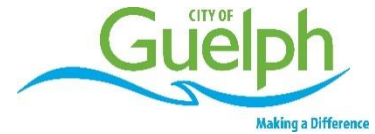


Information Items



Week Ending November 29, 2019

Reports

1. Tier 1 Project Portfolio Q3 2019 Status Update

Intergovernmental Consultations

1. Water Use and Energy Consumption Reporting Consultation
2. Water Bottling Moratorium
3. Public Health Modernization
4. Paramedic Services Consultation RE: Emergency Health Services Modernization

Correspondence

1. City of Guelph Response to Intergovernmental Consultation RE: Ontario's Building Code Transformation Consultation
2. City of Guelph Response to Intergovernmental Consultation RE: Bill 132 - Better for People Smarter for Business Act, 2019
3. Town of Amberstburg RE Declaration of Climate Emergency
4. Town of Amberstburg RE Resolution - Joint and Several Liability Consultation

Boards and Committees

1. Planning Advisory Committee Hearing Minutes - June 13, 2019

Items Available in the Clerk's Office

1. None

Information Report



Service Area	Infrastructure, Development and Enterprise Services
Date	Friday, November 29, 2019
Subject	Tier 1 Project Portfolio Q3 2019 Status Update
Report Number	IDE-2019-127

Executive Summary

Purpose of Report

To provide the quarterly status update of the Tier 1 Project Portfolio to Council. These reports are posted on their respective project pages on guelph.ca.

Key Findings

In Q3, 2019, the City had the following active Tier 1 projects:

- Guelph Police Service (GPS) Headquarters (HQ) Renovation;
- South End Community Centre Design;
- Wilson Street Reconstruction and Market Square Parkade;
- Baker District Redevelopment and Guelph Main Branch Library;
- Guelph Innovation District Development (GID); and
- Transportation Master Plan (TMP).

Status dashboards for these Tier 1 projects as of September 30, 2019 are attached. A brief update of each project is provided within this report.

The following Tier 1 projects were in the initiation and planning stage during Q3, 2019 and updates for these projects will be provided as they move into development:

- Wyndham Street North / St. George's Square Reconstruction; and
- Canada's Smart Cities Challenge.

Financial Implications

No financial implications specific to this report.

Report

Details

Current Tier 1 Projects

The currently active Tier 1 projects are:

- Guelph Police Service Headquarters Renovation Project;
- South End Community Centre Design;
- Wilson Street Reconstruction and Market Square Parkade Project;

- Baker District Redevelopment and Guelph Main Branch Library;
- Guelph Innovation District Development; and
- Transportation Master Plan.

Highlights for each of these projects are summarized below. More comprehensive updates are available in the attached status dashboards.

1. GPS HQ Renovation Project

The project is currently within the approved budget, however there remains a risk that the project could exceed the budget due to the extent of unexpected conditions that have been part of renovating an aged building. Staff are diligently working to mitigate costs where possible and appropriate while ensuring the expected outcome for the Guelph Police Service is provided. The overall completion date for the Guelph Police Service headquarters renovation is the end of Q2 2020. The revised completion date is a result of unexpected site conditions that were experienced. More information regarding this project is available via guelph.ca/living/construction-projects/guelph-police-headquarters-renovation/.

2. South End Community Centre Design

On August 8, 2019, the Committee of Adjustment approved the parking variance. The building design is being modified to accommodate net zero carbon building requirements. The expected completion of the design is in Q3 2020. More information regarding this project is available via guelph.ca/living/recreation/rec-facilities/south-end-recreation-centre.

3. Wilson Street Reconstruction and Parkade Project

During Q3, the project went through the final phase of construction. The Market Parkade was open to Public for parking on October 22, 2019. The grand opening celebration was hosted on October 26, 2019. A deficiency list has been provided to the contractor, to be addressed by December 2019. More information regarding this project is available via guelph.ca/living/construction-projects/wilson-street-reconstruction-and-parkade/.

4. Guelph Innovation District Development

At the end of March 2019, Council approved the shift in the approach to the disposition of the GID lands such that now the Province is marketing the lands directly. In July, the province issued an RFP for the sale of the property and the City anticipates an announcement of the winning proponent by the end of Q4. More information regarding this project is available via guelph.ca/plans-and-strategies/guelph-innovation-district-york-district-lands/.

5. Baker District Redevelopment including Guelph Main Branch Library

The business partnership between Windmill Development Group and the City on the Baker District project carries forward. A progress report was shared with Council on September 16, 2019, with the recommendation that Council include funds in the capital budget for the public components of the project: the library, the urban square, parking, and site preparations. Full designs, the terms of the business agreement and the results of the completed public engagement, will be presented to Council in June of 2020. More information regarding this project is available via guelph.ca/business/downtown-business/bakerdistrict/.

Transportation Master Plan

Community engagement on existing conditions and identifying issues concludes this fall. The project tested out the concepts of complete streets and transit priority measures as two distinct demonstration projects on Guelph streets in September and October 2019. A Council workshop in early December will conclude this engagement stage. Due to the timing of the Council workshop and conclusion of the engagement activities, the project schedule has been revised with support from the Steering Committee. More information regarding this project is available via guelph.ca/plans-and-strategies/transportation-master-plan/.

Planned Tier 1 Projects:

The following Tier 1 projects are currently in the initiation and planning stage. Updates for these new projects will be provided as they move into development.

- Wyndham Street North / St. George's Square Reconstruction; and
- Canada's Smart Cities Challenge.

1. Wyndham Street North / St. George's Square Reconstruction

This initial planning stages of this project are expected to commence in Q4 2019 or Q1 2020.

2. Canada's Smart Cities Challenge

On May 14, 2019, the City of Guelph/County of Wellington's proposal in Infrastructure Canada's Smart Cities Challenge was selected as a winner of \$10M to implement the "Our Food Future" project plan to create Canada's first circular food economy. Information Report CAO-2019-13, describing the proposed governance structure and outline next steps was presented to the Council on June 21, 2019. On September 3, the Smart Cities Office was officially opened on Douglas Street in Guelph. The space was provided as an in-kind donation by the County of Wellington.

Next steps:

- Fall 2019: Finalization of a Contribution Agreement with Infrastructure Canada;
- Fall 2019: Execution of Contribution Agreements with Project Delivery Collaborators.

Financial Implications

No financial implications specific to this report.

Consultations

Staff from the following divisions were consulted for this report: Corporate Communications; Engineering Transportation Services; Facilities Management; Business Development and Enterprise; Guelph Innovation District Office; Strategy, Innovation, and Intergovernmental Services; Information Technology; and Finance.

Strategic Plan Alignment

Priority

Working together for our future

Direction

Improve communication and delivery

Alignment

The information contained in this report, relating to current and planned Tier 1 projects, align with the City's Working together for our future strategic priority through improving communications with residents to update them on progress of the key City's projects in a consistent and transparent manner.

