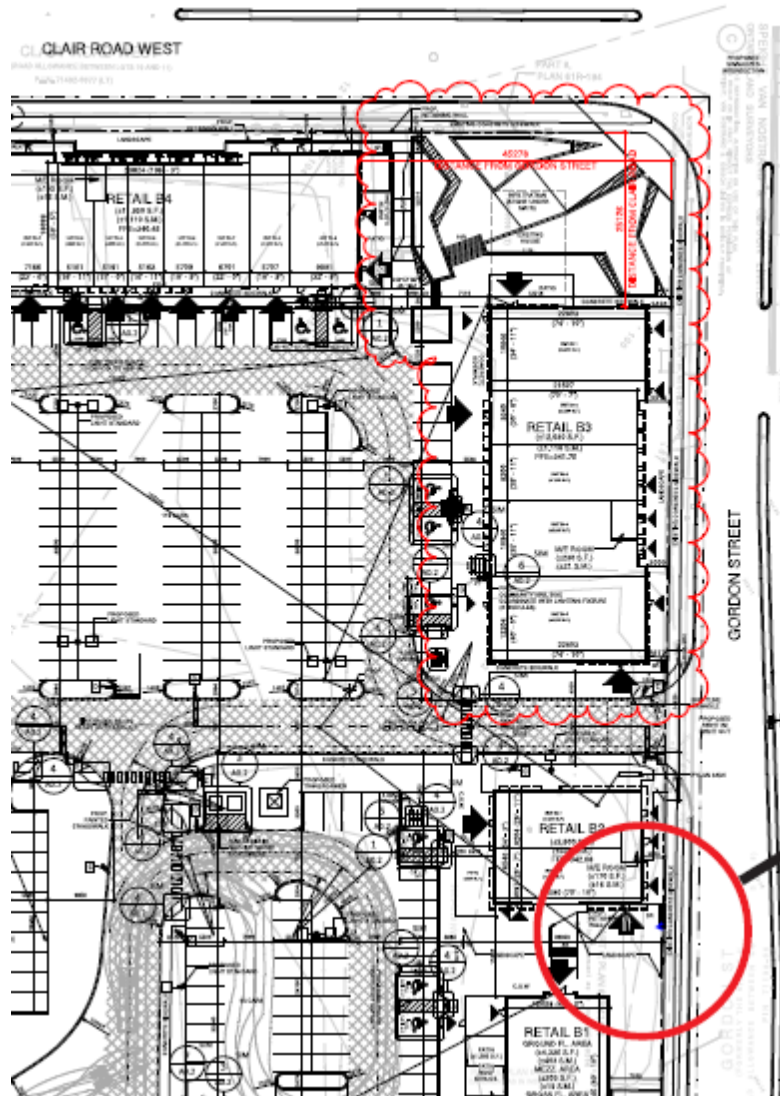


ATT-2 - Sign Variance Drawings (Provided by the applicants)

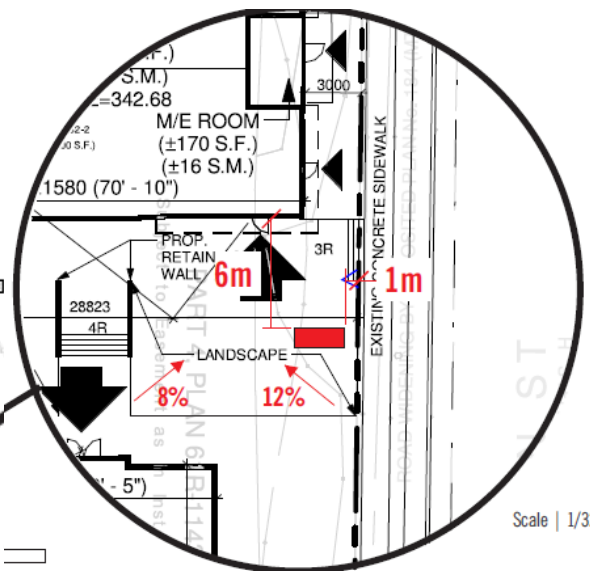
Illuminated freestanding sign with a sign face area of 7.9m² at 20-30 Clair Road West proposed to be setback 1m from the nearest public allowance and a height of 6.15m above the adjacent roadway

