# **INFORMATION ITEMS**

# Week Ending September 29, 2017

# REPORTS

- 1. Litigation Status Report
- 2. Emergency Response Plan and Emergency Management Program

### INTERGOVERNMENTAL CONSULTATIONS

1. None

#### CORRESPONDENCE

- 1. City of Guelph Response to Intergovernmental Consultation re: Potential Changes to Ontario's Building Code
- 2. Municipality of Killarney Resolution re: Proposed Changes to the Ambulance Act and Fire Protection & Prevention Act

# **BOARDS & COMMITTEES**

1. Guelph Police Services Board Meeting Minutes – July 20, 2017

# ITEMS AVAILABLE IN THE CLERK'S OFFICE

1. None

# Information Report



Service Area Office of the Chief Administrative Officer

Date Friday, September 29, 2017

Subject Litigation Status Report

Report Number CAO-LRS-1711

# **Executive Summary**

#### Purpose of Report

To provide information regarding the current status of litigation involving the City.

#### **Key Findings**

The amount of litigation, excluding planning and insured matters, that the City is involved in remained static more or less throughout 2017. The number of matters, excluding insured matters, being handled by external counsel remained the same throughout 2017.

#### **Financial Implications**

N/A

# Report

The attached chart sets out the details of the litigation the City is involved in and the resolutions which have occurred since the last report in March, 2017.

Legal Services continues to seek resolution of the litigation and OMB matters in a timely fashion and has been successful in resolving a number of matters in the last 6 months.

# **Financial Implications**

N/A

# Consultations

N/A

# **Corporate Administrative Plan**

**Overarching Goals** Service Excellence

#### Service Area Operational Work Plans

Our Services - Municipal services that make lives better

# Attachments

ATT-1 Litigation Status Report as of September 28, 2017

E.C.

Recommended By Christopher C. Cooper City Solicitor Legal, Realty and Risk Services 519-822-1260 Ext. 2288 christopher.cooper@guelph.ca

| COURT ACTIONS   |  |  |  |                   |  |
|---|--|--|--|-------------------|--|
| Matter  | Description  | History  | Current Status   | Counsel           |  |
| Heeley v. City of<br>Guelph (Superior<br>Court of Justice Court<br>File No. 349/17 SR)                    | Slip and Fall – September 2015   | <ul> <li>September 18, 2017 –<br/>City served with<br/>Statement of Claim</li> </ul>   | October 19, 2017     – Defence due   | Legal<br>Services |  |
| 642762 Ontario Inc.<br>v. City of Guelph et<br>al. (Superior Court of<br>Justice Court File No.<br>85/17) | Alleged environmental<br>contamination   | August 23, 2017 – City<br>served with Notice of<br>Action and Statement of<br>Claim  | Ongoing<br>discussions   | Legal<br>Services |  |
| <b>Carmichael v. City</b><br>of Guelph (Small<br>Claims Court File No.<br>17-461)                         | Property Damage  | <ul> <li>July 20, 2017 – City<br/>served with Plaintiff's<br/>Claim</li> <li>August 15, 2017 – City<br/>served and filed Defence</li> </ul>  | October 4, 2017     – Settlement     conference     scheduled                    | Legal<br>Services |  |
| Evering v. City of<br>Guelph (Superior<br>Court of Justice Court<br>File No. 227/17)                      | • Slip and Fall - February 2013  | <ul> <li>May 23, 2017 – City<br/>served with Statement of<br/>Claim</li> <li>June 1, 2017 – City<br/>served and filed Notice of<br/>Intent to Defend</li> <li>June 29, 2017 – City filed<br/>Defence</li> </ul>                      | <ul> <li>Matter currently<br/>being<br/>investigated</li> </ul>                  | Legal<br>Services |  |
| Evering v. City of<br>Guelph (Superior<br>Court of Justice Court<br>File No. 228/17)                      | • Slip and Fall – February 2017  | <ul> <li>May 23, 2017 – City<br/>served with Statement of<br/>Claim</li> <li>June 1, 2017 – City<br/>served and filed Notice of<br/>Intent to Defend</li> <li>June 29, 2017 – City filed<br/>Defence</li> </ul>                      | <ul> <li>Matter currently<br/>being<br/>investigated</li> </ul>                  | Legal<br>Services |  |
| Carere v. Property<br>Standards (Superior<br>Court of Justice Court<br>File No. 174/17 AP)                | Appeal under the Building Code<br>Act, 1992 of a Property<br>Standards Order regarding a<br>party wall at 15 -17 Gordon Street | <ul> <li>April 18, 2017 – Notice of<br/>appeal received</li> </ul>   | <ul> <li>November 20,<br/>2017 – Appeal<br/>scheduled to be<br/>heard</li> </ul> | Legal<br>Services |  |
| McKenzie v. City of<br>Guelph (Superior<br>Court of Justice Court<br>File No. 49/17)                      | • Slip and fall  | <ul> <li>February 7, 2017 – City<br/>served with Statement of<br/>Claim</li> <li>March 9, 2017 – City<br/>served and filed<br/>Statement of Defence</li> <li>June 28, 2017 –<br/>Examinations for<br/>Discovery scheduled</li> </ul> | Ongoing<br>discussions   | Legal<br>Services |  |
| Konesavarathan v.<br>City of Guelph et al<br>(Divisional Court File<br>No. 579/16)                        | Application to Divisional Court for<br>Judicial Review of HRTO<br>decision   | <ul> <li>December 1, 2016 – City<br/>served with Notice of<br/>Application</li> <li>December 19, 2016 –<br/>City served and filed<br/>Notice of Appearance</li> <li>March 13, 2017 – City</li> </ul>                                 | October 16, 2017     – hearing     scheduled                                     | Legal<br>Services |  |

|   |  | RT ACTIONS   |                                      |   |
|---|--|--|--------------------------------------|---|
| Matter  | Description  | History  | Current Status                       | Counsel                                   |
|   |  | served with Factum,<br>Application Record and<br>Exhibit Book of Applicant   |                                      |   |
| Jakel v. City of<br>Guelph (Superior<br>Court of Justice Court<br>File No. 670/16)                    | • Slip and Fall  | <ul> <li>November 2, 2016 – City<br/>served with Notice of<br/>Action and Statement of<br/>Claim</li> <li>November 4, 2016 – City<br/>filed Notice of Intent to<br/>Defend</li> <li>December 1, 2016 – City<br/>filed and served<br/>Statement of Defence</li> </ul>   | Ongoing<br>discussions               | Legal<br>Services                         |
| Westminister<br>Woods v. City of<br>Guelph<br>(Superior Court of<br>Justice<br>Court File No. 707/13) | Claim re: Stage III Services<br>pursuant to Subdivision<br>Agreement | <ul> <li>October 4, 2013 –<br/>Statement of Claim<br/>served on City</li> <li>November 12, 2013 - City<br/>filed Statement of<br/>Defence</li> <li>November 25, 2013 –<br/>Reply served on City</li> <li>March 2014 – Discovery<br/>agreement prepared</li> <li>May 30, 2014 - City filed<br/>Affidavit of Documents</li> <li>November 27, 2014 -<br/>Plaintiff served Affidavit of<br/>Documents</li> </ul> | Motion to be<br>scheduled in<br>2017 | Legal<br>Services<br>Aird &<br>Berlis LLP |

|  | COURT ACTIONS RESOLVED SINCE March 31, 2017                                |   |                            |                   |  |  |
|--|--|---|----------------------------|-------------------|--|--|
| Matter   | Description  | History   | Current Status             | Counsel           |  |  |
| MacInnis v. City of<br>Guelph (Small Claims<br>Court File No. 17/230)  | Property Damage  | <ul> <li>April 20, 2017 – City<br/>served with Plaintiff's<br/>Claim</li> <li>May 11, 2017 – City<br/>served and filed Defence</li> <li>July 26, 2017 –<br/>Settlement conference<br/>scheduled – adjourned</li> <li>September 11, 2017 –<br/>Settlement reached</li> </ul> | This matter is complete    | Legal<br>Services |  |  |
| Allstate Insurance,<br>Pembridge<br>Insurance and<br>Charles Assman v.<br>City of Guelph et<br>al.<br>(Superior Court of<br>Justice Court File No.<br>2215/17) | <ul> <li>Challenge to City of Guelph By-<br/>law (2015) - 19881</li> </ul> | <ul> <li>August 11, 2017 – City<br/>served with Statement of<br/>Claim</li> <li>September 7, 2017 –<br/>Matter settled</li> </ul>   | This matter is<br>complete | Legal<br>Services |  |  |

|   | COURT ACTIONS RESC   | tember 28, 2017<br>DLVED SINCE March 31,   | 2017                    |   |
|---|--|--|-------------------------|---|
| Matter  | Description  | History  | Current Status          | Counsel                                   |
| Stewart v. City of<br>Guelph (Superior<br>Court of Justice Court<br>File No. 229/17)                | <ul> <li>Application for interim and<br/>permanent injunction</li> </ul> | <ul> <li>May 23, 2017 – City<br/>served with Notice of<br/>Application</li> <li>June 16 – City filed<br/>Notice of Appearance</li> <li>June 27, 2017 – City<br/>advised that application<br/>has been withdrawn</li> </ul>   | This matter is complete | Legal<br>Services                         |
| Wiseman v. Guelph<br>Superior Court of<br>Justice Court File No.<br>638/14                          | • Slip and Fall – March 25, 2014   | <ul> <li>August 25, 2014 –<br/>Statement of Claim<br/>served on City</li> <li>September 11, 2014 –<br/>City served Defence</li> <li>January 6, 2015 – City's<br/>Affidavit of Documents<br/>served</li> <li>January 28, 2016 –<br/>discoveries held</li> <li>January 24, 2017 –<br/>discussions held</li> <li>May 2, 2017 – settlement<br/>reached</li> </ul>  | This matter is complete | Legal<br>Services                         |
| Kritz v. City of<br>Guelph and Bruce<br>Aubrey Superior<br>Court of Justice Court<br>File No. 03/16 | Building code compliance issues     108 Dublin Street                    | <ul> <li>January 4, 2016 – City<br/>served with Notice of<br/>Application</li> <li>August 29, 2016 -<br/>Application heard</li> <li>October 19, 2016 –<br/>application continued</li> <li>November 23, 2016 –<br/>Decision received</li> <li>April 24, 2017 – costs<br/>award paid</li> </ul>  | This matter is complete | Legal<br>Services<br>Aird &<br>Berlis LLP |
| Reimer v. City of<br>Guelph et al. Small<br>Claims Court File No.<br>16-366                         | • Property damage at 89 Stone<br>Road                                    | <ul> <li>June 23, 2016 – City<br/>served with Plaintiff's<br/>Claim</li> <li>July 27, 2016 – City filed<br/>and served Defence</li> <li>July 29, 2016 – City<br/>served Defendant's<br/>Claim against contractor</li> <li>October 7, 2016 –<br/>settlement conference<br/>scheduled – adjourned</li> <li>February 10, 2017 -<br/>settlement conference<br/>scheduled – adjourned</li> <li>April 19, 2017 –<br/>settlement reached</li> </ul> | This matter is complete | Legal<br>Services                         |

|   | •   | MATTERS   |  |                   |
|---|---|---|--|-------------------|
| Matter  | Description   | History   | Current Status   | Counsel           |
| 705 Southgate<br>Drive  | Appeal by Divinder Grewal (Auto<br>Reflections Auto Care Ltd.)  | September 25, 2017 –     Appeal received  | City preparing<br>response   | Legal<br>Services |
| Downtown Zoning<br>By-law (2017) -<br>20187 (Case No.             | <ul> <li>Appeal by Tom Lammer (Rykur<br/>Holdings Inc.)</li> </ul>  | <ul> <li>August 23, 2017 –<br/>Appeal received</li> </ul>   | OMB has<br>confirmed receipt of<br>Appeal; no dates<br>set   | Legal<br>Services |
| <b>1131 Gordon Street</b><br>(Case No.<br>PL170899)               | Appeal by Wellington Standard<br>Condominium Corporation #130   | <ul> <li>August 2, 2017 – Appeal<br/>received</li> </ul>  | OMB has<br>confirmed receipt of<br>Appeal; no dates<br>set   | Legal<br>Services |
| <b>144 Watson Road</b><br><b>North</b> (Case No.<br>PL170803)     | Appeal by CP REIT Ontario     Properties and Loblaw Properties     Limited  | <ul> <li>July 12, 2017 – Appeal<br/>received</li> </ul>   | January 31, 2018 –<br>Hearing scheduled  | Legal<br>Services |
| <b>75 Dublin Street</b><br><b>North</b> (Case No.<br>PL161294)    | <ul> <li>Appeal by Upper Grand District<br/>School Board</li> </ul>   | <ul> <li>December 21, 2016 –<br/>appeal received</li> <li>August 14, 2017 – pre<br/>hearing held</li> </ul>   | November 17, 2017     – Motion hearing     scheduled   | Legal<br>Services |
| <b>75 Dublin Street</b><br><b>North</b> (Case No.<br>PL161294)    | <ul> <li>Appeal by Old Guelph<br/>Neighborhood Association Inc.</li> </ul>  | <ul> <li>December 21, 2016 –<br/>appeal received</li> <li>August 14, 2017 – pre<br/>hearing held</li> </ul>   | <ul> <li>November 17, 2017</li> <li>Motion hearing<br/>scheduled</li> </ul>  | Legal<br>Services |
| <b>75 Dublin Street</b><br><b>North</b> (Case No.<br>PL161294)    | <ul> <li>Appeal by Rykur Holdings Inc.</li> </ul>   | <ul> <li>December 21, 2016 –<br/>appeal received</li> <li>August 14, 2017 – pre<br/>hearing held</li> </ul>   | November 17, 2017     – Motion hearing     scheduled   | Legal<br>Services |
| 360 Woolwich<br>Street & 15 Mont<br>Street<br>(Case No. PL151199) | Appeal by Ian Connelly  | <ul> <li>November 30, 2015 –<br/>appeal received</li> <li>May 10, 2016 –<br/>prehearing held</li> <li>July 27, 2016 – status<br/>hearing held by<br/>teleconference</li> <li>September 5-22, 2017 –<br/>Hearing held</li> </ul>   | Awaiting reserved decision   | Legal<br>Services |
| <b>OPA 48 (7 Appeals)</b><br>(Case No. PL 140042)                 | <ul> <li>Seven (7) Appeals received<br/>relating to Official Plan<br/>Amendment 48 (Envision Guelph)<br/>as approved by the Minister of<br/>Municipal Affairs and Housing.</li> </ul> | <ul> <li>December, 2013 – OPA<br/>48 Approved by Minister<br/>of Municipal Affairs and<br/>Housing</li> <li>December, 2013 –<br/>Appeals received</li> <li>September 15, 2015 –<br/>Phase 1 hearing<br/>scheduled for 10 days -<br/>adjourned</li> <li>November 20, 2015 –<br/>phase 1 decision issued<br/>resolving part of one (1)<br/>appeal</li> <li>September 25, 2017 –<br/>Housekeeping phase<br/>hearing completed</li> </ul> | <ul> <li>March 12-16, 2018,<br/>hearing scheduled<br/>(Niska Road Lands<br/>Phase)</li> <li>Awaiting order from<br/>Housekeeping<br/>phase completed<br/>September 25,<br/>2017</li> </ul> | Legal<br>Services |