Attachments

Attachment-1	Tier 1 Project Portfolio Dashboard – Q3-2019
Attachment-2	Guelph Police Service Headquarters Renovation Project – Q3-2019
Attachment-3	South End Community Centre Project – Q3-2019
Attachment-4	Wilson Street Reconstruction and Market Square Parkade Project - Q3-2019
Attachment-5	Guelph Innovation District Development Project – Q3-2019
Attachment-6	Baker District Redevelopment including Guelph Main Branch Library Project – Q3-2019
Attachment-7	Transportation Master Plan – Q3-2019

Departmental Approval

Antti Vilkkio, General Manager, Facilities Management

Cathy Kennedy, Manager, Smart Cities Initiative

Greg Clark, Manager, Financial Strategy Long Term Planning

Heather Flaherty, General Manager, Parks & Recreation

Helen Loftin, General Manager, Business Development Enterprise

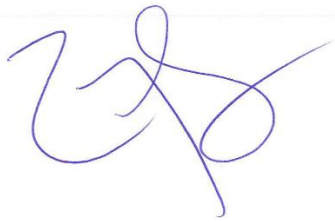
Jeet Joginder, Manager, Complex Capital Projects

Sasha Einwechter, General Manager, Information Technology

Report Author

Jessica Angers, PMP, MIAM

Manager, Corporate Asset and Project Management



Approved By

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Recommended By

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Deputy Chief Administrative Officer
Infrastructure, Development and
Enterprise Services
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Tier 1 Project Portfolio Dashboard | November 29, 2019

Q3 end of September 2019



Basic Project Information

PROJECT	EXECUTIVE SPONSOR	PROJECT MANAGER	APPROVED BUDGET	FUNDING SOURCES	TARGET COMPLETION
<u>Wilson Street Reconstruction and Parkade</u>	Kealy Dedman , DCAO, Infrastructure, Development and Enterprise Services	Mary Angelo , Acting Manager, Design and Construction Engineering and Transportation Services	\$24,875,000	Street 22% Tax, 62% Non-Tax, 16% Federal Gas Tax	Stage 1 and 2: Complete Stage 3: Fall 2019
		Jeet Joginder , Manager, Complex Capital Projects, Facilities Management		Bridge 100% Tax	Fall 2019
				Parkade 50% Parking DC, 50% Tax Funded debt	Fall 2019
<u>Guelph Police Service Headquarters Renovation</u>		Jeet Joginder , Manager, Complex Capital Projects, Facilities Management	\$34,111,000	45% Development Charges, 55% Tax	Q2 2020
<u>South End Community Centre Design</u>	Kealy Dedman , DCAO, Infrastructure, Development and Enterprise Services and Colleen Clack , DCAO Public Services		\$4,100,000	80% Development Charges, 20% Tax	95% completed at December 2018; full completion Q3 2020
<u>Guelph Innovation District Development</u>	Kealy Dedman , DCAO, Infrastructure, Development and Enterprise Services and Trevor Lee , DCAO, CS	Helen Loftin , General Manager, Business Development Enterprise	\$237,000	Tax Operating Contingency Reserve	Q4 2019
<u>Baker District Redevelopment (Master planning phase)</u>	Kealy Dedman , DCAO, Infrastructure, Development and Enterprise Services	Helen Loftin , General Manager, Business Development Enterprise	\$6,026,000	Library 24% Development Charges 76% Tax Baker District 100% Tax	Q3 2020
<u>Transportation Master Plan</u>	Kealy Dedman , DCAO, Infrastructure, Development and Enterprise Services	Jennifer Juste , Manager, Transportation Planning	\$970,000	55% Development Charges, 15% Public Transit Infrastructure Fund Grant, 30% Reserve Funding	Q1 2021

Q3 end of September 2019



Dashboard

Project	Current			
	Scope	Schedule	Budget	
Wilson Street Reconstruction	Within scope	On schedule	Within budget	
Parkade	Within scope	On schedule	Within budget	
Guelph Police Service Headquarters Renovation	Within scope	On revised schedule	Within budget	
South End Community Centre Design	Within scope	On revised schedule	Within budget	
Guelph Innovation District Development	Within scope	On schedule	Within budget	
Baker District Redevelopment (Master planning phase)	Within scope	On schedule	Within budget	
Transportation Master Plan	Within scope	On revised schedule*	Within budget	

*Schedule has been revised to reflect extensive community engagement during Phase 1, and necessary additional background study work to prepare the alternative scenarios in Phase 2.

Tier 1 Project Update | November 29, 2019

Q3 end of September 2019

Guelph Police Service Headquarters Renovation



Executive Sponsor	Kealy Dedman, Deputy Chief Administrative Officer, Infrastructure, Development and Enterprise Services
Project Manager	Jeet Joginder, Manager, Complex Capital Projects, Facilities Management
Approved Budget	\$34,111,000
Funding Sources	45% Development Charges, 55% Tax
Project Deliverables and Scope	<p>GPS headquarters is undergoing an expansion and renovation to meet the needs of our community's police services today and 25 years from now. This work will bring the facility up to today's health and safety standards, provide the appropriate space—long-term—for police operations and personnel, and replace the building's aging equipment.</p> <p>The renovation includes gutting and rebuilding the inside of the existing building and the expansion includes the construction of two new wings—on the east and west sides of the existing building. Additional details available at guelph.ca/gpsreno.</p>
Target Completion	Q2 2020

Project Status



Within scope



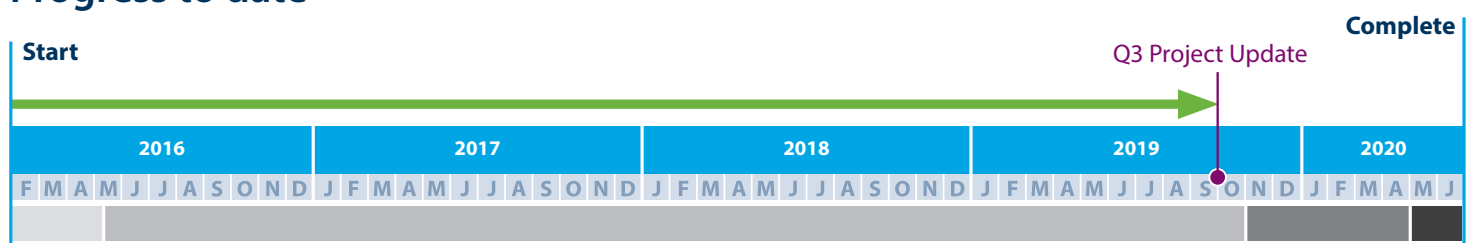
On revised schedule*
93% of construction work completed



Within budget
91% of total (approved) budget spent to date

*For more information, visit guelph.ca/gpsreno.

Progress to date



- Construction preparation
- Phase 1 (east and west wing renovations)
- Phase 2 renovation
- Deficiency rectification and warranty period (one year)

Q3 end of September 2019

South End Community Centre Design



Main entrance view from east. Artist's interpretation. Subject to change.

Executive Sponsor	Kealy Dedman, Deputy Chief Administrative Officer, Infrastructure, Development and Enterprise Services Colleen Clack, Deputy Chief Administrative Officer, Public Services
Project Manager	Jeet Joginder, Manager, Complex Capital Projects, Facilities Management
Approved Budget	\$4,100,000
Funding Sources	80% Development Charges, 20% Tax
Project Deliverables and Scope	Design of a community centre of an approximate area of 165,000 square feet consisting of a twin pad arena, an aquatic facility, a double multi-purpose gymnasium, program space, meeting rooms and indoor walking track and administration spaces. The project will provide a conceptual rendering, detail design drawings and a cost estimate for construction. For additional details, visit guelph.ca/living/recreation/rec-facilities/south-end-recreation-centre/ .
Target Completion	Q3 2020

Project Status



Within scope



On revised schedule*



Within budget

36% of total (approved) budget spent to date

*95% completed at December 2018; parking variance approved in Aug 2019. Incorporating design changes related to zero carbon building.