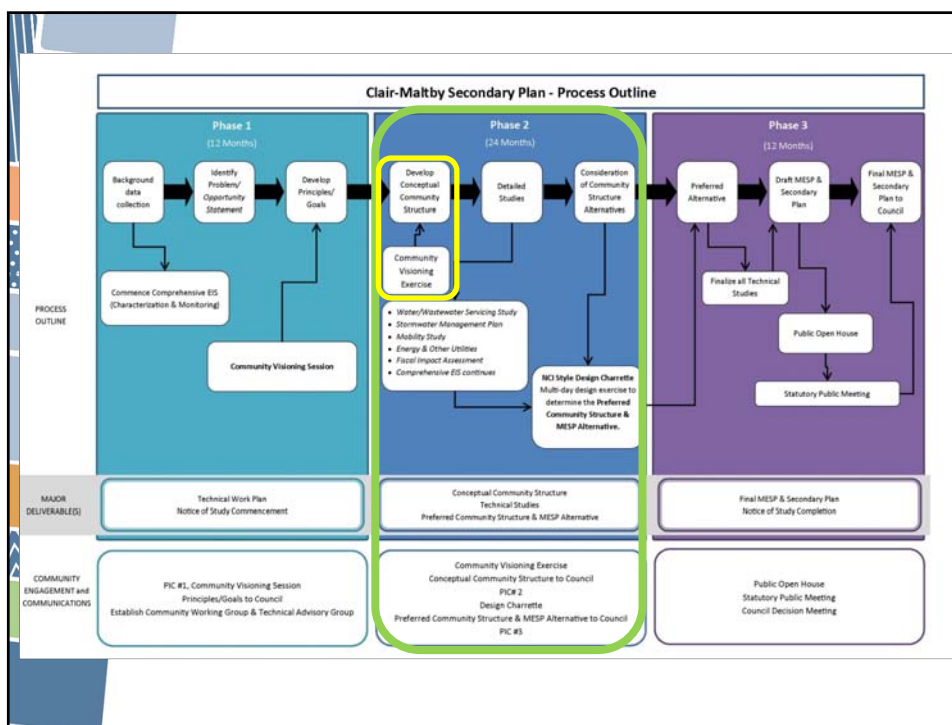


ATT-2 - Sign Variance Drawings (Provided by the applicants)



Proposed location of the illuminated freestanding sign with a sign face area of 7.9m^2 to be setback 1m from the nearest public allowance and a height of 6.15m above the adjacent roadway







Visioning Workshops

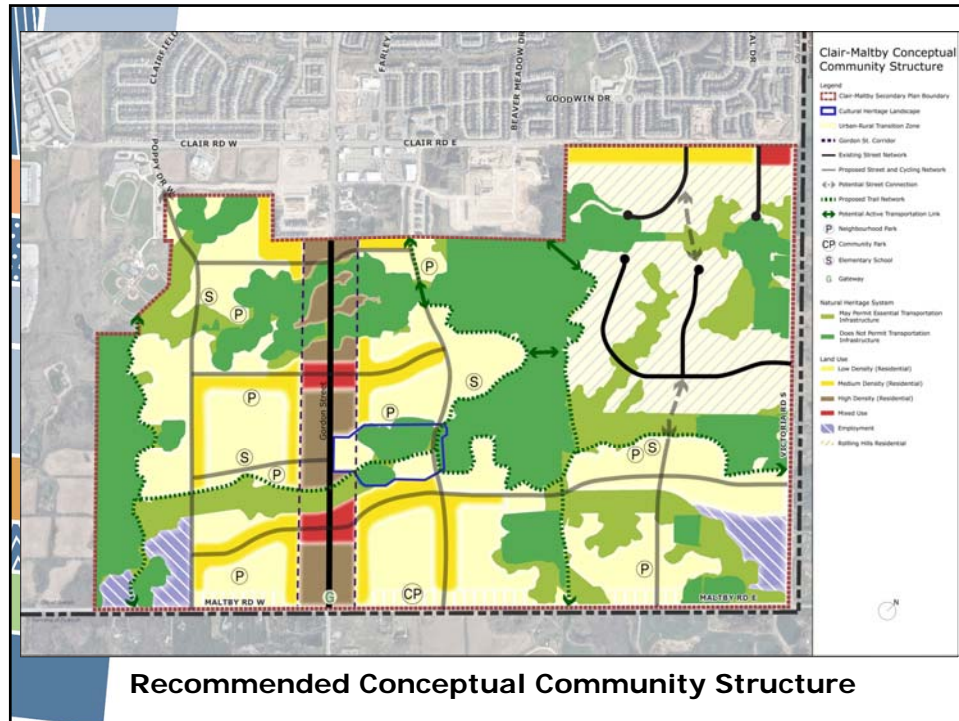
The recommended CCS was developed based on community input and technical input gathered through three workshops:

- September 12, 2017
 - Technical Steering Committee
 - TAG/CWG
- September 26, 2017
 - Public



Visioning Workshops

- Group based, hands-on community planning and mapping exercise considering:
 - Natural Heritage System and Cultural Heritage Resources
 - Major Roads
 - Neighbourhoods
 - School and Park locations
 - Trails
 - Land Use and Housing Types

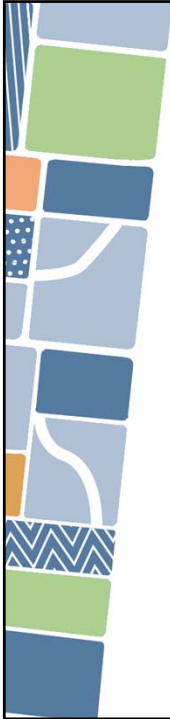


Vision & Guiding Principles

The recommended CCS respects the approved vision & guiding principles:

- balances protection of the Natural Heritage System and the Paris Moraine with future development of this area;
- proposes a multi-modal mobility network, including major roads, bicycle infrastructure and trails to provide strong connectivity throughout the Clair-Maltby area and to the rest of the City;
- is primarily residential in character, with the ability to accommodate a full range and mix of housing types, as well as a mix of uses at key locations;
- plans for a system of parks, open spaces and trails to provide both active and passive recreation opportunities

Next Steps



Q4 2017/ Q1 2018

Technical Studies and development of
Community Structure Alternatives

Q1 2018

Design Charrette

Q2 2018

Preferred Community Structure to be
considered by Council

Q3 2018 – Q2 2019

Phase 3

Staff Report



To	Committee of the Whole
Service Area	Infrastructure, Development and Enterprise Services
Date	Monday, December 4, 2017
Subject	Clair-Maltby Secondary Plan Conceptual Community Structure
Report Number	IDE-2017-129

Recommendation

1. That the Clair-Maltby Secondary Plan Conceptual Community Structure be approved as outlined in report IDE-2017-129.

Executive Summary

Purpose of Report

The purpose of this report is to provide Council with the recommended Clair-Maltby Secondary Plan Conceptual Community Structure for approval.

Key Findings

The recommended Conceptual Community Structure (CCS):

- balances protection of the Natural Heritage System and the Paris Moraine with future development of this area;
- proposes a multi-modal mobility network, including major roads, bicycle infrastructure and trails to provide strong connectivity throughout the Clair-Maltby area and to the rest of the City;
- is primarily residential in character, with the ability to accommodate a full range and mix of housing types, as well as a mix of uses at key locations; and
- plans for a system of parks, open spaces and trails to provide both active and passive recreation opportunities.

Therefore, the recommended CCS respects the approved Vision and Guiding Principles for the Clair-Maltby Secondary Plan (CMSP) and Master Environmental Servicing Plan (MESP).

Financial Implications

Capital funding to undertake this project was approved through the 2013-2015 and 2017 capital budgets.

Report

Background

Phase 2 of the CMSP project began in May 2017 and builds on the work completed in Phase 1 of the study. The Phase 1 work was presented to Committee of the Whole and Council in July 2017. Background regarding Phase 1 can be found in [Report IDE 17-76](#). Phase 2 is anticipated to take approximately 12-13 months and consists of:

- developing the CCS;
- undertaking the required technical studies (i.e. servicing, mobility);
- developing up to three community structure alternatives based on the approved CCS and technical studies;
- holding a design charrette to establish the recommended community structure alternative.

Conceptual Community Structure

The first deliverable of Phase 2 is the CCS. The CCS is a preliminary concept plan that has been developed based on the [approved vision and guiding principles](#) established in Phase 1 of the project. The concept generally illustrates where land uses (such as low, medium and high density residential, mixed-use, commercial and employment), major roads, parks and schools may be located.

The CCS will be used as a basis for technical analysis throughout Phase 2 and the development of up to three Community Structure Alternatives. Technical studies being undertaken throughout Phase 2 include:

- Comprehensive Environmental Impact Study;
- Water/Wastewater Servicing;
- Stormwater Management;
- Mobility;
- Energy and Other Utilities; and,
- Fiscal Impact Assessment.