|  | OMB  | MATTERS   |  |  |
|--|--|---|--|--|
| Matter   | Description  | History   | Current Status   | Counsel                                  |
| 1159 Victoria Road<br>South<br>(Case No. PL121406)             | Appeals by Victoria Park Village<br>Ltd. regarding failure to make a<br>decision within the prescribed<br>time   | <ul> <li>November 29, 2012 –<br/>Appeal received</li> <li>May 14, June 28,<br/>September 18 &amp;<br/>November 15, 2013 –<br/>Prehearings held</li> <li>June 16, 2014 – hearing<br/>held by teleconference</li> <li>April 29 &amp; August 18,<br/>2015 – hearings held by<br/>teleconference</li> <li>November 5, 2015 -<br/>Status hearing held<br/>(TCC)</li> <li>May 3, 2016 – TCC held</li> </ul> | • No further hearings scheduled at this time                   | Legal<br>Services<br>Garrod<br>Pickfield |
| 580 Paisley Road –<br>Armel Corporation<br>(Case No. MM080050) | • Appeal by the owner, Armel<br>Corporation, of a decision not to<br>approve a site plan application for<br>a proposed gas bar, car wash<br>and kiosk. The main issue<br>relates to site access. | <ul> <li>October 1, 2008 – Appeal<br/>received</li> <li>Matter in abeyance<br/>pending the completion<br/>of the Environmental<br/>Assessment of<br/>Silvercreek Parkway S.</li> </ul>  | <ul> <li>No hearings<br/>scheduled at this<br/>time</li> </ul> | Legal<br>Services                        |

|  | OMB MATTERS RESOL   | VED SINCE March 31, 2   | 017                     |                     |
|--|---|---|-------------------------|---------------------|
| Matter   | Description   | History   | Current Status          | Counsel             |
| <b>1229 Victoria Road</b><br><b>South</b> (Case No.<br>PL160859) | <ul> <li>Appeal by Westminister Woods<br/>and Reid's Heritage Homes</li> </ul>  | <ul> <li>August 16, 2016 – appeal<br/>received</li> <li>February 13, 2017 –<br/>prehearing held</li> <li>September 5, 2017 –<br/>Minutes of Settlement<br/>executed</li> <li>September 18, 2017 –<br/>Decision issued by the<br/>Board</li> </ul> | This matter is complete | Legal<br>Services   |
| <b>OPA 54</b><br>(9 Appeals)<br>(Case No. PL140648)              | Nine (9) Appeals received relating<br>to Official Plan Amendment 54<br>(Guelph Innovation District<br>Secondary Plan) | <ul> <li>June 16-18, 2014 –<br/>Appeals received</li> <li>December 10, 2014 – pre<br/>hearing held</li> <li>February 23, 2015 –<br/>second pre hearing held</li> <li>August 24, 2017 – OMB<br/>confirmed withdrawal of<br/>all appeals</li> </ul> | This matter is complete | Legal<br>Services   |
| <b>85 Mullin Drive</b><br>(Case No. PL170006)                    | Appeals by Reid Homes and<br>Ethanview Limited  | <ul> <li>December 23, 2016 –<br/>appeals received</li> <li>May 29, 2017 – hearing<br/>held</li> </ul>   | This matter is complete | City not<br>a party |
| <b>21 Halesmanor</b><br><b>Court</b> (Case No.<br>PL161084)      | Appeal by Raswinder Bains   | <ul> <li>October 27, 2016 –<br/>appeal received</li> <li>April 5, 2017 – hearing<br/>held</li> </ul>  | This matter is complete | City not<br>a party |

|  | OTHER  | MATTERS   |  |  |
|--|--|---|--|--|
| Matter   | Description  | History   | Current Status   | Counsel                                  |
| Conservation<br>Review Board   | Appeal re: Notice of Intention to<br>Designate 13 Stuart Street<br>pursuant to Ontario Heritage Act  | <ul> <li>June 23, 2017 – City<br/>received Notice of<br/>Objection</li> </ul>   | <ul> <li>October 12, 2017         <ul> <li>Pre-hearing</li> <li>Conference</li> <li>scheduled</li> </ul> </li> </ul> | Legal<br>Services                        |
| Human Rights<br>Tribunal of Ontario<br>(File No. 2016-25273-<br>S)   | <ul> <li>Application for Contravention of<br/>Settlement</li> </ul>  | <ul> <li>August 16, 2016 –<br/>application filed with HRT</li> <li>August 30, 2016 – City<br/>filed response</li> <li>August 17, 2017 –<br/>hearing held</li> </ul>   | Ongoing  | Legal<br>Services                        |
| The Corporation of<br>the City of Guelph<br>v. Director, Ministry<br>of the Environment<br>(Case No. 13-013) | City is appealing to the<br>Environmental Review Tribunal<br>(ERT) the issuance of Permit to<br>Take Water number 5080-<br>8TAKK2 to River Valley<br>Developments Inc. | <ul> <li>February 12, 2013 – City filed an application for Leave to Appeal with the ERT</li> <li>May 2, 2014 – Leave to Appeal to ERT granted</li> <li>City filed Appeal</li> <li>November 4, 2014 - Status Update with ERT, held by teleconference.</li> <li>Third party mediation session held November 28, 2014</li> </ul> | Mediation ongoing  | Garrod<br>Pickfield<br>Legal<br>Services |

| OTHER MATTERS RESOLVED SINCE March 31, 2017                    |                          |  |                         |                   |
|--|--------------------------|--|-------------------------|-------------------|
| Matter   | Description              | History  | Current Status          | Counsel           |
| Human Rights<br>Tribunal of Ontario<br>(File No. 2016-23871-I) | Human Rights application | <ul> <li>March 29, 2016 –<br/>application filed with<br/>HRTO</li> <li>June 27, 2016 – City filed<br/>response</li> <li>May 26, 2017 – summary<br/>hearing held</li> </ul> | This matter is complete | Legal<br>Services |

|  | MATTERS BEING HANDLED E   | BY INSURERS' LEGAL C   | OUNSEL *       |                               |
|--|---|--|----------------|-------------------------------|
| Matter   | Description   | History  | Current Status | Counsel                       |
| Cavanagh v. City<br>of Guelph, Vinyl<br>Jimmy Jazz,<br>James Kritz and<br>Jeffrey Bousfield<br>(Superior Court of<br>Justice Court File No.<br>379/17) | • Slip and Fall – November 17, 2015                               | <ul> <li>September 19, 2017 –<br/>City served with<br/>Statement of Claim</li> </ul> | Ongoing        | Insurer's<br>legal<br>counsel |
| Neath v. City of<br>Guelph (Superior<br>Court of Justice Court<br>File No. 370/17)   | • Slip and Fall – January 19, 2017                                | <ul> <li>September 14, 2017 –<br/>City served with<br/>Statement of Claim</li> </ul> | Ongoing        | Insurer's<br>legal<br>counsel |
| Sethupathi v. City<br>of Guelph et al.<br>(Superior Court of<br>Justice Court File No.   | <ul> <li>Motor vehicle accident – January<br/>12, 2016</li> </ul> | <ul> <li>June 15, 2017 – City<br/>served with Statement of<br/>Claim</li> </ul>      | Ongoing        | Insurer's<br>legal<br>counsel |

|  | As of September 28, 2017<br>MATTERS BEING HANDLED BY INSURERS' LEGAL COUNSEL * |   |                |                               |  |
|--|--|---|----------------|-------------------------------|--|
| Matter   | Description  | History   | Current Status | Counsel                       |  |
| CV-17-576347)  |  |   |                |                               |  |
| Livingston v.<br>Guelph Transit et<br>al. (Superior Court of<br>Justice Court File No.<br>35/17)                                     | <ul> <li>Transit incident – January 28,<br/>2015</li> </ul>                    | May 29, 2017 – City<br>served with Statement of<br>Claim  | Ongoing        | Insurer's<br>legal<br>counsel |  |
| Cooper (Stewart) v.<br>City of Guelph et<br>al. (Superior Court of<br>Justice Court File No.<br>16-58756)                            | <ul> <li>Motor vehicle accident – October<br/>25, 2016</li> </ul>              | <ul> <li>January 20, 2017 –<br/>Statement of Claim<br/>amended to include City<br/>as a party</li> </ul>  | Ongoing        | Insurer's<br>legal<br>counsel |  |
| Wellington<br>Condominium<br>Corporation No. 38<br>v. City of Guelph<br>(Superior Court of<br>Justice Court File No.<br>814/16)      | <ul> <li>Property damage at 360 Waterloo<br/>Avenue</li> </ul>                 | <ul> <li>October 31, 2016 – City<br/>served with Statement of<br/>Claim</li> </ul>  | Ongoing        | Insurer's<br>legal<br>counsel |  |
| Yacoub v. City of<br>Guelph et al.<br>(Superior Court of<br>Justice Court File No.<br>777/16)  | <ul> <li>Transit incident – October 12,<br/>2014</li> </ul>                    | <ul> <li>October 24, 2016 – City<br/>served with Statement of<br/>Claim</li> </ul>  | Ongoing        | Insurer's<br>legal<br>counsel |  |
| Livermore et al. v.<br>City of Guelph et<br>al.<br>(Superior Court of<br>Justice Court File No.<br>474/16)                           | • Dog attack – June 19, 2014   | <ul> <li>June 17, 2016 – City<br/>served with Statement of<br/>Claim</li> </ul>   | Ongoing        | Insurer's<br>legal<br>counsel |  |
| Gascon v. City of<br>Guelph et al.<br>(Superior Court of<br>Justice Court File No.<br>652/15)  | Accident – September 14, 2013  | <ul> <li>August 12, 2015 – City<br/>served with Statement of<br/>Claim</li> <li>Insurer for co-defendant,<br/>Coco Paving, agreed to<br/>take over City's defence<br/>and indemnify as of<br/>October 21, 2015</li> </ul> | Ongoing        | Insurer's<br>legal<br>counsel |  |
| Watson v. City of<br>Guelph and<br>Traugott Building<br>Contractors Inc.<br>(Superior Court of<br>Justice Court File No.<br>1679-13) | Accident – September 10, 2011  | <ul> <li>September 25, 2013 –<br/>City served with<br/>Statement of Claim</li> </ul>  | Ongoing        | Insurer's<br>legal<br>counsel |  |
| Koeslag v. City of<br>Guelph et al.<br>(Superior Court of<br>Justice<br>Court File No. C-695-<br>13)                                 | Accident – August 18, 2011   | <ul> <li>August 15, 2013 – City<br/>served with Statement of<br/>Claim</li> <li>Insurer for Seegmiller, a<br/>co-defendant, has<br/>assumed the City's<br/>defence</li> </ul>   | Ongoing        | Insurer's<br>legal<br>counsel |  |

|   | MATTERS BEING HANDLED BY INSURERS' LEGAL COUNSEL * |  |                |                               |  |
|---|--|--|----------------|-------------------------------|--|
| Matter  | Description  | History  | Current Status | Counsel                       |  |
| Linseman and<br>Loewen v. City of<br>Guelph and<br>Guelph Transit<br>(Superior Court of<br>Justice<br>Court File No.<br>CV-10-414425) | Slip and Fall accident – December 11, 2008         | • January 31, 2011 -<br>Statement of Claim<br>served on City | Ongoing        | Insurers'<br>legal<br>counsel |  |

\* Does not include claims solely against Guelph Police Services (i.e., City not named as a party)

| INSURED MATTERS COMPLETE SINCE March 31, 2017   |   |   |                               |   |  |  |
|---|---|---|-------------------------------|---|--|--|
| Matter  | Description   | History   | Current Status                | Counsel   |  |  |
| Zaki v. City of<br>Guelph et al.<br>(Superior Court of<br>Justice Court File No.<br>335/14)                   | <ul> <li>Transit Accident – December 9,<br/>2011</li> </ul> | <ul> <li>May 9, 2014 – City<br/>served with Statement of<br/>Claim</li> <li>Discovery of the Plaintiff<br/>held on October 27, 2015</li> <li>September 19, 2017 –<br/>Endorsement received</li> </ul> | Matter Stayed<br>indefinitely | Insurer's<br>legal<br>counsel<br>and<br>Legal<br>Services |  |  |
| Gebreselassie v.<br>City of Guelph et<br>al.<br>Ontario Superior Court<br>of Justice Court File<br>No. 920/13 | <ul> <li>Transit Accident – January 3,<br/>2012</li> </ul>  | <ul> <li>December 20, 2013 –<br/>City served with<br/>Statement of Claim</li> <li>July 17, 2017 – action<br/>dismissed</li> </ul>   | This matter is complete       | Insurer's<br>legal<br>counsel                             |  |  |
| Matin v. City of<br>Guelph et al.<br>(Superior Court of<br>Justice Court File No.<br>268/15)                  | • Transit accident – June 10, 2013                          | <ul> <li>April 16, 2015 – City<br/>served with Statement of<br/>Claim</li> <li>June 16, 2017 –<br/>settlement reached</li> </ul>  | This matter is complete       | Insurer's<br>legal<br>counsel                             |  |  |

# Information Report



Service Area Public Services

Date Friday, September 29, 2017

Subject Emergency Response Plan and Emergency Management Program

Report Number PS-17-25

# **Executive Summary**

#### Purpose of Report

To advise Council of the amendment to the bylaw related to the Emergency Response Plan and Emergency Management Program

#### **Key Findings**

Due to recent organizational restructuring, the functions and membership of the Emergency Operations Control Group (EOCG) have been reviewed to ensure effectiveness and sustainability over time. The finding of the review has resulted in the removal of the position of General Manager of Emergency Services position in accordance with the restructuring, and the addition of the Paramedic Chief and Fire Chief as members of the EOCG.

Changes to the membership of the EOCG require updating the City of Guelph Emergency Response Plan. When the plan is changed, it is a requirement of the Emergency Management and Civil Protection Act that the bylaw be updated to reflect the change.

#### **Financial Implications**

N/A

# Report

In response to the late 2017 changes to the Public Services organizational structure, a review was conducted to ensure that the membership of the Emergency Operations Control Group (EOCG) was appropriate, effective, and essential.