Q3 end of September 2019

Wilson Street Reconstruction and Parkade



Executive Sponsor	Kealy Dedman, Deputy Chief Administrative Officer, Infrastructure, Development and Enterprise Services
Project Manager	Street: Mary Angelo, Acting Manager, Design and Construction, Engineering and Transportation Services Parkade: Jeet Joginder, Manager, Complex Capital Projects, Facilities Management
Approved Budget	\$24,875,000
Funding Sources	Street: 22% Tax, 62% Non-Tax, 16% Federal Gas Tax Bridge: 100% Tax Parkade: 50% Parking DC, 50% Tax Funded debt
Project Deliverables and Scope	A new parking structure with approx. 490 parking spaces, replacement of the Norfolk Pedestrian Bridge and reconstruction of Northumberland Street between Wilson and Norfolk streets, and reconstruction of Wilson Street between Gordon and Macdonell streets. For additional details, visit guelph.ca and search Wilson street reconstruction and parkade .
Target Completion	Grand Opening October 26, 2019

Street Project Status



Within scope*



On schedule

Parkade Project Status



Within scope**



On schedule



Within budget
 82% of total
 (approved) budget
 spent to date

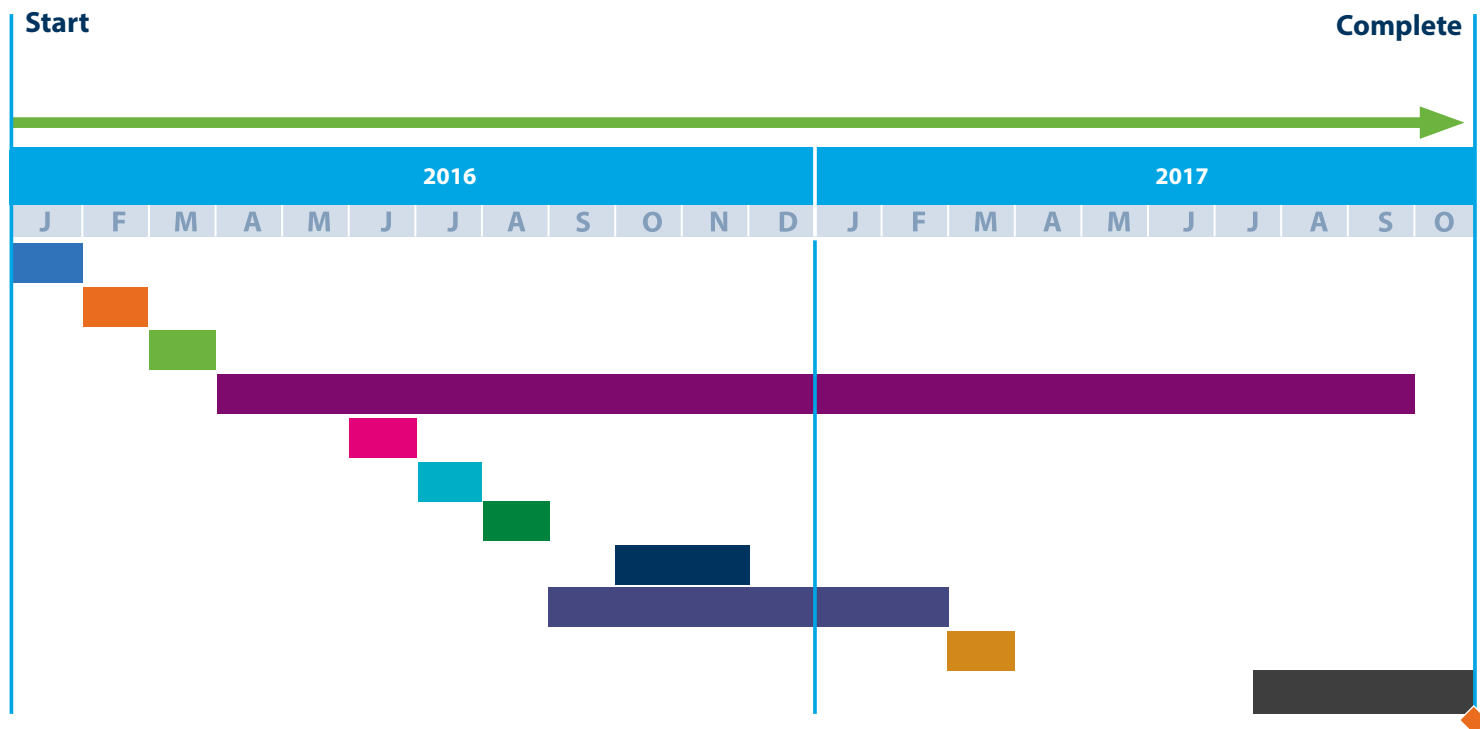
*Street: Opened to Public Oct 22, 2019.

**Parkade: Opened to Public Oct 22, 2019.

Q3 end of September 2019

Wilson Street Reconstruction (Stage 1 and 2)