Visioning Workshops - Input into the Conceptual Community Structure

The CCS was developed based on community input from the general public and the Community Working Group (CWG), as well as technical input from the Technical Steering Committee (staff from the City, County of Wellington, Township of Puslinch and Grand River Conservation Authority) and the Technical Advisory Group (TAG).

Input was received through a group based, hands-on community planning and mapping exercise that was designed to allow each group to develop a concept for the secondary plan area. Groups were asked to develop their concept plan to align with the approved Vision and Guiding Principles. They were given a map of the area, various tools, and a series of prompting questions to assist with completing the exercise. The map used for the exercise included the aerial photograph and identified the approved Natural Heritage System (NHS) and known cultural heritage resources. A facilitator was also available at each table to further assist the group.

As outlined on page 5, three visioning workshops to undertake this exercise were held on two separate dates. These workshops resulted in a number of concept plans being developed, all of which were considered and evaluated in the development of the recommended CCS. Commonalities among the plans were identified and a preliminary technical review by the TSC and the consultant team for this project was completed. The recommended CCS – see Figure 1 (page 6) results from all input received and the preliminary technical review.

Description of the Recommended CCS

The recommended CCS provides a general layout of land use, connective elements and community facilities (parks and schools). The CCS displays the following:

Residential Land Use, Density and Built Form – The recommended CCS proposes an area that is primarily residential in character with higher density uses concentrated along the Gordon Street corridor transitioning to medium and lower density uses in the interior portions of neighbourhoods. Medium density residential uses are located along potential future major roads, allowing for low density residential uses to be on future local roads.

The recommended CCS recognizes the existing function of Gordon Street north of the study areas as an intensification corridor. The areas directly surrounding Gordon Street have largely been placed in the high density residential category with mixed-use areas at major road intersections. The concentration of higher density uses along Gordon Street also supports the potential future extension of the City's main transit corridor.

The entrance to the City at Gordon Street and Maltby Road is to be distinguished by a gateway that highlights the entrance to the City.

A brief description is provided below to further explain the land uses shown on the CCS:

- High Density areas: intended to accommodate mid-rise or taller apartment buildings
- Medium Density areas: intended to accommodate low to mid-rise apartment buildings, stacked or back-to-back townhouses
- Low Density areas: intended to accommodate detached, semi-detached and townhouse dwellings
- Mixed Use areas: intended to accommodate a mix of uses and where provided, residential in mid-rise or taller apartment buildings

An urban-rural transition area has been included along the edge of the secondary plan area where it borders the Township of Puslinch.

The northeast part of the secondary plan area is generally known as the 'Rolling Hills' subdivision. This area is within the City's Built-up Area and has been developed as residential estate lots. The recommended CCS proposes redevelopment of a portion of this area, generally along Clair Road East, for medium density residential and mixed-use. The remainder of the Rolling Hills

area has been identified on the recommended CCS as 'Rolling Hills Residential', but it has not yet been determined if redevelopment of this area should be planned for. Further public engagement with residents of the Rolling Hills area is planned to better understand the neighbourhood's view on planning for future redevelopment in this area. Alternatives for this area will be explored as the Community Structure Alternatives are developed.

Mobility Network – A system of connected major roads providing a grid structure that has been modified and adapted to respect the NHS and existing topography is proposed. Multiple east-west connections across Gordon Street, as well as new north-south connections will provide connectivity throughout the secondary plan area. A potential future road connection through Rolling Hills to link up two existing cul-de-sacs has been identified. It is intended that all major roads will have appropriate cycling and pedestrian facilities to ensure that this is a multi-modal mobility network.

Potential trail locations have been identified on the CCS generally on the edge of the NHS to allow for the exact location and function of these trails to be determined. The trails are intended to provide additional connectivity throughout the secondary plan area and to the surrounding area.

Neighbourhoods, Parks and Schools – A community park (CP) and several neighbourhood parks (P) have been identified on the CCS with symbols. Community parks are typically designed to provide specialized recreation facilities for use by a wide segment of the population and serve more than one neighbourhood. The types of recreation facilities that may be developed within the proposed community park could include baseball diamond(s), soccer field(s), cricket pitch, etc.

Four potential elementary school sites have been identified on the recommended CCS. The number of required school sites may change as the potential future population, as well as the number and type of residential units proposed, is determined.

