

# Information Items



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## Week Ending October 4, 2019

### Reports

1. Red Light Camera Program Update

### Intergovernmental Consultations

1. Data Strategy Discussion Paper on Creating Economic Benefits
2. Proposed Provincial Policy Statement (PPS) Changes
3. Proposed changes to the Aggregate Resources Act
4. Review of dedicated Gas Tax Funds for Public Transportation Program
5. Proposal to make the current exemption under the Highway Traffic Act for hand-held two-way radios for commercial drivers and amateur radio operators permanent

### Correspondence

1. City of Guelph Response to Intergovernmental Consultation RE: Municipal Consultations on Joint and Several Liability

### Boards and Committees

1. None

### Items Available in the Clerk's Office

1. None

# Information Report

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Service Area      Infrastructure, Development and Enterprise Services  
Date                Friday, October 4, 2019  
Subject             **Red Light Camera Program Update**  
Report Number    IDE-2019-13

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## Executive Summary

### Purpose of Report

This report provides an update on the status of the Red Light Camera program.

### Key Findings

Staff have initiated work on the various approval processes to begin Red Light Camera operation in 2022. Site selection will begin to identify six (6) locations for initial red light camera deployment in 2020.

### Financial Implications

There will be a \$50,000 line item in the 2020 capital budget for a consultant assignment to determine red light camera site selection. At this time, it is anticipated that approximately \$100,000 will be identified in the 2022 operating budget for the Red Light Camera program operation. Additional funding requirements may be identified once the RLC vendor contract is finalized in 2021. Staff will report back on any changes to the anticipated financial implications as they become available.

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## Report

### Details

At the Guelph City Council meeting on January 28, 2019, Council resolved:

*"That Staff be directed to implement a Red Light Camera (RLC) program and bring forward funding requirements in the appropriate budget years to ensure that the program would come into effect in 2022."*

Since this time, staff have begun working on an implementation plan for the program such that it is operational by summer 2022.

In report IDE-2019-13, dated January 14, 2019, a list of the top ten signalized intersections in the City for right angle collisions from 2013 to 2017 was provided. To determine the most suitable intersections for RLCs, staff will need to conduct further engineering analysis for site selection. The engineering analysis will include elements such as detailed review of the City's collision database, including (but not

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limited to) right angle collisions, and violation studies. A funding request for \$50,000 has been included in the 2020 capital budget for consultant support the RLC site selection analysis.

To launch a RLC program, the City must become a member of Ontario's RLC program. Thus, on July 17, 2019, the City submitted a letter to the Minister of Transportation Ontario (MTO) expressing interest in the City of Guelph joining Ontario's RLC program. The City received a response letter on August 7, 2019, which thanked the City for their interest in the program. The MTO will prepare a regulatory approval package to go before the Legislation and Regulations Committee for approval in the fall of 2019. These letters are included as Attachments 1 and 2.

Within the next three (3) years leading up to the launch of the RLC program, several milestones and tasks need to be completed. Below is a list of next steps for the RLC program:

- Receive approval to join the Provincial RLC program
- 2020 budget approval for site selection
- Intersection site selection
- launch a webpage in 2020 to keep the public updated on the status of the RLC program
- Creation of a guideline, with appropriate criteria, for the City of Guelph to use for future RLC intersection selections
- Agreement preparation with MTO, Joint Processing Centre (JPC) and RLC equipment vendor
- Return to Council in the fall of 2020 with draft agreements for Council's review and approval
- Connect with all stakeholders including Court Services, Police Services, and Legal Services
- Create a fine revenue model for the City of Guelph
- Determine if any construction is required at the selected RLC sites, if so, capital budget will be identified for this work in 2021
- Communications plan launch in the beginning of 2022
- RLC program design, build and launch for the summer of 2022

The above steps have been coordinated in a manner that will line up with the existing contract renewal the current RLC equipment vendor has with other Ontario municipalities. In addition, the milestones and tasks involve multiple agencies and stakeholders for which staff has allotted buffer time to account for this.

The City is intending to install six (6) cameras for the initial deployment 2022. At this time, the cost of individual cameras is unclear pending selection of the RLC vendor in 2021. Based on costs for the existing program in other municipalities and projections of violations issued, an operating impact of \$100,000/year is anticipated for 2022 and beyond.

### **Financial Implications**

A \$50,000 line item has been included in the 2020 capital budget for a consultant assignment to determine red light camera site selection. At this time, it is anticipated that approximately \$100,000 impact will be identified in the 2022 operating budget for the Red Light Camera program operation. Additional funding requirements may be identified once the RLC vendor contract is finalized in 2021.

Staff will report back on any changes to the anticipated financial implications as they become available.