The Emergency Response Plan exists to allow the City of Guelph to effectively prevent, plan for, mitigate, respond to, and recover from emergency situations. This plan allows the City of Guelph to make provisions for extraordinary arrangements and measures that may have to be taken to protect the lives, property, and environment of the city of Guelph during an emergency. This encompasses the health, safety, welfare, environment of residents, visitors, and businesses within the city of Guelph. This includes the assets owned by the City of Guelph, and the members of the staff of the City of Guelph who may be called upon to respond to extraordinary situations.

The Emergency Response Plan enables a coordinated, centralized response to emergencies in the city of Guelph and meets the requirements of the Emergency Management and Civil Protection Act (EMCPA), R.S.O. 1990.

The City of Guelph Emergency Management Program exists to provide the support, training, public education, and facilities required to support the Emergency Management activities that are conducted in accordance with the EMCPA and Ontario Regulation 380/04.

The Emergency Management Program is reviewed yearly by the Emergency Management Coordinator and the Emergency Management Program Committee.

# **Financial Implications**

N/A

# Consultations

N/A

# **Corporate Administrative Plan**

**Overarching Goals** Service Excellence

Service Excellence

#### Service Area Operational Work Plans

Our Services - Municipal services that make lives better Our People- Building a great community together

# Attachments

ATT-1 Emergency Response Plan and Emergency Management Program

#### Departmental Approval

N/A

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Gelo Clack

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# **Making a Difference**

# **CITY OF GUELPH**

# EMERGENCY RESPONSE PLAN

2017

Updated

September, 2017

# **Glossary of Terms**

| CAO -                          | Chief Administrative Officer                           |  |  |
|--------------------------------|--|--|--|
| CEMC -                         | Community Emergency Management Coordinator             |  |  |
| CEMPC -                        | Community Emergency Management Program Committee       |  |  |
| EMCPA -                        | Emergency Management and Civil Protection Act RSO 1990 |  |  |
| EMS -                          | Paramedic Services                                     |  |  |
| EOC -                          | Emergency Operations Centre                            |  |  |
| EOCG -                         | Emergency Operations Control Group                     |  |  |
| ERP -                          | Emergency Response Plan                                |  |  |
| GFD -                          | Guelph Fire Department                                 |  |  |
| GPS -                          | Guelph Police Service                                  |  |  |
| GRCA -                         | Grand River Conservation Authority                     |  |  |
| GWEMS -                        | Guelph Wellington Emergency Medical Services           |  |  |
| HIRA -                         | Hazard Index and Risk Assessment                       |  |  |
| ICS -                          | Incident Command System                                |  |  |
| IMS -                          | Incident Management System                             |  |  |
| MCSCS -                        | Ministry of Community Safety and Correctional Services |  |  |
| MOH -                          | Medical Officer of Health                              |  |  |
| MP -                           | Member of Parliament                                   |  |  |
| MPP -                          | Member of Provincial Parliament                        |  |  |
| ODRAP -                        | Ontario Disaster Relief Assistance Program             |  |  |
| OFMEM-                         | Office of the Fire Marshal and Emergency Management    |  |  |
| (Emergency Management Ontario) |  |  |  |
| PEOC -                         | Provincial Emergency Operation Centre                  |  |  |
| PIO -                          | Public Information Officer                             |  |  |
| POO -                          | Province of Ontario                                    |  |  |
| WSIA -                         | Workplace Safety and Insurance Act                     |  |  |
| -                              |  |  |  |

Deputy CAO PS - Deputy CAO Public Services

Deputy CAO CS – Deputy CAO Corporate Services Deputy CAO ID – Deputy CAO Infrastructure, Development and Enterprise

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# CITY OF GUELPH EMERGENCY RESPONSE PLAN

# PART 1: INTRODUCTION

Emergencies are defined as situations or the threat of impending situations abnormally affecting the lives and property of our society, which by their nature require a coordinated response by a number of agencies, both governmental and private, under the direction of the appropriate elected officials, as distinct from routine operations carried out by the agencies as normal day-to-day procedures.

Such emergencies could include floods, tornadoes, wind storms, blizzards, ice storms, explosions, aircraft or rail crashes, toxic or flammable gas escapes, building collapses, uncontrollable fires, or any threat of the foregoing in which immediate remedial action will be required by the City of Guelph. The most likely community risks to the City of Guelph are:

- 1) Severe Weather (including Tornadoes and Ice Storms).
- 2) Hazardous Material releases from fixed or mobile sites.
- 3) Human Health Emergencies.

The population of Guelph is approximately 120,000 residents (138,000 when University students are included).

In order to protect residents, businesses and visitors, the City of Guelph requires a coordinated emergency response by a number of agencies under the direction of the Emergency Operations Control Group. These are arrangements and procedures distinct from the normal, day-to-day operations carried out by emergency response agencies.

The City of Guelph Community Emergency Management Program Committee developed this emergency response plan. Every official, municipal department and agency must be prepared to carry out assigned responsibilities in an emergency. The response plan has been prepared to provide key officials, agencies and departments of the City of Guelph important emergency response information related to:

- Arrangements, services and equipment; and
- Roles and responsibilities during an emergency.

In addition, it is important that residents, businesses and interested visitors be aware of its provisions. Copies of the City of Guelph Emergency Response Plan may be viewed at City Hall and the Library Branches. A copy of the plan and other important emergency management information may be viewed and copied at <u>www.guelph.ca</u>.

### PART 2: AIM

The aim of this plan is to make provision for the extraordinary arrangements and measures that may have to be taken to protect the health, safety, welfare, environment and economic health of the residents, businesses and visitors of the City of Guelph when faced with an emergency.

It enables a centralized, controlled and coordinated response to emergencies in the City of Guelph, and meets the legislated requirements of the Emergency Management and Civil Protection Act.

#### Familiarity and Responsibilities

All members of Council, the Executive Team, members of the Emergency Operations Control Group (and alternates), and designated personnel must be familiar with this Emergency response Plan. These persons must be prepared to act, exercising due diligence, in the best interests of the community, carrying out their duties and responsibilities described in this plan.

These responsibilities include:

- 1. Policy and Strategic Direction
- 2. Site Support and Consequence Management
- 3. Information Collection, Evaluation and Distribution
- 4. Coordination of Response Agencies, and Municipal Resources
- 5. Resource Management
- 6. Internal and External Communications

#### Community Hazard Risk Analysis

The Office of the Fire Marshal and Emergency Management (Emergency Management Ontario), through Ontario Regulation 380/04, requires that each community conduct an assessment of risks faced in the community. The prescribed standard tool for evaluating these risks in the community is known as a HIRA – Hazard Identification and Risk Assessment.

The assessment is done by the Community Emergency Management Program Committee, and is reviewed annually. The risk assessment is based in the practical history of the community. This is done through a community scan to determine what hazards exist in the community. Once identified and measured in a historical perspective, the likelihood of an incident and the consequences of it occurring in the community are evaluated.

It is possible to have a potential incident that is unlikely to occur, with severe consequences. It is also possible to have an incident that is very likely to occur, with minimal consequences.

There are many types of emergencies which the City of Guelph is prepared to deal with. The HIRA for the City of Guelph indicates that the most likely are:

- 1) Severe Weather (including Tornadoes and Ice Storms).
- 2) Hazardous Material releases from fixed or mobile sites.
- 3) Human Health Emergencies.

This Emergency Response Plan forms the framework to respond to the identified risks for the community, and also allows the flexibility to respond to any hazardous situation that may occur from time to time. The Emergency Response Plan can be tailored to match the incident through use of appropriate subject matter expertise. This framework also provides political oversight and accountability through the involvement of the Head of Council.

# PART 3: AUTHORITY

The Emergency Management and Civil Protection Act (EMCPA) R.S.O. 1990, c. E-9 is the legal authority for this emergency response plan in Ontario.

The EMCPA states that the:

"The head of council of a municipality may declare that an emergency exists in the municipality or in any part thereof and may take such action and make orders as he or she considers necessary and are not contrary to law to implement the emergency plan of the municipality and to protect property and the health, safety and welfare of the inhabitants of the emergency area."

As enabled by the Emergency Management and Civil Protection Act this emergency response plan and its' elements are:

- Issued under the authority of the City of Guelph By-Law(2015) #19867 and
- Filed with the Office of the Fire Marshal and Emergency Management (Emergency Management Ontario), Ministry of Community Safety and Correctional Services.
- Sets out the procedures for notification of the Emergency Operations Control Group
- Assigns responsibilities to municipal employees and identified persons as required

# Definition of an Emergency

The EMCPA defines an emergency as:

"An emergency means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise".

In plain language, an emergency situation affects the safety or health of the public at large, the environment, property, critical infrastructure or economic stability of the community. When an emergency occurs, the initial and prime responsibility for the provision of immediate emergency response rests with the local municipality. Every emergency is a local emergency, and the response is lead locally. The Emergency Response Plan is required to facilitate orderly and effective coordinated responses to emergency situations.

The Emergency Operations Control Group (EOCG) and the municipal Emergency Operations Centre (EOC) are at the disposal of the municipality during an emergency. The EOC is a properly equipped facility that provides space to facilitate municipal response to extraordinary circumstances. The Emergency Operations Centre (EOC) can be activated for any emergency for the purposes of coordinating any phase of an emergency: monitoring an incident at an early stage, supporting response and recovery efforts at an incident site, and for the purpose of maintaining services to the community.

## Action Taken Prior to a Declaration of Emergency

When an emergency exists but has not yet been declared to exist by the Head of Council, City of Guelph employees must take such action(s) under this emergency response plan as may be required to protect property and the health, safety and welfare of the citizens and visitors to the City of Guelph.

The actions taken must be done in good faith, exercising due diligence in their responsibilities, and be consistent with the standard response goals established in this Emergency Response Plan:

- 1. The Safety and Health of All Responders
- 2. Save Lives
- 3. Reduce Suffering
- 4. Protect Public Health
- 5. Protect Critical Infrastructure
- 6. Protect Property
- 7. Protect the Environment
- 8. Reduce Economic and Social Losses

## PART 4: EMERGENCY NOTIFICATION PROCEDURES

Upon receipt of a warning of a real or potential emergency, a member of the Emergency Operations Control Group or alternate will immediately contact the City of Guelph Police Duty Supervisor to request that the notification system be activated and the required members of the EOCG or Incident Management System (IMS) team convene at the Primary EOC, the Alternate EOC, or any other place they are required.

Upon receipt of the warning, the Guelph Police Duty Supervisor will notify all members of the Emergency Operations Control Group (EOCG) through the approved contact methods, and provide a synopsis of the emergency situation, and request that the required members convene or remain available to monitor the situation as required.

Upon being notified of the need to convene, it is the responsibility of all EOCG officials to notify their staff and affiliated volunteer organizations who may be required for response or support of the ongoing operations, and recovery efforts.

Where a threat of an impending emergency exists, the EOCG will be notified and placed on standby and requested to enhance their situational awareness through monitoring of the impending emergency situation.

## A Declared Community Emergency Exists

The Head of Council is responsible for declaring an emergency. This decision is usually made in consultation with other members of the EOCG.

Upon declaring an emergency, the Head of Council will ensure notification of:

- The Office of the Fire Marshall and Emergency Management (Emergency Management Ontario), Ministry of Community Safety and Correctional Services and the Province of Ontario through the Provincial Emergency Operations Centre
- City Council
- The Public
- Neighbouring community officials as required
- Local Member of the Provincial Parliament (MPP)
- Local Member of Parliament (MP)
- Any affected agency or municipality with whom a mutual aid or mutual assistance agreement exists and had been invoked to provide assistance to the City of Guelph

A community emergency may be terminated at any time by:

• The Head of Council or the Council.

When terminating an emergency, the Head of Council will ensure notification of:

- The Office of the Fire Marshall and Emergency Management (Emergency Management Ontario), Ministry of Community Safety and Correctional Services
- City Council members
- The Public
- Neighbouring community officials as required
- Local Member of the Provincial Parliament (MPP)
- Local Member of Parliament (MP)
- Any affected agency or municipality with whom a mutual aid or mutual assistance agreement had been invoked
- The Province of Ontario and The Office of the Fire Marshall and Emergency Management (Emergency Management Ontario) through the Provincial Emergency Operations Centre

# Requests for Assistance from the Province or another Municipality

Assistance may be requested from the Province of Ontario at any time without any loss of control or authority at the local level.

Mutual aid /mutual assistance agreements are in place with neighbouring municipalities, and at the request of the EOC Commander, requests can be made for resources or support from those municipalities as needed (utilizing the agreed upon methodology). This can occur at any time, before, during or after an emergency situation should the resources be needed by the City of Guelph.

A request for assistance from the Province of Ontario, or for resources of the Government of Canada, will be made through The Office of the Fire Marshall and Emergency Management (Emergency Management Ontario) and the Provincial Emergency Operations Centre. This contact will be ongoing, and made through the Liaison Officer at the request of the EOC Commander.

All requests for other municipal, provincial or federal resources have a potential financial impact to the City of Guelph. The primary deciding factor for the request of these resources will be found in the guiding principles of the standard response goals:

- 1. The Safety and Health of All Responders
- 2. Save Lives
- 3. Reduce Suffering
- 4. Protect Public Health
- 5. Protect Critical Infrastructure
- 6. Protect Property
- 7. Protect the Environment
- 8. Reduce Economic and Social Losses

## PART 5: EMERGENCY OPERATIONS CONTROL GROUP

#### **Background**

In 2012 and prior, the Emergency Operations Control Group followed the "Arnprior Model" of emergency management. As an entire group, they reviewed the circumstances associated to an emergency situation, provided advice on the declaration of emergency to the head of council, and engaged in consensus based decisions to provide support to the site of the emergency. This model worked well to stimulate discussion, evaluate options, and make consensus based decisions. Among the responsibilities of the control group in this model, was to ensure continued municipal services to the area of the community unaffected by the emergency.

In January 2009, Emergency Management Ontario first published the Incident Management System doctrine for Ontario in the IMS for Ontario (2009). The vision of this doctrine was that Ontario have a standardized Incident Management System that would provide functional interoperability at all levels of government. The goal of the Incident Management System is to provide an efficient, flexible, and consistent process and structure that can be scaled up or down in size as needed to manage incidents. This IMS doctrine should be used by all levels of government, emergency response organizations, communities, ministries, non-government organizations (NGOs), and the private sector.

Within Ontario, the emergency management environment is comprised of a diverse mix of emergency management organizations, many of which have implemented or are implementing an incident management system (IMS), invariably based on the Incident Command System (ICS) that was developed within the fire service. Using ICS, they function exceptionally well carrying out their own mandate.