A mixed approach has been taken in the recommended CCS with respect to pairing neighbourhood parks with potential school sites. In some instances, the two are paired which achieves a larger amount of open space in one area. In other locations, they've been separated in order to provide open space in more locations for all residents to easily access.

Natural Heritage System - The recommended CCS balances protection of the Natural Heritage System with allowing for future development of this area. Ensuring that a connected mobility system is provided for all modes of transportation, while maintaining a connected natural heritage system was carefully considered in the recommended CCS. Where a proposed road, trail and active transportation link is proposed through the NHS it will be carefully examined and considered before a final recommendation is made.

Employment Lands - The recommended CCS includes approximately 17 ha of employment land in two locations. These locations were chosen because of their proximity to existing employment areas, ability to connect to Highway 401 and where existing commercial/employment uses are located.

The conversion of the existing employment land to other uses will have to be appropriately justified in accordance with the requirements of the Growth Plan for the Greater Golden Horseshoe prior to any approval of the Secondary Plan.

Evaluation of the CCS – Vision & Guiding Principles

The recommended CCS was developed in accordance with the approved vision and guiding principles for the CMSP and MESP. The recommended CCS balances protection of the Natural Heritage System and the Paris Moraine with allowing for future development of this area. A multi-modal mobility network, including major roads, bicycle infrastructure and trails, is being planned to provide strong connectivity throughout the Clair-Maltby area and to the rest of the City. The proposed concept is primarily residential in character, with the ability to accommodate a full range and mix of housing types, as well as a mix of uses at key locations. The CCS plans for a system of parks, open spaces and trails to provide both active and passive recreation opportunities.

Estimated Population and Places to Grow Density

If approved, the CCS will provide the basis for staff in consultation with the consultant team to estimate the anticipated population and density for the secondary plan area. To estimate the population, a number of assumptions will have to be developed related to the number and type of dwelling units that may be constructed and the amount of land (as a percentage) that will be required to provide such things as roads, parks, stormwater management, etc. The technical work that is to be completed throughout Phase 2 will allow for informed assumptions to be developed and population and density ranges to be estimated through the Community Structure Alternatives.

Public Participation

Ongoing community engagement is a crucial component of the Clair-Maltby Secondary Plan project. Community engagement opportunities completed in the development of the CCS include:

Phase 2 – CCS Community Engagement Opportunities		
Notice of Visioning Workshop No. 2	Provided to the public, stakeholders, First Nations Communities and agencies	September 7, 2017
TSC CCS Visioning Workshop	Visioning workshop that included a hands on community planning and mapping exercise to receive input from the community and technical experts.	September 12, 2017
Joint CWG and TAG CCS Visioning Workshop		
Community Visioning Workshop No. 2		September 26, 2017