Progress to date

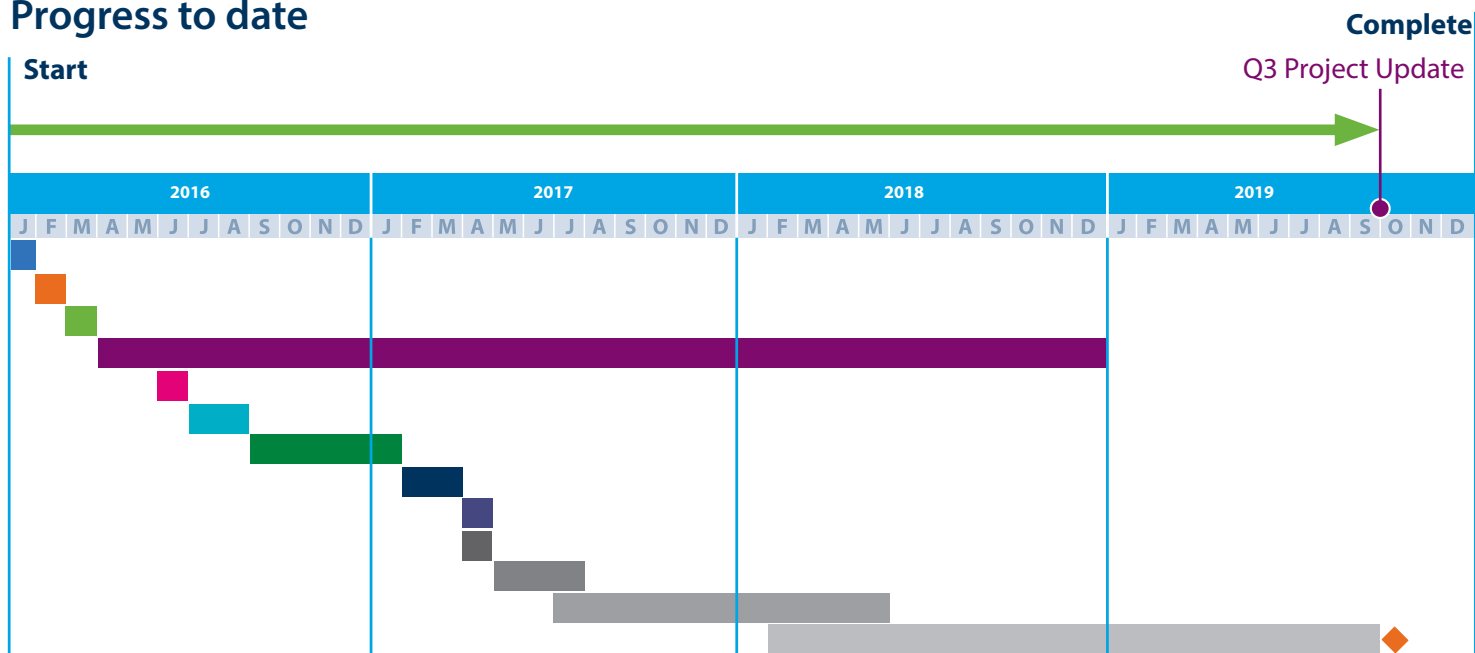


- Project start-up (staff)
- Hire Wilson Street design consultant
- Project scoping and engagement development
- Public engagement
- Council receipt of project scope and RFP approach
- Tender Wilson Street construction (Stage 1)
- Award Wilson Street construction (Stage 1)
- Wilson Street construction (Stage 1)
- Final EA Decisions for Wilson Street surface design
- Tender Wilson Street construction (Stage 2)
- Wilson Street construction (Stage 2)
- ◆ Wilson Street construction (Stage 2) complete

Q3 end of September 2019

Wilson Parkade Construction (Stage 3 street and bridge reconstruction)

Progress to date



- Project start-up (staff)
- Hire design-build (d-b) contract consultant
- Project scoping and engagement development
- Public engagement
- Council receipt of project scope and RFP approach
- Tender Wilson Parkade d-b RFP
- Analysis of RFP results and preparation to reissue new RFP
- Re-issue and close Wilson Parkade d-b RFP
- Evaluation and recommendation
- Contract award
- Design of Wilson Parkade and Norfolk Bridge
- Site plan approval and building permits
- Construction of Wilson Parkade, Norfolk Bridge and Stage 3 street reconstruction
- ◆ Grand Opening

Tier 1 Project Update | November 29, 2019

Q3 end of September 2019

Guelph Innovation District Development



Executive Sponsor	Kealy Dedman, Deputy Chief Administrative Officer, Infrastructure, Development and Enterprise Services and Trevor Lee, Deputy Chief Administrative Officer, Corporate Services
Project Manager	Helen Loftin, General Manager Business Development Enterprise
Approved Budget	\$237,000*
Funding Sources	Tax Operating Contingency Reserve
Project Deliverables and Scope	A plan to facilitate and support the development of more than 162 hectares (400 acres) at the eastern edge of the City as an integrated mixed-use community with housing, commercial and recreational spaces, in accordance with the Guelph Innovation District Secondary Plan. The Guelph Innovation District will connect to the downtown and University of Guelph communities, provide homes for more than 6,500 residents and space for more than 8,500 jobs. For more information visit guelph.ca/guelph-innovation-district .
Target Completion	Q4 2019

Project Status



Within scope



On schedule



Within budget

Progress to date



- Path A—Phase 1: Expression of interest
- Path A—Phase 2: Due diligence
- Path B—Phase 1: Property marketing*

* The Path B: Infrastructure Ontario will market the property directly and the City of Guelph will help inform the content of the marketing materials so that proponents have a full understanding of the GID Secondary Plan and the vision for the property.

Tier 1 Project Update | November 29, 2019

Q3 end of September 2019

Baker District Redevelopment (Master planning phase)



Executive Sponsor	Kealy Dedman, Deputy Chief Administrative Officer, Infrastructure, Development and Enterprise Services
Project Manager	Helen Loftin, General Manager Business Development Enterprise
Approved Budget	\$ 6,026,000
Funding Sources	Library: 24% Development charges; 76% Tax; Baker District: 100% Tax
Project Deliverables and Scope	<p>The Baker District Redevelopment Project is a City of Guelph-initiated development aimed at transforming the existing surface parking lot and adjacent properties fronting Upper Wyndham Street into a unique, mixed-use development. The purpose of this phase was to operate in accordance with the Letter of Intent that serves as the basis for the parties to execute a commercial agreement relating to the redevelopment of the site. Integral to this phase of the project is the completion of the functional program and concept design for the new central library.</p> <p>For more information visit https://guelph.ca/business/downtownbusiness/bakerdistrict/</p>
Target Completion	Q3 2020

Project Status



Within scope



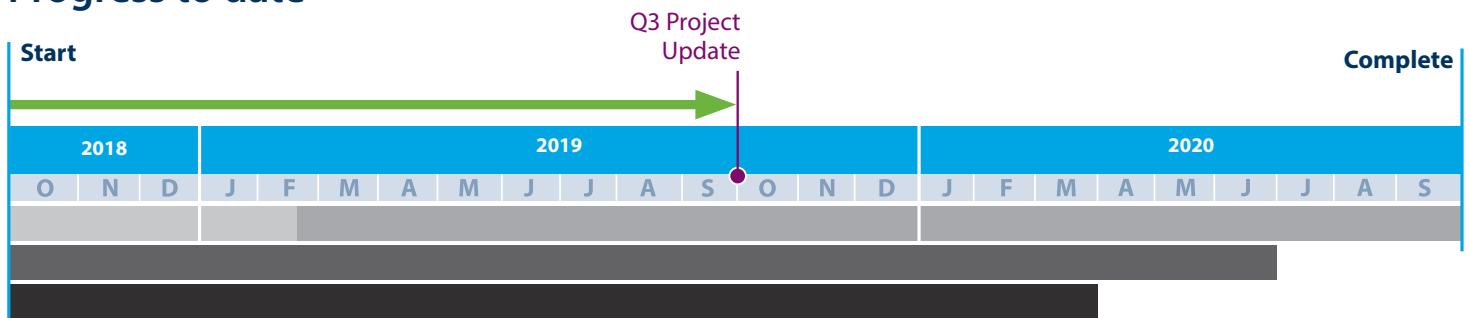
On revised schedule*



Within budget

*Schedule extended to allow for more community and professional engagement to complete the design work on public components.

Progress to date



- RFP and Preliminary Negotiation Stage
- Master Planning and Negotiation Stage
- Library program: Concept design
- Community engagement

Tier 1 Project Update | November 29, 2019

Q3 end of September 2019

Transportation Master Plan



Executive Sponsor	Kealy Dedman, Deputy Chief Administrative Officer, Infrastructure, Development and Enterprise Services
Project Manager	Jennifer Juste, Manager, Transportation Planning
Approved Budget	\$970,000
Funding Sources	55% Development Charges, 15% Public Transit Infrastructure Fund Grant, 30% Reserve Funding
Project Deliverables and Scope	The Transportation Master Plan is a Municipal Class Environmental Assessment Study to provide a significant update to the 2005 Guelph-Wellington Transportation Strategy. The update will track progress on outstanding recommendations from the previous plan, ensure alignment with policies adopted since 2005, and identify a vision, goals and recommendations to prepare the City to transport people and goods to 2031 and beyond.
Target Completion	Q1 2021

Project Status



Within scope



On revised schedule*



Within budget

* Schedule has been revised to reflect extensive community engagement during Phase 1, and necessary additional background study work to prepare the alternative scenarios in Phase 2.