No individual service or organization has the ability to conduct all aspects of incident management. Therefore, the need to coordinate response efforts when working jointly is generally recognized. Nevertheless, there has been a variance of approaches within Ontario, a lack of standardized tools to manage incidents, and hence no single province-wide system to ensure effective coordination.

This doctrine does not involve regulated implementation, nor does it compel an organization to change its response system. Yet, lessons from past incidents continue to indicate the ever-pressing need for all organizations to be integrated into a standardized incident management system (IMS). IMS is recommended for managing all incidents. Wide-scale stakeholder implementation of the IMS in Ontario is the desired outcome.

To achieve a standardized IMS that cuts across organizational boundaries may necessarily involve cultural shifts, over time, among some incident management practitioners. This IMS doctrine builds on the strength of current systems by retaining the ICS component and structure. There is wide buy-in for this approach, and coupled with training, province-wide implementation is envisaged over time.

Source: IMS for Ontario, 2009

#### Current Status

The members of the EOCG no longer operate utilizing the "Arnprior model", but now will have assigned tasks and responsibilities dependent on their roles and expertise. The EOCG retains its responsibility for all aspects of Emergency Management in Guelph as assigned to it in legislation and regulation. The EOCG members will be assigned to roles and responsibilities suited to their unique background and expertise while dealing with emergency circumstances.

All members of the EOCG play their part, contributing to the successful prevention, preparation, mitigation, response and recovery phases of dealing with an emergency or incident. EOCG members will be deployed into the IMS model, utilizing their knowledge skills and abilities to populate it.

Leadership and guidance is provided through the EOC Commander. This is normally the CAO, but may be delegated to a subject matter expert (SME) from the Executive Group or other management level.

The EOCG members now fill the responsibilities of populating the 5 functional sections: Command, Operations, Planning, Logistics, and Administration and Finance as required. The flexibility in the IMS deployment model allows for as many sections or as few sections to be deployed as are needed to support operations. The following page has an example of how EOCG members may be deployed as a Control Group in response to an emergency situation.

In the sections following, the responsibilities of all members of the EOCG are laid out. Each member of the EOCG retains operational input over their individual agencies, in addition to their overall EOCG responsibilities to operate as a control group in support of emergencies within the City or when required to support mutual assistance agreements with other municipalities. EOC STAFFING MODEL (deployed as needed, in coordinated stages)

#### **HEAD OF COUNCIL**

Mayor or Alternate

# **EXECUTIVE GROUP/EOCG**

Mayor or Alternate CAO or Alternate Deputy CAO PS Deputy CAO CS Deputy CAO IDE Medical Officer of Health Chief of Police Fire Chief Paramedic Chief Wellington County Administrator of Social Services Chief Operating Officer Guelph Hydro

#### EOC COMMANDER Deputy Commander Issues Management/ PIO

**Risk Management / Safety** 

**Liaison Officer** 

#### **OPERATIONS CHIEF**

Operations:

PLANNING CHIEF Planning: CAO\*and/or designate CEMC or alternate General Manager of Corporate Communications and Customer Service, or alternate Legal representative / Health and Safety manager or coordinator Assigned Duty Officer of the day

(situational) Police Chief or alternate \* Fire Chief or alternate \* Paramedic Chief or alternate\* COO Guelph Hydro\*or alternate Transit GM or alternate Administrator of Wellington Social Services\* or alternate Medical Officer or Health\* or alternate General Manager of Environmental Services, or alternate General Manager of Engineering and Capital Infrastructure, or alternate SME's as required

(situational) Police support members Fire support members Paramedic support members Transit GM Waste Water Services support Water Services support Human resources support City of Guelph Emergency Response Plan, September 2017

SME's as required

LOGISTICS CHIEF Logistics: Manager of Procurement or alternate CS staff SME's as required

**FIN/ADMIN CHIEF** 

Finance Subject Matter Expert (SME)as designated SME's as required

\*indicates an EOCG member in a deployed role

# **Emergency Operations Control Group Members**

The emergency response will be directed and controlled by the Emergency Operations Control Group (EOCG) – a group of officials who are responsible for coordinating the provision of the essential services necessary to minimize the effects of an emergency on the community. The EOCG consists of the following officials:

- Mayor, or alternate
- Chief Administrative Officer, or alternate
- Deputy CAO Public Services, or alternate
- Deputy CAO Corporate Service, or alternate
- Deputy CAO Infrastructure, Development and Enterprise, or alternate
- Medical Officer of Health or alternate
- Chief of Police or alternate
- Fire Chief or alternate
- Paramedic Chief or alternate
- Chief Operating Officer of Guelph Hydro or alternate
- Administrator of Wellington County Social Services, or alternate
- Additional personnel called or added to the EOCG **may** include:
  - The Office of the Fire Marshall and Emergency Management (Emergency Management Ontario) Representative
  - Grand River Conservation Authority Representative
  - Liaison staff from provincial ministries
  - Community Emergency Management Coordinator, or alternate
  - Red Cross Representative
  - School Board Officials
  - Hospital Officials
  - Any other officials, experts or representatives from the public or private sector as deemed necessary by the EOCG

The Emergency Operations Control Group will normally utilize the Incident Management System, with members filling or delegating the roles of:

- Command
- Operations
- Planning
- Logistics
- Administration and Finance

The EOCG may function with a limited number of persons filling only the roles that are required, depending upon the nature of the emergency. While the EOCG may not require the presence of all the people listed as members, all members must be notified of the activation of the EOCG, so that they may monitor the developing situation and responses.

# **Emergency Operations Centre**

Upon notification required members of the EOCG will report to the primary Emergency Operations Centre (EOC) unless notified of a change of venue to the alternate EOC. In the event the alternate EOC cannot be used, the EOCG will be advised to attend another appropriate location.

# **Operating Cycle**

Members of the EOCG will gather at regular intervals to inform each other of actions taken and problems encountered. The CAO will normally fill the role of EOC Commander. In some instances, the CAO will facilitate this role by delegating to an Executive Group member (or other level of management) who is a subject matter expert. The EOC Commander will establish the frequency of meetings of the IMS Section Chiefs. Meetings will normally consist of situational awareness updates for current operations, and planning for ongoing and future operations. The Chiefs of the Operations, Planning, Logistics and Finance sections will normally attend these operating cycle meetings.

# **Emergency Operations Control Group Responsibilities**

The members of the Emergency Operations Control Group (EOCG) are likely to be responsible for the following overarching actions or decisions:

- 1. Providing Policy and Strategic Direction
- 2. Site Support and Consequence Management
- 3. Information Collection, Evaluation, and Distribution
- 4. Coordination of Agencies and/or Departments
- 5. Resource Management
- 6. Internal and External Communications

Additionally, through the IMS system as appropriate, Emergency Operations Control Group members are responsible for the following:

- Providing support as required to Site Incident Command
- Confirming the Site Incident Commander (Operations Chief)
- Utilizing the Incident Management System appropriately
- Ensuring that systems and services are maintained in the City areas not affected by the ongoing emergency operations

- Provide support to secure the emergency /incident site to establish crowd control, facilitate emergency operations access / egress, and prevent injuries / casualties
- Ensure the earliest possible response and overall control of emergency operations
- Supporting immediate actions to eliminate sources of potential danger within the affected area
- Ensuring coordinated acquisition and distribution of emergency resources, supplies and equipment
- Establishing an Emergency Operations Centre and any other necessary emergency operations control facilities, reception / evacuation centres, etc.
- Arranging Pre-Hospital Care and transport of casualties to hospitals and / or designated sites outside the designated site area
- Providing timely, factual, and official information to the emergency operations officials, media, public, and individuals information
- Evacuating any building that poses a threat to public safety
- Providing for a total or partial controlled evacuation of the City, as required
- Providing emergency food, lodging, clothing, and essential social services and assistance to persons affected by the incident and to emergency services personnel involved in the incident responses as required
- Arranging for assistance from private, voluntary, non-profit and government and nongovernmental organizations and agencies as appropriate
- Commencement of coordinated recovery activities
- Authorization of expenditures
- Restoration of essential services.
- Ensuring all employed persons (and volunteers as deemed appropriate as per section 71 of the WSIA) shall be covered for the duration of the declared emergency under the Workplace Safety and Insurance Act, so long as it is declared by the head of council. (In the event of the foregoing, the City of Guelph shall require registration of the volunteer(s) to record that they are, in fact, volunteering on behalf of the City of Guelph, during the declared emergency).
- Ensuring that contingency planning activities take place in response to community risks identified through the Hazard Index and Risk Assessment tools.
- Acting as a member of the Executive Group or other role in the IMS structure at the EOC.

# Deployment model

In this deployment of the EOC, consistent with the established international practices of the Incident Management System, only the sections of the EOC required will be activated. Primarily, this will be the Command and Operations sections. The initial decision on the activation level is made by the EOCG member or alternate authorizing the EOC deployment.

Planning, Logistics, Finance, PIO, Risk Management / Safety, and Liaison will only be activated as needed when the assigned tasks are not able to be contained within the EOC Command or Operations sections.

Stage 1 response = Head of Council, EOC Command and Operations Section Stage 2 response = Head of Council, EOC Command, Operations Section and all other required sections staffed Stage 3 response = Full EOCG turnout, all sections PLUS executive group

Notification of an emergency will be made to all members or alternates to advise them of the incident and the level of EOCG activation.

# Stage 1 Response

Less serious/routine emergencies will be a stage 1 response. The stage 1 response will encompass emergencies commencing on the lower end of the spectrum, and may be borderline as to whether or not they can be handled by the first response and normal city resources, through to more complicated but low impact or short duration emergencies. Each emergency, during the normal operating cycle meetings, will be consistently re-evaluated to determine if the continuing response category is valid, or if the response should be up-scaled to engage more IMS sections, and/or the Executive Group. All activations of the EOC will commence at a stage 1 response, and will be reviewed as part of the first operating cycle meeting, scaling the response to a stage 2 or 3 as required. See the stage 1 diagram contained at Annex D.

#### Stage 2 & 3 Response

Emergencies that are complicated or have extremely high impact on the community will require a stage 2 or stage 3 response from the outset. These will include emergency situations that immediately require resources that exceed normal City capacities or involve outside agencies.

A Stage 2 response will exceed the Stage 1 response by engaging the required IMS sections as needed. In most instances, the planning section will be the first section engaged beyond a stage 1 response, but all areas may be engaged as required. The EOC Commander may at any time delegate an appropriate subject matter expert from

the Executive Group to assist with the ongoing guidance and leadership for the control group. See the Stage 2 & 3 diagram contained at Annex D.

In a complicated emergency, where the overall impact on the community is severe, extraordinary measures are required, or where coordination with outside agencies (example: PEOC, Transportation Safety Board, Canadian Nuclear Safety Commission) are engaged, an immediate Stage 3 response, with the Executive Group in attendance is appropriate.

The EOC Commander may escalate or de-escalate the EOC staffing as required, and may at any time assemble the Executive Group for briefing or advice.

# **Response Goals**

The following are established goals of this Emergency Management Program:

- 1. The Health and Safety of All Responders
- 2. Save Lives
- 3. Reduce Suffering
- 4. Protect the public health
- 5. Protect critical infrastructure
- 6. Protect property
- 7. Protect the environment
- 8. Reduce the economic and social losses in the community

# **Reporting Relationships**

The following reporting relationships and area responsibilities have been established in this plan.

# **EOC Commander**



The EOC Commander is responsible for the overall functioning of the EOC, ensuring that adequate and knowledgeable members are given the responsibility of section chiefs: Operations, Planning, Logistics, Administration and Finance.

The EOC Commander briefs members of the Executive Group, and consults with them for guidance as required. The EOC Commander confirms the appointments of section chiefs, and approves Incident Action Plans

The EOC Commander establishes operating cycles, and approves all current Incident Action Plans. The EOC Commander maintains situational awareness, and directs all efforts in a manner consistent with the Response Goals.

The EOC Commander appoints members to act as the Deputy Commander, Risk / Safety Officer, the Liaison Officer, and the Public Information Officer.

The EOC Commander is responsible for the effectiveness of the overall operations of the Emergency Operations Centre.

### Deputy Commander

The role of deputy commander of the EOC will normally be filled by the CEMC or alternate who will act in an advisory capacity to the EOC Commander and the EOCG. May be required to assume the duties of the EOC Commander in their absence. Ensures efficient internal information / communication processes. Facilitates resolution of internal staffing / personnel challenges.

# Command Staff

# Risk / Safety Officer

The Risk/Safety Officer (if activated) is a member of the EOC Commander's staff, and reports to the EOC Commander. If this position is not activated, the EOC Commander assumes these responsibilities. The Risk/Safety Officer monitors and assesses current operations to be an advocate for worker safety. The Risk/Safety Officer also provides the EOC Commander with recommendations about risks and liabilities to the City of Guelph. The Risk/Safety Officer in the EOC maintains contact with the Risk/Safety Officer at the site (if activated).

#### Liaison Officer

The Liaison Officer (if activated) is a member of the EOC Commander's staff, and reports to the EOC Commander. If this position is not activated, the EOC Commander assumes these responsibilities. The Liaison Officer is responsible for establishing and maintaining communication with the Provincial Emergency Operations Centre and any other EOC's of other municipalities as required. The Liaison Officer seeks out and invites to the EOC any other agencies or subject matter experts required by the EOC.

## Public Information Officer (Issues Management)

The Public Information Officer (PIO) (if activated) is a member of the EOC Commander's staff, and reports to the EOC Commander. If this position is not activated, the EOC Commander assumes these responsibilities. The PIO is the primary conduit of information to the general public from the EOC. The PIO establishes and maintains information flow to the media and public, ensures that information releases are provided promptly, and establishes a media centre as required. The PIO also monitors news media and other sources to ensure correct information is being conveyed through media and other means. The PIO will also provide background materials for media if required.

# **Operations Section Chief**



Reports to the EOC Commander and is responsible for briefing the EOC Commander and section chiefs to maintain situational awareness of ongoing efforts to mitigate and respond to the emergency. The Operations Chief is confirmed by the EOC Commander.

The Operations Section Chief maintains direct contact with the Site Commander and coordinates the support response to assist the site. The Operations Section will liaise closely with the Planning Section (when activated) to assist in planning for future operational periods and Incident Action Plans for future use. The Operations Section Chief has a close working relationship with the Planning Section Chief, and ensures that the Planning Section maintains situational awareness of the current operational status.

#### **Operations Section Members**

Members of the Operations Section report to the Operations Section Chief, and they are responsible for the execution of the current Incident Action Plan.

# **Planning Section Chief**



Reports to the EOC Commander and is responsible for briefing the EOC Commander and section chiefs as required at operating cycle meetings. The Planning Section Chief is confirmed by the EOC Commander. The Planning Section Chief has a close working relationship with the Operations Section Chief to allow for the identification of future needs, and develops options for future operational periods in consultation with the members of the planning section.