## Consultations

Ontario Red Light Camera Program Working Group

## Attachments

Attachment-1: July 17, 2019 City of Guelph letter to the Ministry of Transportation

Attachment-2: August 7, 2019 Ministry of Transportation Ontario letter to the City of Guelph

## Departmental Approval

Tara Baker, Treasurer, GM Finance

Steve Anderson, Manager, Transportation Engineering

## Report Author

Lauren Short, Traffic Technologist II



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### Approved By

Terry Gayman, P.Eng.

Acting General Manager/City Engineer

Engineering and Transportation  
Services

Infrastructure, Development and  
Enterprise Services

519-822-1260 extension 2369

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### Recommended By

Kealy Dedman, P.Eng., MPA

Deputy Chief Administrative Officer

Infrastructure, Development and  
Enterprise Services

519-822-1260 extension 2248

[kealy.dedman@guelph.ca](mailto:kealy.dedman@guelph.ca)



July 17, 2019

Ministry of Transportation  
Office of the Minister  
777 Bay Street, 5<sup>th</sup> Floor  
Toronto ON  
M7A 1Z8

Dear Honourable Caroline Mulroney,

**RE:** City of Guelph Red Light Camera Program Request

The City of Guelph would like to express interest in joining Ontario's Red Light Camera program and as such formally requests a designation in the Highway Traffic Act.

On Monday, January 14, 2019, City of Guelph Council directed transportation staff to proceed with the implementation of a Red Light Camera program. Please see Attachment -1 for the Council minutes, page 7, IDE-2019-13 Red Light Camera Program Review.

In response to the Council directive, the City has placed the Red Light Camera program in staff's workplan and will be a part of the City's new Community Road Safety Strategy which will begin development in the fall of 2019. Funding has been identified for 2020 which will assist in camera site selection. Council is anticipating budget impacts in subsequent years for Red Light Camera program implementation and operation. Staff will continue to update City Council on the status of the program and any budget impacts that will be required to implement the program.

Staff is anticipating that site selection will take place in 2020, with the identified budget. It is estimated that the City will operate 6 red light cameras for the initial deployment, with an expansion in future years as funding permits.

Agreements with the following agencies are anticipated to be entered into by December 2020, in preparation of the red light camera program:

- City of Toronto, to process infraction notices;
- Red Light Camera Contractor, for the design, build, operation and maintenance of the red light camera equipment (should the vendor for the program remain the same); and,
- Ministry of Transportation, to allow access to vehicle plate information.

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Once the agreements are in place and the site selection has been confirmed, staff will connect with the vendor in early 2021 to determine if the selected sites are suitable for red light camera operation. Should any construction work at the intersections be required to operate the equipment, this will occur in the summer of 2021.

The City is planning on having the Red Light Camera program operational with 6 cameras by June 2022, with the installation of the equipment occurring in winter 2021 and spring 2022. A communications plan for the program will commence at the start of 2022, with a red light camera webpage being created within the next year to keep the community informed with any updates on the program.

Based on the above information, this would require the Ministry of Transportation to complete and obtain the Regulatory Approval Package to amend Regulations 277/99 to add the City of Guelph to the list of permitted municipalities for the Red Light Camera Program by December 2019.

Sincerely,



**Scott Stewart, C.E.T.**, Deputy CAO  
**Infrastructure, Development and Enterprise**  
**City of Guelph**  
519-822-1260 extension 3445  
[scott.stewart@guelph.ca](mailto:scott.stewart@guelph.ca)

Attachement-1 City of Guelph Committee of the Whole January 14,  
2019 Council Minutes

- C Kealy Dedman, City of Guelph, City Engineer/General Manager, Engineering & Transportation Services
- Steve Anderson, City of Guelph, Supervisor, Traffic Engineering
- Lauren Short, City of Guelph, Traffic Technologist II
- Kelly Lackner, Ministry of Transportation, Team Lead, Information Management Services Oversight Office
- Jeffery Catlin, City of Toronto, Supervisor Red Light Camera Operations



**Minutes of Committee of the Whole Meeting  
Held in the Council Chambers, Guelph City Hall on  
January 14, 2019 at 1:33 p.m.**

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**Attendance**

Council: Mayor Guthrie  
Councillor P. Allt  
Councillor B. Bell  
Councillor C. Billings  
Councillor C. Downer  
Councillor D. Gibson  
Councillor R. Goller  
Councillor J. Gordon  
Councillor J. Hofland  
Councillor M. MacKinnon  
Councillor D. O'Rourke  
Councillor L. Piper  
Councillor M. Salisbury

Staff: Mr. S. O'Brien, General Manager, City Clerk's Office/City Clerk  
M. L. Cline, Council and Committee Coordinator

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**Call to Order (1:33 p.m.)**

Mayor Guthrie called the meeting to order.

Councillor Goller arrived at 1:35 p.m.