Progress to date



- Contract negotiation and project initiation
- Community engagement, policy research and transportation modeling
- Evaluation and selection of preferred network; presentation to Council of preferred option
- Implementation and financial plan
- Council presentation of final TMP

Provincial and Federal Consultation Alert



Proposed amendment to O.Reg 506/18 (Reporting of Energy Consumption and Water Use) to stop further rollout to buildings under 100,000 square feet.

Ministry

Ontario's Ministry of Energy, Northern Development and Mines

Consultation Deadline

12 December 2019

Summary

The province is proposing to make a regulatory amendment to stop the further rollout of energy consumption and water use reporting requirements to buildings under 100,000 square feet.

Proposed Form of Input

A written submission to Ontario's Regulatory Registry.

Rationale

Water use consumption can potentially impact City of Guelph operations. City staff will review the proposal and respond where necessary.

Lead

Environmental Services

Link to Ministry Website

<https://www.ontariocanada.com/registry/view.do?postingId=30347&language=en>

Contact Information

Intergovernmental Services:

Chief Administrative Office

City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-37-5602

TTY: 519-826-9771

Provincial and Federal Consultation Alert



Proposal to extend the current moratorium on water bottling permits

Ministry

Ontario's Ministry of the Environment, Conservation and Parks (MECP)

Consultation Deadline

18 December 2019

Summary

MECP is proposing to amend Ontario Regulation 463/16 to extend the current moratorium on new or increased permits to take groundwater for water bottles for 9 months until 1 October 2020. This extension will allow the MECP time to complete a review on water quantity and to hold public consultations on how water is managed moving forward.

Proposed Form of Input

A formal submission to the Environmental Registry of Ontario consultation posting.

Rationale

Protecting water sources and the environment is important to the City of Guelph and our residents.

Lead

Environmental Services

Link to Ministry Website

<https://ero.ontario.ca/notice/019-0913>

Contact Information

Intergovernmental Services:

Chief Administrative Office

City Hall, 1 Carden Street, Guelph ON N1H 3A

519-37-5602

TTY: 519-826-9771

Provincial and Federal Consultation Alert



Discussion Paper: Public Health Modernization

Ministry

Ontario's Ministry of Health

Consultation Deadline

10 February 2020

Summary

The Ministry of Health is holding consultations on transforming Public Health Services across Ontario to inform provincial decision-making on public health service delivery and restructuring. A discussion paper has been posted online alongside a survey that is open for public input.

Proposed Form of Input

That the City of Guelph respond to the Ministry's discussion paper survey, write a letter with interested partners to Municipal Advisor Jim Pine and prepare to participate in in-person consultations should a session be held in the region.

Rationale

The City of Guelph is a co-funder of the Wellington-Dufferin-Guelph Public Health Unit and has representation on the Board of Health.

Lead

Finance/Intergovernmental Services

Link to Ministry Website

http://health.gov.on.ca/en/pro/programs/phehs_consultations/docs/dp_public_health_modernization.pdf

Contact Information

Intergovernmental Services:

Chief Administrative Office

City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-37-5602

TTY: 519-826-9771

Provincial and Federal Consultation Alert



Discussion Paper: Emergency Health Services Modernization

Ministry

Ontario's Ministry of Health

Consultation Deadline

10 February 2020

Summary

The Ministry of Health is holding consultations on modernizing municipal land ambulance services. A discussion paper has been posted online alongside a survey that is open for public input.

Proposed Form of Input

That the City of Guelph respond to the Ministry's discussion paper survey, write a letter to Municipal Advisor Jim Pine and prepare to participate in in-person consultations should a session be held in the region.

Rationale

Any provincial reforms arising from the consultation will have a direct impact on the finances and operations of Guelph-Wellington Paramedic Services.

Lead

Public Services - Guelph Wellington Paramedic Services

Link to Ministry Website

http://health.gov.on.ca/en/pro/programs/phehs_consultations/docs/dp_emergency_health_services_modernization.pdf

Contact Information

Intergovernmental Services:

Chief Administrative Office

City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-37-5602

TTY: 519-826-9771

November 25, 2019

Sent via email

Building Services Transformation Branch
777 Bay Street, 16th floor
Toronto, ON, M5G 2E5

To Whom It May Concern,

RE: Transforming and Modernizing the Delivery of Ontario's Building Code Services, Discussion Paper and Consultation

As the Chief Building Official for the City of Guelph, I am a member of the LMCBO (Large Municipalities Chief Building Officials) and I have also contributed to their separate response to this consultation. While I do not want to reiterate everything that has already been stated in the LMCBO letter, I do want to touch on a few key points that are important to the City of Guelph.

The Administrative Authority (AA) Model (3.2 Supporting Local Building Service Delivery) and (4.1 Promoting a Consistent Application of Code Requirements)
The City of Guelph's position is that the Provincial Government, either through the Ministry itself or through an agency similar to the Office of the Fire Marshal (OFM), should provide these services. It is imperative that this agency protects the public trust when it comes to the application of a public safety legislation that is as complex as the Ontario Building Code (OBC) and the AA model could call this trust into question.

While we are constantly working with our industry partners and recognize the importance of private sector input and their ideas for Building Code development and for streamlining processes, the Ministry has been there as a sounding board to balance the requests of the private sector and the need to protect the public. The proposed AA model diminishes or even removes this safe guard by allowing the interpretation, application and enforcement of the legislation to be by someone other than the Ministry or a public sector regulator.

We understand that the Ministry may not have the resources to provide the required services alone and we therefore recognize and support the Ontario Building Official Association's (OBOA's) co-regulatory model, but we would also support an agency similar to the OFM to fill this role as well.

We do look forward to receiving the support that this agency is intended to provide, including providing Code interpretations and direction for the consistent application of the Building Code across the Province. Over the past couple of decades we have been witness to the decline of these services from the MMAH. Again, we look to the

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guelph.ca

OFM and the support it currently provides to Fire Departments and Fire Prevention Offices across Ontario as a model to follow. We have also received support through the OBOA with the goal of consistent application of the Code and to streamline processes. We recognize that, if the OBOA were given the mandate to provide these services in an official capacity through its co-regulatory model, this would be another option that would meet our needs, while protecting public safety.

However, if the AA model is pursued, given the distinct role of a municipality as a regulator, the City of Guelph believes that it should be the Ministry that enforces any action against a municipality as outlined in 2.3 Registration Compliance and Enforcement of the Discussion Paper and not the Administrative Authority, which may have conflicting interests.

Coordinating Professional (Prime Consultant) (1.4 Using Coordinating Professionals)

We have also witnessed a decline in the coordination of consultants on construction projects. This is especially true on design build projects where there are even multiple engineers for the same discipline. For example, it is not uncommon to see five or six structural engineers on a project (for foundation, block walls, steel stud walls, structural steel, exterior cladding, miscellaneous metals, etc) with no one taking responsibility for the coordination of even the structural items, let alone the entire project across all disciplines. We see the requirement for a prime consultant as a key tool to not only help coordinate the project and protect public safety, but also be the main point of contact to help expedite the project through development approvals.

The role of the prime consultant needs to be clearly defined and required in the Ontario Building Code, not in the Architects or Engineers Acts. While the Ministry may not receive many comments with regards to this proposal, the impact of having a prime consultant will be significant and it is highly recommended by the City of Guelph.