#### Planning Section Members

The Planning section members report to the Planning Section Chief, and produce Incident Action Plans (IAP) for future operational periods. Planning Section members monitor the current situational status; develop Incident Action Plans for future operational periods that include options for those future operational periods.

# **Logistics Section Chief**



Reports to the EOC Commander and is responsible for briefing the EOC Commander and section chiefs as required at operating cycle meetings. The Logistic Section Chief is confirmed by the EOC Commander. The Logistics Sections Chief coordinates all requests for resources.

#### Logistics Section Members

The Logistics Section members report to the Logistics Section Chief, and are responsible for logistic functions for current and future operational periods.

# **Finance and Administration Section Chief**



Reports to the EOC Commander and is responsible for briefing the EOC Commander and section chiefs as required at operating cycle meetings. The Finance and Administrative section will maintain financial records of employee time and materials used to support the site operations.

# Finance and Administration Section Members

The Finance and Administration Section members report to the Finance and Administration Section Chief, and are responsible for all financial and administrative duties as assigned for previous, current and future operational periods.

# **Executive Group Members**



All members of the Emergency Operations Control Group are members of the Executive Group. The Executive Group makeup is determined by the response required to the emergency. Normally, Emergency Operations Control Group members not deployed into the IMS system in Command, Operations, Planning, Logistics or Finance and Administration will have duties in the Executive Group. Members of the Executive Group can be named as the EOC Commander or other functional positions. Members of the EXECUTIVE Group are available to provide policy advice and guidance to the EOC Commander when extraordinary measures are taken by the EOCG.

# Annex A to the Emergency Response Plan

# Incident Management System (IMS)

The Incident Management System (IMS) is a standardized approach to emergency management that utilizes a common organizational structure to encompass personnel, facilities, equipment, procedures, and communications. IMS recognizes that every emergency has similar management functions that must be carried out. These management functions must occur regardless of the size of the emergency, the number of personnel affected, or the resources available. IMS is the methodology utilized to manage the emergency response. IMS is utilized as a best practice in many areas of the world, and is based in recognized standards in North America. IMS is flexible in its approach, able to scale up or down in the size and scope of support offered to the emergency site according to the needs of the site. IMS has been recommended for use by Emergency Management Ontario, and ensures that municipalities and regions are utilizing the same approach to dealing with emergency situations, and utilizing common terminology during the management of emergencies.

IMS essentially consists of 5 functions:

- 1. Command
- 2. Operations
- 3. Planning
- 4. Logistics
- 5. Finance and Administration

In a widespread or sweeping emergency that affects the entire community, all response efforts may be directed from the Emergency Operations Center (EOC), and these responses would include both tactical and strategic responses. In this instance, the EOC Commander may also fill the role as the Incident Commander.

Annex B is a chart showing the overall structure of Guelph's IMS response. The nature of IMS allows for the activation of only the portions of the structure that are required. All emergency response/support will have an EOC Commander and Operations section.