**Authority to Move into Closed Meeting**

1. Moved by Councillor Hofland  
Seconded by Councillor Allt

That the Council of the City of Guelph now hold a meeting that is closed to the public, pursuant to Section 239 (2) (a), (b), (c) and (f) of the Municipal Act with respect to security of city property; personal matters about an identifiable individual, including municipal or local board employees; proposed or pending acquisition or disposition of land by the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Hofland, Gibson, Goller, Gordon, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

**Closed Meeting (1:36 p.m.)**

**Disclosure of Pecuniary Interest and General Nature Thereof**

There were no disclosures.

The following matters were considered:

**Correspondence Received by Council Relating to FOI Request 2018-060**

**IDE-2019-12      Water Services Operational Plan Endorsement (Section 8)**

**IDE-2019-04      Hanlon Creek Business Park Phase I – Updated Development Strategy and Financials**

**Rise and recess from Closed Meeting (2:20 p.m.)**

Council recessed.

**Open Meeting (2:30 p.m.)**

**Attendance**

|          |                        |                         |
|----------|------------------------|-------------------------|
| Council: | Mayor Guthrie          | Councillor J. Gordon    |
|          | Councillor P. Allt     | Councillor J. Hofland   |
|          | Councillor B. Bell     | Councillor M. MacKinnon |
|          | Councillor C. Billings | Councillor D. O'Rourke  |
|          | Councillor C. Downer   | Councillor L. Piper     |
|          | Councillor D. Gibson   | Councillor M. Salisbury |
|          | Councillor R. Goller   |                         |

Staff:

- Ms. C. Clack, Deputy CAO of Public Services
- Mr. T. Lee, Deputy CAO of Corporate Services
- Mr. S. Stewart, Deputy CAO of Infrastructure, Development and Enterprise Services
- Ms. K. Dedman, General Manager, Engineering and Transportation Services/City Engineer
- Mr. T. Salter, General Manager, Planning and Building Services
- Ms. H. Flaherty, General Manager, Parks and Recreation
- Mr. A. McIlveen, Manager, Transportation Services
- Ms. M. Aldunate, Manager, Policy Planning
- Mr. L. Jefferson, Manager, Open Space Planning
- Mr. S. Anderson, Supervisor, Traffic Engineering
- Ms. N. Goss, Project Manager, Comprehensive Zoning Bylaw Review
- Mr. S. Robinson, Senior Heritage Planner
- Ms. M. Bauman, Senior Policy Advisor, Policy and Intergovernmental Relations
- Mr. S. O'Brien, General Manager, City Clerk's Office/City Clerk
- Ms. L. Cline, Council and Committee Coordinator

## **Closed Meeting Summary**

The following matters were considered.

### **Correspondence Received by Council Relating to FOI Request 2018-060**

Information was received and no direction was given.

#### **IDE-2019-12      Water Services Operational Plan Endorsement (Section 8)**

Information was received and no direction was given.

#### **IDE-2019-04      Hanlon Creek Business Park Phase I – Updated Development Strategy and Financials**

Staff were given direction on this matter.

## **Staff Recognitions**

Jennifer Jacobi, Zoning Inspector/Legal Process Coordinator, was recognized for receiving her Municipal Law Enforcement Officer Certified Designation.

Nicholas Rosenberg, Building Inspector III, was recognized for his appointment as a voting member of the Radon Mitigation Committee for the Canadian General Standards Board.

Antti Vilkkko, General Manager, Facilities Management, was recognized for completing his Association of Municipal Managers, Clerks and Treasurers of Ontario Executive Diploma in Municipal Management.

## **Consent Agenda – Infrastructure, Development and Enterprise**

Councillor Gibson assumed the Chair.

Councillor Gibson presented the Infrastructure, Development and Enterprise Consent Agenda.

2. Moved by Councillor Hofland  
Seconded by Councillor Goller

That the January 14, 2019 Consent Agenda – Infrastructure, Development and Enterprise as identified below, be adopted:

#### **IDE-2019-11      Water Services Operational Plan Endorsement**

That City Council endorse the Water Services Operational Plan, as required as part of the Ontario Municipal Drinking Water Licencing Program.

**IDE-2019-05 Sign By-law Variances – 160 Chancellors Way**

1. That the request for variances from Section 2(2) and Section 7(1)(f) of the City of Guelph Sign By-law (1996)-15245, as amended, to permit one (1) illuminated freestanding sign with a sign face area of .77m<sup>2</sup> and a height of 1.77m above the adjacent roadway within a 7m by 5m driveway sightline triangle at west driveway of 160 Chancellors Way, be approved.
2. That the request for variances from Section 2(2) and Section 7(1)(f) of the City of Guelph Sign By-law (1996)-15245, as amended, to permit one (1) illuminated freestanding sign with a sign face area 3.79m<sup>2</sup> (changeable copy of 1.08m<sup>2</sup>) with a height of 2.6m above the adjacent roadway at 160 Chancellors Way, be approved.
3. That the request for variances from Section 2(2) and Section 7(1)(f) of the City of Guelph Sign By-law (1996)-15245, as amended, to permit one (1) illuminated freestanding sign with a sign face area of .77m<sup>2</sup> and a height of 1.83m above the adjacent roadway within a 7m by 5m driveway sightline triangle at east driveway of 160 Chancellors Way, be approved.