Certified Professionals (CP's)

The use of certified professionals is not something that the City of Guelph supports, mainly due to the risks to public health and safety. There is no substitute for having the municipality, acting as an independent agent, reviewing the drawings and inspecting the construction to ensure the fire, life and health safety requirements in the Code are complied with. There has also not been an evidence based analysis that justifies or supports the use of certified professionals.

However, if the use of certified professionals is pursued, the City of Guelph would like to see further consultation on what that program entails. Preliminarily, we would want to see the allowance of certified professionals be at the sole discretion of each municipality on a project by project basis; that there be no reduction in the permit fees collected by the municipality; that the additional costs that consultants may

charge for this service be paid directly to the CP's by the developer / contractor, in addition to our permit fees; that the agreement for this service would be between the CP's and the developer / contractor with no involvement by the municipality, other than to allow it to occur; that, although certified professionals would need to be architects and engineers, the CP designation be licensed through the Ontario Government (or new Building Code Services agency (AA)) and not the OAA / PEO (similar to the current RCA model); and that the municipality have the authority to audit the CP's work and, where it is found that they have certified a project that is not in compliance with the Code, the municipality have the ability to submit a complaint to the CP licensing agency to have the certified professionals licence revoked and deficiencies fixed.

Regardless of certified professionals, the long stated concerns and issues with joint and several liability insurance also needs to be resolved as part of this transformation and modernization of the delivery of Ontario's Building Code services. However, this is especially true if certified professionals are allowed to be used on a project and it needs to be clearly legislated that the municipality would not be liable at all in this case.

Training & Continuous Professional Development (CPD) (2.2 Continuing Professional Development)

Since City of Guelph employees are members of the Ontario Building Officials Association (OBOA) we want to ensure that the OBOA's advanced, robust training and continuous professional development program will be accepted.

Additional Comments

I would also recommend that the Ministry look at the existing OBOA programs and the proposed OBOA Solution and work with them in regards to the Discussion Paper items 1.1 Examination Development & Delivery, 1.2 Pre-Qualification Training, 1.3 Recruiting Experienced Building Code Professionals, 2.1 Public Registry and Registration Process and 3.1 Enhanced Municipal Enforcement.

Please also refer to the LMCBO spreadsheet for a summary of responses, including from the City of Guelph, for each of the items in the Discussion Paper.

In general, I want to also bring to your attention that the City of Guelph has not only met our legislated turn around times, but we have also expedited our overall development approval times by allowing building permits to be applied for while site plan approval and other applicable law approvals are still being finalized. While these are typical reasons in the Code to either not accept applications or to not have to review them within the specified times, the City of Guelph does still accept and review these applications within the timelines outlined in the OBC (although most are not able to be issued due to the outstanding applicable law approvals).

Building Services Transformation Branch

November 25, 2019

RE: Transforming and Modernizing the Delivery of Ontario's Building Code
Services, Discussion Paper and Consultation

Page 4 of 4

Therefore, we are already meeting our customer's needs and expectations, as are most municipal building departments in Ontario that I consult with. The issue that appears to remain unaddressed and the one item that the 2017 RESCON Report and the Ministry's own Process Mapping Exercise conducted in 2019 confirms is that the delays are not in the review of permit applications, but rather with the applicable law requirements that need to be satisfied. None of the proposals in this Discussion Paper will allow building permits to be issued any quicker if the timing for applicable law approvals remains unresolved. This is where the Ministry should also be focusing its efforts.

Best Regards,

Jeremy Laur, CBCO, Chief Building Official
Building Services, **Planning and Building Services**
City of Guelph

T 519-837-5615 extension 2379

E jeremy.laur@guelph.ca

Wednesday November 27, 2019

Michael Helfinger
Senior Policy Advisor
Corporate Policy Unit (Economic Development, Job Creation and Trade)
11th Floor, 56 Wellesley Street West
Toronto ON M7A 2E7

Dear Michael,

RE: ERO 019-0774, ERO 019-0671, and ERO 019-0750

The City of Guelph is pleased to make a submission on the "Bill 132, Better for People, Smarter for Business Act, 2019" regulatory proposal on the Environmental Registry of Ontario. The City's comments will focus on two aspects of the proposal, 1) Changing the Mandate of the Resource Productivity and Recovery Authority and 2) Holding Polluters Accountable by Expanding the Use of Administrative Monetary Penalties for Environmental Contraventions.

1) Changing the Mandate of the Resource Productivity and Recovery Authority

The City of Guelph supports the modernization of electronic reporting for the Hazardous Waste Info Net (HWIN) and for the replacement of the paper manifest process. The paper process is cumbersome and lengthy while the digital registry is anticipated to be more nimble and will keep better records. We recommend that the same level of integrity and oversight be provided for electronic reporting that is in place for the paper manifest process.

It seems reasonable to use excess funds to defer the costs for enforcement and other activities related to the program. The administrative and monetary penalty changes seem appropriate.

There is concern related to costs that include fees for the digital reporting services, as well as costs incurred by the ministry for program oversight, compliance and enforcement. Any costs and associated fees should not be borne by municipalities. Rather, only processors and producers should be required to register and participate.

2) Holding polluters accountable by expanding the use of administrative monetary penalties for environmental contraventions

The City of Guelph is supportive of the creation of a robust administrative monetary penalty (AMP) regime for environmental contraventions to fill in

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current gaps in frontline enforcement at the Province and to allow for a more immediate and agile enforcement process.

Administrative Monetary Penalties

An area of concern with the proposed AMP approach relates to penalties. Currently, environmental penalties can be levied per occurrence and to account for the continuous of that occurrence over a period of time should the contravention continue. It is recommended that a similar approach be taken with the AMP regime. Rather than allow for the imposition of a penalty on a per occurrence basis as is currently proposed, the AMP approach should also allow for penalties to be levied to address the continuous of the occurrence. This will incentivize those in contravention of environmental protections to quickly discontinue the infraction. As well, it is important that maximum penalties established through legislation and/or regulation be sufficiently robust to discourage contravening behaviour. New maximum penalties should be higher than or equal to those under the existing regime.

Prescribed Violations

Currently, the issue of penalties under statutes is limited to the "Director." Under proposed revisions, authority would be provided to provincial officers to administer fines for "prescribed violations." It is unknown at this time what "violations" the province will include via regulations. The City of Guelph looks forward to commenting further on any proposed "prescribed violations" when draft regulations are posted for public comment on the Environmental Registry. The wellbeing of our environment is important to the City of Guelph and our residents. We support the Government of Ontario's focus on protecting the environment, ensuring the health of Ontarians and holding polluters responsible through an efficient enforcement model.

Relaunch of the Ontario Community Environment Fund Program

The City of Guelph is pleased to see the province's proposal to re-establish the Ontario Community Environment Fund Program. It is important that communities negatively impacted by environmental infractions be supported with sufficient funding to cover the costs of remediation, restoration and future protection. Municipal governments should continue to be eligible for this funding program once re-established.

The reestablishment of the fund also underscores the need for more dedicated funding sources for municipal governments to advance environmental initiatives that demonstrate climate change leadership, innovative adaption approaches and resiliency. The City supports the province's proposal to allow for funds under the relaunched program to be used to advance provincial and local environmental objectives.