# Deployment model

In this deployment of the EOCG, consistent with the established international practices of the Incident Management System, only the sections of the EOCG that are required will be activated. Primarily, this will be the Commander and Operations sections. Planning, Logistics, Finance, PIO, Safety, and Liaison will only be activated as needed when the assigned tasks are not able to be contained within the EOC Commander or Operations sections.

```
Stage 1 response = Mayor, EOC Commander, and Operations Section
Stage 2 response = Mayor, EOC Commander, Operations Section and all other
required sections staffed
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Stage 3 response = Full EOCG turnout, all sections PLUS executive group

Notification of an emergency will normally be made to all EOCG members or alternates to advise them of the incident and the level of EOCG activation.

# Stage 1 Response

Less serious/routine emergencies will be a stage 1 response. The stage 1 response will encompass emergencies commencing on the lower end of the spectrum, and may be borderline as to whether or not they can be handled by the first response and normal city resources, through to more complicated but low impact or short duration emergencies. Each emergency, during the normal operating cycle meetings, will be consistently re-evaluated to determine if the continuing responses category is valid, or if the response should be up-scaled to engage more IMS sections, and/or the Executive Group. All activations of the Control Group will commence at a stage 1 response, and will be reviewed as part of the first operating cycle meeting, scaling the response to a stage 2 or 3 as required.

# Stage 2 & 3 Response

Emergencies that are complicated or have extremely high impact on the community will require a stage 2 or stage 3 response from the outset. These will include emergency situations that immediately require resources that exceed normal City capacities or involve outside agencies.

A Stage 2 response will exceed the Stage 1 response by engaging the required IMS sections as needed. In most instances, the planning section will be the first section engaged beyond a stage 1 response, but all areas may be engaged as required. The EOC Commander may at any time delegate an appropriate subject matter expert from the Executive Group to assist with the ongoing guidance and leadership for the control group.

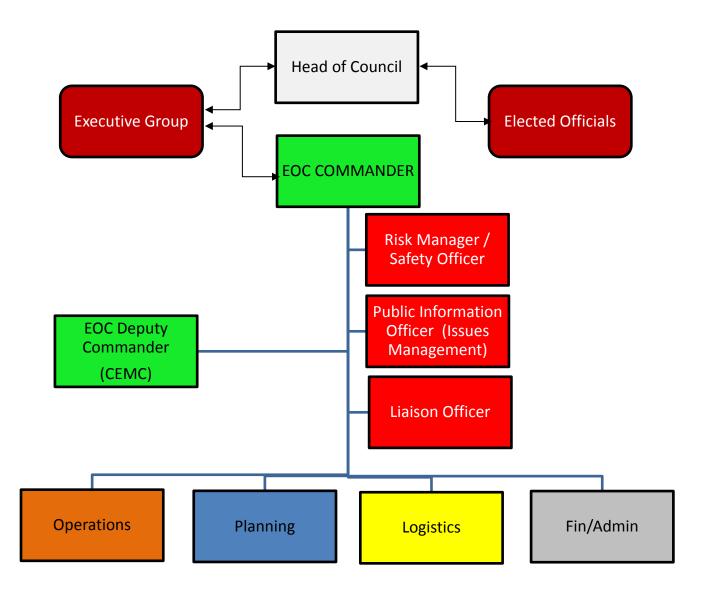
In a complicated emergency, where the overall impact on the community is severe, extraordinary measures are required, or where coordination with outside agencies (example: PEOC, Transportation Safety Board, Canadian Nuclear Safety Commission) are engaged, an immediate Stage 3 response, with the Executive Group in attendance is appropriate.

The EOC Commander may escalate or de-escalate the EOC staffing as required, and may at any time assemble the Executive Group for briefing or advice.

City of Guelph Emergency Response Plan, September 2017

Appendix B to the Emergency Response Plan

# **Reporting Relationships in the Incident Management System structure**



# Annex C to the Emergency Response Plan

# **Operations/Operating cycle**

During an activation of the Emergency Operations Centre, operations will be conducted in an operating cycle. The tempo of operations and the frequency of the operating cycle will be determined by the EOC Commander or alternate.

In general, the tempo of operations established will require the EOC Commander and the Section Chief's to schedule regular briefing/update meetings to maintain situational awareness across the areas of responsibility, and review priorities and support levels being provided by the EOC to the Site.

In a community wide emergency, when the EOC may take the overall lead during the emergency, these operating cycle meetings will determine both strategic and tactical priorities as the incident progresses.

The operating cycle has the following main areas that are to be addressed:

- 1. Planning the time required to assess the situation and develop the incident action plan for the next operational period.
- 2. Action the time necessary to implement the plan, evaluate the results and support the emergency response activities.
- Reporting the Operations Cycle meeting where the Section Chief's and EOC Commander report on and review the current status of the emergency, assess the results and validity of the current operational plan including any new strategies required, and the confirmation of existing priorities, and identification of any emerging priorities.

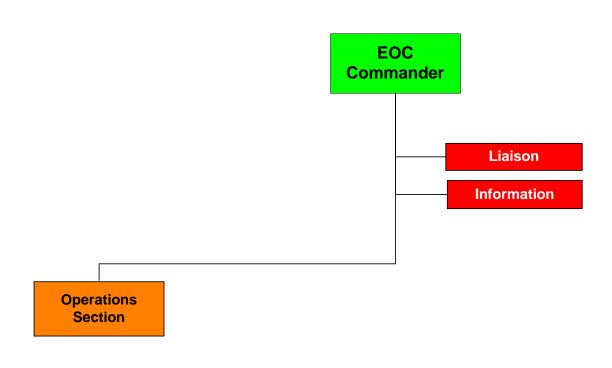
At the conclusion of the operating cycle meeting that has reviewed the current status, and the incident action plan for the following operational period, the planning section will begin to plan for future support of the operations section.

City of Guelph Emergency Response Plan, September 2017

Appendix D to the Emergency Plan

EOC Activation Levels 1-3

LEVEL 1 ACTIVATION:





LEVEL 2 ACTIVATION:

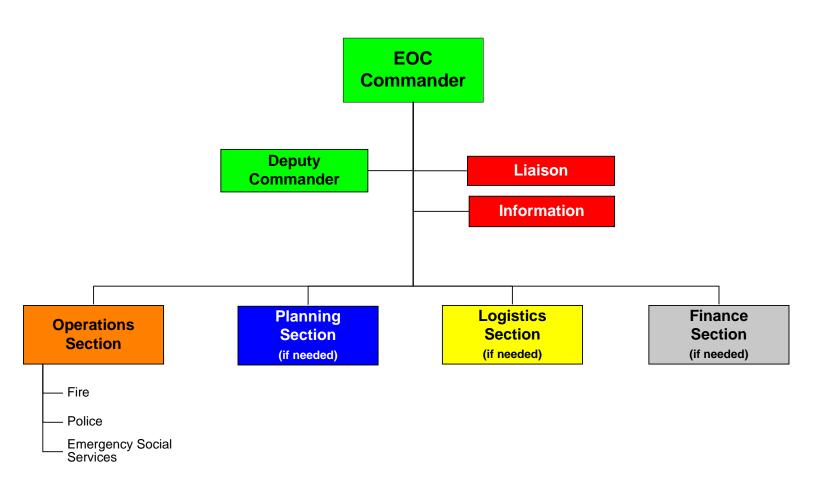


Figure 2: Level 2 Activation of the EOC. Enhanced operations and monitoring.

LEVEL 3 ACTIVATION

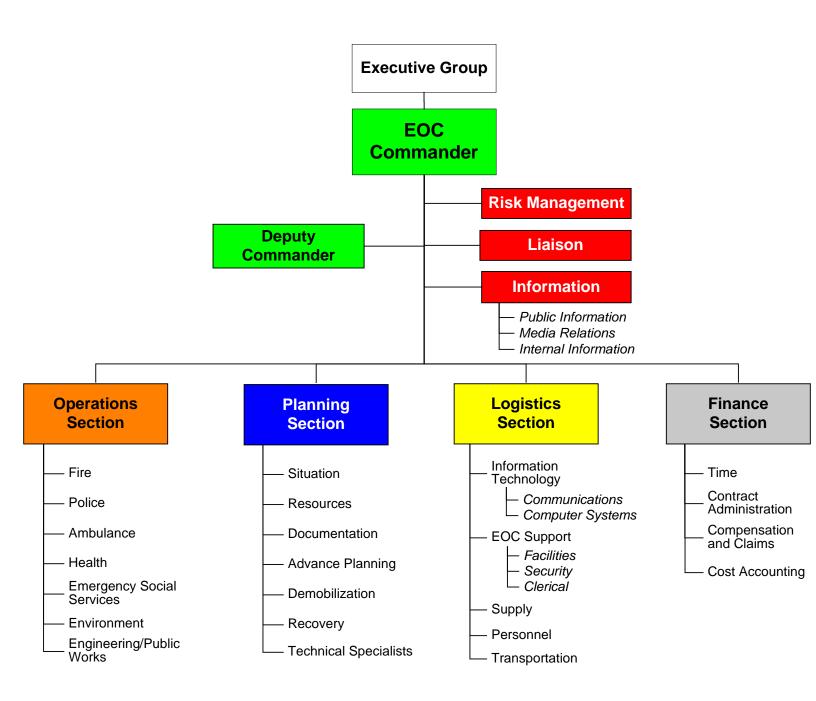


Figure 3: Level 3 Activation of the EOC: Full activation of all areas when sustained ongoing operations are likely to occur.

# **Emergency Management Program**

The City of Guelph Emergency Management Program shall be established annually, and in order to meet the essential level of emergency preparedness established by the Province of Ontario, shall consist of:

- 1. Designation of a community emergency management coordinator.
- 2. Formation of a community emergency management program committee.
- 3. Publication of an approved community emergency response plan.
- 4. Development of an appropriate community emergency operations centre
- 5. Identification of critical infrastructure.
- 6. Conduct annual training for the emergency operations control group and emergency operations centre staff.
- 7. Conduct of an annual exercise to evaluate the community emergency response plan.
- 8. Identification of individuals to act as community emergency information staff.
- 9. Development and implementation of a community emergency management public education program.
- 10. Conduct an annual review of the community emergency management program.
- 11. Conduct hazard identification and risk assessment.



September 25, 2017

# **Building and Development Branch**

Ministry of Municipal Affairs 16th Floor, 777 Bay Street Toronto, Ontario M5G 2E5

# **RE:** Potential Changes to Ontario's Building Code

On behalf of the City of Guelph, please accept this letter, and associated attachments, in response to the Ministry of Municipal Affairs' request for input on changes for potential inclusion in the next edition of the Building Code.

The following attachments are included:

- Proposed Code Changes Part A Phase Two Index
- Proposed Code Changes Part B Potential Longer Term Amendments

We kindly request these comments and recommendations be taken into consideration.

The City of Guelph thanks the Ministry for engaging municipalities on these significant code change proposals in support of the Climate Change Action Plan.

Sincerely,

Robert (Rob) Reynen, CBCO | Chief Building Official Infrastructure, Development and Enterprise Building Services 1 Carden Street, 3<sup>rd</sup> floor T 519-837-5615 x 2386 F 519-822-4632

E <u>rob.reynen@guelph.ca</u>

cc:

Scott Stewart, Deputy CAO, Infrastructure, Development and Enterprise, City of Guelph Todd Salter, General Manager, Planning, Urban Design and Building Services, City of Guelph Cathy Kennedy, Manager, Policy and Intergovernmental Relations, City of Guelph Bill Mauro, the Honorable Minister, Ministry of Municipal Affairs Brenda Lewis, Director, Ministry of Municipal Affairs Hannah Evans, Director, Ministry of Municipal Affairs

#### **Building Services**

T 519-837-5615 F 519-822-4632 E building@guelph.ca

#### Potential Changes to the Ontario Building Code (2019)

# City of Guelph

| · · · · · · · · · · · · · · · · · · · |  |   |   |         |                            |  |
|---------------------------------------|--|---|---|---------|----------------------------|--|
| Code Change Number                    | Code Reference                         | Proposed Code Change  | Торіс   | Source  | Support                    |  |
| <u>2-CC-A-01-04-01</u>                | Div. A, 1.4.1.3.(1)<br>Div. C, 1.11.   | The proposed change would establish a list specifying the<br>circumstances under which municipalities could pass by-laws<br>requiring green standards and would make municipal green<br>standards by-laws applicable law for the purpose of issuing a<br>building permit. | CCAP – Other Green<br>Technologies<br>(Green Building Standards)      | Ontario | Yes, with<br>modifications | We are pleased to see the inclusion<br>development standards, specifically<br>97.1 of the Municipal Act. We feel th<br>type) built-in to allow municipalities to<br>law. Consider improving the enablin<br>for operation and maintenance agree<br>While this facilitates the implementa<br>also supports the implementation of<br>Plan (2017) and the anticipated Low<br>and Climate Change as it relates to<br>source stormwater management, m<br>to extreme events.<br>Form a local perspective, it supports<br>Innovation District Secondary Plan s<br>and manage energy, water, wastew |
| <u>2-CC-A-03-02-01</u>                | Div. A, 3.2.1.1.                       | The proposed change introduces two new building envelope-<br>specific functional statements.  | CCAP – Energy Efficiency<br>for Large Buildings                       | Ontario | Yes                        | No comment   |
| <u>2-CC-B-03-01-01</u>                | Div. B, 3.1.21.1.<br>Div. B, 9.34.4.1. | The proposed change would require electric vehicle charging equipment in all Part 3 and Part 9 multi-unit apartment buildings where parking is provided in the building.  | CCAP – Electric Vehicles –<br>New Multi-Unit Residential<br>Buildings | Ontario |                            | We view this proposed code change transportation related carbon emission   |
| <u>2-CC-B-04-01-01</u>                | Div. B, 4.1.4.1.                       | The proposed change would add loading requirements to provide<br>for solar-ready roofs for large buildings, reducing the probability of<br>future expensive structural retrofits, and thereby potentially making<br>solar energy systems more cost-effective.             | CCAP – Other Green<br>Technologies<br>(Solar Ready Roofs)             | Ontario | Yes                        | No comment   |
|                                       |  | The proposed change would add a new sentence to address vegetative roofing systems (aka green roofs).   | CCAP – Other Green<br>Technologies<br>(Green Roofs)                   | Ontario | Yes                        | No comment   |
| <u>2-CC-B-05-10-01</u>                | Div. B, 5.10.4.1.<br>SB-14             | The proposed change would establish standards for High-<br>Reflectance and Vegetative Roof Construction   | CCAP – Other Green<br>Technologies<br>(Green Roofs)                   | Ontario | Yes                        | No comment   |
| <u>2-CC-B-07-04-01</u>                | Div. B, 7.4.9.1.(4)                    | The proposed change adds a new provision to permit a reduction in the size of a non-potable water supply pipe discharging from a greywater recovery system conforming to Article 7.7.4.1.   | CCAP – Other Green<br>Technologies<br>(Grey-water reuse)              | mNPC    | Yes                        | No comment   |
| <u>2-CC-B-07-06-01</u>                | Div. B, 7.6.4.1.                       | The proposed change addresses flow rates and valves for more efficient water supply fittings.   | CCAP – Other Green<br>Technologies<br>(Grey-water reuse)              | mNPC    |                            | Lavatory Faucets in Residential Occ<br>superceded by 5.7 Lpm, also Sente<br>that fixtures in heritage buildings sho<br>it is required for sanitary carriage.   |
| <u>2-CC-B-07-06-02</u>                | Div. B, 7.6.4.2.                       | The proposed change clarifies water-use efficiency requirements for urinals.  | CCAP – Other Green<br>Technologies<br>(Water Conservation)            | mNPC    | Yes                        | No comment   |
| <u>2-CC-B-07-07-01</u>                | Div. B, 7.7.4.1.(1)                    | The proposed change adds a new Sentence 7.7.4.1.(1) that references the CAN/CSA-B128.3 Standard to support the use of greywater systems.  | CCAP – Other Green<br>Technologies<br>(Grey-water reuse)              | mNPC    |                            | Clarify whether CAN/CSA-B128.3, "<br>addition to good engineering practic<br>of 7.7.4.1.   |
| <u>2-B-09-10-01</u>                   | Div. B, 9.10.19.4.(3)                  | The proposed change provides an exemption for a smoke alarm visual signalling component where smoke alarms are battery-powered.   | Other Technical Proposals<br>(Fire Safety)                            | Ontario | Yes                        | Clarify whether there are devices the the Ontarians with Disabilities Act and  |

#### Modifications or reasons

ion of authorizing municipalities to pass by-laws requiring green ally as it relates to "high-reflectance and vegetated roofs", under section I that as proposed there is enough flexibility (i.e., area-based or building es to develop a useful and local solution when it comes to a green roof byling provision by ensuring it allows municipalities to impose mechanisms greements as part of by-laws for green development standards.

ntation of Ontario's Climate Change Action Plan (CCAP), in our opinion, it of other Provincial requirements such as meeting objectives of the Growth ow Impact Development guidance from the Ministry of the Environment to increased density and associated imperviousness and provision for atmaintaining and improving water quantity and quality as well as resiliency

orts the City of Guelph in implementing the objectives of the Guelph in such as efficient, long-term and community-based strategies to conserve ewater, stormwater, and solid waste.

ge as vital for increasing uptake of electric vehicles and reducing ssions.

Execupancy - should strike out flow rate of 8.35 Lpm as this is being tence (2) exemption for heritage buildings should be modified to indicate should not be exempt from these requirements unless it can be shown that

, "Performance of non-potable water reuse systems" is a requirement in tice or optional if designing to one of the other sub-clauses in Sentence (1)

that contain visual signalling on battery-operated smoke alarms based on and Blind Persons Act of Ontario

| <u>2-B-09-10-02</u>    | Div. B, 9.10.21.7.(1)  | The proposed change clarifies that in a camp for the housing of workers with sleeping accommodations for more than 10 persons, the smoke detector is connected to the building fire alarm system.  | Other Technical Proposals<br>(Fire Safety)  | Ontario | Yes                        | No comment  |
|------------------------|--|--|---|---------|----------------------------|---|
| <u>2-CC-B-09-23-01</u> | Div. B, 9.23.3.4.  | The proposed change requires roof rafter, roof truss or roof joist to be tied to the wall framing with engineered connectors to resist higher uplift loads.  | CCAP – Adaption to Climate<br>Change<br>(Hurricane Straps)  | Ontario | Yes, with modifications    | Clarify if each rafter, truss or joist is t   |
| <u>2-CC-B-09-23-02</u> | Div. B, 9.23.13.11.  | The proposed change updates design requirements for Wood Roof Trusses.   |   | Ontario | Yes                        | No comment  |
| <u>2-CC-B-09-32-01</u> | Div. B, 9.32.3.2.  | The proposed change harmonizes the Building Code with<br>Supplementary Standard SB-12, which requires that mechanical<br>ventilation systems include a heat or energy recovery ventilator.   | CCAP – Energy Efficiency<br>for Houses  | Ontario | Yes                        | No comment  |
| <u>2-СС-В-09-32-02</u> | Div. B, 9.32.3.4.(5)   | The proposed change harmonizes the building code with SB-12<br>and requires that the principal exhaust shall be provided through a<br>heat or energy recovery ventilator.  | CCAP – Energy Efficiency<br>for Houses  | Ontario | Yes                        | No comment  |
| <u>2-CC-B-09-32-03</u> | Div. B, 9.32.3.5.(9)<br>Div. B, 9.32.3.7.(3)<br>Div. B, 9.32.3.7.(4)<br>Div. B, 9.32.3.7.(5)<br>Div. B, 9.32.3.8.(2)<br>Div. B, 9.32.3.8.(2)<br>Div. B, 9.32.3.9.(4)<br>Div. B, 9.32.3.11.<br>Div. B, 9.32.3.12.(9)<br>Div. B, 9.32.3.13.(1) | The proposed change will allow the use of energy recovery ventilators where a heat recovery ventilator is required or used.  | CCAP – Energy Efficiency<br>for Houses  | Ontario | Yes                        | No comment  |
| <u>2-CC-B-09-32-04</u> | Div. B, 9.32.3.6.(2)<br>Div. B, 9.32.3.6.(3)   | The proposed change harmonizes the building code with SB-12<br>and requires that ventilation systems coupled with forced air<br>heating systems include a heat or energy recovery ventilator.  | CCAP – Energy Efficiency<br>for Houses  | Ontario | Yes                        | No comment  |
| <u>2-CC-B-11-03-01</u> | Div. B, 11.3.1.1.<br>Div. B, 11.5.1.1.<br>Div. B, 11.6.  | The proposed change introduces new requirements for energy efficiency upgrades during renovation of houses and all other buildings.  | CCAP – Renovations in<br>Houses and Large Buildings   | Ontario | Yes, with modifications    | See Attachment 1 for recommended  |
| <u>2-CC-B-12-02-01</u> | Div. B, 12.2.1.1.<br>Div. B, 12.2.1.2.   | The proposed change updates the energy efficiency requirements<br>of the Building Code on January 1, 2019 by referencing the current<br>Supplementary Standards for houses and buildings that came into<br>effect in 2017. On this date, the current Supplementary Standards<br>will be relabelled as SB-10A and SB-12A. | CCAP – Energy Efficiency<br>for Houses<br>CCAP – Energy Efficiency<br>for Large Buildings and non-<br>residential small buildings | Ontario | Yes                        | No comment  |
| <u>2-CC-B-12-02-02</u> | Div. B, 12.2.1.2.  | The proposed change adds a new Article 12.2.1.2. for voluntary<br>airtightness testing of large building envelopes.<br>Proposed changes would come into force on January 1, 2019 and<br>reference the proposed updated Supplementary Standards for<br>large buildings (SB-10A).  | CCAP – Energy Efficiency<br>for Large Buildings and non-<br>residential small buildings   | Ontario | Yes, with<br>modifications | We recommend speeding up timeline<br>2020 and the addition of air leakage<br>envelope durability issues that are cor-<br>related to the Building Code Objectiv<br>leakage rate (NLR) basis as opposed<br>area of envelope, standardizing leak<br>building performance. Furthermore, to<br>Corporation and the U.S. Department<br>basing air leakage criteria on NLR is<br>controlling moisture accumulation if I<br>moisture risk is influenced by the air<br>the volume of the building. This beco-<br>due to the reduction in assembly dry<br>proposed criteria for NLR, research I<br>residential buildings indicates that 2<br>content/uploads/2014/04/Air-Leakag |