**IDE-2019-06 Sign By-law Variances – 32 Clair Road East**

1. That the request for variances from Table 2, Row 1 of Sign By-law Number (1996)-15245, as amended, to permit one (1) illuminated freestanding with a sign face area of 6.99m<sup>2</sup> to be located 1m away from an adjacent property line at 32 Clair Road East, be approved.
2. That the request for a variance from Table 1, Row 6 of Sign By-law Number (1996)-15245, as amended, to permit one (1) illuminated building sign with a sign face area of 3.5m<sup>2</sup> to be located on the first storey of a building face fronting an adjacent property at a distance of .82m from the property line at 32 Clair Road East, be approved.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Goller, Gordon, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

**Items for Discussion – Infrastructure, Development and Enterprise**

**IDE-2019-03 Farm Barn at 2093 Gordon Street – Proposed Removal from Municipal Register of Cultural Heritage Properties**

The following delegate spoke regarding this item:  
Susan Ratcliffe, Architectural Conservancy of Ontario

3. Moved by Councillor Mackinnon  
Seconded by Mayor Guthrie

That Council approve the removal of all references to 2093 Gordon Street from the Municipal Register of Cultural Heritage Properties as presented in Report IDE-2019-03.

**Voting in Favour:** Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Goller, Hofland, MacKinnon and O'Rourke (9)

**Voting Against:** Councillors Allt, Gordon, Piper, Salisbury (4)

Carried

**CAO-2019-05      Bill 66, Restoring Ontario's Competitiveness Act, City of Guelph Response**

Scott Stewart, Deputy CAO of Infrastructure, Development and Enterprise Services, provided introductory remarks regarding Bill 66, Restoring Ontario's Competitiveness Act.

Melissa Bauman, Senior Policy Advisor, presented a summary of changes and potential impacts as a result of Bill 66.

The following delegates spoke regarding this item:

Steve Dyck, Guelph Solar

Hugh Whiteley

Karen Rathwell on behalf of Wellington Water Watchers

Ronald East

The following delegate was not present:

Pamela Richardson

4. Moved by Councillor Hofland  
Seconded by Councillor Allt

1. That Report CAO-2019-05 dated January 14, 2019 regarding Bill 66, Restoring Ontario's Competiveness Act be received.
2. That the City of Guelph identifies it will not support the Proposed Amendments to the Planning Act as set out in Bill 66, Restoring Ontario's Competitiveness Act, based on the information currently available and the perceived threat to the City's drinking water.
3. That Committee of the Whole recommends the province remove from the proposed Bill 66 amendments to the Planning Act in regards to exemptions from water quality and quantity protection under the Clean Water Act, 2006 and that all relevant sections of the Clean Water Act continue to apply to all municipal development applications.
4. That the response prepared by staff, dated January 9, 2019 and included in Attachment 1, be endorsed and submitted to the Ministry of Economic Development, Job Creation and Trade and the Ministry of Municipal Affairs and Housing for consideration.

5. That the comments received by City of Guelph residents and stakeholders received and/or presented at the Council meeting be forwarded to the Province of Ontario for consideration.
6. That the City request to meet with provincial staff to further discuss the City of Guelph's comments regarding Bill 66 and become a partner in any further review and amendments of the Bill.
7. That the province engage in a formal consultation with municipalities and hold a public consultation in Guelph on potential changes to the Act.

### **Amendment**

5. Moved by Councillor O'Rourke  
Seconded by Councillor Goller
4. That the response prepared by staff, dated January 9, 2019, included in Attachment 1, **as amended**, be endorsed and submitted to the Ministry of Economic Development, Job Creation and Trade and the Ministry of Municipal Affairs and Housing for consideration.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Goller, Gordon, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

### **Main Motion as Amended**

6. Moved by Councillor Hofland  
Seconded by Councillor Allt
1. That Report CAO-2019-05 dated January 14, 2019 regarding Bill 66, Restoring Ontario's Competitiveness Act be received.
2. That the City of Guelph identifies it will not support the Proposed Amendments to the Planning Act as set out in Bill 66, Restoring Ontario's Competitiveness Act, based on the information currently available and the perceived threat to the City's drinking water.
3. That Committee of the Whole recommends the province remove from the proposed Bill 66 amendments to the Planning Act in regards to exemptions from water quality and quantity protection under the Clean Water Act, 2006 and that all relevant sections of the Clean Water Act continue to apply to all municipal development applications.
4. That the response prepared by staff, dated January 9, 2019, included in Attachment 1, as amended, be endorsed and submitted to the Ministry of Economic Development, Job Creation and Trade and the Ministry of Municipal Affairs and Housing for consideration.