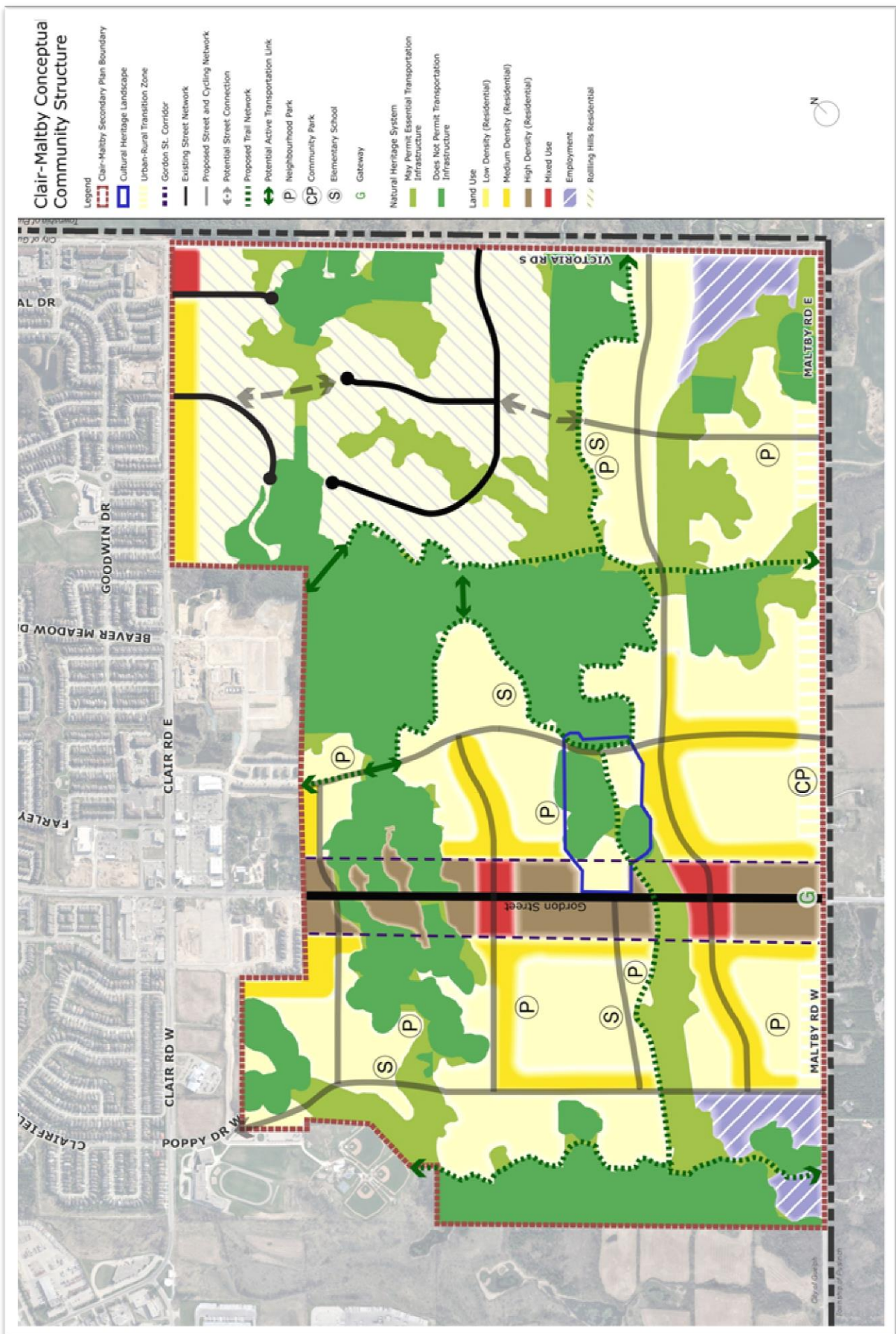


Figure 1: Recommended Conceptual Community Structure

Next Steps

The CCS will be used as a basis for the technical studies and analysis. As technical input becomes available through the studies and analysis, it will inform the development of up to three Community Structure Alternatives. It is anticipated that the Community Structure Alternatives will generally build on the approved CCS and the general land use pattern, road network and community elements that form the CCS. However, the alternatives will begin to refine the concept, provide additional detail, propose changes that respond to technical requirements as data and input are developed through the ongoing studies, and may also include different approaches or solutions to matters that need to be addressed. Examples of refinements may include:

- alternative methods or approaches to stormwater management;
- changes to the proposed mobility network to best achieve connectivity while respecting the NHS and existing topography;
- changes to the 'Rolling Hills Residential' and 'Employment' areas;
- refinements to the amount of land identified for low, medium and high density residential uses may also be proposed as the estimated population and density is determined; and,
- increasing or decreasing the number and size of parks and/or schools required.

Once the technical studies are nearing completion, a design charrette will be held to undertake analysis of and receive public input into the Community Structure Alternatives and determine the Preferred Community Structure. After the Preferred Community Structure is endorsed by Council at the end of Phase 2, it will be used to inform Phase 3 work.

Work on the MESP components will continue throughout Phase 2 and into Phase 3. The preferred community structure will form the basis for conducting the impact assessment and the development of management strategies.

Financial Implications

Capital funding to undertake this project was approved through the 2013-2015 and 2017 capital budgets.

Consultations

See community engagement opportunities listed above.

TSC Composition

The TSC is comprised of representatives from many City departments, Grand River Conservation Authority, County of Wellington and the Township of Puslinch. The City departments represented on the TSC include:

Infrastructure, Development and Enterprise Services

- Planning, Urban Design and Building Services
 - Policy Planning and Urban Design
 - Development Planning

- Engineering and Capital Infrastructure Services
 - Infrastructure, Development and Environmental Engineering
 - Transportation Services
- Environmental Services
 - Water Services
- Business Development and Enterprise
- Facilities Management
 - Energy, Water and Climate Change

Office of the Chief Administrative Officer

- Corporate Communications
- Intergovernmental Relations, Policy & Open Government
 - Community Engagement

Corporate Services

- Finance

Public Services

- Emergency Services
- Guelph Transit
- Parks and Recreation
- Operations

As noted in the chart above, the TSC participated in a staff visioning workshop on September 12, 2017. In addition, members of the TSC have reviewed and provided input into the recommended CCS through the preliminary technical review of the concept.