is to be tied down.

led modifications

line for mandatory air tightness testing for large buildings to January 1, ge criteria by 2022 in order to reduce indoor air quality, comfort and currently occurring in new construction, as these issues are directly ctives OH 1.3 and OP 2.3. We strongly support testing on a normalized sed to air changes per hour, as NLR represents air leakage on a per unit akage across all building sizes and allowing for better comparison of e, the Passive House Institute U.S., supported by Building Science nent of Energy (https://buildingscience.com/file/5770) have indicated that t is suitable for ensuring building envelope durability is maintained by if leakage rates per unit area of envelope are sufficiently stringent. The air leakage rate on a per-unit of envelope surface area basis rather than ecomes increasingly important as assembly insulation levels are increased, drying potential as a result of the reduction in heat loss. Regarding a ch by RDH Building Engineering Ltd. related to air leakage for multi-unit 2.0 L/s-m<sup>2</sup> represents a good initial performance target (http://rdh.com/wpage-Control-in-Multi-Unit-Residential-Buildings.pdf).

| <u>2-CC-B-12-02-03</u> | Div. B, 12.2.1.3.                      | The proposed change adds a new Article 12.2.1.3. that removes<br>existing exceptions related to insulation and the omission of<br>thermal bridging effects from calculations.<br>The proposed change will be added to the next edition of the<br>Building Code and come into force on January 1, 2020.  | CCAP – Energy Efficiency<br>for Houses  | Ontario | Yes, with modifications | An appendix item indicating acceptal<br>calculations should be provided in or                                      |
|------------------------|--|---|---|---------|-------------------------|--|
| <u>2-CC-B-12-02-04</u> | Div. B, 12.2.1.4.                      | The proposed change adds a new Article 12.2.1.4. that contains requirements for air tightness testing, continuous insulation and fenestration U-values applicable to houses and small residential buildings.<br>Changes will be added to the next edition of the Building Code and come into force on January 1, 2020.  | CCAP – Energy Efficiency<br>for Large Buildings and non-<br>residential small buildings   | Ontario | Yes, with modifications | Recommend speeding up timeline fo<br>2020 in order to reduce indoor air qu<br>be occurring in new construction, wh |
| <u>2-CC-B-12-02-05</u> | Div. B, 12.2.1.2.<br>Div. B, 12.2.1.5. | The proposed change updates the energy efficiency requirements<br>of the Building Code that come into force on January 1, 2022. The<br>changes reference proposed updated Supplementary Standards<br>for large buildings on the one hand and houses and small<br>residential buildings on the other (SB-10B and SB-12B)*<br>*attachments – Supplementary Standard SB-10B – Energy<br>Efficiency Requirements<br>Supplementary Standard SB-12B – Energy Efficiency for Housing | CCAP – Energy Efficiency<br>for Houses<br>CCAP – Energy Efficiency<br>for Large Buildings and non-<br>residential small buildings | Ontario | Yes, with modifications | See Attachment 2 for recommended   |
| <u>2-CC-B-12-05-01</u> | Div. B, 12.5.                          | The proposed change adds a new Section that requires at least<br>one conduit to facilitate the future installation of a photovoltaic<br>system or a solar domestic hot water system in houses and large<br>buildings.   | CCAP – Other Green<br>Technologies<br>(Solar Ready Roofs)   | Ontario | Yes                     | No comment   |

ptable methods of accounting for thermal bridging effects in U-value n order to provide clarity and uniformity

e for requiring maximum allowable air leakage criteria to be met starting in r quality, comfort and envelope durability issues that are currently found to which relate to Building Code Objectives OH 1.3 and OP 2.3.

ed modifications

# Attachment 1

# Proposed Code Change 2-CC-B-11-03-01 (Part 11):

11.6.1.1. (2) "Existing buildings need not conform to the requirements of this Section where it can be demonstrated to the *chief building official* that the requirements are impracticable because, (a) of structural or construction difficulties; or" – we recommend changing this language to be consistent with 11.5.1.1.(1) for clarity that "where the *chief building official* is satisfied that compliance with the requirement is impractical because of... construction difficulties; or" This makes it clear that it is at the CBO's discretion whether or not the requirement is impractical.

11.6.2.1.(11) "shall be substantially air sealed" – this is subjective and wide open to interpretation. Consider changing to "shall be air sealed"

11.6.2.2.(6) This sentence should cross reference Article 9.25.5.2., along with Table 9.25.5.2.

11.6.2.4.(3) "shall also be substantially air sealed" – this is subjective and wide open to interpretation. Consider changing to "shall be air sealed". Also, recommend including reference to 9.25.4. "Vapour Barriers"

11.6.2.6. Recommend including a minimum U-value for replacement entrance doors.

11.6.2.7.(1) "where the material alteration or repair substantially increases the airtightness of the building..." What constitutes substantially? How would this be quantified without blower door air leakage testing before and after the alteration or repair? Recommend rephrasing as "where the material alteration or repair is likely to increase the air tightness of the building..."

11.6.2.7.(4) Recommend including reference to make-up air requirements under 6.2.3.11.

11.6.2.8.(4) "Where a natural draft combustion unit..." – Clarify if heating system or domestic hot water tank or both.

"...natural draft combustion unit shall be replaced with..." - This Sentence as currently written does not allow for non-combustion replacements (such as air source heat pumps, ground source heat pumps or electric resistance equipment). This is counter to the intent of the Climate Change Action Plan, which has the goal of increasing uptake of electric based systems over fossil fuel fired systems in order to reduce overall greenhouse gas emissions. Also, allowing natural draft combustion to be replaced with new natural draft combustion and adding an air supply (make-up air) is counter to encouraging building air tightness and the resulting energy penalty is counter to the intent of conserving energy. Recommend eliminating natural draft combustion for energy efficiency and occupant health and safety concerns due to potential for carbon monoxide poisoning from back-drafting.

11.6.2.8.(7) We support the requirement to calculate space heating and cooling loads when replacing space heating or cooling equipment.

11.6.4.1.(4)(a) For consistency with ASHRAE 90.1 Appendix G requirements, we recommend adding that the simulation software shall be tested according to ASHRAE Standard 140 and the results shall be furnished by the software provider.

A-11.6.2.7. - This statement is subjective and will be argued by the permit applicant/contractor. It may also act as a disincentive to upgrade airtightness due to the cost of installing a ventilation system. We recommend providing a clearer definition stating something to the effect of "where a new air barrier is installed or repairs made to the majority of an air barrier for a given assembly".

A-11.6.3.2. – These are residential items, however section 11.6.3. is specific to non-residential buildings.

# Attachment 2

### Proposed Code Change: 2-CC-B-12-02-05 (Supplementary Standard SB-10B)

Chapter 1, 1.3.1.2.(3) indicates that the "National Energy Code of Canada for Buildings" is a referenced document within the standard, however the NECB standard does not appear elsewhere in SB-10B. If the intent is to remove NECB 2015 from SB-10B, then this reference should also be eliminated.

Add Division numbers to bottom of pages for ease of reference.

Table 1.1.2.2. CO2e Emission Factors – like the EF for electricity, in 2022 these EFs may no longer be accurate for fossil fuels and may need to be updated to reflect current emission factors for fuel type as the proportions of conventional oil and gas vs shale oil, oil sands and fracked gas change, which would increase the CO2e intensities.

1.1.2.4. (5) This Sentence should clarify which air tightness metrics are to be reported to the principal authority. We recommend speeding up timeline for mandatory air tightness testing for large buildings to January 1, 2020 and the addition of air leakage criteria by 2022 in order to reduce indoor air quality, comfort and envelope durability issues that are currently occurring in new construction, as these issues are directly related to the Building Code Objectives OH 1.3 and OP 2.3. We strongly support testing on a normalized leakage rate (NLR) basis as opposed to air changes per hour, as NLR represents air leakage on a per unit area of envelope, standardizing leakage across all building sizes and allowing for better comparison of building performance. Furthermore, the Passive House Institute U.S., supported by Building Science Corporation and the U.S. Department of Energy (https://buildingscience.com/file/5770) have indicated that basing air leakage criteria on NLR is suitable for ensuring building envelope durability is maintained by controlling moisture accumulation if leakage rates per unit area of envelope are sufficiently stringent. The moisture risk is influenced by the air leakage rate on a per-unit of envelope surface area basis rather than the volume of the building. This becomes increasingly important as assembly insulation levels are increased, due to the reduction in assembly drying potential as a result of the reduction in heat loss. Regarding a proposed criteria for NLR, research by RDH Building Engineering Ltd. related to air leakage for multi-unit residential buildings indicates that 2.0 L/s-m2 represents a good initial performance target (http://rdh.com/wp-content/uploads/2014/04/Air-Leakage-Control-in-Multi-Unit-Residential-Buildings.pdf).

1.1.1.4. (2) – Consider granting exemption from 5.5.1 Exterior Building Envelope (1) electric space heating where heat pumps are used. Use of heat pump technology should be encouraged due to its efficiency in delivering heating on a per-unit of input energy basis and in order to encourage fuel switching for space conditioning to electricity.

Table SB 5.5-5-2022 through Table SB 5.5-7-2022

Recommend improving window and door performance (decreasing U-values) rather than increasing opaque assembly insulation values. Due to the diminishing returns on energy savings that would result from further increasing insulation, windows and doors are now the low-hanging fruit. Depending on the window to wall ratio of a building, it can be more cost effective to improve the performance of windows instead of adding additional insulation.

- 1.1.1.6. We support addition of sentence (1) to require staged gas-fired heating systems.
- 1.1.1.7. We support change to heat or energy recovery system efficiency to 65%
- 1.1.1.8. We support increased service water heating requirements
- 1.1.1.12 We support limiting reduction of building envelope performance by a maximum factor of 1.25

#### Proposed Code Change: <u>2-CC-B-12-02-05</u> (Supplementary Standard SB-12B)

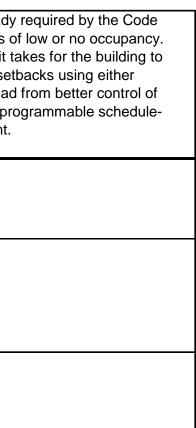
The City of Guelph supports the proposed changes to Supplementary Standard SB12 as written.

# Potential Longer-Term Building Code Act and Building Code Amendments http://www.mah.gov.on.ca/Page16524.aspx\_

| # | Category                         | Question  | Comment  |
|---|----------------------------------|---|--|
| 1 | Commissioning<br>Large Buildings | What parts of the building should be<br>subject to building commissioning to<br>support the government's energy<br>conservation and GHG emissions goals?  | <ol> <li>The building envelope air barrier should be commissioned via a blower door air leakage test and<br/>criteria 2. HVAC system commissioning including system air balancing, equipment configuration alc<br/>environmental and occupancy sensors</li> </ol>  |
| 2 | Commissioning<br>Large Buildings | Should building commissioning apply to all<br>large buildings or a select group of large<br>buildings based on either occupancy type<br>or size (e.g. assembly occupancies that are<br>a minimum 4,645 m2 (50,000 sq/ft) in<br>size)? | Envelope air barrier testing and HVAC system commissioning should be mandatory for all large bui   |
| 3 | Commissioning<br>Large Buildings | How regularly should a building<br>commissioning process be reviewed by<br>municipal enforcement officials, and what<br>information should be made available to<br>them?  | No comment at this time  |
|   | Commissioning<br>Large Buildings | Beyond any building commissioning<br>process, what remedial actions can building<br>owners/operators be reasonably required to<br>take to ensure that buildings continue to<br>operate as originally designed?                        |  |
| 5 | Commissioning<br>Large Buildings | How can proposed regulations for home<br>energy audits, and large building energy<br>reporting and benchmarking, complement<br>potential future requirements for building<br>commissioning?   | No comment at this time  |
| 1 | Adaptive<br>Thermostats          | Does the building industry currently<br>incorporate adaptive thermostat<br>technologies?  | Adaptive thermostats are still uncommon in new construction.   |
| 2 | Adaptive<br>Thermostats          | How much do adaptive thermostats reduce<br>GHG emissions?   | How much energy savings and GHG emissions reductions are realized from adaptive thermostats of the building envelope and heating system. Typically, older buildings with poorly insulated envelop leakage and older mechanical equipment would yield greater GHG reductions. As the Building Cod minimum required efficiency, the benefits from installing adaptive thermostats will be reduced. |
| 3 | Adaptive<br>Thermostats          | Are there alternative technologies that<br>achieve similar energy reductions being<br>used by the industry?   | Greater energy savings could be had from better control of residential ventilation systems in both ne residential buildings by making programmable schedule-based controls, strategically located carbon occupancy sensors a requirement.  |

| iguration along with testing of all large buildings all large buildings bermostats depends on the efficiency ated envelopes, high levels of air building Code continues to increase the duced. by the building code continues and multi-unit building code c |   |
|--|---|
| nermostats depends on the efficiency<br>ated envelopes, high levels of air<br>building Code continues to increase the<br>duced.  | ge test and meet a mandatory set of iguration along with testing of   |
| ated envelopes, high levels of air<br>suilding Code continues to increase the<br>duced.  | all large buildings   |
| ated envelopes, high levels of air<br>suilding Code continues to increase the<br>duced.  |   |
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| ated envelopes, high levels of air<br>suilding Code continues to increase the<br>duced.  |   |
|  | nermostats depends on the efficiency<br>ated envelopes, high levels of air<br>suilding Code continues to increase the<br>duced. |
|  | ns in both new houses and multi-unit cated carbon dioxide sensors, or   |

| 4 | Adaptive<br>Thermostats | Should the Building Code require adaptive thermostats in all new houses and multi-<br>unit residential buildings?  | We do not support making adaptive thermostats mandatory, as programmable thermostats already allow for sufficient control of indoor temperature and set backs to conserve energy during periods of Note that as building envelopes are improved by the Code, the thermal residence time (the time it ta lose or gain heat) is increased, thereby reducing the energy savings potential from temperature sets traditional programmable thermostats or adaptive thermostats. Larger energy savings could be had residential ventilation systems in both new houses and multi-unit residential buildings by making probased controls, strategically located carbon dioxide sensors, or occupancy sensors a requirement. |
|---|-------------------------|--|--|
| 1 | Sub-metering            | Can the Building Code better enable sub-<br>metering for electricity? If so, what<br>amendments could be made to enable sub-<br>metering?  | No comment at this time  |
| 2 | Sub-metering            | Should the Building Code simply require the<br>"rough-in" of electrical systems to facilitate<br>sub-metering installation by responsible<br>utilities or authorities? If so, are there<br>products available that would assist in<br>future sub-metering? |  |
| 3 | Sub-metering            | Should the Building Code's requirements<br>for sub-metering be expanded to better<br>enable sub-metering for water and gas<br>supply?  | No comment at this time  |



|   |       |   | <ol> <li>Additional authorities to pass by-laws related to other elements of green development standards (i.e., energy, water, trees and landscaping, transportation demand management) that could further enhance our ability to effectively implement goals and objectives related to sustainability found in our Official Plan as it relates to these green development standards being applicable law under the building code.</li> <li>In this regard, the City suggests that the Province consider by-laws enacted under section 135 of the Municipal Act, 2001, which are Tree By-laws, to also be considered as applicable law under the OBC through amendments to the building code at this time. This would align with implementation of the CCAP in terms of implementing action 1.1.2: the development of green development standards as well as 4.4: increase tree planting. Given the increased importance of individual trees and the urban forest in mitigating and adapting to climate change as well as the increased risk to mature trees being impacted during urban intensification, tree by-law's being applicable law under the building code could go a long way in ensuring adequate canopy cover to support healthy and resilient communities.</li> </ol> |
|---|-------|---|---|
| 1 | Other | help inform potential future changes to the | 2. Given the identified cost implications associated with this proposed change to the OBC, and to assist with potential uptake by municipalities in developing such by-laws in terms of supporting the industry to deliver vegetated or reflective roof systems,  |