5. That the comments received by City of Guelph residents and stakeholders received and/or presented at the Council meeting be forwarded to the Province of Ontario for consideration.
6. That the City request to meet with provincial staff to further discuss the City of Guelph's comments regarding Bill 66 and become a partner in any further review and amendments of the Bill.
7. That the province engage in a formal consultation with municipalities and hold a public consultation in Guelph on potential changes to the Act.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Goller, Gordon, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

### **IDE-2019-01      Comprehensive Zoning Bylaw Review – Project Initiation**

Natalie Goss, Project Manager, Comprehensive Zoning Bylaw Review, presented an overview of the work plan for the comprehensive zoning bylaw review.

7.      Moved by Councillor Goller  
          Seconded by Councillor Billings

That the Comprehensive Zoning Bylaw Review project charter attached to Infrastructure, Development and Enterprise Services Report (IDE-2019-01), dated Monday, January 14, 2019 be approved.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Goller, Gordon, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

Council recessed at 5:00 p.m. and reconvened at 5:21 p.m.

Councillor Piper arrived at 5:23 p.m.

Councillor Salisbury arrived at 5:26 p.m.

### **IDE-2019-13      Red Light Camera Program Review**

Steve Anderson, Supervisor, Traffic Engineering, presented an overview of the red light camera program review.

8.      Moved by Councillor Goller  
          Seconded by Councillor Bell

1. That staff be directed to formalize a Community Road Safety Program that includes mitigation measures to reduce the likelihood of frequent traffic infractions as well as red light violations and that funding support for this program be referred to in the 2019 budget process.

2. That the City of Guelph not proceed with implementation of the Red Light Camera program at this time but that Staff be directed to continue to assess the need and opportunity through further study in collaboration with Guelph Police Service.

### **First Amendment**

9. Moved by Councillor Goller  
Seconded by Councillor Bell

1. That staff be directed to **explore** a Community Road Safety **Strategy** that includes mitigation measures to reduce the likelihood of frequent traffic infractions as well as red light violations and that funding support for this **strategy** be referred to in the 2019 budget process.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Goller, Gordon, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

### **Second Amendment**

10. Moved by Councillor Bell  
Seconded by Councillor Goller

2. That the City of Guelph proceed with implementation of the Red Light Camera program at this time and that Staff be directed to continue to assess the need and opportunity through further study in collaboration with Guelph Police Service.

### **Amendment to the Second Amendment**

11. Moved by Councillor Allt  
Seconded by Councillor Hofland

2. That the City of Guelph proceed with implementation of the Red Light Camera program at this time and that Staff be directed to continue to assess the need and opportunity through further study in collaboration with Guelph Police Service **and that Staff report back in time for the 2020 budget process.**

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Goller, Gordon, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

### **Main Motion as Amended**

12. Moved by Councillor Goller  
Seconded by Councillor Bell

1. That staff be directed to explore a Community Road Safety Strategy that includes mitigation measures to reduce the likelihood of frequent traffic infractions as well as red light violations and that funding support for this strategy be referred to in the 2019 budget process.
2. That the City of Guelph proceed with implementation of the Red Light Camera program at this time and that Staff be directed to continue to assess the need and opportunity through further study in collaboration with Guelph Police Service and that Staff report back in time for the 2020 budget process.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Downer, Goller, Gordon, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (11)

**Voting Against:** Councillor Billings and Gibson (2)

Carried

Councillor recessed at 6:50 p.m. and reconvened at 6:57 p.m.

### **Items for Discussion – Public Services**

Councillor Hofland assumed the Chair.

Mayor Guthrie and Councillor Salisbury arrived at 7:02 p.m.

#### **PS-2019-01                      Parkland Dedication By-law**

Colleen Clack, Deputy CAO of Public Services, provided an introduction to the Parkland Dedication By-law and project team.

Luke Jefferson, Manager, Open Space Planning, presented highlights of the proposed Parkland Dedication By-law.

The following delegates spoke regarding this item:

Susan Watson

Scott Hannah

Emily Grant

Councillor Gordon left the meeting at 7:49 p.m.

#### **Extension of Meeting Per Procedural By-law**

13. Moved by Councillor O'Rourke  
Seconded by Councillor Downer

That Section 4.14 (a) and (b) of the Procedural By-law be invoked to allow Committee of the Whole to continue to 9:00 p.m.

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Goller, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (12)

**Voting Against:** (0)

Carried

Councillor Gordon returned at 7:55 p.m.