Michael Helfinger
Wednesday November 27, 2019
RE: ERO 019-0774, ERO 019-0671, and ERO 019-0750
Page 3 of 3

Conclusion

Thank you for the opportunity to comment on Bill 132-related proposals in the Environmental Registry. For more information, questions or comments, please contact Leslie Muñoz, Manager, Policy and Intergovernmental Services, at leslie.munoz@guelph.ca or 519-822-1260 extension 3464.

Sincerely,

Jennifer Rose, General Manager
Environmental Services
Location: 530 Wellington Street West, Guelph ON

T 519-822-1260 extension 3599
E jennifer.rose@guelph.ca

C: Jamie Haldenby, Andre Martin, and Leslie Muñoz



The Corporation of The Town of Amherstburg

November 25, 2019

VIA EMAIL

Honourable Jeff Yurek
Minister of the Environment, Conservation and Parks
College Park 5th Floor
777 Bay St.
Toronto, ON
M7A 2J3

Re: Declaration of Climate Emergency in the Town of Amherstburg

Dear Hon. Yurek,

At its meeting of November 12th, 2019, Amherstburg Town Council passed the following resolution as recommended by the Windsor-Essex County Environment Committee:

***“WHEREAS** the Windsor-Essex County Environment Committee is sounding the alarm and urging the City of Windsor and the County of Essex to declare Climate Emergencies and work together to reduce emissions; and,*

***WHEREAS** more than 444 Canadian municipalities (including Chatham-Kent, London, Sarnia, Hamilton, St. Catharines, Guelph, Kingston, Kitchener and the Waterloo Region) have declared Climate Emergencies, some of which are also implementing strategic plans in order to help reduce global carbon emissions and mitigate the impacts of climate change; and,*

***WHEREAS** Amherstburg distributed sandbags to residents this summer in the face of historic water levels and has 43.7 km of shoreline along the Detroit River and Lake Erie, along with 12.4 km of shoreline on inland waterways, and is thus greatly affected by water levels in the Great Lakes basin; and,*

WHEREAS the most recent report by the UN Intergovernmental Panel on Climate Change (IPCC) has indicated that within 12 years, in order to keep the global average temperature increase to 1.5 degree C and maintain a climate compatible with human civilization, there must be a reduction in carbon emissions of about 45% from 2010 levels, reaching net zero carbon emissions by 2050; and,

WHEREAS based on current projections of the future impacts of human-caused climate change, climate change will adversely the local economy, local infrastructure and property, put a strain on municipal budgets and result in significant economic and health burdens for local residents, particularly our vulnerable populations; and,

WHEREAS climate change will jeopardize the health and survival of many local plant and animal species as well as their natural environments and ecosystems; and,

WHEREAS Amherstburg and the surrounding region is already experiencing climate change impacts including, but not limited to, overland flooding, heavy rain event flooding, emergence of invasive species, an increased number of high heat days, the rise of vector borne diseases, the re-emergence of blue-green algae and harmful algal blooms in our lakes and rivers; and,

WHEREAS municipalities are understood to produce and/or have regulatory jurisdiction over approximately 50% of carbon emissions in Canada; and,

WHEREAS Amherstburg is embarking on a review of the Town's Official Plan; and,

WHEREAS implementing climate action and making a transition to a low-carbon economy also represents a significant opportunity to stimulate economic growth, increase job opportunities and develop new technologies;

THEREFORE BE IT RESOLVED that Amherstburg declare a Climate Emergency and direct administration to prepare a report containing recommendations for priority actions items, implementation measures and cost requirements to accelerate and urgently work towards the reduction of emissions and preparing for our climate future.”

cc:

Doug Ford, Premier of Ontario
Association of Ontario Municipalities (AMO)
Essex Region Conservation Authority (ERCA)
Ontario Municipalities
Taras Natyshak, MPP, Essex
Chris Lewis, MP, Essex
Windsor-Essex County Environment Committee

Regards,



Tammy Fowkes
Deputy Clerk
tfowkes@amherstburg.ca



The Corporation of The Town of Amherstburg

November 25, 2019

VIA EMAIL

Ministry of the Attorney General
McMurtry-Scott Building
720 Bay St., 11th Floor
Toronto, ON
M7A 2S9

Re: Joint and Several Liability Consultation – Town of Amherstburg Support

At its meeting of October 15th, 2019, Amherstburg Town Council supported the Township of Springwater's Resolution regarding Joint and Several Liability Consultation ***with the exception of Section 2e – Law Society of Ontario Charges***; the Town of Amherstburg does not support this section.

cc:
Doug Ford, Premier of Ontario
Association of Ontario Municipalities (AMO)
Ontario Municipalities
Taras Natyshak, MPP, Essex
Chris Lewis, MP, Essex

Encl: Correspondence – Joint and Several Liability Consultation – Township of Springwater

Regards,

Tammy Fowkes
Deputy Clerk
tfowkes@amherstburg.ca

September 26, 2019

Ministry of the Attorney General
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto ON, M7A 2S9

Re: Joint and Several Liability Consultation

Please be advised that in response to your letter dated July 12, 2019, the Township of Springwater provides the following comments in regards to Joint and Several Liability.

1. Please describe the nature of the problem as you see it?

In response to the Province's request for consultation, the Township has a significant issue with Joint and Several Liability (JSL) and the impact it has on the municipality.

a. No Requirement of Proof

JSL is a tool that is used by the legal industry without any discretion to the point that this municipality feels that its use is negligent and in fact unethical. Most law suits that municipalities see are frivolous and vexations as lawyers cast their nets wide and attempt to use shotgun justice for their clients that are more than often the sole cause of a claim. A statement of claim does not require any proof that there is fault. A plaintiff only has to state who they think is involved and a significant amount of court time is spent determining who should be a party to the legal claim.

b. No Consequence for Being Wrongly Identified in a Statement of Claim

To add to this, there is no consequence that lawyers and their clients face for submitting a claim against a municipality when it is clear that a municipality is not involved. Municipalities incur significant administrative costs in managing these claims and the municipalities and their insurers pay significant costs to go through a lengthy process to prove that a claim was made in error (intentionally) only to find that a judge sees no reason to compensate a municipality for cost for incorrectly being named in a lawsuit by a plaintiff. Municipalities are seen as having deep pockets by the legal industry as well as the judicial system that makes decisions on these claims. Proof of innocence is often furnished to the plaintiff and lawyer by a municipality immediately upon notification of a pending legal action of statement of claim. This information is ignored by the plaintiff's lawyer. A plaintiff and their lawyer should have to reimburse a municipality for

all administrative and legal costs when the municipality is cleared of liability. Judges rarely compensate municipalities for being wrongly named in a legal action.

A recent example from 2019 occurred when a statement of claim was made against the Township of Springwater for an accident on a County Road (not the jurisdiction of Springwater). After legal and administrative costs totaling more than \$5,000, Springwater was dismissed from the claim. Unfortunately no costs were assigned to the plaintiff for wrongly naming Springwater in the statement of claim. The current system is broken and Springwater tax payers are left paying the bill.