TAG Composition

The TAG is comprised of technical experts with who are familiar with the Study Area or moraine topography, as well as technical experts that have been retained on behalf of: landowners/residents within the study area; developers/home builders; or local resident groups. Members have recognized academic and professional qualifications in the fields of:

- natural heritage;
- surface and groundwater resources;
- water/wastewater servicing;
- stormwater management;
- transportation engineering; and,
- professional planning.

CWG Composition

The composition of the CWG is structured to provide a range and balance of perspectives with representatives from the following groups:

- Community at large;
- Environmental interest groups;
- Developers (owning land in study area);
- Developers (not owning land in study area);
- Study area landowners (non-developer);
- Rolling Hills landowners;
- School Board representatives;

- Active transportation interest group;
- Public Health.

Corporate Administrative Plan

Overarching Goals

Innovation
Financial Stability
Service Excellence

Service Area Operational Work Plans

Our Services - Municipal services that make lives better
Our People- Building a great community together
Our Resources - A solid foundation for a growing city

Attachment

ATT-1 Summary of Visioning Workshops

Departmental Approval

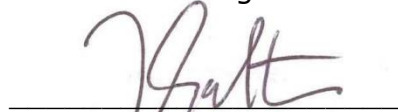
Not applicable

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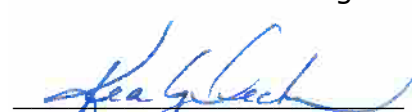


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ATT-1 Summary of Visioning Workshops

Three visioning workshops to undertake a group based, hands-on community planning and mapping exercise were held. The workshops were designed to allow each group to develop a concept for the secondary plan area that aligned with the approved Vision and Guiding Principles. They were given a map of the area, various tools, and a series of prompting questions to assist with completing the exercise. The map used for the exercise included the aerial photograph and identified the approved Natural Heritage System (NHS) and known cultural heritage resources. A facilitator was also available at each table to further assist the group.

Using the base map provided, groups proceeded through the following steps to develop a concept for the secondary plan area:

1. Identify potential locations for arterial and/or collector roads.
2. Use 'neighbourhood walking circles', which are circles that have a radius of approximately 400 metres to generally represent the distance a pedestrian can walk within 5 minutes, to identify potential neighbourhoods to understand the walkability of the area as well as inform the placement of schools, parks or other community focal points and a mix of land uses.
3. Identify potential locations for schools and parks or other community focal points such as shops and services, community centres, etc.
4. Identify potential trail locations.
5. Identify appropriate locations for different land uses (residential, mixed-use, commercial, employment) and use examples to demonstrate what type of residential development is appropriate (high, medium, low).

The workshops resulted in a number of concept plans being developed, all of which were considered and evaluated in the development of the recommended CCS. Commonalities among the plans were identified and a preliminary technical review by the TSC and the consultant team for this project was completed. The recommended CCS results from all input received and the preliminary technical review.

What We Heard

Mobility Network

With the NHS being identified on the base map for groups to consider during the visioning workshops, the resultant road networks developed by each group were very consistent across all of the concepts developed. This generally included 2-3 north-south and 2-3 east-west road connections across the area in similar locations. The intent of the major roads is to include bicycle infrastructure and pedestrian facilities to increase connectivity. Although the CCS is not yet this detailed, most of the feedback specifically requested that cycling facilities not be on-road bike lanes, but rather be separated multi-use paths or separated bike lanes. Generally, there was a strong desire to provide north-south connections that would provide an alternative route to Gordon Street

There were some notable differences in the proposed road networks. First, some groups proposed a road through the existing Rolling Hills neighbourhood, while other groups decided that development or changes should not occur in this area. At this time, the recommended CCS is demonstrating where a potential future road connection could be located. However, further public engagement with Rolling Hills residents is planned to better understand the neighbourhood's view on redevelopment in this area.

The preliminary technical review of the concept plan resulted in some modifications to the road network based on the topography and the NHS. Avoiding closed depressions to allow for future storm water management and water resource considerations has been taken into account on a preliminary basis. Removing potential vehicular roads from sensitive areas of the existing NHS has also occurred and potential active transportation links will be explored in these locations.