**PS-2019-01                      Parkland Dedication By-law**

The following delegates spoke regarding this item:

John Parkyn  
Hugh Whiteley  
Christopher Campbell  
Sandy Clipsham  
Stan Kozak  
Lin Grist  
Maya LaRose  
Ian Panabaker

**Suspending the Procedural By-law**

14.    Moved by Mayor Guthrie  
       Seconded by Councillor Goller

That Section 4.14 (b) of the Procedural By-law be suspended to allow Committee of the Whole to continue beyond 9:00 p.m.

**Voting in Favour:** Mayor Guthrie, Councillors Bell, Billings, Downer, Gibson, Goller, Gordon, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (12)

**Voting Against:** Allt (1)

Carried

**PS-2019-01                      Parkland Dedication By-law**

The following delegates spoke regarding this item:

Brad Schlegel  
Pamela Richardson  
Mike Marcolongo

The following delegate was present but did not speak:  
Hugh Handy

The following delegates were not present:

Barbara Mann  
Donna Jennison

15.    Moved by Mayor Gibson  
       Seconded by Councillor Goller

That Council approve the proposed parkland dedication bylaw included as ATT-1 to Report # PS-2019-01 dated January 14, 2019.

### **First Amendment**

16. Moved by Mayor Guthrie  
Seconded by Councillor Salisbury

That Council approve the proposed parkland dedication bylaw included as ATT-1 to Report # PS-2019-01 dated January 14, 2019 **and that an interim report be provided to Council in two years for further consideration.**

**Voting in Favour:** Mayor Guthrie, Councillors Allt, Bell, Billings, Downer, Gibson, Goller, Gordon, Hofland, MacKinnon, O'Rourke, Piper and Salisbury (13)

**Voting Against:** (0)

Carried

### **Second Amendment**

17. Moved by Councillor Downer  
Seconded by Mayor Guthrie

That the main motion be referred to the January 28, 2019 Council meeting.

**Voting in Favour:** Councillor Billings, Downer, MacKinnon, Piper and Salisbury (5)

**Voting Against:** Mayor Guthrie, Councillors Allt, Bell, Gibson, Goller, Gordon, Hofland and O'Rourke (8)

Defeated

### **Main Motion as Amended**

18. Moved by Mayor Guthrie  
Seconded by Councillor Goller

That Council approve the proposed parkland dedication bylaw included as ATT-1 to Report # PS-2019-01 dated January 14, 2019 and that an interim report be provided to Council in two years for further consideration.

**Voting in Favour:** Mayor Guthrie, Councillors Bell, Billings, Gibson, Goller, Hofland, MacKinnon, O'Rourke, and Salisbury (9)

**Voting Against:** Councillors Allt, Downer, Gordon and Piper (4)

Carried

### **Adjournment** (10:57 p.m.)

19. Moved by Councillor Gibson  
Seconded by Councillor Goller

That the meeting be adjourned.

Carried

Minutes to be confirmed on Monday, January 28, 2019.

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Mayor Guthrie

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Stephen O'Brien - City Clerk

Ministry of  
Transportation

Ministère des  
Transports



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Licensing Services Branch  
87 Sir William Hearst Avenue  
Room 173  
Toronto, Ontario  
M3M 0B4

August 7, 2019

Mr. Scott Stewart  
C.E.T., Deputy CAO  
City of Guelph  
1 Carden Street  
Guelph, ON N1H 3A1

Dear Mr. Stewart:

Thank you for your municipality's interest in joining the Red Light Camera program. I am pleased to respond on behalf of the Minister.

Before your municipality can participate in the Red Light Camera program, your municipality must be designated in Ontario Regulation 277/99, *Red Light Camera System Evidence*. This regulatory amendment involves the addition of your municipality to the list of participating municipalities and the allotment of intersection codes which will be used when issuing red light camera offences.

The Ministry is currently working on the regulatory approval package and will be bringing it forward to the Legislation and Regulations Committee for approval in the Fall of 2019. If the regulatory package is approved, your municipality will be included in the Regulation which will provide legal authority to operate red light cameras within your jurisdiction.

Thank you for your commitment to road safety.

Yours truly,

A handwritten signature in black ink, appearing to read "Paul Brown", with a horizontal line extending to the right.