2. What are the problems that you need addressed to benefit your community?

a. Ethical Standard of Due Diligence Required Before Submitting a Legal Action

Lawyer's representing plaintiff's should be required to submit documentation that provides significant research into why a claim is being made and a municipality is being named in a law suit. The claim should clearly prove authority and responsibility. The current practice of naming every party under the sun in a legal claim is negligent and unethical.

b. Frivolous and Vexatious Suits are Costing Taxpayers

The Township of Springwater is seeing a significant waste of administrative time and cost in managing legal claims against the municipality that are predominantly frivolous and vexatious due to JSL. Over the last seven years, the municipality has had 55 claims made against the municipality. These claims range from trips/falls resulting in broken eyeglasses to cases that unfortunately involve loss of life. The Township has no problem dealing with claims that the municipality is responsible for; however the Township does have a problem dealing with claims it does not have any responsibility for. Of the 55 claims against the municipality, 42 of these claims are frivolous and vexatious. Claims that the municipality has no responsibility for. Over the past 7 years, Springwater has paid more than \$100,000 on these frivolous and vexatious claims as they work themselves through the legal process. Many of these files are still open. This does not include additional costs paid by Springwater's insurance company that are beyond the municipality's deductible.

c. Negligent Legal Actions (Beyond Frivolous and Vexatious)

The Township of Springwater is currently named in 4 legal actions and an additional legal action (recently abandoned) for claims that occurred in another municipality (no where near Springwater). The Township is currently named in 3 claims that occurred in the Township of Clearview west of Stayner and one claim in the Township of Brock that have nothing to do with the Township. Springwater was named in a claim that occurred

in Wasaga Beach that was abandoned recently. All of these claims cost the Springwater taxpayer in administrative and legal costs as they work their way through the process.

d. Triage System for Claims

Before a claim makes it to a court date, the file should be triaged. It is at this stage that negligent of frivolous and vexatious claims will be filtered or thrown out. This process will trigger the reimbursement of costs to municipalities by unethical law firms.

e. Law Society of Ontario Charges

Lawyers that use JSL in an unethical way should be charged by the Law Society of Ontario. If a lawyer names a municipality in a legal action that should not be named, these lawyers should be suspended and potentially lose their license to practice law. There is a significant commonality when comparing frivolous and vexatious claims and the law firms/lawyers that submit them. The current code of ethics of the Law Society of Ontario should be updated by the Province to reprimand lawyers and law firms that negligently use JSL. The Province of Ontario should be involved in creating a new Code of Ethics for Ontario's legal industry.

3. Is it increased premiums? Rising deductibles?

A recent survey by CAO's in Simcoe County shows that insurance premiums are going up between 10% at the lowest to 59% being the highest in 2019. The Township of Springwater experienced a 10.8% increase in its 2019 insurance renewal. The area that typically sees an annual increase is related to the Municipal General Liability and Excess Liability lines of the business. The municipality was advised by its insurance broker that "over the past several years, insurance companies' appetite for Municipal Insurance has remained fairly stable. Insurance rates across all lines have seen only modest increases intended to simply keep pace with inflation and the rising cost of claims. Larger rate increases have been reserved for those accounts experiencing adverse claims development; either in frequency or severity (or both). However, starting in June 2018, the insurance market as a whole has shown clear signs of "hardening". Insurance companies for all sectors are putting stricter rules in place regarding the amount and breadth of coverage they will provide, and to which clients. Since the overall insurance supply is being reduced, the demand for insurer capacity is increasing, and as such, prices are elevating."

The table below provides at a high level (includes all lines of coverage) the Township's annual insurance premiums over the past five years.

2015	2016	2017	2018	2019
\$234,942	\$247,262	\$254,388	\$274,936	\$304,688

The Township continues to consult with its insurance broker in an effort to ensure that Springwater's constituents are receiving the best value for their tax dollar; however, the rising costs of insurance are not sustainable over the long run. Staff and its insurance broker have looked at increasing our deductibles in an effort to reduce the overall premium; however this has led to minimal reductions in the overall annual premium to the Township.

4. Being unfairly named in lawsuits?

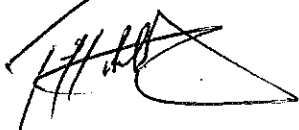
As detailed above, Springwater continues to be unfairly named in legal actions. Issues here range from a complete absence of research by legal firms on causality to the municipality being named in legal action in completely separate jurisdictions (other municipalities).

5. Feeling you cannot offer certain services because of liability risks?

More recently, with the advice of the Township's insurance broker, the Township has changed the way in which it delivers some of its recreational programs/services, especially as it relates to children's programs/activities. For example, the Township in partnership with its Community Recreation Associations will host a number of community based events throughout the year, which includes children's activities. In order to allow inflatable Bouncy castles at community events, the Township now requires the service provider to indemnify the Township and to also provide staff to monitor the safety of participants while in the inflatable Bouncy castle. Some vendors are reluctant to take on this risk.

Thank you for allowing the Township to participate in this consultation. We are open to further dialogue should you feel it necessary.

Yours truly,



Jeff Schmidt, CPA, CGA, B.A.S.
Chief Administrative Officer

Cc: Ontario Municipalities

Meeting Minutes



City of Guelph

Planning Advisory Committee (PAC)

June 13, 2019

City Hall, Meeting Room C

From 6:45 to 8:45 p.m.

Present: Indu Arora, Paul Hanusiak, Lisa Mactaggart, Malcolm McIntosh, Brandon Raco, Melissa Aldunate, Lisa Drury, Natalie Goss, Jason Downham, Madeleine Myhill

Absent: Mario Cotroneo, Anu Luthra, Darren Shock

Agenda Items

All were welcomed

Item 1, 2 and 3

Item 1, Roll call and certification of quorum

Item 2, Declaration of conflict of interest

Item 3, Approval of April 17, 2019 meeting minutes

Moved by: Malcolm McIntosh

Seconded by: Indu Aurora

Carried - unanimous

THAT the minutes of the April 17, 2019 PAC meeting be approved.

Item 4

Presentation on A Place to Grow: Growth Plan for the Greater Golden Horseshoe with a focus on city conformity requirements

- Jason Downham, Planner II – Data and Analytics, provided a presentation
- Came into effect in May 2019, and all upper/single tier municipalities in the Greater Golden Horseshoe have to bring their Official Plans into conformity with the plan over the next three years
- Sets new targets for intensification and presents new methods of calculating greenfield densities
- Sets principles for growth to help make communities more livable, viable and manage growth in a sustainable manner
- Questions and discussion

Item 5

Discussion and comments on community engagement opportunities for Guelph Growth Management Strategy and Growth Plan conformity

- Look to Community Plan engagement tactics
- Festivals, Farmer's Market, schools, targeted ads, booths at high traffic locations (the Boathouse and parks), visual preferences, signage at different locations, interactive monitors at City facilities, consider a youth advisory council, digital design charrettes, movie theatre, reach out to faith groups, utilize educational platforms that engage youth, write love/break up letters to features of the City
- Community engagement plan to be shared at the next meeting

Item 6

Lisa Mactaggart provided a presentation on creating livable spaces with trees

- What really contributes to making a place livable is having street trees
- 30 cubic meters of soil required for trees to grow big
- When creating planning documents and bylaws, ensure that there are mechanisms to get 30 cubic meters of soil for trees

Information

Dylan Cropper has resigned from the Planning Advisory Committee.

Adjournment

Moved by: Malcolm McIntosh

Seconded by: Indu Aurora

Carried - unanimous

Next Meeting:

Thursday, October 24, 2019 from 6:45 p.m. to 8:30 p.m. City Hall, Marg MacKinnon Room