The general consensus with respect to trails through the secondary plan area was that they should be located beside or near the NHS and should connect to existing trails to the north, as well as proposed school and park locations. Accordingly, potential trail locations have been located on the edge of the NHS to allow for the exact location and function of these trails to be determined.

Neighbourhoods, Parks and Schools

The recommended CCS does not show 'neighbourhood walking circles' as these were a tool for participants to use to better understand walkable distances. General feedback received from the public was that each neighbourhood should have a mix of uses, a mix of residential densities and that parks and/or schools should be located within a walkable distance of most future residents. Based on this, conceptual locations for schools and parks were identified for the secondary plan area.

General feedback from the visioning workshops was that the community park should be located away from the existing South End Community Park to ensure that all areas of the future community could access a larger park. The other general feedback from the workshops was to consider locating parks beside the NHS or beside schools.

Technical feedback provided by the consultant team assisted with the location of the community park on the recommended CCS. The recommended location does not have significant grade changes to accommodate the types of recreation facilities envisioned for this type of park (i.e. sports fields). Further, this location is accessible from the proposed major road network, which is to also include cycling and pedestrian facilities.

A mixed approach has been taken in the recommended CCS with respect to pairing neighbourhood parks with potential school sites. In some instances, the two are paired, which achieves a larger amount of open space in one area. In other locations, they've been separated to provide open space in more locations for all residents to easily access.

Four potential elementary school sites have been identified on the recommended CCS. The number of school sites may change as the potential future population, as well as the number and type of residential units proposed is determined. Through the remainder of the project, staff will continue to work with the Upper Grand District School Board and the Wellington Catholic School Board to ensure that an appropriate number of school sites are identified to accommodate the anticipated population of students.

Land Uses, Density and Built Form

Based on the feedback received, higher density uses were concentrated along the Gordon Street corridor and then the community transitions to lower density uses in the interior portions of neighbourhoods. Medium density residential uses were located along potential future arterial and collector roads, allowing for low density residential uses to be on future local roads.

The recommended CCS recognizes the existing function of Gordon Street north of the study areas as an intensification corridor. The areas directly surrounding Gordon Street have largely been placed in the high density residential category with mixed-use areas at major road intersections. The concentration of higher density uses along Gordon Street also supports the potential future extension of the City's main transit corridor.

The entrance to the City at Gordon Street and Maltby Road is to be distinguished by a gateway that highlights the entrance to the City.

An urban-rural transition area has been included along the edge of the secondary plan area where it borders the Township of Puslinch. The transition to the surrounding rural area has been raised as a concern by the public throughout this project. In addition to public concern, when this project was presented to the Township of Puslinch Council at their meeting on August 9, 2017, they specifically requested that the transition be carefully considered.

While details such as permitted building height have not been determined, most of the feedback suggested that higher built forms should be located along Gordon Street, with medium and low-rise built forms being located within neighbourhoods. This corresponds to the comments suggesting the higher density uses also be located along Gordon Street.

The Rolling Hills Residential area is within the City's Built-up Area and has been developed as residential estate lots. The recommended CCS proposes redevelopment of a portion of this area, generally along Clair Road East, for medium density residential and mixed-use. For the remainder of the Rolling Hills area it has not yet been determined if redevelopment should be planned for. Further public engagement with residents of the Rolling Hills area is planned to better understand the neighbourhood's view on planning for future redevelopment in this area. Alternatives for this area will be explored as the Community Structure Alternatives are developed.

Employment Lands

Within the Secondary Plan area there is currently approximately 43.1 ha of designated employment land, 27.8 ha is designated 'Corporate Business Park' and 15.4 ha is designated 'Industrial' in the City's Official Plan. The amount of employment land required is to be confirmed through the city-wide Employment Lands Update. However, feedback received through the visioning workshop suggested that the amount of employment land should be reduced in the secondary plan area. Locations for employment land were identified on some of the concepts generated during the workshops. The recommended CCS includes approximately 17 ha of employment land in locations suggested through the workshops. These locations were chosen because of their proximity to existing employment areas, ability to connect to Highway 401 and where existing commercial/employment uses are located.

The conversion of the existing employment land to other uses will have to be appropriately justified in accordance with the requirements of the Growth Plan for the Greater Golden Horseshoe prior to any approval of the Secondary Plan.