Paul Brown  
Director  
Licensing Services Branch

bc: Patty Watters, Manager  
Kelly Lackner, Team Lead

| Provincial/Federal Consultation Alert                        |  |                       |  |   |   |                                   |   |
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| Title  | Ministry                                     | Consultation Deadline | Summary  | Proposed Form of Input  | Rationale   | Lead                              | Link to Ministry Website  |
| Data Strategy Discussion Paper on Creating Economic Benefits | Ministry of Government and Consumer Services | October 9, 2019.      | The Ontario government has launched the second of three discussion papers for Ontario's Data Strategy, focused on creating economic benefits in the data economy. The government is inviting feedback on the paper — and on how it can help Ontarians develop data-driven business models and unlock the commercial value of data, while ensuring that Ontarians' personal information is protected. | Survey to be completed and returned to the Ministry of Government and Consumer Services | The City of Guelph supports efforts to drive innovation and economic opportunities in Ontario and will share experiences, learnings and challenges to support the Ministry's efforts. | Business Development & Enterprise | <a href="https://engage.ontario.ca/en">https://engage.ontario.ca/en</a> |

| Provincial/Federal Consultation Alert                              |   |                       |  |   |  |                                |   |
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| Title  | Ministry                                  | Consultation Deadline | Summary  | Proposed Form of Input  | Rationale  | Lead                           | Link to Ministry Website  |
| ERO#019-0279<br>Proposed Provincial Policy Statement (PPS) Changes | Ministry of Municipal Affairs and Housing | October 21, 2019      | <p>The Province is proposing changes to the PPS to support Ontario's Housing Supply Action Plan and recent changes to the land use planning system including Bill 108, More Homes, More Choice Act, 2019 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe.</p> <p>Proposed changes include:</p> <ol style="list-style-type: none"> <li>1) <b>Increasing Housing Supply and Mix</b> including increasing the planning horizon from 20 to 25 years, increasing housing land supply from 10 to 12 years, and adding flexibility to the settlement area boundary expansion process.</li> <li>2) <b>Protecting the Environment and Public Safety</b> including enhancing direction to prepare for the impacts of a changing climate, and enhancing stormwater management policies.</li> <li>3) <b>Reducing Barriers and Costs</b> including requiring municipalities to fast-track development applications for certain proposals (e.g. housing), and refocusing energy policies to support a broad range of energy types and opportunities.</li> <li>4) <b>Supporting Rural, Northern and Indigenous Communities</b> including enhanced municipal engagement with Indigenous communities on land use planning.</li> <li>5) <b>Supporting Certainty and Economic Growth</b> including encouraging municipalities to assess locally-identified</li> </ol> | Written comments submitted through ERO. Council will be requested to endorse a proposed response at the October 16 Planning Meeting prior to submitting comments through the ERO. | The PPS is the consolidated statement of the provincial government's policies on land use planning that guides municipal decision making. Under the Planning Act municipal decisions on land use planning matters "shall be consistent with" the PPS. An endorsed Council response ensures that Council members are informed of the proposed changes and have an opportunity to contribute to the City's response. | Planning and Building Services | <a href="https://ero.ontario.ca/notice/019-0279">https://ero.ontario.ca/notice/019-0279</a> |

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|  |  |  | employment areas when undertaking an official plan update, and providing municipalities with greater control over employment area conversions. |  |  |  |  |
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| Provincial/Federal Consultation Alert           |  |                       |   |  |  |   |   |
|---|--|-----------------------|---|--|--|---|---|
| Title   | Ministry                                   | Consultation Deadline | Summary   | Proposed Form of Input   | Rationale  | Lead  | Link to Ministry Website  |
| Proposed changes to the Aggregate Resources Act | Ministry of Natural Resources and Forestry | November 4, 2019.     | <p>The Ministry of Natural Resources and Forestry is proceeding with changes to the way aggregates are managed in Ontario and would like to invite municipal input on the changes.</p> <p>The aggregate proposal that aims to cut red tape, create jobs, and promote economic growth within Ontario's aggregate industry.</p> | Written comments submitted to the Ministry of Natural Resources and Forestry | Guelph has an interest in the management of local aggregate resources and their impact on the community. Changes to the Act could impact a variety of current municipal practices and interests. | Planning Engineering & Environmental Services | <a href="https://ero.ontario.ca/notice/019-0556">https://ero.ontario.ca/notice/019-0556</a> |

| Provincial/Federal Consultation Alert                               |                            |                       |   |   |  |         |  |
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| Title   | Ministry                   | Consultation Deadline | Summary   | Proposed Form of Input  | Rationale  | Lead    | Link to Ministry Website                       |
| Review of dedicated Gas Tax Funds for Public Transportation Program | Ministry of Transportation | November 4, 2019.     | <p>In Budget 2019, the government of Ontario committed to consulting with municipalities on a review of the Dedicated Gas Tax Funds for Public Transportation Program ("Gas Tax Program").</p> <p>Over the summer, the Ministry of Transportation consulted with municipal transit agencies through meetings with the Ontario Public Transit Association. The Ministry is now seeking to engage all municipalities.</p> | Survey to be completed and returned to the Ministry of Transportation | Changes to the program could impact current municipal funding. | Finance | Document provided directly to the municipality |