|   |       | Building Code?                              | the Province should provide assistance such as:   |
|   |       |   | a. Building capacity and training for the workforce (Action 8.1 and 8.2 of the CCAP):<br>i. Provide training and/or develop a certification system to ensure the trades/skills are readily available to be implemented,   |
|   |       |   | and to avoid the cost incurred to developers when trades/ service providers have to learn the skills and systems through project application.   |
|   |       |   | ii. Assist with building capacity for municipalities in terms of the enforcement of implementing green roofs that are approved under a municipal by-law that is applicable law under the building code (i.e., train building inspectors)?   |
|   |       |   | b. Support uptake and assist with building capacity for municipalities (Actions 1.1 green bank and 1.3 retrofit incentives in   |
|   |       |   | CCAP) in terms of understanding the return-on-investment as well as opportunities for incentivizing vegetated or reflective roof systems as it relates to the role of municipalities in facilitating and supporting economic development.   |
|   |       |   | c. Since increased regulation can potentially be seen as a barrier to new investment or expansions within the Province, the   |
|   |       |   | Province should assist in framing green development standards so they are not seen as a barrier but rather that they draw and attract investment to Ontario.  |



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Public Works Department: 1096 Hwy 637

1096 Hwy 637 Killarney, Ontario P0M 2A0

Tel: 705-287-1040 Fax: 705-287-1141

website: www.municipalityofkillarney.ca

# Municipality of Killarney

September 19, 2017

Association of Ontario Municipalities Ms. Lynn Dollin 200 University Ave., Suite 801 Toronto, ON M5H 3C6

Dear Ms. Dollin:

Attached hereto is Resolution No. 17-362 that was passed at the Regular Meeting of Council held September 13, 2017 as well as an article from CBC News.

The Municipality of Killarney share the same concerns as AMO regarding proposed changes to the Ambulance Act and Fire Protection & Prevention Act which are to be tabled at Queen's Park this fall.

We look forward to working with you to protect municipal interests.

Thank you for your attention to this important issue.

Sincerely, THE MUNICIPALITY OF KILLARNEY

Candy K. Beauvais Clerk-Treasurer

Cc: FONOM ROMA OSUM DSSAB SDHU All Ontario Municipalities Local MPP's

Word:letters-AMO-Ambulance Act Changes-19-09-2017



The Corporation of the Municipality of Killarney 32 Commissioner Street Killarney, Ontario POM 2A0

MOVED BY:

Michael Reider

SECONDED BY:

Jim Rook

# RESOLUTION NO. 17-362

**BE IT RESOLVED THAT** the Municipality of Killarney advise the Association of Ontario Municipalities (AMO) that we share their concerns regarding the proposed changes to to the Ambulance Act and the Fire Protection and Prevention Act which are set to be tabled at Queen's Park in the fall;

**FURTHER** the Province is seeking two municipalities to participate in pilot projects funded by the Ministry of Health and Long-Term Care. The Municipality of Killarney appeals to AMO to request that the Province include rural northern municipalities as participants in the pilot projects;

**FURTHER** the proposed changes may result in the Province saving and municipalities experience additional downloading for some of the costs associated with modifications to the acts;

**THEREFORE** the Council for the Municipality of Killarney hereby requests that AMO keep all municipalities informed of this matter so that all stakeholders have input into these proposed changes which may result in additional costs to our municipalities (such as increased training, legal liability etc.);

**FURTHER THAT** this resolution be forwarded to AMO, FONOM, ROMA, OSUM, DSSAB, SDHU, all Ontario Municipalities and to our local MPP's.

# CARRIED

I, Candy K. Beauvais, Clerk Treasurer of the Municipality of Killarney do certify the foregoing to be a true copy of Resolution #17-362 passed in a Regular Council Meeting of The Corporation of the Municipality of Killarney on the 13<sup>th</sup> day of September, 2017.

Candy K. Beauvais Clerk Treasurer



# **Guelph Police Services Board**

PO Box 31038, Willow West Postal Outlet, Guelph, Ontario N1H 8K1 Telephone: (519) 824-1212 #7213 Fax: (519) 824-8360 TTY (519)824-1466 Email: board@guelphpolice.ca

# **OPEN MEETING**

# **MINUTES – JULY 20, 2017**

An Open meeting of the Guelph Police Services Board was held on July 20, 2017.

Present: D. Drone, Chair

- J. Sorbara, Vice-Chair
  - L. Griffiths, Member
  - C. Guthrie, Member
  - C. Billings, Member
  - C. Polonenko, Executive Assistant
- J. DeRuyter, Chief of Police
- J. Sidlofsky Stoffman, Legal Services
- S. Purton, Financial Services Manager

Regrets: P. Martin, Deputy Chief

Guests: <u>Guelph Police Service</u>: Lisa Rintoul, Finance; Jessica Abra, Research

# 1. WELCOME AND INTRODUCTIONS

# 2. <u>MEETING CALLED TO ORDER</u>

Chair D. Drone called the meeting to order at 1:00 p.m. in Meeting Room C, Guelph City Hall, 1 Carden Street, Guelph. L. Griffiths thanked the Board members for the support received during a challenging time. Christine Billings' presentation at 9.1 was moved to the Closed meeting.

# 3. MOTION TO GO INTO CLOSED SESSION

Moved by L. Griffiths Seconded by J. Sorbara THAT the Guelph Police Services Board convene in closed session to discuss matters that it is of the opinion falls under Section 35(4) (a) or (b) of the *Police Services Act.* -CARRIED-

# 4. MOTION TO RECONVENE IN OPEN SESSISON

Moved by L. Griffiths Seconded by C. Guthrie THAT the Guelph Police Services Board reconvene at 2:38 p.m. in Open Session. -CARRIED-

PRIDE SERVICE TRUST

# 5. <u>APPROVAL OF AGENDA</u>

Moved by L. Griffiths Seconded by C. Guthrie THAT the Agenda be approved as amended. - CARRIED –

#### 6. DECLARATION OF CONFLICT OR PECUNIARY INTEREST

There were no declarations of conflict or pecuniary interest.

#### 7. CLOSED SESSION RECOMMENDATIONS

Moved by C. Guthrie Seconded by C. Billings THAT the Guelph Police Services Board approve the request to reallocate \$201,600 from the capital project PS0057 Police Vehicle Replacement to a new capital project for the firearm replacement strategy. - CARRIED –

Moved by L. Griffiths Seconded by J. Sorbara THAT the Guelph Police Services Board support the Norma Owen Memorial Golf Tournament in the amount of \$250.00 with funds to be paid from the Community Account. - CARRIED –

#### 8. <u>APPROVAL OF MINUTES</u>

#### 8.1 Minutes of the Open Meeting, Thursday, June 15, 2017

Moved by L. Griffiths Seconded by C. Guthrie THAT the Minutes of the Open Meeting held Thursday, June 15, 2017 be approved as presented. - CARRIED –

#### 9. <u>DELEGATIONS/PRESENTATIONS</u> - None

#### 10. <u>STRATEGIC ITEMS</u>

#### 10.1 Headquarter Renovation and Expansion Report

The report was received for information. Chief DeRuyter reported that steel work on the east end of the project is nearing completion and stud framing has commenced. The steel generator structure on the north side is being erected and the west side fourth floor is being formed; both projects are expected to be completed by the end of July.

#### 10.2 2016-2018 Strategic Business Plan Semi-Annual Report

Chief DeRuyter welcomed Jessica Abra, Research. It is early in the implementation of the 2016-2018 Strategic Business Plan; however, within the eleven objectives plus the Information Technology plan, 69 percent of the objectives were accomplished (green), 27 percent were yellow (in progress), and 4 percent were in the red. He highlighted several areas of the Business Plan for January to June, 2017:

- Two more workers have been added to the IMPACT team this year (from two to four). Mental health issues still pose a significant challenge.
- Property crime rates have increased, especially bicycle thefts. The drug industry is often a driving force. Determining the owners of located bikes is a challenge.
- There is an increase in the use of the online Coplogic reporting system.
- There are great results in road safety through partnerships and collaboration with City Hall and Public Health. Bike safety has been promoted this year. There have been fewer personal injury collisions.
- The mental health of members continues to be a priority, as different tools are added to ensure member well-being.
- There have been staffing challenges in preparing for the 12-hour shift.
- The switch over to the new radio system will take place in two weeks.

L. Griffiths requested that the Chief have the Information Technology Manager, Jonathan Green, provide an update to the Board.

After a question was raised on the effectiveness of the pillar system for the Business Plan, Chief DeRuyter commented that he would like to see greater involvement across the organization, and that it would be beneficial to have a discussion with the Board as management prepares to launch this next Business Plan.

#### **10.3 Progress Review Committee**

#### 10.3.1 Minutes of the Progress Review Committee dated June 27, 2017

J. Sorbara presented the Minutes of the June 27, 2017 meeting and highlighted key areas. The street check report will be reported in the annual report, with emphasis from the Chief upon presentation to the Board. A change was made to By-law 136 (2009) to emphasize board member knowledge of by-laws and policies. It was noted that the Mayor and Councillors sitting on the Police Board are no longer receiving remuneration. Changes made to meeting agendas were discussed and the new format will be tried at the September meeting.

**Moved by** J. Sorbara **Seconded by** L. Griffiths THAT the Minutes of the Progress Review Committee Meeting held June 27, 2017 be approved as presented; and
THAT the recommended changes to the GPS Board Reporting Cycle and
Frequency of Reports schedule attached as Appendix A and Appendix B respectively, be approved and implemented, effective immediately; and
THAT Guelph Police Services Board By-law 159 (2017 amending By-Law 136 (2009)), attached as Appendix C, be approved, effective immediately.
-CARRIED-

Jessica Abra left the meeting at 2:59 p.m.

#### 11. **OPERATIONAL ITEMS**

**11.1** Ten Year Capital Forecast (2018 – 2027)

S. Purton presented the Ten-Year Capital Budget Forecast for 2018 to 2027 for review and approval. She reviewed the process: reviewing the Business Plan objectives, legislative and policy requirements, budget review by senior leadership and executive team which resulted in a \$83,400 savings to the ten-year forecast through utilizing previous year budget surpluses to fund the firearms replacement as well as assisting in offsetting new requests and increased costs related to regular replacement budgets. The City did not provide a capital guideline as in previous years, however, asset management is a focus. An Asset Management department has been created, and S. Purton will sit on the steering committee for this corporate-wide initiative.

City Council dates for the 2018 budget process include:

- September 21, 2017 Board meeting for public input, deliberation and budget approval for 2018 Operating Budget
- October 26, 2017 Capital presentation & delegation to City Council
- November 2, 2017 City Council capital budget approval
- November 15, 2017 Local Boards operating budget presentation to City Council
- November 22, 2017 Public Delegation to City Council
- December 5 & December 6, 2017 City Council operating budget approval

The 2018 Capital Budget Estimate Request of \$1,115,300 is a decrease of \$269,700 (19%) over the original 2018 forecast and is comprised of the replacement of IT hardware (46%), vehicles (30%) and tactical equipment (7%). A \$2.2M placeholder has been added in 2023 to outfit the fourth floor of Headquarters. Professional Standards has submitted a request to purchase software that will provide a tracking system to identify officers who routinely are involved with the Professional Standards Branch on an ongoing basis, both currently and over the past 15 years. Replacement of 11 vehicles is planned in 2018, as well as additions to the fleet to support additional officers requested in the operating budget. IT Hardware capital project includes both Information Services equipment, the Investigative Unit Technical Crimes equipment, and a new budget for the replacement of Service-issued mobile devices. Tactical requires lifecycle replacement of specialized

#### PRIDE SERVICE TRUST

equipment and firearms.

Moved by J. Sorbara

Seconded by C. Guthrie

**WHEREAS** the Guelph Police Services Board is committed to the corporate goals from the 2016-2018 Strategic Business Plan and to its responsibility for the provision of adequate and effective policing for the City of Guelph; and

**WHEREAS** the Guelph Police Services Board has conducted a comprehensive review of the 2018-2027 Capital forecast prepared by the Chief and Guelph Police Service staff; and

**BE IT RESOLVED** that the Guelph Police Services Board approves the Guelph Police Service 2018 Capital Budget in the amount of \$1,115,300; and

**THAT** the Guelph Police Services Board receives the Guelph Police Service Capital Forecast in the amount of \$1,653,400 in 2019, \$1,470,100 in 2020, \$1,085,400 in 2021, \$1,284,200 in 2022, \$3,914,200 in 2023, \$1,446,700 in 2024, \$1,758,700 in 2025, \$1,633,700 in 2026 and \$2,760,100 in 2027 for information and planning purposes; and

**THAT** where not included in the capital forecast, but of interest to the Guelph Police Service, is a digital management system that will be scoped and evaluated for the 2019 capital budget process; and

**THAT** the Board forward this information to the City of Guelph Council. -CARRIED UNANIMOUSLY-

#### 11.2 2016 Financial Variance Report – Audited Year End Results

S. Purton reported that the final 2016 Operating Surplus was \$392,386, which represents a positive 1.0% variance to the full year operating budget, due mainly to higher revenues and surpluses in internal charges due to lower vehicle gasoline and maintenance costs.

Moved by C. Billings Seconded by C. Guthrie THAT the Guelph Police Services Board receive the 2016 Financial Variance report, Audited Year End Results. -CARRIED-

#### 11.3 Human Resources Report

Chief DeRuyter presented the Human Resources Report. Holly Yurek joins the Service as a part-time police communicator/dispatcher.

Moved by C. Guthrie Seconded by J. Sorbara THAT Holly Yurek be appointed as a part-time member of this Service effective June 5, 2017. -CARRIED –

### 11.4 Professional Standards Quarterly Report

The report was received for information. Chief DeRuyter reported that from April 1 to June 30, 2017, there were eight new public complaints through the Office of the Independent Police Review Director (OIPRD), all of which were assigned to be investigated by the Professional Standards Branch (PSB). The Inspector initially requested that the OIPRD retain one of these; however, the OIPRD has sent it to a neighbouring Service to investigate. Two complainants withdrew the complaint prior to investigation. No Special Investigations Unit (SIU) or internal investigations were initiated. There has been one request for the OIPRD to review an investigation initiated in the fourth quarter of 2016 and closed in the second quarter of 2017.

### 11.5 Use of Force Quarterly Report

The report was received for information. Chief DeRuyter reported that from April 1 to June 30, 2017, Guelph Police officers attended to 25 incidents where either one or more levels of force were required to bring the situation to a peaceful and successful resolution. 62 levels of force were used. 4 can be attributed to a tactical incident outside of our jurisdiction. 12 incidents involved the subject(s) reportedly using weapons and/or presence of weapons upon officer arrival, with many of those involving several officers responding and selecting a use of force option(s). Some of the incidents involved multiple subjects. All Use of Force reports submitted were reviewed and in all of the incidents, the officers were justified in using the force that was outlined in the report.

#### 11.6 Suspect Apprehension Semi-Annual Report

Chief DeRuyter reported that from January 1 to June 30, 2017, there were four suspect apprehension pursuits, which he summarized for the Board. Three were discontinued; however, despite discontinuing, they were able to apprehend. In the same period of 2016, there were four suspect apprehension pursuits. Paramount is community safety. L. Griffiths requested that future reports include information on the end result of discontinued pursuits and whether any suspects were apprehended.

#### 12. ADMINISTRATIVE ITEMS

#### 12.1 Chief's Monthly Report

Chief DeRuyter provided his schedule of upcoming internal and external community events and meetings and highlighted the following:

Aug 2 – The Board was invited to attend the badge presentation for the new recruits at Clair Road Emergency Services Centre.
Aug 28 – Constable Robin Clark will be receiving the CAA Traffic Award for Leadership in School Safety Program.

# PRIDE SERVICE TRUST

### 12.2 Board Correspondence Report

The report of correspondence received and issued since the last meeting of the Board was received for information with no additions. No further direction was provided by the Board.

# 12.3 Community Account Quarterly Report

The Executive Assistant reported that from April 1 to June 30, 2017, receipts into the Community Account were \$8,566.68 and disbursements were \$8,875.78, and the balance in the account was \$4,025.83. \$7,250.37 is invested in Guaranteed Investment Certificates (GICs). A further \$4,587.13 is invested in a GIC for the Guelph Police Association and the Senior Officers Association as bequeathed by an estate. The Community Account is acting as trustee of the funds.

**12.4** New Business – There was no new business discussed.

# **12.5** Information Items

- Next Meeting Thursday, <u>September 21, 2017</u> at City Hall Meeting Room C
- Board Budget Workshop September 21, 2017, 12:00 p.m. (prior to board meetings) City Hall Meeting Room B
- New Recruits Badge Ceremony Wednesday, August 2, 2017, CRESC
- 35<sup>th</sup> Norma Owen Memorial Golf Tournament September 6, 2017, Ariss Valley Golf & Country Club
- Zone 5 meeting September 12, 2017, Waterloo
- Ontario Association of Police Boards Fall Labour Conference November 16-17, 2017, Holiday Inn Airport, Toronto, ON

# 13. <u>ADJOURNMENT</u>

Moved by C. Billings Seconded by L. Griffiths THAT the Open meeting adjourn as at 3:30 p.m. - CARRIED –

The minutes of this meeting were adopted this 21<sup>st</sup> day of September, 2017.

"D. Drone"

D. Drone, Chair

"C. Polonenko"

C. Polonenko, Executive Assistant