| Provincial/Federal Consultation Alert  |                            |                       |  |  |  |                               |   |
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| Title  | Ministry                   | Consultation Deadline | Summary  | Proposed Form of Input                                       | Rationale  | Lead                          | Link to Ministry Website                              |
| Proposal to make the current exemption under the Highway Traffic Act for hand-held two-way radios for commercial drivers and amateur radio operators permanent | Ministry of Transportation | November 4, 2019.     | <p>The Ministry of Transportation (MTO) recognizes the importance of creating an effective regulatory environment that accommodates the use of new and innovative vehicle technologies which promote economic growth and prosperity in Ontario.</p> <p>In December 2017, the Minister of Transportation extended Ontario Regulation 366/09 (Display Screens and Hand-Held Devices) under the Highway Traffic Act (HTA) for a three-year period until January 1st, 2021. This exemption currently allows the following to hold or use a two-way radio:</p> <ul style="list-style-type: none"> <li>o Certain public function employees (eg., bus drivers);</li> <li>o Commercial drivers;</li> <li>o Amateur radio operators (eg., an Industry Canada-licensed operator which could include a commercial driver).</li> </ul> | Written comments submitted to the Ministry of Transportation | Operations (fleet) to review the MTO proposal and provide comments. Historically, staff has been supportive of the proposed exemption. | Operations Department (Fleet) | <a href="#">Link to Ontario's Regulatory Registry</a> |

September 26, 2019

**SENT VIA EMAIL TO MAGPOLICY@ONTARIO.CA**

The Honourable Doug Downey  
Attorney General of Ontario  
McMurtry-Scott Building  
720 Bay Street, 11<sup>th</sup> Floor  
Toronto, Ontario M7A 2S9

Dear Attorney General:

**RE: Municipal Consultations on Joint and Several Liability  
Your Reference #: M-2019-3638**

This letter is in response to the Attorney General's invitation for the City of Guelph (the "City") to participate in the Ontario Government's consultations on joint and several liability. In the invitation, municipalities were asked for responses to consider and address three broad questions which will be outlined in the paragraphs below.

First, in describing the nature of the problem as seen locally, like most municipalities, City staff have seen Guelph named in civil actions, primarily automobile accidents/ personal injury claims that could be considered a "target claim" due to joint and several liability or the "1% rule". A common scenario would see a plaintiff issuing a statement of claim with broad allegations against the City. The purpose of naming the City would appear to be including it in the discovery process as a means of investigating ways the City could be 1% liable rather than having a known cause of action. The City will have no exposure in the matter and eventually be released but will have incurred substantial legal costs as a result of defending the action.

Another scenario may see an automobile/personal injury claim settle in the early stages of litigation and the City will be left with no choice but to make a contribution to the settlement. The City may not have any liability exposure in the matter but the contribution is less than the cost of continuing to litigate the matter and it has to factor in the risk associated with the "1% rule".

Second, in identifying the evidence that leads to the City's view of the problem, the City of Guelph has a high deductible on its insurance policy. This means that any legal costs and/or damages from litigation up to the City's deductible are funded by Guelph residents through property tax dollars, causing a reduction in the City's financial capacity. While the City is fortunate that a "target claim" has not gone to trial with joint and several liability exposure, the ongoing receipt of claims unfairly naming the City as a party will be an ongoing expense for the City under the current

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provisions of the Negligence Act, R.S.O. 1990, c. N.1.

Third, with respect to proposed solutions, it is understood that previous consultations have taken place in 2014 prior to the change in government which considered the "Saskatchewan Model" otherwise known as the "proportionate joint and several liability model". This model could see a cap on the amount a defendant would pay proportional to the amount it has been deemed liable. A possible model would see a municipality not liable for more than two times its proportion of damages, even if this means that a plaintiff does not fully recover.

Even if the amount of capped damages is more than the two times as used in other models, any reduction in exposure as a result of this model would result in reduced financial risk for Ontario municipalities. This model could also take other factors into consideration in determining proportionality such as whether the Plaintiff was liable for contributory negligence.

It is appreciated it is difficult for the Ontario Government to balance the competing interests of fully compensating plaintiffs while achieving fairness in defendant liability exposure. That being said, joint and several liability encourages plaintiffs and their legal counsel to name municipalities in lawsuits, even when their responsibility for a loss is questionable or marginal at best. The practice generates frivolous claims, drives up settlements and ultimately puts pressure on insurance prices. It's difficult to say how much of insurance increases are a direct result of joint and several liability, but it is clear that insurance costs for municipalities are rising.

A legislative change such as the "Saskatchewan Model" could ensure that a defendant who only contributed marginally to a loss does not assume a disproportionate amount of liability because of a non-contributing defendant.

The City is thankful for the opportunity to participate in these consultations and is hopeful the Ontario Government will consider legislative changes that will see a more balanced and proportionate approach.

Yours truly,



Jeffrey Aitkens  
Deputy City Solicitor  
Legal, Realty and Court Services  
**Corporate Services**

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